

STUDENT RECORDS

Generally

The Culpeper County School Board 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 his 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. The superintendent also provides for notification of all school division personnel of policy and procedures for management of education records and notification of parents and students of their rights regarding student records, including the right to obtain, upon request, a copy of this policy.

Definitions

For the purposes of this policy, the Culpeper County Public Schools 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.

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, and microfiche maintained by the Culpeper County School Board 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 the Culpeper County School Board's law enforcement unit, if any. A law enforcement unit is any individual, office, department, or division 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 the Culpeper County School Board 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 his 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 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 - a parent of a student, including a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.

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

Dissemination and Maintenance of Records About Court Proceedings

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 his or her 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 a superintendent, and information contained in the notice, which is not a disciplinary record as defined in Board of Education regulations, shall be maintained by him and by any others to whom he 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 for 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.

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, he 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.

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.

Annual Notification

The school division annually notifies parents and eligible students of their rights under the Family Educational 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 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.

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 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.

Copies of Education Records

The Culpeper 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

The fee for copies will be .05 per page. The actual cost of copying time and postage will be charged. The Culpeper County Public Schools does not charge for search and retrieval of the records. The Culpeper County Public Schools 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 State Board of Education's Regulations Governing Special Education Programs for Children with Disabilities in Virginia.

Types, Locations, and Custodians of Education Records

The Culpeper County Public School shall provide parents 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 Culpeper County Public Schools maintain, their locations, and their custodians.

Types	Location	Custodian	Information
School Records	School	Principal	Student Records
Special Education Records	Culpeper County Public School Board Offices	Director of Special Education	Special Education Records

Disclosure of Education Records

The Culpeper County Public Schools discloses education records or personally identifiable information contained therein only with the written consent of the parent or eligible student except as authorized by law. Exceptions which permit the school division to disclose education record information without consent include the following.

1. To school officials who have a legitimate educational interest in the records.
A school official is:
 - a person employed by the School Board
 - a person appointed or elected to the School Board

- a person employed by or under contract to the School Board to perform a special task, such as an attorney, auditor, medical consultant, or therapist
- 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 his or her 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
 - providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid
2. 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 purposes related to the student's enrollment or transfer.
 3. 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.
 4. 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.
 5. For the purpose of furthering the ability of the juvenile justice system to effectively serve the pupil prior to adjudication. The principal or his 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 his 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 his 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 of the pupil or by such pupil if the pupil is eighteen years of age or older.
 6. 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 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 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.
7. To accrediting organizations to carry out their functions.
 8. To parents of an eligible student who claim the student as a dependent for income tax purposes.
 9. To the entities or persons designated in judicial orders or subpoenas as specified in FERPA.
 10. 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.
 11. 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.
 12. Directory information so designated by the school division.
 13. 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, students, school officials, and any other parties to whom it discloses personally identifiable information from education records.

Unauthorized Disclosure of Electronic Records

In cases in which electronic records containing personally identifiable information are reasonably believed to have been disclosed in violation federal or state law applicable to such information, the school division shall notify, as soon as practicable, the parent 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.

Disclosure to Federal Agencies

Notwithstanding any other provision of law or policy, no member or employee of the Culpeper County School Board 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.

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 or student to satisfy the requirements of Policy LBD Home Instruction or subdivision B 1 of Va. Code § 22.1-254. However, the superintendent or School Board may disclose, with the written consent of a student's parent, such information to the extent provided by the parent'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.

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.

Military Recruiters and Institutions of Higher Learning

The Culpeper County Public Schools 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 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 or eligible student. The school division notifies parents 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 post-secondary educational institutions or to prospective employers of those students.

Record of Disclosure

The Culpeper County Public Schools 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 will indicate specifically the legitimate interest the party had in obtaining the information. The record of access will be available only to parents, to the school official and his 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 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 that third party for a period of at least five years.

Directory Information

The Culpeper County School Board notifies parents 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 he or she 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 the School Board 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.

No school discloses the address, telephone number, or email address of a student pursuant to the Virginia Freedom of Information Act unless the parent 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 school board employees for educational purposes or school business and the parent or eligible student has not opted out of such disclosure in accordance with Virginia law and this policy or (b) the parent or eligible student has affirmatively consented in writing to such disclosure.

Parents 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.

- Student's Name
- Name of parent or guardian
- Date and place of Birth
- Sex of student
- Height and weight, if a member of an athletic team
- School which student attends

- Dates of Attendance (by school year)
- Course of Study
- Awards and honors received
- Participation in officially recognized activities and sports
- Photographs/Videos

Correction of Education Records

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

1. Parents or the eligible student must request in writing that the Culpeper County Public Schools 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.
2. Culpeper County Public Schools 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 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.
3. Upon request, Culpeper County Public Schools shall arrange for a hearing, and notify the parents 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.
4. The parent or eligible student may, at his or her own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.
5. 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 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.
6. Culpeper County Public Schools 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.
7. If Culpeper County Public Schools 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 or eligible student, in writing, that the record has been amended.

8. If Culpeper County Public Schools decides that the challenged information is not inaccurate, misleading or in violation of the student's right of privacy, it will notify the parents 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.

Confidentiality of HIV and Drug and Alcohol Treatment Records

The CULPEPER COUNTY Public Schools 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.

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June 11, 2007
June 23, 2008
June 8, 2009
October 11, 2012
November 12, 2012
January 13, 2014
June 23, 2014
January 12, 2015
June 22, 2015
June 13, 2016
May 15, 2017
June 11, 2018
June 10, 2019

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

34 C.F.R. 99.3, 99.7, 99.10, 99.11, 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, 22.1-254.1, 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.

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

Educational Records Information

Cumulative, Confidential, and Discipline

An accurate and complete individual education record is maintained for each student attending Culpeper County Public Schools. All data (cumulative, confidential and discipline as defined below) maintained (in handwriting, print, computer media, video or audio tapes, film, microfilm, microfiche or other medium) on an individual student are considered to be the education record. The content of the education record is limited to data needed by the school to assist the student in his/her personal, social, educational, and vocational development and in his/her education and vocational placement. Education records are maintained either in the school the student attends or last attended while enrolled in Culpeper County Public Schools or at the School Board office. The education record contains:

Cumulative data - such as directory information, grades, attendance, state testing results, health records, textbook agreement, etc.;

Confidential data - such as personally identifiable information; and

Discipline data - such as notices of disciplinary actions.

The Superintendent (or designee) or the principal of the school in which the education record is located is responsible for maintaining the record, a list of parties to whom data may be disclosed, and the purpose of disclosure. All education records are maintained in a secure location within the school and/or School Board office and are accessible to school officials, including any teacher, administrator, assigned student teacher, intern, instructional assistant, or other professional employee of the School Division and members of the School Board. The administrator in charge of maintaining records determines whether a school official is seeking the information to carry out his/her official duty and whether the specific information sought will help in carrying out that duty.

The policies and procedures for reviewing and expunging educational records are included in *School Board policy - JO* and other regulatory and procedural guides. Parents/legal guardians and eligible students have the right to inspect and review their child's education record and may do so by contacting the principal of the school for a scheduled time and place where the records may be inspected. The parent/legal guardian or eligible student who believes that information in the education record is inaccurate or misleading or violates the privacy or other rights of the student may request that the record be amended.

The policies and procedures for disclosure of data from education records are included in *School Board policy - JO*. Consent for disclosure is required except for the transfer of the student's education record to another school or School Division within or outside the state of Virginia or to the Department of Correctional Education and education programs in youth and detention centers, and others seeking information in course of their duties as required by VA Code 22.1 - 287.

Parents/legal guardians and eligible students may challenge the content of education records and file with the FERPA office a complaint concerning an alleged failure of the Culpeper County Public Schools to comply with 20 U.S.C. 1232g.

Parents/legal guardians and eligible students may be charged a fee of five cents (.05¢) per page for copying educational data from the record; however, a copy of the IEP, evaluation reports, and eligibility minutes will be provided to the parent at no cost.

The Superintendent or designee will do a periodic evaluation of records and will remove data no longer educationally useful. Student placement information for enrolled students at each school will be

maintained until September 30 of the current year and will then be destroyed. All student education records will be destroyed five years after graduation or withdrawal, except for the required permanent information.

Parents/legal guardians and eligible students may obtain, upon request, a copy of the written policies and procedures on the management and location of records, amendment process, and hearing procedures of the education record. Copies of the written policy may be obtained by contacting the School Board office.

The following documents of general interest are available for review at each school unless otherwise noted:

- School Division Policies (School Board office)
- School Improvement Plan
- Crisis Management Guide
- Philosophy and Objectives
- Culpeper County Special Education Procedural Guide (School Board office)
- Regulations Governing the Management of the Education Record (School Board office)
- School Counseling Handbook
- Family Life Education Program
- Federal Monitoring Program Report (School Board office)
- Asbestos Inspection Report and Management Plan--AHERA 40 CFR. Part 763 (Maintenance Department)

Directory Information, Publications and Postings

Schools may provide student directory information to appropriate organizations or the media. Directory information can be included in school's yearbooks, cast lists, athletic team programs, bulletin boards, websites and social media platforms under control of CCPS.

Directory information is defined under the Code of Virginia, 22.1-287 and the inclusion of such items is decided by the School Board as follows:

- * Student's name
- * Name of parent or guardian
- * Height and weight, if a member of an athletic team
- * Gender of student
- * Date and place of birth
- * Dates of attendance (by school year)
- * Course of study
- * School which student attends
- * Participation in officially recognized activities and sports
- * Photographs and videos
- * Awards and honors received

During the school year, Culpeper County Public Schools may release notable student products (i.e. posters, poems, essays, art work) to appropriate organizations and news media along with appropriate directory information. Any parent, guardian, or student (aged 18 or over) **NOT** wishing any of the above information released without prior consent should notify the school principal in writing.

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**PARENTAL STATEMENT OF RECEIPT OF NOTICE OF REQUIREMENTS OF VA CODE 22.1-279.3 AND
SCHOOL BOARD'S STANDARDS OF STUDENT CONDUCT**

I am the parent/guardian/custodian of the below named child and, by my signature, I acknowledge that I have received a copy of Section 22.1-279.3 of the *Code of Virginia* entitled Parental Responsibility and Involvement Requirements, and copy of the Culpeper County School Board's Standards of Student Conduct.

I understand that by signing this Statement of Receipt, I do not waive or abdicate, but do expressly reserve, any rights protected by the constitutions or laws of the United States or the Commonwealth of Virginia. I further understand that I have the right to express disagreement with the school's or School Division's policies or decisions.

Name of Student

Parent/Guardian Signature

Date

ACCEPTABLE COMPUTER SYSTEM USE AGREEMENT

Each student and his/her parent must sign this agreement before being granted use of the School Division's computer system.

Parent - I have read the Acceptable Computer Use policy on page 51. I understand that access to the computer system is intended for educational purposes and the Culpeper County Public School Division has taken precautions to eliminate inappropriate material. I also recognize, however, that it is impossible for the School Division to restrict access to all inappropriate material and I will not hold the School Division responsible for information acquired on the computer system. I have discussed the terms of this agreement, policy and regulation with my child.

Student - I understand and agree to abide by the School Division's Acceptable Use Policy and Regulation. I understand that the School Division may access and monitor my use of the computer system, including my use of the Internet, e-mail and download material without prior notice to me. I further understand that should I violate the Acceptable Use Policy or Regulation, my computer system privileges may be revoked and disciplinary action and/or legal action may be taken against me.

I grant permission for my child, _____ to use the computer system and for the School Division to issue an account for my child.

Parent/Guardian Signature

Student Signature

Date

PORTABLE ELECTRONIC DEVICES

I have read and understand the Portable Electronic Device policy (see pages 39-40) and give permission for my child, _____ to possess a cell phone or other portable electronic device on school property or at school-related events under the conditions stated. My child and I agree to abide by the policy, and understand that failure to do so will result in appropriate disciplinary action.

Parent/Guardian Signature

Student Signature

Date

REFUSAL OF PERMISSION FORM 2013/2014

To: Principal of _____

Name of School

Re: _____

Student's Name

I do not give my permission for the release of Directory Information (see page 10) concerning my child, with the exception of group photos without students' names, by way of the following: (Please check only those boxes for which you are DENYING PERMISSION.)

- ☐ CCPS sponsored web pages
- ☐ Yearbook
- ☐ Interviews/Coverage of school activities by newspapers/TV and/or School Division
- ☐ Information to military recruiters (High schools only)
- ☐ Printed programs for sports teams
- ☐ Student Work: there may be occasions when student work (artwork, poetry, essays, etc.) may be showcased by way of the list above. If you do NOT wish for your child's work to be showcased, please check here.

Parent/Guardian Signature

Date

**Attention parents: Sign and return this copy
to your child's school.**

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16-17

**PARENTAL STATEMENT OF RECEIPT OF NOTICE OF REQUIREMENTS OF VA CODE 22.1-279.3 AND
SCHOOL BOARD'S STANDARDS OF STUDENT CONDUCT**

I am the parent/guardian/custodian of the below named child and, by my signature, I acknowledge that I have received a copy of Section 22.1-279.3 of the *Code of Virginia* entitled Parental Responsibility and Involvement Requirements, and copy of the Culpeper County School Board's Standards of Student Conduct.

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Name of Student

Parent/Guardian Signature

Date

ACCEPTABLE COMPUTER SYSTEM USE AGREEMENT

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Parent - I have read the Acceptable Computer Use policy on page 51. I understand that access to the computer system is intended for educational purposes and the Culpeper County Public School Division has taken precautions to eliminate inappropriate material. I also recognize, however, that it is impossible for the School Division to restrict access to all inappropriate material and I will not hold the School Division responsible for information acquired on the computer system. I have discussed the terms of this agreement, policy and regulation with my child.

Student - I understand and agree to abide by the School Division's Acceptable Use Policy and Regulation. I understand that the School Division may access, monitor and archive my use of the computer system, including my use of the Internet, e-mail and download material without prior notice to me. I further understand that should I violate the Acceptable Use Policy or Regulation, my computer system privileges may be revoked and disciplinary action and/or legal action may be taken against me.

I grant permission for my child, _____ to use the computer system and for the School Division to issue an account for my child.

Parent/Guardian Signature

Student Signature

Date

PORTABLE ELECTRONIC DEVICES

I have read and understand the Portable Electronic Device policy (see pages 39-40) and give permission for my child, _____ to possess a cell phone or other portable electronic device on school property or at school-related events under the conditions stated. My child and I agree to abide by the policy, and understand that failure to do so will result in appropriate disciplinary action.

Parent/Guardian Signature

Student Signature

Date

REFUSAL OF PERMISSION FORM 2015/2016

To: Principal of _____ **Re:** _____
Name of School **Student's Name**

I do not give my permission for the release of Directory Information (see page 10) concerning my child, with the exception of group photos without students' names, by way of the following: (Please check only those boxes for which you are DENYING PERMISSION.)

- ☐ CCPS sponsored web pages
- ☐ Yearbook
- ☐ Interviews/Coverage of school activities by newspapers/TV and/or School Division
- ☐ Information to military recruiters (High schools only)
- ☐ Printed programs for sports teams
- ☐ Student Work: there may be occasions when student work (artwork, poetry, essays, etc.) may be showcased by way of the list above.
If you do NOT wish for your child's work to be showcased, please check here.
- ☐ Video or Audio recordings made by school staff for instruction, professional development or public performances.

Parent/Guardian Signature

Date

**Attention parents: Sign and return this copy
to your child's school.**

18

17-18

**PARENTAL STATEMENT OF RECEIPT OF NOTICE OF REQUIREMENTS OF VA CODE 22.1-279.3 AND
SCHOOL BOARD'S STANDARDS OF STUDENT CONDUCT**

I am the parent/guardian/custodian of the below named child and, by my signature, I acknowledge that I have received a copy of Section 22.1-279.3 of the *Code of Virginia* entitled Parental Responsibility and Involvement Requirements and a copy of the Culpeper County School Board's Standards of Student Conduct.

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Name of Student

Parent/Guardian Signature

Date

ACCEPTABLE COMPUTER SYSTEM USE AGREEMENT

Each student and his/her parent must sign this agreement before being granted use of the School Division's computer system.

Parent - I have read the Acceptable Computer Use policy on page 51. I understand that access to the computer system is intended for educational purposes and the Culpeper County Public School Division has take precautions to eliminate inappropriate material. I also recognize, however, that it is impossible for the School Division to restrict access to all inappropriate material and I will not hold the School Division responsible for information acquired on the computer system. I have discussed the terms of this agreement, policy and regulation with my child.

Student - I understand and agree to abide by the School Division's Acceptable Use Policy and Regulation. I understand that the School Division may access, monitor and archive my use of the computer system, including my use of the Internet, e-mail and download material without prior notice to me. I further understand that should I violate the Acceptable Use Policy or Regulation, my computer system privileges may be revoked and disciplinary action and/or legal action may be taken against me.

I grant permission for my child, _____ to use the computer system and for the School Division to issue an account for my child.

Parent/Guardian Signature

Student Signature

Date

PORTABLE ELECTRONIC DEVICES

I have read and understand the Portable Electronic Device policy (see pages 39-40) and give permission for my child, _____ to possess a cell phone or other portable electronic device on school property or at school-related events under the conditions stated. My child and I agree to abide by the policy, and understand that failure to do so will result in appropriate disciplinary action.

Parent/Guardian Signature

Student Signature

Date

REFUSAL OF PERMISSION FORM 2017/2018

To: Principal of _____ **Re:** _____
Name of School Student's Name

I do not give my permission for the release of Directory Information (see page 9) concerning my child, with the exception of group photos without students' names, by way of the following: (Please check only those boxes for which you are DENYING PERMISSION.)

- ☐ CCPS sponsored web pages
- ☐ Yearbook
- ☐ Interviews/Coverage of school activities by newspapers/TV and/or School Division
- ☐ Information to military recruiters (High schools only)
- ☐ Printed programs for sports teams
- ☐ Student Work: there may be occasions when student work (artwork, poetry, essays, etc.) may be showcased by way of the list above.
If you do NOT wish for your child's work to be showcased, please check here.
- ☐ Video or Audio recordings made by school staff for instruction, professional development or public performances.

Parent/Guardian Signature

Date

**Attention parents: Sign and return this copy
to your child's school.**

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18-19

**PARENTAL STATEMENT OF RECEIPT OF NOTICE OF REQUIREMENTS OF VA CODE 22.1-279.3 AND
SCHOOL BOARD'S STANDARDS OF STUDENT CONDUCT**

By my signature, I acknowledge that I have received a copy of Section 22.1-279.3 of the *Code of Virginia* entitled Parental Responsibility and Involvement Requirements and a copy of the Culpeper County School Board's Standards of Student Conduct.

I understand that by signing this Statement of Receipt, I do not waive or abdicate, but do expressly reserve, any rights protected by the constitutions or laws of the United States or the Commonwealth of Virginia. I further understand that I have the right to express disagreement with the school's or School Division's policies or decisions.

Opt-Out Information

I do not give my permission for the following: (Please check only those boxes for which you are DENYING PERMISSION.)

- ☐ For my child's Directory Information to be released to the media or community organizations (see page 9 of the CCPS Student/Parent Handbook for Directory Information).
- ☐ For the publication or posting of a photo, quote, audio, or video of child on CCPS-sponsored web pages, staff-made instructional videos, social media platforms, school yearbook, athletic or theatrical, concert programs, or other school publications for public view.
- ☐ For my child to be interviewed by members of the news media or have their achievements published or announced by the media.
- ☐ For the release of my address, phone number, or email to military recruiters (High Schools only)
- ☐ For the release of my address, phone number, or email to institutions of higher learning. (High Schools only)
- ☐ For my child's school work to be displayed or showcased for public view (artwork, poetry, essays, science projects, etc.)

Parent/Guardian Signature

Date

ACCEPTABLE COMPUTER SYSTEM USE AGREEMENT

Each student and his/her parent must sign this agreement before being granted use of the School Division's computer system.

Parent - I have read the Acceptable Computer Use policy on page 51. I understand that access to the computer system is intended for educational purposes and the Culpeper County Public School Division has taken precautions to eliminate inappropriate material. I also recognize, however, that it is impossible for the School Division to restrict access to all inappropriate material and I will not hold the School Division responsible for information acquired on the computer system. I have discussed the terms of this agreement, policy and regulation with my child.

Student - I understand and agree to abide by the School Division's Acceptable Use Policy and Regulation. I understand that the School Division may access, monitor and archive my use of the computer system, including my use of the Internet, e-mail and download material without prior notice to me. I further understand that should I violate the Acceptable Use Policy or Regulation, my computer system privileges may be revoked and disciplinary action and/or legal action may be taken against me.

Parent/Guardian Name (Please Print)

Student Name (Please Print)

Parent/Guardian Signature

Student Signature

**Attention parents: Sign and return this copy
to your child's school.**

**PARENTAL STATEMENT OF RECEIPT OF NOTICE OF REQUIREMENTS OF VA CODE 22.1-279.3
AND
SCHOOL BOARD'S STANDARDS OF STUDENT CONDUCT**

By my signature, I acknowledge that I have received a copy of Section 22.1-279.3 of the *Code of Virginia* entitled Parental Responsibility and Involvement Requirements and a copy of the Culpeper County School Board's Student Code of Conduct.

I understand that by signing this Statement of Receipt, I do not waive or abdicate, but do expressly reserve, any rights protected by the constitutions or laws of the United States or the Commonwealth of Virginia. I further understand that I have the right to express disagreement with the school's or School Division's policies or decisions.

Opt-Out Information

I do not give my permission for the following: **(Please check only those boxes for which you are DENYING PERMISSION.)**

- ☐ For my child's Directory Information to be released to the media or community organizations (see page 9 of the CCPS Student/Parent Handbook for Directory Information).
- ☐ For the publication or posting of a photo, quote, audio, or video of child on CCPS-sponsored web pages, staff-made instructional videos, social media platforms, school yearbook, athletic or theatrical, concert programs, or other school publications for public view.
- ☐ For my child to be interviewed by members of the news media or have their achievements published or announced by the media.
- ☐ For the release of my address, phone number, or email to military recruiters (High Schools only)
- ☐ For the release of my address, phone number, or email to institutions of higher learning. (High Schools only)
- ☐ For my child's school work to be displayed or showcased for public view (artwork, poetry, essays, science projects, etc.)

Parent/Guardian Signature

Date

ACCEPTABLE COMPUTER SYSTEM USE AGREEMENT

Each student and his/her parent must sign this agreement before being granted use of the School Division's computer system.

Parent - I have read the Acceptable Computer Use policy on page 52. I understand that access to the computer system is intended for educational purposes and the Culpeper County Public School Division has taken precautions to eliminate inappropriate material. I also recognize, however, that it is impossible for the School Division to restrict access to all inappropriate material and I will not hold the School Division responsible for information acquired on the computer system. I have discussed the terms of this agreement, policy and regulation with my child.

Student - I understand and agree to abide by the School Division's Acceptable Use Policy and Regulation. I understand that the School Division may access, monitor and archive my use of the computer system, including my use of the Internet, e-mail and download material without prior notice to me. I further understand that should I violate the Acceptable Use Policy or Regulation, my computer system privileges may be revoked and disciplinary action and/or legal action may be taken against me.

Parent/Guardian Name (Please Print)

Student Name (Please Print)

Parent/Guardian Signature

Student Signature

Attention parents: Sign and return this copy to your child's school.

STUDENT PRIVACY

Student Data Privacy

At Culpeper County Public Schools (CCPS), we make it a high priority to secure student and staff information. We are committed to ensuring the safety and security of students while online and interacting with one another through digital devices. Through our Instructional Technology Resource Teachers, we seize on opportunities to provide instruction related to digital citizenship, internet safety, how to prevent cyber-bullying, and skills needed to maintain personal privacy.

As we attempt to provide our teachers with as much flexibility as possible as it relates to accessing online educational services, we are also mandated to ensure COPPA and FERPA compliance guidelines are followed. As a result, teachers who discover an appropriate educational resource they would like to use with their students will need to validate the following items:

1. Is there an educational benefit for all students?
2. Does the online educational software require plug-ins or an install?
3. Have you reviewed the privacy policy to ensure 3rd party vendors (providers) are identified?
4. In accordance with FERPA and the software privacy policy, is parental consent or notification required?

If these minimum requirements are met, please submit a request to have it added to the division list of approved online resources on the ITRT website.

Email and Keeping Information Secure

Today, it is easy to use digital systems, such as email and cloud-based services, to share important information. These technology tools help to effectively manage data and share input among a host of fellow educators, administrators, and parents. However, utilizing these tools requires staff to be cautious when sending Personally Identifiable Information (PII). The video below, provided by the U.S. Department of Education explains some of the ways we can ensure we maintain student and staff privacy.

In addition, it is recommended that staff members who have access to student information at the school-level utilize two-factor authentication.

What is two-factor authentication?

A password is all that protects your account right now, and passwords can be easier to obtain than you might think.

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2-step authentication adds another step to the login process. After you enter your password, you'll be asked for a passcode from your mobile device. This raises the stakes for someone who wants to get into your account because now they have to get your password and your phone.

G-Suite, our main provider, has this capability available to protect your Google logins from being compromised.

Password Protection

Protecting data starts with a good password. Carnegie Mellon University offers some guidance as it relates to the creation and maintenance of good password security.

Here are some suggestions from the CM website:

A Strong Password should -

- Be at least 8 characters in length

- Contain both upper and lowercase alphabetic characters (e.g. A-Z, a-z)

- Have at least one numerical character (e.g. 0-9)

- Have at least one special character (e.g. ~!@#\$%^&*()_-=)

A Strong Password should not -

- Spell a word or series of words that can be found in a standard dictionary

- Spell a word with a number added to the beginning and the end

- Be based on any personal information such as user id, family name, pet, birthday, etc.

Please visit the Carnegie Mellon University website for more information on how best to protect yourself using good password protocol.











K-12 School Service Provider Pledge to Safeguard Student Privacy

K-12 school service providers are honored to be entrusted by educators and families to support their educational needs and school operations. School service providers take responsibility to both support the effective use of student information and safeguard student privacy and information security.

School service providers support schools – including their teachers, students and parents – to manage student data, carry out school operations, support instruction and learning opportunities, and develop and improve products/services intended for educational/school use. In so doing, it is critical that schools and school service providers build trust by protecting the privacy of student information and effectively communicating with parents about how student information is used and safeguarded.

We pledge to carry out responsible stewardship and appropriate use of student personal information gathered in our role as school service providers according to the commitments below and in adherence to all laws applicable to us as school service providers.

We Commit To:

-  Not collect, maintain, use or share student personal information beyond that needed for authorized educational/school purposes, or as authorized by the parent/student.
-  Not sell student personal information.
-  Not use or disclose student information collected through an educational/school service (whether personal information or otherwise) for behavioral targeting of advertisements to students.
-  Not build a personal profile of a student other than for supporting authorized educational/school purposes or as authorized by the parent/student.
-  Not make material changes to school service provider consumer privacy policies without first providing prominent notice to the account holder(s) (i.e., the educational institution/agency, or the parent/student when the information is collected directly from the student with student/parent consent) and allowing them choices before data is used in any manner inconsistent with terms they were initially provided; and not make material changes to other policies or practices governing the use of student personal information that are inconsistent with contractual requirements.
-  Not knowingly retain student personal information beyond the time period required to support the authorized educational/school purposes, or as authorized by the parent/student.
-  Collect, use, share, and retain student personal information only for purposes for which we were authorized by the educational institution/agency, teacher or the parent/student.
-  Disclose clearly in contracts or privacy policies, including in a manner easy for parents and teachers to understand, what types of student personal information we collect, if any, and the purposes for which the information we maintain is used or shared with third parties.

- ✔ Support access to and correction of student personally identifiable information by the student or their authorized parent, either by assisting the educational institution in meeting its requirements or directly when the information is collected directly from the student with student/parent consent.
- ✔ Maintain a comprehensive security program that is reasonably designed to protect the security, privacy, confidentiality, and integrity of student personal information against risks – such as unauthorized access or use, or unintended or inappropriate disclosure – through the use of administrative, technological, and physical safeguards appropriate to the sensitivity of the information.
- ✔ Require that our vendors with whom student personal information is shared in order to deliver the educational service, if any, are obligated to implement these same commitments for the given student personal information.
- ✔ Allow a successor entity to maintain the student personal information, in the case of our merger or acquisition by another entity, provided the successor entity is subject to these same commitments for the previously collected student personal information.

Notes:

- Some school service providers may be subject to additional legal obligations, contractual commitments, or requests from educational institutions or parents/students that direct or otherwise authorize additional uses of student data, other than those specified above.
- Nothing in this pledge is intended to prohibit the use of student personal information for authorized purposes of adaptive learning or customized education.
- This pledge is intended to be applicable to new contracts and policies going forward and addressed – where inconsistent and as agreed to by the educational institution/agency – in existing contracts as updated over time.
- This pledge shall be effective as of January 1, 2015.

Definitions:

- ‘School service provider’ refers to any entity that: (1) is providing, and is operating in its capacity as a provider of, an online or mobile application, online service or website that is both designed and marketed for use in United States elementary and secondary educational institutions/ agencies and is used at the direction of their teachers or other employees; and (2) collects, maintains or uses student personal information in digital/electronic format. The term ‘school service provider’ does not include an entity that is providing, and that is operating in its capacity as a provider of, general audience software, applications, services or websites not designed and marketed for schools.
- ‘Educational/School purposes’ are services or functions that customarily take place at the direction of the educational institution/agency or their teacher/employee, for which the institutions or agency would otherwise use its own employees, and that aid in the administration or improvement of educational and school activities (e.g., instruction, administration, and development and improvement of products/services intended for educational/school use).
- ‘Student personal information’ is personally identifiable information as well as other information when it is both collected and maintained on an individual level and is linked to personally identifiable information.
- ‘Student’ applies to students of United States elementary and secondary schools, and with regard to notice and consent applies only to students of appropriate age as authorized under relevant United States federal law.
- ‘Consumer privacy policies’ include those privacy policies that are posted by the company to be available to all users to the site or service.
- ‘Parent’ includes a student’s legal guardian.

This Pledge is neither intended as a comprehensive privacy policy nor to be inclusive of all requirements to achieve compliance with all applicable federal or state laws. For more information, visit <http://studentprivacypledge.org>.