Title: **Student Rights/Surveys**
Code: 235
Book: Policy Manual
Section: 200 Pupils

Purpose

This policy sets forth guidelines by which student rights and responsibilities are determined, consistent with law and regulations.

Definition

Personal information means individually identifiable information including a student's or parent's/guardian's name, address, telephone number, or social security number.

Authority

The Board has the authority and responsibility to establish reasonable rules and regulations for the conduct and deportment of district students. At the same time, no student shall be deprived of equal treatment and equal access to the educational program, due process, a presumption of innocence, and free expression and association, in accordance with Board policy and school rules.[1][2][3][4][5]

Surveys conducted by outside agencies, organizations and individuals shall be approved by the Board, based on the Superintendent's recommendation, prior to administration to students.

Guidelines

Attendant upon the rights established for each student are certain responsibilities, which include regular attendance; conscientious effort in classroom work and homework; conformance to Board policies and school rules and regulations; respect for the rights of students, administrators, and others; and expression of ideas and opinions in a respectful manner.[6][3]

A listing of students' rights and responsibilities shall be included in the Code of Student Conduct, which shall be distributed annually to students and parents/guardians.[3][7]

A student who has reached the age of eighteen (18) years possesses the full rights of an adult and may authorize those school matters previously handled by a parent/ guardian.

Each student who has reached the age of eighteen (18) years shall assume full responsibility for his/her performance in school, attendance, and compliance with school rules and regulations.

The parent/guardian of each student reaching the age of eighteen (18) shall be informed of the student's rights.

Instructional Materials

The parent/guardian shall be notified annually that all instructional materials, including teachers' manuals, audiovisuals, and other supplementary instructional material used in the instructional program shall be available for inspection by the parents/guardians of students, in accordance with Board policy. Instructional materials do not include tests or academic assessments.[8]

Surveys/Evaluations

All surveys and instruments used to collect information from students shall relate to the district's educational objectives.

The parent/guardian shall be informed of the nature and scope of individual surveys and their relationship to the educational program of their child and the parent's/ guardian's right to inspect, upon request, a survey created by a third party prior to administration or distribution to a student. Such requests shall be in writing and submitted to the building principal and/or Superintendent.[9][10]

No student shall be required, without written parental consent for students under eighteen (18) years of age or written consent of emancipated students or those over eighteen (18) years, to submit to a survey, analysis, or evaluation that reveals information concerning:[9][11]

1. Political affiliations or beliefs of student or parent/guardian.
2. Mental and psychological problems of the student or family.
3. Sexual behavior or attitudes.
4. Illegal, antisocial, 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 with lawyers, physicians, and ministers.
7. Religious practices, affiliations, or beliefs of the student or parent/guardian.
8. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

However, such survey, analysis or evaluation may be conducted on a voluntary basis, provided that the student and

parent/guardian have been notified of their right to inspect all related materials and to opt the student out of participation.

The district shall implement procedures to protect student identity and privacy when a survey contains any of the restricted subject areas listed above.

Collection of Information for Marketing

The parent/guardian has the right to inspect the material and opt out the student from participating in any activity that results in the collection, disclosure or use of personal information for purposes 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.[9]

Delegation of Responsibility

The Superintendent or designee shall develop and promulgate procedures consistent with law and Board policy to ensure that student rights under specific conditions are properly recognized and maintained.

The Superintendent or designee shall annually notify the parent/guardian concerning:[9]

1. Contents of this policy and its availability.

2. Contents of the Code of Student Conduct.[3]

3. Approximate dates that any surveys requesting personal information may be scheduled.

4. Procedures to request access to survey instruments prior to administration.

5. Procedures for opting students out of participation in surveys.

Adopted: **October 21, 1981**
Last Revised: **January 16, 2007**

Legal References:

- 1. 24 P.S. 510
- 2. 22 PA Code 12.1
- 3. 22 PA Code 12.3
- 4. 22 PA Code 12.4
- 5. 22 PA Code 12.9
- 6. 22 PA Code 12.2
- 7. Pol. 218
- 8. Pol. 105.1
- 9. 20 U.S.C. 1232h
- 10. 22 PA Code 12.41
- 11. 22 PA Code 4.4
- 22 PA Code 403.1