



# Danville Public Schools

## Office of the Superintendent

341 Main Street, Suite 100 – P.O. Box 9600 – Danville, Virginia 24543

Phone: 434-799-6434 Ext 235 – Fax 434-799-5267

Email: [bwilkers@mail.dps.k12.va.us](mailto:bwilkers@mail.dps.k12.va.us)

August 2010

Dear Parent or Guardian:

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Danville Public Schools, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Danville Public Schools may disclose appropriately designated "Directory Information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Danville Public Schools to include this type of information from your child's education records in certain school publications. Examples of directory information include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Examples of Personal Identification items include:

- Videos or photographs taken on school property for publication in school magazines and annuals;
- Videos or photographs taken at school sponsored events, such as football games, pep rallies, etc.;
- **Videos taken on school buses or by security cameras used for discipline cases and safety related claims;** and
- Videos and photographs taken by local news agencies used for newspaper and media stories.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories - names, addresses and telephone listings - unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want Danville Public Schools to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing not later than September 30, 2010 by using the form at the end of this letter. Danville Public Schools has designated the following information as directory information: [Note: Danville Public Schools may, but does not have to, include all the information listed below.]

- Student's name
- Participation in officially recognized activities and sports
- Address
- Telephone listing
- Weight and height of members of athletic teams
- Electronic mail address
- Photograph
- Degrees, honors, and awards received
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- The most recent educational agency or institution attended

### Notification of Rights for Elementary and Secondary Schools

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the School receives a request for access. Parents or eligible students should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write the School principal [or appropriate official], clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. 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. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School 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 School 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. Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

[NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or eligible student of the records request unless it states in its annual notification that it intends to

forward records on request. Danville Public Schools will forward the requested records upon request, unless the parent has on file in the student's record a request to be notified.]

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

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

[NOTE: In addition, an institution may want to include its directory information public notice, as required by § 99.37 of the regulations, with its annual notification of rights under FERPA.]

**Footnotes:**

1. These laws are: Section 9528 of the ESEA (20 U.S.C. 7908), as amended by the No Child Left Behind Act of 2001 (P.L. 107-110), the education bill, and 10 U.S.C. 503, as amended by section 544, the National Defense Authorization Act for Fiscal Year 2002 (P.L. 107-107), the legislation that provides funding for the Nation's armed forces.

STUDENT RECORDS NOTICE

Personally identifiable information (directory information) may include some or all of the following: Name of student in attendance or no longer in attendance, address, date & place of birth, birth certificate serial number, telephone number, videos or photographs, dates of attendance, participation in extracurricular activities, such as clubs and /or sports, height and weight, awards and honors received and other similar information. In addition, there are times when the media may wish to use your child's picture or interview your child in public media coverage of school events or activities.

If you DO NOT want the school to release directory information or personal identification information about your child please notify the school by signing the below form and returning it to your child's principal within fifteen (15) working days.

REFUSAL OF PERMISSION FORM  
SCHOOL YEAR 2010-2011

To: Principal of \_\_\_\_\_ (name of school)

Re: \_\_\_\_\_ (child's name)

I do not give permission for the release of directory information concerning my child.

Date \_\_\_\_\_ Parent's Signature \_\_\_\_\_

I do not give permission for my child's photograph to be used in public media coverage of school events or activities or for my child to be interviewed by the media.

Date \_\_\_\_\_ Parent's Signature \_\_\_\_\_

**NOTE: IF YOU DO NOT RETURN THIS FORM SIGNED AND DATED IT WILL BE ASSUMED THAT YOU DO NOT OBJECT TO THE RELEASE OF DIRECTORY INFORMATION ON YOUR CHILD NOR DO YOU OBJECT TO YOUR CHILD'S PHOTOGRAPH BEING USED IN WRITTEN OR PUBLISHED MATERIAL INCLUDING PROMOTIONAL MATERIALS AND WEBSITES.**

Protection of Pupil Rights Amendment (PPRA)

The Protection of Pupil Rights Amendment (PPRA) is a federal law that affords certain rights to parents of minor students with regards to surveys that ask questions of a personal nature. Briefly, the law requires that schools obtain written consent from parents before minor students are required to participate in any U.S. Department of Education funded survey, analysis, or evaluation that reveals information concerning the following areas:

1. Political affiliations;
2. Mental and psychological problems potentially embarrassing to the student and his/her family;
3. Sex behavior and attitudes;
4. Illegal, anti-social, self-incriminating and demeaning behavior;
5. Critical appraisals of other individuals with whom respondents have close family relationships;
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. Religious practices, affiliations, or beliefs of the student or student's parent\*; or
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.)

The *No Child Left Behind Act of 2001* contains a major amendment to PPRA that gives parents more rights with regard to the surveying of minor students, the collection of information from students for marketing purposes, and certain non-emergency medical examinations. In addition, an eighth category of information (\*) was added to the law.

You may read more about the specific changes to the law by visiting this website, [www.ed.gov/offices/OM/fpco/ppra/index.html](http://www.ed.gov/offices/OM/fpco/ppra/index.html).

PARENTAL STATEMENT OF RECEIPT OF NOTICE  
OF REQUIREMENTS OF VA. CODE §22.1-279.3 AND  
THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT  
(20 U.S.C. § 1232G; 34 CFR PART 99)AND  
THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA) AND

**DANVILLE PUBLIC SCHOOLS**  
**2010-2011**  
*Standards For Student Conduct*

Student Name: \_\_\_\_\_  
(Please Print)

School: \_\_\_\_\_

I acknowledge:

1. receipt of the City of Danville School Board's *Standards for Student Conduct* and understand that printed therein is Section 22.1-279.3 of the Code of Virginia, "Parent Responsibility and Involvement Requirements" and the City of Danville School Board's student attendance policy. I have reviewed the contents.
2. receipt of information regarding the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA).
3. that signing below only signifies receipt and review of the *Standards for Student Conduct*, The Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA); and, furthermore, that by signing this statement of receipt, I am not waiving, but expressly reserving, my rights protected by the constitutions or laws of the United States or the Commonwealth of Virginia, and my right to express disagreement with the school's or school division's policies or decisions.

***To meet federal funding guidelines, Danville Public Schools may periodically survey its students. If you do not want your child to take part in any survey administered by Danville Public Schools, you may sign an opt-out form which is available in the main office of your child's school.***

Parent/Guardian: \_\_\_\_\_ Date: \_\_\_\_\_

Student: \_\_\_\_\_ Date: \_\_\_\_\_

Comments: \_\_\_\_\_

**Please sign, date and return to your child's school immediately.**

