

**Willamette Education
Service District**

Code: **KI**
Adopted: 7/8/03
Readopted: 10/11/05; 8/10/10
Orig. Code(s): None

Public Solicitation in ESD Facilities**

Students and staff are to be protected from intrusions by announcements, posters, bulletins, and communications of any kind from individuals and organizations not directly connected with the schools.

The solicitation and sale of travel services to students may be permitted with approval of the Superintendent on ESD property, at activities under the jurisdiction of the ESD, and at interscholastic activities administered by a voluntary organization approved by the State Board of Education (i.e., Oregon School Activities Association).

This includes sale of services to students by any person or group that sells, provides, furnishes, contracts for, arranges, or advertises travel services.

The administration of surveys, questionnaires, and requests for information by nonschool connected organizations is disallowed. Exceptions may be approved by the Superintendent.

In the event an exception is granted for the administration or distribution of a survey created by a third party, the ESD will provide an opportunity for the student's parent to inspect such survey upon request, before the survey is administered or distributed by a school to a student, as required by the No Child Left Behind Act of 2001 (NCLBA). Any ESD survey containing any "covered survey items"¹ as defined by NCLBA, may also be inspected by parents.

Parents may also request that their student be excused from participation in such surveys. Requests may be submitted in accordance with the provisions of Board policy KAB – Parental Rights and accompanying administrative regulation.

As required by law, the Superintendent shall ensure that notification is provided to parents of students at least annually at the beginning of the school year or when enrolling students for the first time in school, of the specific or approximate dates during the school year when such surveys are scheduled or expected to be scheduled. The rights provided to parents under this policy transfer to the student when the student turns 18 years old or is an emancipated minor under applicable state law.

¹Covered survey items under the NCLBA include one or more of the following items: political affiliations or beliefs 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 respondents 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 the student's parent; and income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program.

The ESD recognizes its responsibility to protect student privacy. Personal information that may be collected as a result of such surveys will be released only with prior, written parental permission, unless as otherwise provided by NCLBA and/or the provisions of Board policy JOB – Personally Identifiable Information.

The ESD will not participate in any fundraising drive which is not consistent with Board policy.

END OF POLICY

Legal Reference(s):

[ORS 279C.335](#)
[ORS 332.593](#)

[ORS 334.125\(7\)](#)
[ORS 646.185](#)

32 OR. ATTY. GEN. OP. 209 (1965)

46 OR. ATTY. GEN. OP. 239 (1989)

Protection of Pupil Rights, 20 U.S.C. § 1232h (2006); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2006).

Cross Reference(s):

DJG - Vendor Relations
GBI - Gifts and Solicitations
KG - Use of ESD Facilities
KJA - Materials Distribution