Hickman County Board of Education

	Descriptor Term: **Student Surveys, Analyses, and Evaluations**	Descriptor Code: **6.4001**	Issued Date: **06/05/23**
		Rescinds: **6.4001**	Issued: **04/05/21**

Surveys, analyses, and evaluations for research purposes shall be allowed by the Board when the project is viewed as contributory to a greater understanding of the teaching-learning process, the project does not violate the goals of the Board, and the disruption of the regular school program is minimal. The director of schools shall develop administrative procedures for approving requests for conducting surveys, analyses, or evaluations by agencies, organizations or individuals. The requests shall outline what is to be done, who is to be involved and how the results will be used and distributed.[1]

Prior to the dissemination of a survey, analysis, or evaluation to students, parents/guardians shall be notified of their ability to review the materials. Such notification shall include information indicating the purpose of the survey, analysis, or evaluation as well as who will have access to the results. The survey, analysis, or evaluation shall only be administered to students under the age of eighteen (18) whose parent(s)/guardian(s) provide written, informed, and voluntarily signed consent. A student who is eighteen (18) years of age or older may participate after he/she provides written, informed, and voluntarily signed consent. The Director of Schools shall develop procedures for granting such parental requests.[1]

The director of schools shall develop procedures for granting such parental requests and to implement the other provisions of this policy.[1]

No student shall be required, as part of any program, to submit to a survey, analysis or evaluation that reveals information concerning: [1,2]

1. mental or psychological problems of the student or the student's family;
2. sexual behavior or attitudes;
3. illegal, anti-social, self-incriminating, or demeaning behavior;
4. critical appraisals of other individuals with whom respondents have close family relationships;
5. legally privileged relationships;
6. income; or
7. the collection of student biometric data involving the analysis of facial expressions, EEG brain wave patterns, skin conductance, galvanic skin response, heart-rate variability, pulse, blood volume, posture, and eye-tracking[3]

without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent.[5]

The collection of the following student data is strictly prohibited:[4]

1. political affiliation or voting history;
2. religious practices; and
3. firearm ownership.

COLLECTING, DISCLOSING OR USING INFORMATION FOR MARKETING[5]

In general, the district will not collect, disclose or use personal student information for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose.

If any collected information is to be marketed or sold, parents will be directly notified at least annually at the beginning of the school year of the specific or approximate dates when such information will be collected. Parents, upon request, may inspect any instrument used to collect personal information for the purpose of marketing or selling that information before the instrument is administered or distributed to the student. All parents and students of appropriate age may decline to provide the information requested.

This portion of the policy does not apply to the collection, disclosure or use of 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 to the extent allowed by law, such as the following: [4]

1. College or other postsecondary education recruitment or military recruitment.
2. Book clubs, magazines and programs providing access to low-cost literary products.
3. Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments.
4. The sale by students of products or services to raise funds for school-related or education related activities.
5. Student recognition programs.

Legal References

Cross References

1. TCA 49-2-211; Public Acts of 2023, Chapter No. 353
2. 20 USCA § 1232h
3. TCA 49-1-706
4. TCA 49-1-705
5. 20 USCA § 1232h(c)(1); 20 USCA § 1232h(c)(4)

Testing Programs 4.700