

INDEPENDENT SCHOOL DISTRICT 196
Rosemount-Apple Valley-Eagan Public Schools
Educating, developing, and inspiring our students for lifelong success

Series Number 801.9AR Adopted September 1990 Revised September 2023

Title **Use of Students, Employees and/or District Data for Research**

1. **Research Request** – Individuals or organizations that wish to conduct research using district or school data, or using employees or students as subjects, must submit a written request in advance, using District Procedure 801.9P, Request to Conduct Research in District 196, to:
 - 1.1 The director of elementary education for a study involving elementary schools;
 - 1.2 The director of secondary education for a study involving secondary schools;
 - 1.3 The director of special education for a study involving special education programs;
 - 1.4 The director of community education for a study involving community education, or
 - 1.5 The director of human resources for a study involving all other areas.
2. **Approval Criteria** – For a research study to be approved, it must meet the following criteria:
 - 2.1 Protect the rights and welfare of any human subjects, including providing the following information to parents/guardians of children who are research subjects, or to adults who are subjects:
 - 2.1.1 An explanation of the research procedures and their purpose;
 - 2.1.2 A description of any possible risks and/or benefits to be expected;
 - 2.1.3 An offer to respond to inquiries about the procedures, and
 - 2.1.4 Instruction on the right to refuse to participate or to discontinue participation at any time without prejudice; and
 - 2.2 Directly benefit District 196 or one or more district schools or contribute to the advancement of education in general; and
 - 2.3 Not disrupt the ongoing educational process, or
 - 2.4 Duplicate recent research projects in the district.
 - 2.5 If the research study will require access to private, personally identifiable student data then the study must be for the purposes of developing, validating or administering predictive tests, administering student aid programs or improving instruction and the researcher and the district must enter into an agreement that provides for the following:
 - 2.5.1 Specifies the purpose, scope and duration of the research and the student information to be used;
 - 2.5.2 Requires that the student information will only be used as necessary to meet the purpose of the research;
 - 2.5.3 Requires the researcher to conduct the research in a manner that does not permit personal identification of parents/guardians or students by anyone other than the researcher or those within the researcher’s organization with legitimate interests; and
 - 2.5.4 Requires the researcher to destroy or return to the district all personally identifiable information when the information is no longer needed for the purposes for which the research was conducted and specifies the time period in which the information must be returned or destroyed.
3. **Consideration of Research Request** – In considering a request to conduct research in a specific school or department, the director will consult with the principal, department head and other appropriate personnel.

4. **Communications** – The superintendent shall be kept informed of research projects approved by the directors.
5. **Student Surveys** – Occasionally the school district may utilize surveys to obtain student opinion and information about our students for educational reasons. For the purposes of this regulation, “student survey” shall not include instruments administered to evaluate or assess the academic or instructional proficiency or progress of students (e.g., classroom assignments and tests), and evaluations conducted pursuant to state and federal special education or disability laws.
 - 5.1 The federal Protection of Pupil Rights Amendment (PPRA) and Minnesota law give students and parents/guardians rights regarding student surveys and other matters, including the following:
 - 5.1.1 Districts must directly notify parents/guardians and students each year of their rights under the law.
 - 5.1.2 Districts must receive written consent of the parent/guardian or adult student before administrating any student surveys funded by the United States Department of Education (USDOE) if the survey includes “protected” information regarding any of the following “protected” topics:
 - 5.1.2.1 Political affiliations or beliefs of the student or the student’s parent/guardian;
 - 5.1.2.2 Mental or psychological problem of the student or his or her family;
 - 5.1.2.3 Sexual behavior or attitudes;
 - 5.1.2.4 Illegal, anti-social, self-incriminating or demeaning behavior;
 - 5.1.2.5 Critical appraisals of other individuals with whom respondents have close family relationships;
 - 5.1.2.6 Legally recognized privileged or analogous relationships recognized by law such as those with attorneys, physicians and ministers;
 - 5.1.2.7 Religious practices, affiliations, or beliefs of the student’s parents/guardians, or
 - 5.1.2.8 Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).
 - 5.1.3 Parents/guardians have the right to receive notification, and an opportunity to “opt out” of any of the following:
 - 5.1.3.1 A student survey; (unless the survey falls under Section 5.1.2, in which case written consent is required.)
 - 5.1.3.2 Activities involving the collection, disclosure or use of personal information obtained from students for the purpose of marketing, selling or otherwise distributing said information to others, or
 - 5.1.3.3 Any non-emergency invasive physical exam or screening that are required for attendance, administered and scheduled by the school in advance and not necessary to protect the immediate safety of the student or other students, except for hearing, vision, or scoliosis screenings, or other as permitted or required by state law.
 - 5.1.4 Parents/guardians and eligible students have the right to inspect certain materials prior to a student participating in a survey. A request to inspect materials can be made to the building principal. Available for review will be:

- 5.1.4.1 Student surveys;
- 5.1.4.2 Documents and instruments used to collect personal information from students if used in marketing, sales or distribution to others, and
- 5.1.4.3 Instructional materials used as part of the educational curriculum or as part of student surveys conducted under sections 5.1.2 and 5.1.3.
- 5.1.5 At the beginning of the year, schools will notify parents/guardians if the school has identified specific or approximate dates for administering student surveys. In addition, schools will give parents/guardians timely notice prior to students participating in an individual student survey during the school year. Such notice shall be provided directly by United States mail, e-mail or other direct means of communication, and shall inform parents/guardians of the right to review and opt their student out of participating in the student survey.
- 5.1.6 Parents/guardians and eligible students can report violations of the PPRA by contacting the Student Privacy Policy Office, U. S. Department of Education, 400 Maryland Avenue, SW; Washington, DC 20202-8520.
- 5.1.7 Collection, protection and use of data obtained from students is governed by District Policy 801 (District-Community Relations) and Administrative Regulation 801.9AR (Use of Students, Employees and/or District Data for Research) and District Policy 505 (Student Records) and corresponding administrative regulations.
- 5.1.8 District 196 will not impose an academic or other penalty upon a student who opts out of participating in a survey.

References: - 34 CFR 99.31 (a)(b)
- Minnesota Statute § 121A.065