

Fresno Unified Board Policy (BP) 5125

Student Records

The 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 regulations for Board approval governing the identification, retention, and security of student records, as well as timely access for authorized persons. These regulations shall ensure parental rights of authorized persons to have timely access to student records while maintaining the confidentiality of student records consistent with state and federal law.

(cf. 3580 - District Records)

(cf. 4040 - Employee Use of Technology)

(cf. 5125.1 - Release of Directory Information)

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

(cf. 5125.3 - Challenging Student Records)

Custodian of 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 act as custodian of records for students enrolled at that school. The custodian of records shall be responsible for implementing the Board policy and administrative regulation regarding student records. (Code of Regulations, Title 5, Section 431)

All appropriate personnel shall receive training regarding district policies and procedures for gathering and handling sensitive student information.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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. If the District possesses information that could indicate immigration status, citizenship status, or national origin information, the District shall not use the acquired information to discriminate against any students or families or bar children from enrolling in or attending school. 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 receives such a request, they 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)

(cf. 5145.13 - Response to Immigration Enforcement)

The Superintendent or designee shall not compile a list, registry, or database based on race, gender, sexual orientation, ethnicity, students' national origin, or religious belief, practice, or affiliation, nor shall they

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)

Fresno Unified School District prohibits discrimination, harassment (including sexual harassment), intimidation, and bullying based on actual or perceived race, color, ethnicity, national origin, immigration status, ancestry, age (40 and above), religious creed, religion, political belief or affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy or parental status, childbirth, breastfeeding/lactation status, medical condition, military and veteran status, or association with a person or a group with one or more of these actual or perceived characteristics or any other basis protected by law or regulation, in its educational program(s) or employment.

Legal Reference:

EDUCATION CODE

- 234.7 Student protections relating to immigration and citizenship status
 - 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 Student records
 - 49091.14 Parental review of curriculum
 - 51747 Independent study
 - 56041.5 Rights of students with disabilities
 - 56050 Surrogate parents
 - 56055 Foster parents
 - 69432.9 Cal Grant program; notification of grade point average
- BUSINESS AND PROFESSIONS CODE
- 22580-22582 Digital privacy
 - 22584-22585 Student Online Personal Information Protection Act
 - 22586-22587 Early Learning Personal Information Protection Act
- CODE OF CIVIL PROCEDURE
- 1985.3 Subpoena duces tecum
- FAMILY CODE
- 3025 Parental access to records
 - 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

Policy FRESNO UNIFIED SCHOOL DISTRICT
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