

Tamalpais Union High

Board Policy

BP 5145.1

Students

Privacy

The Board of Trustees recognizes that personal beliefs are a private matter. Without the written notice and written consent of a parent/guardian, no student shall be given any test, survey, questionnaire or examination containing questions about personal or family beliefs or practices in sex, family life, morality, or religion. (Education Code ~~60650~~ 51513). **Notwithstanding Education Code 51513, prior to administering anonymous and voluntary surveys regarding health risks and behaviors to students in grades 9-12, the district shall provide parents/guardians with written notice that the survey is to be administered, the pupil's parent or guardian is given the opportunity to review the test, questionnaire, or survey and to request in writing that his or her child not participate.**

As required by law school counselors shall respect the confidentiality of any personal information disclosed by students 12 years of age or older during the course of educational counseling. Personal information given to a counselor by the parent/guardian of a student 12 or older shall also be kept confidential and included in the student's record only with the parent/guardian's written consent. Exceptions shall be made only as provided by law:

1. In discussion with health care providers, certain psychotherapists, or the health technician, solely when referring the student for treatment.
2. As required by law when reporting child abuse or neglect.
3. To the principal or parents/guardians when the counselor believes it necessary to avert a clear and present danger to the health, safety, or welfare of the student, parents/guardians, other students, school staff or community members.

(cf. 5113 - Absences and Excuses)

4. To the principal, parents/guardians, other persons outside the school and other persons as necessary inside the school when the student says that a crime will be or has been committed involving the likelihood of personal injury or significant property loss.
5. When the student, 12 years of age or older, has read and signed a waiver naming one or more persons to whom information may be reported. The waiver must be kept in the student's file.

6. To law enforcement agencies when required by court order to aid in a criminal investigation, or when ordered to testify in administrative or judicial proceedings.

In any case, the counselor shall not disclose information to parents/guardians when having cause to believe that this disclosure would endanger the health, safety or welfare of the student.

(cf. 5125 - Student Records)

(cf. 6144 - Controversial Issues)

Legal Reference:

EDUCATION CODE

49602 Confidentiality of pupil information

~~60650 Personal beliefs~~

51513 Questions regarding student's personal beliefs

51938 California Comprehensive Sexual Health And HIV/AIDS Prevention Education Act

Policy TAMALPAIS UNION HIGH SCHOOL DISTRICT
adopted: February 9, 1993 Larkspur, California