

## St. Francis School District Bylaws & Policies

### **2416 - STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION**

The Board of Education respects the privacy rights of parents and their children. No student shall be required, as a part of the school program or the District's curriculum, without prior written consent of the student (if an adult, or an emancipated minor) or, if an unemancipated minor, his/her parents, to submit to or participate in any survey, analysis, or evaluation that reveals information concerning:

- A. political affiliations or beliefs of the student or his/her parents;
- B. mental or psychological problems of the student or his/her family;
- C. sex behavior or attitudes;
- D. illegal, anti-social, self-incriminating or demeaning behavior;
- E. critical appraisals of other individuals with whom respondents have close family relationships;
- F. legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers;
- G. religious practices, affiliations, or beliefs of the student or his/her parents; or
- H. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).

The Superintendent shall ensure that procedures are established whereby parents may inspect any materials created by a third party used in conjunction with any such survey, analysis, or evaluation before the survey/evaluation is administered or distributed by the school to the student. The parent will have access to the survey/evaluation within a reasonable period of time after the request is received by the building administrator.

Consistent with parental rights, the Board directs building and program administrators to:

- A. notify parents in writing of any surveys, analyses, or evaluations, which may reveal any of the information, as identified in A-H above, in a timely manner, and which allows interested parties to request an opportunity to inspect the survey, analysis, or evaluation; and the administrator to arrange for inspection prior to initiating the activity with students;
- B. allow the parents the option of excluding their student from the activity;
- C. report collected data in a summarized fashion which does not permit one to make a connection between the data and individual students or small groups of students;
- D. treat information as identified in A-H above as any other confidential information in accordance with Policy 8350.

Additionally, parents have the right to inspect, upon request, any instructional material used as part of the educational curriculum of the student. The parent will have access to the instructional material within a reasonable period of time after the request is received by the building administrator. The term instructional material means instructional content that is provided to a student, regardless of its format, including printed and 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 assessments.

For the privacy of students whose parents request that they not take part in the survey, arrangements will be made prior to the time period when the survey will be given, for the student(s) to go to a supervised location where under the supervision of a staff member the student will be provided with an alternate activity.

The Board will not allow 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).

The Superintendent is directed to provide notice directly to parents of students enrolled in the District of the substantive content of this policy at least annually at the beginning of the school year, and within a reasonable period of time after any substantive change in this policy. In addition, the Superintendent is directed to notify parents of students in the District, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the administration of any survey by a third party that contains one or more of the items described in A through H above are scheduled or expected to be scheduled.

For purposes of this policy, the term "parent" includes a legal guardian or other person standing in loco parentis (such as grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

### **RESEARCH INVOLVING STUDENTS**

For the purposes of this policy, "student research" means any research involving student subjects/participants, which is conducted by District personnel, generally in conjunction with his or her professional development/continuing education, for the purposes of observing student behavior, or developing or testing methods of student instruction.

Student research shall only be permitted with the express written consent of the Superintendent upon petition and full disclosure of the proposed research by the researcher. When considering approval of a proposed student research project, the Superintendent shall take into account the following factors regarding the topic of the research and the proposed methods to be used by the researcher:

- A. Would the research relate to a legitimate school district function?
- B. Would the research distract from, or interfere with, regular classroom curriculum / instruction?
- C. Would the research pose any ethical or safety concerns?
- D. Would the research involve an unreasonable invasion of student privacy?

The Superintendent may order the immediate cessation of any student research project it finds distracts from, or interferes with, classroom instruction, or that it finds to be detrimental to the best interests of the student subjects/participants.

Any student research involving testing, surveys, or video/audio recording shall require the informed written consent of the parents of the student subjects/participants on the form included as part of this policy.

Any student research methods that result in the creation of a pupil record, such as a video or audio recording of students, shall be considered the property of the District and may not be released by the researcher to third parties.

20 U.S.C. 1232g, 20 U.S.C. 1232h

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