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2 **RICHFIELD PUBLIC SCHOOLS**  
3  
4 **STUDENT SURVEYS**  
5

6 **I. PURPOSE**  
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8 The purpose of this policy is to establish the parameters related to student surveys  
9 conducted in Richfield Public Schools.  
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11 **II. GENERAL STATEMENT OF POLICY**  
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13 The school district may conduct surveys of students to support schools, school  
14 district improvement and student engagement. Surveys conducted in Richfield  
15 Public Schools must follow the defined approval process. The school district will  
16 follow applicable federal regulations in conducting any survey of students that is  
17 a part of any program funded through the United States Department of  
18 Education. The school district will not impose an academic or other penalty upon  
19 a student who opts out of participating in a survey.  
20

21 **III. DEFINITIONS**  
22

23 A. Confidential Data means data about a person that is accessible only to  
24 representatives of the school district who have a need to know the information  
25 in order to do their jobs. Confidential data is not available to the data subject.  
26

27 B. Student survey for the purpose of this policy means student surveys  
28 conducted by the school district, implemented across multiple buildings  
29 and/or multiple grade levels.  
30

31 C. Student survey for the purpose of this policy does not mean surveys  
32 conducted at one grade level, one class level, or by student groups.  
33

34 **IV. STUDENT SURVEYS IN GENERAL**  
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36 A. Student surveys will be conducted anonymously and in an indiscernible  
37 fashion. No mechanism will be used for identifying the participating student in  
38 any way. No attempt will be made in any way to identify a student survey  
39 participant. No requirement that the student return the survey shall exist, and  
40 no record of the student's returning a survey will be maintained.  
41

42 B. The superintendent may choose not to approve any survey that seeks probing  
43 personal and/or sensitive information that could result in identifying the survey

44 participant, or is discriminatory in nature based on age, race, color, sex,  
45 disability, religion, or national origin.

46  
47 C. Although the survey is conducted anonymously, potential exists for personally  
48 identifiable information to be provided in response thereto. To the extent that  
49 personally identifiable information of a student is contained in his or her  
50 responses to a survey, the school district will take appropriate steps to ensure  
51 the data is protected in accordance with Minn. Stat. Ch. 13 (Minnesota  
52 Government Data Practices Act), 20 U.S.C. § 1232g (Family Educational  
53 Rights and Privacy Act) and 34 C.F.R. Part 99.

54  
55 D. Inspection

56 The school district will make all instructional materials available for  
57 inspection by students, parents, or guardians.

58  
59 E. The school district will notify parents about student surveys using a variety of  
60 methods that may include (i.e. website, email, blackboard notification) to be  
61 administered during the school year with sufficient time, a least two weeks in  
62 advance of the survey, to allow for parental review as defined in this policy.  
63 The notice will include the grade levels to be surveyed, the purpose of the  
64 survey, the opt-out process, and a way for parents to review all questions in  
65 the survey.

66  
67 F. The school district will provide survey information and the opt-out form on the  
68 school district website.

69  
70 G. The school district will maintain the survey results as confidential data on the  
71 students and will report the survey results in a way that does not allow for  
72 identification of individual student results.

73  
74 H. The school district must not impose an academic or other penalty on a student  
75 who opts out of participating in a student survey.

76  
77 **V. STUDENT SURVEYS APPROVAL PROCESS**

78  
79 A. Student surveys conducted at the district level must be approved by the  
80 superintendent and will allow time for parent feedback and review as defined  
81 in this policy.

82  
83 B. Student surveys conducted at the grade or classroom level must be approved  
84 by the principal or administrative designee. Surveys conducted in this fashion

85 are subject to all of the rules in this policy related to confidentiality and  
86 information requested of students.

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88 **VI. STUDENT SURVEYS CONDUCTED AS PART OF DEPARTMENT OF**  
89 **EDUCATION PROGRAM**

90  
91 A. All instructional materials, including teacher's manuals, films, tapes, or other  
92 supplementary material which will be used in connection with any survey,  
93 analysis, or evaluation as part of any program funded in whole or in part by the  
94 U.S. Department of Education, and shall be available for inspection by the  
95 parents or guardians of the students.

96  
97 B. No student shall be required, as part of any program funded in whole or in part  
98 by the U.S. Department of Education, without the prior consent of the student  
99 (if the student is an adult or emancipated minor), or, in the case of an  
100 unemancipated minor, without the prior written consent of the parent, to submit  
101 to a survey that reveals information concerning:

- 102  
103 1. political affiliations or beliefs of the student or the student's parent;  
104  
105 2. mental and psychological problems of the student or the student's family;  
106  
107 3. sex behavior or attitudes;  
108  
109 4. illegal, antisocial, self-incriminating, or demeaning behavior;  
110  
111 5. critical appraisals of other individuals with whom respondents have close  
112 family relationships;  
113  
114 6. legally recognized privileged or analogous relationships, such as those of  
115 lawyers, physicians, and ministers;  
116  
117 7. religious practices, affiliations, or beliefs of the student or the student's  
118 parent; or;  
119  
120 8. income (other than that required by law to determine eligibility for  
121 participation in a program or for receiving financial assistance under such  
122 program).

124 C. A school district that receives funds under any program funded by the U.S.  
125 Department of Education shall develop local policies consistent with Sections  
126 VI.A. and VI.B. above, concerning student privacy, parental access to  
127 information, and administration of certain physical examinations to minors.

128  
129 1. The policies adopted under Section VI.C. above, shall provide for  
130 reasonable notice of the adoption or continued use of such policies directly  
131 to parents of students enrolled in or served by the school district.

132  
133 i. The notice will be provided at least annually, at the beginning of the school  
134 year, and within a reasonable period of time after any substantive change  
135 in a policy.

136  
137 ii. The notice will provide parents with an opportunity to opt out of  
138 participation in the following activities:

139  
140 a. Activities involving the collection, disclosure, or use of personal  
141 information collected from students for the purpose of marketing or  
142 for selling that information, or otherwise providing that information to  
143 others for that purpose.

144  
145 b. The administration of any third-party survey (non-Department of  
146 Education funded) containing one or more of the items contained in  
147 Section VI.B., above.

148  
149 c. Any nonemergency, invasive physical examination or screening that  
150 is required as a condition of attendance, administered by the school  
151 and scheduled by the school in advance, and not necessary to  
152 protect the immediate health and safety of the student or other  
153 students.

154  
155 “Invasive physical examination” means any medical examination  
156 that involves the exposure of private body parts, or act during such  
157 examination that includes incision, insertion, or injection into the  
158 body, but does not include a hearing, vision, or scoliosis screening.

159  
160 iii. The notice will advise students of the specific or approximate dates during  
161 the school year when the activities in Section VI.C.1.ii., above, are  
162 scheduled, or expected to be scheduled.

163  
164 iv. The notice provisions shall not be construed to preempt applicable  
165 provisions of state law that require parental notification and do not apply

166 to any physical examination or screening that is permitted or required by  
167 applicable state law, including physical examinations or screenings that  
168 are permitted without parental notification.

169  
170 **V. NOTICE**

171  
172 A. The school district must give parents and students notice of this policy at the  
173 beginning of each school year and after making substantive changes to this  
174 policy.

175  
176 B. The school district must inform parents at the beginning of the school year if  
177 the district or school has identified specific or approximate dates for  
178 administering surveys and give parents reasonable notice of planned surveys  
179 scheduled after the start of the school year. The school district must give  
180 parents direct, timely notice when their students are scheduled to participate in  
181 a student survey by United States mail, e-mail, or another direct form of  
182 communication.

183  
184 C. The school district must give parents the opportunity to review the survey and  
185 to opt their students out of participating in the survey.

186  
187 **Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
188 Minn. Stat. § 121A.065 (District Surveys to Collect Student  
189 Information; Parent Notice and Opportunity for Opting Out)  
190 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
191 20 U.S.C. § 1232h (Protection of Pupil Rights)  
192 34 C.F.R. § 99 (Family Educational Rights and Privacy Act  
193 Regulations)  
194 *Gonzaga University v. Doe*, 536 U.S. 273, 122 S.Ct. 2268, 153  
195 L.Ed. 2d 309 (2002)  
196 *C.N. v. Ridgewood Bd. of Educ.*, 430 F.3d. 159 (3<sup>rd</sup> Cir. 2005)  
197 *Fields v. Palmdale School Dist.*, 427 F.3d. 1197 (9<sup>th</sup> Cir. 2005)

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199 **Cross References:** MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil  
200 Records)  
201 MSBA/MASA Model Policy 521 (Student Disability  
202 Nondiscrimination)  
203 MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)

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