

HB 194 - AS INTRODUCED

2021 SESSION

21-0383

06/08

HOUSE BILL **194**

AN ACT relative to the release of student assessment information and data.

SPONSORS: Rep. Cordelli, Carr. 4; Rep. Ladd, Graf. 4; Rep. M. Moffett, Merr. 9; Rep. Hobson, Rock. 35; Rep. Layon, Rock. 6; Rep. J. Osborne, Rock. 4; Sen. Avard, Dist 12; Sen. Ward, Dist 8

COMMITTEE: Education

ANALYSIS

This bill:

I. Permits the department of education to collect student address information for the purpose of distributing assessment results.

II. Requires a testing entity to destroy student data at certain times.

III. Makes violation of disclosure of information provisions a felony.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to the release of student assessment information and data.

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

1 1 Statewide Assessment Program; Pupil Assessment Information. Amend RSA 193-C:12 to read
2 as follows:

3 193-C:12 Pupil Assessment Information. The department shall provide the testing entity as
4 defined in RSA 189:65, VIII, with individual pupil names and unique pupil identifiers. The testing
5 entity shall maintain the results, scores, or other evaluative materials for the purpose of measuring
6 and reporting individual student growth. The department may provide, ***or may request the***
7 ***testing entity to provide***, the assessment results and comparative data to a parent, a legal
8 guardian, or the pupil's school as provided in RSA 193-C:11. ***The department may collect, and***
9 ***the districts shall provide, student address information from the individual school***
10 ***districts solely for the purpose of effectuating the distribution of assessment results and***
11 ***comparative data as provided in this section.*** The testing entity shall destroy all student data
12 after [8-years] ***reporting on students through grade 8 or when a student is no longer enrolled***
13 ***in a New Hampshire public school.***

14 2 Statewide Assessment Program; Disclosure of Information. Amend RSA 189:67, II to read as
15 follows:

16 II.(a) A school or the department may disclose to a testing entity the student's name, unique
17 pupil identifier, and birth date for the sole purpose of identifying the test taker. Except when
18 collected in conjunction with the SAT or ACT:

19 [(a)] (1) When such tests are used for the purpose of the state assessment as defined in
20 RSA 193-C:6, the data shall be maintained by the testing entity in accordance with RSA 193-C:12.

21 [(b)] (2) The data shall not be disclosed by the testing entity to any other person,
22 organization, entity, or government or any component thereof, other than the parent or guardian,
23 the department, school or school district, and shall not be used by the testing entity for any other
24 purpose except as provided in RSA 193-C:12.

25 (b) ***Any person who knowingly violates the provisions of subparagraph (a) shall***
26 ***be guilty of a class B felony.***

27 3 Effective Date. This act shall take effect upon its passage.