

AN ORDINANCE AMENDING CHAPTER 9, ARTICLE 23, SECTION 9-23.11 ENTITLED "RECORD OF REQUESTS FOR DISCLOSURE; DIRECTORY INFORMATION DEFINED; RELEASE OF ADDITIONAL INFORMATION PERMITTED" OF THE POLICIES OF THE SUFFOLK CITY SCHOOL BOARD - FIRST READING

BE IT ORDAINED, by the School Board of the City of Suffolk, Virginia that Chapter 9, Article 23, Section 9-23.11 entitled "Record of Requests for Disclosure; Directory Information defined; Release of additional information permitted" of the Policies of the Suffolk City School Board, be, and the same is hereby amended as follows:

Section 9-23.11. Record of Requests for Disclosure; Directory Information defined; Release of additional information permitted. — A. Suffolk Public Schools shall 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 the official's assistants who are responsible for the custody of such records, and to persons or organizations which audit the operation of the system.

B. 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.

C. 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).

D. 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.

E. School Board shall ~~notify~~ notifies parents and eligible students at the beginning of each school year what information, if any, Suffolk Public Schools has designated as directory information, the right to refuse to let Suffolk Public Schools designate any or all of such information as directory information and the period of time to refuse, in writing, the that the parent or eligible student does not want any or all of those types of information designated as directory information designation in accordance with FERPA. The following items of student information are considered "directory information".

- (1) Student's name
- (2) Student's address

- (3) Telephone listing
- (4) Electronic mail address
- (5) Photograph
- (6) Date and place of birth
- (7) Major Field of Study
- (8) Grade Level
- (9) Enrollment status
- (10) Participation in officially recognized activities and sports
- (11) Height and weight of a member of an athletic team
- (12) Dates of attendance
- (13) Degrees, awards and honors received, except for information regarding the Modified Standard Diploma or other certificate that is awarded only to students with disabilities
- (14) Most recent educational institution attended

Directory information may be made available on an individual basis or printed in school directories, team rosters, class lists, yearbooks, etc. should the school wish to do so, without parental consent. Principals shall advise parents of all incoming students that if they do not wish any or all of the directory information items to be released, they must notify the school, in writing, within fifteen days.

F. 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.

(Adopted February 9, 1999; Revised May 13, 1999; Ordinance Number 98/99-10; Revised May 12, 2005; Ordinance Number 04/05-28; Effective: May 12, 2005; Revised June 13, 2013; Ordinance Number 12/13-133; Effective Date: July 1, 2013; Ordinance Number 19/20-63; Revised March 20, 2020; Ordinance Number 21/22-31; Effective: November 4, 2021)

Legal Authority - Virginia Code §22.1-287.1 (1950), as amended.

BE IT FURTHER ORDAINED that all phrases, clauses, sentences, paragraphs, subsections, sections and chapters of the School Board's Policy Manual not amended or repealed shall remain in full force and effect.

FIRST READING: _____

SECOND READING: _____

EFFECTIVE DATE: _____

TESTE: _____

CLERK

Approved as to form and content:



Wendell M. Waller, Esquire
School Board Attorney