



STUDENTS

BOARD POLICY – STUDENT RECORDS

BP 5125

The County Board of Education recognizes the importance of keeping accurate, comprehensive student records as required by law.

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 operator shall be provided documentation that the student has not been enrolled in the County Education Office for at least 60 days. (Business and Professions Code 22584) The County Superintendent of Schools shall designate an appropriate certificated administrative employee in each instructional program operated by the County Education Office as custodians of pupil records. These administrative designees shall be responsible for the development and implementation of regulations and procedures to assure compliance with this policy, and with state and federal mandates regarding pupil records.

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

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

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

No list, registry, or database based on students' national origin, ethnicity, or religious belief, practice, or affiliation shall be compiled and no student information may be disclosed to federal government authorities for the purpose of compiling such a list, registry, or database for purposes of immigration enforcement. This prohibition does not apply to information that is aggregated and is not personally identifiable. (Government Code 8310.3) Protocols shall be developed 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

Information from the social media of any County Education Office student may be gathered and maintained, provided that the students and parents/guardians are first notified about the proposed program, offered an opportunity for public comment at a

regularly scheduled County Board meeting, and gathers only information that directly pertains to school safety or student safety. (Education Code 49073.6)

Retention, Disclosure, and Security of Student Records

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

If the County Education Office experiences a cyberattack that impacts more than 500 students or personnel, the cyberattack shall be reported to the California Cybersecurity Integration Center. (Education Code 35266)

A contract may be entered into with a third party for the digital storage, management, and retrieval of student records and/or a third party provider of digital software may be authorized 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.

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.

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/guardian 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
W&I Code 16010	Health and education records of a minor
W&I Code 681	Truancy petitions
W&I Code 701	Juvenile court law
Federal	Description
15 USC 6501-6506	Children's Online Privacy Protection Act
16 CFR Part 312	Children's Online Privacy Protection Rule
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1232h	Protection of Pupil Rights Amendment
26 USC 152	Definition of dependent child
34 CFR 300.501	Opportunity to examine records for parents/guardians of student with disability
34 CFR 99.1-99.8	Family Educational Rights and Privacy Act
42 USC 11434a	McKinney-Vento Homeless Assistance Act; definitions
Management Resources	Description
CA Office of the Attorney General Publication	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	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	A Parent Guide to the Family Educational Rights and Privacy Act (FERPA), July 2021
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	School Resource Officers, School Law Enforcement Units, and the Family Educational Rights and Privacy Act (FERPA), February 2019
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	Joint Guidance on the Application of FERPA and HIPAA to Student Health Records, November 2008
Website	California Department of Education, Resources to Include Immigrant Families
Website	California IT in Education, Student Data Privacy

Website	California Department of Education, LEA Immigration Enforcement Policy Submission
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Education, Protecting Student Privacy
Website	CSBA
Website	California Office of the Attorney General
Website	California Department of Education

ADOPTED BY COUNTY BOARD: November 2, 1978
REVISED: January 6, 1994, October 7, 2021, April 6, 2026