

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

Act 1100 of 2003
SENATE BILL 895

5 By: Senator Argue
6
7

For An Act To Be Entitled

9 AN ACT TO REQUIRE PARENTAL AUTHORIZATION FOR
10 SURVEYS OR QUESTIONNAIRES ADMINISTERED TO
11 STUDENTS IN PUBLIC SCHOOLS; AND FOR OTHER
12 PURPOSES.
13

Subtitle

14 AN ACT TO REQUIRE PARENTAL AUTHORIZATION
15 FOR SURVEYS OR QUESTIONNAIRES
16 ADMINISTERED TO STUDENTS.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code Title 6, Chapter 18 is amended to add the
23 following subchapter:

24 6-18-1301. Title.

25 This subchapter shall be known as the "Parental Authorization of
26 Questionnaires Act".
27

28 6-18-1302. Definitions.

29 As used in this act:

30 (1) "Personal identifying information" means:

31 (A) A student's name;

32 (B) The name of a student's parent or a member of the student's
33 family;

34 (C) The address, telephone number, or email address of a student
35 or a member of the student's family;

36 (D) A personal identification number, such as a social security



1 number, driver’s license number, or student identification number of a
2 student or a member of the student’s family; or

3 (E) Any information, the disclosure of which is regulated, or
4 prohibited by any other state or federal law or regulation;

5 (2) “Public school” means any school operated by a public school
6 district, or any open enrollment charter school, as defined in § 6-23-301;

7 (3) “Public school district” means a local school district, as that
8 term is defined in § 6-20-303;

9 (4)(A) “Questionnaire or survey” means a list or group of questions,
10 responses to which are provided to a person or entity other than a public
11 school, a public school district, the Department of Education, or any branch
12 of the federal government.

13 (B) “Questionnaire or survey” does not include:

14 (i) Tests mandated by state or federal law or regulation;

15 or

16 (ii) Standardized scholastic achievement tests.

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18 6-18-1303. Questionnaires or surveys administered in public schools.

19 (a) A public school or public school district shall not administer or
20 permit to be administered a questionnaire or survey that requests or requires
21 a student to supply any personal identifying information unless written
22 permission is obtained from the student’s parent or legal guardian prior to
23 the administration of the questionnaire or survey.

24 (b) To obtain written permission to administer a questionnaire or
25 survey that requests or requires a student to supply any personal identifying
26 information, the public school or public school district must give the
27 student’s parent or legal guardian an opportunity to review the questionnaire
28 or survey and must give the parent or guardian written notice specifying:

29 (1) How the questionnaire or survey will be administered to the
30 student;

31 (2) How the results of the questionnaire or survey or
32 questionnaire will be utilized; and

33 (3) The persons or entities that will have access to the results
34 of the completed questionnaire or survey.

35 (c) A student’s parent or legal guardian may refuse to allow the
36 student to participate in any specified questionnaire or survey.

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APPROVED: 4/4/2003