

**OAK PARK UNIFIED SCHOOL DISTRICT
BOARD POLICY**

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Students

BP 5125()

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, 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)

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.

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)

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. In accordance with Board Policy 5145.13 - Response to Immigrant Enforcement, the Superintendent or designee shall not disclose student records to a person, agency, or organization for immigration enforcement purposes without parental consent, a court order, or a judicial subpoena/warrant. If a district employee receives such a request, the employee shall respond in accordance with Board Policy 5145.13 - Response to Immigrant Enforcement. 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)

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

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of immigration enforcement. This prohibition does not apply to information that 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)

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 by the use of technology, including artificial intelligence and breaches to the district's digital infrastructure, in the retention or disclosure of student records.

Additionally, in accordance with Board Policy 5145.13 - Response to Immigration Enforcement, all district staff shall avoid the disclosure of information that may indicate a student's or family's citizenship or immigration status if the disclosure is not authorized by law.

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)

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.

Adopted: 5-24-78

Amended: 10-15-80, 5-15-84, 5-20-86, 9-5-89, 6-23-92, 9-17-02, 3-09, 3-17-15, 6-12-18, 11-18-2025

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Policy Reference:

State

5 CCR 16020-16027

5 CCR 430-438

Bus. and Prof. Code 22580-22582

Bus. and Prof. Code 22584-22585

Bus. and Prof. Code 22586-22587

Code of Civil Procedure 1985.3

Ed. Code 17604

Ed. Code 220.3

Ed. Code 234.7

Ed. Code 35266

Ed. Code 48201

Ed. Code 48853.5

Ed. Code 48902

Ed. Code 48904-48904.3

Ed. Code 48918

Ed. Code 48980

Ed. Code 48985

Ed. Code 49060-49079

Ed. Code 49091.14

Ed. Code 51745

Ed. Code 56041.5

Ed. Code 56050

Ed. Code 56055

Ed. Code 60900-60901

Ed. Code 69432.9

Ed. Code 69475

Fam. Code 3025

Fam. Code 6323.5

Fam. Code 6552

Gov. Code 7920.000-7930.215

H&S Code 120440

Pen. Code 245

W&I Code 16010

W&I Code 681

Description

Destruction of records of school districts

[Individual student records](#)

[Privacy rights for California minors in the digital world](#)

[Student Online Personal Information Protection Act](#)

[Early Learning Personal Information Protection Act](#)

[Subpoena duces tecum](#)

[Delegation of powers to agents](#)

Prohibition for employee or contractor to disclose information related to student's sexual orientation, gender identity, or gender expression

[Student protections relating to immigration and citizenship status](#)

[Reporting of cyberattacks](#)

[Transfer student's record for acts that resulted in suspension or expulsion](#)

[Foster youth; placement, immunizations](#)

[Notification of law enforcement of specified violations](#)

[Withholding grades, diplomas, or transcripts](#)

[Rules governing expulsion procedures](#)

[Parent/Guardian notifications](#)

[Notices to parents in language other than English](#)

[Student records](#)

[Parental review of curriculum](#)

[Independent study](#)

[Rights of students with disabilities](#)

[Surrogate parents](#)

[Foster parents](#)

California Longitudinal Pupil Achievement Data System

[Cal Grant program; notification of grade point average](#)

Conditional repeal of Cal Grant program

[Access to records by noncustodial parents](#)

Ex parte orders

[Caregiver's authorization affidavit](#)

[California Public Records Act](#)

[Immunizations; disclosure of information](#)

[Assault with deadly weapon](#)

[Health and education records of a minor](#)

[Truancy petitions](#)

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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 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 K-12 Schools in Responding to Immigration Issues, December 2024](#)

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 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](#)

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Website	California Department of Education
Website	CSBA