

STUDENT PRIVACY

The Board of Education recognizes that student surveys are a valuable tool in determining student needs for educational services. Parents have the right to inspect all instructional material that will be used for a survey, analysis, or evaluation as part of a U.S. Department of Education (DOE)-funded program.

If such survey, analysis, or evaluation would reveal certain information enumerated in the law, then prior written parental consent must be obtained before minor students are required to participate in that survey. The rights provided to parents under the Protection of Pupil Rights Amendment (PPRA) transfer from the parent to the student when the student turns 18 years old or is an emancipated minor under applicable State law.

In addition, no minor student may, without parental consent, take part in a survey, analysis or evaluation funded in whole or in part by the U.S. DOE that reveals information concerning:

1. political affiliations or beliefs of the student or the student's parent;
2. mental or psychological problems of the student or the student's family;
3. sex behavior or attitudes;
4. illegal, anti-social, 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 of lawyers, physicians and ministers;
7. religious practices, affiliations or beliefs of the student or the student's parent; or
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Parents/guardians shall have the right to inspect, upon request, any instructional material, used as part of the educational curriculum for students. "Instructional material" is defined as: "instructional content that is provided to a student, regardless of format including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet)." It does not include tests or academic assessments.

A parent/guardian who wishes to inspect and review such instructional material shall submit a request in writing to the building principal. Upon receipt of such request, arrangements shall be made to provide access to such material within 30 calendar days after the request has been received.

It is the policy of the Board not to permit the collection, disclosure, or use of personal information collected from students for the purpose of marketing or selling that information or providing it to others for that purpose. 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

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services as permitted by law.

In the event of such collection, disclosure or use of personal information gathered from students, student privacy shall be protected by the School District pursuant to the requirements of the Family Education Rights and Privacy Act (FERPA). Personal information means individually identifiable information including a student's or parent's first and last name, home address, telephone number, or social security number.

Parents/guardians have the right to submit a written statement to opt their child out of participation in the following activities:

1. The collection, disclosure and use of personal information gathered from students for the purpose of marketing or selling that information, or providing it to others for that purpose. Upon request, parents/guardians have the right to inspect any such instrument before it is administered or distributed to their child. 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, such as:
 - a. College or other postsecondary education recruitment, or military recruitment;
 - b. Book clubs, magazines and programs providing access to low-cost literary products;
 - c. Student recognition programs; and
 - d. The sale by students of products or services to raise funds for school-related activities.

In the event of such collection, disclosure or use of personal information gathered from students, student privacy shall be protected by the school district pursuant to the requirements of FERPA.

2. The administration of any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school not necessary to protect the immediate health or safety of the student or other students and not otherwise permitted or required by state law. An invasive physical examination is any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injecting into the body, but does not include a hearing, vision or scoliosis screening. It does not apply to any physical examination or screening required or permitted under State law, including those permitted without parental notification.

Parents/guardians and eligible students shall be notified at least annually, at the beginning of the school year, and when enrolling students for the first time in district schools, of this policy. The School District shall also notify parents/guardians within a

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reasonable period of time after any substantive change to this policy.

*References: Board of Education Policy 5420, Student Health Services
Board of Education Policy 5500, Student Records
20 USC §1232h
No Child Left Behind Act, Public Law 107-110, January 8, 2002, §1061
34 CFR Part 98
Education Law §903*

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