

Students

Student And Family Privacy Rights

Definition

Personal information means individually identifiable information including a student's or parent/guardian's first and last name, a home or other physical address (including street name and the name of the city or town), a telephone number, or a social security identification number. (20 USC 1232h)

Surveys Requesting Information about Beliefs and Practices

A student's parent/guardian shall provide prior written consent before the student submits to a survey containing one or more of the following items: (20 USC 1232h; Education Code 51513)

1. Political affiliations or beliefs of the student or his/her family
2. Mental or psychological problems of the student or his/her 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 students have 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 his/her 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 a survey regarding information about beliefs and practices as identified above, school officials and staff members shall not request or disclose the student's identity.

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.8 - Research)

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Exceptions to Collection of Personal Information

Any district restriction regarding collection of personal information shall not apply to the collection, disclosure, or use of personal information collected from students for the 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. Book clubs, magazines, and programs providing access to low-cost literary products
2. Curriculum and instructional materials used by elementary and secondary schools
3. 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
4. The sale by students of products or services to raise funds for school-related or education-related activities

(cf. 1321 - Solicitation of Funds from and by Students)

5. Student recognition programs

(cf. 5126 - Awards for Achievement)

Parent/Guardian Access to Surveys and Instructional Materials

(cf. 5020 - Parent Rights and Responsibilities)

Health Examinations

No school official or staff member shall subject a student to a non-emergency, invasive physical examination as a condition for school attendance, except as permitted or required under California law. (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)

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(cf. 5131.61 - Drug Testing)
(cf. 5141.3 - Health Examinations)

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 policy and administrative regulation

Parents/guardians shall also be notified of any substantive change in this policy and administrative regulation within a reasonable period of time after adoption of the change. (20 USC 1232h)

(cf. 5145.6 - Parental Notifications)

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