

## Policy 5125: Student Records

The ~~Board of Education~~ **Governing Board** recognizes the importance of keeping accurate, comprehensive student records as required by law. ~~Procedures for maintaining the confidentiality of student records shall be consistent with state and federal law.¶~~

The Superintendent or designee shall establish **administrative** regulations governing the identification, collection, retention, **disclosure**, and security of student records, ~~as well as timely access for authorized persons~~. These regulations shall ensure the rights of authorized persons to have timely access to student records while maintaining the confidentiality of student records **consistent 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 ~~designee shall act~~ **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. ~~The~~ **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, they will immediately report the request to the Superintendent** ~~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 Superintendent or designee~~ Neither the district nor any district employee shall not compile a list, registry, or database based on students' national origin, ethnicity, or religious belief, practice, or affiliation, nor shall they or disclose student information to federal government authorities for the purpose of compiling such a list, registry, or database for purposes of immigration enforcement. Such information may only be compiled or exchanged with other local, state, or federal agencies if the information is aggregated and is not personally identifiable. (Government Code 8310.3) 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)

### ~~**Contract for Digital Storage, Management, and Retrieval of Student Records**~~ ~~**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.