

# OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

*Series 5000*

*Students*

*BP 5125(a)*

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## Student Records

The Governing Board recognizes the importance of keeping accurate, comprehensive student records as required by law. The Superintendent or designee shall ensure that the district's administrative regulation and school site procedures for maintaining the confidentiality of student records are consistent with state and federal law.

The Superintendent or designee shall establish regulations governing the identification, description, and security of student records. These regulations shall ensure rights of authorized persons to have timely access to student records and shall protect students and their families from invasion of privacy.

*(cf. 3580 - District Records)*

*(cf. 4040 - Employee Use of Technology)*

*(cf. 5125.1 - Release of Directory Information)*

*(cf. 5125.3 - Challenging Student Records)*

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 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)

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

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 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.

*(cf. 3312 – Contracts)*

Legal Reference:

*EDUCATION CODE*

17604 Contracts

48201 Student records for transfer students who have been suspended/expelled

48853.5 Foster youth; placement, immunizations

48902 Notification of law enforcement of specified violations

48904-48904.3 Withholding grades, diplomas, or transcripts

48918 Rules governing expulsion procedures

48980 Parental notifications

48985 Notices in parent/guardian's primary language

49060-49079 Pupil records

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49091.14 Parental review of curriculum  
51747 Independent study programs  
56041.5 Rights of students with disabilities  
56050 Surrogate parents  
56055 Foster parents  
69432.9 Cal Grant program; notification of grant point average  
*BUSINESS AND PROFESSIONS CODE*  
22580-22582 Digital privacy  
22584-22585 Student Online Personal Information Protection Act  
*CODE OF CIVIL PROCEDURE*  
1985.3 Subpoena duces tecum  
*FAMILY CODE*  
3025 Access to records by noncustodial parents  
6552 Caregiver's authorization affidavit  
*GOVERNMENT CODE*  
6252-6260 Inspection of public records  
*HEALTH AND SAFETY CODE*  
120440 Immunizations; disclosure of information  
*PENAL CODE*  
245 Assault with deadly weapon  
*WELFARE AND INSTITUTIONS CODE*  
681 Truancy petitions  
701 Juvenile court law  
16010 Health and education records of a minor  
*CODE OF REGULATIONS, TITLE 5*  
430-438 Individual pupil records  
16020-16027 Destruction of records of school districts  
*UNITED STATES CODE, TITLE 20*  
1232g Family Educational Rights and Privacy Act  
1232h Protection of Pupil Rights Amendment  
*UNITED STATES CODE, TITLE 26*  
152 Definition of dependent child  
*UNITED STATES CODE, TITLE 42*  
11434a McKinney-Vento Homeless Assistance Act; definitions  
*CODE OF FEDERAL REGULATIONS, TITLE 16*  
Part 312 Children's Online Privacy Protection Rule  
*CODE OF FEDERAL REGULATIONS, TITLE 34*  
99.1-99.67 Family Educational Rights and Privacy  
300.501 Opportunity to examine records for parents of student with disability

Management Resources:

*FEDERAL REGISTER*

Final Rule and Analysis of Comments and Changes, Family Educational Rights and Privacy, December 9, 2008,  
Vol. 78, No. 237, pages 74806-74855

*NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS*

Data in the Cloud: A Legal and Policy Guide for School Boards on Student Data Privacy in the Cloud Computing  
Era, April 2014

*U.S. DEPARTMENT OF EDUCATION PUBLICATIONS*

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Joint Guidance on the Application of the Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act of 1996 (HIPAA) to Student Health Records, 2008  
Balancing Student Privacy and School Safety: A Guide to the Family Educational Rights and Privacy Act for Elementary and Secondary Schools, October 2007

## *WEB SITES*

California Department of Education: <http://www.cde.ca.gov>

National School Boards Association: <http://www.nsba.org>

U.S. Department of Education, Family Policy Compliance Office:  
<http://www.ed.gov/policy/gen/guid/fpco/index.html>

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