

## STUDENT RECORDS

### I. Generally

Alexandria City Public Schools (ACPS) maintains accurate and complete records for every student enrolled in the public schools in accordance with all federal and state laws.

The Superintendent and/or the Superintendent's designee(s) is responsible for the collection of data, record maintenance and security, access to, and use of records, confidentiality of personally identifiable information, dissemination of information from records, and destruction of records, including the destruction of personally identifiable information regarding a student with a disability at the request of the parents/guardians. The Superintendent also provides for notification of all school division personnel of policies and procedures for management of education records and notification of parents/guardians and students of their rights regarding student records, including the right to obtain, upon request, a copy of this policy.

ACPS allows students to be addressed by the name and gender pronouns that reflect their gender identity without any substantiating evidence. (Official records requirements related to gender are addressed in Section V of this policy.) All ACPS personnel shall adhere to legal standards of confidentiality relating to information about a student's gender identity, legal name, or sex assigned at birth. In addition to adhering to all legal standards of confidentiality, school personnel shall treat information relating to a student's gender identity as being particularly sensitive, shall not disclose it to other students and other parents, and shall only disclose to other school personnel with a "legitimate educational interest," as defined in Section XI of this policy.

### II. Definitions

For the purposes of this policy, ACPS uses the following definitions:

**Authorized Representative** – any entity or individual designated by a state or local educational authority or an agency headed by an official listed in 34 CFR § 99.31(a)(3) to conduct, with respect to federal or state-supported education programs, any audit or evaluation, or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

**Directory Information** - information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information may include information such as the student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, grade level, enrollment status, dates of attendance, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors, and awards received, and the most recent educational institution attended. Directory information may not include the student's

45 social security number. Directory information may include a student identification number or  
 46 other unique personal identifier used by a student for accessing or communicating in  
 47 electronic systems if the identifier cannot be used to gain access to education records except  
 48 when used in conjunction with one or more factors that authenticate the user's identity, such  
 49 as a personal identification number, password, or other factor known or possessed only by the  
 50 authorized user or a student ID number or other unique personal identifier that is displayed on  
 51 a student ID badge, if the identifier cannot be used to gain access to education records except  
 52 when used in conjunction with one or more factors that authenticate the user's identity such as  
 53 a PIN or password or other factor known or possessed only by the authorized user. The  
 54 specific information designated by ACPS as "directory information" is listed in Section XVIII  
 55 of this policy.

56  
 57 **Early Childhood Education Program** – a Head Start program or an Early Head Start  
 58 program, a state licensed or regulated child care program, or a program that serves children  
 59 from birth through age six that addresses the children's cognitive, social, emotional, and  
 60 physical development and is a state prekindergarten program, a program under Section 619 or  
 61 Part C of the Individuals with Disabilities Education Act, or a program operated by a local  
 62 educational agency.

63  
 64 **Education Program** - any program that is principally engaged in the provision of education,  
 65 including, but not limited to, early childhood education, elementary and secondary education,  
 66 postsecondary education, special education, job training, career and technical education, and  
 67 adult education, and any program that is administered by an educational agency or institution.

68  
 69 **Education Records** - any information recorded in any way (including handwriting, print,  
 70 computer media, video or audiotape, film, microfilm, microfiche, or other medium)  
 71 maintained by ACPS or an agent of the school division which contains information directly  
 72 related to a student, *except*:

- 73
- 74 • Records that are kept in the sole possession of the maker, are used only as a personal
- 75 memory aid, and are not accessible or revealed to another person except a temporary
- 76 substitute for the maker of the record;
- 77 • Records created and maintained for law enforcement purposes by ACPS' law
- 78 enforcement unit, if any. A "law enforcement unit" is any individual, department or
- 79 office of the school division that is authorized to enforce any local, state or federal law,
- 80 refer enforcement matters to appropriate authorities or maintain the physical security
- 81 and safety of the school division;
- 82 • In the case of persons who are employed by ACPS but who are not in attendance at a
- 83 school in the Division, records made and maintained in the normal course of business
- 84 which relate exclusively to the person in their capacity as an employee;
- 85 • Records created or received after an individual is no longer in attendance and that are
- 86 not directly related to the individual's attendance as a student;
- 87 • Grades on peer-graded papers before they are collected and recorded by a teacher; and
- 88 • Any electronic information, such as an email, even if it contains personally identifiable
- 89 information regarding a student, unless a printed copy of the electronic information is

90 placed in the student's file or is stored electronically under an individual student's  
 91 name on a permanent and secure basis for the purpose of being maintained as an  
 92 educational record. For purposes of this policy, electronic information that exists on a  
 93 back-up server, a temporary archiving system, or on a temporary basis on a computer  
 94 is not an education record and is not considered as being maintained.

95  
 96 **Eligible Student** - a student who has reached age 18.

97  
 98 **Parent/Guardian** - a parent of a student, including a natural parent, a guardian, or an  
 99 individual acting as a parent or guardian in the absence of the student's parent or guardian.

100  
 101 **Student** - any person who is or has been in attendance at an ACPS school regarding whom the  
 102 school division maintains education records or personally identifiable information.

### 103 104 **III. Dissemination and Maintenance of Records About Court Proceedings**

#### 105 106 A. Adjudications

107  
 108 The Superintendent shall disseminate the notice or information regarding an adjudication  
 109 of delinquency or conviction for an offense listed in Va. Code § 16.1-260.G contained in a  
 110 notice received pursuant to Va. Code § 16.1-305.1 to school personnel responsible for the  
 111 management of student records and to other relevant school personnel, including, but not  
 112 limited to, the principal of the school in which the student is enrolled. The principal shall  
 113 further disseminate such information to licensed instructional personnel and other school  
 114 personnel who (1) provide direct educational and support services to the student and (2)  
 115 have a legitimate educational interest in such information.

116  
 117 A parent, guardian, or other person having control or charge of a student, and, with  
 118 consent of a parent or in compliance with a court order, the court in which the disposition  
 119 was rendered, shall be notified in writing of any disciplinary action taken with regard to  
 120 any incident upon which the adjudication of delinquency or conviction for an offense  
 121 listed in subsection G of Va. Code § 16.1-260 was based and the reasons therefor. The  
 122 parent or guardian shall also be notified of their right to review, and to request an  
 123 amendment of, the student's scholastic record.

124  
 125 Every notice of adjudication of delinquency or conviction for an offense listed in  
 126 subsection G of Va. Code § 16.1-260 received by the Superintendent, and information  
 127 contained in the notice, which is not a disciplinary record as defined in Board of Education  
 128 regulations, shall be maintained by the Superintendent and by any others to whom the  
 129 Superintendent disseminates it, separately from all other records concerning the student.  
 130 However, if the school administrators or the School Board takes disciplinary action against  
 131 a student based upon an incident which formed the basis for the adjudication of  
 132 delinquency or conviction of an offense listed in subsection G of Va. Code § 16.1-260,  
 133 the notice shall become a part of the student's disciplinary record.

134  
135 Any notice of disposition received pursuant to Va. Code § 16.1-305.1 shall not be retained  
136 after the student has been awarded a diploma or a certificate as provided in Va. Code §  
137 22.1-253.13:4.  
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#### 139 B. Petitions and Reports 140

141 The Superintendent shall not disclose information contained in or derived from a notice of  
142 petition received pursuant to Va. Code § 16.1-260 or report received pursuant to Va. Code  
143 § 66-25.2:1 except as follows:  
144

- 145 • If the juvenile is not enrolled as a student in a public school in the division to which  
146 the notice or report was given, the Superintendent shall promptly so notify the intake  
147 officer of the juvenile court in which the petition was filed or the Director of the  
148 Department which sent the report and may forward the notice of petition or report to  
149 the Superintendent of the Division in which the juvenile is enrolled, if known.
- 150 • Prior to receipt of the notice of disposition in accordance with Va. Code § 16.1- 305.1,  
151 the Superintendent may disclose the fact of the filing of the petition and the nature of  
152 the offense to the principal of the school in which the student is enrolled if the  
153 Superintendent believes that disclosure to school personnel is necessary to ensure the  
154 physical safety of the student, other students, or school personnel within the Division.  
155 The principal may further disseminate the information regarding a petition, after the  
156 student has been taken into custody, whether or not the child has been released, only to  
157 those students and school personnel having direct contact with the student and need of  
158 the information to ensure physical safety or the appropriate educational placement or  
159 other educational services.
- 160 • If the Superintendent believes that disclosure of information regarding a report  
161 received pursuant to Va. Code § 66-25.2:1 to school personnel is necessary to ensure  
162 the physical safety of the student, other students, or school personnel, the  
163 Superintendent may disclose the information to the principal of the school in which the  
164 student is enrolled. The principal may further disseminate the information regarding  
165 such report only to school personnel as necessary to protect the student, the subject or  
166 subjects of the danger, other students, or school personnel.  
167

#### 168 IV. Protective Orders and Orders Prohibiting Contact with a Child 169

170 Any school principal who receives notice that a circuit court, general district court, juvenile  
171 and domestic relations district court, or magistrate has issued a protective order for the  
172 protection of any child who is enrolled at the school, or any other order prohibiting contact  
173 with such a child, notifies licensed instructional personnel and other school personnel who (i)  
174 provide direct educational or support services to the protected child or the child subject to the  
175 order, (ii) have a legitimate educational interest in such information, and (iii) are responsible  
176 for the direct supervision of the protected child or the child subject to the order that such order  
177 has been issued.  
178

179 **V. Records Related to Gender**

180

181 ACPS is required to maintain a record that includes a student's legal name and sex assigned at  
 182 birth and may be required to use or report the legal name and sex assigned at birth in some  
 183 situations. In situations where school staff is required to use or to report a transgender  
 184 student's legal name or sex assigned at birth, such as for purposes of standardized testing,  
 185 school staff and administrators should adopt practices to avoid the inadvertent disclosure of  
 186 such information.

187

188 Although parental consent is required to change official education records for minor students  
 189 (under age 18), upon the request of a student or parent/guardian, schools shall use the name  
 190 and gender consistent with the student's gender identity on other school records or documents.

191

192 Schools shall change a student's name and gender designation upon verification or submission  
 193 of a legal document such as a birth certificate, state- or federal-issued identifications, passport,  
 194 or court order. Records of former students may also be re-issued with the submission of legal  
 195 documents substantiating the amended name and gender.

196

197 **VI. Annual Notification**

198

199 The school division annually notifies parents/guardians and eligible students of their rights  
 200 under the Family Education Rights and Privacy Act (FERPA), including:

201

- 202 • The right to inspect and review the student's education records and the procedure for  
 203 exercising this right;
- 204 • The right to request amendment of the student's education records that the  
 205 parent/guardian believes to be inaccurate, misleading, or in violation of the student's  
 206 privacy rights and the procedure for exercising this right;
- 207 • The right to consent to disclosures of personally identifiable information contained in  
 208 the student's education records, except to the extent that FERPA authorizes disclosure  
 209 without consent;
- 210 • The type of information designated as directory information and the right to opt out of  
 211 release of directory information;
- 212 • That the school division releases records to other institutions that have requested the  
 213 records and in which the student seeks or intends to enroll or is already enrolled so  
 214 long as the disclosure is for purposes related to the student's enrollment or transfer;
- 215 • The right to opt out of the release of the student's name, address, and phone number to  
 216 military recruiters or institutions of higher education that request such information;
- 217 • A specification of the criteria for determining who constitutes a school official and  
 218 what constitutes a legitimate educational interest; and
- 219 • The right to file complaints with the Family Policy Compliance Office in the United  
 220 States Department of Education concerning the school division's alleged failure to  
 221 comply with FERPA.

222

223 **VII. Procedure to Inspect Education Records**  
 224

225 Parents/guardians of students or eligible students may inspect and review the student's  
 226 education records within a reasonable period of time, which shall not exceed 45 days, and  
 227 before any meeting regarding an IEP or hearing involving a student with a disability. Further,  
 228 parents/guardians have the right to a response from the school division to reasonable requests  
 229 for explanations and interpretations of the education record.  
 230

231 Parents/guardians or eligible students should submit to the student's school principal a written  
 232 request which identifies as precisely as possible the record or records the parent/guardian or  
 233 eligible student wishes to inspect.  
 234

235 The principal (or appropriate school official) will make the needed arrangements for access as  
 236 promptly as possible and notify the parent/guardian or eligible student of the time and place  
 237 where the records may be inspected.  
 238

239 When a record contains information about students other than a parent's/guardian's child or  
 240 the eligible student, the parent/guardian or eligible student may not inspect and review the  
 241 portion of the record which pertains to other students.  
 242

243 **VIII. Copies of Education Records**  
 244

245 ACPS will not provide a parent/guardian or eligible student a copy of the student's education  
 246 record unless failure to do so would effectively prevent the parent/guardian or eligible student  
 247 from exercising the right to inspect and review the records.  
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 249

250 **IX. Fees for Copies of Records**  
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252 The fee for copies will be 25 cents per page, plus the actual cost for any postage. ACPS does  
 253 not charge for search and retrieval of the records. ACPS does not charge a fee for copying an  
 254 Individualized Education Plan (IEP) or for a copy of the verbatim record of a hearing  
 255 conducted in accordance with the Virginia Board of Education's *Regulations Governing*  
 256 *Special Education Programs for Children with Disabilities in Virginia*. The fee for records  
 257 may be waived due to financial hardship or if the fee would prevent a parent, guardian or  
 258 eligible student from exercising their right to review and inspect an education record.  
 259

260 **X. Types, Locations and Custodians of Education Records**  
 261

262 ACPS shall provide parents/guardians on request a list of the types and locations of education  
 263 records collected, maintained, or used by the school division.  
 264

265 The following is a list of the types of records that the Alexandria City Public Schools  
 266 maintain, their locations and their custodians.  
 267  
 268

Type of Record	Location of Record	Custodian
Educational Record	School Principal's Office or School Counseling Office	Principal (see addresses below)
Health Records	Health Clinic	See addresses below
Educational Records	Records Center, George Washington Middle School	Records Manager
Psychological Testing	Schools	See addresses below
Student Appeals	1340 Braddock Place, 22314	Hearings Director
Other Records	Records Center, George Washington Middle School	Records Manager
School Addresses		
John Adams Elementary School (Grades PreK-5) 5651 Rayburn Avenue, Alexandria, VA 22311	Charles Barrett Elementary School (Grades PreK-5) 1115 Martha Custis Drive, Alexandria, VA 22302	Patrick Henry Elementary School (Grades PreK-5) 4643 Taney Avenue, Alexandria, VA 22304
Jefferson-Houston School (Grades PreK-8) 1501 Cameron Street, Alexandria, VA 22314	Cora Kelly School for Math, Science and Technology (Grades PreK-5) 3600 Commonwealth Ave., Alexandria, VA 22305	Lyles-Crouch Traditional Academy (Grades K-5) 530 S. St. Asaph Street, Alexandria, VA 22314
Douglas MacArthur Elementary School (Grades K-5) 1101 Janneys Lane, Alexandria, VA 22302	George Mason Elementary Elementary School (Grades K-5) 2601 Cameron Mills Road, Alexandria, VA 22302	Naomi L. Brooks Elementary School (Grades K-5) 600 Russell Road, Alexandria, VA 22301
Mount Vernon Community School (Grades K-5) 2601 Commonwealth Ave., Alexandria, VA 22305	James K. Polk Elementary School (Grades K-5) 5000 Polk Avenue, Alexandria, VA 22304	William Ramsay Elementary School (Grades PreK-5) 5700 Sanger Avenue, Alexandria, VA 22311
Samuel W. Tucker Element- ary School (Grades K-5) 435 Ferdinand Day Drive, Alexandria, VA 22304	Francis C. Hammond Middle School (Grades 6-8) 4646 Seminary Road, Alexandria, VA 22304	George Washington Middle School (Grades 6-8) 1005 Mount Vernon Avenue, Alexandria, VA 22301
Alexandria City High School (Grades 10-12) 3330 King Street, Alexandria, VA 22302	Alexandria City High School Minnie Howard Campus (Grade 9) 3801 W. Braddock Road, Alexandria, VA 22302	Ferdinand T. Day Elementary School (Grades K-5) 1701 North Beauregard St., Alexandria, VA 22311

272 **XI. Disclosure of Education Records**  
 273

274 ACPS discloses education records or personally identifiable information contained therein  
 275 only with the written consent of the parent/guardian or eligible student except as authorized by  
 276 law. Exceptions which permit the school division to disclose education record information  
 277 without consent include the following:  
 278

279 A. To school officials who have a legitimate educational interest in the records. A **“school**  
 280 **official”** is:  
 281

- 282 • A person employed by the school division;
- 283 • A person elected to the School Board;
- 284 • A person employed by or under contract to the school division to perform a special  
 285 task, such as an attorney, auditor, medical consultant, or therapist; or
- 286 • A contractor, consultant, volunteer, or other party to whom the school division has  
 287 outsourced services or functions for which the school division would otherwise use  
 288 employees and who is under the direct control of the school division with respect to  
 289 the use and maintenance of education records.

290  
 291 A school official has a **“legitimate educational interest”** if the official is:  
 292

- 293 • Performing a task that is specified in the school official’s position description or by a  
 294 contract agreement;
- 295 • Performing a task related to a student’s education;
- 296 • Performing a task related to the discipline of a student; or
- 297 • Providing a service or benefit relating to the student or student’s family, such as health  
 298 care, counseling, job placement, or financial aid.

299  
 300 B. To officials of another school, school system, or institution of postsecondary education  
 301 where the student seeks or intends to enroll or where the student is already enrolled so  
 302 long as the disclosure is for the purposes related to the student’s enrollment or transfer.  
 303

304 C. To certain officials of the U.S. Department of Education, the United States Attorney  
 305 General, the Comptroller General, and state educational authorities, in connection with  
 306 certain state or federally supported education programs and in accordance with applicable  
 307 federal regulations.  
 308

309 D. In connection with a student's request for or receipt of financial aid as necessary to  
 310 determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms  
 311 and conditions of the aid.  
 312

313 E. For the purpose of furthering the ability of the juvenile justice system to effectively serve  
 314 the pupil prior to adjudication. The principal or principal’s designee may disclose  
 315 identifying information from a pupil’s scholastic record to state or local law-enforcement

316 or correctional personnel, including a law-enforcement officer, probation officer, parole  
317 officer or administrator, or a member of a parole board, seeking information in the course  
318 of their duties; an officer or employee of a county or city agency responsible for protective  
319 services to children, as to a pupil referred to that agency as a minor requiring investigation  
320 or supervision by that agency; attorneys for the Commonwealth, court services units  
321 juvenile detention centers or group homes, mental and medical health agencies, state and  
322 local children and family service agencies, and the Department of Juvenile Justice, and to  
323 the staff of such agencies. Prior to disclosure of any such scholastic records, the persons to  
324 whom the records are to be disclosed shall certify in writing to the principal or principal's  
325 designee that the information will not be disclosed to any other party, except as provided  
326 under state law, without the prior written consent of the parent/guardian of the pupil or by  
327 such pupil if the pupil is eighteen years of age or older.  
328

329 F. To organizations conducting studies for, or on behalf of, educational agencies or  
330 institutions to develop, validate or administer predictive tests; administer student aid  
331 programs; or improve instruction. The studies must be conducted in a manner that does not  
332 permit personal identification of parents/guardians and students by individuals other than  
333 representatives of the organization that have legitimate interests in the information. The  
334 information must be destroyed when it is no longer needed for the purposes for which the  
335 study was conducted. The School Board must enter into a written agreement with the  
336 organization conducting the study which:

- 337 • specifies the purpose, scope, and duration of the study or studies and the  
338 information to be disclosed;
- 339 • requires the organization to use personally identifiable information from education  
340 records only to meet the purpose or purposes of the study stated in the written  
341 agreement;
- 342 • requires the organization to conduct the study in a manner that does not permit  
343 personal identification of parents/guardians and students by anyone other than  
344 representatives of the organization with legitimate interests; and
- 345 • requires the organization to destroy all personally identifiable information when  
346 the information is no longer needed for the purposes for which the study was  
347 conducted and specifies the time period in which the information must be  
348 destroyed.

349  
350 G. To accrediting organizations to carry out their functions.

351  
352 H. To parents/guardians of an eligible student who claim the student as a dependent for  
353 income tax purposes.

354  
355 I. To the entities or persons designated in judicial orders or subpoenas as specified in  
356 FERPA.

357  
358 J. To appropriate parties in connection with an emergency if knowledge of the information is  
359 necessary to protect the health or safety of the student or other individuals. If the school  
360 division releases information in connection with an emergency, it will record the following  
361 information:

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- The articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and
- The parties to whom the Division disclosed the information.

K. To an agency caseworker or other representative of a state or local child welfare agency or tribal organization who has the right to access a student's case plan when such agency or organization is legally responsible for the care and protection of the student.

L. Directory information so designated by the school division in Section XVII of this policy.

M. When the disclosure concerns sex offenders and other individuals required to register under Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14071, and the information was provided to the Division under 42 U.S. C. § 14071 and applicable federal guidelines.

The school division will use reasonable methods to identify and authenticate the identity of parents/guardians, students, school officials, and any other parties to whom it discloses personally identifiable information from education records.

## **XII. Unauthorized Disclosure of Electronic Records**

In cases in which electronic records containing personally identifiable information are reasonably believed to have been disclosed in violation of federal or state law applicable to such information, the school division shall notify, as soon as practicable, the parent/guardian of any student affected by such disclosure, except as otherwise provided in Va. Code §§ 32.1-127.1:05 or 18.2-186.6. Such notification shall include the (i) date, estimated date, or date range of the disclosure; (ii) type of information that was or is reasonably believed to have been disclosed; and (iii) remedial measures taken or planned in response to the disclosure.

## **XIII. Disclosure to Federal Agencies**

Notwithstanding any other provision of law or policy, no member or employee of ACPS will transmit personally identifiable information, as that term is defined in FERPA and related regulations, from a student's record to a federal government agency or an authorized representative of such agency except as required by federal law or regulation.

## **XIV. Disclosure of Information Relating to Home Instructed Students**

Neither the Superintendent nor the School Board shall disclose to the Department of Education or any other person or entity outside of the local school division information that is provided by a parent/guardian or student to satisfy the requirements of Policy LBD: *Home Instruction*, or subdivision B1 of Va. Code § 22.1-254. However, the Superintendent or

404 School Board may disclose, with the written consent of a student's parent/guardian, such  
 405 information to the extent provided by the parent's/guardian's consent. Nothing in this policy  
 406 prohibits the Superintendent from notifying the Superintendent of Public Instruction of the  
 407 number of students in the school division receiving home instruction.

408 **XV. Audit or Evaluation of Education Programs**

409  
 410 Authorized representatives of the Comptroller General of the United States, the Attorney  
 411 General of the United States, the federal Secretary of Education, and state and local  
 412 educational authorities may have access to education records in connection with an audit or  
 413 evaluation of federal- or state- supported education programs, or for the enforcement of or  
 414 compliance with federal legal requirements that relate to those programs.

415  
 416 Any authorized representative other than an employee must be designated by a written  
 417 agreement which:

- 418 • Designates the individual or entity as an authorized representative;
- 419 • Specifies the personally identifiable information to be disclosed, specifies that the  
 420 purposes for which the personally identifiable information is disclosed to the  
 421 authorized representative is to carry out an audit or evaluation of federal- or state-  
 422 supported education programs, or to enforce or comply with federal legal requirements  
 423 that relate to those programs; and specifies a description of the activity with sufficient  
 424 specificity to make clear that the work falls within the exception of 34 CFR §  
 425 99.31(a)(3) including a description of how the personally identifiable information will  
 426 be used;
- 427 • Requires the authorized representative to destroy personally identifiable information  
 428 when the information is no longer needed for the purpose specified;
- 429 • Specifies the time period in which the information must be destroyed; and
- 430 • Establishes policies and procedures, consistent with FERPA and other federal and state  
 431 confidentiality and privacy provisions, to protect personally identifiable information  
 432 from further disclosure and unauthorized use, including limiting use of personally  
 433 identifiable information to only authorized representatives with legitimate interests in  
 434 the audit or evaluation of a federal- or state-supported education program or for  
 435 compliance or enforcement of federal legal requirements related to such programs.

436  
 437 **XVI. Military Recruiters and Institutions of Higher Learning**

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 439 ACPS provides, on request made by military recruiters or an institution of higher education,  
 440 access to secondary school students' names, addresses, and telephone listings unless a  
 441 parent/guardian or eligible student has submitted a written request that the student's name,  
 442 address and telephone listing not be released without the prior written consent of the  
 443 parent/guardian or eligible student. The school division notifies parents/ guardians of the  
 444 option to make a request and complies with any request.

445  
 446 The school division provides military recruiters the same access to secondary school students

447 as is provided generally to postsecondary educational institutions or to prospective employers  
448 of those students.

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453 **XVII. Record of Disclosure**

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455 ACPS maintains a record, kept with the education records of each student, indicating all  
456 individuals, (except school officials who have a legitimate educational interest in the records),  
457 agencies, or organizations which request or obtain access to a student's education records. The  
458 record of disclosure need not contain requests for or disclosure of directory information as  
459 described below. The record will indicate specifically the legitimate interest the party had in  
460 obtaining the information. The record of access will be available only to parents/guardians, to  
461 the school official and assistants who are responsible for the custody of such records, and to  
462 persons or organizations which audit the operation of the system.

463

464 The requirements related to records of disclosure stated above do not apply to disclosures  
465 made pursuant to an ex parte order issued by a court at the request of the United States  
466 Attorney General (or any federal officer or employee, in a position not lower than an Assistant  
467 Attorney General, designated by the Attorney General) seeking to collect education records  
468 relevant to an authorized investigation or prosecution of international terrorism as defined in  
469 18 U.S.C. § 2331 or other acts listed in 18 U.S.C. § 2332b(g)(5)(B).

470

471 Personal information will only be transferred to a third party on the condition that such party  
472 will not permit any other party to have access to such information without the written consent  
473 of the parents/guardians of the student. If a third party permits access to information, or fails  
474 to destroy information, the Division will not permit access to information from education  
475 records to the third party for a period of at least five years.

476

477 **XVIII. Directory Information**

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479 ACPS notifies parents/guardians and eligible students at the beginning of each school year  
480 what information, if any, it has designated as directory information, the right to refuse to let  
481 the Division designate any or all of such information as directory information, and the period  
482 of time to notify the Division, in writing, that the parent/guardian or eligible student does not  
483 want any or all of those types of information designated as directory information. The notice  
484 may specify that disclosure of directory information will be limited to specific parties, for  
485 specific purposes, or both. If ACPS specifies that disclosure of directory information will be  
486 so limited, the disclosures of directory information will be limited to those specified in the  
487 public notice.

488

489 ACPS Directory Information:

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- 491 • name of student in attendance (or no longer in attendance)
- 492 • address\*

- 493 • name of parent(s) or legal guardian(s)
- 494 • date and place of birth
- 495 • dates of attendance
- 496 • participation in officially recognized activities and sports
- 497 • height and weight, if member of an athletic team
- 498 • awards and honors received
- 499 • photograph

500

501 \*No school discloses the address, telephone number, or email address of a student pursuant to  
 502 the Virginia Freedom of Information Act unless the parent/guardian or eligible student  
 503 affirmatively consents in writing to such disclosure. Except as required by state or federal law,  
 504 no school discloses the address, telephone number, or email address of a student pursuant to  
 505 34 C.F.R. § 99.31(a)(11) unless (a) the disclosure is to students enrolled in the school or to  
 506 ACPS employees for educational purposes or school business and the parent/guardian or  
 507 eligible student has not opted out of such disclosure in accordance with Virginia law and this  
 508 policy or (b) the parent/guardian or eligible student has affirmatively consented in writing to  
 509 such disclosure.

510

511 Parents/guardians and eligible students may not use the right to opt out of directory  
 512 information disclosures to 1) prevent disclosure of the student's name, identifier, or  
 513 institutional email address in a class in which the student is enrolled; or 2) prevent an  
 514 educational agency or institution from requiring the student to wear, to display publicly, or to  
 515 disclose a student ID card or badge that exhibits information designated as directory  
 516 information and that has been properly designated as directory information.

517

518 Directory information may not include the student's social security number.

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## 520 **XIX. Correction of Education Records**

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522 The procedures for the amendment of records that a parent/guardian or eligible student  
 523 believes to be inaccurate are as follows:

524

525 A. Parents/guardians or the eligible student must request in writing that ACPS amend a  
 526 record. In so doing, they should identify the part of the record they want changed and  
 527 specify why they believe it is inaccurate, misleading or in violation of the student's privacy  
 528 or other rights.

529

530 B. ACPS shall decide whether to amend the record in accordance with the request within a  
 531 reasonable period of time. If it decides not to comply, the school division shall notify the  
 532 parents/guardians or eligible student of the decision and advise them of their right to a  
 533 hearing to challenge the information believed to be inaccurate, misleading, or in violation  
 534 of the student's rights.

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536 C. Upon request, ACPS shall arrange for a hearing, and notify the parents/guardians or  
 537 eligible student, reasonably in advance, of the date, place, and time of the hearing. The  
 538 hearing shall be held within a reasonable period of time after the request.

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- D. The parent/guardian or eligible student, may, at their own expense, be assisted or represented by one or more individuals of their own choice, including an attorney.
- E. The hearing shall be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the school division. The parents/guardians or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records in accordance with FERPA.
- F. ACPS shall prepare a written decision, which will include a summary of the evidence presented and the reasons for the decision, within a reasonable period of time after the hearing. The decision will be based solely on the evidence presented at the hearing.
- G. If ACPS decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it shall amend (including expungement) the record and notify the parents/guardians or eligible student, in writing, that the record has been amended.
- H. If ACPS decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, it will notify the parents/guardians or eligible student that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision. The statement will be maintained as part of the student's education records as long as the contested portion is maintained and disclosed whenever the school division discloses the portion of the record to which the statement relates.

**XX. Confidentiality of HIV and Drug and Alcohol Treatment Records**

ACPS complies with the confidentiality requirements of Va. Code § 32.1-36.1 providing for the confidentiality of records related to any test for Human Immunodeficiency Virus (HIV). In addition, the school division maintains confidentiality of drug and alcohol treatment records as required by federal and state law.

**XXI. Release of Student Data/Records**

The parent/legal guardian of any student enrolled in the Alexandria City Public Schools may authorize the release of their student's data/records to any individual or Agency upon completion and execution of the Consent for Release of Student Data/Records form accompanying this policy.

This form may be used by the Community Policy and Management Teams, and the Departments of Health, Social Services, Juvenile Justice, and Behavioral Health and Development Services.

Adopted: December 5, 1996

584 Amended: June 18, 1998  
 585 Amended: July 6, 2000  
 586 Amended: June 19, 2003  
 587 Amended: June 15, 2006  
 588 Amended: June 28, 2007  
 589 Amended: May 21, 2009  
 590 Amended: February 2, 2012  
 591 Amended: June 11, 2015  
 592 Amended: June 22, 2017  
 593 Amended: October 7, 2021

594  
 595 Legal Refs.: 18 U.S.C. §§ 2331, 2332b .  
 596 20 U.S.C. §§ 1232 g, 7908.  
 597 42 U.S.C. § 290dd-2.  
 598  
 599 34 C.F.R. 99.3, 99.7, 99.10, 99.20, 99.21, 99.22, 99.31, 99.32, 99.33, 99.34, 99.35,  
 600 99.36, 99.37.

601  
 602 Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3705.4, 2.2-3804, 16.1  
 603 260, 16.1-305.1, 16.1-305.2, 22.1-23.3, 22.1-254.1, 22.1-279.3:2, 22.1-287,  
 604 22.1-287.01, 22.1-287.02, 22.1-287.1, 22.1-288, 22.1-288.1, 22.1-288.2, 22.1-  
 605 289, 23.1-405, 32.1-36.1, 64.2-2003.

606  
 607 Cross Refs.: IJ Guidance and Counseling Program  
 608 JEC School Admission  
 609 JEC-R School Admission Regulations  
 610 JECA Admission of Homeless Children  
 611 JFC Student Conduct  
 612 JGDA Disciplining Students with Disabilities  
 613 JGD/JGE Student Suspension/Expulsion  
 614 JGD-R/JGE-R Student Suspension/Expulsion Regulations  
 615 JHCB Student Immunizations  
 616 JHCD Administration of Medications to Students  
 617 JOA Student Transcripts  
 618 JOA-R Student Transcript Regulations  
 619 JRCA School Service Providers' Use of Student Personal  
 620 Information  
 621 KBA Requests for Information  
 622 KBA-R Requests for Information Regulations  
 623 KBC Media and Public Relations  
 624 KNB Reports of Missing Children  
 625 KP Parental Rights and Responsibilities  
 626 LBD Home Instruction  
 627 LEB Advanced/Alternative Courses of Credit  
 628

## CONSENT FOR RELEASE OF STUDENT DATA/RECORDS

Student Name: \_\_\_\_\_ Date of Birth \_\_\_\_\_

Name of School \_\_\_\_\_ School ID # \_\_\_\_\_

Student Address \_\_\_\_\_

Home Telephone #: \_\_\_\_\_

Parent/Legal Guardian (1) Mobile Telephone # \_\_\_\_\_

Parent/Legal Guardian (2) Mobile Telephone # \_\_\_\_\_

I authorize Alexandria City Public Schools to release to the individual or Agency identified below identifying educational/medical data and records (the "Records") of the student listed above. I understand that in addition to educational records and data, such Records may also contain health information pertaining to diagnosis and treatments, immunization records, suspensions/office referral data, attendance data, referrals to student service teams, as well as written communications with school staff related to mental health interventions.

**Time Period During Which Release of Student/Data Is Authorized:**

**From:** (Date that form is signed below.) \_\_\_\_\_

**Until:** \_\_\_\_\_

**Name of Authorized Individual or Agency**

Name and Title \_\_\_\_\_

Agency Name (if applicable) \_\_\_\_\_

Address (1) \_\_\_\_\_

Address (2) \_\_\_\_\_

Email Address \_\_\_\_\_

Phone Number \_\_\_\_\_

Fax Number \_\_\_\_\_

Signature of Parent/Guardian \_\_\_\_\_

Name of Parent/Guardian \_\_\_\_\_

Relationship to Student \_\_\_\_\_

Date \_\_\_\_\_

Witness \_\_\_\_\_