



CONFIDENTIALITY ACKNOWLEDGEMENT AFFIDAVIT AND NON-DISCLOSURE AGREEMENT

In accordance with the Family Educational Rights and Privacy Act (“FERPA”), Virginia laws and regulations that govern access to confidential educational records, and Richmond Public Schools’ (RPS) policies, RPS may only allow access and/or disclosure of personally identifiable information from students’ educational records to certain authorized individuals and/or under certain circumstances without prior consent from the parent(s) of a minor student or directly from an adult student. Among individuals and other circumstances not relevant for this document, access/disclosure may be permitted to school officials and/or other individuals that RPS has determined to have a legitimate educational interest in the student’s educational record. RPS School Board policy 8-1.6 defines a “school official” as follows:

1. A person employed by the school division as an administrator, supervisor, instructor, or support staff member.
2. A person appointed or elected to the School Board.
3. A person employed by or under contract to the school division to perform a special task, such as an attorney, auditor, medical consultant, or therapist.
4. 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.

Per RPS School Board policy 8-1.6, a school official as designated above has a legitimate educational interest in a student’s educational record if:

- 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.

School officials as defined above, and all school employees and contractors who have access to student educational records, are bound to maintain the confidentiality of the information obtained from the student records as mandated by FERPA and Virginia laws governing the confidentiality of student records.

Affirmation and Agreement

By signing this document, I agree that from _____(start date) to _____(end date), as an **intern/practicum student/volunteer/tutor (please circle one)** with RPS, assisting school officials in performing their tasks, I will be considered a “school official” of RPS as defined above and I agree to and affirm the following:

1. I am bound to maintain the confidentiality of the information obtained from the student records as mandated by FERPA, Virginia laws, and RPS policies governing the confidentiality of student records. **I understand that I am to maintain this confidentiality in perpetuity and my obligation to maintain the confidential of the information obtained from the student records remains even after the date that my intern/practicum/volunteer/tutor time frame ends.**

2. I will not identify any pupil, parent, staff member, school, or RPS by name or in any other manner, either in the information accessed/submitted for research, for reports, for class, internship, practicum assignment, volunteer or tutoring experience, or by any other means.
3. I will not access any and all documents, information, including any personally identifiable information without the permission of my RPS supervisor, and if I am permitted to leave RPS premises with any documents and information, any and all documents will be returned to my RPS supervisor to be destroyed at the conclusion of the internship or when the documents or information is no longer needed for the purpose for which it was collected/obtained.
4. I will not use or reveal any personally identifiable information to which I will have access during my internship, practicum, volunteer or tutoring experience for any purpose other than the fulfillment of the requirements of my internship/practicum. I understand that this section still does not allow me to identify any pupil, parent, staff member, school, or RPS by name or in any other manner, either in the information accessed/submitted for research, for reports, for class, internship, practicum assignment, volunteer or tutoring experience, or by any other means as stated above even if a report or other written document and/or oral presentation is needed to fulfill the requirements of my class, internship, practicum assignment, volunteer or tutoring experience.
5. I will not make any release or publication whereby an individual could be identified or data related to an individual can be identified.
6. I will not permit anyone other than the staff of RPS to examine personally identifiable information or data from students' educational records.
7. I agree to abide by all other policies, rules, and regulations of RPS as set forth in the School Board Policy Manual as well as all federal, state, and local laws and regulations.

I hereby certify, by execution of this confidentiality affidavit and non-disclosure agreement, that I have not been convicted of a felony or any offense involving the sexual molestation or physical or sexual abuse or rape of a child or crime of moral turpitude.¹

I understand and agree that if the conditions of this agreement are not met, or are broken at any stage of the internship, practicum, volunteering, or tutoring, RPS reserves the right to deny future access to all its records, personnel, and facilities, and to revoke permission for use of all records, documents, and data previously obtained. Additionally, I understand and agree that if the conditions of this agreement are not met, or are broken at any stage of the internship, the internship, practicum, volunteering, and/or tutoring will be terminated immediately upon discovery of the breach of the agreement.

Name of Intern/Practicum Student,
Volunteer or Academic Mentor (Printed)

Signature

Date

University/Organization/Agency Affiliation

Location (School or Department)

Name of RPS Supervisor (Printed)

Signature

Date

¹ Pursuant to the Code of Virginia §22.1-296.1, any person making a materially false statement regarding offenses which are referenced above, shall be guilty of a Class 1 misdemeanor