

Opening Statement of Rep. Kevin Kiley (R-CA), Chairman
Early Childhood, Elementary, and Secondary Education Subcommittee
“Safeguarding Student Privacy and Parental Rights: A Review of
FERPA and PPRA”
December 3, 2025

(As prepared for delivery)

Research consistently shows that when parents are engaged, students do better —academically, socially, mentally. The Supreme Court likewise has affirmed the vital role parents play in raising and guiding their children.

Congress has long recognized this too. In 1974, Congress passed two laws to reenforce the importance of parents’ rights. First, the *Family Educational Rights and Privacy Act*, or FERPA, guarantees parents access to their child’s education record and ensures that their child’s information will not be shared inappropriately with third parties. Second, the Protection of Pupil Rights Amendment, or PPRA, requires public schools to obtain consent from parents before administering to students any survey, analysis, or evaluation that addresses certain sensitive topics. The PPRA also requires public schools to make curriculum available to parents for review and protects other parental rights.

Unfortunately, some states and school districts are failing to uphold the protections for parents contained in FERPA and PPRA. For example, Defending Education maintains a database that shows that, as of earlier this year, 1,215 school districts, educating more than 12 million

students, maintain policies of allowing or requiring school personnel to hide basic information from parents, such as the name their child uses in school and the gender the child identifies with. In some cases, districts are creating “dummy files” on students for the specific purpose of deceiving parents on these matters.

In addition, school districts are evading the PPRA by making it difficult for parents to access curriculum. For example, some school districts evade obligations under PPRA by forcing parents to pay fees to review curriculum under state or federal freedom of information laws. The growing use of educational technology can also lead to FERPA and PPRA violations when safeguards are not in place to protect student information.

To be clear, this discussion is *not* about situations where a child’s safety is at risk. Existing state and federal laws, along with mandatory-reporting requirements for educators, already address those issues. Rather, the issue before us is about how best to protect and support children by respecting the rights of parents.

This shouldn’t be a partisan issue. FERPA and PPRA were enacted decades ago with strong bipartisan support because Members of both parties believed in the central role of parental engagement when it comes to a child’s education and well-being. I hope through this hearing we can return to that consensus—recognizing that transparency and partnership with parents are essential. And that keeping parents in the dark is wrong.

I look forward to hearing from our witnesses about how these laws are working and the threats to parental rights currently faced in our nation’s schools.