



**Napa Valley Unified School District**  
**ACCEPTABLE USE POLICY (AUP)**  
**Student Responsible Use Agreement for Using Technology in School**

*After reviewing the presented guidelines and expectations of this Acceptable Use Policy (AUP) the student and parent acknowledge the following, the NVUSD student understands that:*

1. MY USE OF THE SCHOOL NETWORK AND EMAIL IS A PRIVILEGE, NOT A RIGHT.
2. MY SCHOOL AND DISTRICT'S NETWORK AND EMAIL ACCOUNTS ARE OWNED BY NVUSD AND ARE NOT PRIVATE. NVUSD HAS THE RIGHT TO ACCESS OR MONITOR MY USE OF DISTRICT TECHNOLOGY AT ANY TIME.
3. I AM RESPONSIBLE FOR MY DISTRICT-ISSUED COMPUTER ACCOUNT AND EMAIL ACCOUNT.
4. I WILL NOT ALLOW OTHERS TO USE MY ACCOUNT NAME AND PASSWORD OR TRY TO USE THAT OF OTHERS.
5. I WILL NOT ENGAGE IN INAPPROPRIATE BEHAVIOR SUCH AS CYBERBULLYING, HARASSMENT, AND USING OFFENSIVE LANGUAGE (NVUSD BP 6163.4).
6. I AM RESPONSIBLE FOR FOLLOWING SCHOOL RULES AND THE GUIDELINES WITHIN THIS DOCUMENT WHENEVER I PUBLISH ANYTHING ONLINE.
7. I AM RESPONSIBLE FOR PROTECTING THE DISTRICT TECHNOLOGY ASSIGNED TO ME.
8. I UNDERSTAND THAT THE DISTRICT HAS THE ABILITY TO CHARGE FOR LOST OR DAMAGED TECHNOLOGY ASSIGNED TO ME INCLUDING CHROMEBOOKS AND CHROMEBOOK CHARGERS.
9. I WILL ONLY USE DISTRICT TECHNOLOGY IN A MANNER THAT COMPLIES WITH ALL LAWS, INCLUDING COPYRIGHT LAW AND PRIVACY LAW.
10. I WILL ONLY USE DISTRICT-APPROVED SOFTWARE PLATFORMS AND WEBSITES, INCLUDING BUT NOT LIMITED TO ARTIFICIAL INTELLIGENCE (AI), DESIGN, AND COMMUNICATION ON DISTRICT TECHNOLOGY AND NETWORK CONNECTIONS.
11. I UNDERSTAND THAT I AM TO NOTIFY DISTRICT PERSONNEL IMMEDIATELY IF I ENCOUNTER MATERIAL THAT VIOLATES APPROPRIATE USE.
12. I UNDERSTAND THAT MY SCHOOL MAY, AT ANY TIME, SEQUESTER ANY SCHOOL OR DISTRICT-OWNED DEVICE IN MY POSSESSION.
13. NVUSD ADMINISTRATORS OR TEACHERS MAY DEEM A VIOLATION OF CLASSROOM, SCHOOL, OR DISTRICT RULES OR POLICIES TO VIOLATE THIS AGREEMENT EVEN IF NOT SPECIFIED HERE.

**The updated Mobile Communication Device Policy (Policy 5131.8 and Regulation 5131.8) This comprehensive policy has been developed to cultivate an environment of focused learning, interpersonal connection, and safety. By limiting distractions and promoting engaged classrooms, we enhance our students' social-emotional well-being and encourage appropriate technology use, aligning with our vision for every NVUSD graduate. Please read!**

While mobile communication devices (cell phones) can be beneficial in some circumstances, they can also be disruptive to learning. This updated policy reflects our commitment to balancing these aspects.

## **For Grades 9-12 Schools:**

- Cell phones, smartphones, and other mobile communication devices will be collected at the beginning of every class period and stored in a common phone caddy at the front of the classroom. Devices will be returned to students at the end of each class period.
- Earbuds/headphones are not permitted during class periods.
- Mobile communication devices and one earbud are permitted during lunchtimes and passing times, with the strict exception that use is prohibited in all locker rooms and bathrooms.

### **Important Exceptions - Students will be permitted to use a mobile communication device in the following specific circumstances:**

- In the case of an emergency or in response to a perceived threat of danger.
- When a teacher, administrator, or other district employee grants permission, subject to any reasonable limitations.
- When a licensed physician or surgeon determines that possession or use is necessary for the student's health and well-being.
- When possession or use is required by the student's Individualized Education Program (IEP) and/or 504 plan.

### **Safety and Privacy Expectations:**

- Prohibited Content: Students are not allowed to access or share any inappropriate content, including anything threatening, obscene, disruptive, sexually explicit, or that could be construed as harassment or disparagement of others.
- Privacy and Respect: Using devices in any manner that infringes on the privacy rights of others is strictly prohibited. Taking photos or videos of classmates, peers, and staff without permission is not allowed on school property or during school-related activities.
- Videotaping misconduct is strictly prohibited and may result in disciplinary action, including unlawful use in restrooms, locker rooms, or on school buses.
- Using, producing, distributing, or receiving profanity, obscenity, or material that bullies, harasses, offends, threatens, or degrades others is strictly prohibited, including the use of artificial intelligence to impersonate others.

### **Parent and Student Expectations:**

- Parents/guardians should not contact their student on their personal device during the school day. For urgent messages, please contact the school office, and staff will facilitate communication.
- Students must comply with staff directives regarding device use. Violations may result in disciplinary action.
- Students and families/guardians must read these regulations and return a signed acknowledgement form to the school office/classroom at the beginning of each school year during the data confirmation period.
- Students are responsible for adhering to these regulations and securing their belongings. The district will not be responsible or liable for lost, stolen, or damaged devices brought to school.
- Progressive disciplinary actions will be taken consistently across the district for violations, as outlined in the Napa Valley Unified School District's Parent Guide to Student Discipline.

This updated policy will foster a more focused and engaging learning environment for all our students, while also promoting responsible digital citizenship. We appreciate your partnership in implementing these new guidelines for the benefit of our entire school community.

**Online Student Safety Initiative**  
**IMPORTANT INFORMATION - PLEASE READ!**  
**Napa Valley Unified School District**

Napa Valley Unified School District has implemented software that monitors your student's online activity on district accounts and on district-owned devices for instances of self-harm, violence, bullying, and explicit content. In the event of an emergency, the District may disclose your student's information to appropriate parties, including law enforcement, if necessary to protect the health or safety of your student or other individuals. The student safety software is not guaranteed to identify all threats to the health and safety of your student or other individuals and is not intended to replace appropriate supervision of your student. The District does not assume any additional obligations or liability by using the student safety software. By selecting "Allow" in your data confirmation form, you acknowledge the use of the student safety software.

By Selecting "Allow" in your data confirmation form you are acknowledging that you and your student understand that the following actions are prohibited per BP 6163.4: Student Use of Technology:

No Inappropriate Content or Cyberbullying:

Accessing, posting, submitting, publishing, or displaying harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs

No Hacking or Attempts to Harm or Destroy District Equipment or Data:

Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking"

No Privacy Violations, Intimidation, or Harassment:

Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person

**1:1 Chromebook Learning Initiative**  
**Napa Valley Unified School District**

Students must follow all NVUSD policies, as well as school and classroom rules, as they relate to the use of technology in the educational environment. Failure to do so may result in disciplinary action. Teachers may set special requirements for use or restrictions on the use of these devices in their classrooms.

## **NVUSD 1:1 Device Policy**

NVUSD will issue a device to all students for use in the classroom to complete assigned coursework. Grades TK through 1st will be assigned a district-purchased iPad that will remain in the classroom and be used for in-class activities only. Grades 2-5 will be assigned a district-purchased Chromebook that will remain in the classroom and be used for in-class activities only. All devices used in grades TK-5 will be issued to the classroom teacher, and will not be checked out to individual students for take-home use. Beginning in 6th grade, students will be individually issued a Chromebook for use both in the classroom and at home. Students will only be allowed to use a district-purchased device in the classroom. No NVUSD students are permitted to use personally owned devices during class time.

NVUSD understands that parents/families of younger students may want to limit their student's screen time. Families of students in grades TK through 1 may opt their student out of using an iPad while at school. If your student is in grades TK, K, or 1 and you would like to opt your student out, please click on and complete this [form](#). Please note that some of our learning tools can only be used on an iPad and so opting your student out will exclude them from related activities and they will be provided with an alternative activity. Occasionally throughout the year, students will need to complete assessments which can **only** be given on an electronic device. All students, including those whose families opt them out of an iPad, will still be given these important assessments digitally.

## **Purchasing a Protective Sleeve or Case**

Chromebooks are the property of the Napa Valley Unified School District and will be checked out to students at the beginning of each school year. Students will also be issued a charger. We strongly recommend that students purchase a case or protective sleeve to help safeguard the Chromebook. If you choose to search through an online marketplace to find an affordable choice, please ensure you purchase a case or sleeve that will hold an 11 - 12 inch Chromebook. Depending on the type of case you purchase, you may need to know the make/model of your student Chromebook. NVUSD has 5 current makes/models:

- Acer Chromebook 311
- HP Chromebook G7
- HP Chromebook G9
- Lenovo 100e
- Dell 3100 (2020)
- Samsung Chromebook 4

## **Chromebook Ground Rules**

At all times, please handle the Chromebook as you would any other piece of District property, mindful that the device is a piece of District property for which you are responsible.

- You may not place stickers or other adhesive items on the surface of the Chromebook. If you do so, you will be charged a fine for damaging the device.
- Do not write, mark, or sticker the charger.
- Keep all food/liquids away from the Chromebook.
- While transporting the Chromebook in a backpack, place it inside your bag carefully.
- Do not throw or slide the Chromebook.
- Do not put pressure on the screen or use writing tools on the screen.
- Please be careful when plugging the charging cable into the Chromebook. Use only the provided charger. If you wait until your battery indicator is at about 20%, or turns red before you charge the Chromebook, your battery will last longer.
- Keep the Chromebook safe – take it home every day.
- Do not leave the Chromebook unattended at school. Lock it in your locker during PE, extracurriculars, sports, etc.

- Do not lend the Chromebook to another person – it is your responsibility.
- Each Chromebook comes tagged with a unique identification number and district property asset tag. Do not remove the tags or modify the numbers.
- Bring the Chromebook to school daily with a fully charged battery. Students without a charged Chromebook may limit their own ability to fully participate in learning activities.

### **Digital Information**

Digital identifications, including student usernames and passwords, are for students' use only and must remain confidential. Do not share your information with anyone. Do not use another person's username and password. The Chromebook's settings, apps, photos, email, calendar, contacts, and bookmarks are automatically saved to Google Drive every day as long as the Chromebook is charging, connected to wireless Internet, and locked.

Chromebooks use the Chrome operating system (OS) which only allows Google products to be downloaded from the Google Store. Third-party programs (such as Microsoft Office) will not be recognized by the Chrome OS. NVUSD students are to utilize their school Google account (example: first.last##@nvusd.org) when using their Chromebook. Apps that students will need for class are already part of the OS, and any further downloads must be approved by a teacher or district technology staff.

NVUSD reserves the right to remove an inappropriate app at any time. Students are expected to unlock their Chromebook and allow access to their browsing history and other digital information upon the request of district staff. NVUSD web filters that block inappropriate content will be applied to every device. Students who make unauthorized modifications to their Chromebook, including disabling or otherwise attempting to override the filters, will face disciplinary consequences in accordance with school and district policy.

### **Chromebook Troubleshooting/Repair/Replacement**

Never attempt to gain access to internal electronics or repair your Chromebook. If the Chromebook fails to work or is damaged, bring the Chromebook to the library or designated employee for the next steps. Repair/replacement options, as well as whether or not a loaner may be issued will be determined by NVUSD staff.

NVUSD may have a limited number of loaner Chromebooks in the library for students who are experiencing issues with their Chromebook. Any student issued a loaner will be expected to care for the loaner in an appropriate manner and accept responsibility for the device while theirs is being repaired. NVUSD staff will contact the student regarding repair costs if appropriate. Costs are as follows for all Chromebook models NVUSD uses:

- \$55 Flat fee for all damaged Chromebooks

### **Damaged/Lost/Stolen Chromebooks**

Students are responsible for the Chromebook they have been issued. Per Board Policy AR 3260, the district may issue fines to students for lost or damaged Chromebooks. Damaged/lost/stolen Chromebooks (including cords and power adapters) must be reported to NVUSD staff in the library as soon as possible.

Damage: Take care not to damage the Chromebook you are assigned. You are responsible for accidental damage as well as any harm caused by reckless, abusive, willful, or intentional misconduct. Examples of such conduct include but are not limited to, throwing or dropping the device, swinging a bag or backpack with a device inside, stepping on the device, spilling liquid on the device, hitting another person or object with the device, tampering with the internal components, or making unauthorized modifications to the operating system (aka hacking). Once a Chromebook has been assessed for damage, a student may be issued a replacement Chromebook. To date, the most common damage has been broken screens. This often happens due to students putting too many books on top of their Chromebook in their backpacks. Take care when transporting your Chromebook! The cost to replace the broken screen is \$55.

Lost/Stolen Chromebooks: In cases of theft (off-campus), a copy of a police report must be presented. The police report must directly mention the theft of the device and the circumstances surrounding the theft. Devices stolen from UNLOCKED VEHICLES are NOT covered. In the case of any theft/disappearance - either on-campus or off-campus - the student must report their Chromebook missing immediately.

Costs of Replacement Chromebooks:

- Acer Chromebook 311 \$250
- HP Chromebook G7 \$250
- HP Chromebook G9 \$250
- Lenovo 100e \$250
- Dell 3100 (2020) \$250
- Samsung 4 \$250

### Assessing Fees

In the event of a damaged or lost device, the student will need to report the issue to the library media tech, and the appropriate fee will be assessed and sent to the student via the district fee and payment system.

### For Parents/Guardians:

In accordance with the NVUSD Acceptable Use Policy (AUP), parents and guardians are responsible for monitoring their child's use of the Internet and access to district technology resources including Chromebooks, district-issued email accounts, online learning spaces, collaboration tools, and educational resources. Parents/guardians need to set clear expectations for the appropriate use of electronic devices and limit access to the device (as necessary) during non-school hours. If your student is not following your rules, you have the right to limit access to the device while at home. The Chromebook is a great tool for learning, but it also has the potential to be a distraction.

The information below is meant to assist you in setting expectations and monitoring your student's use of the device.

- Have your student use the device in a central location in your home, such as the kitchen or living room, so that you can easily monitor and supervise its use.
- Set expectations that your student is to complete assignments and tasks before using the device for anything else.

## Student Device Take-Home Program Permission Form Napa Valley Unified School District

The Napa Valley Unified School District (NVUSD) has implemented the usage of Chromebooks in the classroom and at home to support its 21st-century learners. Excellence in education requires that technology is seamlessly integrated throughout the instructional program. The individual and collaborative use of classroom devices empowers students to maximize their potential, and it prepares them for college and future careers. Take-home devices provide all of our students with additional access to technology.

### **Students are expected to exercise responsible behavior with the device. Students will:**

- Follow all directions given by site and district staff members.
- Report any problems with the device to the teacher.
- Responsibly use the device so as not to damage the device.
- Carry the device with two hands or like a book and make sure the lid or case cover is closed when transporting.
- Limit exposure to direct sunlight.
- Never leave a device unattended, either in or out of the classroom.

- Keep the device away from water and other liquids, such as sprinklers, rain, puddles, and beverages.
- Not adhere stickers, ink, or other decorative items to the device or charger.
- Not allow others access to their assigned device.

**Parent and Student NOTICE:**

The student devices are for student use only. All devices are thoroughly inspected by the district and issued to students in optimal working condition. As applicable, the NVUSD student behavior policies will be enforced regarding any damage to the devices. Damage includes, but is not limited to: broken screens, cracked casing, inoperability, and water damage.

**Use of Artificial Intelligence**

Artificial Intelligence (“AI”) has become increasingly prevalent in many areas, including the education sector. The use of AI can, when used appropriately, enhance student learning by improving the efficiency of education, providing new and creative ways to support learning, and encourage independent research, curiosity, critical thinking, and problem solving. AI has the potential to serve as a supplemental tool to support and expand on classroom instruction, facilitate personalized learning opportunities, and increased educational and learning opportunities.

**The District has developed the following guidelines and protocols for the use of AI:**

1. Any use of AI in the classroom or on class assignments must align with the teacher’s instructions and use expectations.
2. Any student use on AI on schoolwork must be cited to as any other source and may not be submitted as the student’s original work.
3. Students should not rely on AI tools as a fact-checker to confirm their work or research as AI may not always provide accurate or up-to-date information.
4. Students are prohibited from using any AI system to access, create, or display harmful, deceptive, or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs or interact with the AI in a manner that supports any of the above.
5. Students shall not share confidential information or personally identifiable information with an open AI system of themselves, another student, staff member, or other person. Personally identifiable information includes, but is not limited to, a person’s name, address, email address, telephone number, Social Security number, or other personally identifiable information.
6. Students shall not adjust any privacy settings on an AI tool unless directed to do so by a teacher or staff member.

Students are not permitted to access AI for assistance with assignments or research unless done under the guidance and approval of a District staff member. Unpermitted use of AI may lead to penalties for academic misconduct. Inappropriate use may also result in disciplinary action and/or legal action in accordance with the law and Board Policies.

## **Google Workspace for Education Privacy Notice**

At Napa Valley Unified School District, we use Google Workspace for Education, and we are seeking your permission to provide and manage a Google Workspace for Education account for your child. Google Workspace for Education is a set of education productivity tools from Google including Gmail, Calendar, Docs, Classroom, and more used by tens of millions of students and teachers around the world. At Napa Valley Unified School District, students will use their Google Workspace for Education accounts to complete assignments, communicate with their teachers, sign in to their Chromebooks, and learn 21st-century digital citizenship skills.

The notice below provides answers to common questions about what Google can and can't do with your child's personal information, including:

*What personal information does Google collect?*

*How does Google use this information?*

*Will Google disclose my child's personal information?*

*Does Google use student personal information for users in K-12 schools to target advertising?*

*Can my child share information with others using the Google Workspace for Education account?*

Please read it carefully, let us know of any questions, and then choose "Allow" below to indicate that you've read the notice and understand the agreement.

By choosing "Allow" I acknowledge Napa Valley Unified School District will create/maintain a Google Workspace for Education account for my child and Google may collect, use, and disclose information about my child only for the purposes described in the notice below.

### **Google Workspace for Education Notice to Parents and Guardians**

This notice describes the personal information we provide to Google for these accounts and how Google collects, uses, and discloses personal information from students in connection with these accounts.

Using their Google Workspace for Education accounts, students may access and use the following "Core Services" offered by Google (described at [https://workspace.google.com/terms/user\\_features.html](https://workspace.google.com/terms/user_features.html)):

*Gmail*

*Currents*

*Calendar*

*Chrome Sync*

*Classroom*

*Cloud Search*

*Contacts*

*Docs, Forms, Sheets, Slides, Vids*

*Drive*

*Groups*

*Google Chat, Google Meet*

*Keep*

*Read Along*

*Sites*

*Vault*

In addition, we also allow students to access certain other Google services with their Google Workspace for Education accounts. Specifically, your child may have access to the following "Additional Services":

*Applied Digital Skills*  
*Chrome Web Store*  
*Colab*  
*CS First*  
*Google Arts and Culture*  
*Google Bookmarks*  
*Google Books*  
*Google Colab*  
*Google Earth*  
*Google Gemini 13+ (only applicable for Students 13 and older)*  
*Google Maps*  
*Google Takeout*  
*Google Translate*  
*Google Play*  
*Looker Studio*  
*Material Gallery*  
*Notebook LM*  
*Search & Assistant*  
*YouTube*

*Google provides information about the information it collects, as well as how it uses and discloses the information it collects from Google Workspace for Education accounts in its Google Workspace for Education Privacy Notice. You can read that notice online at [https://workspace.google.com/terms/education\\_privacy.html](https://workspace.google.com/terms/education_privacy.html). You should review this information in its entirety, but below are answers to some common questions:*

***What personal information does Google collect?***

*When creating a student account, Napa Valley Unified School District may provide Google with certain personal information about the student, including, for example, a name, email address, and password. Google may also collect personal information directly from students, such as telephone numbers for account recovery or a profile photo added to the Google Workspace for Education account.*

*When a student uses Google services, Google also collects information based on the use of those services. This includes:*

*device information, such as the hardware model, operating system version, unique device identifiers, and mobile network information including phone number; log information, including details of how a user uses Google services, device event information, and the user's Internet protocol (IP) address; location information, as determined by various technologies including IP address, GPS, and other sensors; unique application numbers, such as application version numbers; and cookies or similar technologies which are used to collect and store information about a browser or device, such as preferred language and other settings.*

*How does Google use this information?*

*In Google Workspace for Education Core Services, Google uses student personal information to provide, maintain, and protect the services. Google does not serve ads in the Core Services or use personal information collected in the Core Services for advertising purposes.*

*In Google Additional Services, Google uses the information collected from all Additional Services to provide, maintain, protect and improve them, to develop new ones, and to protect Google and its users. Google may also use this*

information to offer tailored content, such as more relevant search results. Google may combine personal information from one service with information, including personal information, from other Google services.

*Does Google use student personal information for users in K-12 schools to target advertising?*

*No. For Google Workspace for Education users in primary and secondary (K-12) schools, Google does not use any user personal information (or any information associated with a Google Workspace for Education Account) to target ads, whether in Core Services or in other Additional Services accessed while using a Google Workspace for Education account.*

**Can my child share information with others using the Google Workspace for Education account?**

*We may allow students to access Google services such as Google Docs and Sites, which include features where users can share information with others or publicly. When users share information publicly, it may be indexable by search engines, including Google.*

**Will Google disclose my child's personal information?**

*Google will not share personal information with companies, organizations, and individuals outside of Google unless one of the following circumstances applies:*

*With parental or guardian consent Google will share personal information with companies, organizations, or individuals outside of Google when it has parents' consent (for users below the age of consent), which may be obtained through Google Workspace for Education schools.*

*Napa Valley Unified School District Google Workspace for Education accounts, because they are school-managed accounts, give administrators access to information stored in them.*

*For external processing. Google may provide personal information to affiliates or other trusted businesses or persons to process it for Google, based on Google's instructions and in compliance with the Google Workspace for Education privacy notice and any other appropriate confidentiality and security measures.*

*For legal reasons, Google will share personal information with companies, organizations, or individuals outside of Google if it has a good-faith belief that access, use, preservation, or disclosure of the information is reasonably necessary to:*

*meet any applicable law, regulation, legal process, or enforceable governmental request;*

*enforce applicable Terms of Service, including investigation of potential violations;*

*detect, prevent, or otherwise address fraud, security, or technical issues;*

*protect against harm to the rights, property, or safety of Google, Google users, or the public as required or permitted by law.*

*Google also shares non-personal information such as trends about the use of its services publicly and with its partners.*

**What choices do I have as a parent or guardian?**

*First, you can consent to the collection and use of your child's information by Google by choosing "Allow" on your Data Confirmation form. If you don't provide your consent, your child will not be able to access important educational resources and content provided by Napa Valley Unified School District.*

*If you consent to your child's use of Google Workspace for Education, you and your child can visit <https://myaccount.google.com> while signed in to the Google Workspace for Education account to view and manage the personal information and settings of the account.*

### **What if I have more questions or would like to read further?**

If you want to learn more about how Google collects, uses, and discloses personal information to provide services to us, please review the Google Workspace for Education Privacy Center (at <https://www.google.com/edu/trust/>), the Google Workspace for Education Privacy Notice (at [https://workspace.google.com/terms/education\\_privacy.html](https://workspace.google.com/terms/education_privacy.html)), and the Google Privacy Policy (at <https://www.google.com/intl/en/policies/privacy/>).

The Core Google Workspace for Education services are provided to us under Google Workspace for Education Agreement (at [https://www.google.com/apps/intl/en/terms/education\\_terms.html](https://www.google.com/apps/intl/en/terms/education_terms.html))

### **Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA):**

PPRA affords parents/guardians of elementary and secondary students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education ("DoE"):

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or student's parent; or
8. Income, other than as required by law to determine program eligibility.

Receive notice and an opportunity to opt a student out of:

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (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.)

Inspect, upon request and before administration or use:

1. Protected information surveys of students and surveys created by a third party;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law. Board policies regarding these rights may be obtained from the school district or county office.

Parents/guardians who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, S.W. Washington, D.C. 20202-5920

20 U.S.C. § 1232h.