

104TH CONGRESS
2D SESSION

H. R. 3947

To amend the General Education Provisions Act to allow parents access
to certain information.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 1996

Mr. TIAHRT (for himself, Mr. SOUDER, Mr. LARGENT, Mr. HOEKSTRA, Mr. COOLEY of Oregon, Mr. GUTKNECHT, Mr. LIPINSKI, Mr. GRAHAM, Mr. LEWIS of Kentucky, Mr. TALENT, Mr. STOCKMAN, Mr. HUTCHINSON, Mr. BARTLETT of Maryland, Mr. ENSIGN, Mr. BARR of Georgia, Mr. DORNAN, and Mr. CALVERT) introduced the following bill; which was referred to the Committee on Economic and Educational Opportunities

A BILL

To amend the General Education Provisions Act to allow
parents access to certain information.

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 “Parental Freedom of
5 Information Act”.

6 **SEC. 2. INFORMATION ACCESS.**

7 (a) IN GENERAL.—

1 (1) INFORMATION.—Section 444(a)(1)(A) of
2 the General Education Provisions Act is amended—

3 (A) by inserting before the period of the
4 first sentence the following: “, including, for an
5 elementary and secondary school student only,
6 any instructional materials, medical records (ex-
7 cept that access to medical records shall be de-
8 nied to a parent who is charged with or con-
9 victed of a crime against a minor until such
10 parent is acquitted or such charge is dropped),
11 and standardized achievement tests adminis-
12 tered to their children.”;

13 (B) by striking “forty-five” in the last sen-
14 tence and inserting “30”.

15 (2) CONFORMING AMENDMENTS.—Section
16 444(a)(4) of the General Education Provisions Act
17 is amended by adding at the end the following:

18 “(C) For purposes of this section, the term ‘instruc-
19 tional materials’ means textbooks, audio/visual materials,
20 manuals, journals, films, tapes, or other supplementary
21 materials.

22 “(D) For purposes of this section, the term ‘medical
23 records’ means information regarding the medical health
24 of a student and includes any guidance and psychological
25 or psychiatric testing or treatment.

1 “(E) For purposes of this section, the term ‘stand-
2 ardized achievement test’ means any common test admin-
3 istered during the current or previous school year through-
4 out a school, local educational agency, or State and in-
5 cludes the individual test results of a child, as well as any
6 available statistical comparison data regarding test results
7 of the child’s age or grade level.”.

8 (b) CIVIL ACTION.—Section 444 of the General Edu-
9 cation Provisions Act is amended by adding at the end
10 the following:

11 “(i)(1) A parent of an elementary or secondary school
12 student whose right to gain access to instructional mate-
13 rials, medical records, or standardized achievement tests
14 during the 30-day compliance period set forth in sub-
15 section (a)(1)(A) has been knowingly or negligently vio-
16 lated may maintain an action for appropriate relief after
17 the last day of such period. Appropriate relief includes eq-
18 uitable or declaratory relief and reasonably incurred litiga-
19 tion costs, including a reasonable attorney’s fee.

20 “(2) A civil action under this subsection may not
21 commence more than 2 years after the last day of the 30-
22 day compliance period set forth in subsection (a)(1)(A).”.

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