STUDENT AND FAMILY PRIVACY RIGHTS AR 5022

Surveys Requesting Information about Beliefs and Practices

A student's parent/guardian, or a student who is an adult or emancipated minor, shall provide prior written consent before the student is required to participate in a survey inquiring about one or more of the following: (Education Code 51513; 20 USC 1232h)

1. Political affiliations or beliefs of the student or the student's parent/guardian

2. Mental or psychological problems of the student or the student's family

3. Sexual behavior or attitudes or personal beliefs and practices in family life or morality

4. Illegal, anti-social, self-incriminating, or demeaning behavior

5. Critical appraisals of other individuals with whom the student has close family relationships

6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, or ministers

7. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian

8. Income, except to the extent that income is required to be disclosed by law for participation in a program or for receiving financial assistance under such a program

If a student participates in such a survey requesting information about personal beliefs and practices, district employees shall not request or disclose the student's identity.

Notwithstanding the above requirements for prior written consent, the district may administer to students in grades 7-12 anonymous, voluntary, and confidential research and evaluation tools to measure student health risks and behaviors, including tests and surveys about student attitudes or practices related to sex provided that parents/guardians are provided written notice and

given an opportunity to request, in writing, that their child not participate. (Education Code 51938)

If the district administers a voluntary survey that already includes questions pertaining to sexual orientation and/or gender identity, the Superintendent or designee shall not remove such questions. (Education Code 51514)

Parent/Guardian Access to Surveys and Instructional Materials

The parent/guardian of any district student, upon request, shall have the right to inspect: (Education Code 51938; 20 USC 1232h)

1. A survey or other instrument to be administered or distributed to the parent/guardian's child that either collects personal information for marketing or sale or requests information about beliefs and practices

2. Any instructional material to be used as part of the child's educational curriculum

   Parents/guardians may file a complaint concerning the content or use of instructional materials in accordance with Board Policy and Administrative Regulation 1312.2 - Complaints Concerning Instructional Materials or Board Policy and Administrative Regulation 1312.3 - Uniform Complaint Procedures, and may request to opt their student out of specific instructional materials in accordance with Board Policy and Administrative Regulation 5020 -- Parent Rights and Responsibilities.

Within a reasonable period of time after receiving a parent/guardian's request, the principal or designee shall permit the parent/guardian to view the survey or other requested document. A parent/guardian may view the document any time during normal business hours.

No student shall be subject to penalty for exercise of any of the rights stated above.

Health Examinations

Authorized school officials may administer to any student any physical examination or screening permitted under California law. However, no student

shall be subjected to a nonemergency, invasive physical examination without prior written notice to the student's parent/guardian, unless an applicable state law authorizes the student to provide consent without parent/guardian notification. (20 USC 1232h)

Invasive physical examination means any medical examination that involves the exposure of private body parts or any act during such examination that includes incision, insertion, or injection into the body, but does not include a properly authorized hearing, vision, or scoliosis screening. (20 USC 1232h)

Notifications

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians of: (20 USC 1232h)

1. The district's policy regarding student privacy

2. The process to opt their children out of participation in any activity described in this administrative regulation and the accompanying Board policy

3. The specific or approximate dates during the school year when the following activities are scheduled:

    a. Survey requesting personal information

    b. Physical examinations or screenings

    c. Collection of personal information from students for marketing or sale

Prior to administering any anonymous and voluntary survey regarding health risks and behaviors to students in grades 7-12, the district shall provide parents/guardians with written notice that the survey is to be administered. (Education Code 51938)

Additionally, parents/guardians shall be notified of any substantive change to

this policy and administrative regulation within a reasonable period of time after adoption of the change. (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 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***
Ed. Code 200-280	*Educational equity; prohibition of discrimination*
Ed. Code 49076.7	*Privacy of student records; social security numbers*
Ed. Code 49450-49458	*Physical examinations of students*
Ed. Code 49602	*Counseling and confidentiality of student information*
Ed. Code 51101	*Parents Rights Act of 2002*
Ed. Code 51513	*Test, questionnaire, survey, or examination concerning personal beliefs*
Ed. Code 51514	*Nonremoval of survey questions pertaining to sexual orientation or gender identity*
Ed. Code 51938	*Sexual Health and HIV/AIDS Prevention Education Act; notice and parent/guardian excuse*
Federal	***Description***
20 USC 1232g	*Family Educational Rights and Privacy Act (FERPA) of 1974*
20 USC 1232h	*Privacy rights*
34 CFR 99.1-99.8	*Family Educational Rights and Privacy Act*
Management Resources	***Description***
California Department of Education Publication	*Our Schools: Resources to Include Immigrant Families*
California Department of Justice 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*
Court Decision	*Mirabelli v. Bonta (2026) 146 S.Ct. 797*
Court Decision	*Mahmoud v. Taylor (2025) 606 U.S. 522*
CSBA	*Legal Guidance: Immigration issues affecting California LEAs, April 2026*
Website	*U.S. Department of Education, Annual Notices*
Website	*CSBA District and County Office of Education Legal Services*
Website	*U.S. Department of Education, Office of the Chief Privacy Officer*

Website	*California Department of Education*
Website	*CSBA*

Cross References

Policy	***Description***
1113	*District And School Websites*
1113	*District And School Websites*
1113-E(1)	*District And School Websites*
1114	*District-Sponsored Social Media*
1114	*District-Sponsored Social Media*
1312.2	*Complaints Concerning Instructional Materials*
1312.2	*Complaints Concerning Instructional Materials*
1312.2-E(1)	*Complaints Concerning Instructional Materials*
1312.3	*Uniform Complaint Procedures*
1312.3	*Uniform Complaint Procedures*
1312.3-E(1)	*Uniform Complaint Procedures*
1312.3-E(2)	*Uniform Complaint Procedures*
1321	*Solicitation Of Funds From And By Students*
1321	*Solicitation Of Funds From And By Students*
1445	*Response To Immigration Enforcement*
1445	*Response To Immigration Enforcement*
3290	*Gifts, Grants And Bequests*
3555	*Nutrition Program Compliance*
3555-E(1)	*Nutrition Program Compliance*
4135	*Soliciting And Selling*
4235	*Soliciting And Selling*
4335	*Soliciting And Selling*
5020	*Parent Rights And Responsibilities*
5020	*Parent Rights And Responsibilities*
5021	*Noncustodial Parents*
5125	*Student Records*
5125	*Student Records*
5125.1	*Release Of Directory Information*
5125.1	*Release Of Directory Information*
5125.1-E(1)	*Release Of Directory Information*
5126	*Awards For Achievement*
5126	*Awards For Achievement*
5131.6	*Alcohol And Other Drugs*
5131.6	*Alcohol And Other Drugs*
5131.61	*Drug Testing*
5131.62	*Tobacco*
5131.62	*Tobacco*

5141.21	*Administering Medication And Monitoring Health Conditions*
5141.21	*Administering Medication And Monitoring Health Conditions*
5141.22	*Infectious Diseases*
5141.22	*Infectious Diseases*
5141.3	*Health Examinations*
5141.3	*Health Examinations*
5141.32	*Health Screening For School Entry*
5141.6	*School Health Services*
5141.6	*School Health Services*
5142.1	*Identification And Reporting Of Missing Children*
5145.6	*Parent/Guardian Notifications*
5145.6-E(1)	*Parent/Guardian Notifications*
5148	*Child Care And Development*
5148	*Child Care And Development*
6142.1	*Sexual Health And HIV/AIDS Prevention Instruction*
6142.1	*Sexual Health And HIV/AIDS Prevention Instruction*
6142.8	*Comprehensive Health Education*
6142.8	*Comprehensive Health Education*
6143	*Courses Of Study*
6143	*Courses Of Study*
6144	*Controversial Issues*
6162.8	*Research*
6162.8	*Research*
6164.2	*Guidance/Counseling Services*
6164.5	*Student Success Teams*
6164.5	*Student Success Teams*

Regulation **PASADENA UNIFIED SCHOOL DISTRICT**
Approved: October 23, 2014 Pasadena, California
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