

PARENTAL ACCESS TO INSTRUCTIONAL MATERIALS, THIRD PARTY SURVEYS
AND MARKETING SURVEYS

I. Introduction:

- A. This policy governs the District's use and disclosure of Instructional Materials, Protected Information Surveys, Third Party Surveys and Marketing Surveys.
- B. For the purposes of this regulation the term "parent" means parent or legal guardian or other person standing in loco parentis to a student.
- C. The District's Records Access Officer is:

Business Official
Waterville Central School District
381 Madison Street
Waterville, NY 13480
Telephone: (315) 841- 3913

II. Protected Information Surveys:

- A. A "Protected Information Survey" is any survey, analysis or evaluation of students that is required by the BOCES and concerns one or more of the following eight protected areas:
 - 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 student's parent;

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8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
 - B. The District will not, without prior written consent, require as part of any applicable program, any student to submit to a Protected Information Survey if the survey is funded in whole or in part by the US Department of Education.
 - C. The District will provide parents and eligible students with notice and the opportunity to opt-out of any Protected Information Surveys regardless of funding.
 - D. In the event that the District administers a Protected Information Survey, the District will:
 1. Strictly safeguard all protected information.
 2. Not use the protected information for any improper purpose.
 3. Restrict the disclosure of the protected information to persons the BOCES deems essential to the purpose of the collection.
 4. Allow requesting parents an opportunity to inspect the Protected Information Survey.
- III. Instructional Materials:
- A. The term “Instructional Materials” means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.
 - B. The District will make available for inspection by parents 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 applicable program.
 - C. A parent may request the opportunity to inspect instructional materials according to the following procedure:
 1. Requests for inspection of instructional materials may be submitted during regular school hours to the District’s Records Access Officer. The request

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should be precise enough for the appropriate teacher to find the requested materials.

2. The District Access Officer will review the request with the appropriate teacher and will determine:
 - a. Whether the materials are instructional in nature, and
 - b. What steps, if any, must be taken to preserve the privacy of any student who is not the legal responsibility of the requesting parent.
3. The District will respond to a parent's request for inspection within a reasonable period of time after the District's receipt of the request.
 - a. If the Records Access Officer determines that the requested materials are not instructional in nature, the Records Access Officer will notify the requesting parent of his/her determination.
 - b. If the Records Access Officer determines that the requested materials are instructional in nature, the appropriate teacher:
 - i. Will take all steps that are necessary to preserve the privacy of any student who is not the legal responsibility of the requesting parent, and
 - ii. Will promptly contact and schedule a meeting with the requesting parent. The purpose of the meeting will be to provide the requesting parent the opportunity to inspect the instructional materials that he/she requested.

IV. Third Party Surveys:

- A. The term "Third Party Survey" means any survey created by a third party and administered or distributed by the school district.
- B. The BOCES will notify parents of its intent to administer or distribute a third party survey before it is administered or distributed to students. A parent who submits a timely request will be granted a reasonable opportunity to inspect the third party survey before the District administers it or distributes it to students.

V. Marketing Surveys:

- A. The term "Marketing Surveys" means any survey used to disclose or collect individually identifiable information (including a student or parent's first and last

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name, home or physical address (including street name and city/town name), telephone number or social security identification number) from students for the purpose of marketing or selling the collected information, or providing that information to others for the purpose of marketing or selling the collected information.

- B. The term “Marketing Surveys” does not include any instrument used to disclose or collect such information for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to students or institutions such as:
1. Colleges or other postsecondary educational recruiters or, military recruiters;
 2. Book clubs, magazines, and programs providing access to low-cost literary products;
 3. Curriculum and instructional materials used by elementary schools and secondary schools;
 4. Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about 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;
 5. The sale by students of products or services to raise funds for school-related or education-related activities;
 6. Student recognition programs.
- C. The District will notify parents of its intent to administer or distribute a marketing survey before it is administered or distributed to students. A parent who submits a timely request will be granted a reasonable opportunity to inspect the marketing survey before the District administers it or distributes it to students. Requests should be submitted to the District’s Records Access Officer during regular business hours.
- D. If the District uses a marketing survey to collect individually identifiable information from students, the District will:
1. Strictly safeguard all confidential student information that is collected;

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2. Not use such information for any improper purpose;
3. Restrict the disclosure of such information to persons the District deems essential to the purpose of the collection;
4. Allow requesting parents an opportunity to inspect the Marketing Survey.

VI. Parental Notification:

- A. The District will notify parents of the adoption or continued use 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.
- B. The District will notify parents (or in the case of a student of an appropriate age, the student) annually of the specific or approximate dates when activities involving “Marketing Instruments (as defined by this regulation) are scheduled. The annual notice will offer parents the opportunity to opt their child out of such activities.
- C. The District will notify parents annually of the specific or approximate dates when activities involving Protected Information Surveys are scheduled. The annual notice will:
 1. Offer parents the opportunity to provide prior written consent for their child’s participation in any Protected Information Survey that is funded in whole or in part by the US Department of Education,
 2. Offer parents the opportunity to opt their child out of participation in any Protected Information Survey regardless of funding.

VII. Parental Participation: The original policy was developed and adopted in consultation with parents.

Waterville Central School District

Legal Ref: 20 USCA 1232(h); 34 CFR Part 98.

Cross Ref: Policy 7500, Education Records

Adopted: 03/25/03

Revised: 07/08/03, 06/13/17