



# SEQUOIA UNION HIGH SCHOOL DISTRICT POLICY BULLETIN

**ROUTING:** Board of Trustees, Cabinet, Principals, Instructional Vice Principals, Certificated Staff

**TITLE:** Education Code Section 51513, Student Surveys, Instructional Activities, and Privacy Rights

**NUMBER:** 0016.2

**ISSUER/DEPT:** Dr. Elizabeth Chacón, Assistant Superintendent of Educational Services

**DATE:** November 3, 2025

**PURPOSE:** Reminder of Ed Code to protect student and family privacy

## **BACKGROUND:**

Education Code section 51513, enacted in 1995, governs the administration of surveys, questionnaires, or examinations that address a student's or a student's family's personal beliefs or practices in matters of sex, family life, morality, or religion. The statute prohibits such activities without prior written parent or guardian consent.

This provision predates the current California Healthy Youth Act ("CHYA"), which was later enacted to establish comprehensive sexual health and HIV prevention education requirements.

Importantly, Education Code section 51513 continues to provide broader protections for student and family privacy than the CHYA, as it applies to all instructional contexts—not solely to comprehensive sexual health education.

Additionally, federal law (20 U.S.C. § 1232h(b)), passed in 1978, mirrors this protection, prohibiting the administration of surveys or evaluations related to a student's or their family's beliefs or practices on similar topics without parental consent.

More recently, on June 27, 2025, The Supreme Court of the United States held in *Mahmoud v. Taylor* that the Montgomery County Board of Education's (Maryland) policy — which introduced LGBTQ+-inclusive storybooks into elementary school classrooms while eliminating advance notice to parents and their right to opt-out — burdened the parents' rights under the Free Exercise Clause of the First Amendment.



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## CLASSROOM IMPACT:

### **Application to activities like “Introduction to Identity and Identity Lenses”**

Legal counsel reviewed the “Introduction to Identity and Identity Lenses” activity as a sample of classroom materials that could conflict with the laws that protect family privacy and determined it requires parent consent under Education Code section 51513, as the activity asks students to disclose personal information related to their religion, sex, and gender—topics protected by statute—and submit that information to staff.

Counsel advises to:

- ensure active parental consent if students are submitting written responses to school staff;
- structure future classroom activities exploring personal identity to allow individual reflection **without collecting or submitting personal information to staff;**
- and exclude or revise any similar instructional or survey instruments to *not* include questions about religion, sex, gender, or family life, in order to remain compliant with the law.

## GUIDELINES:

Legal counsel advises that both state and federal statutes—Education Code section 51513 and 20 U.S.C. section 1232h(b)—apply broadly to any classroom or school activity, not just those falling under CHYA.

Therefore:

- Surveys or questionnaires addressing beliefs or practices concerning sex, family life, morality, or religion should not be administered without prior parent/guardian consent, regardless of the subject area or instructional context.



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- The CHYA parent notification and opt-out form may satisfy consent requirements for surveys conducted during CHYA instruction; however, counsel recommends review of specific surveys and classroom materials to ensure compliance.
- In cases where CHYA instruction is embedded within another course (such as science), the same parent consent requirements apply.

## SUMMARY

Consistent with Education Code section 51513, federal law, and Board Policy/Administrative Regulation 5022 (“Student and Family Privacy Rights”), staff should:

1. Avoid administering or collecting written responses from students regarding personal beliefs or practices in sex, family life, morality, or religion without prior parent/guardian consent.
2. Review and update all instructional materials, surveys, and classroom activities to ensure compliance with privacy protections.

## REFERENCES:

- [Education Code § 51513](#)
- [20 U.S.C. § 1232h\(b\)](#)
- California Healthy Youth Act ([Ed. Code §§ 51930–51939](#))
- SUHSD Board Policy/Administrative Regulation 5022