

Purpose

This policy sets forth guidelines by which student rights and responsibilities are determined, consistent with law and regulations.

Definition

Personal information: means individually identifiable information including a student or parent/guardian name, address, telephone number, or social security number. [20 U.S.C. § 1232h\(c\)\(6\)](#).

Exams/ Assessments: shall be strictly defined as assessments designed to evaluate a student's understanding of previously taught material. Any test or assessment that introduces new content or solicits personal or sensitive information, or functions as a survey by seeking information beyond academic knowledge, must adhere to this policy, and cannot be labeled as an exam.

Authority

The Board has the authority and responsibility to establish reasonable rules and regulations for the conduct and deportment of district students. At the same time, no student shall be deprived of equal treatment and equal access to the educational program, due process, a presumption of innocence, and free expression and association, in accordance with Board policy and school rules. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

Surveys conducted by outside agencies and or provided by outside agencies, organizations and individuals shall be approved by the Board, based on the Superintendent's recommendation, prior to administration to students.

Guidelines

Attendant upon the rights established for each student are certain responsibilities, which include regular attendance; conscientious effort in classroom work and homework; conformance to Board policies and school rules and regulations; respect for the rights of students, administrators, and others; and expression of ideas and opinions in a respectful manner. [\[6\]](#)[\[3\]](#)

A listing of students' rights and responsibilities shall be included in the Code of Student Conduct, which shall be distributed annually to students and parents/guardians. [\[3\]](#)[\[7\]](#)

A student who has reached the age of eighteen (18) years possesses the full rights of an adult and may authorize those school matters previously handled by a parent/guardian.

Instructional Materials

The parent/guardian shall be notified annually that all instructional materials, including teachers' manuals, audiovisuals, and other supplementary instructional material used in the instructional program shall be available for inspection by the parents/guardians of students, in accordance with Board policy. Instructional materials do not include tests or academic assessments.[8]

Surveys/Evaluations

All surveys and instruments used to collect information from students shall relate to the district's educational objectives.

The parent/guardian shall be informed of the detailed nature and scope of individual surveys and their relationship to the educational program of their child and the parent's/ guardian's right to inspect, upon request, a survey prior to administration or distribution to a student. Such requests shall be in writing and submitted to the building principal. A survey, analysis, or evaluation involving the 8 areas of protected information requires express written parental consent before a student may participate.

[\[9\]\[10\]](#)

Protected Information

No student shall be required, without written parental consent for students under eighteen (18) years of age or written consent of emancipated students or those over eighteen (18) years, to submit to a survey, analysis, or evaluation that reveals information concerning: [\[9\]\[11\]](#)

1. Political affiliations or beliefs of student or parent/guardian.
2. Mental and psychological problems of the student or family.
3. Sexual behavior or attitudes.
4. Illegal, antisocial, self-incriminating or demeaning behavior.
5. Critical appraisals of other individuals with whom respondents have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and ministers.
7. Religious practices, affiliations, or beliefs of the student or parent/guardian.
8. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

The default procedure mandates active consent, Any surveys, analyses, or evaluations may only proceed on a voluntary basis. Prior to participation, both the student and parent/guardian must be informed of

their entitlement to review all associated materials and to opt the student out of involvement. If any of the eight protected areas of information is included, it must be listed as such on any permission request or informational item.

The district shall implement procedures to protect student identity and privacy when a survey contains any of the restricted subject areas listed above.

Collection of Information for Marketing

Active parental permission is mandatory for any activity involving the collection, disclosure, or utilization of personal information for marketing or commercial purposes. Parents/guardians retain the authority to review the material and have the option to allow their child to participate in such activities. Active parental permission is not required where the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products for, or to, students or the District, such as the following: (1) college or other postsecondary education recruitment, or military recruitment; (2) book clubs, magazines and programs providing access to low-cost literary products; (3) curriculum and instructional materials used by elementary schools and secondary schools; (4) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments; (5) the sale by students of products or services to raise funds for school-related or education-related activities; or (6) student recognition programs.[\[9\]](#) 20 U.S.C. § 1232h (4)(A)(i-vi).

Delegation of Responsibility

The Superintendent or designee shall annually notify the parent/guardian concerning:[\[9\]](#)

1. Contents of this policy and its availability.
2. Contents of the Code of Student Conduct.[\[3\]](#)
3. Approximate dates that any surveys requesting personal information may be scheduled.
4. Procedures to request access to survey instruments prior to administration.
5. Procedures for opting students into participation in surveys.