

Students**STUDENT RECORDS**

The Governing Board recognizes the importance of keeping accurate, comprehensive student records as required by law. The Superintendent or designee shall establish administrative regulations governing the identification, collection, retention, and security of student records. These regulations shall ensure the rights of authorized persons to have timely access to student records while maintaining the confidentiality of student records consistent with state and federal law.

The Superintendent or designee shall designate a certificated employee to serve as custodian of records with responsibility for student records at the district level. At each school, the principal or a certificated employee shall be designated as custodian of records for students enrolled at that school. The custodian of records shall be responsible for implementing Board policy and administrative regulation regarding student records. (5 CCR 431)

All appropriate personnel shall receive training regarding district policies and procedures for gathering and handling sensitive student information.

The district shall not collect or solicit social security numbers or the last four digits of social security numbers of students or their parents/guardians, unless otherwise required to do so by state or federal law. (Education Code 49076.7)

No information or documents regarding the citizenship or immigration status of students or their family members shall be collected except as required by state or federal law or as required to administer a state or federally-supported educational program. The Superintendent or designee shall not disclose student records to a person, agency, or organization for immigration enforcement purposes without parental consent, a court order, or a judicial subpoena. If a district employee receives such a request, he/she shall immediately report the request to the Superintendent. The Superintendent shall report the request to the Board in a timely manner that ensures the confidentiality and privacy of any potentially identifying information. (Education Code 234.7)

The Superintendent or designee shall not compile a list, registry, or database based on students' national origin, ethnicity, or religious belief, practice, or affiliation, nor shall he/she disclose student information to federal government authorities for the purpose of compiling such a list, registry, or database for purposes of immigration enforcement. Such information may only be compiled or exchanged with other local, state, or federal agencies if the information is aggregated and is not personally identifiable. (Government Code 8310.3)

Student Records from Social Media

The Superintendent or designee may gather and maintain information from the social media of any district student, provided that the district first notifies students and parents/guardians about the proposed program, offers and opportunity for public comment at a regularly scheduled Board meeting and gathers only information that directly pertains to school safety or student safety. (Education Code 49073.6)

Students**STUDENT RECORDS****Contract for Digital Storage, Management, and Retrieval of Student Records**

The Superintendent or designee may enter into a contract with a third party for the digital storage, management, and retrieval of student records and/or to authorize a third-party provider of digital software to access, store, and use student records, provided that the contract meets the requirements of Education Code 49073.1 and other applicable state and federal laws.

Legal Reference:**State**

5 CCR 16020-16027

5 CCR 430-438

Bus. and Prof. Code 22580-22582

Bus. and Prof. Code 22584-22585

Bus. and Prof. Code 22586-22587

Code of Civil Procedure 1985.3

Ed. Code 17604

Ed. Code 234.7

Ed. Code 48201

Ed. Code 48853.5

Ed. Code 48902

Ed. Code 48904-48904.3

Ed. Code 48918

Ed. Code 48980

Ed. Code 48985

Ed. Code 49060-49079

Ed. Code 49091.14

Ed. Code 51745

Ed. Code 56041.5

Ed. Code 56050

Ed. Code 56055

Ed. Code 69432.9

Fam. Code 3025

Fam. Code 6552

Gov. Code 7920.000-7930.215

H&S Code 120440

Pen. Code 245

W&I Code 16010

W&I Code 681

Description

Destruction of records of school districts

Individual student records

[Privacy rights for California minors in the digital world](#)[Student Online Personal Information Protection Act](#)[Early Learning Personal Information Protection Act](#)[Subpoena duces tecum](#)[Delegation of powers to agents](#)[Student protections relating to immigration and citizenship status](#)[Transfer student's record for acts that resulted in suspension or expulsion](#)[Foster youth; placement, immunizations](#)[Notification of law enforcement of specified violations](#)[Withholding grades, diplomas, or transcripts](#)[Rules governing expulsion procedures](#)[Parent/Guardian notifications](#)[Notices to parents in language other than English](#)[Student records](#)[Parental review of curriculum](#)[Independent study](#)[Rights of students with disabilities](#)[Surrogate parents](#)[Foster parents](#)[Cal Grant program; notification of grade point average](#)[Access to records by noncustodial parents](#)[Caregiver's authorization affidavit](#)[California Public Records Act](#)[Immunizations; disclosure of information](#)[Assault with a deadly weapon](#)[Health and education records of a minor](#)[Truancy petitions](#)

Students**STUDENT RECORDS**Legal Reference**State**

W&I Code 701

Federal

16 CFR Part 312

20 USC 1232g

20 USC 1232h

26 USC 152

34 CFR 300.501

34 CFR 99.1-99.67

42 USC 11434a

Management ResourcesCA Office of the Attorney
General Publication

CSBA Publication

Federal Register

National School Boards
Association Publication
U.S. Department of
Education PublicationU.S. Department of Education
PublicationU.S. Department of Education
Publication

Website

Website

Website

Website

Website

Description[Juvenile court law](#)**Description**

Children's Online Privacy Protection Rule

Family Educational Rights and Privacy Act (FERPA) of 1974

Privacy rights

Definition of dependent child

Opportunity to examine records for parents of student with
disability

Family Educational Rights and Privacy

McKinney-Vento Homeless Assistance Act; definitions

Description[Promoting a Safe and Secure Learning Environment for All:
Guidance and Model Policies to Assist California's K-12 Schools
in Responding to Immigration Issues, April 2018](#)Legal Guidance on Providing All Children Equal Access to
Education, Regardless of Immigration Status, February 2017Final Rule and Analysis of Comments and Changes, Family
Educational Rights and Privacy, December 9, 2008, Vol. 73, No.
237, pages 74806-74855Data in the Cloud: A Legal and Policy Guide for School Boards
on Student Data Privacy in the Cloud Computing Era, April 2014
Balancing Student Privacy and School Safety: A Guide to the
Family Educational Rights and Privacy Act for Elementary and
Secondary Schools, Oct 2007Joint Guidance on the Application of FERPA and HIPAA to
Student Health Records, November 2008

IDEA and FERPA Confidentiality Provisions, 2014

[CSBA District and County Office of Education Legal Services](#)[National School Boards Association](#)[U.S. Department of Education, Family Policy Compliance Office](#)[California Department of Education](#)[CSBA](#)**WESTMINSTER SCHOOL DISTRICT**

Westminster, California

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