

SENATE BILL NO. 101

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY SENATOR DAVIS

REPRESENTATIVES Holmes, Kerttula, Peggy Wilson

Introduced: 2/6/09

Referred: Education, Health and Social Services

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 amended to read:

4 (a) **Except as provided in (g) of this section, a** [A] school district, principal
5 or other person in charge of a public school, or teacher in a public school may not
6 administer or permit to be administered in a school a questionnaire or survey, whether
7 anonymous or not, that inquires into personal or private family affairs of the student
8 not a matter of public record or subject to public observation unless written permission
9 is obtained from the student's parent or legal guardian.

10 * **Sec. 2.** AS 14.03.110(d) is repealed and reenacted to read:

11 (d) The school district shall provide a student's parent or legal guardian
12 written notice of a questionnaire or survey to be administered or permitted under this
13 section that includes

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

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

- 1 (3) the sponsor of the questionnaire or survey;
- 2 (4) the name of a person to contact at the school district;
- 3 (5) notice of the opportunity to review the questionnaire or survey to
- 4 be administered;
- 5 (6) a description of how the questionnaire or survey will be
- 6 administered to the student;
- 7 (7) a description of how to submit written permission or denial of
- 8 permission to participate in a questionnaire or survey, including an anonymous or
- 9 specific questionnaire or survey;
- 10 (8) notice of the opportunity for the student to refuse to answer specific
- 11 questions on the questionnaire or survey, or to refuse to participate in the
- 12 questionnaire or survey.

13 * **Sec. 3.** AS 14.03.110(e) is amended to read:

14 (e) A student may refuse to **answer specific questions on or** participate in a

15 questionnaire or survey administered in a public school. A student's parent or legal

16 guardian may refuse to allow the student to participate in a specified questionnaire or

17 survey **by submitting to the teacher or school principal a written denial of**

18 **permission for the student's participation.**

19 * **Sec. 4.** AS 14.03.110 is amended by adding a new subsection to read:

20 (g) If a school district administers or permits the administration of the Youth

21 Risk Behavior Survey provided by the United States Centers for Disease Control and

22 Prevention, written permission of the student's parent or legal guardian is not required,

23 but the school district shall provide each student's parent or guardian notice of the

24 survey and the opportunity to submit to the teacher or school principal a written denial

25 of permission to take the survey.