

Pataula Charter Academy and Spring Creek Charter Academy Protection of Pupil Rights Amendment (PPRA) Policy

Purpose: The purpose of this policy is to comply with the Protection of Pupil Rights Amendment (PPRA) as fully outlined in Statute: 20 U.S.C. § 1232h. Regulations: 34 CFR Part 98.

Policy Statement: PPRA is a federal law that applies to the programs and activities of a State educational agency (SEA), local educational agency (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.

In accordance with the Protection of Pupil Rights Amendment, Pataula Charter Academy and Spring Creek Charter Academy will abide by the following policies:

Inspection

- Parents have the right to inspect, upon request, a survey created by a third party before the survey is administered or distributed by the school to students.
- Parents have the right to inspect, upon request, any instructional material used as part of the educational curriculum for students.
- Parents have the right to inspect, upon request, any instrument used in the collection of personal information for marketing or sales purposes before the instrument is administered or distributed to a student. Personal Information given out for these purposes is limited to Student Name, Parent Name, and Address. No telephone numbers or social security numbers will ever be given out by the school.
- The procedure for a parent making either request listed above is to contact the Principal of the school by phone, email, or in person to make the request.

Student Privacy

- In the event of the administration of a survey to students containing one or more of the eight protected items of information noted above student privacy will be protected at all costs; including but not limited to:
 - No outside agency (other than the state or federal department of education will be allowed to conduct protected information surveys if the surveys are not anonymous (not identifiable to a certain child.)
 - Results of surveys conducted by the state or federal department of education will only be available to administration if the results are displayed in a way that student responses are identifiable to the student.
 - The school will not conduct any protected information surveys that are not anonymous (not identifiable to a certain child.)

Opportunity to Opt-Out

Pataula Charter Academy and Spring Creek Charter Academy will offer an opportunity for parents to opt their child out of participating in the following activities:

- The administration of any survey concerning one or more of the eight protected areas listed above if it is not funded in whole or in part with Department funds.
- Activities involving the collection, disclosure, or use of personal information collected from students for marketing purposes, or to sell or otherwise provide the information to others for marketing purposes
- Any non-emergency, 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. (“Invasive Physical Examination” is defined as 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. This law does not apply to any physical examination or screening that is permitted or required by State law, including physical examinations or screenings permitted without parental notification.)

Physical Exams or Screenings

At this time Pataula Charter Academy and Spring Creek Charter Academy do not administer or allow administration of any physical examination or screening that is not permitted or required by State law, such as hearing, vision, or scoliosis screening, or physical examinations or screenings permitted without parental notification.

Notification

- Parents will be notified of their rights under PPRA and of these policies at least annually at the beginning of the school year. Notification may be through student handbooks, handouts at Open

House, and/or public notices on the school's website. Parents will also be notified within a reasonable period of time if any substantive change is made to the policies.

- Pataula Charter Academy and Spring Creek Charter Academy will directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys covered in this policy and provide an opportunity for parents to opt their child out of participation in the specific survey or activity. The notification will be provided at least annually at the beginning of the school year and will provide the specific or approximate dates during the school year when activities are scheduled, or expected to be scheduled. If we are unable to identify the specific or approximate dates of the activities or surveys requiring specific notification at the beginning of the school year, we will provide this notification to parents once the activity or survey is scheduled.

PPRA does not preempt applicable provisions of State law that require parental notification. Also, requirements concerning activities involving the collection and disclosure of personal information from students for marketing purposes do not apply to 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, such as the following:

1. College or other postsecondary education recruitment, or military recruitment;
2. Book clubs, magazines, and programs providing access to low-cost literary products;
3. Curriculum and instructional materials used by elementary schools and secondary schools;
4. Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
5. The sale by students of products or services to raise funds for school-related or education-related activities; and
6. Student recognition programs.

LEGAL REF: Statute: 20 U.S.C. § 1232h. Regulations: 34 CFR Part 98.

ADOPTED: 6/20/2016

Amended: 3-26-19