

HOUSE BILL No. 2690

By Committee on Education

2-13

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

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 72-6316 is hereby amended to read as follows: 72-
8 6316. (a) No test, questionnaire, survey or examination containing any
9 questions about the student's personal beliefs or practices on issues such as
10 sex, family life, morality or religion, or any questions about the student's
11 parents' or guardians' beliefs and practices on issues such as sex, family
12 life, morality or religion, shall be administered to any student enrolled in
13 kindergarten or grades one through 12, unless the *student, if an adult, or*
14 *the parent or guardian of the student, if a minor:*

15 (1) Is notified in writing that ~~this such~~ test, questionnaire, survey or
16 examination is to be administered ~~and the parent or guardian of the~~
17 ~~student;~~

18 (2) *is provided a copy of such test, questionnaire, survey or*
19 *examination and given an opportunity to review such test, questionnaire,*
20 *survey or examination prior to giving consent under paragraph (3); and*

21 (3) gives written ~~permission~~ *consent* for the student to take ~~this such~~
22 test, questionnaire, survey or examination.

23 (b) This section shall not prohibit school counselors from providing
24 counseling services to a student, including the administration of tests and
25 forms ~~which that~~ are part of a counselor's student counseling services. Any
26 information obtained through such tests or counseling services shall not be
27 stored on any personal mobile electronic device ~~which that~~ is not owned
28 by the school district, including, but not limited to, laptops, tablets,
29 phones, flash drives, external hard drives or virtual servers.

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 K.S.A. 72-6316 is hereby repealed.

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