

SB2105

Vice-Chair Lemm and members of the committee. My name is Todd Beard. I am the Senator from District 23 serving the Williston and Trenton area.

Part 1 of the bill defines a survey to mean a written document to obtain information about a student from a student. That definition excludes surveys completed for educational purposes or if a student is surveyed because they have chosen to sign up and join a group for extracurricular activities.

Part 2 of the bill excludes 3rd parties from coming into a school to survey students other than the department of public instruction. Parents are the ones who should decide if their children should participate in a survey. No 3rd party has a right to their information.

Part 3 of the bill determines parent or guardian approval before a survey can be administered.

This bill is meant to ensure parents have the opportunity to review a survey their child is asked to fill out. After the parent reviews the survey, they must authorize in writing allowing the child to take the survey before it can be administered. The reasons this is important are:

1. It coincides with federal law. In my testimony you will find a copy of the federal code known as Protection of Pupil Rights. No student can be required to be surveyed for any of the descriptive items listed unless a parent or guardian has given written consent.

2. If the parent or guardian reviews the survey to be given to the child, this could open dialogue that might not have otherwise happened. This could be of benefit to their family.

I also have an amendment to bring with the bill to give clarity that CTE may survey their students/members. Legislative Council believes they were covered under subsection 1 as they are part of the school, but to make it clear we may add them in this manner:

"The term does not include a survey administered or approved by a licensed teacher or ~~school~~-administrator of a school, including a center for career and technical education, for educational or extracurricular purposes."

Thank you for your consideration and ask for a DO PASS recommendation on SB2105. I stand for any questions.