

PARENTAL ACCESS TO INSTRUCTIONAL MATERIAL AND SURVEYS

The Board of School Trustees of Bluffton-Harrison Metropolitan School District respects the privacy rights of parents and students. No student shall be required, without prior written consent of the student (if an adult, or an emancipated minor) or, if an unemancipated minor, their parents, to participate in any personal analysis, evaluation, or survey that reveals attitudes, habits, traits, opinions, beliefs, or feelings concerning:

1. political affiliations or beliefs of the student or the student's parent;
2. religious beliefs, affiliations, or practices of the student or the student's parent;
3. mental or psychological conditions of the student or the student's family;
4. sexual behavior or attitudes;
5. illegal, anti-social, self-incriminating, or demeaning behavior;
6. critical appraisals of other individuals with whom the student has a close family relationship;
7. legally recognized privileged or confidential relationships, such as those of lawyers, ministers, or physicians; or
8. income (except as required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Parents may inspect any materials used in conjunction with any such survey, analysis, or evaluation by contacting the building principal. The Corporation will post a copy of each personal analysis, evaluation, and survey personal analysis, evaluation, or survey conducted by a third-party vendor that reveals, identifies, collects, maintains, or attempts to affect attitudes, habits, traits, opinions, beliefs, or feelings on the school corporation's website.

Parents have the right to inspect, upon request, all instructional materials used as part of the educational curriculum of the student. Instructional materials include teachers' manuals, student texts, films, tapes, or other digital materials. The term does not include academic tests or assessments.

Further, parents of minor unemancipated students, and adult/emancipated students, as applicable, will be provided with two requests for written consent before a personal analysis, survey, or evaluation provided by a third party vendor that reveals, identifies, collects, maintains, or attempts to affect attitudes, habits, traits, opinions, beliefs, or feelings is administered or distributed by the school to the student. The consent form must accurately summarize the contents and nature of the

personal analysis, evaluation, or survey that will be provided to the student, include an explanation of the reasons that the school corporation or qualified school is administering the personal analysis, evaluation, or survey, and indicate that a parent of a student or an adult/emancipated minor student has the right to review and inspect all materials related to the personal analysis, evaluation, or survey. The written consent form may be sent in an electronic format.

If the parent of the student or the adult/emancipated student, as applicable, does not respond to the written request provided by the school corporation within twenty-one (21) calendar days after receiving the request, the school corporation shall provide the parent of the student or an adult/emancipated minor student, a written notice requesting that the parent of the student or the adult/emancipated minor student indicate, in a manner prescribed by the school corporation, whether the parent or student consents to the personal analysis, evaluation, or survey; or declines the personal analysis, evaluation, or survey. If the school corporation does not receive a response within ten (10) days after the notice, the student will receive the personal analysis, evaluation, or survey unless the parent or the adult/emancipated student subsequently opts out of the personal analysis, evaluation, or survey for the student.

If the school uses a third-party vendor for such a survey or evaluation, the third-party vendor and the school corporation may not record, collect, or maintain the responses to or results of the analysis, evaluation, or survey in a manner that would identify the responses or results of an individual student. Any contract with the third-party vendor must contain a breach of contract clause if the vendor fails to comply with this policy. If a student does not participate in the personal analysis, evaluation, or survey, the school corporation or qualified school shall provide the student with alternative academic instruction during the same time frame that the personal analysis, evaluation, or survey is administered.

The provisions of this policy concerning personal analyses, evaluations, and surveys conducted by third party vendors do *not* apply to:

1. An academic test or academic assessment, scoring keys, or other tools directly related to measuring a student's academic performance in understanding a particular curricular subject matter, as prescribed by the Indiana Department of Education.
2. A career aptitude or career interest survey.
3. An assessment or screening instrument administered by a third party employed, licensed school psychologist, or social worker, clinical social worker, marriage and family therapist, or mental health counselor licensed under IC 25-23.6, *if* the third party provider is referred by school personnel in a crisis situation in which the school personnel and the third party provider reasonably believe that the student is in immediate danger of self-harm, harming another person, or experiencing harm resulting from abuse or neglect.
4. An assessment, screening instrument, or evaluation survey administered by a third party employed licensed school psychologist, or social worker, clinical social worker, marriage and family therapist, or mental health counselor licensed under IC 25-23.6; who has received a consent for services from a student, if the student is an adult or emancipated minor, or parent of a student, if the student is an unemancipated minor.

5. A survey or evaluation administered to a student of a school by a third party vendor that gauges or attempts to gauge student satisfaction with or participation in the school's programming, technology platform, or approved curriculum.

Parents or eligible students may utilize the procedure for grievances in guideline C225-R if they have concerns regarding the implementation of this policy as to a personal analysis, survey, or evaluation provided by a third party that reveals, identifies, collects, maintains, or attempts to affect attitudes, habits, traits, opinions, beliefs, or feelings.

Human Sexuality Curriculum

Before a school may provide a student with instruction on human sexuality, the school must provide the parent of the student or the student (if an adult, or an emancipated minor), with a written request for consent of instruction. A consent form provided to a parent of a student or a student must accurately summarize the contents and nature of the instruction on human sexuality that will be provided to the student and indicate that a parent of a student or an adult or emancipated minor student has the right to review and inspect all materials related to the instruction on human sexuality. The written consent form may be sent in an electronic format. The parent of the student or the student (if an adult, or an emancipated minor), may return the consent form indicating that the parent of the student or the adult or emancipated student either consents to or declines instruction.

If a student does not participate in the instruction on human sexuality, the school shall provide the student with alternative academic instruction during the same time frame that the instruction on human sexuality is provided.

If the parent of the student or the student (if an adult, or an emancipated minor), does not respond to the written request provided by the school within twenty-one (21) calendar days after receiving the request, the school shall provide the parent of the student, or the student (if an adult, or an emancipated minor), a written notice requesting that the parent of the student, or the student (if an adult, or an emancipated minor), indicate, in a manner prescribed by the school, whether the parent of the student or the adult or emancipated student either consents to or declines instruction.

A notice provided to a parent of a student or a student must accurately summarize the contents and nature of the instruction on human sexuality that will be provided to the student and indicate that a parent of a student or an adult or emancipated minor student has the right to review and inspect all materials related to the instruction on human sexuality. The notice may be sent in an electronic format. If the school does not receive a response within ten (10) days after the notice, the student will receive the instruction on human sexuality unless the parent or the adult or emancipated student subsequently opts out of the instruction for the student.

Personal Information

The Board will not allow the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

Notice to Parents

The Superintendent is directed to provide notice directly to parents of students enrolled in the Corporation of the substantive content of this policy at least annually at the beginning of the school year, and within a reasonable period of time after any substantive change in this policy. In addition, the Superintendent is directed to notify parents of students in the Corporation, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the administration of any survey by a third party that contains one or more of the topics described in the first paragraph of this policy are scheduled or expected to be scheduled. A list of any instructional materials, including teachers' manuals, curricular materials, films or other video materials, tapes, and other materials used in connection with instruction on human sexuality shall be published on BHMSD's website.

For purposes of this policy, the term "parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

IC 20-30-5-17

IC 20-26-21-1 et sec.

20 U.S.C. §1232h(c)

34 C.F.R. §98.3

Bluffton-Harrison Metropolitan School District

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