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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **464**

02/11/2013 Authored by Holberg, Erickson, S., and Myhra  
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act  
1.2 relating to education; establishing notice requirements for student surveys and  
1.3 similar instruments; proposing coding for new law in Minnesota Statutes,  
1.4 chapter 121A.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. [121A.24] NOTICE REQUIREMENTS FOR STUDENT SURVEYS  
1.7 AND SIMILAR INSTRUMENTS.

1.8 (a) A school district must obtain prior written informed consent from a parent or  
1.9 guardian of a minor or dependent child before administering an academic or nonacademic  
1.10 student survey, assessment, analysis, evaluation, or similar instrument that solicits  
1.11 information about the student or the student's family concerning:

- 1.12 (1) political affiliations or beliefs;
- 1.13 (2) mental or psychological problems;
- 1.14 (3) sexual behavior or attitudes;
- 1.15 (4) illegal, antisocial, self-incriminating, or demeaning behavior;
- 1.16 (5) critical appraisals of another individual with whom a student has a close family  
1.17 relationship;
- 1.18 (6) legally recognized privileged or analogous relationships, such as those with  
1.19 a lawyer, physician, or minister;
- 1.20 (7) religious practices, affiliations, or beliefs; or
- 1.21 (8) income or other income-related information required by law to determine  
1.22 eligibility to participate in or receive financial assistance under a program.

1.23 (b) When asking a parent or guardian to provide informed written consent, the  
1.24 school district must:

2.1 (1) make a copy of the instrument readily accessible to the parent or guardian at a  
2.2 convenient location and reasonable time; and

2.3 (2) specifically identify the information in paragraph (a) that will be solicited  
2.4 through the instrument. The district must request the consent of the parent or guardian at  
2.5 least 14 days before administering the instrument.

2.6 (c) A parent or guardian seeking to compel a school district to comply with this  
2.7 section has available the civil remedies under section 13.08, subdivision 4, in addition to  
2.8 other remedies provided by law.

2.9 **EFFECTIVE DATE.** This section is effective the day following final enactment.