

1 Browning Public Schools

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3 Policy # 2132

4 Policy Name: *Student and Family Privacy Rights*

5 Regulation: -----

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7 **Surveys – General**

8 All surveys requesting personal information from students, as well as any other instrument used to  
9 collect personal information from students must advance or relate to the district’s educational  
10 objectives as identified in board policy. This applies to all surveys, regardless of whether the student  
11 answering the questions can be identified and regardless of who created the survey.

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13 **Surveys created by a third party**

14 Before the district administers or distributes a survey created by a third party to a student, the  
15 student’s parent(s)/guardian(s) may inspect the survey upon request and within a reasonable time of  
16 their request.

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18 This section applies to every survey: 1) that is created by a person or entity other than a district  
19 official, staff member or student; 2) regardless of whether the student answering the questions can be  
20 identified, and; 3) regardless of the subject matter of the questions.

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22 **Surveys requesting personal information**

23 School officials and staff members shall not request, nor disclose, the identity of any student who  
24 completes ANY survey containing one (1) or more of the following items:

- 25 1. Political affiliations or beliefs of the student or the student’s parent/guardian
- 26 2. Mental or psychological problems of the student or the student’s family;
- 27 3. Behavior or attitudes about sex;
- 28 4. Illegal, anti-social, self-incriminating or demeaning behavior;
- 29 5. Critical appraisals of other individuals with whom students have close family relationships;
- 30 6. Legally recognized privileged or analogous relationships, such as those with lawyers,  
31 physicians and ministers;
- 32 7. Religious practices, affiliations or beliefs of the student or the student’s parent/guardian;
- 33 8. Income (other than that required by law to determine eligibility for participation in a program  
34 or for receiving financial assistance under such program.)

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43 **The student’s parent(s)/guardian(s) may:**

- 44 1. Inspect the survey within a reasonable time of the request, and/or
- 45 2. refuse to allow their child to participate in any survey requesting personal information. The  
46 school shall not penalize any student whose parent(s)/guardian(s) exercise this option.

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49 **Instructional Material**

50 A student’s parent(s)/guardian(s) may, within a reasonable time of the request, inspect any  
51 instructional material used as part of their child’s educational curriculum.

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53 The term “instructional material” for the purposes of this policy, means instructional content that is  
54 provided to a student, regardless of its format, printed or representational materials, audio-visual  
55 materials and materials in electronic or digital formats (such as materials accessible through the  
56 Internet). The term does not include academic tests or academic assessments.

1 **Collection of Personal Information from students for Marketing Prohibited**

2 The term “personal information,” for the purposes of this section only means individually  
3 identifiable information including: 1) a student’s or parent’s first and last name; 2) a home or other  
4 physical address (including street name and the name of the city or town); 4) telephone number, or;  
5 5) a Social Security Identification Number.  
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7 The District will not collect, disclose or use student personal information for the purpose of  
8 marketing or selling that information or otherwise providing that information to others for that  
9 purpose.  
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11 The District, however, is not prohibited from collecting, disclosing or using personal information  
12 collected from students for the exclusive purpose of developing, evaluating or providing educational  
13 products or services for, or to, students or educational institutions such as the following:  
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- 15 1. College or other post-secondary education recruitment or military recruitment;
- 16 2. Book clubs, magazines and programs providing access to low-cost literary products;
- 17 3. Curriculum and instructional materials used by elementary schools and secondary schools;
- 18 4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude or  
19 achievement information about students (or to generate other statistically useful data for the  
20 purpose of securing such tests and assessments) and the subsequent analysis and public release  
21 of the aggregate data from such tests and assessments;
- 22 5. The sale by students of products or services to raise funds for school-related or education  
23 related activities;
- 24 6. Student recognition programs.

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31 **Notification of Rights and Procedures**

32 The superintendent or designee shall notify student’s parents/guardians of:  
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- 34 1. This policy as well as its availability from the administration office upon request.
- 35 2. How to opt their child out of participation in activities as provided in this policy.
- 36 3. The approximate dates during the school year when a survey requesting personal information, as  
37 described above, is scheduled or expected to be scheduled.
- 38 4. How to request access to any survey or other material described in this policy.  
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43 This notification shall be given parents/guardians at least annually at the beginning of the school year  
44 and within a reasonable period after any substantive change in this policy.  
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46 The rights provided to parents/guardians in this policy transfer to the student when the student turns  
47 18 years of age or is an emancipated minor.  
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49 **Cross Reference:**

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51 **Legal Reference:** 20 U.S.C. 1232h Protection of Pupil Rights  
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53 **Policy History**

54 Adopted on: 4/28/04

55 Revised on: