

1 **2131 INSTRUCTION**

2 Student and Family Privacy Rights

3 **Surveys – General**

4 All surveys requesting personal information from students, as well as any other instrument used to collect
5 personal information from students, must advance or relate to the District’s educational objectives as
6 identified in Board Policy. This applies to all surveys, regardless of whether the student answering the
7 questions can be identified and regardless of who created the survey.

8 **Definitions**

- 9 1. Sensitive Personal Information - defined as:
10 2. Political affiliations or beliefs of the student or the student’s parent/guardian;
11 3. Mental or psychological problems of the student or the student’s family;
12 4. Behavior or attitudes about sex;
13 5. Illegal, antisocial, self-incriminating, or demeaning behavior;
14 6. Critical appraisals of other individuals with whom students have close family relationships;
15 7. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians,
16 and ministers;
17 8. Religious practices, affiliations, or beliefs of the student or the student’s parent/guardian; or
18 9. Income (other than that required by law to determine eligibility for participation in a program or
19 for receiving financial assistance under such program).

20 **General Personal Information – defined as:**

21 Information not included in the definition of Sensitive Personal Information

22 **Surveys Created by a Third Party**

23 Before the District administers or distributes a survey created by a third party to a student, the student’s
24 parent(s)/guardian(s) may:

- 25 1. Inspect the survey within a reasonable time of their request; and/or
26 2. Refuse to allow their child to participate in any survey requesting personal information. The
27 school shall not penalize any student whose parent(s)/guardian(s) exercise this option.

28 **This section applies to every survey:**

- 29 (1) that is created by a person or entity other than a District official, staff member, or student,
30 (2) regardless of whether the student answering the questions can be identified, and
31 (3) regardless of the subject matter of the questions.

32 The District will not be responsible for surveys that students elect to take which are outside the District’s
33 control (i.e. ACT, PSAT, SAT, AP...)

1 **Surveys Requesting Sensitive Personal Information**

2 If a survey contains Sensitive Personal Information, the administrator of the survey must get prior Board
3 approval. If approved school officials and staff members shall not request, nor disclose, the identity of any
4 student who completes ANY survey containing one (1) or more of the following items that contain
5 sensitive personal information.

6 **The student's parent(s)/guardian(s) may:**

- 7 1. Inspect the survey within a reasonable time of the request; and/or
8 2. Refuse to allow their child to participate in any survey requesting personal information. The
9 school shall not penalize any student whose parent(s)/guardian(s) exercise this option.

10 **Surveys Requesting General Personal Information**

11 Internally created surveys, that do not ask for sensitive personal information, do not require Board
12 approval or parental notification.

13 Collection of Individually Identifiable Information from Students for Marketing Prohibited.

14 The District will not collect, disclose, or use student individually identifiable information for the purpose
15 of marketing or selling that information or otherwise providing that information to others for that
16 purpose.

17 Individually identifiable information includes: (1) a student's or parent's first and last name, (2) a home or
18 other physical address (including street name and the name of the city or town), (3) telephone number,
19 or (4) student identification numbers.

20 The District, however, is not prohibited from collecting, disclosing, or using individually identifiable
21 information collected from students for the exclusive purpose of developing, evaluating, or providing
22 educational products or services for, or to, students or educational institutions such as the following:

- 23 1. College or other post-secondary education recruitment or military recruitment;
24 2. Book clubs, magazines, and programs providing access to low-cost literary products;
25 3. Curriculum and instructional materials used by elementary schools and secondary schools;
26 4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or
27 achievement information about students (or to generate other statistically useful data for the
28 purpose of securing such tests and assessments) and the subsequent analysis and public release
29 of the aggregate data from such tests and assessments;
30 5. Students selling products or services to raise funds for school-related or education-related
31 activities;
32 6. Student recognition programs.

33 **Notification of Rights and Procedures**

34 The Superintendent or designee shall notify students' parents/guardians of:

- 35 1. This policy as well as its availability from the administration office upon request;
36 2. How to opt their child out of participation in activities as provided in this policy;

1 3. The approximate dates during the school year when a survey requesting personal information, as
2 described above, is scheduled or expected to be scheduled;

3 4. How to request access to any survey or other material described in this policy.

4 This notification shall be given parents/guardians at least annually at the beginning of the school year and
5 within a reasonable period after any substantive change in this policy.

6 The rights provided to parents/guardians in this policy transfer to the student, when the student turns
7 eighteen (18) years of age or is an emancipated minor.

8 Cross Reference:

9 2311 Instructional Materials

10 3200 Student Rights and Responsibilities

11 3410 Student Health/Physical Screenings/Examinations

12 2132 Research Studies

13 Legal Reference:

14 20 U.S.C. 1232h Protection of Pupil Rights

15 Policy History:

16 Adopted on: June 8, 2015