

School Board Information: June 13, 2022 [New/MSBA Model Policy/Modified]
School Board Approval: June 27, 2022 [New/MSBA Model Policy/Modified]
Contact Person: Executive Director of Research, Evaluation and Assessment

POLICY 515.2 STUDENT SURVEYS USED FOR RESEARCH

I. PURPOSE

To establish the parameters of information that may be sought in student surveys for educational research.

II. GENERAL STATEMENT OF POLICY

Occasionally District Staff as well as personnel from outside the District utilize surveys to obtain student opinions and information about students for research. It is important to ensure that research that include survey instruments is conducted within the constraints of state statutes and federal law on data privacy and data confidentiality.

All information from student records that may be collected or requested for approved research studies (that include survey instruments) following the District Policy on administration procedures for research (Policy 515.1) will adhere to District Policy on data privacy for student educational records (Policy 515). Surveys, analyses and evaluations conducted as part of any program funded through the U.S. Department of Education must comply with 20 U.S.C. § 1232h.

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REGULATION 515.2 STUDENT SURVEYS USED FOR RESEARCH

Regulation 515 - Data Privacy for Student Educational Records - details rules and regulations for collection and maintenance of school records.

Regulation 515.1 - Administration Procedures for Research - provide guidelines for individuals and/or organizations that wish to conduct educational research in the District.

Persons wishing to conduct research in the District using surveys shall use the following procedures.

I. STUDENT SURVEYS IN GENERAL

- A. Student surveys will be conducted anonymously and in an indiscernible fashion. No mechanism will be used for identifying the participating student in any way. No attempt will be made in any way to identify a student survey participant. There will be no requirement that the student return the survey, and no record of the student's returning a survey will be maintained.
- B. The Executive Director of Research, Evaluation and Assessment may choose not to approve any survey (Policy 515.1) that seeks probing 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.
- C. Surveys containing questions pertaining to the student's or the student's parent(s) or guardian(s) personal beliefs or practices in sex, family life, morality and religion 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 gives written permission (i.e., active consent) for the student to participate or has the opportunity to opt out of the survey regardless of how the survey is funded. Any and all documents containing the written permission of a parent or guardian for a student to participate in a survey will be maintained by the Department of Research, Evaluation and Assessment, and will be kept in a file separate from the survey responses if data are provided to the school district for a minimum of two years.

- D. 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 their responses to a survey, the persons making the research requests that include surveys will take appropriate steps to ensure the data are protected in accordance with Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act), 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act) and 34 C.F.R. Part 99.
- E. The persons conducting the research that include surveys and staff must not impose an academic or other penalty on a student who opts out of participating in any survey.

II. STUDENT SURVEYS CONDUCTED AS PART OF DEPARTMENT OF EDUCATION PROGRAM

- A. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be available for inspection by the parents or guardians of the students.
- B. No student shall be required, as part of any program funded in whole or in part by the U.S. 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 the prior written (active) consent of the parent or guardian, to submit to a survey that reveals information concerning:
 1. political affiliations or beliefs of the student or the student's parent or guardian;
 2. mental and psychological problems of the student or the student's family;
 3. sex behavior or attitudes;
 4. illegal, antisocial, 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 guardian; 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).

C. The following policies are to be adopted:

1. The right of a parent or guardian to inspect, on request, a survey, including an evaluation, created by the research party before the survey is administered or distributed by a school to a student, including procedures for granting a parent's or guardian's request for reasonable access to such survey within a reasonable period of time after the request is received.
2. Arrangements to protect student privacy in the event of the administration or distribution of a survey, including an evaluation, to a student which contains one or more of the items listed in Section II.B., above, including the right of a parent or guardian of a student to inspect, on request, any such survey.
3. The right of a parent or guardian of a student to inspect, on request, any instructional material used as part of the educational research activity for the student and procedures for granting a request by a parent or guardian for such access within a reasonable period of time after the request is received.

"Instructional material" means instructional content that is provided to a student, regardless of format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (i.e., materials accessible through the Internet) for research purposes. The term does not include academic tests or academic assessments.

III. NOTICE

The persons conducting research that include survey instruments, including District Staff, are encouraged to inform parents or guardians at the beginning of the school year if the district or school has identified specific or approximate dates for administering the research surveys or give parents or guardians reasonable notice of planned research surveys scheduled after the start of the school year. The persons must give parents or guardians direct, timely notice when students are scheduled to participate in a student survey for research purposes by United States mail, email, or another direct form of communication.

- A. The persons are encouraged to give parents or guardians the opportunity to review the research survey and to opt their students out of participating in the survey.