

## STUDENTS

### STUDENT PRIVACY/PARENTAL ACCESS TO INFORMATION

#### Instructional Material

Upon request, a parent may inspect any instructional material used as part of the educational curriculum for his or her child. Such material will be made available for inspection within a reasonable time after an inspection request is received. For purposes of this policy, the term "instructional material" is defined as instructional content that is provided to a student, regardless of its format, including printed material, audio-visual material, and material in electronic or digital formats. The term "instructional material" does not include academic tests or academic assessments.

#### Surveys Created by a Third Party

Upon request, a parent may inspect a student survey created by a third party before the survey is administered or distributed by a school official or staff member. Such surveys will be made available for inspection within a reasonable time after an inspection request is received.

#### Surveys Requesting Certain Personal Information

Upon request, a parent may inspect any student survey requesting information about:

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;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating or demeaning behavior;
5. Critical appraisals of other individuals with whom students 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 his/her parent; or
8. Income (other than as required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).

The District will obtain prior written consent from parents before students are required to submit to any such survey funded in whole or in part by U.S. Department of Education funds. For any such survey not funded in whole or in part by U.S. Department of Education funds, parents will receive prior notice of the survey and an opportunity to opt their children out of participating, in accordance with the procedures set forth below.

When a student does participate in such a survey, his or her privacy will be protected through procedures designed to ensure that his or her identity will not be disclosed.

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#### Physical Exams or Screenings

Parents will receive prior notice of any non-emergency, invasive physical examination or screening that is: (1) required as a condition of attendance; (2) administered by the school and scheduled by the school in advance; and (3) not necessary to protect the immediate health and safety of the student or other students. In addition, parents may elect not to allow their children to participate in such a physical examination or screening. For purposes of this policy, the term "invasive physical examination or screening" does not include hearing, vision or scoliosis screening.

The above paragraph does not apply to any physical examination or screening that:

1. Is administered in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. 1400, *et seq.*; or
2. Is permitted or required by an applicable State law, including physical examinations or screenings that are permitted without parental notification.

#### Collection of Personal Information for Marketing Purposes

For purposes of this section, the term "personal information" means individually identifiable information including: a student's 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.

In connection with any instrument used to collect personal information for the purpose of marketing or selling the information (or otherwise providing the information to others for that purpose):

1. Parents will receive prior notification of the administration or distribution of any such instrument.
2. Upon request, a parent may inspect any such instrument prior to its administration or distribution. The instrument will be made available for inspection within a reasonable time after an inspection request is received.
3. A parent may elect not to allow his or her child to participate in the completion of or response to any such instrument.

The provisions of this section do 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 education institutions, such as the following:

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1. College or other postsecondary education recruitment, or military recruitment;
2. Book clubs, magazines, and programs providing access to low-cost literary products;
3. Curriculum and instructional materials used by elementary and secondary schools;
4. Student recognition programs;
5. Student sales of products or services to raise funds for school- or education-related activities;
6. Tests and assessments used by elementary 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.

### Opt-Out/Inspection Request Procedures

Parents who wish to opt their children out of participation in one or more of the activities identified herein (surveys requesting personal information, collection of personal information for marketing purposes, and physical examinations or screenings as defined herein) must submit a signed and dated written opt-out notice to the Building Principal at least two (2) school days prior to the activity date. The notice must identify the activity and state that the parent elects not to allow his or her child to participate in the activity.

Parents who wish to inspect surveys, instructional materials and/or instruments used to collect personal information for marketing purposes must submit a written inspection request to the District office, directed to the Superintendent. The request must identify the specific item to be inspected, and must be submitted prior to any deadline set forth in the notice of inspection rights.

### Notification of Policies and Special Events

The Superintendent or his/her designee shall notify students' parents of:

1. This policy, including the ability to obtain a copy of the policy, upon request, from the District office;
2. The procedures by which parents may opt their children out of activities as provided in this policy;
3. Inspection request procedures; and
4. The approximate dates on which the following activities are scheduled or are expected to be scheduled:

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- a. Surveys requesting personal information;
- b. Collection of personal information for marketing purposes; and
- c. Physical examinations or screenings as defined herein.

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

#### Student Rights

The rights provided to a parent under this policy transfer to the student when the student reaches 18 years of age or is an emancipated minor.

LEGAL REF.: *Protection of Pupil Rights Act*, 20 U.S.C.A. §1232h

Adopted: March 9, 1995  
Revised: December 10, 1998  
Revised: September 23, 2004  
Revised: September 28, 2006