

PPRA Notice and Consent/Opt-Out for Specific Activities

The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h, requires [Clinton School District #32] to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas (“protected information surveys”):

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or the student’s parent; or
8. Income, other than as required by law to determine program eligibility.

This parental notification requirement and opt-out opportunity also apply to the collection, disclosure or use of personal information collected from students for marketing purposes (“marketing surveys”). Please note that parents are not required by PPRA to be notified about 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. Additionally, the notice requirement applies to the conduct of certain physical exams and screenings. This includes any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student. This does not include hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required by State law.

Following is a schedule of activities requiring parental notice and consent or opt-out for the upcoming school year. This list is not exhaustive and, for surveys and activities scheduled after the school year starts, the [Clinton School District #32] will provide parents, within a reasonable period of time prior to the administration of the surveys and activities, notification of the surveys and activities, an opportunity to opt their child out, as well as an opportunity to review the surveys. (Please note that this notice and consent/opt-out transfers from parents to any student who is 18 years old or an emancipated minor under State law.)

[The following are only examples of PPRA notices and consent/opt-outs that may be used by school districts for protected information surveys or marketing surveys. School districts will need to tailor their notices and consent/opt outs depending on their specific activities, as required by PPRA.]

[For surveys that contain questions from one or more of the eight protected areas noted above:]

Date: March 1
Grades: Eight and Nine
Activity: ABC Survey of At-Risk Behaviors.

Summary: This is an anonymous survey that asks students questions about behaviors such as drug and alcohol use, sexual conduct, violence, and other at-risk behaviors. The survey also asks questions of a demographic nature concerning family make-up, the relationship between parents and children, and use of alcohol and drugs at home.

[Note to schools: We recommend that the notice inform parents that they may submit a request to a specified school official or office in order to review the protected information survey and that the school official or office will notify the parent of the time and place where the parent may review this. A parent has the right, upon request, to review this protected information survey.]

[Note to schools: If the survey in question is administered as part of an applicable program of the U.S. Department of Education (ED program), such as through an ED-administered grant program and the student is required to submit to the survey, prior “active” consent is required, as in the first example. If the survey is not administered as part of an ED program or the student is not required to submit to the survey, then the school should use the second example of an opt-out notice.]

Consent [only for protected information surveys that are administered as part of an ED program and to which the student is required to submit]: A parent must sign and return the consent below no later than [insert return date] so that your child may participate in this survey.

[Sample consent:

I _____ give my consent for _____ to take the ABC Survey of At-Risk Behaviors on or about [Add date].

Parent’s signature

Please return this form no later than [insert date] to the following school official: [Provide name and mailing address.]

Opt-out [for any protected information survey that is not administered as part of an ED program or to which the student is not required to submit]: A parent must sign and return this opt-out form no later than [January 1] [OR] Contact [Amanda Cyr, Superintendent] at [(406)825-3113, acyr@clintoncougars.com; PO Box 250, Clinton, MT 59825] no later than [date] if you do not want your child to take the ABC Survey of At-Risk Behaviors on or about [January 1].