

No. 5380
SECTION: STUDENTS
TITLE: STUDENT RIGHTS/SURVEYS

ADOPTED: 5/25/04
READOPTED: 1/29/14;11/15/16;9/17/19;4/19/22
REVISED: 6/18/07;7/19/11

OXFORD AREA SCHOOL DISTRICT

This policy sets forth guidelines by which student rights and responsibilities are determined, consistent with law and regulations.

The Board has the authority and responsibility to establish reasonable rules and regulations for the conduct and deportment of district students. At the same time, no student shall be deprived of equal treatment and equal access to the educational program, due process, presumption of innocence, and free expression and association in accordance with Board policy and school rules.

Surveys conducted by outside agencies, organizations or individuals shall be approved by the Board, based on the Superintendent's recommendation, prior to administration to students.

The Superintendent or designee shall develop procedures regarding student surveys.

ADMINISTRATIVE PROCEDURES

STUDENT RIGHTS/SURVEYS

The following procedures shall be followed to implement school district policy 5380 regarding surveys:

Attendant upon the rights established for each student are certain responsibilities that include respect for the rights of others; obedience to properly constituted school authority; and compliance with the policy, rules and regulations of this district.

A student who has reached the age of eighteen (18) years possesses the full rights of an adult and may authorize those school matters previously handled by parents.

The parents of each student reaching the age of eighteen (18) shall be informed of the student's rights.

Instructional Materials

Parents shall be notified annually that all instructional materials, including teacher's manuals, audiovisuals, or other supplementary instructional material, used in the instructional program shall be available for inspection by the parents of students in accordance with Board policy. Instructional materials do not include tests or academic assessments.

Survey/Evaluations

All surveys and instruments used to collect information from students shall relate to the district's educational objectives.

Parents shall have the right to inspect, upon request, a survey created by a third party prior to administration or distribution to a student. Such requests shall be in writing and submitted to the building principal.

No student shall be required, without written parental consent for students under eighteen (18) years of age or written consent of emancipated students or those over eighteen (18) years, to submit to a survey, analysis, or evaluation that reveals information concerning:

1. Political affiliations or beliefs of student or parents
2. Mental and psychological problems of the student or 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 relationships, such as those with lawyers, physicians, and ministers
7. Religious practices, affiliations, or beliefs of the student or parents
8. Income other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

However, such survey, analysis or evaluation may be conducted on a voluntary basis, provided that the student and parent have been notified of their right to inspect all related materials and to opt the student out of participation.

Collection of Information for Marketing

Parents have the right to inspect the material and opt out the student from participating in any activity that results in the collection, disclosure or use of personal information for purposes of marketing or selling that information. This does not apply to the collection, disclosure or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for or to students.

The Superintendent or designee shall annually notify parents concerning:

1. Contents of this policy and its availability
2. Approximate dates that any surveys requesting personal information may be scheduled
3. Procedures to request access to survey instruments prior to administration
4. Procedures for opting students out of participation in surveys

Personal information means individually identifiable information including a student's or parent's name, address, telephone number, or social security number.

The requirements concerning activities involving the collection and disclosure of personal information from students for marketing purposes do not apply to the collections, disclosure or use of personal information collected from students for the exclusive purposes of developing, evaluating or providing educational products or services for or to students or educational institutions, such as the following:

1. College or other postsecondary education recruitment or military recruitment
2. Book clubs, magazines and programs providing access to low-cost literary products
3. Curriculum and instructional materials used by elementary schools and secondary schools
4. Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessment) and the subsequent analysis and public release of the aggregate data from such tests and assessments
5. The sale by students of products or services to raise funds for school-related or education-related activities
6. Student recognition programs

Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)
(Handbook Insert)

PPRA affords parents certain rights regarding the district conducting 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 -

1. Political affiliations or beliefs of the student or student's parent
2. Mental or physiological 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, such as with lawyers, doctors, or ministers
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 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 educated curriculum.

These rights transfer from the parents to student who is 18 years old or an emancipated minor under Pennsylvania law.

The Oxford Area School District has developed and adopted policies, in consultation with parents, 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 of these policies at least annually at the start of each school year and after any substantive changes. The District will also directly notify, such as through U.S. Mail or e-mail, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity and survey. The District will deliver this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- 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 U. S. Department of Education
- Any non-emergency, invasive physical examination or screening as described above

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U. S. Department of Education
400 Maryland Avenue, S.W.
Washington, D. C. 20202-5901

Policy 5380
Adopted: 5/25/04
Readopted: 1/29/14;11/15/16;9/17/19;4/19/22
Revised: 6/18/07;7/19/11