

SESSION OF 2022

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2505

As Amended by House Committee on Education

Brief*

HB 2505, as amended, would amend the Student Data Privacy Act and the Student Online Personal Protection Act to permit a national assessment provider to administer a college and career readiness assessment questionnaire or survey to any student enrolled in grades K-12 without prior written permission from such student's parent or guardian.

Such national assessment provider would be required to provide such students' parents or guardians with written notice and the opportunity to decline participation before such questionnaire or survey is administered. Such national assessment provider would be prohibited from collecting information relating to a student's sexual history, sexual orientation, social health, or emotional learning. Such national assessment provider would be prohibited from disclosing any information collected related to a student's religious belief to any college, university, or postsecondary education institution that has an admissions policy that restricts or otherwise limits the admission of students who express a particular religious belief.

The bill would amend the definition of "operator" in the Student Online Personal Protection Act to exclude any national assessment provider that is administering a college and career readiness assessment.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

The bill was introduced by the House Committee on Education at the request of ACT, Inc.

House Committee on Education

In the House Committee hearing, a representative of ACT, Inc., provided **proponent** testimony, and stated the bill would allow ACT to provide services that link students to scholarships and would change the current “opt-in” process for parents and guardians to a process that would instead allow parents to “opt-out” students.

No other testimony was provided.

The House Committee amended the bill to:

- Require a student’s parent or guardian be provided the opportunity to decline such student’s participation in a college and career readiness assessment questionnaire or survey prior to the administration of such questionnaire or survey;
- Prohibit national assessment providers from collecting student information related to their sexual history, sexual orientation, social health, or emotional learning; and
- Prohibit national assessment providers from disclosing student information related to their religious beliefs to certain colleges, universities, or postsecondary educational institutions.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Kansas State

Department of Education indicates enactment of the bill would have no fiscal effect.

Education; college and career readiness assessments; Student Data Privacy Act; Student Online Personal Protection Act