

Instruction**6162.51(a)****Surveys of Students/Student Privacy**

The Board of Education recognizes the staff's need to collect input from students and parents in order to assist decision-making related to curriculum and instruction, program development and operations. To this end, the Board supports the use of appropriate surveys in accordance with the guidelines contained within this policy.

Administrators, teachers, other staff members and the Board of Education may use surveys for many purposes. Such purposes may include, but are not limited to, the need for student services, the determination of prevailing views pertaining to proposed policies and/or practices, or the determination of student knowledge and/or attitudes related to a specific subject or units. These are examples of surveys and not intended to be an all-inclusive listing. Administrative approval is required for surveys. Responses will not be used in any identifying manner.

Note: The term "survey" includes an evaluation.

Parents shall have the right to inspect all instructional material that will be used for a survey, analysis, or evaluation as part of a federal program.

Prior to administering a survey, the Board of Education must approve all that are received by the Superintendent that include reference to any of the factors listed below. In addition, no student may, without parental consent, take part in a survey, analysis, or evaluation that reveals information concerning:

1. political affiliations or beliefs of the student or the student's parents;
2. mental or psychological problems of the student or the student's family;
3. sex behavior or attitudes;
4. illegal, anti-social, self-incriminating and 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. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program); or
8. religious practices, affiliations or beliefs of the student or the student's parent/guardian.

In the event the District plans to survey students to gather information included in the above list, the District will obtain written consent from the parent/guardian in advance of administering the survey. The notification/consent form will also apprise the parent/guardian of their right to inspect the survey prior to their child's participation.

Surveys conducted for other agencies, organizations or individuals must have the recommendation of the Superintendent of Schools and the approval of the Board of Education as to content and purpose. The results of such approved surveys must be shared with the Board of Education.

Parents/guardians shall have the right to inspect, upon their request, a survey created by a third party before the survey is administered or distributed by a school to a student. Such requests shall be made in writing with a response to be at least two weeks in advance of any survey to be given.

For surveys not funded in any part by the federal government, parents/guardians need not give written consent, but must instead be given prior notice of the survey with the opportunity to opt their child out of participation if the survey elicits information concerning any of the eight protected areas listed above.

Overall survey results following decisions must be shared with all parties who request such information.

Marketing

It is the Board's policy not to collect, disclose, or use personal information gathered from students for the purpose of marketing or selling that information or providing it to others for that purpose. This 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, such as:

- a. College or other post-secondary education recruitment, or military recruitment;
- b. Book clubs, magazines and programs providing access to low-cost literary products;
- c. Curriculum and instructional materials used in schools;
- d. Tests and assessments used by schools to provide cognitive, evaluative, diagnostic, clinical, aptitude or achievement information about students;
- e. Student recognition programs; and
- f. The sale by students of products or services to raise funds for school-related activities or education-related activities.

Note: "Personal Information" means individually identifiable information including a student's or parent's first and last name, home address, telephone number or social security number. 20 U.S.C. §1232h(c)(6)(E).

Invasive Physical Examinations

Note: The term "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.

Prior to the administration of any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school not necessary to protect the immediate health or safety of the student or other students and not otherwise permitted or required by state law, a student's parent/guardian will be notified and given an opportunity to opt their child out of the exam. Hearing, vision and scoliosis screenings are not subject to prior notification.

Inspection of Instructional Material

Parents/guardians of a student shall also have the right to inspect and review, upon written request to the Building Principal, any instructional material used as part of the educational curriculum. The District shall grant access to instructional material within a reasonable period of time, identified as within 30 calendar days, after a parental request is received.

Note: The term “instructional material” means instructional material 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). It does not include academic tests or academic assessments.

The law does not identify a “reasonable period of time.” Therefore the district is free to identify any period of time it deems reasonable.

Notification

Parents/guardians shall be notified at least annually, at the beginning of the school year, of this policy and when enrolling students for the first time in District schools. The District shall also notify parents/guardians within a reasonable period of time after any substantive change to this policy.

(cf. 6161 - Equipment, Books and Materials: Provision/Selection)

(cf. 6161.1 - Evaluation/Selection of Instructional Materials)

Legal Reference: Elementary and Secondary Education Act of 1965, 20 U.S.C. §1232h Protection of Pupil Rights Amendment, as amended by the Every Student Succeeds Act, Pub. L. 114-95

Regulation 34 CFR Part 98 (PPRA Regulations)

Adopted: May 11, 2021

Revised: November 14, 2023

NORTH CANAAN BOARD OF EDUCATION

North Canaan, Connecticut

Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents and students who are 18 or emancipated minors (“eligible students”) certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)-

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

Receive notice and an opportunity to opt a student out of-

1. Any other protected information survey, regardless of funding;
 - a. Any non-emergency, invasive physical exam or screening 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 exam or screening permitted or required under State law; and
 - b. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Inspect, upon request and before administration or use-

1. Protected information surveys of students;
 - a. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
2. Instructional material used as part of the educational curriculum.

Region 1 School District has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Region 1 School District will directly notify parents

and eligible students of these policies at the beginning of the school year and after any substantive changes. Region 1 School District will also directly notify parents and eligible students, such as through U.S. Mail or email, at least annually at the start of each school year of the specific or approximate dates of the following activities listed below and provide an opportunity to opt a student out of participating. Parents will also be provided an opportunity to review any pertinent surveys.

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

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, D.C. 20202-4605

RIGHT TO INSPECT CERTAIN INSTRUCTIONAL MATERIAL

In addition to any other rights with respect to the inspection of instructional materials, the parent or guardian of a child enrolled in a school within the Region 1 School District, which receives funds from the United States Department of Education either directly or indirectly, shall be entitled to inspect those instructional materials which will be used in connection with any survey, analysis, or evaluation as part of any school program or curriculum.

Any complaints arising under this policy may be submitted in accordance with the policy for parental (public) complaints.

Legal Reference: 20 U.S.C. 1232h(a)

**STUDENT SUBMISSION TO REQUIRED SURVEYS,
ANALYSIS, OR EVALUATIONS OF SCHOOL PROGRAMS**

No student shall be required without prior written consent of the student's parent or guardian, as part of any school program or curriculum which receives funds from the United States Department of Education, to submit to a survey, analysis, or evaluation which 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;
- (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 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).

Legal Reference: 20 U.S.C. 1232h(b)

**Region 1 School District
Falls Village, Connecticut**

**WRITTEN CONSENT OF STUDENT SUBMISSION TO
SURVEYS, PERSONAL ANALYSIS, OR EVALUATIONS**

(This form is to be used to provide as required by federal law written consent of a student's parent or guardian to the student's participation in a survey, a personal analysis, or an evaluation.)

Name of Student: _____

Address: _____

Grade/School Year: _____ Birthdate of Student: _____

Name of Student's Parent or Guardian: _____

Address of Parent or Guardian: _____

The survey, personal analysis, or evaluation reveals the following information:
(check all those applicable)

- Political affiliations or beliefs of the student or the student's parent.
- Religious beliefs, practices, or affiliations of the student or the student's parent.
- Mental or psychological conditions that may embarrass the student or his/her family.
- Sexual behavior and attitudes.
- Illegal, anti-social, self-incriminating or demeaning behavior.
- Critical appraisals of other individuals with whom the student has a close family relationship.
- Legally recognized privileged or confidential relationships, including a relationship with a lawyer, physician, or minister.
- Income (except as required by law to determine eligibility for participation in a program or for receiving financial assistance under a program.)

A copy of the personal analysis, survey, or evaluation is attached for your review.

I, (name of parent/guardian of student), consent to the participation of (name of student) in the attached survey, personal analysis, or evaluation.

(Signature of Parent/Guardian)

(Date)