

# **NINER UNIVERSITY ELEMENTARY SURVEYS OF STUDENTS**

The principal of Niner University Elementary (“NUE”) shall ensure that all notification and other requirements of state law and the Protection of Pupil Rights Amendment are met, including all legal requirements regarding the surveying of students.

## **A. Surveys Involving Protected Topics**

### **1. Definition of Protected Topic Survey**

For purposes of this policy, the following are considered a “protected topic”:

- 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 the student’s parent; 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).

For purposes of this policy, a “protected topic survey” is any survey, analysis, or evaluation that reveals information concerning any of the protected topics.

### **2. Rules Regarding Protected Topic Surveys**

#### **a. Protection of Student Privacy**

NUE will take measures to protect the identification and privacy of students participating in any protected topic survey. These measures may include limiting access to completed surveys and to survey results, as allowed by law.

#### b. Parental Notification

NUE will notify parents at the beginning of each school year of the specific or approximate dates of administration of protected topic surveys. At least 10 days prior to the administration of a protected topic survey, parents and eligible students (students who are 18 years of age or old, or who are emancipated minors) will be provided the opportunity to review the process for providing consent to participate in the protected topic survey. This information, along with the full text of the protected topic survey, will be made available electronically and in person.

#### c. Parental Consent

Parents will be provided notice of the opportunity to opt out of any protected topic survey given as part of the Centers for Disease Control and Prevention's Youth Risk Behavior Surveillance System or National Youth Tobacco Survey. Before a student will be permitted to participate in any other protected topic survey, the parent or eligible student must provide prior written consent.

### **B. Well-Being Questionnaires and Health Screening Forms**

Before administering any well-being questionnaire or health screening form to students in kindergarten through third grade, the principal or designee shall provide parents with a copy of the questionnaire or form and information regarding the means for parents to consent to their children's participation.

If a well-being questionnaire or health screening form falls under the definition of a protected topic survey, all rules for protected topic surveys, as described above in subsection A.2, also apply.

### **C. Other Surveys Created by a Third Party**

Parents have the right, upon request, to inspect any other survey created by a third party before the survey is administered or distributed to a student.

### **D. Collection of Student Data for Marketing Purposes**

NUE generally will not collect, disclose, or use personal student information for the purpose of marketing or selling the information or otherwise providing the information to others for that purpose. However, in the event the principal approves a collection, disclosure, or use of personal student information for one of those purposes, NUE will (1) notify parents at the beginning of each school year of the specific or approximate dates of such collection, disclosure, or use, (2) allow parents to inspect any instrument used to collect the information before the

instrument is administered or distributed to a student, and (3) offer the parent the opportunity to opt out of the collection, disclosure, or use of the student's personal information.

The preceding rules for the collection, disclosure, and use of personal student information do not apply if NUE collects, discloses, or uses personal information from students for the exclusive purpose 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 material 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 assessments) 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; and
6. student recognition programs.

#### **E. Other Relevant Policies**

In addition to this policy, NUE, with parental and community input, has developed other policies concerning surveys and related matters as required by the Protection of Pupil Rights Amendment. These policies include: Parental Involvement; Parental Inspection of and Objection to Instructional Materials; and Student Records.

#### **Revision History:**

Initially Approved [date]

**Authority:** Chancellor

**Responsible Office:** Academic Affairs