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What is the Protection of Pupil Rights Amendment (PPRA)?

PPRA applies to the programs and activities of an SEA, LEA, or other recipient of funds under any program funded by the U.S. Department of Education. It governs the administration to students of a survey, analysis, or evaluation that concerns one or more of the following eight protected areas:

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

PPRA also concerns marketing surveys and other areas of student privacy, parental access to information, and the administration of certain physical examinations to minors. The rights under PPRA transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

What types of notification do local educational agencies (LEAs), i.e., school districts, have to make to parents about PPRA?

There are three types of notification an LEA must provide parents and students. The first one is a general notification of their rights under PPRA.

The second notice is a notification of *specific* events. The following activities require notification:

Activities involving the collection, disclosure, or use of personal information collected from students for marketing purposes or for selling that information, or otherwise providing it to others for that purpose;

The administration of any survey containing one or more of the eight protected areas listed above: and

Any nonemergency, 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 (3) not necessary to protect the immediate health and safety of the student, or of other students.

The third notice is a notification of the policies LEAs are required to develop, in consultation with parents, under PPRA. The LEA shall provide the notice at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in the policies.

What policies must an LEA develop under PPRA?

PPRA requires that LEAs, in consultation with parents, develop the following local policies concerning student privacy, parents access to information, and administration of certain physical examinations to minors:

The right of a parent of a student to inspect, upon the request of the parent, a survey created by a third party before the survey is administered or distributed by a school to a student, and any applicable procedures for granting a request by a parent for reasonable access to the survey within a reasonable period of time after the request is received;

Arrangements to protect student privacy that are provided by the LEA in the event of the administration or distribution of a survey to a student containing one or more of the eight protected areas of information;

The right of a parent or student to inspect, upon the request of the parent, any instructional material used as part of the educational curriculum for the student, and any applicable procedures for granting a request by a parent for reasonable access to instructional material within a reasonable period of time after the request is received;

The administration of physical examinations or screenings that the school or LEA may administer to a student;

The collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose, including arrangements to protect student privacy that are provided by the LEA in the event of such collection, disclosure, or use;

The right of a parent of a student to inspect, upon request, any instrument used in the collection of personal information (a student or parent's first and last name, a home or other physical address, a telephone number, or a Social Security identification number) before the instrument is administered or distributed to a student, and any

applicable procedures for granting a request by a parent for reasonable access to such instrument within a reasonable period of time after the request is received.

A model PPRA general notification for use by LEAs is enclosed and may also be obtained on FPCO's website at: [Model Notification of Rights Under PPRA](#)

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