



BIRTHWISE MIDWIFERY SCHOOL

Teaching the Art & Science of Midwifery Since 1994

Annual FERPA Privacy Notification

The Family Educational Rights and Privacy Act (FERPA) affords students who are 18 years of age or older or attend a postsecondary institution of any age ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day the Birthwise Midwifery School receives a request for access.

Eligible students who wish to inspect their education records should submit to the Executive Director a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the eligible student of the time when the records may be inspected. Records shall be inspected in the administrative office under the supervision of an administrative staff member.

2. The right to request the amendment of the student's education records that the eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Eligible students who wish to ask Birthwise Midwifery School to amend their educational record should write the Executive Director, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the eligible student, the school will notify the eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the eligible student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

An exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. School officials are defined as faculty, administrative, and academic staff, along with outside vendors, such as Birthwise Midwifery School's auditor and FA processor, SEVIS, MEAC and State of Maine officials. A legitimate educational interest is warranted if the official needs to review an education record to fulfill his or her professional responsibility.

Upon request, the school discloses education records without consent to officials of another school in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

The right to file a complaint with the U.S. Department of Education concerning alleged failures by Birthwise Midwifery School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

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

FERPA permits the disclosure of PII from students' education records, without consent of the eligible student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the eligible student, § 99.32 of the FERPA regulations requires the school to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the eligible student –

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency (SEA) in the parent or eligible student's State. Disclosures under this provision may be made, subject to the requirements of § 99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, if applicable requirements are met. (§§ 99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice

system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to § 99.38. (§ 99.31(a)(5))

- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction, if applicable requirements are met. (§ 99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena if applicable requirements are met. (§ 99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))
- Information the school has designated as "directory information" (§ 99.31(a)(11)). Directory information is defined as the student's first and last name, Birthwise email address, and grade level. Directory information is only available to other currently enrolled students via Sycamore.