



**KANSAS ASSOCIATION
OF SCHOOL BOARDS**

Serving Educational Leaders, Inspiring Student Success

www.kasb.org

Oral Testimony as Proponent before the
House Committee on Children and Seniors

on

HB 2361 – Creating conditions for the administration of certain tests, questionnaires, surveys and examinations.

by

Mark Tallman, Associate Director for Advocacy

Kansas Association of School Boards

February 20, 2019

Madam Chair, Members of the Committee:

Thank you for the opportunity to testify in favor of **HB 2361**.

School districts have used surveys and questionnaires for purposes such as assessing student needs for various services, programs and curriculum. They have also partnered with agencies to use such instruments as the Communities that Cares survey. The confidentiality of this data had long been protected by the Federal Protection of Pupil Rights Act, which also required districts to allow an “opt out” for students and parents.

The passage of the Kansas Student Data Privacy Act shifted to a requirement of an affirmative “opt-in.” This has significantly reduced participation, but it is unclear whether that is because more families are actually opposed to their student’s involvement or simply have not provided the affirmative documentation. Some districts have dropped out of these programs entirely, because the data is not reliable due to low student participation.

The result is less information is available about aspects of student behaviors and needs. This issue has been raised regarding the problems of youth suicide and other challenges for Kansas youth. Lack of information may also limit ability of districts to secure grant funds to provide service to students.

KASB members have regularly raised concerns about this problem. We support this bill’s efforts to return to an “opt-out” system consistent with federal law.

Thank you for your consideration.