

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4986
OFFERED BY MRS. MILLER OF ILLINOIS

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

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

4 SEC. 2. PROTECTION OF PUPIL RIGHTS.

5 Section 445 of the General Education Provisions Act
6 (20 U.S.C. 1232h) is amended—

7 (1) in subsection (b)—

8 (A) by striking “prior consent of the stu-
9 dent” and inserting “prior written consent of
10 the student”; and

11 (B) by inserting before the period at the
12 end the following: “, with respect to each such
13 specific survey, analysis, or evaluation”; and

14 (2) in subsection (c)(2)(A)—

15 (A) by striking “and” at the end of clause
16 (i);

1 (B) in clause (ii), by striking “subpara-
2 graph (C).” and inserting “clause (i) or (iii) of
3 subparagraph (C); and”; and
4 (C) by adding at the end the following:
5 “(iii) not require a student to submit
6 to a survey described in subparagraph
7 (C)(ii) without the prior written consent of
8 the student (if the student is an adult or
9 emancipated minor), or in the case of an
10 unemancipated minor, without the prior
11 written consent of the parent, with respect
12 to each such specific survey.”.

