

THE SCHOOL DISTRICT OF PHILADELPHIA

No. 235.1

Section: 200 PUPILS

Title: Student Surveys

Adopted: January 18, 2018

Revised:

235.1 STUDENT SURVEYS

Purpose

To further the goal of partnering with families to foster stronger learning communities, this Policy sets forth the rights of parents/guardians and students with regard to student surveys and the information contained therein in conformity with federal law.

~~This policy sets forth guidelines regarding the conduct of surveys and collection and use of information for the District's educational objectives consistent with law and regulations.~~

~~Surveys conducted by outside agencies, organizations, and individuals shall be approved by the SRC, based on the Superintendent or designee recommendation, prior to administration to students.~~

Definitions

Protected Information Survey: A survey concerning one or more of the following protected areas:

- **Political affiliations or beliefs of the student or student's parent;**
- **Mental or psychological problems of the student or student's family;**
- **Sex behavior or attitudes;**
- **Illegal, anti-social, self-incriminating, or demeaning behavior;**
- **Critical appraisals of others with whom respondents have close family relationships;**
- **Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;**
- **Religious practices, affiliations, or beliefs of the student or parents; or**
- **Income, other than as required by law to determine program eligibility.**

~~**Personal information**—individually identifiable information, including a student's or parent's/guardian's first and last name; home or physical address, including street name and the name of the city or town; telephone number; student identification number; or Social Security Number.[1]~~

~~For purposes of this policy, protected information, as addressed by the Protection of Pupil Rights Amendment (PPRA), includes:[1]~~

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

Authority

Federal law requires that the Board of Education (“Board”) maintain a policy that sets forth parent/guardian rights regarding protected information surveys administered or distributed by the School District of Philadelphia (“District”) to students, as well as regarding the collection, disclosure, or use of information collected from students gleaned from those surveys. The Pennsylvania Public School Code permits the Board to enact such rules and regulations as necessary regarding surveying students. [1]

~~Surveys conducted by outside agencies, organizations, and individuals shall be reviewed and approved or denied by the School District of Philadelphia’s Office of Evaluation, Research and Accountability Research Review Committee.~~

~~All surveys and instruments used to collect information from students shall relate to the District's educational objectives.[2]~~

Delegation of Responsibility

The Board directs the Superintendent or their designee, through the Office of Evaluation, Research & Accountability, to develop Administrative Procedures regarding the administration and dissemination of surveys to students that set forth, at a minimum, the following regarding protected information surveys:

- 1. The procedures for obtaining consent;**

2. The right of parents/guardians to receive notice and opt out of having a survey administered to a student; and
3. The right of parents/guardians to inspect the survey, instruments used to collect personal information from students, and the curriculum.[2]

All surveys involving collection and use of information for the District shall be consistent with the educational objectives of the District and be consistent with law and regulations.

Surveys conducted by outside agencies, organizations, and individuals shall be approved by the Office of Evaluation, Research & Accountability prior to administration to students.

Mandatory Regulatory Procedures

The collection, disclosure, or use of personal information collected from students for the purpose of marketing or selling, or otherwise providing information to others for that purpose is prohibited. However, this does not apply to information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for or to students or schools, such as:

- College or other postsecondary education recruitment, or military recruitment;
- Book clubs, magazines, and programs providing access to low-cost literacy products;
- Curriculum and instructional materials used by elementary and secondary schools; and
- Student recognition programs.[3]

U.S. Department of Education Funded Surveys

~~No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, to submit to a survey, analysis, or evaluation that reveals protected information without written parental consent for students under eighteen (18) years of age or written consent of emancipated students or those over eighteen (18) years of age.[1]~~

~~All instructional materials, including teachers' manuals, films, tapes, or other supplementary material, that will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be made available upon request for inspection by the parent(s)/guardian(s) of the student.[1][3]~~

Surveys Funded by Other Sources

Parents/Guardians shall be informed of the nature and scope of individual surveys and their relationship to the educational program of their child and the parent's/guardian's 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 Research Review Committee.~~[2][1]~~**[3][4]**

Parents/Guardians shall be informed of their right to have their child excluded from any surveys.**[3][4]**~~[2][1]~~

Collection of Information for Marketing, Sales, or Other Distribution Purposes

The District shall not disclose personal or protected information for the purpose of marketing, selling, or otherwise providing information to third parties for that purpose unless required by law.

~~The district shall notify parents/guardians of any activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or selling, or otherwise providing the information to others for that purpose.~~~~[1]~~

~~The parent/guardian has the right to inspect the instrument used in collection of personal information for the purpose of marketing or selling that information and opt out of participating in any activity that results in the collection, disclosure, or use of personal information for purposes of marketing or selling that information.~~~~[1]~~

~~This provision 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 or educational institutions, such as the following: recruiters, book clubs, curriculum and instructional materials used by schools, sale by students of products or services to raise funds for school-related or education-related activities, or student recognition programs.~~~~[1]~~

Privacy

The District shall implement **Administrative Procedures** to protect student identity and privacy in the context of surveys~~when a survey containing one or more of the items listed under protected information is administered or distributed to a student and in the event of the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.~~~~[1]~~**[3]**

Student and Parent/Guardian Rights

~~Under federal law, the rights provided to parents/guardians under this policy transfer to the student when the student turns eighteen (18) years old or is an emancipated minor. These rights do not transfer under state law; therefore, parents/guardians retain their rights to receive notice and to inspect.~~~~[4][2][1]~~

Delegation of Responsibility

~~The Superintendent or designee shall notify parents/guardians and students of:~~~~[1]~~

- ~~1. This policy and its availability.~~
- ~~2. The specific or approximate dates during the school year when activities described above are scheduled, or expected to be scheduled.~~
- ~~3. How to opt out of participation in activities as provided in this policy.~~
- ~~4. How to request access to any survey or other material described in this policy.~~

~~This notification shall be given at least annually, at the beginning of each school year, and within a reasonable time after any substantive changes regarding the contents of this policy.~~

~~The Superintendent or designee shall establish administrative procedures for protecting student identity and privacy in the administration of protected information surveys and the collection, disclosure or use of personal information for marketing, sales or other distribution purposes.~~

Legal References:

- 1. 24 P.S. § 5-510**
- 2. Policy 105.1 - Curriculum Review by Parents-Guardians and Students**
3. 20 U.S.C. 1232h
4. 22 PA Code 12.41
- ~~5. Pol. 105.1~~