

Consistent with the requirement of the Protection of Pupil Rights Amendment (PPRA) and as revised by the No Child Left Behind (NCLB) Act of 2001, Cooperative Educational Services gives parents and “eligible students” (students who are 18 years or older or emancipated minors), certain rights regarding the agency or its program(s) conducting surveys, collecting and using information for marketing purposes and conducting certain physical exams. These include the right to provide written consent to participate in federally funded research projects, special studies or surveys concerning protected information as defined below\*; to opt out of certain surveys or physical exams related to the survey; to inspect certain research or survey materials (protected information surveys and instructional materials); and to receive annual notification of district policy including how they may file a complaint with the Family Policy Compliance Office of the U.S. Department of Education when they feel their rights have been violated.

\*Protected Information relates to surveys that seek student information in the following categories:

- Political affiliations or beliefs of the student or student’s family;
- Mental or psychological problems of the student or student’s family;
- Sexual behavior or attitudes;
- Illegal, anti-social, self-incriminating or demeaning behavior;
- Critical appraisals others with whom respondents have close family relationships;
- Legally recognized privileged relationships such as with attorneys, doctors and ministers;
- Religious practices, affiliations or beliefs of the student or parents; or
- Income other than that required by law to determine program eligibility.

C.E.S. will seek written consent of parents or “eligible students” whenever protective information surveys, are conducted in whole or in part. This consent must be received prior to actual student participation in the survey.

Parent and eligible students will receive notice whenever any of the following activities are to occur and will have the right to opt out of them:

- Activities involving collection, disclosure or use of the personal information obtained from students for purposes or marketing or selling or otherwise distributing the information to others;
- Any protected information survey, not funded in whole or in part by ED; and
- Any non-emergency, invasive physical exam or screening related to the survey required as a condition of attendance, administered by the school or its agent and scheduled by the school, and not necessary to protect the immediate health and safety of a student or of another student, except for hearing, vision or scoliosis screenings, or any other physical exam or screening permitted or required under State law.

Parents and “eligible students” have the right to inspect protected information surveys of students including instructional materials, documents used to collect personal information from students for the above marketing, sales, or other distribution purposes and instructional materials as part of the educational curriculum.

Consistent with this policy, the Executive Director or his/her designees will annually notify parents and “eligible students” of this policy via parent/student guides or handbooks.

Parents/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 20202-4605

Adopted: By the C.E.S. Representative Council on October 2, 2003

## Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents and students who are 18 or emancipated minors (“eligible students”) certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED) –
  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 parents; or
  8. Income, other than as required by law to determine program eligibility.
- *Receive* notice and opportunity to opt a student out of –
  1. Any other protected information survey, regardless of funding;
  2. 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, except for hearing, vision or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
  3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
- *Inspect*, upon request and before administration or use –
  1. Protected information surveys of students;
  2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
  3. Instructional material used as part of the educational curriculum.

C.E.S. has developed a policy regarding these rights. C.E.S. will notify parents and eligible students of these policies annually at the start of each school year or after any substantive changes. C.E.S. will also notify parents and eligible students annually at the start of each school year of the specific or approximate dates of the following activities and provide an opportunity to opt a student out of participating in:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents/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 20202-4605*