

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1269

H. P. 975

House of Representatives, March 20, 1975

On motion of Mr. Lynch of Livermore Falls, referred to the Committee on Education. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Lynch of Livermore Falls.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Relating to Access to Written Records Concerning Elementary and Secondary School Pupils.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 20 MRSA § 805, sub-§ 1, as enacted by PL 1971, c. 611, § 9-A, is amended to read:

1. **Parent or guardian.** Either parent or a guardian of such pupil, or a student who is 18 years of age or older who is attending an institution of post-secondary education;

Sec. 2. 20 MRSA § 805, sub-§ 3, as enacted by PL 1971, c. 611, § 9-A, is repealed and the following enacted in place thereof:

3. **Certain school officials.** Other school officials, including teachers, within the educational institution or local educational agency who have been determined by such agency or institution to have legitimate educational interests;

Sec. 3. 20 MRSA § 805, sub-§ 4, as enacted by PL 1971, c. 611, § 9-A, is repealed.

Sec. 4. 20 MRSA § 805, sub-§ 5, as last amended by PL 1971, c. 610, § 22, is repealed and the following enacted in place thereof:

5. **Education officials.** The Commissioner of Educational and Cultural Services or a member of his staff;

Sec. 5. 20 MRSA § 805, sub-§ 6, as enacted by PL 1971, c. 611, § 9-A, is repealed.

Sec. 6. 20 MRSA § 805, sub-§ 7 is enacted to read.

7. Organizations conducting certain studies. Organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating or administering predictive tests, administering student aid programs and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted.

Sec. 7. 20 MRSA § 805, last ¶, as enacted by PL 1971, c. 611, § 9-A, is repealed as follows:

~~Such restrictions are not intended to interfere with the giving of information by school personnel concerning participation in athletics or other school activities, the winning of scholastic or other honors and awards, or other like information. Notwithstanding the restrictions imposed by this section, a governing body may in its discretion, provide information to the staff of a college, university or educational research and development organization or laboratory if such information is necessary to a research project or study conducted, sponsored or approved by the college, university, or educational research and development organization or laboratory and if no pupil will be identified by name in the information submitted for research~~

STATEMENT OF FACT

This law is amended to comply with requirements of Federal Law Family Educational Rights and Privacy Act, approved December 31, 1974.