

SB63 – Opposing Testimony

On behalf of the homeschooling community in Kansas, I wanted to express our concerns about SB63, specifically related to the access of the Department of Education to all of the individual (and personally identifiable) data for students taking the state access ACT test.

SB63 does not discuss what data the state receives from ACT for students taking the state access ACT test. It only mentions a requirement of a report of aggregate data from the department of Education to the committee. The use of the term aggregate initially led us to believe that the state would only receive aggregate data from ACT but that is not correct as we have verified with Scott Smith, Director of Career, Standards and Assessment at the Department of Education.

Scott Smith informed us that their department would have access to personally identifiable test score data for each individual student who takes the free state access test. This includes answers to survey questionnaires, all individual test scores and demographic information.

In speaking with leaders in the homeschool community across Kansas, our collective experience tells us that most homeschool families would not be comfortable with the state receiving their student's personally identifiable data regardless of whether it is published or not.

Senator Baumgardner reached out to ACT over three weeks ago to discuss this concern but ACT has not responded to her request. If ACT is present today to testify on SB63, I would request that the committee question ACT about whether or not the Department of Education has access to the individual data for the students taking the state access test.

While we appreciate the thought behind this bill, we would like to request that homeschools be removed from the bill. To assure that non-homeschoolers aren't unintentionally removed from the bill, we would suggest the following amendment:

First, Amend KSA §72-3120 to add a new subsection as follows:

(h)(4) "private school" includes competent instruction a parent provides to his or her child for a period of time which is substantially equivalent to the period of time public school is maintained in the school district in which the private school is located."

Then, Amend SB63 section (e) to say that "nonaccredited private secondary schools in Kansas" does not include nonaccredited private schools under KSA §72-3120(h)(4)

Thank you for your consideration of our request. I'm ready to answer any questions regarding our concerns about the bill. Home School Legal Defense Association is submitting testimony providing further information about the proposed amendment process.

Sincerely,
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