

STUDENT PRIVACY

Student Surveys

The Board of Education recognizes that student surveys are a valuable tool in determining student needs for educational services. Parents have the right under the Protection of Pupil Rights Amendment ("PPRA") to inspect all instructional material that will be used for a survey, analysis, or evaluation as part of a U.S. Department of Education-funded program. "Instructional materials" under the PPRA are defined as 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 applicable 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. Department of 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).

Inspection of Instructional Materials

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 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). The definition does not include tests or academic assessments.

A parent/guardian who wishes to inspect and review such instructional material shall submit a request in writing to the Building Principal. Upon receipt of such request, arrangements shall be made to provide the parent/guardian with access to such material within 30 calendar days of the Building Principal's receipt of the written request.

Opt-Out of Certain Activities

Parents/guardians have the right to submit a written statement to their child's Building Principal to opt their child out of participation in the following activities:

1. The collection, disclosure, and use of personal information gathered from students for the purpose of marketing or selling that information, or providing it to others for that purpose. Personal information means individually identifiable information such as a student's or parent's first and last name, home address, telephone number, or social security number. Upon request, parents/guardians have the right to inspect any instrument used to gather such information from students before it is administered or distributed to their child. This provision 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;
 - 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, student privacy shall be protected by the school district pursuant to the requirements of the Family Education Rights and Privacy Act ("FERPA") and applicable district policy regarding same.

Parents should be aware that it is the policy of the Board of Education not to permit the collection, disclosure or use of personal information collected from students for the purpose of marketing or selling that information or providing it to others for that purpose. 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 as permitted by law.

The district shall notify parents/guardians of the above-described activity at least annually, including the approximate date during the school year when the district expects this activity will occur. The opt-out statement should be received by the Building Principal no later than five (5) days prior to the scheduled date of the activity.

2. The administration of any survey revealing information concerning one or more of the following:
 - a. political affiliations or beliefs of the student or the student's parent;
 - b. mental or psychological problems of the student or the student's family;
 - c. sex behavior or attitudes;
 - d. illegal, anti-social, self-incriminating or demeaning behavior;
 - e. critical appraisals of other individuals with whom respondents have close family relationships;
 - f. legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
 - g. religious practices, affiliations or beliefs of the student or the student's parent; or
 - h. 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 and eligible students shall have the right to inspect, upon their written request, a survey created by a party other than the U.S. Department of Education before the survey is administered or distributed by the school to a student. Such requests should be submitted in writing to the Building Principal at least two weeks in advance of the date the survey will be administered. The parent/guardian will receive a response from the Building Principal, including information about how to inspect the survey, within a reasonable time thereafter but in any case prior to the administration of the survey.

The district shall notify parents/guardians of the above-described activity at least annually, including the approximate date during the school year when the district expects this activity will occur. The opt-out statement should be received by the Building Principal no later than five (5) days prior to the scheduled date of the activity.

3. The administration of any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school, not necessary to protect the immediate health or safety of the student or other students. An invasive physical examination means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion or injecting into the body, but does not include a hearing, vision, or scoliosis screening.

The district shall notify parents/guardians of the above-described activity at least annually, including the approximate date during the school year when the district expects this activity will occur. The opt-out statement should be received by the Building Principal no later than five (5) days prior to the scheduled date of the activity.

Parents should refer to the district's policy regarding Student Health Services for information on the administration of physical examinations or screenings generally, and for information on examinations and screenings that the school is either permitted or required to administer to a student without prior parent notification under New York State Law.

Additionally, the parent opt-out for the administration of non-emergency invasive physical examinations does not exempt a parent from providing proof to the school that a student has received the appropriate physical examinations required by the Education Law and Public Health Law.

Parent Notification of this Policy

Parents/guardians and eligible students shall be notified of this Policy at least annually, at the beginning of the school year, and when enrolling students for the first time in the district's schools. The school district shall also notify parents/guardians within a reasonable period of time after any substantive changes to this policy.

Cross-Ref: Policy 5420, Student Health Services
 Policy 5500, Student Records

Ref: 20 USC § 1232h (protection of Pupil Rights Act)
 34 CFR Part 98
 Education Law §903

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