Students

STUDENT AND FAMILY PRIVACY RIGHTS

The Board of Trustees respects the rights of students and their parents/guardians with regard to the privacy of their personal beliefs and the confidentiality of their personal information.

(cf. 5020 - Parent Rights and Responsibilities
(cf. 5021 - Noncustodial Parents)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)
(cf. 6162.8 - Research)

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

(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - State Academic Achievement Tests)

5.   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)

6.   Student recognition programs

(cf. 5126 - Awards for Achievement)

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

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committee)
(cf. 1230 - School-Connected Organizations)

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)

(cf. 5145.6 – Parental Notifications)

Legal Reference:
    EDUCATION CODE
    234.7 Student protections relating to immigration and citizenship status
    49076.7 Privacy of student records; social security numbers
    49450-49457 Physical examinations
    49602 Confidentiality of personal information received during counseling
    51101 Parents Rights Act of 2002
    51513 Test, questionnaire, survey or examination concerning personal beliefs
    51514 Nonremoval of survey questions pertaining to sexual orientation or gender identity
    51938 Sexual Health and HIV/AIDS Prevention Education Act; notice and parental excuse
    UNITED STATES CODE, TITLE 20
    1232g Family Educational Rights and Privacy Act
    1232h Protection of pupil rights

Management Resources:
    WEB SITES
    CSBA: http://www.csba.org
    California Department of Education: http://www.cde.ca.gov
    U.S. Department of Education, Family Policy Compliance Office:
    http://www.ed.gov/offices/OM/fpco/

Policy Adopted: 05/09/18   ORCUTT UNION SCHOOL DISTRICT
                                    Orcutt, California