



Alaska State Legislature

Representative Peggy Wilson
House District 2

MEMORANDUM

Date: April 7, 2009

To: Representative Paul Seaton, Chair, Education Committee

From: Representative Peggy Wilson *PW*

Re: HB 130 – Student Questionnaires and Surveys

I would like to request the House Education Committee schedule another hearing on HB 130.

During the first hearing of this bill in the Education Committee there were questions on the language differences in Section 1 and Section 2. There was further discussion on the necessity of the language “or an employee of a school district” in Section 1.

The Committee Substitute had standardized the language in Section 1 and Section 2 and has retained the language “or an employee of a school district” because the drafter didn’t want to unintentionally leave out employees of the district.

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CS FOR HOUSE BILL NO. 130()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY

Offered:

Referred:

Sponsor(s): REPRESENTATIVES WILSON, Gardner

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to questionnaires and surveys administered in the public schools."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 14.03.110(a) is repealed and reenacted to read:

4 (a) A school district or an employee of a school district may not administer or
5 permit administration of a questionnaire or survey to a class or student unless written
6 permission is obtained from the student's parent or legal guardian. This subsection
7 does not apply to a questionnaire or survey that is anonymous or that concerns a
8 matter of public record or public observation.

9 *** Sec. 2.** AS 14.03.110(b) is repealed and reenacted to read:

10 (b) If a school district or an employee of a school district administers or
11 permits the administration of an anonymous questionnaire or survey, written
12 permission from a student's parent or legal guardian is not required, but the school
13 district shall provide each student's parent or legal guardian the opportunity to submit
14 to the school principal a written denial of permission to take the questionnaire or
15 survey.

1 * **Sec. 3.** AS 14.03.110(c) is repealed and reenacted to read:

2 (c) For purposes of (a) and (b) of this section, the school district shall provide
3 a parent or legal guardian at least two weeks' written notice of the right to grant or
4 deny permission to take the questionnaire or survey before administering the
5 questionnaire or survey.

6 * **Sec. 4.** AS 14.03.110(d) is repealed and reenacted to read:

7 (d) Written notice required to be given to a parent or guardian under this
8 section must include

9 (1) the date the questionnaire or survey is to be administered;

10 (2) a description of the content of the questionnaire or survey;

11 (3) the sponsor of the questionnaire or survey;

12 (4) the name of a person to contact at the school district;

13 (5) notice of the opportunity to review the questionnaire or survey to
14 be administered;

15 (6) a description of how the questionnaire or survey will be
16 administered to the student;

17 (7) a description of how to submit written permission or denial of
18 permission to participate in a questionnaire or survey, including an anonymous or
19 specific questionnaire or survey;

20 (8) notice of the opportunity for the student to refuse to answer specific
21 questions on the questionnaire or survey, or to refuse to participate in the
22 questionnaire or survey.

23 * **Sec. 5.** AS 14.03.110(e) is amended to read:

24 (e) A student may refuse to participate in a questionnaire or survey
25 administered in a public school. A student's parent or legal guardian may refuse to
26 allow the student to participate in a specified questionnaire or survey **by submitting to**
27 **the school principal or to the teacher responsible for distributing the**
28 **questionnaire or survey a written denial of permission for the student's**
29 **participation.**