

279.79 Surveys — required parent or guardian consent.

1. The board of directors of a school district must receive the prior written consent of a student's parent or guardian before requiring a student to take part in any survey, analysis, activity, or evaluation that reveals information concerning any of the following about the student or the student's family, whether the information is personally identifiable or not:

- a. The political affiliations or beliefs of the student or the student's parent or guardian.
- b. Mental or psychological problems of the student or the student's family.
- c. Sexual behavior, orientation, or attitudes.
- d. Illegal, antisocial, self-incriminating, or demeaning behavior.
- e. Critical appraisals of other individuals with whom the student has close familial relationships.
- f. Legally recognized privileged or analogous relationships, such as those of attorneys, physicians, or ministers.
- g. Religious practices, affiliations, or beliefs of the student or the student's parent or guardian.
- h. Income, except when required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program.

2. An employee of a school district, or a contractor engaged by a school district, shall not answer any question pertaining to any particular student enrolled in the school district in any survey related to the social or emotional abilities, competencies, or characteristics of the student, unless the board of directors of the school district satisfies all of the following requirements:

- a. The board of directors of the school district provides to the parent or guardian of each student enrolled in the school district detailed information related to the survey, including the person who created the survey, the person who sponsors the survey, how information generated by the survey is used, and how information generated by the survey is stored.
- b. The board of directors of the school district receives the written consent from a student's parent or guardian authorizing the employee or contractor to answer questions in the survey pertaining to the student.

3. [Subsection 2](#) shall not be construed to prohibit an employee of a school district, or a contractor engaged by a school district, from answering questions pertaining to any particular student enrolled in the school district as part of the process of developing or implementing an individualized education program for such student.

[2023 Acts, ch 91, §15](#)

Referred to in [§256E.7](#), [256F.4](#)

NEW section