STUDENT RECORDS BP 5125

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, disclosure, 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 in accordance 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, including which information should not be solicited.

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)

Records Related to Immigration or Citizenship Status

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 and Administrative Regulation 1445 - Response to Immigration Enforcement.

The 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 disclose student information 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)

Family Court Records

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)

Retention, Disclosure, and Security of Student Records

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

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.

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)

In accordance with law and Board Policy 3312 - Contracts, 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.

The operator of a website, online service or application, or mobile application that controls such student record shall delete any student data under the control of the school or district upon request by the district. Additionally, the student's parent/guardian, or the student if 18 years of age or older, may request the operator to delete any student's records containing covered information which is not subject to the California Consumer Privacy Act. (Business and Professions Code 22584, 22586)

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*
Civ. Code 1798.100-1798.199.100	*California Consumer Privacy 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 220.5	*Prohibition of enactment or enforcement of policy, rule, or administrative regulation 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 56325	*Unofficial transcripts for transfer students; students with disabilities*
Ed. Code 60900-60902	*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 Safe and Secure Government Access for All: Guidance and Model Policies to Assist State and Local Agencies in Responding to Immigration Issues Pursuant to Senate Bill 580 (2025), July 2026*
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*
Court Decision	*Mirabelli v. Bonta (2026) 146 S.Ct. 797*
CSBA	*Legal Guidance: Immigration issues affecting California LEAs, April 2026*
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	*Dear Colleague Letter regarding Family Educational Rights and Privacy Act, March 2025*
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, Artificial Intelligence: Information regarding the role of artificial intelligence (AI) in California Public Schools*
Website	*California Department of Education, Resources to Include Immigrant Families*
Website	*California Department of Education, LEA Immigration Enforcement Policy Submission*
Website	*California IT in Education, Student Data Privacy*
Website	*CSBA District and County Office of Education Legal Services*
Website	*U.S. Department of Education, Protecting Student Privacy*
Website	*California Office of the Attorney General*
Website	*California Department of Education*
Website	*CSBA*

Cross References

Policy	***Description***
0410	*Nondiscrimination In District Programs And Activities*
0440	*District Technology Plan*
0441	*Artificial Intelligence*
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1114	*District-Sponsored Social Media*
1312.3	*Uniform Complaint Procedures*
1312.3	*Uniform Complaint Procedures*
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1340	*Access To District Records*

1400	*Relations Between Other Governmental Agencies And The Schools*
1445	*Response To Immigration Enforcement*
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3260	*Fees And Charges*
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3312	*Contracts*
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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*
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