STUDENT AND FAMILY PRIVACY RIGHTS BP 5022

The Governing Board respects the privacy rights of district students and their families, which shall only be limited by law, and Board policy and administrative regulation.

The Superintendent or designee shall ensure that parents/guardians receive notification regarding their rights, including, but not limited to, their rights in accordance with 20 USC 1232g and 34 CFR 99.1-99.8, the federal Family Educational Rights and Privacy Act (FERPA), and as specified in Board Policy and Exhibit (1) 5145.6 - Parent/Guardian Notifications.

The Superintendent 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

However, the Superintendent or designee is prohibited from collecting, disclosing, or using a student's individually identifiable information, including the student's 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.

The Superintendent or designee shall 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

    c. Instruments used in the collection of personal information for the purpose of marketing or sale

4. Any nonemergency physical examinations or screenings that the school may administer

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

Policy Reference Disclaimer:

STUDENT AND FAMILY PRIVACY RIGHTS BP 5022

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*

Policy **PASADENA UNIFIED SCHOOL DISTRICT**
Adopted: October 23, 2014 Pasadena, California
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