

118TH CONGRESS
1ST SESSION

H. R. 1094

To amend the General Education Provisions Act to ensure that a student is not required to submit to a survey, analysis, or evaluation that reveals personal information about such student or their family without prior written consent.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2023

Mrs. MILLER of Illinois introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the General Education Provisions Act to ensure that a student is not required to submit to a survey, analysis, or evaluation that reveals personal information about such student or their family without prior written consent.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Parents Opt-in Protec-
5 tion Act”.

1 **SEC. 2. PROTECTION OF PUPILS' RIGHTS.**

2 Section 445 of the General Education Provisions Act
3 (20 U.S.C. 1232h) is amended—

4 (1) in subsection (b)—

5 (A) by striking “prior consent of the stu-
6 dent” and inserting “prior written consent of
7 the student”; and

8 (B) by inserting before the period at the
9 end the following: “, for such specific survey,
10 analysis, or evaluation”; and

11 (2) in subsection (c)(2)(A)—

12 (A) by striking “and” at the end of clause
13 (i);

14 (B) in clause (ii), by striking “subpara-
15 graph (C).” and inserting “clause (i) or (iii) of
16 subparagraph (C); and”; and

17 (C) by adding at the end the following:

18 “(iii) not require a student to submit
19 to a survey described in subparagraph
20 (C)(ii) without the prior written consent of
21 the student (if the student is an adult or
22 emancipated minor), or in the case of an
23 unemancipated minor, without the prior
24 written consent of the parent, for such spe-
25 cific survey.”.

○