

Annual Notification

Regarding Student Records Maintained by VICC

The Family Educational Rights and Privacy Act (FERPA) affords to parents/guardians ("parents") of students, and to students themselves who are over 18 years of age ("eligible students"), certain rights with respect to the student's education records. Although FERPA does not apply to VICC, VICC as a matter of policy intends to comply with the provisions of FERPA and to afford parents and eligible students certain rights set forth in FERPA with respect to education records maintained by VICC.

These rights, as they pertain to education records maintained by VICC, are outlined below:

1. The right to inspect and review the student's education records within 45 days of the day VICC receives a written request for access. Parents or eligible students should submit to VICC's Chief Executive Officer (CEO) a written request that identifies the record(s) they wish to inspect. VICC's CEO or his/her designee 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, misleading or otherwise in violation of the student's privacy rights under FERPA. Parents or eligible students who wish to ask VICC to amend a record should write VICC's CEO, clearly identify the part of the record they want changed, and specify why it should be changed. If VICC decides not to amend the record as requested by the parent or eligible student, VICC 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 provide written consent before VICC discloses personally identifiable information (“PII”) from 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 or VICC officials with legitimate educational interests. A school or VICC official includes a person employed by VICC as an administrator, supervisor, instructor, counselor or support staff member; a person serving on VICC's Board; a person (including a volunteer) or contractor outside of VICC who performs an institutional service or function it would otherwise use its own employees to perform (such as an attorney, auditor, transportation contractor or transportation manager) and who is under the direct control of VICC with respect to the use and maintenance of PII from education records; any of the member school districts participating in VICC and the school officials, employees and agents of such districts; or a parent, student or other person serving on an official VICC committee or assisting another school official in performing his or her tasks. A school or VICC official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her responsibilities with respect to transfer students and the transfer program. Upon request, VICC discloses education records without consent to officials of a school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

4. Although not applicable to VICC, FERPA generally affords the right to file a complaint with the U.S. Department of Education concerning alleged violations of FERPA by school districts receiving federal funds. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, S.W.

Washington, D.C. 20202-8520

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

VICC newsletters;

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.

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 the following

information – 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 VICC to disclose directory information from your child's education records without your prior written consent, you must notify VICC in writing within 20 days after this notice has first been disseminated in the school year. VICC has designated the following information as directory information:

1. Name
2. Grade Level
3. Dates of Attendance
4. Degrees, Honors, and Awards Received
5. Photograph
6. Participation in Officially Recognized Activities and Sports
7. Weight and Height of Members of Athletic Teams
8. The Current and Most Recent Previous Educational Institution Attended by the Student

Any claims or disputes arising under or relating to the matters set forth in this notification are subject to the binding arbitration provisions and remedial limitations contained in paragraphs 23 and 24 of Appendix C of the 1999 Settlement Agreement.