

CHAPTER 251
SB 43 - FINAL VERSION

06/22/2017 2325CofC

2017 SESSION

17-0169
04/05

SENATE BILL **43**

AN ACT relative to non-academic surveys administered by a public school to its students.

SPONSORS: Sen. Avar, Dist 12; Sen. Reagan, Dist 17; Sen. Birdsell, Dist 19; Sen. Daniels, Dist 11; Sen. French, Dist 7; Sen. Ward, Dist 8; Rep. Murotake, Hills. 32; Rep. V. Sullivan, Hills. 16; Rep. Hill, Merr. 3; Rep. O'Day, Ches. 11; Rep. Ladd, Graf. 4

COMMITTEE: Education

ANALYSIS

This bill provides that no student shall be required to volunteer or submit to a non-academic survey or questionnaire without written consent of a parent or legal guardian. The bill also creates an exception to this requirement for the youth risk behavior survey developed by the Centers for Disease Control and Prevention.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Seventeen

AN ACT relative to non-academic surveys administered by a public school to its students.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 251:1 State Board of Education; Duties. Amend RSA 186:11, IX-d to read as follows:

2 IX-d. Require school districts to adopt a policy governing the administration of non-
3 academic surveys or questionnaires to students. The policy shall require school districts to notify a
4 parent or legal guardian of a non-academic survey or questionnaire and its purpose. ***The policy***
5 ***shall provide that no student shall be required to volunteer for or submit to a non-***
6 ***academic survey or questionnaire, as defined in this paragraph, without written consent***
7 ***of a parent or legal guardian unless the student is an adult or an emancipated minor.***
8 ***The policy shall include an exception from the consent requirement for the youth risk***
9 ***behavior survey developed by the Centers for Disease Control and Prevention. The policy***
10 ***shall also allow a parent or legal guardian to opt-out of the youth risk behavior survey***
11 ***developed by the Centers for Disease Control and Prevention.*** The school district shall make
12 such surveys or questionnaires available, at the school and on the school or school district's website,
13 for review by a student's parent or legal guardian at least 10 days prior to distribution to students.
14 [~~The policy shall also allow a parent or legal guardian to opt out of the non-academic survey or~~
15 ~~questionnaire either in writing or electronically.~~] In this paragraph, "non-academic survey or
16 questionnaire" means surveys, questionnaires, or other documents designed to elicit information
17 about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity,
18 drug use, or any other information not related to a student's academics.

251:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 18, 2017

Effective Date: September 16, 2017