



STUDENTS

BOARD POLICY – STUDENT AND FAMILY PRIVACY RIGHTS

BP 5022

The County Board of Education respects the rights of students and their parents/guardians with regard to the privacy of their personal beliefs and the confidentiality of their personal information.

The County Superintendent of Schools or designee may collect, disclose, or use students' personal information for the exclusive purpose of developing, evaluating, or providing educational products or services for or to students or educational institutions, such as the following: (20 USC 1232h)

1. College or other postsecondary education recruitment or military recruitment
2. Book clubs, magazines, and programs providing access to low-cost literary products
3. Curriculum and instructional materials used by elementary and secondary schools
4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments
5. The sale by students of products or services to raise funds for school-related or education-related activities
6. Student recognition programs

The County Superintendent or designee is prohibited from collecting, disclosing, or using a student's individually identifiable information, including their name, parent/guardian's name, home or other physical address, telephone number, or social security number, for the purpose of marketing or selling that information or providing the information to others for that purpose.

However, the County Education Office shall not use surveys to collect social security numbers or the last four digits of social security numbers, or information or documents regarding citizenship or immigration status, of students or their families. (Education Code 234.7, 49076.7)

The County Superintendent or designee may consult with parents/guardians regarding

the development of regulations pertaining to other uses of personal information, which shall, at a minimum, address the following: (20 USC 1232h)

1. Arrangements for protecting student privacy when collecting, disclosing, or using students' individually identifiable information for any purpose
2. Arrangements to protect student privacy in the administration of surveys that may request information about the personal beliefs and practices of students and their families
3. The rights of parents/guardians to inspect the following, and any applicable procedures for granting reasonable access to the following in a reasonable period of time:
 - a. Survey instruments requesting information about their personal beliefs and practices or those of their children
 - b. Instructional materials used as part of their children's educational curriculum
4. Any nonemergency physical examinations or screenings that the school may administer

The County Superintendent or designee shall notify parents/guardians of the adoption or continued use of the County Education Office's policy pertaining to the rights specified in items #1-4 above. (20 USC 1232h)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Federal

20 USC 1232g
20 USC 1232h

Description

Family Educational Rights and Privacy Act (FERPA) of 1974
Protection of pupil rights

Management Resources

Website
Website
Website

Description

[U.S. Department of Education, Family Policy Compliance Office](#)
[CSBA](#)
[California Department of Education](#)

State

Ed. Code 234.7
Ed. Code 49076.7
Ed. Code 49450-49458
Ed. Code 49602
Ed. Code 51101
Ed. Code 51513

Ed. Code 51514

Description

Student protections related to immigration and citizenship status
Student records; data privacy; social security numbers
Physical examinations
Confidentiality of personal information received during counseling
Parents Rights Act of 2002
Test, questionnaire, survey, or examination concerning personal beliefs
Nonremoval of survey questions pertaining to sexual orientation

Ed. Code 51938

or gender identity
Sexual Health and HIV/AIDS Prevention Education Act; notice
and parental excuse

ADOPTED BY COUNTY BOARD: December 2, 2004
REVISED: February 2, 2023