

NOTIFICATION OF RIGHTS UNDER FERPA**ANNUAL NOTICE OF STUDENT EDUCATION RECORDS AND INFORMATION RIGHTS**

The Family Educational Rights and Privacy Act (“FERPA”) provides certain rights to parents/legal guardians and eligible students (18 years of age or older) with respect to the student’s education records.

A. INSPECTION OF RECORDS

Parents/legal guardians and 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 Executive Director (or designee) in writing and must identify the record(s) to be inspected. The Executive Director (or designee) will notify the parent/legal guardian or eligible student of the time and place where the record(s) may be inspected in the presence of school staff. Parents/legal guardians and eligible students may obtain copies of education records at a cost of \$.50 per page.

B. AMENDMENT OF RECORDS

Parents/legal guardians and eligible students may ask the Fiddlehead School 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 Executive Director (or designee) in writing, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the Executive Director (or designee) decides not to amend the record as requested, the parent/legal guardian and eligible student will be notified of the decision, their right to request a hearing and given information about the hearing process.

C. DISCLOSURE OF RECORDS

The Fiddlehead School must obtain a parent/legal guardian and 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

The Fiddlehead School designates the following student information as directory information that may be made public at its discretion: name, participation and grade level of students in officially recognized activities and sports, height and weight of student athletes, dates of attendance in the Fiddlehead School, honors and awards received, and photographs and videos relating to student participation in school activities open to the public (except photographs and videos on the Internet). Parents/legal guardians and eligible students who do not want the Fiddlehead School to disclose directory information must notify the Executive Director (or designee) in writing by September 15th or within thirty (30) days of enrollment, whichever is later. This opt-out request will remain in effect unless and 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 the Fiddlehead School must comply with any such request, provided that parents/legal guardians have been notified of their right to request that this information not be released without their prior written consent. Parents/legal guardians and eligible students who do not want the Fiddlehead School to

disclose this information without their prior written consent must notify the Executive Director (or designee) in writing by September 15th or within thirty (30) days of enrollment, whichever is later.

3. School Officials with Legitimate Educational Interests

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 the Fiddlehead School as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); members of the Fiddlehead School Board of Directors; persons or companies with whom the Fiddlehead School has contracted to provide specific services (such as attorneys, auditors, medical consultants, evaluators or therapists); and volunteers who are under the direct control of the Fiddlehead School with regard to education records.

4. Health or Safety Emergencies

In accordance with federal regulations, the Fiddlehead School 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, the Fiddlehead School sends student education records to a school unit to which a student applies to 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

Education records may be disclosed to other entities and individuals as specifically permitted by law. Parents/legal guardians and eligible students may obtain information about other exceptions to the written consent requirement by request to the Executive Director (or designee).

D. COMPLAINTS REGARDING SCHOOL DEPARTMENT COMPLIANCE WITH FERPA

Parents/legal guardians and eligible students who believe the Fiddlehead School 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, SW
Washington, DC 20202-8520

Legal References:

20 U.S.C. § 1232g
34 CFR § Part 99 (July 2010)
Me. Spec. Ed. Reg. Ch. 101 § XVII (July 2013)

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