

Testimony to House Education Committee

Honorable Chairperson, Representative Ron Highland, ron.highland@house.ks.gov
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Hearing: Friday, February 13, 2015 Committee Meeting, 1:30 pm, room 112-N

SUPPORT for [HB2099](#) – Data Privacy Act

Chairman Highland and Committee Members,

Please accept this written testimony is support of HB2099 Student Data Privacy Act, authorizing school districts to administer certain surveys and questionnaires.

As indicated in statute, current law prohibits any test, questionnaire or survey to be administered to any students enrolled in kindergarten through grade twelve that contains questions regarding a student's personal beliefs on sex, family life, morality or religion, or any questions about a student's family views on these topics, unless a parent or guardian has given written permission to do so.

Initial implementation of this policy has indicated that such broad sweeping efforts to protect student's data privacy have given rise to some unintended consequences. Data that had been used to help school and community leaders assess current student risk factors (e.g., bullying, depression, substance abuse) and prioritize areas of greatest need are being hindered, preventing the capacity to plan prevention and intervention programs for at risk youth.

The proposed components of HB2099 serve to retain assurances that individually identifiable data are not shared, while adjusting for the unintended restrictions triggered by SB367.

Kansas PTA supports HB2099 clarifications that these provisions of law would not apply to any questionnaire or survey containing these topics if: (1) the questionnaire or survey does not record, request or solicit a student to provide any personally identifiable student data; (2) each student is informed that the participation in the survey is voluntary; (3) the parent or guardian of each student is informed in advance of the questionnaire or survey that the student may opt out of answering; and (4) the results of the questionnaire or survey are reported only as aggregate data.

Kansas PTA encourages this committee to support HB2099 Student Data Privacy Act. Thank you for your time and consideration.

Tammy Bartels,
Kansas PTA President

Kansas PTA is a nonpartisan association that promotes the welfare of children and youth. The PTA does not endorse any candidate or political party. Rather, we advocate for policies and legislation that affect Kansas youth in alignment with our legislative platform and priorities.

Kansas PTA Platform,

Legislative Priority 1. Kansas PTA will support efforts to strengthen and improve the Kansas public school finance system, which includes legislation and policies that:

- a. uphold Kansas Constitutional obligations to make suitable provision for the finance of the Kansas public schools that is equitable for every child.
- b. restore recent state cuts to base state aid per pupil, back to levels comparable to those deemed suitable by the legislature - actual costs identified in research studies requested and authorized by the Kansas legislature (e.g., Legislative Post Audit 2006 Cost Study).
- c. pursue solutions to fully fund state and federal educational mandates, including the new uniform financial accounting and reporting act, without disproportionately shifting the burden to local communities.

Legislative Priority 2. Kansas PTA will support efforts to restore an equitable and balanced tax policy to maintain a reliable revenue stream for public education. A policy which draws upon a combination of income, property and sales taxes has been proven by history to be a secure and sustainable approach. Kansas PTA opposes provisions limiting the growth of government before public education is fully funded to the statutory levels.

National PTA believes home schools and other nonpublic schools should meet the same educational standards as public schools.