



# FAIRFAX COUNTY

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

V I R G I N I A

Telephone: 703-324-5533 Fax: 703-324-5546 TTY: 703-222-9693

July 26, 2004

Dear Athletic Organization Representatives:

The 2004 Session of the General Assembly passed eighteen bills amending the Virginia Freedom of Information Act (FOIA). Of note to the athletic community is House Bill 168 regarding FOIA exemptions for state and local park and recreation departments.

The amendment, which went into effect on July 1, 2004, states that this information is exempt from FOIA as follows:

§ 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."

All athletic organizations that receive facility allocations from the Fairfax County Department of Community and Recreation Services (CRS) are required by policy to submit rosters of registered players. Once CRS receives this information, it becomes public record and as such may be released under FOIA. In order to prevent the information that is submitted to CRS from being released under FOIA, athletic organizations that register participants under 18 years old will need to insure 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 CRS. When the rosters are submitted to CRS, 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 CRS.

Athletic Organization Representatives  
July 26, 2004  
Page 2

For your convenience, I have enclosed a sample FOIA waiver that could be included on your registration forms along with a statement that must be submitted with rosters.

If you have any questions or concerns, please feel free to call me at 703 324-5533.

Sincerely,

Karen Avvisato  
Division Supervisor

KA/kmc

Enclosure

cc: Patricia D. Franckewitz, Director, CRS  
Christopher A. Leonard, Deputy Director, CRS  
Fairfax County Athletic Council

### 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 Community and Recreation Services (DCRS). Once DCRS 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 DCRS 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 Community and Recreation Services (DCRS) under the Freedom of Information Act (FOIA). <List Names of those who did not request that their information be withheld>