

ANNUAL NOTIFICATION LETTER

Dear Parent/Guardian:

It is the desire of the Roanoke County Public School System that you, as the student's parent, have a clear understanding of the content of your child's record, how the record is being handled, and your rights with regard to the record.

The data in the individual student's official school record and the legal and ethical maintenance and use of such data is a matter of concern to your school board. The Roanoke County Public School System has a responsibility to protect the rights and privacy of the student and his/her parents and will adhere strictly to legal statutes designed to safeguard information in your child's record.

The content of the student record is limited to data needed by the school to assist the student in their personal, social, educational, and vocational development and in their post-high school placement. The following information will be maintained as a part of the record at the appropriate levels for each child in the Roanoke County School System.

1. Name and address of student
2. Date of birth; birth certificate number and date and copy of birth certificate,
3. Name and address of parent or guardian
4. Scholastic work completed and level of achievement (grades, grade point average, standardized achievement test scores, class rank); academic transcript
5. Attendance data
6. Special aptitudes and interests including scores on standardized group ability, aptitude, and interest instruments
7. School and community activities and work experience
8. Record of employment counseling and placement
9. Health and physical fitness data, including immunization record, preschool physical examination report, and school physical examination report.
10. Program of studies
11. Type of diploma or certificate earned
12. Standards of Learning scores
13. Sworn statement or affirmation regarding previous expulsion for weapons, drugs, alcohol, as a condition of enrollment.
14. Social Security number (not copied): Code of Virginia 22.1-260 requires each student to present a federal social security number within 90 days of his or her enrollment. However, if the student is ineligible for a social security number or the parent is unwilling to present such a number, the superintendent or designee may assign another identifying number or waive this requirement.
15. Student Conduct Code
16. Record data disclosure form
17. Registration/enrollment forms

In addition, potentially useful data is gathered for some students. This data, when collected, is housed with the data listed above in the administrative offices of the school in which your child is enrolled. This data could consist of the following:

1. Required reports of evaluation for special education

placement, to include educational, physiological (medical, speech, hearing, vision), psychological, legal, and sociological assessments

2. Records of sensitive physical problems
3. Verified reports of serious or recurrent behavior patterns
4. Reports from juvenile court, social welfare, and other agencies
5. Case studies
6. Vocational assessment data
7. Individual Education Program
8. Permission form for testing, placement, and release of information
9. Confidential interviews and/or recommendations
10. Records of referral
11. Summary of minutes of eligibility committee findings for special education students
12. Reports of appeals
13. Citizenship status if other than United States
14. Employment evaluations (co-op program)
15. Suspension records
16. Court notices of adjudication or conviction if action taken by school authorities.
17. 504 Plan and Documentation
18. Suicide Intervention Plans
19. Individual Service Plans
20. Disciplinary Records

The principal of the school your child attends and/or those professional personnel he/she designates are responsible for the collection of information; the recording, maintenance, and security of data; and access and control of dissemination of information from the records based upon Roanoke County School Board policy. There is a periodic evaluation of the records by professional personnel and data no longer pertinent is removed. This is accomplished at grades five, eight and twelve.

Procedure to Inspect Education Records

Parents 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 shall have the right to a response from the school division to reasonable requests for explanations and interpretations of the education record.

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

The principal (or appropriate school official) will make the needed arrangements for access as promptly as possible and notify the parent 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 child or the eligible student, the parent or eligible student may not inspect and review the portion of the record which pertains to other students.

Parents have the right to seek an amendment and/or the right to a hearing for the opportunity for the correction or deletion of information found to be inaccurate, misleading, or inappropriate.

They have the right to file a complaint concerning an alleged failure by the school board to comply with Title 20, United States Code Section 123g through the

Family Policy Compliance office,
U. S. Department of Education,
400 Maryland Avenue, SE,
Washington, DC 20202-4605

Copies of Education Records

The Roanoke County Public Schools will not provide a parent or eligible student a copy of the student's education record unless failure to do so would effectively prevent the parent or eligible student from exercising the right to inspect and review the records.

Fees for Copies of Records

Fees for copies are charged in accordance with state and federal law and regulations, including the Virginia Freedom of Information Act and FERPA.

Types, Locations, and Custodians of Education Records

The Roanoke County Public Schools shall provide parents on request a list of the types and locations of education records collected, maintained, or used by the school division.

A list of the types of records that the Roanoke County Public Schools maintains, may be found in Section H of Policy 7.09.

Stepparents, who live in the home with the child and have daily contact with the child, also have rights mentioned above. In the absence of a court order that specifically removes the parent's rights to access scholastic records, non-custodial parents have the same rights as custodial parents.

When a student reaches the age of 18, is emancipated under Virginia law, or has complied with compulsory attendance requirements as set by Virginia law, the rights above transfer to the student. This is known as being an "eligible student".

A parent or eligible student should contact in writing the office of School Counseling Services and Student Records, Roanoke County Public Schools Administration, 5937 Cove Road, Roanoke, VA 24019 to request an amendment to the record.

When a request for access to records is made, the granting of such a request is made immediately, if practical, but in any case no more than 45 days after the date of the request. Schools may charge a reasonable copy fee for third party requests.

Parents have the right to consent to disclose personally identifiable information contained in the student's scholastic record, except to the extent that regulations authorize disclosure without consent. Information from the student's record may be disclosed to the following without consent:

1. School officials with legitimate educational interest, including those
 - o Performing a task that is specified in his or her position description or by a contract agreement
 - o Performing a task related to the student's education
 - o Performing a task related to the discipline of a student
 - o Providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid.
2. Accrediting organizations in order to carry out their accrediting function.
3. Emergency situations in which it is determined that such information is necessary to protect the health or safety of the student or other persons.
4. An officer of the United States who in the course of his/her duties seeks record data about a student who is a veteran of military service with the United States, or an orphan or dependent of such veteran, or an alien.
5. Professional personnel within the school, local educational agency, and the State Department of Education who have a professionally justified reason for such access and legitimate educational interest in the student. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A School official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
6. The student who is the subject of the record who is under the age of 18.
7. Upon request to an official of a school or post-secondary institution in which the student intends to enroll or is enrolled.
8. The parents or legal guardian of the student, until the student becomes 18 years of age, is an emancipated minor, or is attending an institution of post-secondary education (or is a dependent under Internal Revenue Service rules).

9. Adult clerical personnel charged with the responsibility of record maintenance.
10. Appropriate persons in connection with a student's application for financial aid.
11. An employee or official of the state or local health department shall have access to the preschool physical examination report, the immunization record, and the school entrance health examination form.
12. An authorized representative of the Comptroller General of the United States; the Secretary of the Department of Education; the local division superintendent; and state educational authorities needing information in connection with the audit and evaluation of state and federally supported programs or the enforcement of federal legal requirements related to such programs.
13. A state or local law enforcement officer, including a probation officer, parole officer or administrator, or a member of a parole board seeking information in the course of his/her duties.
14. An employee of a city or county agency responsible for protective services to children, as to a student referred to that agency as a minor requiring investigation or supervision by that agency.
15. An employee of a local department of welfare or social services who needs daily attendance data to determine the eligibility of the student's family for public assistance.
16. Organizations conducting studies, or on behalf of educational agencies, for the purpose of test validation, student aid programs, and improving instruction.
17. At the discretion of the superintendent, record data may be released to the staff of a college, university or educational research and development organization if this information is determined to be necessary for a research project or study and if no student will be identified by name in the information submitted for research.
18. State and local officials and authorities, if State statute specifically requires disclosure.
19. To comply with a judicial order or a lawfully issued subpoena. The school should contact the Director of School Counseling Services at the central office when a subpoena is received. The principal will make a reasonable effort to notify the parent or eligible student in advance of compliance, so that they may seek protective action, unless the subpoena is issued by a federal grand jury and the court has ordered that existence and content of subpoena not be disclosed.
20. To a court, if the educational agency has initiated legal action against a parent or student. The disclosure is of scholastic records that are relevant for the educational agency to proceed with the legal action as plaintiff;
21. To a court, if the parent or eligible student initiates legal action against an educational agency; the disclosure involves scholastic records that are relevant for the educational agency to defend itself.

22. Upon request of another school division, Roanoke County will forward such records to the requesting school division without a written "Transfer of Notice" to the parent or eligible student.
23. Access and/or release of data to other persons or agencies will be allowed only as prescribed by federal or state law or by parental permission, and, in all cases, a record of such access will be maintained as a part of the student's file showing the signature of each person who has had access to the record, the date of access, their specific legitimate interest in seeking such access, and the signature of the principal or their designee. This form will be available to the parents/guardians, the student, and school officials responsible for record maintenance.

A record of each request for access to and each disclosure of personally identifiable information from the scholastic record of each student will be maintained with the scholastic records as long as they are maintained. Individuals with legitimate educational interest in the content of a student's educational record are not required to sign the Record Data Disclosure Form. The parent or eligible student may, upon request, receive a copy of the record that was disclosed.

Please contact in writing the office of School Counseling Services and Student Records to request an amendment to your child's record.

The Roanoke County School Board has elected to release, as a matter of conducting the routine business of the school, certain information classified as Directory Information. The following items are classified as Directory Information:

1. Name of student in attendance or no longer in attendance;
2. Participation in officially recognized activities and sports;
3. Weight and height if member of athletic team;
4. Dates of attendance;
5. Major Field of Study
6. Degrees, awards and honors received;
7. Photographs of student.
8. Enrollment status

No school discloses the address or telephone number of a student pursuant to 34 C.F.R. § 99.31(a)(11) or the Virginia Freedom of Information Act unless the parent or eligible student affirmatively consents in writing to such disclosure.

Parents will be notified of surveys that will be conducted. Parents will be provided the opportunity to opt his or her child out of participation.

A copy of the Roanoke County School Board's Policy on The Student Scholastic Record Content, Maintenance and Use (Policy 7.9) may be obtained upon request at the Office of School Counseling Services and Student Records, Roanoke County Schools Administration Building or on the school system website www.rcps.us. Search under School Board and then under Policy Manual.

Please notify the school in writing within fifteen administrative days if you do not wish to have any part of or all information classified as Directory Information concerning your child or you (if 18 years of age or older) released without your prior consent. Please note that Roanoke County Public Schools never sells student directory information.

According to No Child Left Behind Act of 2001 and the National Defense Authorization Act of 2002, military recruiters are entitled to receive the name, address, e-mail address, and telephone listings of juniors and seniors in high school by federal laws.

Parents have the right to request that this information not be disclosed. *Please notify the Director of School Counseling Services and Student Records, Roanoke County Public Schools Administration, 5937 Cove Road, Roanoke, Virginia 24019 in writing within fifteen administrative days* if you do not wish to have released to military recruiters the name, address, e-mail address, and telephone listing concerning your junior or senior child (or you if 18 years of age or older) without your prior consent.

Please note that this only applies to juniors and seniors in high school.

Legal Notations

The Family Educational Rights and Privacy Act (FERPA) of 1974 is a federal law that protects the confidentiality of student education records. Statute: 20 U.S.C. § 1232g. Regulations: 34 CFR Part 99

The Protection of Pupil Rights Act (PPRA) is a federal law that applies to programs that receive funding from the U.S. Department of Education and gives parents rights concerning the surveying of their child. 20 U.S.C. § 1400-1485. Regulations: 34 CFR 300

The Individuals with Disabilities Improvement Act (IDEIA) is a federal law that governs the education of children with disabilities, and it provides protection for the confidentiality of their education records. 20 U.S.C. § 1400-1485. Regulations: 34 CFR 300

Elementary and Secondary Education Act (ESEA) of 1965
No Child Left Behind

Health Insurance Portability and Accountability Act (HIPAA) of 1996

Code of Virginia § 22.1-289a Scholastic record
Virginia Records Retention and Disposition Schedule No.21 of the Virginia Public Records Act §42.1-76.

The Code of Virginia §§16.1-260, 16.1-305.1, 16.1305.2, 22.1-3.1, 22.1-287 through 22.1-289, 32.136.1 and 42.1-76 through 42.1-91

FERPA 20 U.S.C. 1232g, 20 U.S.C. § 7165 (discipline records), § 4155 ESEA, NCLB

Code of Virginia 22.1-260 (Social Security number waiver)
The Transcript 8 VAC 20-160-30
Profile Data Sheet 8 VAC 20-160-40
Directory Information 20 U.S.C. § 1232g: 34 CFR Part 99.3

Code of Virginia 22.1-287.1 [includes sex, date of birth, major field of study (all of which we do not include), but not photographing of student]

Staff Responsibility 20 U.S.C. § 1232g: 34 CFR Part 300.572

Code of Virginia 22.1 287 Limitation of access to records
Access 20 U.S.C. § 1232g: 34 CFR Part 99.10

Code of Virginia 22.1 289d

Disclosure of Information 20 U.S.C. § 1232g: 34 CFR Part 99.30, 9.31

Notice of Superintendent of Petition from Court VAC § 16.1-260, VAC § 16.1-305.2

Code of Virginia § 22.1-289a Notice of adjudication off school

Code of Virginia § 22.1-289c After diploma or certificate

Code of Virginia § 22.1-289b, d, e, f, and g Transfer of student records without notification of parents

Superintendent Memo No. 41, March 22, 2002 Custody documents 20 U.S.C. § 1232g. 34 CFR Part 99.20, 99.21, 99.22 Amendments to the Educational Record

Code of Virginia § 22.1-288.1 Missing child notation, cooperation
20 U.S.C. § 1232g (b)

Code of Virginia § 22.1-288 Info to colleges and military

Code of Virginia § 22.1-260 Social Security requirements

Superintendent Memo No. 125, June 15, 1998 Guidelines for Administering the Requirement for Public School Students to Obtain a Social Security Number (See also, Superintendent Memo No. 92, May 30, 2003

Code of Virginia § 22.1-3.1 Birth certificate

Code of Virginia § 22.1-3 Residency requirements

Superintendent Memo No. 159, November 2, 2001, Proof of citizenship

Code of Virginia § 22.1-3.2 Affirmation of school status

Code of Virginia § 22.1-3 Residency requirements
20 U.S.C. § 1232g. 34 CFR Part 99.20, 99.21, 99.22
Amendment of records.

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