

STUDENT RECORDS

The Board of Trustees 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 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 consistent with state and federal law.

The Superintendent or designee shall serve as Custodian of Records, with responsibility for student records at the District level. At each school, the principal or a certificated designee 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.

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 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. If a District employee received such a request, he/she shall immediately report the request to the Superintendent, 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 shall not compile a list, registry, or database based on students' national origin, ethnicity, or religious belief, practice, or affiliation, nor shall he/she 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)

Student Records from Social Media

The Superintendent or designee may gather and maintain information from the social media of any District student in the course of investigating student misconduct or as it pertains directly to school safety or to pupil safety Per Education Code 49073.6, the District must first notify the student and parents/guardians about the proposed program. Any time after this notification, the District must offer an opportunity for public comment at a regularly scheduled Board meeting.

STUDENT RECORDS (continued)

The regularly scheduled oral communications for non-agenda items meets this requirement. (Education Code 49073.6)

Legal Reference:

EDUCATION CODE

200 *State policy; purpose*

220 *Extent of prohibition of discrimination*

234.1 *Monitoring, review, and assessment of anti-discrimination, anti-harassment, anti-intimidation, and antibullying requirements*

234.7 *Citizenship or immigration status of pupils or their family members; confidentiality of information; emergency contact information; actions of governing board or body of local educational agency; model policies*

48904 *Liability of parent*

48904.3 *Withholding grades, diplomas, or transcripts of pupils causing property damage or injury; transfer of pupils to new school district; notice to rescind decision to withhold*

48980 *Parental Notification*

48985 *Notice in parent/guardian primary language*

49073.1 *Contracts for digital storage, management, and retrieval of pupil records; requirements*

49079.7 *Fees or charges*

49060-49078 *Pupil records*

CODE OF REGULATIONS, TITLE 5

430-438 *Individual pupil records*

16020-16028 *Destruction of records of school districts*

GOVERNMENT CODE

6252-6260 *Inspection of public records*

FAMILY CODE

3025 *Joint custody*

FEDERAL FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974

20 U.S.C. 1232g

CODE OF FEDERAL REGULATIONS, TITLE 34

99.34 *Conditions of disclosure*

99.3 *Definition of "personally identifiable"* 300.612 *General responsibilities of public agencies*

300.613 *Opportunity to examine records*

300.624 *Destruction of information* 300.617 *Fees*

Policy

adopted: August 18, 1997

revised: September 15, 2000

revised: August 8, 2005

revised: July 11, 2006

revised: March 8, 2017

revised: September 12, 2018

revised: November 3, 2021

CAPISTRANO UNIFIED SCHOOL DISTRICT

San Juan Capistrano, California