



LAWS YOU SHOULD KNOW

The laws listed below are just a sampling of the legislation that might impact your work with minors. We are sharing these here to help you get a sense of the landscape, but we recommend you do your own research or ask your IRB if you need additional guidance on how these or other laws might impact your project.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (“FERPA”)

FERPA is a federal law that protects the privacy of student education records, specifically requiring parental consent when personally identifiable information is disclosed to third parties. In some limited cases, disclosures are permitted without parental consent. This law will impact you if you are doing your research in a school setting.

PROTECTION OF PUPIL RIGHTS AMENDMENT (“PPRA”)

This law also applies only in schools. PPRA requires written parental consent in order to ask questions about these topics:

- Political affiliations or beliefs of the student or the student’s parent;
- Mental or psychological problems of the student or the student’s family;
- Sex behavior or attitudes;
- Illegal, anti-social, self-incriminating, or demeaning behavior;
- Critical appraisals of other individuals with whom respondents have close family relationships;

The **Youth Voice Playbook: Involving Youth in Research** is brought to you by:

- Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- Religious practices, affiliations, or beliefs of the student or student's parent; or
- Income (other than that required by law to determine eligibility for participation in a government program).

CHILDREN'S ONLINE PRIVACY PROTECTION ACT (“COPPA”)

COPPA protects the online privacy of children under 13. Among other commitments, COPPA requires commercial websites and online services to obtain parental consent when collecting personal information (defined precisely [here](#)) from such children, and to publicly post a privacy policy that outlines their obligations under the law. Under COPPA, website operators must obtain verifiable parental consent through an approved method.

COPPA generally does not apply to nonprofit organizations or anyone working with youth over 13; however, following COPPA requirements as a best practice in the field can be a wise way to stay ahead of changing regulations.

OTHER STATE LAWS

Several states have adopted data privacy laws to supplement federal protections for their residents. Most notably and often cited as a model for other states, California has adopted a privacy law of general applicability (i.e., California Privacy Rights Act), a law protecting consumer privacy (i.e., California Consumer Privacy Act), and a law limiting the use of student data for targeted advertising (i.e., Student Online Personal Information Protection Act). Notably, Colorado recently passed a similar consumer privacy act that will apply to non-profit organizations (i.e., Colorado Privacy Act). We recommend that you find out if your state has any current or upcoming legislation that might impact your research activities, whether in-person or online.