

Students

Student Surveys

I. Purpose

This policy establishes the parameters of information that may be sought in student surveys.

II. General Statement of Policy

Student surveys may be conducted, as determined necessary, by the school district or other governmental entities to obtain student opinions and information about students. The superintendent or designee may refuse to permit a survey to be conducted based on the alignment of the survey to the mission of the district and the impact the administration of the survey would have on the students' instructional day. Surveys, analyses, and evaluations conducted as part of any program funded through the U.S. Department of Education will comply with federal law.

III. Student Surveys in General

- A. Student surveys will be conducted anonymously, unless the parents/guardians of the students are notified in writing that the student survey responses are to be identified with the students' names, and the parents/guardians are provided the opportunity to opt out of the survey. There will be no requirement that the student return the survey, and no record of the student returning a survey will be maintained.
- B. Surveys containing questions pertaining to the student's or the student's parent(s) or guardian(s) personal beliefs or practices in sex, family life, morality, and religion will not be administered to any student unless the parent or guardian of the student is notified in writing that such survey is to be administered and the parent or guardian of the student gives written permission for the student to participate or the opportunity to opt out of the survey depending upon how the survey is funded. Any and all documents containing the written permission of a parent/guardian for a student to participate in a survey will be maintained by the school district in a file separate from the survey responses.
- C. Although the survey is conducted anonymously, potential exists for personally identifiable information to be provided in response thereto. To the extent that

personally identifiable information of a student is contained in their responses to a survey, the district will take appropriate steps to ensure the data is protected in accordance with federal and state law.

- D. The district will inform parents/guardians at the beginning of the school year if the district or school has identified specific or approximate dates for administering surveys and give parents/guardians reasonable notice of planned surveys scheduled after the start of the school year. The district will give parents/guardians direct, timely notice when their students are scheduled to participate in a student survey by United States mail, email, or another direct form of communication.
- E. The district will give parents/guardians the opportunity to review the survey and to opt their students out of participating in the survey.
- F. The district must not impose an academic or other penalty on a student who opts out of participating in a student survey.

IV. Student Surveys Conducted as Part of U.S. Department of Education Program

- A. All instructional materials, including 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 program funded in whole or in part by the U.S. Department of Education, will be available for inspection by the parents or guardians of the students.
- B. No student will be required, as part of any program funded in whole or in part by the U.S. Department of Education, without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent or guardian, to submit to a survey that reveals information concerning:
 - 1. Political affiliations or beliefs of the student or the student's parent/guardian;
 - 2. Mental and psychological problems of the student or the student's family;
 - 3. Sex behavior or attitudes;
 - 4. Illegal, antisocial, 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/guardian; 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).

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
20 U.S.C. § 1232h (Protection of Pupil Rights)
20 U.S.C. § 1400, *et seq.* (Individuals with Disabilities Education Act)
34 C.F.R. Part 99 (Family Educational Rights and Privacy Act Regulations)
Gonzaga University v. Doe, 536 U.S. 273, 122 S. Ct. 2268, 153 L. Ed. 2d 309 (2002)
C.N. v. Ridgewood Bd. of Educ., 430 F.3d. 159 (3rd Cir. 2005)
Fields v. Palmdale School Dist., 427 F.3d. 1197 (9th Cir. 2005)

Cross References:

Policy 515 (Protection and Privacy of Student Records)
Policy 521 (Student Disability Nondiscrimination)
Policy 522 (Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process)
Policy 606 (Selection and Review of Instructional Text, Materials, Content or Issues)
Policy 633 (Research Requests)

Policy

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