

Student Records and Information

RSU 40 will must comply with the Family Educational Rights and Privacy Act ("FERPA") and all other federal and state laws and regulations concerning confidentiality and maintenance of student records and student information.

Directory Information

RSU 40 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 RSU 40, and honors, and awards received. RSU 40 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.

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 RSU 40 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.

Information on the Internet

Under Maine law, RSU 40 must 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.

Transfer of Student Records

As required by Maine law, RSU 40 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).

Designation of Law Enforcement Unit

RSU 40 may disclose student education records without parental consent to personnel of its law enforcement unit, provided that they have been designated as school officials with legitimate educational interests for the purpose of compliance with FERPA. The Board hereby designates its School Resource Officer as RSU 40 law enforcement unit for the purpose of disclosure of student education records under FERPA.

Health or Safety Emergency Emergencies

As permitted by FERPA, RSU 40 may disclose personally identifiable information from a student's educational record to appropriate parties, including parents of an eligible student, if taking into account the totality of the circumstances, it determines that there is an articulable and significant threat to the health or safety of the student or other individuals and that knowledge of the information is necessary to protect the health or safety of the student or other individuals. In the event of disclosure, RSU 40 must record the articulable and significant threat that formed the basis for the disclosure and the parties to whom RSU 40 has disclosed and maintain such record with the student's educational record.

Administrative Procedures and Notices

Whenever RSU 40 requests a student's social security number, RSU 40 must inform the parent or legal guardian of that student or the student if the student is 18 years of age or older, for what purpose the social security number will be used and provide the parent, legal guardian or student if the student is 18 years of age or older the opportunity to opt out of providing the social security number. RSU 40 must delete the student's social security number from the student's records once the student is no longer enrolled in RSU 40.

The Superintendent/designee may designate student Directory information, as described in FERPA, for more common purposes such as student yearbooks and graduation programs.

The Superintendent must develop and implement administrative procedures and parent notices necessary to comply with the applicable laws and regulations concerning student education records and information. Notices must be distributed annually to parents and eligible students concerning their rights under these laws and regulations. A copy of this policy must be posted in each school.

Legal Reference: 20 U.S.C. §1232g; 34 C.F.R.
Part 99 20 U.S.C. § 7908
20-A M.R.S. §6001, § 6001-B, §6001-C
Ch. 101, 125 (Me. Dept. of Ed. Rules)

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

This is a required policy.

Adopted: September 18, 2014

Revised: March 1, 2018
July 18, 2019