

PROTECTION OF PUPIL RIGHTS: STUDENT SURVEYS

It shall be the policy of Lyon County Board of School Trustees that the rights of pupils shall be protected.

It shall be the policy of the Board that all instructional materials, including teachers' manuals, films, tapes or other supplementary instructional materials, surveys, or questionnaires to be used in connection with any instruction program or project shall be available for inspection by the parents or guardians of the children who will be enrolled in such programs or projects.

It shall further be the policy of the Board that no student shall be required as part of any Lyon County School District program to submit to psychiatric or psychological examinations, testing, treatment, survey questions, or needs assessment in which the primary purpose is to reveal information concerning: 1) political affirmations; 2) mental or psychological problems; 3) sex behavior and attitudes; 4) illegal, anti-social self-incriminating, and demeaning behavior; 5) critical appraisals of any individuals with whom students have a close family relationships; 6) legally recognized privileged and analogous relationships such as those of lawyers, physicians and ministers, or 7) income (other than that required by law to determine eligibility for participating in programs or for receiving financial assistance under such programs) without the prior active consent of the student (if the student is an adult or emancipated minor), or without the prior written active consent of the parent/guardian if the student is under 18 years old. Any student may refuse to participate in the administration of a survey in the Lyon County School District.

There is one exception to written active consent that was put into law during the 2021 Nevada Legislative Session. Section 20 of Senate Bill 69 changed a section of NRS 392 to require that school districts administer the biennial Youth Behavior Risk Surveillance System (YBRSS) developed by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services, or any equivalent or successor system developed by them. The required administration of the YBRSS means that parents/guardians and adult/emancipated minor students do not have to provide written active consent before participating in the survey. However, the school district and schools will provide written notice of the manner in which the survey will be administered, the manner in which the results of the survey will be used, and those who will have access to the results of the survey. Parents/guardians and students may also review the survey prior to administration by contacting the school if they wish.

Parents/Guardians and adult/emancipated minor students may refuse to provide consent to the administration of the survey by completing the form at the end of this policy (or providing any other written refusal of consent) and submitting it to the principal of the school at which their/the student is enrolled. Additionally, **a student may refuse to participate in the YBRSS at any time regardless of age or emancipation status.**

PROTECTION OF PUPIL RIGHTS: STUDENT SURVEYS – ADMINISTRATIVE REGULATIONS

From time to time, it is necessary for the district to conduct surveys among the students. All surveys will be conducted under the statutes set out by the Hatch Amendment and in compliance with the Board Policy #JF dealing with protection of pupil rights.

When surveys are to be conducted dealing with the subject matters covered under the Hatch Amendment and/or the district's policy on Protection of Pupil rights, certain conditions will be followed. These conditions will be followed whether it is a random sampling or one hundred percent of a particular student population.

1. Parents will be notified by appropriate means that such a survey is going to be administered, with at least one week's notice so that the parent/guardian may review the survey if they wish. Prior written consent of a parent/guardian will be obtained before such a survey may be administered.
2. Surveys will always be voluntary, anonymous, confidential and for legitimate purposes. Personally Identifiable Information (PII) will never be disclosed and all Federal Education Rights and Privacy Act (FERPA) requirements will be followed. The results of a particular survey cannot be traced back to a particular child.
3. The school principal will ensure that the school staff conducting such a survey are following the statutes set forth by the Hatch Amendment as well as this policy
4. The school staff conducting such a survey will put all survey materials, including the questions and the responses, in the appropriate container and deliver them personally to the principal, if it is a paper and pencil administration. If the survey is administered electronically, school staff will ensure all precautions are in place to safeguard student responses and information.
5. The principal ensures the survey information is provided to the individual or individuals who are authorized to receive this information. Confidentiality will be maintained within the guidelines of this policy and applicable laws.
6. Pre-tests designed to determine a student's knowledge in a particular subject matter are not considered a survey and are not subject to the conditions of this policy. Pre-tests are those that are geared directly to a specified course of study and deal with the subject matter and the curriculum that is appropriate for that classroom. Results of those pre-tests will be utilized only to improve the individualization of instruction for either a particular student or for a particular class. This information will not be shared with those individuals who are not authorized to receive such information.

**LYON COUNTY SCHOOL DISTRICT
REFUSAL OF CONSENT TO PARTICIPATE IN THE YOUTH BEHAVIOR RISK
SURVEILLANCE SYSTEM (YBRSS)**

I am the parent/guardian of the Lyon County School District student named below, or I am the adult/emancipated minor student named below, and I refuse to provide consent for the administration of the Youth Behavior Risk Surveillance System. My student/I will be provided an alternative assignment or activity during the administration of the YBRSS.

Student's Printed Name

Parent/Guardian's or Adult/Emancipated Minor Student's Printed Name

Parent/Guardian's or Adult/Emancipated Minor Student's Signature