

### **349 PARENT RIGHTS AND DISTRICT PROGRAMS/ACTIVITIES**

Parents/guardians may inspect, upon request, any instructional material used as part of the educational curriculum for students. In addition, parents/guardians may deny their child's participation in certain District educational programs or activities in accordance with state and federal laws and regulations. Specifically, parents/guardians may:

1. Request that their child not participate in 4<sup>th</sup>, 8<sup>th</sup> or 10<sup>th</sup> grade state assessments.
2. Request that their child not participate in instruction in human growth and development or instruction in certain health-related subjects (physiology and hygiene, sanitation, the effects of controlled substances and alcohol upon the human system, symptoms of disease and the proper care of the body).
3. Request that their child not participate in any survey administered or distributed to students in the schools that reveals information concerning any of the following:
  - Political affiliations or beliefs of the student or the student's parent;
  - Mental and psychological problems of the student or the student's family;
  - Sex behavior or attitudes;
  - Illegal, anti-social, self-incriminating or demeaning behavior;
  - Critical appraisals of other individuals with whom students have close family relationships;
  - Legally recognized privileged or analogous relationships such as those of lawyers, physicians and ministers;
  - Religious practices, affiliations or beliefs of the student or student's parent; or
  - Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program.

Parents/guardians may inspect, upon request, any survey containing items related to any of the above information and any survey created by a third party, as well as any instructional materials used in connection with any such survey. If a survey containing any of the above information is funded in whole or in part by any program administered by the U.S. Department of Education, written consent shall be obtained from the student or, in the case of a minor student, the student's parent/guardian before the student participates in the survey.

4. Request that their child not participate in any activities involving the collection, disclosure or use of personal information collected from students for the purpose of marketing or selling that information, or otherwise providing that information to others for that purpose. "Personal information" includes individually identifiable information such as a student's or parent's first and last name, address, telephone number of Social Security identification number. Upon request, parents/guardians may inspect any instrument used in the collection of personal information from students for marketing or selling purposes before the instrument is administered or distributed to students.
5. Request that their child not participate in any non-emergency, invasive physical examination or screening that is:
  - a. required as a condition of attendance,
  - b. administered by the school and scheduled by the school in advance, and
  - c. not necessary to protect the immediate health and safety of the student, or of other students.

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

Parents/guardians shall be informed at the beginning of the school year of the specific or approximate dates during the school year when activities outlined in items (3), (4) and (5) are scheduled to take place and shall be given the opportunity to request that their child not participate in such activities.

Parents/guardians shall make any of the above requests, in writing, to the building principal or designee. All requests will be judged individually based upon state and federal guidelines. The principal or designee shall respond to such requests in a timely manner.

The District shall inform parents/guardians of this policy at the beginning of each school year.

LEGAL REF.:           No Child Left Behind Act of 2001  
                              Protection of Pupil Rights Amendment

CROSS REF.:           333-Parent Rights in the Curriculum  
                              341.2-Health Education  
                              347-Student Records  
                              346.1 Rule-Guidelines for Testing Program Exemptions  
                              347-Rule(1), Guidelines for the Control and Maintenance of Student Records  
                              347-Rule(2), Student Record Files  
                              348-Research and Surveys in the Schools  
                              411-Discrimination and Harassment Prohibited  
                              491-Photographing of Students  
                              771-Copyrighted Materials  
                              850-Public Solicitations in the Schools

APPROVED:           November 11, 2002