



**Written Neutral Testimony on  
HB 2513, Student Data Privacy Act  
Committee on K-12 Education Budget  
January 25, 2022**

Greenbush appreciates the opportunity to provide neutral testimony on HB 2513, a bill related to the parental consent and the administration of certain tests, questionnaires, surveys, or examinations. Greenbush administers the Kansas Communities that Care (KCTC) Student Survey on behalf of the Kansas Department for Aging and Disability Services (KDADS). The administration guidelines in HB 2513 align with many of the protocols already in place for the KCTC Student Survey. Today, our testimony intends to provide information about what those existing administration protocols are and how new requirements may impact the administration process.

The KCTC Student Survey has been administered annually since 1995 to students in 6th, 8th, 10th, and 12th grades. The survey is a resource to provide local (building-, district-, and county-level) and statewide data that can be used to guide prevention programs and strategies and public policy. KCTC is built on a framework for prevention and has been utilized by communities and schools to plan effective prevention programs, apply for grant funding, and measure progress in reducing factors that contribute to high-risk youth behaviors.

Administration protocols are reviewed annually and approved by an internal Institutional Review Board (IRB). Current protocols address statutory requirements regarding parental notification and provide guidance on securing written permission for each child to participate in the KCTC Student Survey. Parent Consent forms include information about the survey content, access to the survey questions, and the purpose of the data collected, including how data will be used and reported. Information is updated annually and reviewed by the IRB before administering the student survey.

In 2021, we transitioned to administering the survey entirely online. At that time, informed consent protocols were embedded into KCTC. Video instructions were embedded to ensure consistent administration practices and guidance for students. Students receive access to information about the survey and are asked to confirm they have received it and that they understand the following:

- Students may choose not to take the survey (regardless of parental consent);
- Student may skip over any questions they choose not to answer for any reason; and/or
- Students may stop taking the survey at any time.

HB 2513 introduces two provisions that will require new systems for schools to manage informed consent processes. Most districts in Kansas utilize enrollment processes to provide parents/guardians information about the KCTC Student Survey and request consent for participation. Enrollment is typically conducted in the spring of the previous school year. HB 2513 requires that written consent for each test,

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questionnaire, survey, or examination ***shall be provided separately*** and ***within four months of administration***. This will require new technologies and systems to support administration. Reaching all parents for consent multiple times - whether written or electronic documentation - poses additional challenges for both parents/guardians and school district office personnel.

Complicating consent processes will likely have a negative impact on student participation as schools transition to a new system. We experienced a significant decline in participation in 2015 when we switched to an active consent process; however, participation has rebounded, reaching nearly 71,000 (49%) of the eligible students in Kansas in 2021. Last year, we reported results for more than 250 public and private schools.

An important area that has been significantly impacted using data collected through the KCTC is mental health programming. Data from KCTC has raised awareness about depression and suicide and helped communities and schools identify common areas of concern. Together, communities and schools have deployed innovative strategies to support the mental health needs of children and their families. Data collected through KCTC's optional depression and suicide module help guide decisions about the expansion of mental health services for students and the certification of Community Behavioral Health Centers.

Greenbush will continue to support protocols to maintain the highest ethical and legal standards to ensure student privacy, informed consent by parents/guardians and students, and accurate reporting of data. Attached to our testimony, we have provided a list of survey administration resources with hyperlinks to relevant documents provided to survey administrators and parents. Links to a PDF version of the survey questions are also included for the core survey, plus four optional modules.

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## SURVEY MODULES & ADMINISTRATION RESOURCES

**For more resources**

in English & Spanish

### **VIEW THE SURVEY**

- Core survey
- Optional modules

### **SURVEY ADMINISTRATION**

- Survey administration guidelines
- Best practices for active consent
- Parent consent form
- Information for parents
- Parent consent tracking form
- Student Privacy Facts for KCTC

[kctcdata.org](https://kctcdata.org)