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5 **10900 STUDENT INFORMATION AND MISCELLANEOUS**
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7 **10925 Protection of Rights Relative to Instructional Materials, Surveys/Evaluations, and**
8 **Marketing**
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10 This policy sets forth guidelines to assist the District in complying with the requirements
11 of 20. U.S.C.A. §1232h, which is part of the No Child Left Behind Act of 2001. As used
12 throughout this Policy, the term “ personal information” shall mean individually
13 identifiable information including a student's or parent's/guardian's name, address,
14 telephone number, or Social Security number.
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16 **Instructional Materials**
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18 Parents/guardians of students shall be notified annually that all instructional materials,
19 including teachers' manuals, audiovisuals, and other supplementary instructional material
20 used in the instructional program shall be available for inspection by the
21 parents/guardians. Instructional materials shall not include tests or academic
22 assessments.
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24 **Surveys/Evaluations**
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26 All surveys and instruments used to collect information from students shall relate to the
27 District's educational objectives. Surveys conducted by outside agencies, organizations
28 and individuals shall be approved by the Superintendent prior to administration to
29 students.
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31 Parents/guardians shall be informed of the nature and scope of individual surveys and
32 their relationship to the educational program of their child and parents’/guardians’ right
33 to inspect, upon request, a survey created by a third party prior to administration or
34 distribution to a student. Such requests shall be in writing and submitted to the building
35 Principal.
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37 No student shall be required to submit to a survey, analysis, or evaluation that reveals
38 information concerning:
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- 40 1. Political affiliations or beliefs of a student or the student’s parents/guardians.
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- 42 2. Mental and psychological problems of the student or family.
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- 44 3. Sexual behavior or attitudes.
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- 46 4. Illegal, antisocial, self-incriminating or demeaning behavior.

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- 3 5. Critical appraisals of other individuals with whom respondents have close
- 4 family relationships.
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- 6 6. Legally recognized privileged or analogous relationships, such as those with
- 7 lawyers, physicians, and ministers.
- 8
- 9 7. Religious practices, affiliations, or beliefs of the student or the student's
- 10 parents/guardians.
- 11
- 12 8. Income, other than that required by law to determine eligibility for
- 13 participation in a program or for receiving financial assistance under such
- 14 program.

15 However, such survey, analysis or evaluation may be conducted with written parental
16 consent for students under eighteen (18) years of age or written consent of emancipated
17 students or those over eighteen (18) years, provided that the student and the student's
18 parents/guardians have been notified of their right to inspect all related materials and to
19 opt out of participation.

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21 The Superintendent or his/her designee shall implement procedures to protect student
22 identity and privacy when a survey contains any of the restricted subject areas listed
23 above.

24 Collection Of Information For Marketing

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

33 Implementation

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36 The Superintendent or his/her designee shall develop and promulgate procedures for the
37 implementation of this Policy. Additionally, the Superintendent or his /her designee shall
38 annually notify the parent/guardian concerning:

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- 40 1. The contents of this Policy and its availability.
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- 42 2. The approximate dates, if then known, that any surveys requesting personal
- 43 information may be scheduled.
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- 45 3. The procedures to request access to survey instruments prior to
- 46 administration.

4. The procedures for opting students out of participation in surveys.

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Adoption Date -

Revised -

Practice -

Policy Cross-References - Policy No.'s 12201 and 10920

Legal Reference - School Code – 24 P.S. Sec. 510

No Child Left Behind Act of 2001 – 20 U.S.C.A
Sec. 1232h

State Board of Education Regulations – 22 PA Code
Sec. 4.4, 12.1, 12.2, 12.3, 12.4, 12.9, 12.41, 403.1