

STUDENT EDUCATION RECORDS AND INFORMATION

Northern Penobscot Tech Region III shall comply with the Family Education Rights and Privacy Act ("FERPA") and all other federal and state laws and regulations concerning confidentiality and maintenance of student records and information.

A. Directory Information

Northern Penobscot Tech Region III designates the following student information as directory information: name, participation and grade level of students in recognized activities and sports, height and weight of student athletes, dates of attendance in Region III, honors and awards received, and photographs and videos of student participation in school activities open to the public (except photographs and videos on the Internet).

Region III may disclose directory information if it has provided notice to parents (and eligible students over 18) and has not received timely written notice refusing permission to designate such information as directory information.

B. Military Recruiters/Higher Education Access to Information

Under federal Law, military recruiters and institutions of higher education are entitled to receive the names, addresses and telephone numbers of secondary students and Region III must comply with any such request, provided that parents have been notified of their right to request that this information not be released without their prior written consent.

C. Health or Safety Emergencies

In accordance with federal regulations, Northern Penobscot Tech Region III may disclose education records in a health or safety emergency to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals without prior written consent.

D. Information on the Internet

Under Maine law, Northern Penobscot Tech shall not publish on the Internet any information that identifies a student, including but not limited to the student's full name, photograph, personal biography, e-mail address, home address, date of birth, social security number and parents' names, without written parental consent.

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E. Transfer of Student Records

As required by Maine law, Northern Penobscot Tech Region III sends student education records to a school unit to which a student applies for transfer, including disciplinary records, attendance records, special education records and health records (except for confidential health records for which consent for dissemination has not been obtained).

- F. Northern Penobscot Tech Region III may disclose student educational records without parental consent to personnel of law enforcement provided that they have been designated as school officials with legitimate educational interests for the purpose of compliance with FERPA.

The Region III Board hereby designates local police, county sheriffs, and/or Maine State police as Region III's law enforcement units.

G. Administrative Procedures and Notices

Northern Penobscot Tech Region III's Director is responsible for developing and implementing any administrative procedures and parent notices necessary to comply with the applicable laws and regulations concerning student education records and information. Notices shall be distributed annually to parents and eligible students concerning their rights under these laws and regulations. A copy of this policy shall be posted in each of Region III's facilities.

Legal Reference 20 U.S.C. § 1232g; 34 C.F.R. Part 99, (as amended)
 20 U.S.C. § 7908
 20-A M.R.S.A. §§ 6001, 6001-B
 Maine Department of Education Rules, Chapters 101 and 125

Cross Reference: JRA-E – Annual Notice of Student Education Records and
 Information Rights
 JRA-R – Student Education Records and Information
 Administrative Procedure
 ILD – Student Surveys and Marketing Information

Adopted: September 23, 1998
Revised: November 17, 2011

ANNUAL NOTICE OF STUDENT EDUCATION RECORDS AND INFORMATION RIGHTS

The Family Educational Rights and Privacy Act ("FERPA") provides certain rights to parents and eligible students (18 years of age or older) with respect to the student's education records.

A. Inspection of Records

Parents/eligible students may inspect and review the student's education records within 45 days of making a request. Such requests must be submitted to the Director in writing and must identify the record(s) to be inspected. The Director will notify the parent/eligible student of the time and place where the record(s) may be inspected in the presence of school staff. Parents/eligible students may obtain copies of education records at a cost of \$0.20 per page.

B. Amendment of Records

Parents/eligible students may ask Northern Penobscot Tech Region III to amend education records they believe are inaccurate, misleading or in violation of the student's right to privacy. Such requests must be submitted to the Director in writing, clearly identifying the part of the record they want changed and specifying why it is inaccurate or misleading. If the Director decides not to amend the record as requested, the parent/eligible student will be notified of the decision, their right to request a hearing and information about the hearing process.

C. Disclosure of Records

Northern Penobscot Tech Region III must obtain a parent/eligible student's written consent prior to disclosure of personally identifiable information in education records except in circumstances permitted by law or regulations as summarized below.

1. Directory Information

Northern Penobscot Tech Region III designates the following student information as directory information that may be made public at its discretion: name, participation and grade level of students in recognized activities and sports, height and weight of student athletes, dates of attendance in Region III, honors and awards received, and photographs and videos of student participation in school activities open to the public (except photographs and videos on the Internet). Parents/eligible students who do not want Region III to disclose directory information must notify the Director in writing by September 15th or

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within thirty (30) days of enrollment, whichever is later. This opt-out request will remain in effect unless or until it is rescinded.

2. Military Recruiters/Institutions of Higher Education

Military recruiters and institutions of higher education are entitled to receive the names, addresses and telephone numbers of secondary students and Northern Penobscot Tech Region III must comply with any such request, provided that parents have been notified of their right to request that this information not be released without their prior written consent. Parent/eligible students who do not want Region III to disclose this information without their prior written consent must notify the Director in writing by September 15th or within thirty (30) days of enrollment, whichever is later.

3. School Officials with Legitimate Educational Interest

Education records may be disclosed to school officials with a "legitimate educational interest." A school official has a legitimate educational interest if he/she needs to review an education record in order to fulfill his/her professional responsibility. School officials include persons employed by Northern Penobscot Tech Region III as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement personnel); members of the Cooperative Board of Directors; persons or companies with whom Region III has contracted to provide specific services (such as attorneys, auditors, medical consultants, evaluators, or therapists); and volunteers who are under the direct control of Region III with regard to education records.

4. Health or Safety Emergencies

In accordance with federal regulations, Northern Penobscot Tech Region III may disclose education records in a health or safety emergency to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals without prior written consent.

5. Other School Units

As required by Maine law, Northern Penobscot Tech Region III sends student education records to a school unit to which a student applies for transfer, including disciplinary records, attendance records, special education records and health records (except for confidential health records for which consent for dissemination has not been obtained).

6. Other Entities/Individuals

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Education records may be disclosed to other entities and individuals as specifically permitted by law. Parents/eligible students may obtain information about other exceptions to the written-consent requirement by request to the Director.

D. Complaints Regarding School Department Compliance with FERPA

Parents/eligible students who believe that Northern Penobscot Tech Region III has not complied with the requirements of FERPA have the right to file a complaint with the U.S. Department of Education. The office that administers FERPA is

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

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