



FAIRFAX COUNTY

Athletic Services
DEPARTMENT OF COMMUNITY AND
RECREATION SERVICES
12011 Government Center Parkway — 10th Floor
Fairfax, Virginia 22035-1115

V I R G I N I A

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The Virginia Freedom of Information Act (FOIA) requires that government agencies must release records to the public if requested; this ensures that government actions are open and responsible. An amendment to the act, which went into effect on July 1, 2004, identifies specific information that is exempt from FOIA:

§ 2.2-3705.7 “22. Records of state or local park and recreation departments to the extent such records contain information identifying a person under the age of 18 years, where the parent or legal guardian of such person has requested in writing that such information not be disclosed.”

Per the Gym and Field Allocation Policies, all users receiving facility permits from NCS, other than for tournaments and one-time use, are required to submit complete rosters with their application fee payment. Rosters must include the name, age (for anyone under 19), complete address, and home phone number. Rosters are necessary for three reasons: 1) to verify the application and non-county fees and amount due; 2) to determine the amount of time a group is required to receive per the allocation policy; and 3) to determine whether a group meets the residency requirements defined in the allocation policies.

NCS will not share roster information with anyone outside of NCS, unless we are legally compelled to release it through FOIA. In order to prevent the information that is submitted to NCS from being released under FOIA, athletic organizations that register participants under 18 years old will need to ensure that the parents or guardians have affirmatively requested that this information not be released.

It is suggested that athletic organizations that register youth participants include on their registration forms a place for parents or guardians to affirmatively request that information on their child not be released by NCS. When the rosters are submitted to NCS, organization representatives will need to sign a statement which indicates parents of the registered children have affirmatively requested that their information not be released under Virginia FOIA. By exception, only the names of the children/parents that have not requested the FOIA waiver need be indicated to NCS.

For your convenience, at the bottom of this page is wording for a sample FOIA waiver that could be included on your registration forms along with a statement that must be submitted with rosters.

The release form does not eliminate the requirement to send NCS complete roster information. Users are required to send complete rosters to NCS even for participants with releases. The release guarantees that NCS will not provide that information to anyone outside NCS, even if requested through FOIA.

If you have any questions, please contact NCS at AthleticServices@fairfaxcounty.gov or 703-324-5522.

Sample FOIA Waiver to Include on Registration Forms

Per Fairfax County allocation policies, registration information for each participant is provided to the Fairfax County Department of Neighborhood and Community Services (NCS). Once NCS receives this information, it becomes public record and as such may be released under the Virginia Freedom of Information Act (FOIA) unless the parent/guardian specifically requests that this information not be released. Please check here ___ if you do not grant NCS permission to release your child's registration information.

Sample Statement to Include with Roster Submission

Enclosed please find rosters of players registered in <LEAGUE/ORGANIZATION> for <SEASON/YEAR> season. All of the persons contained on these rosters, except those listed below, have affirmatively requested that their registration information not be released by the Fairfax County Department of Neighborhood and Community Services (NCS) under the Freedom of Information Act (FOIA)