

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FIFTEEN

—  
H.P. 53 - L.D. 59

**An Act To Protect Students' Rights and Privacy Regarding Their School  
Records**

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

**Sec. 1. 20-A MRSA §6001, sub-§1**, as amended by PL 2003, c. 181, §3, is further amended to read:

**1. Federal and state law.** The provisions of this section, the United States Family Educational Rights and Privacy Act of 1974, Public Law 93-380, as amended by Public Law 93-568, and the ~~United States Education of All Handicapped Children Act, Public Law 94-142~~ federal Individuals with Disabilities Education Act, 20 United States Code, Section 1400 et seq., as amended, govern the dissemination of education records and personally identifiable information about students in public schools, private schools approved by the department pursuant to chapter 117 and private schools recognized by the department as providing equivalent instruction pursuant to section 5001-A, subsection 3, paragraph A, subparagraph (1), division (b), as well as written notices of intent to provide equivalent instruction through home instruction and all education records of students receiving equivalent instruction through home instruction.

**Sec. 2. Penalty.** Not later than January 15, 2016, the Commissioner of Education shall report back to the Joint Standing Committee on Education and Cultural Affairs with recommendations for an appropriate penalty for a violation of the Maine Revised Statutes, Title 20-A, section 6001, subsection 1, including any necessary implementing legislation. The Joint Standing Committee on Education and Cultural Affairs may report out a bill to the Second Regular Session of the 127th Legislature to implement a penalty for a violation of Title 20-A, section 6001, subsection 1.