

## **Instruction**

### **Surveys of Students (Student Privacy)**

In this policy, "surveys, analyses, or evaluations" refer to methods of gathering data for research purposes.

No student shall be required as part of any program wholly or partially funded by the U.S. Department of Education to submit to any survey, analysis, or evaluation that reveals information concerning:

- A. Political affiliations or beliefs of the student or the student's parent;
- B. Mental or psychological problems of the student or the student's family;
- C. Sex behavior or attitudes;
- D. Illegal, anti-social, self-incriminating, or demeaning behavior;
- E. Critical appraisals of other individuals with whom respondents have close family relationships;
- F. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- G. Religious practices, affiliations, or beliefs of the student or student's parents/guardians; or
- H. 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).

All instructional materials, regardless of format, including teachers' manuals, films, tapes or other supplementary material which will be used in connection with any such survey, analysis, or evaluation shall be available upon request for inspection by the student's parent/guardian, or of the student, if he/she is 18 years of age or older. For the purpose of this policy, "instructional material" does not include academic tests or assessments.

A parent may inspect, upon request, a survey created by a third party before the survey is administered or distributed to a student.

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.

**Instruction**

**Surveys of Students (Student Privacy) (continued)**

Prior to the administration of any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school not necessary to protect the immediate health or safety of the student or other students and not otherwise permitted or required by state law, a student's parent/guardian will be notified and given an opportunity to opt their child out of the exam. Hearing, vision and scoliosis screenings are not subject to prior notification.

The schools will notify parents of this policy at least annually at the beginning of the school year and within a reasonable time of any substantive change in policy. Insofar as practicable, schools will also directly notify parents annually at the beginning of the school year when surveys, analyses, or evaluations are scheduled or anticipated. Parents shall have the opportunity to opt out of such surveys, analyses, or evaluations.

There may be circumstances in which a research request is made or is approved only after the school year has begun. When this occurs, the school should notify parents far enough in advance for them to access surveys and related instructional materials and to opt their children out, if desired.

(cf. 6161 -Textbook Selection/Adoption) (cf. 6161.1 - Selection of Instructional Materials)

Legal Reference: Elementary and Secondary Education Act of 1965, 20 U.S.C. §1232h Protection of Pupil Rights Amendment, as amended by the Every Student Succeeds Act, Pub. L. 114-95

Regulation 34 CPR Part 98 (PPRA Regulations)

Policy Approved:

Brookfield Public Schools  
BROOKFIELD, CONNECTICUT

**Model Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)**

PPRA affords parents and students who are 18 or emancipated minors ("eligible students") certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- **Consent** before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)-
  1. Political affiliations or beliefs of the student or student's parent;
  2. Mental or psychological problems of the student's family;
  3. Sex behavior or attitudes;
  4. Illegal, anti-social, self-incriminating, or demeaning behavior;
  5. Critical appraisals of others with whom respondents have close family relationships;
  6. Legally recognized privileged relationships, such as with lawyers, doctors or ministers;
  7. Religious practices, affiliations, or beliefs of the student or parents; or
  8. Income, other than as required by law to determine program eligibility.
- **Receive notice and an opportunity to opt a student out of-**
  1. Any other protected information survey, regardless of funding;
  2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
  3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
- **Inspect, upon request and before administration or use-**
  1. Protected information surveys of students;
  2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
  3. Instructional material used as part of the educational curriculum.

The District has policies regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The District will directly notify parents and eligible students of these policies at the beginning of the school year and after any substantive changes. The District will also notify parents and eligible students, such as through U.S. Mail or email, at least annually at the start of each school year of the specific or approximate dates of the following activities listed below and provide an opportunity to opt a student out of participating. Parents will also be provided an opportunity to review any pertinent surveys.

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.  
Any non-emergency, invasive physical examination or screening as described above.

*Parents/eligible students who believe their rights have been violated may file a complaint with:*

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

### PPRA Model Notice and Consent/Opt-Out for Specific Activities

The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. §1232h, requires the Brookfield Public Schools to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas ("protected information surveys"):

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

This requirement also applies to the collection, disclosure or use of student information for marketing purposes ("marketing surveys"), and certain physical exams and screenings.

Following is a schedule of activities requiring parental notice and consent or opt-out for the upcoming school year. This list is not exhaustive and for surveys and activities schedules after the school year starts, the District will provide parents with a reasonable period of time prior to the administrations of the surveys and activities, notification of the surveys and activities and be provided an opportunity to opt your child out, as well as an opportunity to review the survey. Please note that this notice and consent/opt-out transfers from parents to any student who is 18 or older or an emancipated minor under State law.

**•Date:**

**Grades:**

**Activity:**

**Summary:**

**Consent [for ED funded, protected information surveys only]:** A parent must sign and return the attached consent form no later than [insert return date] so that your child may participate in this survey.

**Opt-out [for any non-ED funded protected information survey]:** Contact [school official] at [telephone number, email, address, etc.] no later than [date] if you do not want your child to participate in this activity.

**[Note to schools: While some of the information - names, addresses, and telephone listings - may be designated and disclosed as "directory information" under the Family Educational Rights and Privacy Act (FERPA), schools that permit marketing activities that involve the collection, use, and disclosure of students' social security numbers may use an opt-out procedure and must obtain prior written consent in accordance with §99.30 of the FERPA regulations.]**

If you wish to review any survey instrument or instructional material used in connection with any protected information or marketing survey, please submit a request to [school official, address]. [School official] will notify you of the time and place where you may review these materials. You have the right to review a survey and/or instructional materials before the survey is administered to a student.

I \_\_\_\_\_ give my consent for \_\_\_\_\_ to take [NAME OF SURVEY] on or about [DATE].

\_\_\_\_\_  
Parent or Guardian signature

Please return this form no later than [insert date] to the following school official: [Provide name and mailing address.]

**WRITTEN CONSENT OF STUDENT SUBMISSION TO  
SURVEYS, PERSONAL ANALYSIS, OR EVALUATIONS**

(This form is to be used to provide as required by federal law written consent of a student's parent or guardian to the student's participation in a survey, a personal analysis, or an evaluation.)

Name of Student: .....

Address: .....

Grade/School Year: .....

Birthdate of Student: .....

Name of Student's Parent or Guardian:

.....

Address of Parent or Guardian

.....

The survey, personal analysis, or evaluation reveals the following information: (check all those applicable)

- Political affiliations or beliefs of the student or the student's parent.
- Religious beliefs, practices, or affiliations of the student or the student's parent.
- Mental or psychological conditions that may embarrass the student or his/her family.
- Sexual behavior and-attitudes.
- Illegal, anti-social, self-incriminating or demeaning behavior.
- Critical appraisals of other individuals with whom the student has a close family relationship.
- Legally recognized privileged or confidential relationships, including a relationship with a lawyer, physician, or minister.
- Income (except as required by law to determine eligibility for participation in a program or for receiving financial assistance under a program.)

A copy of the personal analysis, survey, or evaluation is attached for your review.

I, (name of parent/guardian Of student) , consent to the participation of (name of student) in the attached survey, personal analysis, or evaluation .

\_\_\_\_\_  
(Signature of Parent/Guardian)

\_\_\_\_\_  
(Date)

### **RIGHT TO INSPECT CERTAIN INSTRUCTIONAL MATERIAL**

In addition to any other rights with respect to the inspection of instructional materials, the parent or guardian of a child enrolled in a school within the Brookfield Public Schools which receives funds from the United States Department of Education either directly or indirectly, shall be entitled to inspect those instructional materials which will be used in connection with any survey, analysis, or evaluation as part of any school program or curriculum.

Any complaints arising under this policy may be submitted in accordance with the policy for parental (public) complaints.

Legal Reference: 20 U.S.C. 1232h(a)

### **STUDENT SUBMISSION TO REQUIRED SURVEYS, ANALYSIS, OR EVALUATIONS OF SCHOOL PROGRAMS**

No student shall be required without prior written consent of the student's parent or guardian, as part of any school program or curriculum which receives funds from the United States Department of Education, to submit to a survey, analysis, or evaluation which reveals information concerning:

1. political affiliations or beliefs of the student or the student's parent;
2. mental or psychological problems of the student or the student's family;
3. sex 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 the student's parent; 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).

Legal Reference: 20 U.S.C. 1232h(b)