

COMMUNITY RELATIONS

§8-63 Questionnaires and Surveys

No questionnaire or survey shall be administered to students without written, informed parental consent for the student's participation when participation may subsequently result in the sale for commercial purposes of personal information regarding the student.

In any case in which a questionnaire or survey requesting sexual information or student health risk behaviors of students is to be administered, notice shall be provided to the parent concerning the administration of such questionnaire or survey in writing not less than 30 days prior to its administration. The notice shall inform the parent regarding the nature and types of questions included in the questionnaire or survey, the purposes and age-appropriateness of the survey, and whether and how any findings or results will be disclosed. Parents shall have the right to review the questionnaire or survey and to exempt their child from participating in the survey.

However, no questionnaire or survey requesting sexual information of a student shall be administered to any student in kindergarten through grade six and, unless required by federal or state law or regulation, school personnel administering any such questionnaire or survey shall not disclose personally identifiable information.

Federal law provides no student shall be required, as part of any federally funded program, to submit to a survey, analysis, or evaluation that reveals information concerning:

- (1) political affiliations or beliefs of the student or the student's parent;
- (2) mental or psychological problems of the student or the student's family;
- (3) sex 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 of lawyers, physicians, and ministers;
- (7) religious practices, affiliations, or beliefs of the student or student's parent; or
- (8) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

POLICY
STUDENTS

§8-63
(b)

COMMUNITY RELATIONS

§8-63 Questionnaires and Surveys (continued)

Surveys, analyses and evaluations mentioned in paragraphs 1-8 above, require the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, require the prior written consent of the parent or guardian.

Legal Reference: Code of Virginia § [22.1-79.3](#); [20 U.S.C §1232h](#)

Adopted: 4/24/07

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