

**CHAPTER 161**  
**HB 206 – FINAL VERSION**

4Mar2015... 0410h  
05/14/2015 1180s  
05/14/2015 1711s  
05/15/2015 1741s

2015 SESSION

15-0121  
04/09

HOUSE BILL                    **206**

AN ACT                    establishing a committee to study non-academic surveys or questionnaires administered by a public school to its students and relative to non-academic surveys or questionnaires given to students.

SPONSORS:            Rep. Boehm, Hills 20; Rep. Cordelli, Carr 4; Rep. Pitre, Straf 2; Rep. Itse, Rock 10; Rep. Gile, Merr 27

COMMITTEE:          Education

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AMENDED ANALYSIS

      This bill establishes a committee to study non-academic information gathering surveys or questionnaires administered by a public school to its students. The bill also requires school districts to adopt a policy regarding student participation in non-academic surveys or questionnaires.

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                              Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                    establishing a committee to study non-academic surveys or questionnaires administered by a public school to its students and relative to non-academic surveys or questionnaires given to students.

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

1            161:1 Committee Established. There is established a committee to study non-academic surveys  
2 or questionnaires administered by a public school to its students.

3            161:2 Membership and Compensation.

4            I. The members of the committee shall be as follows:

5                    (a) One member of the senate, appointed by the president of the senate.

6                    (b) Six members of the house of representatives, appointed by the speaker of the house of  
7 representatives.

8            II. Members of the committee shall receive mileage at the legislative rate when attending to  
9 the duties of the committee.

10          161:3 Duties.

11            I. The committee shall study the design of all non-academic surveys, questionnaires, tests,  
12 assessments, and any other information gathering surveys administered by a public school to its  
13 students, and determine whether and to what extent such surveys, questionnaires, tests, and  
14 assessments elicit information about a student's social behavior, family life, religion, politics, sexual  
15 orientation, sexual activity, drug use, or any other information not related to a student's academics,  
16 and make recommendations as necessary.

17            II. The committee shall review federal statutes and regulations regarding surveys,  
18 questionnaires, tests, and assessments administered by a public school to its students which elicit  
19 information about a student's social behavior, family life, religion, politics, sexual orientation, sexual  
20 activity, drug use, or any other information not related to a student's academics and make  
21 recommendations as may be necessary.

22            III. The committee may solicit advice and testimony from any individual or organization  
23 with information or expertise relevant to the purpose of the committee's study.

24          161:4 Chairperson; Quorum. The members of the study committee shall elect a chairperson  
25 from among the members. The first meeting of the committee shall be called by the senate member.

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1 The first meeting of the committee shall be held within 45 days of the effective date of this section.

2 Three members of the committee shall constitute a quorum.

3 161:5 Report. The committee shall report its findings and any recommendations for proposed  
4 legislation to the president of the senate, speaker of the house of representatives, the senate clerk,  
5 the house clerk, the governor, and the state library on or before November 1, 2015.

6 161:6 New Paragraph; State Board of Education; Non-Academic Surveys and Questionnaires.  
7 Amend RSA 186:11 by inserting after paragraph IX-c the following new paragraph:

8 IX-d. Require school districts to adopt a policy governing the administration of non-academic  
9 surveys or questionnaires to students. The policy shall require school districts to notify a parent or  
10 legal guardian of a non-academic survey or questionnaire and its purpose. The school district shall  
11 make such surveys or questionnaires available, at the school and on the school or school district's  
12 website, for review by a student's parent or legal guardian at least 10 days prior to distribution to  
13 students. The policy shall also allow a parent or legal guardian to opt out of the non-academic  
14 survey or questionnaire either in writing or electronically. In this paragraph, "non-academic survey  
15 or questionnaire" means surveys, questionnaires, or other documents designed to elicit information  
16 about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity,  
17 drug use, or any other information not related to a student's academics.

18 161:7 Effective Date.

19 I. Section 6 of this act shall take effect 60 days after its passage.

20 II. The remainder of this act shall take effect upon its passage.

21  
22 Approved: June 26, 2015

23 Effective Date: I. Section 6 shall take effect August 25, 2015

24 II. Remainder shall take effect June 26, 2015