October 5, 2026

Dear State Attorneys General,

This Administration has repeatedly affirmed its commitment to restoring and fully protecting parental rights under the law. In January 2025, President Trump signed Executive Order 14190,[1] "Ending Radical Indoctrination in K-12 Schooling," and explained how parents' trust in schools has deteriorated due to aggressive attempts to indoctrinate their children, erode meritocracy, discourage critical thinking, and hide vital information from parents. In March 2025, the Secretary of Education stated, "By natural right and moral authority, parents are the primary protectors of their children."[2] These natural rights of parents are reflected in federal law. This past August, the Department of Education's Student Privacy Policy Office (SPPO) reminded districts and states of their legal obligations under the Family Educational Rights and Privacy Act (FERPA) as well as the Protection of Pupil Rights Amendment (PPRA).[3]

Both the Department of Education and the Department of Justice have clearly described activities that constitute noncompliance with parental rights laws. Still, many superintendents and school officials continue patterns of noncompliance, behaving as if they will not be held accountable for maintaining policies that infringe parents' rights. The conditions of federal funding under FERPA and PPRA are nonnegotiable. Please read SPPO's letters and notices closely to ensure educators and leadership in your state understand the importance of these obligations.[4]

The Departments have found that schools continue to violate PPRA with their administration of "mental health screenings." If any school expects students to complete "mental health screenings" or any other similar evaluation or coursework, they must *FIRST* effectively notify the parent and obtain written consent to administer such screenings. When schools ask parents to

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[1] https://www.whitehouse.gov/presidential-actions/2025/01/ending-radical-indoctrination-in-k-12-schooling/

[2] https://studentprivacy.ed.gov/sites/default/files/resource_document/file/Secretary_Comb_SPPO_DCL_Annual%20Notice_0.pdf

[3] https://studentprivacy.ed.gov/sites/default/files/resource_document/file/SPPO%20Back%20to%20School%20DCL_August2026_Final508.pdf

[4] https://studentprivacy.ed.gov/annual-notices

opt out instead of obtaining prior written parental consent, they violate PPRA. As a reminder, under PPRA:

> No student shall be required, as part of any applicable program, to submit to a survey, analysis, or evaluation that reveals information concerning—
>
> (1) political affiliations or beliefs of the student or the student's parent;
>
> **(2) mental or psychological problems of the student or the student's family;**
>
> (3) sex behavior or attitudes;
>
> (4) illegal, anti-social, self-incriminating, or demeaning behavior;
>
> (5) critical appraisals of other individuals with whom respondents have close family relationships;
>
> (6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
>
> (7) religious practices, affiliations, or beliefs of the student or student's parent; or
>
> (8) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program),
>
> without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the **prior written consent of the parent**.[5]

The plain language of the statute is clear: any situation involving a student filling out a form, a screening, a survey, or anything that can be used to evaluate the student's mental health **requires prior written parental consent.** There is no excuse for a school that offers, or otherwise facilitates, mental health screenings or the like without prior written parental consent. **Opt-outs are not sufficient in this regard.**

We urge you to assist state and local educational agencies in your jurisdiction by ensuring robust compliance with parental rights under federal laws. This Administration has pursued more enforcement actions on parental rights laws than any other administration in U.S. history. We are acutely aware that we must make up for the decades of lost time where parents did not have a voice, were treated like the enemy, and were called "domestic terrorists." Schools, districts, and states must be held accountable for violating the law. Our Departments are committed to

[5] https://www.govinfo.gov/content/pkg/USCODE-2024-title20/pdf/USCODE-2024-title20-chap31-subchapIII-part4-sec1232h.pdf

enforcing these laws and to providing technical assistance for your office and educational agencies in your state to ensure full compliance.[6]

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[6] You can find more information on SPPO, FERPA, and PPRA on the Department of Education's website: https://studentprivacy.ed.gov/annual-notices