

**Policy Statement # 3620 (Students) of the Board of Education
Regarding the Protection of Pupil Rights Amendment (PPRA)**

I. Purpose

- A. To protect student rights regarding the administration of certain surveys and physical exams
- B. To allow an eligible student or the parent/guardian of a student to opt out of certain surveys and physical exams
- C. To allow for the inspection of certain surveys and instructional materials

II. Definitions

- A. Eligible students – students who are eighteen years old, or who are emancipated minors
- B. Personal Information – for the purposes of this policy, personal information means individually identifiable information including a:
 - 1. Student or parent’s first and last name;
 - 2. Home or other physical address (including street name and the name of the city or town);
 - 3. Telephone number; or
 - 4. Social Security number.
- C. Protected information – for the purposes of this policy, protected information is:
 - 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 students 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).

- D. Instructional material – for the purpose of this policy, instructional material means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.
- E. Invasive physical examination – any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening

III. Policy Statement

- A. The Board of Education will ensure that student rights guaranteed by the Protection of Pupil Rights Amendment in relation to the collection, distribution and use of personal and protected student information and the administration of nonemergency, invasive physical examinations are protected. Furthermore, Calvert County Public Schools will notify parents/guardians at least annually and at the beginning of the school year of student rights under this law.
- B. Calvert County Public Schools will not require a student to participate in a survey, analysis, or evaluation that reveals protected information without the prior consent of eligible students or the prior written consent of the parent/guardian. Calvert County Public Schools will notify parents of the specific or approximate dates of the administration of surveys governed by this federal law. Upon request, a parent/guardian may inspect protected information surveys before they are administered.
- C. If a survey collects protected information, the eligible student or parent/guardian of the student may opt out of the administration of the survey, if it is not funded in whole or part with Department of Education funds. Calvert County Public Schools will make arrangements to protect student privacy in the administration of the survey and in the collection, disclosure or use of personal information for marketing, sales, or other distribution purposes.
- D. A parent/guardian may, upon request, inspect all instructional materials used as part of the educational curriculum for students, including any materials which will be used in connection with any survey, analysis, or evaluation as part of any applicable program.
- E. Eligible students or parents/guardians will receive notice and may opt out of certain nonemergency, invasive physical examination or screenings.
- F. Federal law allows certain exceptions to the collection, disclosure or use of student personal information.
- G. Parents/guardians and eligible students who believe their rights have been violated, may file a complaint with the Family Policy Compliance Office in the U.S. Department of Education.

IV. Delegation of Authority

- A. The Superintendent is directed to develop administrative procedures to implement this policy in accordance with all local policies and local, state and federal laws and

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regulations and to communicate this policy and accompanying procedures to all relevant parties.

V. Exceptions

- A. There are no exceptions to this policy. However, the Board, by majority vote, may temporarily suspend all or part of this policy. Suspension of all or part of this policy, however, in no way relieves the Board of its obligation to comply with the pertinent local, state and federal laws and regulations and the rules and regulations of the Maryland State Board of Education and the Maryland State Department of Education.

VI. Review

- A. This policy will be reviewed at the end of three years, or sooner, if approved by majority vote of the Board of Education in public session.

VII. Effective Date

- A. This policy is effective June 9, 2022.

Citations

State Law:

State Reg.:

Federal Law: 20 U.S.C. § 1232h – Protection of Pupil Rights

Adm. Reg.: 34 CFR Part 98

Neg. Agr.:

Other Citation: