

OLDHAM COUNTY BOARD OF EDUCATION POLICY

ADMINISTRATION OF SURVEYS OR ANALYSIS OF STUDENT INFORMATION FOR MARKETING PURPOSE

9042

Reference: No Child Left Behind Act of 2001; Protection of Pupil Rights Amendment

The Board believes that guardians and students who have reached the age of eighteen (18) or are emancipated (“eligible students”) have a right to receive prior notice, inspect, and opt out before students are required to submit to a survey that concerns one or more of the following areas, 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 psychological 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 the student has a close family relationship;
6. Legally recognized privileged relationships, such as lawyers, doctors or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents;
8. Income, other than as required by law to determine program eligibility; or
9. Any other protected information survey regardless of where the funding comes from.

The Board further believes that guardians and eligible students have a right to inspect any instrument used to collect personal information from students for any marketing, sales or distribution purposes, except for 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:

1. college or other postsecondary education recruitment, or military recruitment;
2. book clubs or magazine companies offering low-cost literary products;
3. curriculum and instructional materials used by elementary schools;
4. tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students;
5. the sale by students of products or services to raise funds for school-related or education-related activities; and
6. student recognition programs.

Parents or eligible students must be directly notified at the start of the school year of the approximate date during the school year when the school will administer the surveys.

Parents or eligible students who believe their rights under this policy have been violated should notify the principal of their school. The principal will attempt to resolve the concern and provide notification to the parent or eligible student of the resolution. Parents or eligible students, at any time they feel their rights are aggrieved under this policy, may file a complaint with the:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605;
1-202-260-3887.