

SCHOOL DISTRICT OF NEW LONDON

ADMINISTRATIVE GUIDELINE 440 - STUDENT RIGHTS AND RESPONSIBILITIES

- A. Freedom of expression may not be restricted unless its exercise interferes with the orderly conduct of classes and school work.
1. Buttons or other insignia may not be worn or displayed if the message is seriously disruptive to the educational process by mocking, ridiculing or deliberately demeaning others because of race, religion, gender, sexual orientation, national origin, or individual views, or to illustrate obscenity or profanity.
 2. No student may distribute buttons or other literature during regular school hours either in class or in the halls between classes, unless authorized by the building principal.
 3. Publications not sponsored by the school may be distributed as long as they do not violate provisions of Board policy.
 4. Students distributing buttons or other literature are responsible for removing litter which may result from their activities.
 5. Failure to observe these rules may result in confiscation of the material, curtailment of the privilege, or, when necessary, disciplinary action, including suspension.
 6. Speech or actions which disrupt the work of the school or the rights of other students are unacceptable.
- B. Student petitions:
1. Students are authorized to present petitions to the school administration at any time. Collection of signatures, however, is restricted to before or after school hours.
 2. Petitions must be free of obscenities, libelous statements, and personal attacks, and must be within the bounds of reasonable conduct. Petitions that cause unwarranted distraction or disruption to the educational process are subject to discipline including suspension and expulsion.
- C. Student participation in surveys:
1. Schools must make instructional materials available for inspection by parents if those materials will be used in connection with any U.S.

Department of Education funded survey, analysis, or evaluation in which their children participate.

2. Schools must obtain prior written parental consent before minor students are required to participate in any U.S. Department of Education funded survey, analysis, or evaluation which reveals information concerning:
 - a. Political affiliations or beliefs of the student or the student's parent;
 - 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, and ministers;
 - g. Religious practices, affiliations, or beliefs of the student or student's parent; or
 - h. Income (other than that required by law to determine eligibility for participation in a program or receiving financial assistance under such program).
3. For surveys funded by sources other than the U.S. Department of Education, schools are required to:
 - a. Give parents the right to inspect, upon request, a survey created by a third party, or any instrument used in the collection of information from the student for the purpose of marketing or selling, or otherwise providing the information to others for that purpose, before the survey is administered or instrument distributed by a school to students.
 - b. Arrange to protect student privacy in the event of administration of a survey or instrument to students, including the right of parents to inspect, upon request, the survey or instrument, if the survey contains one or more of the same items of information noted above.

4. The school board/administration must directly notify parents of these rights at least annually, at the beginning of the school year. In the notification, the district will offer an opportunity for the parents to opt out of (remove their child from) participation in the following activities:
 - a. Activities involving the collection, disclosure, or use of personal information collected from the 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 eight items of information.
 - c. Any non-emergency, invasive physical examination or screening that is:
 - (1) Required as a condition of attendance;
 - (2) Administered by the school and scheduled by the school in advance; and not necessarily to protect the immediate health and safety of the student, or of other students.
5. The requirements concerning activities involving the collection and disclosure of personal information from students for marketing purposes do 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, such as the following:
 - a. Colleges or other postsecondary institutions or military recruitment;
 - b. Book clubs, magazines, and programs providing access to low-cost literacy products;
 - c. Curriculum and instruction materials used by elementary and secondary schools;
 - d. Tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students;
 - e. The sale by students of products or services to raise funds for school-related or education-related activities;
 - f. Student recognition programs;

- g. Physical examinations and screenings that are permitted or required by state law;
 - h. Surveys administered in accordance with the Individuals with Disabilities Education Improvement Act (IDEA);
6. Rights provided to parents under the Protection of Pupil Privacy Act transfer from parent to student when the student turns 18 years old or is an emancipated minor under applicable state law.

ADOPTION DATE: May 10, 1999

REVISION DATE(S): July 11, 2005; March 25, 2019

REVIEW DATE(S): February 13, 2019; February 14, 2024

CROSS-REFERENCE: Policy 440 Student Rights and Responsibilities

LEGAL REFERENCE: Article I, Wisconsin Constitution
Section 118.13 Wisconsin Statutes
PI 9.03(1), Wisconsin Administrative Code
PL 107-110 Title X, Part F, Section 1061 (Protection of Pupil Privacy Act)