

Policy Guide



Policy No. 265

Section PUPILS

Title STUDENT RIGHTS / SURVEYS

Adopted JUNE 28, 2007

Revised _____

POLICY NO. 265 STUDENT RIGHTS / SURVEYS	
1. Purpose	The Board recognizes the importance of all students' rights to privacy of certain personal information as well as the right of parental access and review of materials which will be distributed to children in connection with third party surveys which may be distributed to students on occasion.
2. Definition	<u>Personal information</u> - Any individually identifiable information including a student's or parent's name, address, telephone number, or social security number.
3. Authority	The Board has the authority and responsibility to establish rules and regulations for the conduct and behavior of District students. At the same time, no student shall be deprived of his/her right to privacy of personal information, 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. To this end, surveys conducted by outside agencies, organizations and individuals must be approved by the Board based on the Superintendent's recommendation, prior to administration to students, to ensure the privacy of personal information of students will not be compromised.

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4. Guidelines

A. STUDENT SURVEYS

Prior to the administration of all surveys and other instruments used to collect information from students, the District shall notify the parents or guardians of the nature and scope of the surveys and their relationship to the educational program of the student.

Students over the age of eighteen (18) and parents, if the student involved is a minor, shall also be notified of their right to inspect, upon request, a survey created by a third party prior to administration or distribution to a student and the right to opt the student out of participation. All requests for inspections and elections to opt out shall be in writing and submitted to the Superintendent.

All surveys or evaluations will be conducted on a voluntary basis and the district will implement procedures to protect student identity and privacy as it pertains to all surveys and other instruments used to collect information.

In addition to the above notification requirements, no student shall be required, without the written prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent, as part of any applicable program, to submit to a survey, analysis, or evaluation that reveals information concerning:

- (a) political affiliations or beliefs of the student or of the student's parent;
- (b) mental or psychological problems of the student or of the student's family;

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- (c) sex behavior or attitudes;
- (d) illegal, anti-social, self-incriminating, or demeaning behavior;
- (e) critical appraisals of other individuals with whom respondents have close family relationships;
- (f) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- (g) religious practices, affiliations, or beliefs of the student or of the student's parent; or
- (h) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

**B. COLLECTION OF INFORMATION
FOR MARKETING**

A student over the age of eighteen (18) and his parents, if the student is a minor, shall also have the right to inspect the material and opt out the student from participating in any activity that results in the collection, disclosure or use of personal information for purposes of marketing or selling that information.

This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.

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5. Notification

The Superintendent shall annually notify parents concerning:

- (a) Contents of this policy and its availability;
- (b) Approximate dates that any surveys requesting personal information may be scheduled;
- (c) Procedures to request access to survey instruments prior to administration; and
- (d) Procedures for opting students out of participation in surveys.

Statutory
References:

20 U.S. C.A. § 1232h, amended by Pub.L. 107-110 § 1061 effective Jan. 8, 2002, set out as a note under 20 U.S.C.A. § 6301

Regulatory
References:

Pa. Code, Title 22, Chapter 12