

**5015**  
**Protection of Pupil Rights**

The Board of Education respects the rights of parents and their children, and has adopted this policy in consultation with parents to comply with the federal Protection of Pupil Rights Amendment (PPRA) and federal regulations.

**1. Surveys**

a. Surveys Created by a Third Party

i. This section applies to every survey:

- (1) that is created by a person or entity other than a district staff member or student;
- (2) regardless of whether the student answering the questions can be identified; and
- (3) regardless of the subject matter of the questions

ii. Parents have the right to inspect any survey created by a third party before that survey is distributed to their student.

b. Surveys Requesting Particular Sensitive Information

i. Sensitive information shall include:

- (1) Political affiliations or beliefs of the student or the student's parent(s);
- (2) Mental or psychological problems of the student or the student's family;
- (3) Sexual behavior or attitudes;
- (4) Illegal, anti-social, 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 student's parent(s); 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), without prior written consent of the parent or eligible student.

ii. No student shall be required to submit to a survey, analysis, or evaluation that requests sensitive information.

iii. If a survey requesting sensitive information is funded, in whole or in part, by a program administered by the U.S. Department of Education, the school district must obtain the written

- 43 consent of a student's parent(s) before the student  
44 participates in the survey.
- 45 iv. School officials and staff members shall not request, nor  
46 disclose, the identity of any student who completes any survey  
47 (created by any person or entity, including the district)  
48 containing any sensitive information.
- 49 v. Parents have the right to inspect any survey which requests  
50 sensitive information before that survey is distributed to their  
51 student.
- 52 c. Survey Inspection Requests
- 53 i. School officials shall inform parents of their right to inspect  
54 surveys requesting sensitive information before the surveys  
55 are distributed to any student.
- 56 ii. All survey inspection requests must be in writing to the  
57 building principal and delivered to the building principal prior to  
58 the date on which the survey is scheduled to be administered  
59 to the students.
- 60 iii. The principal shall respond to survey inspection requests  
61 without delay.
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## 63 2. Invasive Physical Examinations

- 64 a. The term "invasive physical examination" means:
- 65 i. any medical examination that involves the exposure of private  
66 body parts; or
- 67 ii. any act during such examination that includes incision,  
68 insertion, or injection into the body; and
- 69 iii. does not include a hearing, vision, or scoliosis screening.
- 70 b. Parents may refuse to allow their student to participate in any non-  
71 emergency, invasive physical examination or screening that is:
- 72 i. required as a condition of attendance;
- 73 ii. administered by the school and scheduled by the school in  
74 advance; and
- 75 iii. not necessary to protect the immediate health and safety of  
76 the student, or of other students.
- 77 c. This policy does not apply to any physical examination or screening  
78 that:
- 79 i. is permitted or required by an applicable state law, including  
80 physical examinations or screenings that are permitted without  
81 parental notification;
- 82 ii. is administered to a student in accordance with the Individuals  
83 with Disabilities Education Act (20 U.S.C. §1400 *et seq.*)
- 84 iii. is otherwise authorized by Board policy.
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**3. Collection of Personal Information from Students for Marketing**

- a. The term “personal information” means individually identifiable information including:
  - i. student’s and parent(s)’ first and last name;
  - ii. home or other physical address;
  - iii. telephone number; and/or
  - iv. social security number.
- b. No school official or staff member shall administer or distribute to students a survey or other instrument for the purpose of collecting personal information for marketing or for selling that information.
- c. This policy does not apply to the collection, disclosure or use of personal information for the exclusive purpose of providing educational services to students, such as the following:
  - i. post-secondary education recruitment;
  - ii. military recruitment;
  - iii. tests and assessments to provide cognitive, evaluative, diagnostic or achievement information about students; and/or
  - iv. student recognition programs.

**4. Inspection of Instructional Material**

- a. Definition
  - i. The term “instructional materials” means instructional content that is provided to a student regardless of its format, printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet).
  - ii. The term does not include academic or ~~psychological~~ *academic* testing.
- b. Parents may inspect, upon their request, any instructional material used as part of their child’s education curriculum.
- c. Curriculum inspection requests must be made to the building principal in writing.
- d. Building principals shall respond to inspection requests within a reasonable amount of time.

**5. Notification of Rights and Procedures**

- a. The superintendent shall notify parents of:
  - i. this policy and its availability upon request from the office of the district;
  - ii. how to opt their child out of participation in activities as provided for in this policy;

- 129                   iii.     the approximate dates during the school year when a survey  
130                   requesting personal information is scheduled or expected to  
131                   be scheduled; and  
132                   iv.     how to request access to any survey or other material  
133                   described in this policy.  
134            b.     This notification shall be given to parents as least annually, at the  
135                   beginning of the school year and within a reasonable period after  
136                   any substantive change in this policy.

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139   Adopted on: December 12, 2006

140   Revised on: December 12, 2017

141   Reviewed on: March 9, 2010, March 12, 2013; October 11, 2016; December 12,  
142   2017