

STUDENTS

Confidentiality of Student Information – Student Surveys, Invasive Physical Examinations, and Parental Access to Information

The Regional District 13 Board of Education is committed to protecting the confidentiality of students enrolled in Regional District 13. The purpose of this policy is to establish the parameters of information that may be sought from students concerning marketing surveys and other areas of student privacy, parental access to information, and the administration of certain physical examinations to minors.

I. Student Surveys

Regional School District 13 occasionally utilizes surveys to obtain student opinions and information about students. Such student surveys may be conducted as determined necessary by the school district. The purpose of this policy is to establish the parameters of information that may be sought in student surveys.

A. In General

1. Student surveys will be conducted anonymously and in an unobtrusive manner. No mechanism will be used for identifying the participating student in any way.
2. The Superintendent or his/her designee may choose not to approve any survey that seeks personal and/or sensitive information that could result in identifying the survey participant, or is discriminatory in nature based on age, race, color, sex, disability, religion, or national origin.
3. Surveys containing questions pertaining to the student's or the student's parent(s) or guardian(s) personal beliefs or practices in one of the eight areas listed in Section B below will not be administered to any student unless the parent or guardian of the student is notified in writing that such survey is to be administered and the parent or guardian of the student is permitted an opportunity for the student to opt out of participating in such survey. Any and all documents in regard to the parent's or guardian's opt out request will be maintained by the school district in a file separate from the survey responses.
4. Although the survey is conducted anonymously, potential exists for personally-identifiable information to be provided in response thereto. To the extent that personally-identifiable information of a student is contained in his or her responses to a survey, the school district will take appropriate steps to ensure the data is protected in accordance with state and federal law.

B. As Part of Department of Education Program

In addition to the general survey policy, no student shall be required, as part of any program funded in whole or in part by the United States Department of Education, without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without prior written consent of the parent, to submit to a survey that reveals information concerning the following “eight protected areas”:

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

Regional School District 13 shall obtain prior written consent from parents or guardians before students are required to submit to such surveys.

II. Collection Of Student Information

Regional School District 13 shall offer parents and guardians the opportunity to opt their child out of activities involving 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. “Personal information” is defined as individually identifiable information including: 1) a student’s or parent’s first and last name; 2) a home or other physical address, 3) a telephone number; or 4) a social security number.

The requirements concerning these activities do not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluation, or providing educational products or services for or to students or educational institutions, such as the following:

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

III. Administration of Physical Examinations and Screenings

Regional School District 13 shall offer an opportunity for parents to opt their child out of participating in 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 of other students. An “invasive physical examination” 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 screening. This provision does not apply to any physical examination or screening that is permitted or required by State law, including physical examinations or screening permitted without parental notification.

IV. Parental Access to Information

Parents and guardians shall have the right to review, upon request, any survey that concerns one or more of the eight protected areas, any instructional materials used in connection with any survey that concerns one or more of the eight protected areas, and any instructional material used as part of the educational curriculum for the student. “Instructional material” is 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 format, but does not include academic tests or academic assessments.

V. Administrative Regulations

The Superintendent of Schools shall develop administrative regulations – in consultation with parents – to implement this policy.

Legal References: 20 U.S.C. Section 1232g
20 U.S.C. Section 1232h
34 C.F.R. Part 99

Cross References: Student Records 5125
Health Services 5141

Policy Adopted: November 12, 2003
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