



# Back-to-School Guide: Toolkit for Parents

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# OMU's Back-to-School Guide: Toolkit for Parents

How to navigate the Oregon education system and make informed K-12 learning decisions

While we know that teachers can provide children with a great deal of learning, we also know with certainty that children learn first from their parents and guardians. When adults show interest and get involved in their children's education, it makes a positive difference in both their local district, as well as their child's learning experience. Oregon Moms Union supports all K-12 parents in whatever choices they determine best for their students' education. Each child comes from their own unique background: culture, values, religion and personal preferences and each child has their own mental and emotional stage of understanding that may be below or above grade level. This is why OMU supports the voice and choice of parents throughout their child's education.

OMU created the Back-to-School Guide: Toolkit for Parents to support parents as they navigate the many (not so known) decisions that can be made for students in Oregon's education system. This tool kit is a resource, a guide. This guide is designed to provide information for guardians to make informed decisions for their child's upcoming school year. For those families moving mid year, it's likely the information shared at the beginning of the school year by the school regarding the opt out process and specific lesson dates is not provided during a student's later start date. There could be topics that have not been known or considered, while others are more well known procedures. This is okay! Like students, parents are on their own learning curve through the education system. Please, take a look through the toolkit and feel free to use any or all of the resources we have made available because parents matter.

# Back-to-School Checklist

Regardless if a student is entering the school at the beginning of the school year or as a transfer student there's a checklist of tasks! Below is a compiled list of actions to support the back-to-school experience.

- ❑ Physical (if needed)
- ❑ Update medication/allergies/medical conditions
- ❑ Submit immunization records or exemptions
- ❑ Learn your child's school emergency plan
- ❑ Create a parent account on the school's web page to access student information
- ❑ Sign up to receive school and district communication
- ❑ Make sure contact information/pickup information is up to date with the school (including any legal agreements)
- ❑ Email your child's teacher to introduce them to your child and make them aware of anything they should know (learning struggles, triggers, medical conditions/allergies, etc)
- ❑ Fill out the volunteer application and background check for your child's school (should be available on the district website)
- ❑ Turn in any opt-out forms
- ❑ Review curriculum (if needed)
- ❑ Find the dates and times for your school board meeting
- ❑ Contact your OMU [school district captain](#)



*This guide does not, and is not intended to, constitute legal advice. All information is for general informational purposes only.*

# Who's in Charge of Oregon's Public K12 Schools?

State Administration of Education [ORS 326.300](#)  
*Governor as Superintendent of Public Instruction*  
• appointment of deputy

## The Oregon Governor is the Superintendent of Public Instruction.

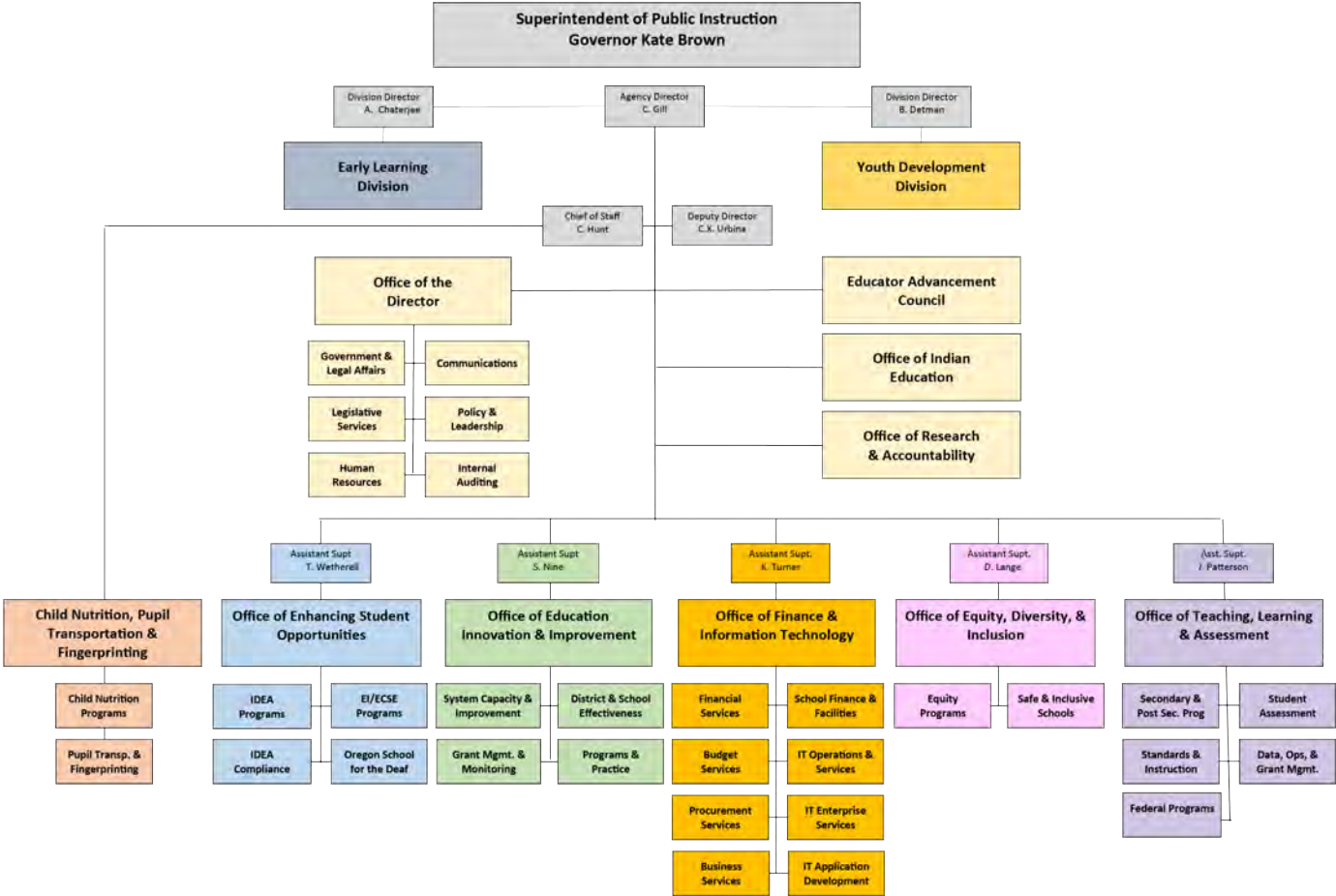
1. As provided by section 1, Article VIII of the Oregon Constitution, the Governor is the Superintendent of Public Instruction.
2. (a) The Governor, acting as Superintendent of Public Instruction, shall appoint a Deputy Superintendent of Public Instruction. The deputy superintendent must have at least five years of experience in the administration of an elementary school or a secondary school. The appointment of the deputy superintendent shall be subject to confirmation by the Senate as provided by ORS 171.562 (Procedures for confirmation) and 171.565 (Vote required for confirmation).  
  
(b) The deputy superintendent shall perform any act or duty of the office of Superintendent of Public Instruction that is designated by the Governor, and the Governor is responsible for any acts of the deputy superintendent.
3. The deputy superintendent may be removed from office by the Governor following consultation with the State Board of Education.
4. The deputy superintendent shall receive a salary set by the Governor, and shall be reimbursed for all expenses actually and necessarily incurred by the deputy superintendent in the performance of official duties.

[2011 c.731 §2 (enacted in lieu of 326.330); 2012 c.36 §§7,12; 2015 c.774 §§13,43]



# Oregon Department of Education

## Organization Structure Flow Chart



# Who's in Charge of My School District?

## School District Board of Directors

School Board Directors are elected officials voted on by the people of their district during the May primary elections, every odd year. They serve their communities as volunteers.

### The local school board is responsible for:

- employing the superintendent
- developing and adopting policies, curriculum, and the budget;
- overseeing facilities issues

**Note: Oregon school boards don't oversee school staff.**

Each school board operates under its own bylaws. Meeting processes and procedures are unique to each local board. All board meetings must abide by Oregon's [public meeting laws](#).

## School District Superintendents

School District Superintendents are employed by the school board. Superintendents manage the school district.

### Superintendents are responsible for:

- supervisor of all staff in the district (certified and classified)
- management of the schools (day-to-day operations)
- administering school board policies
- directly accountable to the school board



# How To Submit A Complaint

For complaints, a parent or student must first file the complaint with the school district and complete the school district's complaint process. The Oregon Department of Education will only expedite complaints including religious entanglement and special education. There is a process and procedure for complaints examples such as: instruction, discipline, learning materials, and incident.

A “**complaint**” is a concern or problem filed with the district. Certain types of complaints, such as district personnel are treated with specific policies that outline the process for resolution.

*Filing a school complaint varies district to district.*

The complaint policy goes up a ladder to find resolution: It can take upwards of 90 days for a final resolution on a final appeal. Community members, staff, parents and students who have a complaint are encouraged to start resolving it at the lowest level of the complaint before elevating it to the next level, and so on.

1. Teacher
2. Department
3. Principal
4. Administration
5. Board
6. Final appeal

**Know the process:** Each school district has a slightly different process (ie submit an online form or email a letter). However, all districts must follow a district policy. It can take upwards of ten days before receiving. Find your district's policy by visiting your district's home page and using the page search bar for these key terms: complaints; public complaints procedure; or public complaints policy. If you still need help, reach out to your school principal.





# How To Submit A Complaint Continued

Note: If a complaint is in regards to curriculum and/or lesson plans a formal complaint can be escalated straight to the school's board.

Items to include in your complaint letter (if not using district provided form):

- your name
- contact information
- a description of the incident, including what happened
- when
- where
- names of those involved
- names of any witnesses
- student's name (if appropriate)
- a description of what actions you have taken to resolve the issue
- suggestions for resolving the issue (optional)

Note: It may take up to 10 days to hear back after each complaint. Follow up in an email to keep accurate record keeping.

## Exceptions

If a complaint is in regards to curriculum and/or lesson plans a formal complaint can be escalated straight to the school's board.

Complaints to Oregon Department of Education

- For Division 22 standards not being met, ODE accepts these on an appeal, only after going through your local district process.
- The Oregon Department of Education immediately accepts complaints from parents or students regarding any religious entanglement and special education.

ODEs complaint [policy and procedure](#).



# Transparency in Education

[ORS 336.465](#): Parents rights to review curriculum and opt-out

Examination of instructional material

- notice
- pupil not required to take course

1. Each school district shall:

(a) Give parents, guardians and district residents an opportunity to examine the instructional materials to be used in any class, course, assembly or school-sponsored activity.

(b) Inform parents or guardians in advance of any instruction on human sexuality or sexually transmitted infections, including human immunodeficiency virus, and give the parents or guardians an opportunity to review materials. At the same time, parents or guardians shall be informed that a pupil may not be required to take or participate in any instruction on human sexuality or human immunodeficiency virus if the pupil's parent or guardian, after having reviewed the materials, submits written objection to the school district.

2. Refusal to take or participate in any class, course, assembly or school-sponsored activity on human sexuality or sexually transmitted infections, including human immunodeficiency virus, shall not be reason for harassment, suspension or expulsion of the pupil. [1993 c.775 §2; 2019 c.280 §7]



# How to Obtain Curriculum

The easiest way to get more information about curriculum and instructional materials is to ask the teacher. The next step is to ask the principal. If needed, file a formal complaint according to the school district's formal complaint process. If this action doesn't provide the requested results, or more information on staff training, videos, supplemental materials/curriculum, etc., a FOIA/Public Records request can be filed.

Under Oregon's open records laws [ORS 192.410 to 192.505](#). As used in [ORS 192.410 to 192.505](#), and federally under the [Freedom of Information Act](#) (FOIA), parents have the right to request documents, expenditure reports, email correspondence, and other information from schools and school districts. Examples of public school records available include (but are not limited to):

- Emails from the email addresses of public-school officials (including principals, school board members, teachers, staff and anyone with a school email address).
- Contracts, curriculum, training, videos, text messages and other records that provide valuable information about events, classes and other issues.



# How to File a FOIA

The [Freedom of Information Act](#) (FOIA), [5 U.S.C. § 552](#), was enacted in 1966 and generally provides that: Any person has the right to request access to federal agency records or information; and all agencies of the U.S. Government are required to disclose records upon receiving a written request.

- **Search for existing resources:** Search the district website for any existing information that is publicly available. You can also ask a teacher or administrator for the information first, especially if your request pertains to curriculum and instructional materials. They're required to provide parents with curriculum when requested.
- **Know the process:** Each school district has a slightly different process and form. Visit our district link file to find a link to your district's process. If you're requesting something like a list of textbooks or something specific to a particular school, you'll want to make the request at the school level. If you're requesting something like staff training or contracts, you'll probably want to make a request at the school district level.
- **Be specific:** Be very specific to ensure the information meets the need.
- **Fees:** Some districts may charge a fee depending on the size of the request. This is to cover the cost of staff time to fulfill a request or to cover copying costs (if physical copies were requested). Ask if there is a fee when making a request, or to be notified of any fees.
- **Get proof of receipt:** When sent by email (which is most common), request a read receipt, or you can drop it off at the school or district office in person, or send via certified mail.
- **Follow up:** It may take a few days or weeks to receive what you request. Follow up with a phone call to the district for status updates.

**Note:** A template guide is provided on the following page, if not using a district form.





# FOIA Template

Your Name

Email Address

Phone Number

Date of Submission

Date to Receive Information [two weeks out]

Re: Public Records Request

Pursuant to the [insert your state name] Public Records Act, I request copies of the following public records:

[Indicate all the records being requested and the TIME FRAME – from \_\_\_ to \_\_\_. For example, all communications (including e-mails and text messages), since date to date concerning any [enter specifics or keywords and list all the records you are requesting], etc.]

Pursuant to the Public Records Act, I request that responsive records be produced in an electronic medium (specifically, a pdf-file) to the extent such records may reasonably be duplicated in that medium. The records in the electronic medium may be sent to me at the e-mail address in the header of this letter.

If there is a cost to receiving copies of these records, please email me with the dollar amount per line item.

I thank you, in advance, for your attention in providing the prompt production of the requested records. Please feel free to contact me at the [telephone or email address above].

Sincerely,

[your name and signature]

[CC anyone you would like]



# Opt-Out

## *What is opt-out?*

The Oregon Department of Education relies on an opt out process. This means that instead of notifying and asking for parent permission in writing, Oregon schools automatically enrolls all of its students into the course curriculum. **Opting out a student from lessons, activities, testing, surveys and privacies is the sole responsibility of the parent.** There is no penalty to the student.

Typically, schools provide the opt-out forms at the start of the school year or during registration. This can be through email, website, newsletter or bulletin. Often, dates for tests, surveys and important curriculum dates are announced at the beginning of the school year. Regardless of when instruction is scheduled, schools only need to announce and provide the opt out one time. Opt-out forms may be submitted at any time.

The process for opting out is not universal. It varies from lesson and activity, as well as, schools within a district. Reachout to school administration to understand its policy and procedure for specific opt-out requests.

**Note:** [ORS 336.465](#) protects parents rights to review curriculum and opt-out.



# Comprehensive Sexual Education: CSE

In order to receive public funding, schools must comply with Oregon Department of Education's Division 22 Standards. This includes teaching the Health Standards and performance indicators.

[Oregon Revised Statutes §§ 336.035, 336.455, and 336.465](#), as well as [Oregon Administrative Rules §§ 581-022-2030 and 581-022-2050](#), mandate human sexuality education and instruction in infectious diseases, including human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted infection prevention, throughout elementary and secondary school. Students in grades 6-8 must receive instruction at least once annually, while students in grades 9-12 must receive instruction twice annually. Oregon does not suggest or recommend a curriculum.

According to Oregon Law ([OAR Rule 581-022-1440](#)), parents can opt their children out of any or all sexuality education components. **Parents cannot opt their children out of the entire health curriculum without written documentation of a religious or disability-related reason.** In those cases, parents would also have to demonstrate to the school district how they would be complying with the Health Education Standards with alternative instruction.

Plan for Alternative Instruction:

- If a student is opted-out of a portion of the instruction, the teacher is responsible for ensuring that appropriate alternative materials are available for the student.
- If a student is opted out of the entire curriculum, the parent/guardian is responsible for providing alternative instruction that complies with the health education standards ([OAR Rule 581-021-0009](#)).



# Comprehensive Sexual Education: CSE Continued

You may [print and use this form](#) to opt out of Comprehensive Sexual Education. On the following page is an extensive generic template letter. This template is intended as a guide for families to add or remove content to meet their request.

**Note:** The opt-out above is exclusively in regards to CSE instruction. CSE is found integrated across subjects, such as math and reading. If your district uses the FLASH curriculum it integrates CSE into other subjects. Currently, there is no legislation or ODE rules against the extension of CSE into other lessons.





# Comprehensive Sexual Education Letter Template

[Date]

Re: [OAR 336.465; ORS 336.465]

Dear [School Principal],

Thank you for being an educational partner and for appreciating the importance of legislation laws and ODE rules for both schools and families. This letter withholds consent for our minor child, [Child's Name], to participate in, or be given access to, any class, lesson, instruction, curriculum, assembly, guest speaker, activity, assignment, library material, online material, club, group, or association concerning:

Gender Identity/Transgender: including gender identity, gender fluidity, gender as a social construct, gender binary, gender spectrum, gender non-conforming, gender queer, gender variant, gender expression, drag queen/king, transgender identity, transgender affirmation, gender/ preferred pronouns, cisgender, gender change, gender transition, gender surgery, gender affirmation surgery, puberty-blocking hormones, cross-sex hormones, "sex assigned at birth," sex change.

Sexual Activity: sexual activity of any kind (sexual intercourse, vaginal/oral/ anal/group sex, masturbation), sexual relationships (polysexual, pansexual, polyamory, swinging, relationship anarchy); or Sexual Orientation: any sexual orientation, including homosexual, lesbian, gay, bisexual, transgender, queer, questioning, intersex, asexual, two-spirit, "LGBT" or any acronymic variant thereof.

Abortion/Contraception: abortion methods/drugs/devices, how to get an abortion without parental knowledge, contraceptive methods/drugs/devices, how to get contraceptives without parental knowledge.

With regard to (1) the biological processes of human reproduction in a science class or unit, or (2) family composition/what makes a family, we ask for notice and the opportunity for prior review.

Sincerely,

*Parent Name(s), Signature(s), Contact Information*



# Social Emotional Learning: SEL

Social Emotional Learning (SEL) is students' competencies in learned behaviors, specifically interpersonal and intrapersonal knowledge, skills, attitudes, and mindsets. It is often "measured" by third party surveys, assignments, discussions and roleplay.

Parents do have the right under PPRA to opt out their students from social and emotional surveys. Schools provide the option to opt out once, typically at the start of the school year. This can be through email, website, newsletter or bulletin. Often, surveys are announced at the beginning of the school year. Regardless of when the survey will be given, schools only need to provide the opt out form once per school year. Opt out forms may be submitted at any time.

Parents have the right to ask to see lessons and material, including copies of the SEL surveys, prior to instruction. Ask the school what their district policies are on opting out of SEL instruction. Under Federal Law, parents do have the right to opt their students out of surveys and review learning material. [The Protection of Pupil Rights Amendment](#), commonly referred to as PPRA, gives parents this right.

Parents are not required by PPRA to be notified about 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.

There is often a data-share aspect of the survey process where school districts share students' personally identifiable data with the companies that will be conducting the survey. The earlier in the process you notify your school of your desire to opt out, the less data may be shared about your child with the outside vendor. Ask your school what personally identifiable data will be shared with outside companies and consultants.



# Social Emotional Learning: SEL Continued

Parents should follow school communications to be aware of what social and emotional learning is planned at your school and when, so you can discuss the schedule with your child. For students who opt out, parents should communicate with your school and find out what your child will be doing during the time that is carved out for SEL. Typically they may stay in the classroom and read during the SEL lesson or leave the classroom and report to the library, cafeteria or other room.

Parents have the right to ask to see lessons and material, including copies of the SEL surveys, prior to instruction. Ask the school what their district policies are on opting out of SEL instruction. Under Federal Law, parents have the right to opt their students out of surveys and review learning material. [The Protection of Pupil Rights Amendment](#), commonly referred to as PPRA, gives parents this right.

PPRA does not require parents to be notified about 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.

**NOTE:** The following page offers a template to opt-out of SEL and surveys. This letter is a guide. The letter may be edited to meet specific requests.

You may [print and use this form](#) to opt out of health screenings.



# PPRA Opt-Out Template

[Date]

Re: [PPRA; ORS 329.479]

Dear [School Principal],

Thank you for being a partner in my child's education and valuing the parental rights protected under both ORS 329.479 and PPRA. This letter is our formal opt-out of any assessments other than those solely for the use of the individual classroom teacher for our child [student name]. We do not allow our child's data to be used for purposes other than the individual teacher's own formative or cumulative assessment. Any assessment whose data is used to determine school ranking, teacher effectiveness, state or federal longitudinal studies or any other purpose other than for the individual classroom teacher's own use to improve instruction will not be allowed. To be clear, this includes:

- State assessment
- "Benchmark" exams, since these are provided by third parties.
- Pre-assessments connected to "learning objectives".
- Surveys or field tests given by third parties including government.
- Exams used to evaluate teachers, schools or districts.

We believe in our qualified and dedicated teachers and administrators. I hope the context in which this is intended is understood: to support subject learning and instructional time, and to advocate for what is best for my child.

Sincerely,

*Parent Name(s), Signature(s), Contact Information*





# Protection of Pupil Rights Amendment (PPRA)

PPRA defined by the [Federal Department of Education](#):

- *Receive notice and an opportunity to opt a student out of –*
  1. Any protected information survey administered or distributed to a student by an local educational agency that is a recipient of funds under an applicable program (LEA) if the protected information survey is either not funded as part of a program administered by the Department or is funded as part of a program administered by the Department but to which a student is not required to submit;
  2. Any non-emergency, invasive physical examination or screening required by an LEA as a condition of attendance; administered by the school and scheduled by the school in advance; and, that is not necessary to protect the immediate health and safety of a student, with some exceptions; and
  3. Activities of an LEA involving collection, disclosure, or use of personal information collected from students for the purpose of marketing or sale (or to otherwise distribute such information to others for that purpose), with some exceptions.

In basic terms, PPRA allows parents to opt out of surveys, inspection of learning material, certain physical exams and collection and disclosure of personal information for marketing purposes. Parents have the right to consent, receive and review. There are eight protection rights under PPRA.

**Note:** These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.



# Protections under PPRA

Parents have the right to Consent before students can be given a survey concerning one of the following eight protected areas (“protected information survey”):

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

Parents have the right to **Receive** notice and an opportunity to opt a student out of:

1. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
2. Any other protected information survey, regardless of funding
3. 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.



# Protections under PPRA Continued

**Inspect** the following, 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
3. Instructional material used as part of the educational curriculum.

To file a violation complaint write to:  
Family Policy Compliance  
US Dept. of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5920

Resources

<https://defendinged.org/resources/opting-out>

<https://studentprivacy.ed.gov/>



# Student and Staff Meetings

Generally, school staff and administrators can meet with or question students at school without a parent or guardian being present for reasons such as, but not limited to: dress code, academics, inappropriate behavior, unlawfulness, etc. The school district may have a policy that requires the school to first contact a parent, but check the actual policy.

Teachers, staff or school resource officers (SRO) may ask to speak to your student one-on-one for conversations including, but not limited to, clubs, classwork, dress code, behaviors or investigations. Often, these conversations are deemed harmless. However, a parent may be more comfortable being present for any individual closed door conversations or meetings involving their student.

What a student says to school staff or a school police officer can be used against them in either a school discipline case or in a court case. Students may tell school staff or school police officers that they do not want to answer any questions, make any statements, or write any statements without a parent, guardian, or lawyer.

Students who feel uncomfortable speaking with school administration or school resource officers should request that a parent/guardian be present. However, there is no rule or policy that schools need to call parents. Parents may provide to the school and to the teacher that they are to be contacted prior to their child regarding any issue or invitation as well as be present for any closed door communication with the student.

Parents/guardians should look at local school policies on parent's rights to be present with students, and then communicate with the school if they have concerns.



# Dissection Choice Law

Oregon has a dissection choice law for students in K-12. This means, legally parents may choose an alternative to dissection.

## [Senate Bill 383](#)

Relating to dissection of animals; and declaring an emergency. Be It Enacted by the People of the State of Oregon:

### SECTION 1.

(1) A kindergarten through grade 12 public school student may refuse to dissect any vertebrate or invertebrate animal or the parent or legal guardian of a kindergarten through grade 12 public school student may refuse to allow the student to dissect any vertebrate or invertebrate animal.

(2) A school district that includes dissection as part of its coursework shall permit students to demonstrate competency in the coursework through alternative materials or methods of learning that do not include the dissection of animals. These alternative materials and methods may include but are not limited to:

- (a) Videotapes, DVDs and CD-ROMs;
- (b) Models;
- (c) Films;
- (d) Books;
- (e) Computer programs;
- (f) Clay modeling; and
- (g) Transparencies.

(3) A kindergarten through grade 12 public school teacher may not discriminate against a student or lower the grade of a student for not participating in the dissection of an animal.

(4) A school district shall notify students who have dissection as part of their coursework and the parents and legal guardians of those students about the provisions of this section.

You may [print and use this form](#) to opt out of dissection.



# Books in the School Library

Oregon doesn't have a law or rule giving parents freedom to choose the types of books that are in school libraries and on school reading lists. Books are not rated like movies and all students in the school can access the books on library shelves. The Oregon Department of Education doesn't oversee or approve library books. The selection and availability is controlled by school districts.

There are a few ways to go about finding out what books are in the library in your child's school:

- Email the librarian and ask if they have an online catalog of library books you can access.
- You can also ask the librarian if a specific book is in the library.
- Use [Follett/Destiny Discover](#) to look up the catalog for your school. You can browse or search for specific books.
- You can find [ratings of many books](#) if you haven't read them.

Need help navigating Destiny Discover? [Check out this guide.](#)

There are solutions for parents choosing to guide their students to reading books appropriate to their social and emotional age, family values, and/or interests. Schools in other states are finding success with a tiered parent approval process. It looks something like this:

**Level 1: Full access to materials in school libraries.** This is what is currently offered to all students. Parents will still have to give permission for books labeled as "adult content" for high schoolers and books labeled "young adult" for elementary students.

**Level 2: Submit a book list that the student cannot read.** This is currently offered by the district.

**Level 3: The most restrictive access, parents choose which books their student can check out.**

Parents may also choose to write a letter to the teacher, librarian and administration with specific requests.





# Parents' Rights Under Federal Law to Protect Their Children's Privacy

More than ever, students are using technology to learn. By individual log-in names and passwords K-12th grade students use chromebooks, ipads, and third party learning platforms for curriculum. The Internet is a wealth of knowledge at one's fingertips, especially for children. It can also be especially dangerous for children. How is children's privacy protected?

Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. §1232g; 34 CFR Part 99) passed in 1974. It's administered by the U.S. Department of Education and applies to federally-funded schools and universities. The disclosure of personally identifiable information (PII) in student education records—like grades, test scores, disciplinary records, contact and family information, and class schedules—to third parties without parental consent is prohibited. Sounds good, right?!

It was written prior to computerized data systems and data-collecting learning software. Both allow student PII to be easily shared outside of the school.

Parents have seven rights protected under FERPA.



# 7 Rights Under FERPA Family

1. **PARENTS HAVE THE RIGHT** to access the information in their child's education records held by the state education department, the local district, and/or the school. Parents cannot be charged a fee to search for or to retrieve education records, but they may apply a reasonable fee to provide copies of education records, and must provide them in a readable format within 45 days of receiving a request from parents.

Education records also include a record of any student personal information requested by or disclosed to:

1. Organizations conducting "studies" for or on behalf of the school;
2. Federal, State or local educational authorities; and
3. Unauthorized third parties including any instances of security breaches or hacks

[ORS 339.260](#), all requested student education records go be sent no later than 10 days after receiving the request. ODE doesn't not require requests to be submitted on a specific form. However, this could vary by district.

2. **PARENTS CAN REQUEST** to correct "inaccurate, misleading, or in violation of the privacy rights of the student." If the school, district, or Oregon Department of Education (ODE) refuses to correct the record, parents have the right to a formal hearing. If after the hearing, correcting of the record is refused, parents have the right to amend the record by submitting a statement of the contested information.

3. **PARENTS HAVE THE RIGHT** to be informed of the school and/or district's criteria for determining who constitutes a "school official," or other third party with a "legitimate educational interest," to whom the school and/or district may disclose PII without parental notification or consent. Schools often designate the host of online programs as "school officials."



# 7 Rights Under FERPA Family Continued

4. **PARENTS HAVE THE RIGHT** to opt out of “directory information” about their child being offered to third parties by the school or district. The “directory information” opt-out does not prevent disclosing personal student data to “school officials,” “authorized representatives,” or “organizations” as stated above.

- What is included in the “directory information”: Student’s name, address, telephone, email address, photo, date and place of birth, major field of study, grade level, enrollment status, date of graduation, participation in activities and sports, weight and height, degrees, honors and awards received, and the most recent school attended.
- What is not included in the “directory information”: student’s social security number, or a student identification (ID) number if that number alone can identify the student.

Here is a provided [opt out form](#) of “directory information.”

5. **PARENTS HAVE THE RIGHT** to opt out of military recruiters and secondary education institutions from receiving their child’s “contact information”. In 2001 President Bush signed the “No Child Left Behind Act” which includes a provision that requires local school districts receiving federal assistance under the Act to provide, on request of military recruiters or an institution of higher education, access to secondary school students’ names, addresses and telephone listings.

- By law, Oregon schools are required to provide opt out information with senior and/or junior students for sharing their contact information with any branch of the United States military. This is for recruiting purposes. If you choose to opt out your 9-12th grader from recruitment then the required form or letter is due to the school the first week of October. If you have any questions about this process, please contact your school office.

[This form is used throughout Oregon high schools.](#)



# 7 Rights Under FERPA Family Continued

6. **SCHOOLS OR DISTRICTS MUST INFORM PARENTS** annually of their FERPA rights. Notification will vary from district, and possibly school. The information can be sent by email, letter, PTA bulletin, student handbook, or website.

- Ask your school administrator how parents receive the annual FERPA notice.

7. **A STUDENT'S PERSONAL INFORMATION CANNOT BE INDISCRIMINATELY SHARED.** Those directly responsible for the student's education and services, who "need to know" students' information in order to be able to fulfill their professional responsibilities may have student personal information shared.

**Note: These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.**

To understand and stay up to date on Oregon's rules visit both ODE's [FAQ](#) page and [Student Rights and Privacy Page](#).

Have your rights been violated? Notify your school, district Superintendent, and/or school board. If they refuse to take appropriate action, file a violation complaint to:

Family Policy Compliance  
US Dept. of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5920



# State Testing

Oregon law (ORS 329.479) permits parents and students 18 years and older to annually opt-out of Oregon's statewide summative tests in English Language Arts and Math by [submitting a form to the school](#). Schools must provide parents with the form at least 30 days prior to the start of testing. Schools may choose to provide this as a link to print out at home in an email, newsletter, or in a bulletin as well as provide it on its website. Ask your school how it delivers the state testing opt out form. **Dates for testing are scheduled statewide for the months of January, March and June.** Schools will have these dates at the beginning of each school year.

**Note: The opt out form is updated annually.**



# Direction for Transportation

In most districts transportation is contracted with a third party bus company. It is this company's responsibility to uphold the rules, laws and the safety of its riders in partnership with the local school district. The bus company assigns students to their route and bus. The district communicates any changes the families might have regarding extra riders or bus stop pick up.

Bus drivers want their riders safe. For questions regarding seatbelts and camera usage on the bus, please contact the district's contracted bus barn. It's recommended to verify the after school bus stop policy. Does an adult need to be present at the bus stop to release your student? Often, kindergarten riders need an adult to meet them at their stop or the child is returned to the school after the route.

Inquire with administration the district policy should a bus driver return riders back to school due to students missing their stop, absent adults at the stop, or student behavior. Questions to ask:

1. Who will contact the parent?
2. When will the parent be notified the student is returning to the school?
3. Where will the student wait until they are picked up?

Do you have a transportation directive that your child only rides in a specific row, to only be picked up by an approved person, ride another bus on specific days to transport them to a parents house, after school care or etc, or other procedures for school transportation? Let your school administration and teacher know in writing what is to be followed.

**NOTE:** Students riding a bus different then their own will need a written note provided to their teacher or office stating: the date, bus number or the other student's name of whom they are riding with. The school will either relay this to the bus driver or provide a pass to the student to give it to the bus driver upon loading.





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Did we miss a topic or resource? We routinely consider updates and additions for the OMU's Back-to-School Guide: Toolkit for Parents. To offer relevant suggestions, please email [info@oregonmomsunion.com](mailto:info@oregonmomsunion.com)

