

RESEARCH / SURVEYS

The Board of Education recognizes that educational research can be a valuable tool in identifying and applying strategies to enhance student achievement and in identifying factors that could prevent students from becoming contributing members of society. Surveys among student populations can be an important part of this research.

Students and parents/guardians retain certain rights, however, in the administration of surveys. The Board shall ensure that prior written consent is obtained from parents/guardians before any survey is administered that is funded in whole or in part by any program administered by the United States Department of Education, if the survey (analysis or evaluation) is designed to reveal information on any of the following:

- A. Political affiliations or beliefs of the student or the student's parents/guardians;
- B. Mental and psychological problems of the student or the student's family;
- C. Sexual 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, or ministers;
- G. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian; 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).

Although written consent to participate in a survey is not required if it is not funded by the U.S. Department of Education (USDOE), parents/guardians must provide prior written consent for their child(ren) to participate in a survey that solicits information in any of the eight protected areas.

Written informed consent shall also be obtained from parents/guardians prior to the administration of any academic or nonacademic survey, assessment, analysis or evaluation that would reveal the student's social security number.

Prior approval of the Superintendent is required for all other surveys on topics not listed. Anyone seeking approval of a proposed survey must provide the Superintendent with details of the survey methodology, its specific educational purpose and a description of how results will be disseminated and applied.

For all surveys the identity of the respondent shall remain confidential.

RESEARCH/SURVEYS (continued)

The Superintendent shall develop regulations to implement this policy that include reasonable timelines for parents/guardians to access and review surveys as prescribed by law, and arrangements to protect student privacy in the administration of a survey.

This policy and the regulations shall be made available to the public at least annually at the beginning of the school year, especially to parents/guardians and to District staff. The public shall be informed within a reasonable period of time if substantive change is made to policy and regulations. The public shall also be informed of specific or approximate dates, if known, when surveys may be administered.

Legal References: N.J.S.A. 18A:36-34 Written approval required prior to acquisition of certain survey information from students
 N.J.A.C. 6A:16-1.4 District policies and procedures
 20 U.S.C.A. 1232g Family Educational Rights and Privacy Act
 20 U.S.C.A. 1232h Protection of Student Rights Amendment

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

In re: Application of Charles V. Reilly, Robert A. Hutton and Sean Reilly to Contest the Validity of the Enactment of Assembly Bill 3359 (P.L. 2001, c. 364), Superior Court of New Jersey, Appellate Division, Docket No. A-0163-02T2, 2003 N.J. Super. Lexis 376

Green v. Ocean TP BOE, Agency Ref # 3-1/15 (10/25/16)

Cross References: *1140 Distribution of materials by students and staff
 1315 Distribution of materials to students and staff
 4132 Publications/materials
 *5020 Role of parents/guardians
 *5124 Reporting to parents/guardians
 *5125 Student records
 *5141.3 Health examinations and immunizations
 *6147.1 Evaluation of individual student performance

*Indicates policy is included in the Critical Policy Reference Manual.

Key Words

Student Privacy, Research, Surveys

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