

**STUDENT PRIVACY**

**(This policy replaces previously approved Board of Education Policy #2470.1 – Surveys and Administrative Handbook – Administration Section – Item #13 Correspondence – State Education Department)**

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. 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 Education 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.”

It is the policy of the Board not to collect, disclose, or use personal information gathered from students for the purpose of marketing or selling that information or providing it to others for that purpose. Personal Information” is defined as: “individually identifiable information concerning the student, including a student's or parent's first and last name, home address, telephone numbers or social security number. To the extent personal information is marketed, upon request, parents/guardians have the right to inspect any such instrument before it is distributed to their child. A parent/guardian who wishes to inspect and review such instrument shall submit a request in writing to the Building Principal. Upon such request, arrangements shall be made to provide access to such instrument within 30 calendar days after the request has been received. 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. Curriculum and instructional materials used in schools;

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- d. Tests and assessments used to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information for 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;
- e. Student recognition programs; and
- f. 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, the District, pursuant to the requirements of FERPA, shall protect student privacy.

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 District shall also notify parents/guardians within a reasonable period of time after any substantive change to this policy. In the annual notification, the District shall notify the parents/guardians and eligible students of the specific or approximate dates during the school year when the activities involving collection, disclosure or use of personal information collected from students for the purpose of marketing or selling the information, administration of any surveys, and any non-emergency, invasive physical exams or screenings, are scheduled or expected to be scheduled. The annual notification shall also inform parents/guardians and eligible students that upon request, the District will disclose the name, address and telephone number of high school students to military recruiters and institutions of higher learning unless the parents/guardians or eligible students exercise their right to prohibit the release of the information without prior written consent.

Cross-ref: 5420, Student Health Services  
5500, Student Records

Ref: 20 USC §1232h (No Child Left Behind Act)  
34 CFR Part 98  
Education Law §903