520 STUDENT SURVEYS

I. PURPOSE

Occasionally, the school district utilizes surveys to obtain student opinions and information about students. The purpose of this policy is to establish the parameters of information that may be sought in student surveys.

II. GENERAL STATEMENT OF POLICY

Student surveys may be conducted as determined necessary by the school district. Surveys, analyses and evaluations conducted as part of any program funded through the U.S. Department of Education must comply with 20 United States Code, section 1232h.

III. STUDENT SURVEYS IN GENERAL

A. Student surveys will be conducted anonymously and in an indiscernible fashion. No mechanism will be used for identifying the participating student in any way. No attempt will be made in any way to identify a student survey participant. No requirement that the student return the survey shall exist and no record of the student's returning a survey will be maintained.

B. The superintendent may choose not to approve any survey that seeks probing personal and/or sensitive information that could result in identifying the survey participant, or is discriminatory in nature based on age, race, color, sex, disability, religion or national origin.

C. Surveys containing questions pertaining to the student's or the student's parent(s) or guardian(s) personal beliefs or practices in sex, family life, morality and religion will not be administered to any student unless the parent or guardian of the student is notified in writing that such survey is to be administered and the parent or guardian of the student gives written permission for the student to participate or has the opportunity to opt out of the survey depending upon how the survey is funded. Any and all documents containing the written permission of a parent for a student to participate in a survey will be maintained by the school district in a file separate from the survey responses.

D. Although the survey is conducted anonymously, potential exists for personally identifiable information to be provided in response thereto. To the extent that personally identifiable information of a student is contained in his or her responses to a survey, the school district will take appropriate steps to ensure the data is protected in accordance with Minnesota Statutes, Chapter 13 (Minnesota

Government Data Practices Act), 20 United States Code, section 1232g (Family Educational Rights and Privacy Act) and 34 Code of Federal Regulations, Part 99.

E. The school district must not impose an academic or other penalty on a student who opts out of participating in a student survey.

IV. STUDENT SURVEYS CONDUCTED AS PART OF DEPARTMENT OF EDUCATION PROGRAM

A. 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 program funded in whole or in part by the U.S. Department of Education, shall be available for inspection by the parents or guardians of the students.

B. No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent, to submit to a survey, analysis or evaluation that reveals information concerning:

1. political affiliations or beliefs of the student or the student's parent;

2. mental and psychological problems of the student or the student's family;

3. sex behavior and 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 of lawyers, physicians and ministers;

7. religious practices, affiliations or beliefs of the student or the student's parent; or

8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

C. A school district that receives funds under any program funded by the U.S. Department of Education shall develop local policies consistent with Paragraphs

IV.A. and IV.B., above, concerning student privacy, parental access to information and administration of certain physical examinations to minors.

1. The following policies are to be adopted in consultation with parents:

   a. The right of a parent of a student to inspect, upon request of the parent, a survey, including an evaluation, created by a third party before the survey is administered or distributed by a school to a student, including any applicable procedures for granting a parent's request for reasonable access to such survey within a reasonable period of time after the request is received.

      "Parent' means a legal guardian or other person acting *in loco parentis* (in place of a parent), such as a grandparent or stepparent with whom the student lives, or a person who is legally responsible for the welfare of the student.

   b. Arrangements to protect student privacy in the event of the administration or distribution of a survey, including an evaluation, to a student which contains one or more of the items listed in Paragraph IV.B., above, including the right of a parent of a student to inspect, upon request of the parent, any such survey.

   c. The right of a parent of a student to inspect, upon request of the parent, any instructional material used as part of the educational curriculum for the student and any applicable procedures for granting a request by a parent for reasonable access to instructional material within a reasonable period of time after the request is received.

      "Instructional material" means instructional content that is provided to a student, regardless of 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.

   d. The administration of physical examinations or screenings that the school district may administer to a student. This provision does not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (20 United States Code, section 1400, *et. seq*.).

   e. The collection, disclosure or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing the information to others for

that purpose), including arrangements to protect student privacy that are provided by the school district in the event of such collection, disclosure or use.

(1) "Personal information" means individually identifiable information including a student or parent's first and last name, a home or other physical address (including street name and the name of the city or town), a telephone number or a Social Security identification number.

(2) This provision 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, such as:

(a) college or other postsecondary education recruitment or military recruitment;

(b) book clubs, magazines and programs providing access to low-cost literary products;

(c) curriculum and instructional materials used by elementary and secondary schools;

(d) 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;

(e) the sale by students of products or services to raise funds for school-related or education-related activities; and

(f) student recognition programs.

(3) The right of a parent to inspect, on request, any instrument used in the collection of information, as described in Subparagraph IV.C.1.e., above, before the instrument is administered or distributed to a student and procedures for granting a request by a parent for reasonable access to such

an instrument within a reasonable period of time after the request is received.

2. The policies adopted under Subparagraph IV.C.1., above, shall provide for reasonable notice of the adoption or continued use of such policies directly to parents of students enrolled in or served by the school district.

   a. The notice will be provided at least annually, at the beginning of the school year and within a reasonable period of time after any substantive change in a policy.

   b. The notice will provide parents with an opportunity to opt out of participation in the following activities:

      (1) Activities involving 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.

      (2) The administration of any third-party survey (non-Department of Education funded) containing one or more of the items contained in Paragraph IV.B., above.

      (3) Any nonemergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school and scheduled by the school in advance, and not necessary to protect the immediate health and safety of the student or other students.

      "Invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion or injection into the body, but does not include a hearing, vision or scoliosis screening.

   c. The notice will advise students of the specific or approximate dates during the school year when the activities in Subparagraph IV.C.2.b., above, are scheduled or expected to be scheduled.

   d. The notice provisions shall not be construed to preempt applicable provisions of state law that require parental notification and do not apply to any physical examination or screening that is permitted or required by applicable state law, including physical examinations or screenings that are permitted without parental notification.

V. NOTICE

A. The school district must give parents and students direct notice of this policy at the beginning of each school year and after making substantive changes to this policy.

B. The school district must inform parents at the beginning of the school year if the district or school has identified specific or approximate dates for administering surveys and give parents reasonable notice of planned surveys scheduled after the start of the school year. The school district must give parents direct, timely notice when their students are scheduled to participate in a student survey by United States mail, e-mail or another direct form of communication.

C. The school district must give parents the opportunity to review the survey and to opt their students out of participating in the survey.

Legal References:
Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 121A.065 (District Surveys to Collect Student Information; Parent Notice and Opportunity for Opting Out)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
20 U.S.C. § 1232h (Protection of Pupil Rights)
34 C.F.R. § 99 (Family Educational Rights and Privacy Act Regulations)
Gonzaga University v. Doe. 536 U.S. 273(2002)
C.N. v. Ridgewood Bd. Of Educ., 430 F.3d. 159 (3rd Cir. 2005)
Fields v. Palmdale School Dist., 427 F.3d 1197 (9th Cir. 2005)

Cross References:
Policy 515 (Protection and Privacy of Student Records)
Policy 521 (Student Disability Nondiscrimination)
Policy 522 (Title IX Sex Nondiscrimination, Grievance Procedure and Process)

Resources:
U.S. Department of Education, *Family Educational Rights Privacy Act (FERPA)* (accessed 11/03/25)
U.S. Department of Education, *Protection of Pupil Rights Amendment (PPRA)* (accessed 11/03/25)

Policy Adopted: 4/18/05
Policy Revised: 6/19/17, 6/15/20, 7/17/23, 7/20/26
Alexandria Public Schools- No. 206
Alexandria, Minnesota

520A STUDENT SURVEYS - PUBLIC NOTICE

Alexandria Public Schools - No. 206 gives notice to parents of students currently in attendance in the school district, eligible students currently in attendance in the school district and students currently in attendance in the school district of their rights regarding the conduct of surveys, collection and use of information for marketing purposes and certain physical examinations.

1. Parents, eligible students and students are hereby informed that they have the following rights:

    a. 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 program funded in whole or in part by the U.S. Department of Education, shall be available for inspection by parents or guardians of students.

    b. No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent, to submit to a survey that reveals information concerning:

        (1) political affiliations or beliefs of the student or the student's parent;

        (2) mental and psychological problems of the student or the student's family;

        (3) sex 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 of lawyers, physicians and ministers;

        (7) religious practices, affiliations or beliefs of the student or the student's parent; or

        (8) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

    c. A parent, on behalf of a student or an eligible student, has the right to

receive notice and an opportunity to opt the student out of participating in:

(1) Activities involving 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.

(2) The administration of any third-party survey (non-Department of Education funded) containing one or more of the items contained in Paragraph 1.b., above.

(3) Any nonemergency, invasive physical examination or screening that is 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 examination or screening permitted or required under state law.

d. This notice does not preempt applicable state law that may require parental notification.

e. The school district has developed and adopted a policy, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure or use of personal information for marketing, sales or other distribution purposes.

f. The school district will directly notify parents and eligible students of these policies at least annually at the start of each school year and after any substantive changes.

g. The school district will directly notify parents and eligible students, at least annually at the start of each school year or if scheduled thereafter, parents will be provided with reasonable notice, of the specific or approximate dates of the following activities and provide an opportunity to opt a student out of participating in:

(1) Collection, disclosure or use of personal information for marketing, sales or other distribution.

(2) Administration of any protected information survey not funded in whole or in part by the U.S. Department of Education.

(3) Any nonemergency, invasive physical examination or screening as described above.

[See consent/opt-out for specific activities attached hereto.]

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

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202-5920

ALEXANDRIA PUBLIC SCHOOLS - NO. 206
ALEXANDRIA, MINNESOTA

Dated:_____

_____
Chair

PPRA NOTICE AND CONSENT/OPT-OUT FOR SPECIFIC ACTIVITIES

The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h, requires Alexandria Public Schools – No. 206 to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include a student survey, analysis or evaluation that concerns one or more of the following eight areas ("protected information surveys"):

1. Political affiliations or beliefs of the student or the student's parent;
2. Mental and psychological problems of the student or the student's family;
3. Sex 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 of lawyers, physicians and ministers;
7. Religious practices, affiliations or beliefs of the student or the student's parent; or
8. Income, other than as required by law to determine program eligibility.

This requirement also applies to the collection, disclosure or use of student information for marketing purposes ("marketing surveys") and certain physical examinations and screenings.

Following is a schedule of activities requiring parental notification and consent or opt-out for the upcoming school year. (Please note that this notice and consent/opt-out transfers from parents to any student who is 18 or older or an emancipated minor under state law.

Date:
Grades: [see sample activity notices attached]
Activity:
Summary:

Consent or Opt-out: [or both depending on situation]

If you wish to review any survey instrument or instructional material used in connection with any protected information or marketing survey, please submit a request to **[school official, address]**. **[School official]** will notify you of the time and place where you may review these materials. You have the right to review a survey and/or instructional materials before the survey is administered to a student.

I [parent's name] give my consent for [child's name] to take [survey] on [date].

_____
Parent's signature

Please return this form no later than [insert date] to [name of school official and mailing

address].

EXAMPLES OF ACTIVITIES

Date: On or about October 15, 2010
Grades: Five and Six
Activity: ABC Survey of At-Risk Behaviors
Summary: This is an anonymous survey that asks students questions about behaviors such as drug and alcohol use, sexual conduct, violence and other at-risk behaviors. The survey also asks questions of a demographic nature concerning family make-up, the relationship between parent and children and use of alcohol and drugs at home.

Consent **[for U.S. Department of Education funded, protected information surveys only]**: A parent must sign and return the attached consent form no later than **[insert return date]** so that your child may participate in this survey.

Opt-out **[for any non-U.S. Department of Education funded protected information survey]**: Contact **[school official]** at **[telephone number, email, address, etc.]** no later than **[date]** if you do not want your child to participate in this activity.

Date: November 22-24, 2010
Grades: One through Six
Activity: Flu Shots
Summary: The County Department of Public Health Services will administer flu shots for influenza types A and B.

Opt-out: Contact **[school official]** at **[telephone number, email, address, etc.]** no later than **[date]** if you do not want your child to participate in this activity.

Below is an example dealing with the collection, use and distribution of personal information for student-based commercial services.

[Limited to personal information designated as "directory information"]

Date: 2010-2011 School Year
Grades: Nine through Twelve
Activity: Student-Based Commercial Services
Summary: **[School]** collects, or allows businesses to collect, use and disclose personal information on students, including names, addresses and telephone listings. These businesses provide student-based products and services, such as computer equipment, sports clothing, school jewelry and entertainment products.

Opt-out: Contact **[school official]** at **[telephone number, email, address, etc.]** no later than **[date]** if you do not want your child to participate in this activity.

[Note: This information – names, addresses and telephone listings – may be designated and

disclosed as "directory information" under the school district's student records policy. Instead of using this Model Notice format, schools *may* meet PPRA notice requirements for specific marketing activities that involve only designated "directory information" by allowing parents to opt out of "directory information" at the start of each school year, which would include all marketing activities.]