

## PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA) NOTICE

Pursuant to the Protection of Pupil Rights Amendment (PPRA) (20 USC §1232h; 34 C.F.R §98), parents, guardians, or eligible students (over the age of 18 or emancipated) have certain rights pertaining to surveys, the collection and use of information for marketing purposes, and certain physical exams.

### PPRA RIGHTS

1. The right to give prior written consent before students are required to submit to surveys concerning “protected information” if the survey is funded in whole or in part by a program of the U.S. Department of Education. “Protected information” includes:
  - a. Mental or psychological problems conditions of the student or student’s family;
  - b. Sex behavior or attitudes;
  - c. Illegal, anti-social, self-incriminating, or demeaning behavior;
  - d. Critical appraisals of others with whom survey respondents have close family relationships;
  - e. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
  - f. Income, other than as required by law to determine program eligibility

Pursuant to F.S. §1002.222, the District will not collect, obtain or retain information on political affiliation, voting history, religious affiliation or biometric information of a student or a parent or sibling of the student.

*“Biometric information” means information collected from the electronic measurement or evaluation of any physical or behavioral characteristics that are attributable to a single person, including fingerprint characteristics, hand characteristics, eye characteristics, vocal characteristics, and any other physical characteristics used for the purpose of electronically identifying that person with a high degree of certainty.*

2. The right to receive notice and an opportunity to opt a student out of participation in any other protected information survey, regardless of funding.
3. The right to receive notice and an opportunity to opt a student out of any non-emergency invasive physical exam or screening required as a condition of school attendance administered by the school or its agent, and not necessary to protect the immediate health and safety of a student.

*Pursuant to F.S. §381.0056(4)(a)(6-9) and (6)(e), parents/guardians have the right to opt out of selected health screenings listed in Florida Administrative Code 64F-6.003(1-4) and the School Health Services Plan. These screenings – offered to students in selected grades – include vision, hearing, scoliosis, and body mass index (BMI), which is also referred to as “growth and development” and includes the calculation of height and weight.*

4. The right to receive notice and an opportunity to opt a student out of activities involving the collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others. This does not include information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students and educational institutions.
5. The right to inspect, upon request and prior to administration or use (a) protected information surveys of students, and surveys created by a third party, (b) instruments used to collect personal information from students for any marketing, sales, or other distribution purposes, and (c) instructional material used as part of the educational curriculum.
6. These rights transfer from the parents/guardians to a student who is 18 years old or an emancipated minor under Florida law.

### PRIVACY AND NOTIFICATION

The District will ensure that student privacy is protected 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 their PPRA rights at least annually at the start of each school year and after any substantive changes. Direct notification includes, but is not limited to, the Code Book of Student Conduct, mail, e-mail, in- person, or by acknowledgment form. The District will also directly notify parents of students who are scheduled to participate in the specific activities or

surveys noted above 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 and will be provided an opportunity to opt their child out of such activities and surveys and to review any pertinent surveys.

Those who believe their rights have been violated may file a complaint with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202. If you wish to discuss and try to resolve any PPRA concerns before contacting the Family Policy Compliance Office, you may contact the SBBC Privacy Officer at 754-321-1914.

## **PPRA PROCEDURES**

1. To inspect surveys, instruments used to collect personal information, and instructional materials, parents/guardians must submit their requests in writing to the school. Such inspection must be conducted in-person under the supervision of designated staff and at the location designated by the school principal.
2. Prior to the administration of protected information surveys, principals or designated District staff will provide direct notification (including but not limited to mail, e-mail, in-person, or by acknowledgement form) to parents, guardians, or eligible students and provide the required consent forms. All completed forms must be returned to the child's school.
3. Principals or designated staff will directly send parents opt out forms for any instruments used to collect personal information for marketing, sales or distribution purposes. All completed forms must be returned to the child's school.
4. All surveys containing protected information and all instruments used to collect personal information for marketing, sales, or distribution will be administered in a manner that protects students' privacy.
5. Regarding non-invasive health screenings, parents/guardians choosing to opt out must complete the Health Screening Opt-Out Form in the Code Book of Student Conduct and submit this form to the school in the time frames listed on the form.
6. Parents will be provided reasonable advance notification of (a) the administration of protected information surveys of students, (b) the collection, disclosure, or use of personal information from students for marketing, sales, or distribution, and (c) any non-emergency, invasive physical examination or screening. Notification of items (a), (b), and (c) shall occur at the beginning of the school year if the dates of surveys and activities have been identified, or after the school year starts if the dates are not available earlier, as long as parents have the opportunity to opt their child out.