

HB 380-FN - AS INTRODUCED

2023 SESSION

23-0298

09/05

HOUSE BILL ***380-FN***

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

SPONSORS: Rep. Horrigan, Straf. 10

COMMITTEE: Education

ANALYSIS

This bill makes changes to the requirements for school district or chartered public school policies governing the administration of non-academic surveys or questionnaires.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

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

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

1 1 Duties of the State Board of Education; Non-academic Surveys or Questionnaires. Amend
2 RSA 186:11, IX-d to read as follows:

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

24 2 Effective Date. This act shall take effect 60 days after its passage.

**HB 380-FN- FISCAL NOTE
AS INTRODUCED**

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

FISCAL IMPACT: State County Local None

LOCAL:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill makes changes to the requirements for school district or chartered public school policies governing the administration of non-academic surveys or questionnaires, including requiring the adoption of a policy governing the administration of non-academic surveys or questionnaires to students and requiring a written/electronic notification to parent/guardian. The Department of Education states these requirements may increase costs on school districts, however such costs, if any, cannot be estimated as they would vary across districts.

It is assumed any costs incurred by school districts would occur in FY 2024 and beyond.

AGENCIES CONTACTED:

Department of Education