

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.

~~(cf. 3580—District Records)~~

~~(cf. 4040—Employee Use of Technology)~~

~~(cf. 5125.1—Release of Directory Information)~~

~~(cf. 5125.3—Challenging Student Records)~~

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)

If student records containing covered information which is not subject to the California Consumer Privacy Act are under the control of the operator of a website, online service or application, or mobile application, and the student's parent/guardian or the student, if 18 years of age or older, requests deletion of such records, the Superintendent or designee shall provide documentation to the operator that the student has not been enrolled in the district for at least 60 days. (Business and Professions Code 22584)

All appropriate personnel shall receive training regarding district policies and procedures for gathering and handling sensitive student information, **including which information should not be solicited.**

~~(cf. 4131—Staff Development)~~

~~(cf. 4231—Staff Development)~~

~~(cf. 4331—Staff Development)~~

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)

The immigration or citizenship status of a student or a student's family member may only be collected and disclosed in accordance with Board Policy/Administrative Regulation 1445 - Response to Immigration Enforcement.

~~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~~

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~~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)~~

~~(cf. 5145.13 – Response to Immigration Enforcement)~~

~~The Superintendent or designee district or any district employee shall not compile a list, registry, or database based on students' national origin, ethnicity, or religious belief, practice, or affiliation, or 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~~ **This prohibition does not apply to** information is aggregated and is not personally identifiable. (Government Code 8310.3)

The Superintendent or designee shall develop protocols to comply with a court's restraining order that prohibits a party from accessing specified records and information pertaining to a student. (Family Code 6323.5)

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 an 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)

~~(cf. 0450 – Comprehensive Safety Plan)~~

~~(cf. 5131.2 – Bullying)~~

~~(cf. 5145.6 – Parental Notifications)~~

~~(cf. 9322 – Agenda/Meeting Materials)~~

~~(cf. 9323 – Meeting Conduct)~~

~~Contract for Digital Storage, Management, and Retrieval Retention, Disclosure, and Security of Student Records~~

The Superintendent or designee shall ensure the confidentiality of student records as required by law and shall establish processes and procedures to safeguard data against damage, loss, or theft, including damage, loss, or theft which may be caused the use of technology, including artificial intelligence and breaches to the district's digital infrastructure, in the retention or disclosure of student records.

The Superintendent or designee shall ensure that employees receive information and training about cybersecurity, including ways to protect student records from breaches to the district's digital infrastructure.

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If the district experiences a cyberattack that impacts more than 500 students or personnel, the Superintendent or designee shall report the cyberattack to the California Cybersecurity Integration Center. (Education Code 35266)

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.-
(~~ef. 3312—Contracts~~)

Legal Reference:

EDUCATION CODE

~~234.7 Student protections relating to immigration and citizenship status~~

~~17604 Contracts~~

~~48201 Student records for transfer students who have been suspended/expelled~~

~~48853.5 Foster youth; placement, immunizations~~

~~48902 Notification of law enforcement of specified violations~~

~~48904 48904.3 Withholding grades, diplomas, or transcripts~~

~~48918 Rules governing expulsion procedures~~

~~48980 Parental notifications~~

~~48985 Notices in parent/guardian's primary language~~

~~49060 49079 Student records~~

~~49091.14 Parental review of curriculum~~

~~51747 Independent study~~

~~56041.5 Rights of students with disabilities~~

~~56050 Surrogate parents~~

~~56055 Foster parents~~

~~69432.9 Cal Grant program; notification of grade point average~~

BUSINESS AND PROFESSIONS CODE

~~22580 22582 Digital privacy~~

~~22584 22585 Student Online Personal Information Protection Act~~

~~22586 22587 Early Learning Personal Information Protection Act~~

CODE OF CIVIL PROCEDURE

~~1985.3 Subpoena duces tecum~~

FAMILY CODE

~~3025 Access to records by noncustodial parents~~

~~6552 Caregiver's authorization affidavit~~

GOVERNMENT CODE

~~6252 6260 Inspection of public records~~

HEALTH AND SAFETY CODE

~~120440 Immunizations; disclosure of information~~

PENAL CODE

~~245 Assault with deadly weapon~~

WELFARE AND INSTITUTIONS CODE

~~681 Truancy petitions~~

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~~701 Juvenile court law~~
~~16010 Health and education records of a minor~~
~~CODE OF REGULATIONS, TITLE 5~~
~~430-438 Individual student records~~
~~16020-16027 Destruction of records of school districts~~
~~UNITED STATES CODE, TITLE 20~~
~~1232g Family Educational Rights and Privacy Act~~
~~1232h Protection of Pupil Rights Amendment~~
~~UNITED STATES CODE, TITLE 26~~
~~152 Definition of dependent child~~
~~UNITED STATES CODE, TITLE 42~~
~~11434a McKinney-Vento Homeless Assistance Act; definitions~~
~~CODE OF FEDERAL REGULATIONS, TITLE 16~~
~~Part 312 Children's Online Privacy Protection Rule~~
~~CODE OF FEDERAL REGULATIONS, TITLE 34~~
~~99.1-99.67 Family Educational Rights and Privacy~~
~~300.501 Opportunity to examine records for parents of student with disability~~

Management Resources:

CSBA PUBLICATIONS

~~Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017~~

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

~~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~~

FEDERAL REGISTER

~~Final Rule and Analysis of Comments and Changes, Family Educational Rights and Privacy, December 9, 2008, Vol. 73, No. 237, pages 74806-74855~~

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

~~Data in the Cloud: A Legal and Policy Guide for School Boards on Student Data Privacy in the Cloud Computing Era, April 2014~~

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

~~IDEA and FERPA Confidentiality Provisions, 2014~~

~~Joint Guidance on the Application of the Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act of 1996 (HIPAA) to Student Health Records, 2008~~

~~Balancing Student Privacy and School Safety: A Guide to the Family Educational Rights and Privacy Act for Elementary and Secondary Schools, October 2007~~

WEB SITES

~~CSBA: <http://www.esba.org>~~

~~California Department of Education: <http://www.cde.ca.gov>~~

~~National School Boards Association: <http://www.nsba.org>~~

~~U.S. Department of Education, Family Policy Compliance, <http://www.ed.gov/policy/gen/guid/fpeo>~~

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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 Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 16020-16027	Destruction of records of school districts
5 CCR 430-438	Individual student records
Bus. and Prof. Code 22580-22582	Privacy rights for California minors in the digital world
Bus. and Prof. Code 22584-22585	Student Online Personal Information Protection Act
Bus. and Prof. Code 22586-22587	Early Learning Personal Information Protection Act
Code of Civil Procedure 1985.3	Subpoena duces tecum
Ed. Code 17604	Delegation of powers to agents
Ed. Code 220.3	Prohibition of requiring employee or contractor to disclose information related to student's sexual orientation, gender identity, or gender expression
Ed. Code 234.7	Student protections relating to immigration and citizenship status
Ed. Code 33328.5	Statewide AI Task Force
Ed. Code 35266	Reporting of cyberattacks
Ed. Code 48201	Transfer student's record for acts that resulted in suspension or expulsion
Ed. Code 48853.5	Foster youth; placement, immunizations
Ed. Code 48902	Notification of law enforcement of specified violations
Ed. Code 48904-48904.3	Withholding grades, diplomas, or transcripts
Ed. Code 48918	Rules governing expulsion procedures
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 48985	Notices to parents/guardians in language other than English
Ed. Code 49060-49079	Student records
Ed. Code 49091.14	Parent/guardian review of curriculum
Ed. Code 51745	Independent study
Ed. Code 56041.5	Rights of students with disabilities
Ed. Code 56050	Surrogate parents
Ed. Code 56055	Foster parents
Ed. Code 60900-60901	California Longitudinal Pupil Achievement Data System
Ed. Code 69432.9	Cal Grant program; notification of grade point average
Ed. Code 69475	Conditional repeal of Cal Grant program
Fam. Code 3025	Access to records by noncustodial parents
Fam. Code 6323.5	Ex parte orders
Fam. Code 6552	Caregiver's authorization affidavit
Gov. Code 7920.000-7930.215	California Public Records Act
H&S Code 120440	Immunizations; disclosure of information
Pen. Code 245	Assault with deadly weapon

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W&I Code 16010
W&I Code 681
W&I Code 701

[Health and education records of a minor](#)
[Truancy petitions](#)
[Juvenile court law](#)

Federal

15 USC 6501-6506
16 CFR Part 312
20 USC 1232g

Description

[Children's Online Privacy Protection Act](#)
[Children's Online Privacy Protection Rule](#)
[Family Educational Rights and Privacy Act \(FERPA\) of 1974](#)

20 USC 1232h
26 USC 152
34 CFR 300.501

[Protection of Pupil Rights Amendment](#)
[Definition of dependent child](#)
[Opportunity to examine records for parents/guardians of student with disability](#)

34 CFR 99.1-99.8
42 USC 11434a

[Family Educational Rights and Privacy Act](#)
[McKinney-Vento Homeless Assistance Act; definitions](#)

Management Resources

CA Office of the Attorney General
Publication

Description

[Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's TK-12 Schools in Responding to Requests for Access and Information for Immigration Enforcement Purposes, December 2025](#)

CSBA Publication

[Understanding Artificial Intelligence in K-12 Education: What Governance Teams Should Know, September 2023](#)

CSBA Publication

[Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017](#)

Federal Register

[Final Rule and Analysis of Comments and Changes, Family Educational Rights and Privacy, December 9, 2008, Vol. 73, No. 237, pages 74806-74855](#)

U.S. Department of Education
Publication

[IDEA and FERPA Crosswalk: A side-by-side comparison of the privacy provisions under Parts B and C of the IDEA and FERPA, August 2022](#)

U.S. Department of Education
Publication

[School Resource Officers, School Law Enforcement Units, and the Family Educational Rights and Privacy Act \(FERPA\), February 2019](#)

U.S. Department of Education
Publication

[An Eligible Student Guide to the Family Educational Rights and Privacy Act \(FERPA\), March 2023](#)

U.S. Department of Education
Publication

[A Parent Guide to the Family Educational Rights and Privacy Act \(FERPA\), July 2021](#)

U.S. Department of Education
Publication

[Balancing Student Privacy and School Safety: A Guide to the Family Educational Rights and Privacy Act for Elementary and Secondary Schools, Oct 2007](#)

U.S. Department of Education
Publication

[Joint Guidance on the Application of FERPA and HIPAA to Student Health Records, November 2008](#)

Website

[California Department of Education, Resources to](#)

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Website	<u>Include Immigrant Families</u>
Website	<u>California Department of Education, LEA Immigration Enforcement Policy Submission</u>
Website	<u>California IT in Education, Student Data Privacy</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>U.S. Department of Education, Protecting Student Privacy</u>
Website	<u>California Office of the Attorney General</u>
Website	<u>California Department of Education</u>
Website	<u>CSBA</u>

Cross References

Code	Description
0410	<u>Nondiscrimination In District Programs And Activities</u>
0440	<u>District Technology Plan</u>
0441	<u>Artificial Intelligence</u>
1100	<u>Communication With The Public</u>
1113	<u>District And School Websites</u>
1113	<u>District And School Websites</u>
1113-E(1)	<u>District And School Websites</u>
1114	<u>District-Sponsored Social Media</u>
1114	<u>District-Sponsored Social Media</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3-E(1)	<u>Uniform Complaint Procedures</u>
1312.3-E(2)	<u>Uniform Complaint Procedures</u>
1340	<u>Access To District Records</u>
1340	<u>Access To District Records</u>
1400	<u>Relations Between Other Governmental Agencies And The Schools</u>
1445	<u>Response To Immigration Enforcement</u>
1445	<u>Response To Immigration Enforcement</u>
3250	<u>Transportation Fees</u>
3250	<u>Transportation Fees</u>
3260	<u>Fees And Charges</u>
3260	<u>Fees And Charges</u>
3290	<u>Gifts, Grants And Bequests</u>
3312	<u>Contracts</u>
3515	<u>Campus Security</u>
3515	<u>Campus Security</u>
3515.3	<u>District Police/Security Department</u>
3515.3	<u>District Police/Security Department</u>
3553	<u>Free And Reduced Price Meals</u>
3553	<u>Free And Reduced Price Meals</u>
3555	<u>Nutrition Program Compliance</u>

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3555-E(1)	Nutrition Program Compliance
3580	District Records
3580	District Records
4040	Employee Use Of Technology
4040-E(1)	Employee Use Of Technology
4112.6	Personnel Files
4113.5	Working Remotely
4117.7	Employment Status Reports
4119.23	Unauthorized Release Of Confidential/Privileged Information
4158	Employee Security
4158	Employee Security
4212.6	Personnel Files
4213.5	Working Remotely
4219.21	Professional Standards
4219.21-E(1)	Professional Standards
4219.23	Unauthorized Release Of Confidential/Privileged Information
4258	Employee Security
4258	Employee Security
4312.6	Personnel Files
4313.5	Working Remotely
4317.7	Employment Status Reports
4319.21	Professional Standards
4319.21-E(1)	Professional Standards
4319.23	Unauthorized Release Of Confidential/Privileged Information
4358	Employee Security
4358	Employee Security
5000	Concepts And Roles
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
5021	Noncustodial Parents
5022	Student And Family Privacy Rights
5022	Student And Family Privacy Rights
5111	Admission
5111	Admission
5111.1	District Residency
5111.1	District Residency
5111.2	Nonresident Foreign Students
5112.1	Exemptions From Attendance
5112.1	Exemptions From Attendance
5112.2	Exclusions From Attendance
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5113.12	District School Attendance Review Board
5113.12	District School Attendance Review Board

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5113.2	<u>Work Permits</u>
5113.2	<u>Work Permits</u>
5119	<u>Students Expelled From Other Districts</u>
5121	<u>Grades/Evaluation Of Student Achievement</u>
5121	<u>Grades/Evaluation Of Student Achievement</u>
5123	<u>Promotion/Acceleration/Retention</u>
5123	<u>Promotion/Acceleration/Retention</u>
5125.1	<u>Release Of Directory Information</u>
5125.1	<u>Release Of Directory Information</u>
5125.1-E(1)	<u>Release Of Directory Information</u>
5125.2	<u>Withholding Grades, Diploma Or Transcripts</u>
5125.3	<u>Challenging Student Records</u>
5126	<u>Awards For Achievement</u>
5126	<u>Awards For Achievement</u>
5131.1	<u>Bus Conduct</u>
5131.1	<u>Bus Conduct</u>
5131.2	<u>Bullying</u>
5131.2	<u>Bullying</u>
5131.61	<u>Drug Testing</u>
5131.7	<u>Weapons And Dangerous Instruments</u>
5131.7	<u>Weapons And Dangerous Instruments</u>
5131.9	<u>Academic Honesty</u>
5138	<u>Conflict Resolution/Peer Mediation</u>
5141.21	<u>Administering Medication And Monitoring Health Conditions</u>
5141.21	<u>Administering Medication And Monitoring Health Conditions</u>
5141.22	<u>Infectious Diseases</u>
5141.22	<u>Infectious Diseases</u>
5141.23	<u>Asthma Management</u>
5141.23	<u>Asthma Management</u>
5141.24	<u>Specialized Health Care Services</u>
5141.26	<u>Tuberculosis Testing</u>
5141.27	<u>Food Allergies/Special Dietary Needs</u>
5141.27	<u>Food Allergies/Special Dietary Needs</u>
5141.3	<u>Health Examinations</u>
5141.3	<u>Health Examinations</u>
5141.31	<u>Immunizations</u>
5141.31	<u>Immunizations</u>
5141.32	<u>Health Screening For School Entry</u>
5141.33	<u>Head Lice</u>
5141.52	<u>Suicide Prevention</u>
5141.52	<u>Suicide Prevention</u>
5141.6	<u>School Health Services</u>
5141.6	<u>School Health Services</u>
5142.1	<u>Identification And Reporting Of Missing Children</u>
5144	<u>Discipline</u>

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5144	<u>Discipline</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.2	<u>Suspension And Expulsion/Due Process (Students With Disabilities)</u>
5144.4	<u>Required Parental Attendance</u>
5144.4	<u>Required Parental Attendance</u>
5145.12	<u>Search And Seizure</u>
5145.12	<u>Search And Seizure</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.6	<u>Parent/Guardian Notifications</u>
5145.6-E(1)	<u>Parent/Guardian Notifications</u>
5145.7	<u>Sexual Harassment</u>
5145.7	<u>Sexual Harassment</u>
5146	<u>Married/Pregnant/Parenting Students</u>
5148	<u>Child Care And Development</u>
5148	<u>Child Care And Development</u>
5148.3	<u>Preschool/Early Childhood Education</u>
5148.3	<u>Preschool/Early Childhood Education</u>
6142.7	<u>Physical Education And Activity</u>
6142.7	<u>Physical Education And Activity</u>
6143	<u>Courses Of Study</u>
6143	<u>Courses Of Study</u>
6145.2	<u>Athletic Competition</u>
6145.2	<u>Athletic Competition</u>
6146.11	<u>Alternative Credits Toward Graduation</u>
6146.11	<u>Alternative Credits Toward Graduation</u>
6146.2	<u>Certificate Of Proficiency/High School Equivalency</u>
6146.2-E(1)	<u>Certificate Of Proficiency/High School Equivalency</u>
6158	<u>Independent Study</u>
6158	<u>Independent Study</u>
6159	<u>Individualized Education Program</u>
6159	<u>Individualized Education Program</u>
6159.1	<u>Procedural Safeguards And Complaints For Special Education</u>
6159.1	<u>Procedural Safeguards And Complaints For Special Education</u>
6159.2	<u>Nonpublic, Nonsectarian School And Agency Services For Special Education</u>
6159.2	<u>Nonpublic, Nonsectarian School And Agency Services For Special Education</u>
6159.3	<u>Appointment Of Surrogate Parent For Special Education Students</u>
6159.3	<u>Appointment Of Surrogate Parent For Special Education Students</u>
6162.5	<u>Student Assessment</u>

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6162.51	<u>State Academic Achievement Tests</u>
6162.51	<u>State Academic Achievement Tests</u>
6162.8	<u>Research</u>
6162.8	<u>Research</u>
6163.4	<u>Student Use Of Technology</u>
6163.4-E(1)	<u>Student Use Of Technology</u>
6164.2	<u>Guidance/Counseling Services</u>
6164.5	<u>Student Success Teams</u>
6164.5	<u>Student Success Teams</u>
6164.6	<u>Identification And Education Under Section 504</u>
6164.6	<u>Identification And Education Under Section 504</u>
6172.1	<u>Concurrent Enrollment In College Classes</u>
6172.1	<u>Concurrent Enrollment In College Classes</u>
6173	<u>Education For Homeless Children</u>
6173	<u>Education For Homeless Children</u>
6173-E(1)	<u>Education For Homeless Children</u>
6173-E(2)	<u>Education For Homeless Children</u>
6173.1	<u>Education For Foster Youth</u>
6173.1	<u>Education For Foster Youth</u>
6173.2	<u>Education Of Children Of Military Families</u>
6173.2	<u>Education Of Children Of Military Families</u>
6173.3	<u>Education For Juvenile Court School Students</u>
6175	<u>Migrant Education Program</u>
6175	<u>Migrant Education Program</u>
6178.1	<u>Work-Based Learning</u>
6178.1	<u>Work-Based Learning</u>
9011	<u>Disclosure Of Confidential/Privileged Information</u>
9012	<u>Board Member Electronic Communications</u>
9321	<u>Closed Session</u>
9321-E(1)	<u>Closed Session</u>
9321-E(2)	<u>Closed Session</u>