

## STUDENT SURVEYS

LEARN may occasionally utilize surveys to obtain student opinions or information about students. A “survey” is defined as any written request for information from a student by LEARN or its authorized agents whenever personal information or data is sought for statistical, demographic or similar reasons. The purpose of the policy is to establish the parameters of information that may be sought in student surveys.

Student surveys shall only be administrated at the discretion of the Executive Director of LEARN. No attempt will be made to identify the student survey participant or those returning the survey, unless those surveyed voluntarily choose to identify themselves.

The Executive Director may choose not to approve any survey that seeks probing personal and/or sensitive information that could result in identifying the survey participant or is unlawfully discriminatory in nature based on age, race, color, gender, disability, religion, or national origin. Generally, LEARN will not subject students to any survey designed to obtain personal information for the purpose of marketing or selling that information. Any exception to this policy must be approved in advance by the LEARN Board of Directors.

LEARN will offer all parents/guardians the opportunity to have their child/children opt out of any surveys containing questions pertaining to the student’s or the student’s parent/guardians personal beliefs or practices in sex, family life, morality or religion. To the extent that personally identifiable information of a student is contained in his/her responses to a survey, the school district will take appropriate steps to ensure that the data is protected in accordance with the Federal Family Educational Rights and Privacy Act.

### Student Surveys Conducted as Part of the U.S. Department of Education Program

Surveys conducted as part of any program funded through the U.S. Department of Education must comply with privacy and notification provisions of the “No Child Left Behind Act” (20 U.S.C. 1232h). No minor student, as part of any program funded in whole or in part by the U.S. Department of Education, shall be required to submit to a survey that reveals any of the following information without the consent of the student’s parent/guardian or of the adult student:

1. political affiliations;
2. mental and psychological problems potentially embarrassing to the student or the student’s family;
3. sexual behavior or attitudes;
4. illegal, antisocial, self-incriminating, and demeaning behaviors;
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’s parents/guardians; 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).

### Surveys Funded by Sources Other than The U.S. Department of Education

All surveys administered by LEARN shall be subject to the following conditions:

1. parents shall have the right to inspect, upon request, any survey created by a third party before it is administered or distributed by a school to its minor students; and

2. arrangements must be made in advance to protect student privacy in the event that the survey contains any one or more of the eight items listed as numbers 1 through 8 under “Surveys Administered by the U.S. Department of Education” of this policy.

### **Annual Parental Notification**

In compliance with federal and state statutes, LEARN must annually notify parents of the following:

1. a summary of this policy pertaining to student and parental rights pertaining to the collection of survey information;
2. any scheduled or expected dates for activities involving collection, disclosure, or use of personal information for the purposes of marketing or selling that information;
3. any scheduled or expected dates for any survey containing questions pertaining to topics listed as numbers 1 through 8 under “surveys’ Administered by the U.S. Department of Education” of this policy and
4. any non-emergency, invasive physical examination or screening scheduled in advance by the school which is not necessary to protect the immediate health and safety of the student or students (this provision is not applicable to examinations or screenings permitted or required by state law).

This parental notification must offer an opportunity to parents/guardians to opt out of any of these activities on behalf of their student(s).

Legal Reference: Federal Family Education Rights & Privacy Act of 1974 (FFERPA) Section 438 of General Education Provisions Act, as amended, codified at 20 U.S.C. 1232g and 1232h; and federal regulations found in 34 CFR Part 99.

PL 107-110, “No Child Left Behind Act of 2001”.

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