

# OAKLAND UNIFIED SCHOOL DISTRICT

## Board Policy

### BP 5022 - Student and Family Privacy Rights Students

The Governing Board believes that personal information concerning district students and their families should be kept private in accordance with law.

(cf. 0000 - Vision)  
(cf. 0100 - Philosophy)  
(cf. 0200 - Goals for the School District)  
(cf. 5020 - Parent Rights and Responsibilities  
(cf. 5021 - Noncustodial Parents)  
(cf. 5125 - Student Records)  
(cf. 5125.1 - Release of Directory Information)  
(cf. 6000 - Concepts and Roles)  
(cf. 6162.8 - Research)

The Superintendent or designee shall consult with parents/guardians regarding the development and adoption of this policy.

#### Collection of Personal Information for Marketing Purposes

The Board prohibits district staff from administering or distributing to students survey instruments that are designed for the purpose of collecting personal information for marketing or for selling that information.

#### California Healthy Kids Survey

The Superintendent or designee shall require the active written consent of a parent or guardian for all students participating in the California Healthy Kids Survey for Grade 5, and written notification with the opportunity to decline their child(ren)'s participation for the parents and guardians of all students proposed to participate in the California Healthy Kids Survey for Grades 7, 9, and 11. 51938(b), 51939.

Parents/guardians will be notified in writing at the beginning of the school year about the survey, when it is to be administered, and given a reasonable opportunity to review the survey and to decline their child's participation (opt out).

Legal Reference:  
EDUCATION CODE  
49450-49457 Physical examinations

49602 Confidentiality of pupil information  
51513 Personal beliefs  
51938(b), 51939 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>

CDE: <http://www.cde.ca.gov>

USDOE, Family Policy Compliance Office: <http://www.ed.gov/offices/OM/fpco/>

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