

NOTIFICATION OF RIGHTS UNDER FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. They are:

- A. *The right to inspect and review the student’s education records within 45 days of the day the Maine Educational Center for the Deaf and Hard of Hearing/ Governor Baxter School for the Deaf (MECDHH/GBSD) receives a request for access*

Parents of eligible students should submit to the school principal written request that identifies the record(s) they wish to inspect. The principal will make arrangement for access and notify the parent or eligible student of the time and place where the records may be inspected.

- B. *The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate or misleading.*

Parents or eligible students may ask MECDHH/GBSD to amend a record that they believe is inaccurate or misleading. They could write the school principal, clearly identify the part of the record they want changes, and specify why it is inaccurate or misleading.

If MECDHH/GBSD decides not to amend the record as requested by the parent or eligible student, MECDHH/GBSD will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- C. *The right to consent to disclosure of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.*

Once exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by MECDHH/GBSD as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom MECDH/GBSD has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or a parent or student serving on an official

committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility.

Upon request, MECDHH/GBSD discloses education records, including special education records, without consent to officials of another school district in which a student seeks or intends to enroll. A copy of all students' education records must be sent to any school administrative unit to which a student applies for transfer.

- D. The right to file a complaint with the U.S. Department of Education concerning alleged failure by MECDHH/GBSD to comply with the requirement of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Ave., S.W.
Washington, DC 20202-4605

- E. The Maine Educational Center for the Deaf and Hard of Hearing/Governor Baxter School for the Deaf may make public at its discretion personally identifiable information for the education records of a student without parental consent if that information has been designated as directory information by the school. MECDHH/GBSD designated the following information as directory information: the student's name, the student's participation in officially recognized activities and sports, height and weight of student athletes, and grade level in school of students in extracurricular activities, dates of attendance at MECDHH/GBSD, and honors and awards received.

Such information will not be disclosed if the parent of the student or an eligible student informs MECDHH/GBSD in writing by July 1 for the upcoming school year or within 30 days after enrollment, whichever is later, that such information is not to be designated as directory information with respect to that student. Any such notice should be sent to the Executive Director at the following address:

MECDHH/GBSD
1 Mackworth Island
Falmouth, ME 04105

Under Maine law, MECDHH/GBSD shall not publish on the internet without written parental consent any information, whether directory or otherwise, that identifies a student, including but not limited to the student's full name, photograph, personal biography, email address, home address, date of birth, social security number, and parents' names.

References: 34 CFR § 997; Federal Register, Vol. 61, No. 226 at 59297 (Nov. 21, 1996); 20-A MRSA §6001

**Date Issued: July 1, 2001 (original policy has Larry Taub's
(Superintendent) signature**

Edited for school name and administrator title: January 2014