

RESEARCH

The Little Silver 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 a copy of the survey is available for viewing and that prior written consent is obtained from parents/guardians or emancipated students before any survey is administered in whole or in part by any state or federal source, 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. Sex 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;
- H. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program); or
- I. Social security number.

Parents/guardians shall be given the opportunity to inspect any survey, analysis or evaluation that solicits information in any of the above areas, including surveys funded by other than state or federal sources. If parents/guardians object to their child(ren)'s participation in a survey regarding the above matters, the child(ren) shall be allowed to opt out. The superintendent shall adopt regulation to protect the confidentiality of all survey respondents.

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.

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

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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.

Parent/Guardian Notification

Annual parental/guardian notice shall include an opportunity for the parent/guardian to opt the student out of the following activities:

- A. Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.
- B. The administration of any third party (non-Department of Education funded) survey containing one or more of the above described nine items of information.

Adopted: October 8, 2009  
 Revised: April 29, 2021, March 24, 2022  
 NJSBA Review/Update: May 2023  
 Readopted: August 24, 2023

Key Words

Student Privacy, Research, Surveys

**Legal References:** N.J.S.A. 18A:36-34 Written approval required prior to acquisition of certain survey information from students

20 U.S.C.A. 1232g – Family Educational Rights and Privacy Act

20 U.S.C.A. 1232h – Protection of Student Rights Amendment

Every Student Succeeds Act of 2015, Pub. L. 114-95, 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

**Possible**

**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

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