

Rep. Ladd, Graf. 4
Rep. T. Wolf, Hills. 7
Rep. Heath, Hills. 14
May 2, 2017
2017-1610h
04/05

Amendment to SB 43

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT relative to nonacademic surveys, questionnaires, or evaluations administered by a
4 public school to its students.
5

6 Amend the bill by replacing section 1 with the following:

7
8 1 State Board of Education; Duties; Nonacademic Surveys. RSA 186:11, IX-d is repealed and
9 reenacted to read as follows:

10 IX-d.(a) Require school districts to adopt a policy governing the administration of
11 nonacademic surveys, questionnaires, or evaluations, as defined in subparagraph IX-d(b). A school
12 district shall furnish a written copy of the policy to each parent or legal guardian at the beginning
13 of each school year. The policy shall:

14 (1) Require the school district to notify a parent or legal guardian of a nonacademic
15 survey, questionnaire, or evaluation and its purpose at least 10 days prior to distribution to
16 students;

17 (2) Require the school district to make such surveys, questionnaires, or evaluations
18 available, at the school and on the school or school district's website, for review by a student's
19 parent or legal guardian at least 10 days prior to distribution to students;

20 (3) State that no student shall be required to participate in a nonacademic survey,
21 questionnaire, or evaluation;

22 (4) Include a policy on the use and applicability of active and passive parental
23 consent;

24 (5) Allow a parent or legal guardian to opt his or her child out of a nonacademic
25 survey, questionnaire, or evaluation, either in writing or electronically, regardless of the district's
26 policy on parental consent as required by subparagraph (4); and

27 (6) Require the school district to notify a parent or legal guardian if any of the
28 information collected from a student who participates in a nonacademic survey, questionnaire, or
29 evaluation will be used or otherwise provided to a third party for marketing or advertising
30 purposes.

31 (b) In this section, "nonacademic survey, questionnaire, or evaluation" means any effort

Amendment to SB 43
- Page 2 -

1 designed to elicit or reveal information concerning political affiliations or beliefs of the student or
2 the student's parent; mental or psychological problems of the student or the student's family; sex
3 behavior or attitudes; illegal, anti-social, self-incriminating, or demeaning behavior; critical
4 appraisals of other individuals with whom respondents have close family relationships; legally
5 recognized privileged or analogous relationships, such as those of lawyers, physicians, and
6 ministers; religious practices, affiliations, or beliefs of the student or student's parent; or income,
7 other than that required by law to determine eligibility for participation in a program or for
8 receiving financial assistance under such program.

Amendment to SB 43
- Page 3 -

2017-1610h

AMENDED ANALYSIS

This bill requires school districts to adopt a policy governing the administration of nonacademic surveys, questionnaires, or evaluations.