

By: Senator(s) Watson

To: Education

SENATE BILL NO. 2468

1 AN ACT TO AUTHORIZE AND DIRECT PUBLIC SCHOOL DISTRICTS TO  
 2 ALLOW PARENTS AND LEGAL GUARDIANS OF ENROLLED STUDENTS TO OPT-OUT  
 3 OF COMMON CORE ALIGNED CURRICULA, CERTAIN STUDENT DATA AND THE  
 4 RELEASE OF INFORMATION CONCERNING THEIR CHILDREN'S PERSONAL  
 5 BELIEFS; TO PRESCRIBE A FORM FOR THE STUDENT PRIVACY PROTECTION  
 6 OPT-OUT REQUEST BY THE PARENT OR LEGAL GUARDIAN; TO DIRECT THE  
 7 STATE BOARD OF EDUCATION TO ISSUE REGULATIONS CONSISTENT WITH THE  
 8 STUDENT DATA CONFIDENTIALITY PROVISIONS OF THIS ACT; AND FOR  
 9 RELATED PURPOSES.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

11 **SECTION 1.** (1) The school boards of all public school  
 12 districts are hereby authorized and directed to allow parents or  
 13 legal guardians of students enrolled in the school district to  
 14 opt-out of Common Core aligned curricula, and to opt-out of  
 15 sharing their child's personal information with the federal  
 16 government and other agencies and private contractors. The form  
 17 allowing parents and legal guardians to opt-out of these  
 18 activities shall be available at the local school board office and  
 19 online on July 1 prior to the beginning of each school year and  
 20 shall be in the following form:

21 **"STUDENT PRIVACY PROTECTION OPT-OUT REQUEST**



22 PLEASE TAKE NOTICE that in accordance with the fundamental  
23 constitutional rights of parents and legal guardians to determine  
24 and direct the care, teaching and education of their children, and  
25 the relevant state and federal statutes, I hereby request my child  
26 \_\_\_\_\_ be exempted and excused for the  
27 school year \_\_\_\_\_ the following check marked activities:

- 28  Any and all standardized testing or activities required by  
29 law, under which individual student data are collected and/or  
30 shared with the federal government or other entities outside  
31 of the local school district; or are used for the purposes of  
32 school, student, or teacher accountability, including but not  
33 by way of limitation to, academic, achievement and annual  
34 tests, state-wide performance assessments and Common Core  
35 State Standards aligned assessments and pilots, computer  
36 adaptive testing and assessments designed by Smarter Balanced  
37 Assessment Consortium (SBAC) or Partnership for Assessment of  
38 Readiness for College and Careers (PARCC).
- 39  Any and all tests, assessments, or surveys not limited solely  
40 to proficiency in core academic subjects.
- 41  Any and all tests, assessments, or surveys used to measure  
42 pupils' values, attitudes or beliefs.
- 43  Any survey, analysis, or evaluation that reveals information  
44 concerning my child, myself or other members of my family  
45 related to: (1) political affiliations or beliefs of the  
46 student or the student's parent; (2) mental or psychological



47 problems of the student or the student's family; (3) sex  
48 behavior or attitudes; (4) illegal, anti-social,  
49 self-incriminating, or demeaning behavior; (5) critical  
50 appraisals of other individuals with whom respondents have  
51 close family relationships; (6) legally recognized privileged  
52 or analogous relationships, such as those of lawyers,  
53 physicians, and ministers; (7) religious practices,  
54 affiliations, or beliefs of the student or student's parent;  
55 or (8) income.

56  The collection, tracking, housing, reporting, selling, or  
57 sharing with any party outside of the local school district,  
58 of noneducational related information on my child or my  
59 family, including, but not limited to: religion, political  
60 affiliations, biometric data, psychometric data, and medical  
61 information. Biometric data includes fingerprints, retina  
62 and iris (eye) patterns, voiceprint, DNA sequence, facial  
63 characteristics, handwriting, and any other unique physical  
64 identifying traits. Psychometric data includes, but is not  
65 limited to: personality traits, attitudes, abilities,  
66 aptitude, social and emotional development, tendencies,  
67 inclinations, interests, and motivations.

68  The sharing with any party outside of the local school  
69 district of my child's directory information, including, but  
70 not limited to: name, address, telephone listing, e-mail  
71 address, photograph, date and place of birth, major field of



72 study, grade level, enrollment status, dates of attendance,  
73 participation in officially recognized activities and sports,  
74 weight, height, athletic teams, degrees, honors, awards, and  
75 most recent educational agency or institution attended.

76  The sharing with any party outside of the local school  
77 district of my child's student ID number, social security  
78 number, or other unique identifying number.

79  Any computer or online based educational services activities  
80 or assessments through which individual student data or  
81 metadata is stored in a manner inconsistent with industry  
82 requirements and best practices or is shared with any party  
83 outside the local school district.

84  Any Common Core State Standards aligned activities, surveys  
85 or assessments that concern the attitudes, beliefs, including  
86 religious or political beliefs, or value systems of  
87 individual students.

88 This executed form supersedes all prior Opt-Out forms.

89 I.D. Number \_\_\_\_\_ Grade \_\_\_\_\_ Date \_\_\_\_\_

90 Parent/Guardian's Name(s) \_\_\_\_\_

91 Signature \_\_\_\_\_

92 Daytime/Evening Phone Number(s) \_\_\_\_\_

93 E-Mail address \_\_\_\_\_

94 Received by (name) \_\_\_\_\_

95 Signature \_\_\_\_\_ Date received \_\_\_\_\_"



96           (2) The school boards of all public school districts shall  
97 exempt from disclosure under the Mississippi Public Records Act,  
98 Section 25-61-1 et seq., Mississippi Code of 1972, any information  
99 that if released, would prevent the school district from complying  
100 with 20 USC 1232g, commonly referred to as the federal Family  
101 Educational Rights and Privacy Act. The school boards of all  
102 public school districts shall exempt from public disclosure  
103 directory information requested for the purpose of surveys,  
104 marketing or solicitation, unless the school board determines that  
105 the use is consistent with the educational mission of the school  
106 district and beneficial to the affected students.

107           (3) The State Board of Education is authorized and directed  
108 to issue rules and regulations to require all school districts to  
109 comply with the student confidentiality and Common Core curriculum  
110 opt-out provisions of this act.

111           **SECTION 2.** This act shall take effect and be in force from  
112 and after July 1, 2015.

