HOUSE BILL No. 2690

By Committee on Education

2-13

AN ACT concerning education; relating to the student data privacy act; requirements for administering certain tests, questionnaires, surveys and examinations; amending K.S.A. 72-6316 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 72-6316 is hereby amended to read as follows: 72-6316.
(a) No test, questionnaire, survey or examination containing any questions about the student's personal beliefs or practices on issues such as sex, family life, morality or religion, or any questions about the student's parents' or guardians' beliefs and practices on issues such as sex, family life, morality or religion, shall be administered to any student enrolled in kindergarten or grades one through 12, unless the student, if an adult, or the parent or guardian of the student, if a minor:
(1) Is notified in writing that this such test, questionnaire, survey or examination is to be administered and the parent or guardian of the student;
(2) Is provided a copy of such test, questionnaire, survey or examination and given an opportunity to review such test, questionnaire, survey or examination prior to giving consent under paragraph (3); and
(3) Gives written permission consent for the student to take this such test, questionnaire, survey or examination.
(b) This section shall not prohibit school counselors from providing counseling services to a student, including the administration of tests and forms which that are part of a counselor's student counseling services. Any information obtained through such tests or counseling services shall not be stored on any personal mobile electronic device which that is not owned by the school district, including, but not limited to, laptops, tablets, phones, flash drives, external hard drives or virtual servers.

Sec. 2. K.S.A. 72-6316 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.