

EDUCATIONAL RESEARCH: STUDENT SUBMISSION TO SURVEYS, ANALYSIS OR AND MARKETING INFORMATION

From time to time, the Cape Elizabeth School Department may administer **or allow administration of** surveys, **analyses or evaluations** to students in the course of developing and evaluating programs and services offered in the schools. The school unit will comply with the federal Protection of Pupil Rights Act and applicable regulations concerning the administration of surveys and the use of personal information about students for **research or** marketing purposes as outlined in this policy.

Parental Consent to Surveys

No student shall be required to participate in a survey, **analysis or evaluation** receiving funding **wholly or partially** under U.S. Department of Education programs that reveals the following information ~~without prior notice to and the written consent of parents/guardians:~~

- 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 or attitudes;
- Illegal, anti-social, 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 **without the prior written consent of the student's parent/guardian, or of the student, if 18 years or older.**)

In the case of surveys not funded under U.S. Department of Education programs, parents/guardians will receive prior notice of the survey and their right to opt-out. Parents/guardians may request that their child not participate in a particular survey by submitting a written request to the Building Principal within five days of receiving the notice.

Notice to Parents Regarding Surveys

Parents/guardians will be provided with a copy of this policy at the beginning of each school year, and within a reasonable time if substantive changes are made to the policy by the Board. If actual or expected dates of surveys have been scheduled when the policy is distributed, parents/guardians of affected students will be notified at that time. If surveys are scheduled after

the start of the school year, parents/guardians will be provided with reasonable notice before the survey is administered.

Procedure for Inspection of Surveys/Instructional Materials

Parents/guardians have the right to inspect any survey created by a third party before it is distributed or administered to students. Parents/guardians may also inspect any instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, **analysis or evaluation. For the purpose of this policy, "instructional material" does not include academic tests or assessments.**

Parents/guardians may request to inspect surveys or related instructional materials by submitting a request in writing to the Building Principal within five days of receiving notice that a survey is to be administered. The Building Principal shall make arrangements for the parent/guardian to inspect the survey and/or materials within a reasonable time prior to the scheduled date for the survey.

OR

The Superintendent/designee will be responsible for implementing any procedures necessary to protect the privacy of participating students and to provide parents with access to surveys within a reasonable time before administration or distribution.

Parents/guardians will be notified of this policy annually at the beginning of the school year and within a reasonable time of any substantive change in policy. Insofar as practicable, parents will also be notified annually at the beginning of the school year when surveys, analysis, or evaluations are scheduled or anticipated. Parents shall have the opportunity to opt their child out of participation in any survey, analysis, or evaluation. Students who are 18 years of age or older may opt out of such surveys, analyses, or evaluations.

Use of Student Personal Information for Marketing Purposes

The School Department does not collect, use or disseminate personal information about students for marketing or commercial purposes.

This policy does not prevent the collection, use or dissemination of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for or to students or educational institutions (including but not limited to tests and assessments, sale by students of products or services to raise funds for school-related purposes, student recognition programs and book clubs or magazines).

Protection of Student Privacy

The Superintendent shall be responsible for ensuring that appropriate measures are taken to ensure that student privacy is protected when surveys are administered or personal information about students is collected, disclosed or used for marketing purposes.

~~Students Over 18/Emancipated Students~~

~~In the case of emancipated students or students over the age of 18, the parent/guardian rights described in this policy transfer to the student.~~

Complaints - Not Required in this Policy

The United States Department of Education maintains an office that handles complaints about alleged violations of the Protection of Pupil Rights Amendment by local school units.

Complaints regarding violations may be submitted in writing to:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-4605

Legal References: 20 U.S.C. § 6361 (No Child Left Behind Act)
 20 U.S.C. § 1232h; 34 C.F.R. Part 98 (Protection of Pupil Rights Amendment)
 20 U.S.C. § 1232g; 34 C.F.R. Part 99 (Family Educational Rights and Privacy Act)

Cross References: JRA – Student Education Records and Information

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