

## STUDENT SURVEYS

The Board recognizes the importance of maintaining student records and preserving their confidentiality. Student records containing personally identifiable information are kept confidential at collection, storage, disclosure and destruction stages. Boards that receive funds under any applicable program must provide reasonable notice to parents at least annually at the beginning of the school year that their children may be involved in Board approved third party surveys. The school must also give the parents the opportunity to opt their child out of the activity. A student shall not be required, as part of any applicable program, 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 or psychological problems of the student or the student's family, "potentially embarrassing to the student or 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 students or 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)

Annually, the Board must provide reasonable notice to parents that their child may be involved in Board approved third party surveys. The school must also give the parents the opportunity to opt their child out of the activity.

Parents have a right to inspect a survey created by a third party before that survey is administered by the school to students. Parents will be notified by the school when a survey is to be administered and will have at least two weeks to review the materials. Parents do have the right to opt their children out of the survey.

In order to protect student privacy rights when a survey is to be administered by the school that contains one of the prohibited eight from above, the parents have the right to inspect the survey. If the parents do not want their children to be a participant in the survey they must notify the school.

The collection, disclosure or use of student personal information for the purpose of marketing or selling that information, or providing the information to others for that purpose is prohibited. This does not include personal information collected for the exclusive purpose of developing, evaluating, or providing educational products or services for or to, students or educational institutions such as:

1. postsecondary institutions or military recruiters;
2. book clubs, magazines and programs providing access to low-cost literary products;
3. curriculum and instructional materials used by K-12 schools;
4. tests and assessments used by K-12 to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students, or to generate other statistically useful data for the purpose of securing these tests and assessments, and the subsequent analysis and public release of the aggregate data from these tests and assessments;
5. the sale by students of products or services to raise funds for school or education related activities or
6. student recognition program.

Parents have the right to inspect the instrument used to collect student personal information before use.

For specific event, the school must notify the parents annually of the projected or approximate dates of the following activities:

1. the collection , disclosure or use of student personal information for the purpose of marketing or selling that information, or providing the information to others for that purpose;
2. the administration of a survey containing any of the eight items above and
3. any non-emergency, invasive physical exam that is required as a condition of attendance administered by the school in advance of attendance and not necessary to protect the immediate health and safety of the student or other student. Invasive physical exam is defined as 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 exam.”

Adoption date: March 18, 2003

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.  
USA Patriot Act, Sec. 507, P.L. 107-56  
Family Educational Rights and Privacy Act; 20 USC Sec. 1232g  
ORC 149.41; 149.43  
1347.01 et seq.  
3317.031  
3319.32; 3319.321; 3319.33  
3321.12; 3321.13  
3331.13  
OAC 3301-35-02; 3301-35-03