

Pupil Privacy Rights -Procedures

Definitions. As used in Pupil Privacy Rights Policy and these Procedures, the following terms shall mean:

“Invasive physical examination” means a medical examination that involves the exposure of private body parts or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening.

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

“Instructional material” means instructional content that is provided to a student, regardless of format. It does not include tests or academic assessments.

“Parent” means a natural or adoptive parent, a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of a child).

Rights of Students.

Under these Policy and Procedures, the rights provided to parents under the Pupil Privacy Rights Amendment, the District’s Policy and these Procedures transfer to the student when the student turns 18 years old, or is an emancipated minor under applicable Vermont law.

1) **Parental Consent Required for Student Activities Concerning Certain Information.**

No student shall be required, without parental consent, to take part in a survey, analysis, or evaluation funded by the U.S. Department of Education that reveals information concerning:

- a) political affiliations or beliefs of a student or a student’s parents;
- b) mental or psychological problems of a student or student’s family;
- c) sex behavior or attitudes;
- d) illegal, anti-social, self-incriminating and demeaning behavior;
- e) critical appraisals of other individuals with whom student respondents have close family relationships;
- f) legally recognized privileged or analogous relationships, such as those of lawyers, physicians or members of the clergy;
- g) income (other than that required by law to determine eligibility for participation in a program for receiving financial assistance under such program; or
- h) religious practices, affiliations, or beliefs of the student or the student’s parents.

2) **Specific Activities Requiring Parental Notification**

Parents shall be notified at least annually, at the beginning of the school year or when enrolling students for the first time in district schools, of this policy. The notification shall

explain that parents/guardians or students 18 years of age or older, have the right to “opt out” of the following activities:

- a) the collection, disclosure and use of personal information gathered from students for purpose 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 services for, or to students
- b) the administration of any survey not funded in whole or part by the U.S. Department of Education that includes the eight subject areas listed in paragraph 1 above; or
- c) 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 a student or other students and not otherwise permitted or required by state law.

3) Annual Notification of Dates of Activities and Right to Opt Out

In addition parents shall be notified, through U.S. Mail., email or other direct means, at least annually at the start of each school year of the specific or approximate dates of any activities described in subparagraphs a-c above, and shall be provided an opportunity to opt out of participation in those activities.

4) Right to Inspect Instructional Material

Parents shall have the right to inspect, upon request, any instructional material used as part of the educational curriculum.

5) Procedures of Entities Conducting Surveys

Entities who conduct surveys to which this policy applies must demonstrate procedures ensuring student privacy, per state and federal statutes.

- 6) The superintendent or his or her designee shall develop administrative procedures as required to ensure implementation of this policy.

Legal References: Protection of Pupil Rights, 20 U.S.C. § 1232h

Family Education and Privacy Rights, 20 USC §1223g

Cross Reference: F 3R Educational Records
H 12 Educational Research

Policy Updates & Revisions:

July 11, 2006 First Reading
August 8, 2006 Second Reading & Adoption

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