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3 **INSTRUCTION**

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5 Student and Family Privacy Rights

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7 Surveys - General

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

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14 Surveys Created by a Third Party

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

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

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23 Surveys Requesting Personal Information

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25 No student shall be required, as part of any applicable program, to submit to a survey, analysis, or
26 evaluation that reveals information concerning:

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- 28 1. Political affiliations or beliefs of the student or the student's parent/guardian;
 - 29 2. Mental or psychological problems of the student or the student's family;
 - 30 3. Behavior or attitudes about sex;
 - 31 4. Illegal, antisocial, self-incriminating, or demeaning behavior;
 - 32 5. Critical appraisals of other individuals with whom students have close family relationships;
 - 33 6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians,
34 and ministers;
 - 35 7. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian;
 - 36 8. Income (other than that required by law to determine eligibility for participation in a program or
37 for receiving financial assistance under such program).
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39 Without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of
40 an unemancipated minor, without the prior written consent of the parent. Furthermore, school officials
41 and staff members shall not request, nor disclose, the identity of any student who completes ANY survey
42 containing the preceding 8 categories of information.

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44 The student's parent(s)/guardian(s) may:

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- 46 1. Inspect the survey within a reasonable time of the request; and/or
 - 47 2. Refuse to allow their child to participate in any survey requesting personal information. The
48 school shall not penalize any student whose parent(s)/guardian(s) exercise this option.
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4 Instructional Material
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6 A student’s parent(s)/guardian(s) may, within a reasonable time of the request, inspect any instructional
7 material used as part of their child’s educational curriculum.
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9 The term “instructional material,” for purposes of this policy, means instructional content that is provided
10 to a student, regardless of its format, printed or representational materials, audio-visual materials, and
11 materials in electronic or digital formats (such as materials accessible through the Internet). The term
12 does not include academic tests or academic assessments.
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14 Collection of Personal Information From Students for Marketing Prohibited
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16 The term “personal information,” for purposes of this section only, means individually identifiable
17 information including: (1) a student’s or parent’s first and last name, (2) a home or other physical address
18 (including street name and the name of the city or town), (3) telephone number, or (4) a Social Security
19 identification number.
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21 The District will not collect, disclose, or use student personal information for the purpose of marketing or
22 selling that information or otherwise providing that information to others for that purpose.
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24 The District, however, is not prohibited from collecting, disclosing, or using personal information
25 collected from students for the exclusive purpose of developing, evaluating, or providing educational
26 products or services for, or to, students or educational institutions such as the following:
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- 28 1. College or other post-secondary education recruitment or military recruitment;
- 29 2. Book clubs, magazines, and programs providing access to low-cost literary products;
- 30 3. Curriculum and instructional materials used by elementary schools and secondary schools;
- 31 4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or
32 achievement information about students (or to generate other statistically useful data for the
33 purpose of securing such tests and assessments) and the subsequent analysis and public release of
34 the aggregate data from such tests and assessments;
- 35 5. The sale by students of products or services to raise funds for school-related or education-related
36 activities;
- 37 6. Student recognition programs.
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39 Notification of Rights and Procedures
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41 The Superintendent or designee shall notify students’ parents/guardians of:
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- 43 1. This policy as well as its availability from the administration office upon request;
- 44 2. How to opt their child out of participation in activities as provided in this policy;
- 45 3. The approximate dates during the school year when a survey requesting personal information, as
46 described above, is scheduled or expected to be scheduled;
- 47 4. How to request access to any survey or other material described in this policy.
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49 This notification shall be given parents/guardians at least annually at the beginning of the school year and
50 within a reasonable period after any substantive change in this policy.
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The rights provided to parents/guardians in this policy transfer to the student, when the student turns eighteen (18) years of age or is an emancipated minor.

Cross Reference: 2311 Instructional Materials
 3200 Student Rights and Responsibilities
 3410 Student Health/Physical Screenings/Examinations

Legal Reference: 20 U.S.C. 1232h Protection of Pupil Rights

Policy History:

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