

The Protection of Pupil Rights Amendment (PPRA)

The Protection of Pupil Rights Amendment (PPRA) affords parents certain rights with respect to the conduct of surveys, analyses, or evaluations that are funded in whole or in part by the United States Department of Education (DOE). These rights include:

A. The right to consent before students are required to submit to a survey that is funded in whole or in part by a program of the DOE, which concerns one or more of the following protected areas (protected information survey):

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 lawyers, physicians, and ministers;
7. Religious practices, affiliations, or beliefs of the student or the student's parent;
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

B. The right of the parent and eligible student to receive notice and an opportunity to opt-out of:

1. Any other protected information survey, regardless of funding;
2. Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or selling or otherwise providing that information to others for marketing or sales purposes; and
3. Any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school and scheduled by the school in advance, and not necessary to protect the immediate health and safety of the student or of other students.

The right to receive notice and an opportunity to opt-out 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, such as the following:

- * College or other postsecondary education recruitment, or military recruitment;
- * Book clubs, magazines, and programs providing access to low-cost literary products;
- * Curriculum and instructional materials used by elementary and secondary students;
- * Tests and assessments used by elementary and secondary students to provide cognitive, evaluative, diagnostic, clinical, aptitude or achievement information about students (or generate other statistically useful data for the purpose of securing such tests and assessments) and subsequent analysis and public release of the aggregate data from such tests and assessments;

- * The sale by students of products or services to raise funds for school-related or education-related activities; or
- * Student recognition programs.

In addition, the opportunity to opt-out of physical examinations and/or screenings does not apply to physical exams or screenings for hearing, vision, or scoliosis, or any other physical examinations or screenings that are permitted or required by state law.

C. The right to inspect, upon request and before administration or use the following:

- * Protected information surveys of students;
- * Instruments used to collect personal information from students for the purpose of marketing or selling that information; and
- * Instructional material used as part of the educational curriculum for the student.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

The district has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The district will directly notify parents of these policies at least annually at the start of each school year and after making any substantive changes to such policies. The district will also directly notify parents of students scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The district will make this notification to parents at the beginning of the school year if the district has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- * The collection, disclosure or use of personal information for marketing, sales or other distribution;
- * The administration of any protected information survey not funded in whole or in part by the DOE; and
- * Any non-emergency, invasive physical examination or screening as described above.

Parents and eligible students who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202