

The superintendent will ensure that all notification requirements of the Protection of Pupil Rights Amendment are met, along with any other legal requirements regarding the surveying of students.

A. PROTECTED TOPICS

The school district must obtain prior written consent of a parent or eligible student before the student is required to participate in any Department of Education-funded survey, analysis or evaluation that reveals information concerning the following “protected topics”:

- political affiliations or beliefs of the student or the student’s parent;
- mental or psychological problems of the student or the student's family;
- sex behavior and attitudes;
- illegal, antisocial, self-incriminating or demeaning behavior;
- critical appraisals of other individuals with whom respondents have close family relationships;
- legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
- religious practices, affiliations or beliefs of the student or the student’s parent;
- or
- income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Upon request, parents have the right to review any survey that concerns one of the protected topics or any instructional materials used in any such survey. The district will take measures to protect the identification and privacy of students participating in any survey concerning any of the protected topics. These measures may include limiting access to completed surveys and to survey results, as allowed by law.

For surveys concerning the protected topics that are not funded in whole or in part by the Department of Education, the school district will notify parents at the beginning of each school year of the specific or approximate dates when such surveys will be administered. Parents have the right to review any survey that concerns one of the protected topics or any instructional materials used in any such survey. Parents also will have the opportunity to opt their children out of participating in the survey(s).

B. COLLECTION OF STUDENT DATA FOR MARKETING PURPOSES

The school district generally will not collect, disclose or use personal student information for the purpose of marketing or selling the information or otherwise providing the information to others for that purpose.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, h, 34 C.F.R. pt. 99; G.S. 115C-36

Cross References: Student and Parent Grievance Procedure (policy 1740/4010), Parental Involvement (policy 1310/4002), Disciplinary Action for Exceptional Children/Disabled Students (policy 4307), Student Discipline Records (policy 4345)

Adopted: June 8, 2006