

## STUDENT PRIVACY

The Board of Education recognizes that student surveys are a valuable tool in determining student needs for educational services. Parents have the right to inspect all instructional material that will be used for a survey, analysis, or evaluation as part of a U.S. Department of Education (DOE)-funded 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. DOE that reveals information concerning:

1. political affiliations or beliefs of the student or the student's parents;
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 clergy;
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 the program).

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 that is provided to a student, regardless of format including printed or representational materials, audiovisual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). It 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 access to such material within 30 calendar days after the request has been received.

## **Student Privacy (Continued)**

It is the policy of the board 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 service as permitted by law.

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 FERPA.

Parents/guardians have the right to submit a written statement 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. Upon request, parents/guardians have the right to inspect any such instrument before it is administered or distributed to their child. 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 for, or to students or educational institutions, such as:
  - a. College or other post-secondary 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 FERPA.

**Student Privacy (Continued)**

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 clergy;
  - 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 also have the right to inspect, upon their request, a survey created by a party other than the U.S. DOE before the survey is administered or distributed by a school to a student. Such requests must be submitted, in writing, to the building principal with a response to be at least two weeks in advance of any survey to be given.

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 and not otherwise permitted or required by state law.

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

Cross-Reference: 5141 - Physical Inspections of Pupils

5125 - Availability of Student Records in Accordance With Family Educational Rights and Privacy Act of 1974

Policy Adopted:

January 27, 2003

## **Administrative Regulations**

### **STUDENT PRIVACY**

- Parent/guardian notification required under this policy will consist of an annual notice placed in the district calendar to be distributed at the beginning of the school year (See Attachment A).
- Parent/guardian notification for new enrollees will be accomplished by distribution of a district calendar containing the notice. Distribution will be the responsibility of the student registrar and will occur at the time of enrollment.
- Building principals will be responsible for notifying parents/guardians of specific activities covered by this policy (See Attachment B).

Administrative Regulations Adopted:  
January 27, 2003

**STUDENT PRIVACY  
ANNUAL NOTICE**

The Board of Education recognizes that student privacy is an important concern of the parents and the board wishes to ensure that student privacy is protected pursuant to the Protection of Pupil Rights Amendment, as revised by the No Child Left Behind Act. To that end, the board has adopted a policy on student privacy.

Pursuant to the Protection of Pupil Rights Amendment, as revised by the No Child Left Behind Act, and the Patchogue-Medford School District policy on student privacy, you have the right to opt your child out of the following activities:

1. The collection, disclosure and use of personal information gathered from students for the purpose of marketing or selling that information. 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 for, or to students, such as:
  - A. College or other post-secondary 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.
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;

Student Privacy Annual Notice(Continued)

- F. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians and clergy;
  - 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).
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 and not otherwise permitted or required by state law. The term "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. It does not apply to any physical examination or screening required or permitted under state law, including those permitted without parental notification.

For further information contact [insert the name, title and telephone number of administrator responsible].

Dear Parent/Guardian:

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Pursuant to the Protection of Pupil Rights Amendment, as revised by the No Child Left Behind Act, and the Patchogue-Medford School District policy on student privacy, you have the right to opt your child out of the following activities:

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  - 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
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  - 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;

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- F. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians and clergy;
  - 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).
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At this time, it is expected that activities related to the above-mentioned items will take place on or close to the following dates:

<u>Activity</u>	<u>Date</u>
<i>[Insert list of marketing, survey and physical examination activities for which notice must be given.]</i>	

Please review this list. If there are any activities you wish to "opt out" of on behalf of your child, please sign and return this form to the school within 10 days.

If you have any questions about the district's student privacy policy and your right to opt your child out of certain activities, please contact *[insert name and telephone number of building principal]*.

Sincerely,

Building Principal



**Patchogue-Medford Schools  
Student Privacy  
Request to Opt Out**

On behalf of my child, \_\_\_\_\_, I wish to  
exclude my child from activity or activities checked below:

<u>Activity</u>	<u>Date</u>
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____

Parent ' s/Guardian's Signature\_\_\_\_\_

Date\_\_\_\_\_

**PLEASE RETURN TO YOUR CHILD'S TEACHER PRIOR TO THE ACTIVITY.**