

1 Great Falls School District

2
3 **INSTRUCTION**

2131

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5 Student and Family Privacy Rights

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7 All fundamental parental rights are exclusively reserved to the parent of a child without
8 obstruction or interference by a government entity as consistently recognized in state and federal
9 courts and as required by state and federal law and District policy.

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11 Surveys – General

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13 All surveys requesting personal information from students, as well as any other instrument used
14 to collect personal information from students, must advance or relate to the District’s educational
15 objectives as identified in Board Policy. This applies to all surveys, regardless of whether the
16 student answering the questions can be identified and regardless of who created the survey.

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18 Parental Rights Regarding Surveys

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20 Except for information that is necessary and essential for establishing a student’s education
21 record or for a demographic survey to validate an achievement test used to gain admission to a
22 post-secondary institution, parents shall have the right to:

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- 24 • Opt their child out of any personal analysis, evaluation, survey, or data collection by the
District that does not require personally identifiable information; and
 - 25 • Opt their child in to any personal analysis, evaluation, survey, or data collection by a
26 school district that requires personally identifiable information.
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28 Surveys Created by a Third Party

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30 Before the District administers or distributes a survey created by a third party to a student, the
31 student’s parent(s)/guardian(s) may inspect the survey upon request and within a reasonable time
32 of their request.

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34 This section applies to every survey: (1) that is created by a person or entity other than a District
35 official, staff member, or student, (2) regardless of whether the student answering the questions
36 can be identified, and (3) regardless of the subject matter of the questions.

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38 Surveys Requesting Personal Information

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40 Unless required by law, school officials and staff members shall not request, nor disclose, the
41 identity of any student who
42 completes ANY survey containing one (1) or more of the following items:

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- 44 • Political affiliations or beliefs of the student or the student’s parent/guardian;
 - 45 • Mental or psychological problems of the student or the student’s family;
 - 46 • Behavior or attitudes about sex;

- 1 • Illegal, antisocial, self-incriminating, or demeaning behavior;
- 2 • Critical appraisals of other individuals with whom students have close family
- 3 relationships;
- 4 • Legally recognized privileged or analogous relationships, such as those with lawyers,
- 5 physicians, and ministers;
- 6 • Religious practices, affiliations, or beliefs of the student or the student’s parent/guardian;
- 7 • Income (other than that required by law to determine eligibility for participation in a
- 8 program or for receiving financial assistance under such program).

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10 The student’s parent(s)/guardian(s) may:

- 11 • Inspect the survey within a reasonable time of the request; and/or
 - 12 • Refuse to allow their child to participate in any survey requesting personal information.
- 13 The school shall not penalize any student whose parent(s)/guardian(s) exercise this
- 14 option.
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17 No student in the District shall be required, as part of any applicable program, to submit to any

18 survey, analysis, or evaluation that requests or requires the disclosure of the above-noted

19 personal information in this section without the prior consent of the student (if the student is an

20 adult or emancipated minor), or in the case of an unemancipated minor, without the prior written

21 consent of the parent. This provision specifically documents the arrangements taken to protect

22 student privacy in accordance with 20 USC §1232h(c)(1)(a)(b).

23 Instructional Material

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26 A student’s parent(s)/guardian(s) may, within a reasonable time of the request, inspect any

27 instructional material used as part of their child’s educational curriculum.

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29 The term “instructional material,” for purposes of this policy, means instructional content that is

30 provided to a student, regardless of its format, printed or representational materials, audio-visual

31 materials, and materials in electronic or digital formats (such as materials accessible through the

32 Internet). The term does not include academic tests or academic assessments.

33 Collection of Personal Information from Students for Marketing Prohibited

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36 The term “personal information,” for purposes of this section only, means individually

37 identifiable information including: (1) a student’s or parent’s first and last name, (2) a home or

38 other physical address (including street name and the name of the city or town), (3) telephone

39 number, or (4) a Social Security identification number.

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41 The District will not collect, disclose, or use student personal information for the purpose of

42 marketing or selling that information or otherwise providing that information to others for that

43 purpose.

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45 The District, however, is not prohibited from collecting, disclosing, or using personal

46 information collected from students for the exclusive purpose of developing, evaluating, or

1 providing educational products or services for, or to, students or educational institutions such as
 2 the following:

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- 4 • College or other post-secondary education recruitment or military recruitment;
- 5 • Book clubs, magazines, and programs providing access to low-cost literary products;
- 6 • Curriculum and instructional materials used by elementary schools and secondary
 7 schools;
- 8 • Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or
 9 achievement information about students (or to generate other statistically useful data for
 10 the purpose of securing such tests and assessments) and the subsequent analysis and
 11 public release of the aggregate data from such tests and assessments;
- 12 • The sale by students of products or services to raise funds for school-related or education-
 13 related activities;
- 14 • Student recognition programs.

15 Notification of Rights and Procedures

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 18 This policy shall be posted on the District’s website and provided in a manner specified in
 19 accordance with law and policy. The Superintendent or designee shall notify students’
 20 parents/guardians of:

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- 22 • This policy as well as its availability from the administration office upon request;
- 23 • How to opt their child out of participation in activities as provided in this policy;
- 24 • The approximate dates during the school year when a survey requesting personal
 25 information, as described above, is scheduled or expected to be scheduled;
- 26 • How to request access to any survey or other material described in this policy.

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 28 This notification shall be given parents/guardians at least annually at the beginning of the school
 29 year and within a reasonable period after any substantive change in this policy.

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 31 The rights provided to parents/guardians in this policy transfer to the student when the student
 32 turns eighteen (18) years of age or is an emancipated minor.

33 Cross References:

34 Policy 1000	Legal Status, Operation, and Organization
35 Policy 1770	Uniform Complaint Procedure
36 Policy 2000	Goals
37 Policy 2120	Curriculum and Assessment
38 Policy 2130	Program Evaluation and Diagnostic Test
39 Policy 2132	Research Studies
40 Policy 2158	Family Engagement Policy
41 Policy 2160	Title 1 Parent and Family Engagement
42 Policy 2160P	Title 1 Equivalency Comparability
43 Policy 2311	Instructional Materials
44 Policy 2335	Human Sexuality Instruction and Identity Instruction
45 Policy 3200	Student Rights and Responsibilities

1	Policy 3233	Student Use of Building – Equal Access
2	Policy 3410	Student Health/Physical Screenings/Examinations
3	Policy 3413	Student Immunization
4	Policy 3413F1	Immunization Exemption Form
5	Policy 3413F2	Religious Exemption Statement
6	Policy 3600	Student Records
7	Policy 3600P	Student Records
8	Policy 3600R	Student Records
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10	<u>Legal References:</u>	
11	20 U.S.C. § 1232g, et seq.	Family Education Rights and Privacy Act
12	20 U.S.C. 1232h	Protection of Pupil Rights
13	20 U.S.C. 6318	Parent and Family Engagement
14	§ 40-6-701, MCA	Interference with Fundamental Parental Rights Restricted
15	§ 40-6-702, MCA	Fundamental Parental Rights
16	§ 40-6-703. MCA	Increase Parental Involvement in Education
17	10.55.601	Accreditation Standards: Procedures
18	10.55.701	Board of Trustees
19	10.55.722	Family and Community Engagement
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21	<u>Policy History:</u>	
22	Adopted on:	June 8, 2015
23	Revised on:	August 21, 2023
24	Revised on:	June 10, 2024
25	Revised on:	February 9, 2026