

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 social security number. Directory information may include a student identification number or

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

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

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

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

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

educational record. For purposes of this policy, electronic information that exists on a back-up server, a temporary archiving system, or on a temporary basis on a computer is not an education record and is not considered as being maintained.

Eligible Student - a student who has reached age 18.

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

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

III. Dissemination and Maintenance of Records About Court Proceedings

A. Adjudications

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

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

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

Any notice of disposition received pursuant to Va. Code § 16.1-305.1 shall not be retained after the student has been awarded a diploma or a certificate as provided in Va. Code § 22.1-253.13:4.

B. Petitions and Reports

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

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

IV. Protective Orders and Orders Prohibiting Contact with a Child

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

V. Records Related to Gender

ACPS is required to maintain a record that includes a student's legal name and sex assigned at birth and may be required to use or report the legal name and sex assigned at birth in some situations. In situations where school staff is required to use or to report a transgender student's legal name or sex assigned at birth, such as for purposes of standardized testing,

school staff and administrators should adopt practices to avoid the inadvertent disclosure of such information.

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

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

VI. Annual Notification

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

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

VII. Procedure to Inspect Education Records

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

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

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

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

VIII. Copies of Education Records

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

IX. Fees for Copies of Records

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

X. Types, Locations and Custodians of Education Records

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

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

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 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 Elementary 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

XI. Disclosure of Education Records

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

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

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

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

- Performing a task that is specified in the school official’s position description or by a contract agreement;
 - Performing a task related to a student’s education;
 - Performing a task related to the discipline of a student; or
 - Providing a service or benefit relating to the student or student’s family, such as health care, counseling, job placement, or financial aid.
- B. 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 so long as the disclosure is for the purposes related to the student’s enrollment or transfer.
- C. To certain officials of the U.S. Department of Education, the United States Attorney General, the Comptroller General, and state educational authorities, in connection with certain state or federally supported education programs and in accordance with applicable federal regulations.
- D. In connection with a student's request for or receipt of financial aid as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.
- E. For the purpose of furthering the ability of the juvenile justice system to effectively serve the pupil prior to adjudication. The principal or principal’s designee may disclose identifying information from a pupil’s scholastic record to state or local law-enforcement or correctional personnel, including a law-enforcement officer, probation officer, parole

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

- F. To organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; administer student aid programs; or improve instruction. The studies must be conducted in a manner that does not permit personal identification of parents/guardians and students by individuals other than representatives of the organization that have legitimate interests in the information. The information must be destroyed when it is no longer needed for the purposes for which the study was conducted. The School Board must enter into a written agreement with the organization conducting the study which:
- specifies the purpose, scope, and duration of the study or studies and the information to be disclosed;
 - requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study stated in the written agreement;
 - requires the organization to conduct the study in a manner that does not permit personal identification of parents/guardians and students by anyone other than representatives of the organization with legitimate interests; and
 - requires the organization to destroy all personally identifiable information when the information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed.
- G. To accrediting organizations to carry out their functions.
- H. To parents/guardians of an eligible student who claim the student as a dependent for income tax purposes.
- I. To the entities or persons designated in judicial orders or subpoenas as specified in FERPA.
- J. To appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. If the school division releases information in connection with an emergency, it will record the following information:
- 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 School Board may disclose, with the written consent of a student's parent/guardian, such information to the extent provided by the parent's/guardian's consent. Nothing in this policy prohibits the Superintendent from notifying the Superintendent of Public Instruction of the number of students in the school division receiving home instruction.

XV. Audit or Evaluation of Education Programs

Authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the federal Secretary of Education, and state and local educational authorities may have access to education records 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.

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

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

XVI. Military Recruiters and Institutions of Higher Learning

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

The school division provides military recruiters the same access to secondary school students as is provided generally to postsecondary educational institutions or to prospective employers of those students.

XVII. Record of Disclosure

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

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

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

XVIII. Directory Information

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

ACPS Directory Information:

- name of student in attendance (or no longer in attendance)
- address*
- name of parent(s) or legal guardian(s)
- date and place of birth
- dates of attendance
- participation in officially recognized activities and sports
- height and weight, if member of an athletic team
- awards and honors received
- photograph

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

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

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

XIX. Correction of Education Records

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

- A. Parents/guardians or the eligible student must request in writing that ACPS amend a record. In so doing, they should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of the student's privacy or other rights.
- B. ACPS shall decide whether to amend the record in accordance with the request within a reasonable period of time. If it decides not to comply, the school division shall notify the parents/guardians or eligible student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.
- C. Upon request, ACPS shall arrange for a hearing, and notify the parents/guardians or eligible student, reasonably in advance, of the date, place, and time of the hearing. The hearing shall be held within a reasonable period of time after the request.
- 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
- Amended: June 18, 1998
- Amended: July 6, 2000
- Amended: June 19, 2003
- Amended: June 15, 2006
- Amended: June 28, 2007
- Amended: May 21, 2009
- Amended: February 2, 2012
- Amended: June 11, 2015
- Amended: June 22, 2017
- Amended: October 7, 2021

Legal Refs.: 18 U.S.C. §§ 2331, 2332b .
 20 U.S.C. §§ 1232 g, 7908.
 42 U.S C. § 290dd-2.

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, 99.36, 99.37.

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

Cross Refs.:	IJ	Guidance and Counseling Program
	JEC	School Admission
	JEC-R	School Admission Regulations
	JECA	Admission of Homeless Children
	JFC	Student Conduct
	JGDA	Disciplining Students with Disabilities
	JGD/JGE	Student Suspension/Expulsion
	JGD-R/JGE-R	Student Suspension/Expulsion Regulations
	JHCB	Student Immunizations
	JHCD	Administration of Medications to Students
	JOA	Student Transcripts
	JOA-R	Student Transcript Regulations
	JRCA	School Service Providers' Use of Student Personal Information
	KBA	Requests for Information
	KBA-R	Requests for Information Regulations
	KBC	Media and Public Relations
	KNB	Reports of Missing Children
	KP	Parental Rights and Responsibilities
	LBD	Home Instruction
	LEB	Advanced/Alternative Courses of Credit

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 _____