

Students

Student Surveys

I. Purpose

Occasionally the school district utilizes surveys to obtain student opinions and information about students. This policy establishes 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. The superintendent or designee may refuse to permit a survey to be conducted based on the alignment of the survey to the mission of the district and the impact the administration of the survey would have on the students' instructional day. 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, unless the parents/guardians of the students are notified in writing that the student survey responses are to be identified with the students' names, and the parents/guardians are provided the opportunity to opt out of the survey. There will be no requirement that the student return the survey, and no record of the student's returning a survey will be maintained.
- B. Surveys containing questions pertaining to the student's or the student's parent(s) or guardian(s) personal beliefs or practices in sex, family life, morality and religion will not be administered to any student unless the parent or guardian of the student is notified in writing that such survey is to be administered and the parent or guardian of the student gives written permission for the student to participate or the opportunity to opt out of the survey depending upon how the survey is funded. 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.
- C. 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 district will take appropriate steps 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. Student Surveys Conducted as Part of U.S. 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, will be available for inspection by the parents or guardians of the students.
- B. No student will be required, as part of any program funded in whole or in part by the U.S. Department of Education, 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).

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)

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 (Family Educational Rights and Privacy Act Regulations)

Gonzaga University v. Doe, 536 U.S. 273, 122 S.Ct. 2268, 153 L.Ed. 2d 309 (2002)

C.N. v. Ridgewood Bd. of Educ., 430 F.3d. 159 (3rd Cir. 2005)

Fields v. Palmdale School Dist., 427 F.3d. 1197 (9th Cir. 2005)

Cross References:

Policy 515 (Protection and Privacy of Student Records)

Policy 521 (Student Disability Nondiscrimination)

Policy 522 (Student Sex Nondiscrimination)

Policy

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INDEPENDENT SCHOOL DISTRICT 273

Edina, Minnesota