

1                                   **ADMINISTRATION OF SURVEYS AND QUESTIONNAIRES**

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3    I. Instructional Materials and Surveys

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5       A. Inspection of Instructional Materials

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7       All instructional materials, including teacher’s manuals, films, tapes, or other  
8       supplementary material which will be used as part of the educational curriculum for a  
9       student or which will be used in connection with any survey, analysis, or evaluation as  
10      part of any federally funded program shall be available for inspection by the parents or  
11      guardians of the student in accordance with Policy KBA.

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13      B. Participation in Surveys and Evaluations

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15      No student shall be required, as part of any federally funded program, to submit to a  
16      survey, analysis, or evaluation that reveals information concerning

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18      (1)     political affiliations or beliefs of the student or the student’s parent,  
19      (2)     mental or psychological problems of the student or student’s family,  
20      (3)     sex behavior or attitudes,  
21      (4)     illegal, anti-social, self-incriminating, or demeaning behavior,  
22      (5)     critical appraisals of other individuals with whom respondents have  
23              close family relationships,  
24      (6)     legally recognized privileged or analogous relationships, such as  
25              those of lawyers, physicians, and ministers,  
26      (7)     religious practices, affiliations, or beliefs of the student or student’s parent, or  
27      (8)     income (other than that required by law to determine eligibility for  
28              participation in a program or for receiving financial assistance under  
29              such program), without the prior consent of the student (if the student is  
30              an adult or emancipated minor), or in the case of an unemancipated  
31              minor, without the prior written consent of the parent.

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33      C. Surveys Requesting Sexual Information

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35      In any case in which a questionnaire or survey requesting that students provide sexual  
36      information, mental health information, medical information, information on student  
37      health risk behaviors pursuant to Va. Code § [32.1-73.8](#), other information on controlled  
38      substance use, or any other information that the School Board deems to be sensitive in  
39      nature is to be administered, the School Board shall notify the parent concerning the  
40      administration of such questionnaire or survey in writing at least 30 days prior to its  
41      administration. The notice will inform the parent of the nature and types of questions  
42      included in the questionnaire or survey, the purposes and age-appropriateness of the  
43      questionnaire or survey, how information collected by the questionnaire or survey will  
44      be used, who will have access to such information, the steps that will be taken to protect  
45      student privacy, and whether and how any findings or results will be disclosed. In any

46 case in which a questionnaire or survey is required by state law or is requested by a  
47 state agency, the relevant state agency shall provide the School Board with all  
48 information required to be included in the notice to parents. The parent/guardian has the  
49 right to review the questionnaire or survey upon request at the student's school and  
50 exempt the student from participating in the questionnaire or survey. Unless required by  
51 federal or State law or regulation, school personnel administering any such  
52 questionnaire or survey shall not disclose personally identifiable information.

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54 No questionnaire or survey requesting that students provide sexual information shall be  
55 administered to any student in kindergarten through grade six.

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57 D. Additional Protections

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59 A parent or emancipated student may, upon request, inspect any instructional material  
60 used as part of the educational curriculum of the student and any survey created by a  
61 third party before the survey is administered or distributed to a student. Any inspection  
62 shall be in accordance with Policy KBA.

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64 In addition, in the event of the administration or distribution of a survey containing  
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66 one or more of the subjects listed in subsection I.B. above, the privacy of students to  
67 whom the survey is administered will be protected by:

- 68 • authorizing the administration/distribution of surveys in groups of no less than five  
69 students at a time;
- 70 • requiring written permission of parents when students or their records will be  
71 involved; and
- 72 • informing parents of students to be involved in the survey of their right to refuse  
73 and/or discontinue participation in research at any time without prejudice.

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75 II. Physical Examinations and Screenings

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78 If Alexandria City Public Schools administers any physical examinations or screenings  
79 other than

- 80 • those required by Virginia law, and
- 81 • surveys administered to a student in accordance with the Individuals with  
82 Disabilities Education Act,

83 policies regarding those examinations or screenings will be developed and adopted in  
84 consultation with parents.

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86 III. Commercial Use of Information

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88 Questionnaires and surveys shall not be administered to public school students during the  
89 regular school day or at school-sponsored events without written, informed parental  
90 consent when participation in such questionnaire or survey may subsequently result in the

91 sale for commercial purposes of personal information regarding the individual student.

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93 This subsection does not apply to the collection, disclosure, or use of information collected  
94 from students for the exclusive purpose of developing, evaluating, or providing educational  
95 products or services for, or to students or educational institutions, such as the following:

- 96 • college or other postsecondary education recruitment or military recruitment;
- 97 • book clubs, magazines and programs providing access to low-cost literary products;
- 98 • curriculum and instructional materials used by elementary schools and secondary  
99 schools;
- 100 • tests and assessments used by elementary schools and secondary schools to provide  
101 cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information  
102 about students (or to generate other statistically useful data for the purpose of  
103 securing such tests and assessments) and the subsequent analysis and public release  
104 of the aggregate data from such tests and assessments;
- 105 • the sale by students of products or services to raise funds for school-related or  
106 education-related activities; and
- 107 • student recognition programs.

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#### 109 IV. Notification

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##### 111 Notification of Policies

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113 The Board shall provide notice of this policy directly to parents of students annually at the  
114 beginning of the school year and within a reasonable period of time after any substantive  
115 change in the policy. The Board will also offer an opportunity for the parent (or  
116 emancipated student) to opt the student out of participation in:

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- 118 • activities involving the collection, disclosure, or use of personal information collected  
119 from students for the purpose of marketing or for selling that information (or otherwise  
120 providing that information to others for that purpose);
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- 122 • the administration of any survey containing one or more items listed in subsection  
123 I.B. above; or
- 124 • any non-emergency, invasive physical examination or screening that is  
125 • required as a condition of attendance;
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- 127 • administered by the school and scheduled by the school in advance; and
- 128 • not necessary to protect the immediate health and safety of the student, or  
129 of other students.

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##### 131 Notification of Specific Events

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133 The Board will directly notify the parent of a student, at least annually at the beginning of  
134 the school year, of the specific or approximate dates during the school year when the  
135 following activities are scheduled, or expected to be scheduled:

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137 • activities involving the collection, disclosure, or use of personal information  
 138 collected from students for the purpose of marketing or for selling that information  
 139 (or otherwise providing that information to others for that purpose);

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141 • the administration of any survey containing one or more items listed in subsection  
 142 I.B. above;

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144 • any non-emergency, invasive physical examination or screening that is

145 • required as a condition of attendance;

146 • administered by the school and scheduled by the school in advance; and

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148 • not necessary to protect the immediate health and safety of the student, or  
 149 of other students.

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## 151 V. Definitions

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153 **Instructional material:** the term “instructional material” means instructional content that is  
 154 provided to a student, regardless of its format, including printed or representational  
 155 materials, audio-visual materials, and materials in electronic or digital formats (such as  
 156 materials accessible through the Internet). The term does not include academic tests or  
 157 academic assessments.

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

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164 **Parent:** the term “parent” includes a legal guardian or other person standing in loco  
 165 parentis (such as a grandparent or stepparent with whom the student lives, or a person who  
 166 is legally responsible for the welfare of the student).

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168 **Personal information:** the term “personal information” means individually  
 169 identifiable information including:

170 • a student or parent’s first and last name;

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172 • a home or other physical address (including street name and the name of the city or  
 173 town);

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175 • a telephone number; or

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177 • a Social Security identification number.

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179 **Survey:** the term “survey” includes an evaluation.

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182 Adopted: June 1, 2006

183 Amended: June 23, 2016

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186 Legal Refs.: 20 U.S.C. § 1232h

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188 Code of Virginia, 1950 as amended, § 22.1-79.3

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190 Cross Refs.: IFB Approval Process for Research Studies

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192 KBA Requests for Information

193 KF Distribution of Information/Materials

194 KFA Special Interest Materials

195 LE Relations with Colleges and Universities