



U.S. DEPARTMENT OF EDUCATION
Protection of Pupil Rights Amendment (PPRA)

FORM APPROVED
OMB NUMBER: 1880-0544
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Complaint Form

Instructions: The United States Department of Education's (Department) Student Privacy Policy Office (SPPO) reviews, investigates, and processes complaints of alleged violations of the Protection of Pupil Rights Amendment (PPRA). 20 U.S.C. 1232h and 34 CFR Part 98. PPRA is a federal law that affords certain rights to parents of students attending elementary or secondary schools with regards to any survey, analysis, or evaluation that asks students to reveal information of a personal nature. The rights afforded parents under PPRA transfer to the student when the student turns 18 years old or is an emancipated minor under applicable State law. PPRA also concerns marketing surveys, parental access to instructional material, as well as the administration of certain physical examinations to minors. A local educational agency (LEA), or school district, must provide parents effective notice of their rights under PPRA.

PPRA applies to the programs and activities of recipients of funds under any program funded by the U.S. Department of Education (Department), such as LEA. 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;
2. Mental and psychological problems of the student or the student's family;
3. Sex behaviors and attitudes;
4. Illegal, antisocial, 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 the student's parents; 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.)

An LEA is required to obtain written consent before students are required to submit to a survey that contains one or more of the eight protected areas listed above, if the survey is funded in whole or in part by the Department. For surveys that contain questions from one or more of the eight protected areas that are not funded in whole or in part with Department funds, an LEA must notify parents at least annually, at the beginning of the school year, of the specific or approximate date(s) of the survey and provide parents with an opportunity to opt their children out of participating, regardless of whether the survey is anonymous or whether participation in the survey is voluntary. If the LEA is unable to identify the specific or approximate dates of the survey (or other activity described below) at the beginning of the school year, it must provide this notification to parents once the activity or survey is scheduled. Parents should be provided reasonable notification of the planned activities and surveys and be provided an opportunity to opt their children out, as well as be provided with an opportunity to review any pertinent surveys. Please note that PPRA does not apply to surveys administered to students in accordance with the Individuals with Disabilities Education Act. 20 U.S.C. 1400 et seq.

In addition to providing specific notification for surveys as described above, LEAs are also required to notify parents of these activities and provide parents with an opportunity to opt their children out of participating in the following activities:

- Activities involving the collection, disclosure or use of personal information collected from students for marketing purposes; and
- 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. This requirement 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.

LEAs must provide parents effective notice of their rights under PPRA, including the right to review, upon request, any instructional materials used in connection with any survey that concerns one or more of the eight protected areas and those used as part of the educational curriculum. For more information, see the model notification on our website: <https://studentprivacy.ed.gov/resources/ppra-model-general-notice-rights>.

LEAs are also required to develop and adopt policies, in consultation with parents, regarding these and other rights under PPRA. For more information, see <https://studentprivacy.ed.gov/faq/what-policies-must-local-education-agency-lea-develop-under-protection-pupil-rights-amendment>.

SPPO investigates written complaints alleging a violation of PPRA if the complaint: (1) is filed by a parent of a student (or a student 18 years or older or emancipated under State law) affected by a violation of PPRA; (2) is submitted to SPPO within 180 days of the date of the alleged violation or of the date that the complainant knew or reasonably should have known of the alleged violation; (3) contains specific allegations of fact giving reasonable cause to believe that a violation of PPRA has occurred; and (4) contains evidence of attempted resolution at the local level (and at the State level if a State complaint resolution process exists).

Individuals wanting to file a complaint should do so by completing this Complaint Form (available at <https://studentprivacy.ed.gov>) in its entirety and submitting it electronically or by mail. If you choose to submit this form electronically, please note that this form is an Adobe® fillable PDF and works best when used with Adobe Acrobat (available for download at <https://get.adobe.com/reader/>.) Once you have completed the form, please type your name in the signature space and click “Submit Form.” Your computer's default e-mail software program should then open and create an e-mail with the Complaint Form attached. In order to complete the submission process, you must send this email, and attachment, as appropriate.

In the event that you have either not selected a default e-mail software program on your computer, or the default e-mail software program you have selected does not open when clicking “Submit Form,” in order to complete the submission process, you must either save the form, manually attach it to an e-mail, and send that e-mail to FERPA.Complaints@ed.gov; or, print the form, and sign and mail it to:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-8520

You should receive a confirmation of SPPO's receipt of your complaint within three business days from the date of your submission. Failure to complete the Complaint Form in its entirety or to not provide any of the information required for SPPO to determine whether your complaint contains specific allegations of fact giving reasonable cause to believe that a violation of PPRA has occurred, may result in, among other things, the dismissal and/or return of your complaint to you in order to obtain additional information needed by SPPO to further consider your complaint. If your complaint is dismissed, you may choose to resubmit a new complaint per the instructions set forth above and in accordance with the requirements of PPRA.

Also, you should be aware that when reviewing, investigating, or processing your complaint, SPPO may disclose, without your prior, written consent and pursuant to routine uses of the records that have been published in the system of records notice covering PPRA complaints, information contained in your complaint, such as the name of the complainant, the name of the student if the student did not submit the complaint, and the alleged violation(s), including, but not limited, to the educational agency or institution against which your complaint has been made.

SECTIONS 1 & 2: STUDENT AND COMPLAINANT INFORMATION

It is important that in completing these sections, all requested information is provided regarding both the student and the complainant to include the student's correct birthdate. An attorney or advocate may file a complaint on behalf of a parent, a student who has turned 18 years old or an emancipated minor; however, SPPO will not discuss the complaint with the attorney or advocate without the prior, written consent of the parent, adult student, or emancipated minor, as applicable. SPPO will dismiss anonymous complaints and complaints filed by a party other than the parent, student who has turned 18 years old, or emancipated minor who is the subject of the complaint, or his or her attorney or advocate.

Please note only a parent or guardian of a student directly affected by a violation under the PPRA, or a student who has turned 18 years old or an emancipated minor under State law may file a complaint.

SECTION 3: LOCAL OR STATE EDUCATIONAL AGENCY INFORMATION

This section requires that you provide, among other information, the name and address of the current superintendent of the LEA (school district) that you are alleging violated PPRA. PPRA applies to the programs and activities of a State educational agency, such as a State department of education, or other recipients of funds under any program funded by the U.S. Department of Education. For instance, private elementary and secondary schools generally do not receive funds from the Department and are, therefore, not generally subject to PPRA. SPPO generally will dismiss complaints filed against elementary or secondary schools that are not listed on the Department's National Center for Education Statistics Public School website (available at <https://nces.ed.gov/ccd/schoolsearch/>). Please note that it is extremely important that you enter the specific date (*mm/dd/yyyy*) of the alleged violation in this section for us to accurately determine the timeliness of your complaint. As stated above, a complaint must be filed within 180 days of the alleged violation or within 180 days after the complainant knew or reasonably should have known of the alleged violation.

SECTION 4: PPRA VIOLATION INFORMATION

In describing the alleged violations, you must respond to all of the information requested in the heading(s) that pertain to the nature of your complaint. Your response should only include the relevant facts that would give reasonable cause to believe that a violation of PPRA has occurred. You must also include evidence of attempted resolution of the complaint at the local level (and at the State level complaint resolution process exists), including the names of local and State officials contacted and significant dates in the attempted resolution. To the greatest extent possible, please limit your response to the space provided in this Complaint Form; if more space is needed, you may attach additional documents in which you further describe your complaint. Failure to provide any of the required information may result in, among other things, your complaint being dismissed or returned to you for additional clarification, which would delay the processing, and might impact the timeliness, of your complaint.

SECTION 5: CORRESPONDENCE INFORMATION

If there is any correspondence or other information, such as newspaper articles, website postings, e-mail or letter exchanges, that substantiates your allegations, please briefly describe it in this section. You may also attach copies of relevant documents that support your allegations. Please note that, due to computer security concerns, SPPO will not accept the submission of audio or video files, CD/DVDs, or thumb drives. Also, the submission of nonessential, voluminous, or nonresponsive information may, among other things, delay the processing, or result in the dismissal or return, of your complaint.

SECTION 6: CERTIFICATION

Certify that the information you have provided in the Complaint Form is true and correct under penalty of perjury by typing in your name in the signature space, if filing electronically, or by printing out the Complaint Form and signing it, if filing via mail.



U.S. DEPARTMENT OF EDUCATION
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Parent/Student Complaint Form

SECTION 1: STUDENT INFORMATION

First Name: Last Name: Date of Birth: [input fields]

SECTION 2: COMPLAINANT INFORMATION

Your relationship to the student whose education records are the subject of this complaint. (If an attorney or advocate, please note that FPCO will not discuss the complaint with you without the prior consent of the parent or eligible student who maintains the rights under PPRA.)

- Parent or Legal Guardian Self Other (ex. Attorney/advocate on behalf of the parent or eligible student)

Title: First Name: Last Name: [input fields]

Street Address: Phone Number: [input fields]

City: State: Zip Code: [input fields]

Email: [checkbox] Check if FPCO may use this email address to contact you and forward official correspondence [input field]

SECTION 3: EDUCATIONAL AGENCY INFORMATION

Name and title of the local education agency or school district superintendent: [input field]

Name of local educational agency (i.e. school district): Phone Number: [input fields]

Mailing Address: Dates Attended: [input fields]

City: State: Zip Code: Date of Alleged Violation: [input fields]

SECTION 4: PPRA VIOLATION INFORMATION

Specifics of alleged PPRA violation: [large input area]

If allegations concerns a survey, provide the name of the survey, analysis or evaluation:

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Source of funding for survey, analysis or evaluation (if known):

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Details of attempted resolution at local level:

Local School Officials Contacted	Dates	Results/Comments

Details of attempted resolution at State level (if State resolution procedure exists):

State Education Officials Contacted	Dates	Results/Comments

SECTION 5: CORRESPONDENCE INFORMATION

Describe any correspondence, such as newspaper articles, website postings, e-mail or letter exchanges, that substantiates the information specifically required in Section 4 above. You may also attach copies of those relevant documents that support your allegations. Please note that, due to computer security concerns we will not accept the submission of audio or video files, CD/DVDs, or thumb drives. Also, the submission of nonessential, voluminous, or nonresponsive information may, among other things, delay the processing of your complaint, and could result in the dismissal and return of your complaint.

SECTION 6: CERTIFICATION

_____ **Complainant's Signature**

Date:

Privacy Act Statement. The Department is authorized to solicit the information contained in this Form by 20 U.S.C. 1232g, h. Your disclosure of the information requested on this Form is voluntary, but if you fail to provide any of the information, it may result in, among other things, your complaint being dismissed or returned to you for additional clarification. The principal purpose for which the information requested on this Form will be used is to resolve your complaint and determine whether the educational agency or institution violated FERPA. The Department has published the routine uses for which the information requested on this Form may be used in a system of records notice entitled "Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA) Record Systems (18-05-02), which was last published in the Federal Register on June 4, 1999 (64 Fed. Reg. 30106, 30123-24). The routine uses include, but are not limited to, disclosing records to the educational agency or institution against which a complaint has been made or the State Educational Agency in that State. The Department may modify and update this system of records notice, in which case that update in addition to the Department's other systems of records notices may be found at: <https://www2.ed.gov/notices/ed-pia.html>. The effects of not providing any of the requested information on this Form may include, among other things, that your complaint is dismissed or returned to you for additional clarification.