

**SCHOOL POLICIES  
INDEPENDENT SCHOOL DISTRICT 16**

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<b>SERIES</b>	500	Students
<b>SUBJECT</b>	520	Student Surveys
<b>Adopted</b>		March 13, 2001
<b>Revised</b>		August 24, 2004; June 13, 2017

**I. PURPOSE**

Occasionally the school district utilizes surveys to obtain student opinions and information about students. The purpose of this policy is to establish the parameters of information that may be sought in student surveys.

**II. GENERAL STATEMENT OF POLICY**

Student surveys may be conducted as determined necessary by the school district. Surveys, analyses and evaluations conducted as part of any program funded through the U.S. Department of Education must comply with 20 U.S.C. § 1232h.

**III. STUDENT SURVEYS IN GENERAL**

- A. Student surveys will be conducted anonymously and in an indiscernible fashion. No mechanism will be used for identifying the participating student in any way. No attempt will be made in any way to identify a student survey participant. There will be no requirement that the student return the survey, and no record of the student's returning a survey will be maintained. Any and all documents containing the written permission of a parent for a student to participate in a survey will be maintained by the school district in a file separate from the survey responses.
- B. Although the survey is conducted anonymously, potential exists for personally identifiable information to be provided in response thereto. To the extent that personally identifiable information of a student is contained in his or her responses to a survey, the school district will take appropriate steps to protect student privacy and to ensure the data is protected in accordance with Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act), 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act) and 34 C.F.R. Part 99.

#### **IV. NOTICE AND REVIEW**

- A. The school district will give parents and students notice of this policy at the beginning of each school year and after making substantive changes to this policy.
- B. The school district will inform parents at the beginning of the school year if the district or school has identified specific or approximate dates for administering surveys and give parents reasonable notice of planned surveys scheduled after the start of the school year.
- C. The school district will give parents direct, timely notice when their students are scheduled to participate in a student survey by United States mail, e-mail, or another direct form of communication.
- D. The school district will give parents the opportunity to review the survey and to opt their students out of participating in the survey.

#### **V. STUDENT SURVEYS CONDUCTED AS PART OF DEPARTMENT OF EDUCATION PROGRAM**

- A. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be available upon request for inspection by the parents or guardians of the students.

“Instructional material” means 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 (i.e., materials accessible through the Internet). The term does not include academic tests or academic assessments.

- B. No student shall be required, without the 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, to submit to a survey that reveals information concerning:
  - 1. political affiliations or beliefs of the student or the student’s parent;
  - 2. mental and psychological problems of the student or the student’s family;
  - 3. sex 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 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),

C. A parent on behalf of a student, or an eligible student, shall be provided notice and an opportunity to opt the student out of participating in:

1. Any nonemergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school and scheduled by the school in advance, and not necessary to protect the immediate health and safety of the student or other students.

“Invasive physical examination” means any medical examination that involves the exposure of private body parts, or act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

2. Activities involving the collection, disclosure, or use of personally identifiable information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.

- a. This provision 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:

- i. college or other post-secondary education recruitment or military;

- ii. book clubs, magazines, and programs providing

access to low cost literary products;

iii. curriculum and instructional materials used by elementary and secondary schools;

iv. 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;

v. the sale by students of products or services to raise funds for school-related or education-related activities; and

vi. student recognition programs.

- b. Parents and eligible students may inspect, upon request, any instrument used in the collection of personal information in this section before the instrument is administered or distributed to a student and the District will grant reasonable access to such an instrument within a reasonable period of time after the request is received.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. §121A.065  
20 U.S.C. 1232g (Family Educational Rights and Privacy Act)  
20 U.S.C. 1232h (Protection of Pupil Rights)  
34 C.F.R. Part 99