

**HB**

**70**

• No  
**FISCAL NOTE** Bill Version: CSHB 70 (HES)

(H) Publish Date: 4/21/99

STATE OF ALASKA  
 1999 LEGISLATIVE SESSION

Revision Date/Time (Note if correction) \_\_\_\_\_ Dept. Affected Education  
 Title An Act relating to questionnaires BRU \_\_\_\_\_  
or surveys administered in public schools Component \_\_\_\_\_  
 Sponsor Representative Dyson \_\_\_\_\_  
 Requester House HESS Component Serial No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous	*	*	*	*	*	*
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY99) cost: 0.0

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This bill prohibits the administration of school questionnaires or surveys, whether anonymous or not, that inquire into the personal or private family affairs of a student not a matter of public record or subject to public observation unless written permission is obtained from the student's parent or guardian.

\*There is no cost to the department, but there is a cost to the school for obtaining parent or guardian permission. This cost cannot be determined at this time.

Prepared by Barbara Thompson Phone 465-8727  
 Division Teaching and Learning Support Date/Time 4/1/99 2:46 PM  
 Approved by Commissioner: Richard S. Cross Date 4/1/99  
 Agency Department of Education

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information, call the Governor's Legislative Office

Page 1 of 1

**COMMITTEE COPY**

# SENATE COMMITTEE REPORT

DATE: 5/3/99

FURTHER:

DATE TURNED  
IN TO OFFICE: 5/12/99

HESS Committee considered

CS FOR HOUSE BILL NO. 70(RLS) am

"An Act relating to questionnaires or surveys administered in public schools."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendmen<sup>(s)</sup>
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

- Senate Bill:**
- same title
  - new title
- House Bill:**
- same title
  - technical title
  - new: SCR# \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Handwritten signatures]</i>	✓	<i>[Handwritten: K-1-ERS]</i>		✓	
	✓				
CHAIR: <i>[Handwritten: Mike Miller]</i>	✓	CHAIR:			

**NEW FISCAL NOTE(S):**

Department	Date	Zero	Fiscal
DOE	4/1	✓	

**PREVIOUS FISCAL NOTE(S):\***

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill





Alaska State Legislature

- Interim (May-Dec) -  
10928 Eagle River Rd - Suite 140  
Eagle River, Alaska 99577  
☎ (907) 694-6683  
FAX (907) 694-1015

- Session (Jan-May) -  
Alaska State Capitol  
Juneau, Alaska 99801-1182  
☎ (907) 465-2199  
FAX (907) 465-4587


Toll free (800) 342-2199

## REPRESENTATIVE FRED DYSON

### MEMORANDUM

May 4, 1999

To: Senator Mike Miller, Chair  
Senate Health, Education & Social Services Committee

From: Representative Fred Dyson 

Subject: Request to schedule CSHB 70

Please schedule a HESS Committee hearing on CSHB 70, "An Act relating to questionnaires or surveys administered in public schools." Attached is a Sponsor Statement and backup for your review.

- E-mail -  
Representative\_Fred\_Dyson  
@Legis.state.ak.us

- Internet -  
<http://www.akrepublicans.org>



Alaska State Legislature

- Interim (May-Dec) -  
10928 Eagle River Rd., Suite 140  
Eagle River, Alaska 99577  
☎ (907) 694-6683  
FAX (907) 694-1015

- Session (Jan-May) -  
Alaska State Capitol  
Juneau, Alaska 99801-1182  
☎ (907) 465-2199  
FAX (907) 465-4587

Toll free (800) 342-2199

## REPRESENTATIVE FRED DYSON

### CSHB 70 Sponsor Statement

**"An Act relating to questionnaires or surveys administered in public schools."**

Alaska State Law (AS 14.03.110) requires parental consent for student questionnaires. There has been some confusion over "passive" versus "active" parental consent. A controversy arose recently with the use of the anonymous "Youth Risk Behavior Survey," sponsored by the Alaska's Department of Health and Human Services (DHSS). The successful completion of the "Youth Risk Behavior Survey" is reported to be necessary for the securing of Federal grant funds.

The survey was administered by some districts without parental permission. Some schools, and districts, chose to not use the survey, in deference to parental concerns. Other districts obtained legal opinions indicating that they did not require "active" parental consent in apparent contradiction of the intent of the legislature. While parents were upset with the lack of involvement offered, the survey was considered by many to be too invasive and far too personal. Samples of some of the questions are included in the bill packet.

The immediate solution to the dilemma would appear to be getting active parental consent for the surveys. However, public health officials maintain that it would be impractical to handle the logistics and that too few parents would respond positively. Committee Substitute for CSHB 70 attempts to solve this dilemma by allowing for a once a year blanket parental consent for anonymous questionnaires and surveys. The sponsor anticipates that each district or school would obtain the blanket annual anonymous questionnaire permission at the time of student registration. With automation, the school should be able to enter and retrieve the list of authorized questionnaire recipients. Public health officials argue that even this won't work. Even with all-inclusive annual parental permission, CSHB 70 requires that parents and students be given two weeks notice before the anonymous survey and another opportunity to decline to participate.

CSHB 70 tries to strike a practical balance between the rights of parents to control the educational experience of their children while allowing public officials to obtain apparently needed information and the grants that follow.

- E-mail -  
Representative\_Fred\_Dyson  
@Legis.state.ak.us

- Internet -  
<http://www.akrepublicans.org>

**FISCAL NOTE** Bill Version: CSHB 70 (HES)

(H) Publish Date: 4/21/99

**STATE OF ALASKA  
1999 LEGISLATIVE SESSION**

Revision Date/Time (Note if correction) \_\_\_\_\_ Dept. Affected Education  
 Title An Act relating to questionnaires BRU \_\_\_\_\_  
or surveys administered in public schools Component \_\_\_\_\_  
 Sponsor Representative Dyson \_\_\_\_\_  
 Requester House HESS Component Serial No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous	*	*	*	*	*	*
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY99) cost: 0.0

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This bill prohibits the administration of school questionnaires or surveys, whether anonymous or not, that inquire into the personal or private family affairs of a student not a matter of public record or subject to public observation unless written permission is obtained from the student's parent or guardian.

\*There is no cost to the department, but there is a cost to the school for obtaining parent or guardian permission. This cost cannot be determined at this time.

Prepared by Barbara Thompson Phone 465-8727  
 Division Teaching and Learning Support Date/Time 4/1/99 2:46 PM  
 Approved by Commissioner: Richard S. Cross Date 4/1/99  
 Agency Department of Education

**PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE**

For further distribution information, call the Governor's Legislative Office

**CS FOR HOUSE BILL NO. 70(RLS) am**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-FIRST LEGISLATURE - FIRST SESSION**

**BY THE HOUSE RULES COMMITTEE**

Amended: 4/30/99  
Offered: 4/28/99

Sponsor(s): REPRESENTATIVES DYSON, Rokeberg, Kapsner, Croft

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to questionnaires or surveys administered in public schools."

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

3 \* Section 1. AS 14.03.110 is amended to read:

4           **Sec. 14.03.110. Questionnaires and surveys administered in public schools.**

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

11 \* Sec. 2. AS 14.03.110 is amended by adding new subsections to read:

12           (b) For an anonymous questionnaire or survey, written permission required  
13           under (a) of this section may be obtained annually and is valid until the  
14           commencement of the subsequent school year or until the parent or legal guardian who  
15           gave permission submits a written withdrawal of permission to the school principal.

1           (c) If a school administers to a student a questionnaire or survey that is not  
2 anonymous, the school shall obtain the written permission required under (a) of this  
3 section from the student's parent or legal guardian at least two weeks before the  
4 questionnaire or survey is administered. The school shall give a parent or guardian an  
5 opportunity to review the questionnaire or survey administered in the school and shall  
6 give the parent or guardian written notice regarding

7                   (1) how the questionnaire or survey will be administered to the student;

8                   (2) how the results of the survey or questionnaire will be used; and

9                   (3) who will have access to the questionnaire or survey.

10           (d) A student may refuse to participate in a questionnaire or survey  
11 administered in a public school. A student's parent or legal guardian may refuse to  
12 allow the student to participate in a specified questionnaire or survey.

---

# 1999 Youth Risk Behavior Survey

This survey is about health behavior. It has been developed so you can tell us what you do that may affect your health. The information you give will be used to develop better health education for young people like yourself.

DO NOT write your name on this survey. The answers you give will be kept private. No one will know what you write. Answer the questions based on what you really do.

Completing the survey is voluntary. Whether or not you answer the questions will not affect your grade in this class. If you are not comfortable answering a question, just leave it blank.

The questions that ask about your background will be used only to describe the types of students completing this survey. The information will not be used to find out your name. No names will ever be reported.

Make sure to read every question. Fill in the ovals completely. When you are finished, follow the instructions of the person giving you the survey.

*Thank you very much for your help.*

---

# 1999 Youth Risk Behavior Survey

This survey is about health behavior. It has been developed so you can tell us what you do that may affect your health. The information you give will be used to develop better health education for young people like yourself.

DO NOT write your name on this survey. The answers you give will be kept private. No one will know what you write. Answer the questions based on what you really do.

Completing the survey is voluntary. Whether or not you answer the questions will not affect your grade in this class. If you are not comfortable answering a question, just leave it blank.

The questions that ask about your background will be used only to describe the types of students completing this survey. The information will not be used to find out your name. No names will ever be reported.

Make sure to read every question. Fill in the ovals completely. When you are finished, follow the instructions of the person giving you the survey.

*Thank you very much for your help.*

Directions

- o Use a #2 pencil only.
- o Make dark marks.
- o Fill in a response like this: A B C D.
- o To change your answer, erase completely.

1. How old are you?
  - A. 12 years old or younger
  - B. 13 years old
  - C. 14 years old
  - D. 15 years old
  - E. 16 years old
  - F. 17 years old
  - G. 18 years old or older
  
2. What is your sex?
  - A. Female
  - B. Male
  
3. In what grade are you?
  - A. 9th grade
  - B. 10th grade
  - C. 11th grade
  - D. 12th grade
  - E. Ungraded or other grade
  
4. How do you describe yourself? (Select one or more responses.)
  - A. American Indian or Alaska Native
  - B. Asian
  - C. Black or African American
  - D. Hispanic or Latino
  - E. Native Hawaiian or Other Pacific Islander
  - F. White

5. How tall are you without your shoes on?

Directions: Write your height in the shaded blank boxes. Fill in the matching oval below each number.

Example

Height	
Feet	Inches
5	7
3	0
4	1
5	2
6	3
7	4
	5
	6
	7
	8
	9
	10
	11

Height	
Feet	Inches
3	0
4	1
5	2
6	3
7	4
	5
	6
	7
	8
	9
	10
	11

6. How much do you weigh without your shoes on?

Directions: Write your height in the shaded blank boxes. Fill in the matching oval below each number.

Example

Weight		
Pounds		
1	5	2
0	0	0
1	1	1
2	2	2
3	3	3
	4	4
	5	5
	6	6
	7	7
	8	8
	9	9

Weight		
Pounds		
0	0	0
1	1	1
2	2	2
3	3	3
	4	4
	5	5
	6	6
	7	7
	8	8
	9	9

The next 5 questions ask about personal safety.

7. **When you rode a motorcycle during the past 12 months, how often did you wear a helmet?**
- A. I did not ride a motorcycle during the past 12 months
  - B. Never wore a helmet
  - C. Rarely wore a helmet
  - D. Sometimes wore a helmet
  - E. Most of the time wore a helmet
  - F. Always wore a helmet
8. **When you rode a bicycle during the past 12 months, how often did you wear a helmet?**
- A. I did not ride a bicycle during the past 12 months
  - B. Never wore a helmet
  - C. Rarely wore a helmet
  - D. Sometimes wore a helmet
  - E. Most of the time wore a helmet
  - F. Always wore a helmet
9. **How often do you wear a seat belt when riding in a car driven by someone else?**
- A. Never
  - B. Rarely
  - C. Sometimes
  - D. Most of the time
  - E. Always
10. **During the past 30 days, how many times did you ride in a car or other vehicle driven by someone who had been drinking alcohol?**
- A. 0 times
  - B. 1 time
  - C. 2 or 3 times
  - D. 4 or 5 times
  - E. 6 or more times
11. **During the past 30 days, how many times did you drive a car or other vehicle when you had been drinking alcohol?**
- A. 0 times
  - B. 1 time
  - C. 2 or 3 times
  - D. 4 or 5 times
  - E. 6 or more times

The next 10 questions ask about violence-related behaviors.

12. During the past 30 days, on how many days did you carry a **weapon** such as a gun, knife, or club?
- A. 0 days
  - B. 1 day
  - C. 2 or 3 days
  - D. 4 or 5 days
  - E. 6 or more days
13. During the past 30 days, on how many days did you carry a **gun**?
- A. 0 days
  - B. 1 day
  - C. 2 or 3 days
  - D. 4 or 5 days
  - E. 6 or more days
14. During the past 30 days, on how many days did you carry a weapon such as a gun, knife, or club **on school property**?
- A. 0 days
  - B. 1 day
  - C. 2 or 3 days
  - D. 4 or 5 days
  - E. 6 or more days
15. During the past 30 days, on how many days did you **not** go to school because you felt you would be unsafe at school or on your way to or from school?
- A. 0 days
  - B. 1 day
  - C. 2 or 3 days
  - D. 4 or 5 days
  - E. 6 or more days
16. During the past 12 months, how many times has someone threatened or injured you with a weapon such as a gun, knife, or club **on school property**?
- A. 0 times
  - B. 1 time
  - C. 2 or 3 times
  - D. 4 or 5 times
  - E. 6 or 7 times
  - F. 8 or 9 times
  - G. 10 or 11 times
  - H. 12 or more times

17. During the past 12 months, how many times were you in a physical fight?
- A. 0 times
  - B. 1 time
  - C. 2 or 3 times
  - D. 4 or 5 times
  - E. 6 or 7 times
  - F. 8 or 9 times
  - G. 10 or 11 times
  - H. 12 or more times
- 
18. During the past 12 months, how many times were you in a physical fight in which you were injured and had to be treated by a doctor or nurse?
- A. 0 times
  - B. 1 time
  - C. 2 or 3 times
  - D. 4 or 5 times
  - E. 6 or more times
19. During the past 12 months, how many times were you in a physical fight on school property?
- A. 0 times
  - B. 1 time
  - C. 2 or 3 times
  - D. 4 or 5 times
  - E. 6 or 7 times
  - F. 8 or 9 times
  - G. 10 or 11 times
  - H. 12 or more times
20. During the past 12 months, did your boyfriend or girlfriend ever hit, slap, or physically hurt you on purpose?
- A. Yes
  - B. No
21. Have you ever been forced to have sexual intercourse when you did not want to?
- A. Yes
  - B. No

The next 5 questions ask about sad feelings and attempted suicide. Sometimes people feel so depressed about the future that they may consider attempting suicide, that is, taking some action to end their own life.

22. During the past 12 months, did you ever feel so sad or hopeless almost every day for two weeks or more in a row that you stopped doing some usual activities.
- A. Yes
  - B. No
23. During the past 12 months, did you ever seriously consider attempting suicide?
- A. Yes
  - B. No
24. During the past 12 months, did you make a plan about how you would attempt suicide?
- A. Yes
  - B. No
25. During the past 12 months, how many times did you actually attempt suicide?
- A. 0 times
  - B. 1 time
  - C. 2 or 3 times
  - D. 4 or 5 times
  - E. 6 or more times
26. If you attempted suicide during the past 12 months, did any attempt result in an injury, poisoning, or overdose that had to be treated by a doctor or nurse?
- A. I did not attempt suicide during the past 12 months
  - B. Yes
  - C. No

The next 12 questions ask about tobacco use.

27. Have you ever tried cigarette smoking, even one or two puffs?
- A. Yes
  - B. No

28. How old were you when you smoked a whole cigarette for the first time?
- A. I have never smoked a whole cigarette
  - B. 8 years old or younger
  - C. 9 or 10 years old
  - D. 11 or 12 years old
  - E. 13 or 14 years old
  - F. 15 or 16 years old
  - G. 17 years old or older
29. During the past 30 days, on how many days did you smoke cigarettes?
- A. 0 days
  - B. 1 or 2 days
  - C. 3 to 5 days
  - D. 6 to 9 days
  - E. 10 to 19 days
  - F. 20 to 29 days
  - G. All 30 days
30. During the past 30 days, on the days you smoked, how many cigarettes did you smoke per day?
- A. I did not smoke cigarettes during the past 30 days
  - B. Less than 1 cigarette per day
  - C. 1 cigarette per day
  - D. 2 to 5 cigarettes per day
  - E. 6 to 10 cigarettes per day
  - F. 11 to 20 cigarettes per day
  - G. More than 20 cigarettes per day
31. During the past 30 days, how did you usually get your own cigarettes? (Select only one response.)
- A. I did not smoke cigarettes during the past 30 days
  - B. I bought them in a store such as a convenience store, supermarket, or gas station
  - C. I bought them from a vending machine
  - D. I gave someone else money to buy them for me
  - E. I borrowed them from someone else
  - F. I stole them
  - G. I got them some other way
32. When you bought cigarettes in a store during the past 30 days, were you ever asked to show proof of age?
- A. I did not buy cigarettes in a store during the past 30 days
  - B. Yes
  - C. No

33. During the past 30 days, on how many days did you smoke cigarettes on school property?
- A. 0 days
  - B. 1 or 2 days
  - C. 3 to 5 days
  - D. 6 to 9 days
  - E. 10 to 19 days
  - F. 20 to 29 days
  - G. All 30 days
34. Have you ever smoked cigarettes regularly, that is, at least one cigarette every day for 30 days?
- A. Yes
  - B. No
35. Have you ever tried to quit smoking cigarettes?
- A. Yes
  - B. No
36. During the past 30 days, on how many days did you use chewing tobacco or snuff, such as Redman, Levi Garrett, Beechnut, Skoal, Skoal Bandits, or Copenhagen?
- A. 0 days
  - B. 1 or 2 days
  - C. 3 to 5 days
  - D. 6 to 9 days
  - E. 10 to 19 days
  - F. 20 to 29 days
  - G. All 30 days
37. During the past 30 days, on how many days did you use chewing tobacco or snuff on school property?
- A. 0 days
  - B. 1 or 2 days
  - C. 3 to 5 days
  - D. 6 to 9 days
  - E. 10 to 19 days
  - F. 20 to 29 days
  - G. All 30 days

38. During the past 30 days, on how many days did you smoke cigars, cigarillos, or little cigars?
- A. 0 days
  - B. 1 or 2 days
  - C. 3 to 5 days
  - D. 6 to 9 days
  - E. 10 to 19 days
  - F. 20 to 29 days
  - G. All 30 days

The next 5 questions ask about drinking alcohol. This includes drinking beer, wine, wine coolers, and liquor such as rum, gin, vodka, or whiskey. For these questions, drinking alcohol does not include drinking a few sips of wine for religious purposes.

39. During your life, on how many days have you had at least one drink of alcohol?
- A. 0 days
  - B. 1 or 2 days
  - C. 3 to 9 days
  - D. 10 to 19 days
  - E. 20 to 39 days
  - F. 40 to 99 days
  - G. 100 or more days
40. How old were you when you had your first drink of alcohol other than a few sips?
- A. I have never had a drink of alcohol other than a few sips
  - B. 8 years old or younger
  - C. 9 or 10 years old
  - D. 11 or 12 years old
  - E. 13 or 14 years old
  - F. 15 or 16 years old
  - G. 17 years old or older
41. During the past 30 days, on how many days did you have at least one drink of alcohol?
- A. 0 days
  - B. 1 or 2 days
  - C. 3 to 5 days
  - D. 6 to 9 days
  - E. 10 to 19 days
  - F. 20 to 29 days
  - G. All 30 days

42. During the past 30 days, on how many days did you have 5 or more drinks of alcohol in a row, that is, within a couple of hours?
- A. 0 days
  - B. 1 day
  - C. 2 days
  - D. 3 to 5 days
  - E. 6 to 9 days
  - F. 10 to 19 days
  - G. 20 or more days
43. During the past 30 days, on how many days did you have at least one drink of alcohol on school property?
- A. 0 days
  - B. 1 or 2 days
  - C. 3 to 5 days
  - D. 6 to 9 days
  - E. 10 to 19 days
  - F. 20 to 29 days
  - G. All 30 days

**The next 4 questions ask about marijuana use. Marijuana also is called grass or pot.**

44. During your life, how many times have you used marijuana?
- A. 0 times
  - B. 1 or 2 times
  - C. 3 to 9 times
  - D. 10 to 19 times
  - E. 20 to 39 times
  - F. 40 to 99 times
  - G. 100 or more times
45. How old were you when you tried marijuana for the first time?
- A. I have never tried marijuana
  - B. 8 years old or younger
  - C. 9 or 10 years old
  - D. 11 or 12 years old
  - E. 13 or 14 years old
  - F. 15 or 16 years old
  - G. 17 years old or older

46. During the past 30 days, how many times did you use marijuana?

- A. 0 times
- B. 1 or 2 times
- C. 3 to 9 times
- D. 10 to 19 times
- E. 20 to 39 times
- F. 40 or more times

47. During the past 30 days, how many times did you use marijuana on school property?

- A. 0 times
- B. 1 or 2 times
- C. 3 to 9 times
- D. 10 to 19 times
- E. 20 to 39 times
- F. 40 or more times

The next 9 questions ask about cocaine and other drugs.

48. During your life, how many times have you used any form of cocaine, including powder, crack, or freebase?

- A. 0 times
- B. 1 or 2 times
- C. 3 to 9 times
- D. 10 to 19 times
- E. 20 to 39 times
- F. 40 or more times

49. During the past 30 days, how many times did you use any form of cocaine, including powder, crack, or freebase?

- A. 0 times
- B. 1 or 2 times
- C. 3 to 9 times
- D. 10 to 19 times
- E. 20 to 39 times
- F. 40 or more times

50. During your life, how many times have you sniffed glue, breathed the contents of aerosol spray cans, or inhaled any paints or sprays to get high?
- A. 0 times
  - B. 1 or 2 times
  - C. 3 to 9 times
  - D. 10 to 19 times
  - E. 20 to 39 times
  - F. 40 or more times
51. During the past 30 days, how many times have you sniffed glue, breathed the contents of aerosol spray cans, or inhaled any paints or sprays to get high?
- A. 0 times
  - B. 1 or 2 times
  - C. 3 to 9 times
  - D. 10 to 19 times
  - E. 20 to 39 times
  - F. 40 or more times
52. During your life, how many times have you used heroin (also called smack, junk, or China White)?
- A. 0 times
  - B. 1 or 2 times
  - C. 3 to 9 times
  - D. 10 to 19 times
  - E. 20 to 39 times
  - F. 40 or more times
53. During your life, how many times have you used methamphetamines (also called speed, crystal, crank, or ice)?
- A. 0 times
  - B. 1 or 2 times
  - C. 3 to 9 times
  - D. 10 to 19 times
  - E. 20 to 39 times
  - F. 40 or more times

54. During your life, how many times have you taken **steroid pills or shots** without a doctor's prescription?
- A. 0 times
  - B. 1 or 2 times
  - C. 3 to 9 times
  - D. 10 to 19 times
  - E. 20 to 39 times
  - F. 40 or more times
55. During your life, how many times have you used a needle to inject any **illegal drug** into your body?
- A. 0 times
  - B. 1 time
  - C. 2 or more times
56. During the past 12 months, has anyone offered, sold, or given you an **illegal drug on school property**?
- A. Yes
  - B. No

**The next 8 questions ask about sexual behavior.**

57. Have you ever had sexual intercourse?
- A. Yes
  - B. No
58. How old were you when you had sexual intercourse for the first time?
- A. I have never had sexual intercourse
  - B. 11 years old or younger
  - C. 12 years old
  - D. 13 years old
  - E. 14 years old
  - F. 15 years old
  - G. 16 years old
  - H. 17 years old or older

59. During your life, with how many people have you had sexual intercourse?
- A. I have never had sexual intercourse
  - B. 1 person
  - C. 2 people
  - D. 3 people
  - E. 4 people
  - F. 5 people
  - G. 6 or more people
60. During the past 3 months, with how many people did you have sexual intercourse?
- A. I have never had sexual intercourse
  - B. I have had sexual intercourse, but not during the past 3 months
  - C. 1 person
  - D. 2 people
  - E. 3 people
  - F. 4 people
  - G. 5 people
  - H. 6 or more people
61. Did you drink alcohol or use drugs before you had sexual intercourse the **last time**?
- A. I have never had sexual intercourse
  - B. Yes
  - C. No
62. The **last time** you had sexual intercourse, did you or your partner use a condom?
- A. I have never had sexual intercourse
  - B. Yes
  - C. No
63. The **last time** you had sexual intercourse, what **one** method did you or your partner use to **prevent pregnancy**? (Select only **one** response.)
- A. I have never had sexual intercourse
  - B. No method was used to prevent pregnancy
  - C. Birth control pills
  - D. Condoms
  - E. Depo-Provera (injectable birth control)
  - F. Withdrawal
  - G. Some other method
  - H. Not sure

64. How many times have you been pregnant or gotten someone pregnant?
- A. 0 times
  - B. 1 time
  - C. 2 or more times
  - D. Not sure

The next 7 questions ask about body weight.

65. How do you describe your weight?
- A. Very underweight
  - B. Slightly underweight
  - C. About the right weight
  - D. Slightly overweight
  - E. Very overweight
66. Which of the following are you trying to do about your weight?
- A. Lose weight
  - B. Gain weight
  - C. Stay the same weight
  - D. I am not trying to do anything about my weight
67. During the past 30 days, did you exercise to lose weight or to keep from gaining weight?
- A. Yes
  - B. No
68. During the past 30 days, did you eat less food, fewer calories, or foods low in fat to lose weight or to keep from gaining weight?
- A. Yes
  - B. No
69. During the past 30 days, did you go without eating for 24 hours or more (also called fasting) to lose weight or to keep from gaining weight?
- A. Yes
  - B. No
70. During the past 30 days, did you take any diet pills, powders, or liquids without a doctor's advice to lose weight or to keep from gaining weight? (Do not include meal replacement products such as Slim Fast.)
- A. Yes
  - B. No

71. During the past 30 days, did you vomit or take laxatives to lose weight or to keep from gaining weight?
- A. Yes
  - B. No

The next 7 questions ask about food you ate or drank during the past 7 days. Think about all the meals and snacks you had from the time you got up until you went to bed. Be sure to include food you ate at home, at school, at restaurants, or anywhere else.

72. During the past 7 days, how many times did you drink 100% fruit juices such as orange juice, apple juice, or grape juice? (Do not count punch, Kool-Aid, sports drinks, or other fruit-flavored drinks.)
- A. I did not drink 100% fruit juice during the past 7 days
  - B. 1 to 3 times during the past 7 days
  - C. 4 to 6 times during the past 7 days
  - D. 1 time per day
  - E. 2 times per day
  - F. 3 times per day
  - G. 4 or more times per day
73. During the past 7 days, how many times did you eat fruit? (Do not count fruit juice.)
- A. I did not eat fruit during the past 7 days
  - B. 1 to 3 times during the past 7 days
  - C. 4 to 6 times during the past 7 days
  - D. 1 time per day
  - E. 2 times per day
  - F. 3 times per day
  - G. 4 or more times per day
74. During the past 7 days, how many times did you eat green salad?
- A. I did not eat green salad during the past 7 days
  - B. 1 to 3 times during the past 7 days
  - C. 4 to 6 times during the past 7 days
  - D. 1 time per day
  - E. 2 times per day
  - F. 3 times per day
  - G. 4 or more times per day

75. During the past 7 days, how many times did you eat **potatoes**? (Do not count french fries, fried potatoes, or potato chips.)
- A. I did not eat potatoes during the past 7 days
  - B. 1 to 3 times during the past 7 days
  - C. 4 to 6 times during the past 7 days
  - D. 1 time per day
  - E. 2 times per day
  - F. 3 times per day
  - G. 4 or more times per day
76. During the past 7 days, how many times did you eat **carrots**?
- A. I did not eat carrots during the past 7 days
  - B. 1 to 3 times during the past 7 days
  - C. 4 to 6 times during the past 7 days
  - D. 1 time per day
  - E. 2 times per day
  - F. 3 times per day
  - G. 4 or more times per day
77. During the past 7 days, how many times did you eat **other vegetables**? (Do not count green salad, potatoes, or carrots.)
- A. I did not eat other vegetables during the past 7 days
  - B. 1 to 3 times during the past 7 days
  - C. 4 to 6 times during the past 7 days
  - D. 1 time per day
  - E. 2 times per day
  - F. 3 times per day
  - G. 4 or more times per day
78. During the past 7 days, how many **glasses of milk** did you drink? (Include the milk you drank in a glass or cup, from a carton, or with cereal. Count the half pint of milk served at school as equal to one glass.)
- A. I did not drink milk during the past 7 days
  - B. 1 to 3 glasses during the past 7 days
  - C. 4 to 6 glasses during the past 7 days
  - D. 1 glass per day
  - E. 2 glasses per day
  - F. 3 glasses per day
  - G. 4 or more glasses per day

The next 8 questions ask about physical activity.

79. On how many of the past 7 days did you exercise or participate in physical activity for at least 20 minutes that made you sweat and breathe hard, such as basketball, soccer, running, swimming laps, fast bicycling, fast dancing, or similar aerobic activities?
- A. 0 days
  - B. 1 day
  - C. 2 days
  - D. 3 days
  - E. 4 days
  - F. 5 days
  - G. 6 days
  - H. 7 days
80. On how many of the past 7 days did you participate in physical activity for at least 30 minutes that did not make you sweat or breathe hard, such as fast walking, slow bicycling, skating, pushing a lawn mower, or mopping floors?
- A. 0 days
  - B. 1 day
  - C. 2 days
  - D. 3 days
  - E. 4 days
  - F. 5 days
  - G. 6 days
  - H. 7 days
81. On how many of the past 7 days did you do exercises to strengthen or tone your muscles, such as push-ups, sit-ups, or weight lifting?
- A. 0 days
  - B. 1 day
  - C. 2 days
  - D. 3 days
  - E. 4 days
  - F. 5 days
  - G. 6 days
  - H. 7 days

82. On an average school day, how many hours do you watch TV?
- A. I do not watch TV on an average school day
  - B. Less than 1 hour per day
  - C. 1 hour per day
  - D. 2 hours per day
  - E. 3 hours per day
  - F. 4 hours per day
  - G. 5 or more hours per day
83. In an average week when you are in school, on how many days do you go to physical education (PE) classes?
- A. 0 days
  - B. 1 day
  - C. 2 days
  - D. 3 days
  - E. 4 days
  - F. 5 days
84. During an average physical education (PE) class, how many minutes do you spend actually exercising or playing sports?
- A. I do not take PE
  - B. Less than 10 minutes
  - C. 10 to 20 minutes
  - D. 21 to 30 minutes
  - E. More than 30 minutes
85. During the past 12 months, on how many sports teams did you play? (Include any teams run by your school or community groups.)
- A. 0 teams
  - B. 1 team
  - C. 2 teams
  - D. 3 or more teams
86. During the past 12 months, how many times were you injured while exercising, playing sports, or being physically active and had to be treated by a doctor or nurse?
- A. 0 times
  - B. 1 time
  - C. 2 times
  - D. 3 times
  - E. 4 times
  - F. 5 or more times

The next question asks about AIDS education.

87. Have you ever been taught about AIDS or HIV infection in school?

- A. Yes
- B. No
- C. Not sure

**This is the end of the survey.  
Thank you very much for your help.**

## United States Code : Title 20, Section 1232h

<http://www4.law.cornell.edu/uscode/20/1232h.text.html>

### Sec. 1232h. Protection of pupil rights

#### (a) Inspection of instructional materials by parents or guardians

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any applicable program shall be available for inspection by the parents or guardians of the children.

#### (b) Limits on survey, analysis, or evaluations

No student shall be required, as part of any applicable program, to submit to a survey, analysis, or evaluation that reveals information concerning -

- (1) political affiliations;
- (2) mental and psychological problems potentially embarrassing to the student or his family;
- (3) sex behavior and attitudes;
- (4) illegal, anti-social, self-incriminating and demeaning behavior;
- (5) critical appraisals of other individuals with whom respondents have close family relationships;
- (6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; or
- (7) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program), without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, **without the prior written consent of the parent** (*emphasis added*).

#### (c) Notice

Educational agencies and institutions shall give parents and students effective notice of their rights under this section.

#### (d) Enforcement

The Secretary shall take such action as the Secretary determines appropriate to enforce this section, except that action to terminate assistance provided under an applicable program shall be taken only if the Secretary determines that -

- (1) there has been a failure to comply with such section; and
- (2) compliance with such section cannot be secured by voluntary means.

#### (e) Office and review board

The Secretary shall establish or designate an office and review board within the Department of Education to investigate, process, review, and adjudicate violations of the rights established under this section.



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Centers for Disease Control  
and Prevention (CDC)  
Atlanta GA 30333

October 16, 1998

3

John P. Middaugh, M.D.  
State Epidemiologist  
Alaska Division of Public Health  
3601 C Street, Suite 540  
P. O. Box 240249  
Anchorage, Alaska 99524-0249

Dear Dr. Middaugh:

You inquired about the classification of the Youth Risk Behavior Survey (YRBS) with respect to its research status. The YRBS is actually two surveys. One survey is a national YRBS which is conducted by the Centers for Disease Control and Prevention (CDC). CDC contracts with a survey firm to conduct the survey in several hundred schools throughout the country. The intent of this survey is to generate generalizable knowledge about youth health behaviors. The survey is classified as research and reviewed and approved by the CDC institutional review board (IRB) and the contractor's IRB.

The other YRBS is a survey that may be conducted at the state level through the cooperative agreements CDC awards to state Departments of Education. These surveys are one of several activities for which states may use the funds. They are conducted at the state's discretion and used for program planning. We do not consider these state surveys to be research because their primary intent is not to generate or contribute to generalizable knowledge. However, in any particular state, state officials may decide to use the funds to conduct a research survey; in such a situation, the survey would be required to have IRB approval.

\*

In Alaska, the purpose of conducting the YRBS is to enhance programs targeted to youth. The data are used by school and health officials for program planning. Thus, the survey does not constitute research as defined in the Federal Regulations for Protecting Human Research Subjects (Title 45 CFR Part 46).

I hope this information is helpful. If you have further questions, please contact me at 404 639-7260.

Sincerely yours,

Marjorie A. Speers, Ph.D.  
Deputy Associate Director for Science

State used for research??

MESSAGES FROM THE GOVERNOR

A message dated April 24, 1979 was read stating the Governor has signed the following resolution and is transmitting the enrolled and engrossed copies to the Lieutenant Governor's Office for permanent filing:

HJR  
32  
amS

HOUSE JOINT RESOLUTION NO. 32ams  
(requesting the establishment of an Arctic Circumpolar Cultural and Technical Interchange Center)  
Legislative Resolve No. 14

A message dated April 24, 1979 was read stating the Governor has signed the following bills and is transmitting the enrolled and engrossed copies to the Lieutenant Governor's Office for permanent filing:

CSSS  
HB  
33

COMMITTEE SUBSTITUTE FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 33  
(relating to the disposal of state land formerly under a United States Forest Service permit; and providing for an effective date)  
chapter 26, SLA 1979

HB  
90

HOUSE BILL NO. 90  
(making a supplemental appropriation to the Department of Community and Regional Affairs, division of local government assistance; and providing for an effective date)  
chapter 28, SLA 1979

CSTHB  
108  
amS

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 108ams  
(relating to the function and organization of the state library distribution and data access center)  
chapter 27, SLA 1979

CSTHB  
211am

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 211am  
(relating to public elementary and secondary education; and providing for an effective date)  
chapter 24, SLA 1979

SB  
164  
am

SENATE BILL NO. 164am  
(relating to nonprofit electric or telephone cooperatives)  
chapter 25, SLA 1979

The following message dated April 24, 1979 was read:

HB  
98

Dear Mr. Speaker:

I have signed the following bill and am transmitting the enrolled and engrossed copies to the Lieutenant Governor's Office for permanent filing:

HOUSE BILL NO. 98  
(relating to the administration of questionnaires in public schools; and providing for an effective date)  
chapter 23, SLA 1979

While the apparent intent of this bill (to protect the family's right to privacy) is laudable, the right to privacy is already guaranteed by the general language of Art. 1, § 22 of the Alaska Constitution. To that extent, the bill may be regarded as superfluous. This bill would prevent school or public health workers from inquiring into a student's family history of areas such as communicable diseases, even when the information could be in the public's compelling interest. Similarly, use of broadly based anonymous surveys of school-age children and youth to determine the frequency of alcohol, drug, and child abuse -- tools used in determining the efficiency of government programs -- would also be precluded by this bill.

However, I have determined that keen legislative interest in adoption of the measure warrants that I sign it into law.

Sincerely,

*J. S. Hammond*  
J. S. Hammond  
Governor

MESSAGES FROM THE SENATE

A message dated April 24, 1979 was read stating the Senate has concurred in the House amendment to COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 14, thus adopting:

HOUSE COMMITTEE SUBSTITUTE FOR COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 14  
(development of national and state parks)

A message dated April 24, 1979 was read stating the Senate has concurred in the House amendment to SENATE BILL NO. 77, thus adopting:

HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 77  
(compensation for criminal injuries; effective date)

A message dated April 24, 1979 was read stating the Senate has passed COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 107 (supplemental appropriation for the payment of miscellaneous claims; effective date) with the following amendment:

SENATE COMMITTEE SUBSTITUTE FOR COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 107 (same title)

and is transmitting the same for consideration.



HCS  
CS  
SCR  
14

HCS  
SB  
77

CSTHB  
107



**ANCHORAGE COUNCIL OF  
PARENT TEACHER ASSOCIATIONS**

ADVOCATING FOR ANCHORAGE CHILDREN SINCE 1960

May 3, 1999

The Honorable Fred Dyson  
Alaska State Legislature  
House of Representatives  
State Capitol, Room 104  
Juneau, Alaska 99801-1182

Re: CSHB70

"An Act relating to questionnaires or surveys administered in public schools"

Dear Rep. Dyson:

Attached is a copy of a resolution passed by the Alaska PTA Convention on April 27, 1990, in support of requiring written, informed parental consent for K-12 students prior to being given "attitude" surveys and tests, as described by the resolution.

This resolution continues to be the current position of the body of the Alaska PTA. As the Vice President for Legislation for the Anchorage Council of PTA's I have been asked by our President, Diane Etter, to forward this document to you, since it speaks to the current legislation proposed under CSHB70.

We understand from the Bill History that this legislation was transmitted to the Senate on April 30. In the interest of time we are faxing you our position and asking your office to forward it to the appropriate members today. We will follow with more communication directly to them.

Thank you for your assistance in this matter and we will be available to assist you in whatever way we can.

Sincerely,

Susan Jayich

Vice President for Legislation

Anchorage Council of PTAs

Phone: 345-5130; Fax: 345-7194

## Parental Consent

Adopted by Alaska PTA Convention, April 27, 1990

- Whereas,** Parents are recognized as the primary educators of their children; and
- Whereas,** There has been an increase in the number of testing and survey instruments being used to evaluate our children's attitudes toward school, their coping skills, and their feelings about themselves and their experiences; and
- Whereas,** Alaska School Law (Chapter 4, Sec. 14.03.110) mandates that questionnaires and surveys which inquire into the private family affairs of the student which are not a matter of public record require written permission from the student's parent or guardian before they may be administered; and
- Whereas,** The Protection of Pupil Rights Act (20 U.S. Code 1232h) states that no student shall be required to take part in psychiatric or psychological examinations, testing, or treatment in which the primary purpose is to reveal private information, without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of unemancipated minors, without the prior written consent of the parent; therefore be it
- Resolved,** That the Alaska PTA supports strict adherence by all Alaska school districts to Federal and State laws requiring written, informed parental consent for both elementary and secondary students prior to the administration of the above described attitude surveys and tests.

### Rationale

In an attempt to assess the needs of children, some school districts have developed a number of testing and survey instruments which measure the affective area of a child's being. These instruments attempt to measure things such as locus of control, attitude toward school, general self-esteem, academic self-esteem, social interaction, coping with stress and anxiety skills, health habits, and identification with school. In many cases, teachers, school psychologists, and administrators discuss and analyze results among themselves and with students, but not with parents. Students have been encouraged to dialogue with teachers about their feelings in regard to affective testing instruments, but parents have not generally been included.

Specific written parental consent forms are often utilized at the elementary level, but hardly ever at the secondary level.

High school students who are taking health classes or AIDS curricula are often required to take attitudes surveys dealing with feelings toward AIDS, homosexuals, sexual feelings, and sexual behavior. These surveys fall under the "Protection of Pupil Rights" federal statute and require written parental consent.

Clarification of and adherence to Federal and State statutes is required of all school districts in the State of Alaska. Psychological probing and surveying should not be done without parental consent and knowledge.

APR 26 1999

Dear Mr. Fred Bryson,

My name is Andrew DeLoose and I am writing this letter for Awanas which is an organization that is run by my church. This letter will help me get my patriotism badge.

I see you are supporting HB 34, the Good Samaritan Law. I see you must like children because you have many foster kids

I hope you will support HB 70 that says parents must approve questionnaires taken by school by children.

Thank you for serving our community.

Your Friend

Andy

Andy DeLoose  
10120 Chuckaloon  
Eagle River, Alaska  
99577

**Subject:** HB 70 "Public School Surveys"

**Date:** Sun, 18 Apr 1999 10:34:18 -0800

**From:** "jferrell" <jferrell@alaska.net>

**To:** <Representative\_Fred\_Dyson@Legis.state.ak.us>

Dear Representative Dyson:

I support the passage of HB 70. The kind of Personal information asked of our students on the Youth Risk Behavior Survey is alarming. I believe that underage, minor children are the chief responsibility of their parents. I empathize with the health care providers who feel this intimate information is essential to preventing some of these high risk behaviors. I believe the statistics are well known, knowing the exact numbers is not essential to helping youth avoid risky behavior. I would prefer to err on the side of parental authority. Thank you for your efforts on behalf of Parental Rights.

Sincerely,

Lorraine M. Ferrell

Fairbanks, Alaska

A subsequent conversation with the Assistant Principal revealed:

1) How much time was this taking from the class curriculum?

Answer: One class day per month "plus two short periods of time."

2) Is this part of the District's approved curriculum?

Answer: "Apparently" it is not part of the approved curriculum.

3) Were parents asked to give written permission for their son/daughter to participate in the program?

Answer: "Apparently" not.

4) Were parents given written notification or provided any information about the program?

Answer: "Apparently" not.

After the above information was provided to me, I was told the program was put on hold indefinitely. For the remainder of the year, that program was not a part of my son's class.

As a parent who has been very involved with my children's education from the day they entered kindergarten, I knew this program did not belong in the classroom until it had been approved as part of the curriculum and until proper active parent notification had occurred. I resent the amount of time my son spent on the unauthorized surveys and I resent that it was done without my permission or knowledge.

I urge your support of CS HB 70 requiring active parent permission as described in Section 1 of the proposed bill. As far as a fiscal note is concerned, I suggest that the department or organization requesting to survey our children should bear the cost of administering such survey -- but only after proper screening and approval by the district and after active parent permission is received.

Sincerely,

*Marti Hughes*  
Marti (Marilyn) P. Hughes

MARTI P. HUGHES  
12825 Lindsey Circle  
Anchorage, Alaska 99516  
Phone: (907) 345-8337  
Fax: (907) 345-6706

April 14, 1999

Representative Fred Dyson  
FAX (907) 465-4587  
Juneau, Alaska

Dear Representative Dyson:

I am writing to you (and the members of the HESS committee) in support of CS HB 70. Of particular importance to me is the component requiring parents' active permission before any survey inquiring about my teenager's or my family's personal information could be administered to my child at school.

While numerous health officials and even top administrators in our State Department of Health and Social Services have testified against this bill, I urge you to remember the rights of parents and the importance of privacy regarding family issues and beliefs.

When my son was a freshman at an Anchorage School District high school last year (1997/1998), I heard him and some of his classmates discussing some 'touchy-feely' questions they had to answer in their World History class. A visit with the Assistant Principal of Curriculum at the school revealed that my son's history class was one of the 9th grade classes randomly selected to participate in a grant-sponsored program. The weekly program involved survey questions, guest speakers, and group discussions. Some of the future topics to be discussed were "Payoff's; Reactions/Moods; Depression & Suicide Prevention; Lessons on relationships...personal health; Relationships; and Choices and Decision Making." I was never provided a listing of the topics that had already been discussed in class.

**Subject: HB 70 Support**

**Date: Wed, 14 Apr 1999 18:26:57 -0500**

**From: Andree McLeod <mcleodak@alaska.net>**

**To: Representative Dyson <Representative\_Fred\_Dyson@legis.state.ak.us>**

Dear Representaive Fred Dyson,

Thank you for taking the time to protect parent's and family's right to privacy.

It's hard enough raising children without having to worry about government agencies going into schools behind our backs, intruding in on our children's privacy and diminishing their study time at school by asking questions.

The compromise you have reached in your bill, as I understand it, is to give annual blanket permission at the time of school registration. Also, parents will be notified in advance before specific surveys are administered where parents can opt to not have their children participate.

Again, thank you for all your efforts on this issue. It has not been easy dealing with most health professional in this state as they have used their power to usurp our privacy. But when the Attorney General's office backs the Administration's position, hopelessness and helplessness abounds for us common folk. You have truly been a saving grace.

Andree McLeod

ANCHORAGE DAILY NEWS  
Letters  
APR 14 1999

---

HB 70 supports parents' rights

[\[Top\]](#) [\[Next\]](#)

I support passing House Bill 70 to protect my parental rights to give written permission when it deals with schools asking my children personal questions. I cannot depend on the Anchorage School District to guarantee that my children's right to privacy is protected. When schools ask students private questions, I want to know about it before they're asked.

It's my parental right to guide my children as they learn what and how much of themselves they should divulge and to whom. It's my parental duty, not the school's, to teach values to my children. It's my parental responsibility to keep track and monitor what my children do.

Please support HB 70 so it will become law. This school district has already shown me indifference when I've gone to them for help in resolving situations with my children. What about teaching students so they can get their diplomas, instead of snooping into private lives? Whose business is it anyway? Help me protect our children's right to privacy when we can't be there to protect them.

This bill was introduced by Rep. Fred Dyson and is being heard by the Health, Education and Social Services Committee. Call your local Legislative Information Office to find out when. Last I knew, they would take public testimony on the bill on Thursday. In Anchorage, call the LIO at 258-8111 and sign up to testify. Also send support by e-mail to [Representative\\_Fred\\_Dyson@legis.state.ak.us](mailto:Representative_Fred_Dyson@legis.state.ak.us).

P.S. I'm an ordinary citizen, I don't work in the health industry, and I don't live on the Hillside.

- Frank R. Phillips

Anchorage

---

**Subject: HB 70**

**Date: Wed, 07 Apr 1999 20:29:29 -0800**

**From: Susan <English@alaska.net>**

**To: Representative\_Fred\_Dyson@Legis.state.ak.us**

I would like to express my support for HB 70 requiring parental permission for school surveys. As a parent of three girls 3rd grade, 8th and 10th I would want to know what the schools are requiring of students. It makes sense and I hope it passes without delay. You may pass this on to the HESS committee members if you like. Thank you for your efforts.

Susan Fischetti  
10336 Stewart Dr.  
Eagle River, AK 99577  
907-694-7944

**Subject: YRBS**

**Date: Wed, 7 Apr 1999 09:15:23 -0800**

**From: "Larry Erickson" <erickson@ptialaska.net>**

**To: "Fred Dyson" <Representative\_Fred\_Dyson@legis.state.ak.us>**

**CC: "Lisa Torkelson" <Lisa\_Torkelson@legis.state.ak.us>**

---

Honorable Representative Dyson:

First I want to thank you for doing the right thing. I believe HB 70 can go along way in protecting our children from the pornography that our schools are exposing our children to. I don't believe the school has the right to do psychological profiles on our children and their families.

I strongly believe that there must be parents permission for surveys given to our children at school, during time that our children are suppose to being educated.

I must question the purpose of these surveys. What does performing psychological profiles have to do with educating our children? Is it even legal to perform this psychological profiles? A few weeks ago the local municipalities along with representative from the Kenai Peninsula conducted an Alaska's Economy Planning For The Future conference in Kenai. The first question the Work Groups had answer was "What is your vision for Alaska 10 years from now?". Among many comments almost every group said "less government intrusion in our lives"! I guess I would like to ask what is the legislatures vision for our schools and children in Alaska? Is it to have government controlled and run schools by conduction psychological profiles of our children so there are more excuses to instituted more government programs to take education time away from our teachers and children and dumb down our children or is to provide the best education possible for our children. This does not mean spend as much money as possible in the name of education. We are held hostage by the Federal Government in order to use our tax money and I think its time to get the Federal Government and its change agents out of our school system. It many save us some money if we don't have to conform to all their degrading and illegal requirements such as the YRBS.

Sincerely:

Larry Erickson

AMENDMENT

# 1

OFFERED IN THE SENATE

TO: CSHB 70(RLS) am

1 Page 1, line 15, following ".":

2           Insert "The school shall provide each student's parent or legal guardian at least two  
3 weeks' notice before administering a questionnaire or survey described under this subsection."

4 Page 2, lines 4 - 5:

5           Delete all material.

6           Insert "questionnaire or survey is administered.

7                   (d) The school shall give a student's parent or legal guardian an opportunity  
8 to review the questionnaire or survey described under (b) or (c) of this section and  
9 shall"

10 Reletter the following subsection accordingly.

#2

AMENDMENT

OFFERED IN THE SENATE

TO: CSHB 70(RLS) am

- 1 Page 2, following line 12:
- 2       Insert a new subsection to read:
- 3               "(e) In this section, "questionnaire or survey" means a list of questions to, or
- 4       information collected from, a class or group of students."



Alaska State Legislature

- Interim (May-Dec) -  
10928 Eagle River Rd., Suite 140  
Eagle River, Alaska 99577  
☎ (907) 694-6683  
FAX (907) 694-1015

- Session (Jan-May) -  
Alaska State Capitol  
Juneau, Alaska 99801-1182  
☎ (907) 465-2199  
FAX (907) 465-4587

Toll free (800) 342-2199

## REPRESENTATIVE FRED DYSON

### CSHB 70 Sponsor Statement

**"An Act relating to questionnaires or surveys administered in public schools."**

Alaska State Law (AS 14.03.110) requires parental consent for student questionnaires. There has been some confusion over "passive" versus "active" parental consent. A controversy arose recently with the use of the anonymous "Youth Risk Behavior Survey," sponsored by the Alaska's Department of Health and Human Services (DHSS). The successful completion of the "Youth Risk Behavior Survey" is reported to be necessary for the securing of Federal grant funds.

The survey was administered by some districts without parental permission. Some schools, and districts, chose to not use the survey, in deference to parental concerns. Other districts obtained legal opinions indicating that they did not require "active" parental consent in apparent contradiction of the intent of the legislature. While parents were upset with the lack of involvement offered, the survey was considered by many to be too invasive and far too personal. Samples of some of the questions are included in the bill packet.

The immediate solution to the dilemma would appear to be getting active parental consent for the surveys. However, public health officials maintain that it would be impractical to handle the logistics and that too few parents would respond positively. Committee Substitute for CSHB 70 attempts to solve this dilemma by allowing for a once a year blanket parental consent for anonymous questionnaires and surveys. The sponsor anticipates that each district or school would obtain the blanket annual anonymous questionnaire permission at the time of student registration. With automation, the school should be able to enter and retrieve the list of authorized questionnaire recipients. Public health officials argue that even this won't work. Even with all-inclusive annual parental permission, CSHB 70 requires that parents and students be given two weeks notice before the anonymous survey and another opportunity to decline to participate.

CSHB 70 tries to strike a practical balance between the rights of parents to control the educational experience of their children while allowing public officials to obtain apparently needed information and the grants that follow.

- E-mail -  
Representative\_Fred\_Dyson  
@Legis.state.ak.us

- Internet -  
<http://www.akrepublicans.org>

# Voice of The Times

## Solution to school survey issue at hand

By ANDRÉE MCCLOUD

Here are the top 10 reasons why people should contact legislators in support of House Bill 70, "An act relating to questionnaires or surveys administered in public schools."

### 1. Defend and protect privacy.

The Alaska Constitution states, "The right of the people to privacy is recognized and shall not be infringed upon." Parents are legally responsible for their children, who they send to school with an understanding that they'll be taught to read, write and do math. Anything done outside those parameters cannot be done without parents' prior knowledge. School administrators, teachers and parents work extremely hard at maintaining this fragile and sensitive mutual trust. Violating this trust has a chilling effect on this all-too-important partnership.

### 2. Ensure parents' right to know.

Existing state law says that parents must provide written permission before a school may hand out surveys dealing with "private family affairs." Bureaucrats in the Alaska Health and Social Services department find this phrase ambiguous. With legal opinions in hand challenging the meaning of the phrase, they have proceeded this past school year to insidiously, and in a stealth-like manner, administer surveys to students in 26 out of 28 school districts without getting prior written consent from parents. The surveys consisted of extremely private questions dealing with a student's personal behavior outside of school. (Anchorage Superintendent Bob Christal did not permit the surveys in the Anchorage School District, so students here were not harassed with these invasive surveys.) HB70 adds the word "personal" to the existing state law, which hopefully will dispel future confusion on the part of health department officials.

### 3. Clarify the term "written permission."

The bill stresses the type of permission schools must obtain before handing out surveys. Parents will decide to give or deny permission, in writing, at the time they register their child about whether they want their child to answer personal questions in anonymous surveys. For non-anonymous surveys, the school must contact parents and obtain additional written permission at least two weeks prior to administering them.



### 4. Stop erosion of academic time.

Surveys dealing with personal behaviors detract from the important task of learning. Parents who don't want their children wasting time on surveys finally have a say in the matter. One potential result of HB70 will be to indulge students with learning matters of academic substance instead of diminishing their educational opportunities.

### 5. Allow parents opportunity to accept rights and responsibilities.

Parents can exercise their right, duty and responsibility to teach children about privacy issues and when, how and to whom children should divulge private information.

### 6. Make parents accountable.

The governor's children's agenda is admirable in its intent to curb the abuse of children. However, most parents do follow the rules and don't break these laws. In the state's quest to find the people who violate child abuse laws, great care should be taken to not dilute personal and civil liberties of innocent people. Those fighting the war against abuse must look with a broader view and recognize that many Alaskan families lead functional lives. Most parents do know what is best for their children and strive to do better by them without government intervention.

### 7. Efficient government.

State health officials must find alternative methods for information gathering. Why survey each child? How about a stratified sample of the population? Or obtaining real, hard numbers by surveying health clinics and physicians who compile patient and service records? Health educators have told me that the "key-determinant" method of collecting data is not only more accurate but cheaper. It's our money paying for all this prying, after all.

### 8. Stimulate community involvement.

HB70 encourages communities and groups to start talking with young citizens. Sitka's Teen Center is in the forefront of this by initiating a program bringing adults and children together, outside of school, to speak about issues important in maintaining a healthy and risk-free community.

### 9. Track public health spending.

The controversy surrounding the bill should send a red flag to the Legislature to initiate a full and complete audit of public health and education funds used in this state. The reason for the intense lobbying efforts by health officials appears to have more to do with perpetuating their own welfare than that of the children. Bringing about accountability of public funds will guide the Legislature and inform taxpayers, who want to know where all the money is going.

### 10. The government's right to know does not supercede the right to privacy of Alaskan families.

Legislators are told that mainstream Alaskan parents don't really object to the way schools administer these surveys. As a parent, I have strong feelings about being put in a taxing position, lobbying legislators to demand state health officials abide to the intent of the law (1979 House Journal), as students are used as guinea pigs to generate money from the feds, behind the back of parents.

Please support the survey bill by contacting the sponsor, Rep. Fred Dyson, as soon as you can. Phone: (907) 465-2199; Fax: (907) 465-4587; e-mail: Representative\_Fred\_Dyson@legis.state.ak.us

Andrée McCloud of Anchorage is, among other things, a concerned parent and an unabashed citizens' advocate.

---

# 1999 Youth Risk Behavior Survey

This survey is about health behavior. It has been developed so you can tell us what you do that may affect your health. The information you give will be used to develop better health education for young people like yourself.

DO NOT write your name on this survey. The answers you give will be kept private. No one will know what you write. Answer the questions based on what you really do.

Completing the survey is voluntary. Whether or not you answer the questions will not affect your grade in this class. If you are not comfortable answering a question, just leave it blank.

The questions that ask about your background will be used only to describe the types of students completing this survey. The information will not be used to find out your name. No names will ever be reported.

Make sure to read every question. Fill in the ovals completely. When you are finished, follow the instructions of the person giving you the survey.

*Thank you very much for your help.*

5. How tall are you without your shoes on?

Directions: Write your height in the shaded blank boxes. Fill in the matching oval below each number.

Example

Height	
Feet	Inches
5	7
3	0
4	1
5	2
6	3
7	4
	5
	6
	7
	8
	9
	10
	11

Height	
Feet	Inches
3	0
4	1
5	2
6	3
7	4
	5
	6
	7
	8
	9
	10
	11

6. How much do you weigh without your shoes on?

Directions: Write your weight in the shaded blank boxes. Fill in the matching oval below each number.

Example

Weight		
Pounds		
1	5	2
0	0	0
1	1	1
2	2	2
3	3	3
	4	4
	5	5
	6	6
	7	7
	8	8
	9	9

Weight		
Pounds		
0	0	0
1	1	1
2	2	2
3	3	3
	4	4
	5	5
	6	6
	7	7
	8	8
	9	9

The next 10 questions ask about violence-related behaviors.

12. During the past 30 days, on how many days did you carry a **weapon** such as a gun, knife, or club?
- A. 0 days
  - B. 1 day
  - C. 2 or 3 days
  - D. 4 or 5 days
  - E. 6 or more days
13. During the past 30 days, on how many days did you carry a **gun**?
- A. 0 days
  - B. 1 day
  - C. 2 or 3 days
  - D. 4 or 5 days
  - E. 6 or more days
14. During the past 30 days, on how many days did you carry a weapon such as a gun, knife, or club **on school property**?
- A. 0 days
  - B. 1 day
  - C. 2 or 3 days
  - D. 4 or 5 days
  - E. 6 or more days
15. During the past 30 days, on how many days did you **not** go to school because you felt you would be unsafe at school or on your way to or from school?
- A. 0 days
  - B. 1 day
  - C. 2 or 3 days
  - D. 4 or 5 days
  - E. 6 or more days
16. During the past 12 months, how many times has someone threatened or injured you with a weapon such as a gun, knife, or club **on school property**?
- A. 0 times
  - B. 1 time
  - C. 2 or 3 times
  - D. 4 or 5 times
  - E. 6 or 7 times
  - F. 8 or 9 times
  - G. 10 or 11 times
  - H. 12 or more times

The next 5 questions ask about sad feelings and attempted suicide. Sometimes people feel so depressed about the future that they may consider attempting suicide, that is, taking some action to end their own life.

---

22. During the past 12 months, did you ever feel so sad or hopeless almost every day for **two weeks or more in a row** that you stopped doing some usual activities.
- A. Yes
  - B. No
23. During the past 12 months, did you ever **seriously** consider attempting suicide?
- A. Yes
  - B. No
24. During the past 12 months, did you make a plan about how you would attempt suicide?
- A. Yes
  - B. No
25. During the past 12 months, how many times did you actually attempt suicide?
- A. 0 times
  - B. 1 time
  - C. 2 or 3 times
  - D. 4 or 5 times
  - E. 6 or more times
26. **If you attempted suicide** during the past 12 months, did any attempt result in an injury, poisoning, or overdose that had to be treated by a doctor or nurse?
- A. I did not attempt suicide during the past 12 months
  - B. Yes
  - C. No

The next 12 questions ask about tobacco use.

27. Have you ever tried cigarette smoking, even one or two puffs?
- A. Yes
  - B. No

33. During the past 30 days, on how many days did you smoke cigarettes on school property?
- A. 0 days
  - B. 1 or 2 days
  - C. 3 to 5 days
  - D. 6 to 9 days
  - E. 10 to 19 days
  - F. 20 to 29 days
  - G. All 30 days
34. Have you ever smoked cigarettes regularly, that is, at least one cigarette every day for 30 days?
- A. Yes
  - B. No
35. Have you ever tried to quit smoking cigarettes?
- A. Yes
  - B. No
36. During the past 30 days, on how many days did you use chewing tobacco or snuff, such as Redman, Levi Garrett, Beechnut, Skoal, Skoal Bandits, or Copenhagen?
- A. 0 days
  - B. 1 or 2 days
  - C. 3 to 5 days
  - D. 6 to 9 days
  - E. 10 to 19 days
  - F. 20 to 29 days
  - G. All 30 days
37. During the past 30 days, on how many days did you use chewing tobacco or snuff on school property?
- A. 0 days
  - B. 1 or 2 days
  - C. 3 to 5 days
  - D. 6 to 9 days
  - E. 10 to 19 days
  - F. 20 to 29 days
  - G. All 30 days

42. During the past 30 days, on how many days did you have 5 or more drinks of alcohol in a row, that is, within a couple of hours?
- A. 0 days
  - B. 1 day
  - C. 2 days
  - D. 3 to 5 days
  - E. 6 to 9 days
  - F. 10 to 19 days
  - G. 20 or more days
43. During the past 30 days, on how many days did you have at least one drink of alcohol on school property?
- A. 0 days
  - B. 1 or 2 days
  - C. 3 to 5 days
  - D. 6 to 9 days
  - E. 10 to 19 days
  - F. 20 to 29 days
  - G. All 30 days

The next 4 questions ask about marijuana use. Marijuana also is called grass or pot.

44. During your life, how many times have you used marijuana?
- A. 0 times
  - B. 1 or 2 times
  - C. 3 to 9 times
  - D. 10 to 19 times
  - E. 20 to 39 times
  - F. 40 to 99 times
  - G. 100 or more times
45. How old were you when you tried marijuana for the first time?
- A. I have never tried marijuana
  - B. 8 years old or younger
  - C. 9 or 10 years old
  - D. 11 or 12 years old
  - E. 13 or 14 years old
  - F. 15 or 16 years old
  - G. 17 years old or older

50. During your life, how many times have you sniffed glue, breathed the contents of aerosol spray cans, or inhaled any paints or sprays to get high?
- A. 0 times
  - B. ~~1 or 2 times~~
  - C. 3 to 9 times
  - D. 10 to 19 times
  - E. 20 to 39 times
  - F. 40 or more times
51. During the past 30 days, how many times have you sniffed glue, breathed the contents of aerosol spray cans, or inhaled any paints or sprays to get high?
- A. 0 times
  - B. 1 or 2 times
  - C. 3 to 9 times
  - D. 10 to 19 times
  - E. 20 to 39 times
  - F. 40 or more times
52. During your life, how many times have you used **heroin** (also called smack, junk, or China White)?
- A. 0 times
  - B. 1 or 2 times
  - C. 3 to 9 times
  - D. 10 to 19 times
  - E. 20 to 39 times
  - F. 40 or more times
53. During your life, how many times have you used **methamphetamines** (also called speed, crystal, crank, or ice)?
- A. 0 times
  - B. 1 or 2 times
  - C. 3 to 9 times
  - D. 10 to 19 times
  - E. 20 to 39 times
  - F. 40 or more times

59. During your life, with how many people have you had sexual intercourse?
- A. I have never had sexual intercourse
  - B. 1 person
  - C. 2 people
  - D. 3 people
  - E. 4 people
  - F. 5 people
  - G. 6 or more people
- 
60. During the past 3 months, with how many people did you have sexual intercourse?
- A. I have never had sexual intercourse
  - B. I have had sexual intercourse, but not during the past 3 months
  - C. 1 person
  - D. 2 people
  - E. 3 people
  - F. 4 people
  - G. 5 people
  - H. 6 or more people
61. Did you drink alcohol or use drugs before you had sexual intercourse the last time?
- A. I have never had sexual intercourse
  - B. Yes
  - C. No
62. The last time you had sexual intercourse, did you or your partner use a condom?
- A. I have never had sexual intercourse
  - B. Yes
  - C. No
63. The last time you had sexual intercourse, what one method did you or your partner use to prevent pregnancy? (Select only one response.)
- A. I have never had sexual intercourse
  - B. No method was used to prevent pregnancy
  - C. Birth control pills
  - D. Condoms
  - E. Depo-Provera (injectable birth control)
  - F. Withdrawal
  - G. Some other method
  - H. Not sure

71. During the past 30 days, did you vomit or take laxatives to lose weight or to keep from gaining weight?
- A. Yes
  - B. No
- 

The next 7 questions ask about food you ate or drank during the past 7 days. Think about all the meals and snacks you had from the time you got up until you went to bed. Be sure to include food you ate at home, at school, at restaurants, or anywhere else.

72. During the past 7 days, how many times did you drink 100% fruit juices such as orange juice, apple juice, or grape juice? (Do not count punch, Kool-Aid, sports drinks, or other fruit-flavored drinks.)
- A. I did not drink 100% fruit juice during the past 7 days
  - B. 1 to 3 times during the past 7 days
  - C. 4 to 6 times during the past 7 days
  - D. 1 time per day
  - E. 2 times per day
  - F. 3 times per day
  - G. 4 or more times per day
73. During the past 7 days, how many times did you eat fruit? (Do not count fruit juice.)
- A. I did not eat fruit during the past 7 days
  - B. 1 to 3 times during the past 7 days
  - C. 4 to 6 times during the past 7 days
  - D. 1 time per day
  - E. 2 times per day
  - F. 3 times per day
  - G. 4 or more times per day
74. During the past 7 days, how many times did you eat green salad?
- A. I did not eat green salad during the past 7 days
  - B. 1 to 3 times during the past 7 days
  - C. 4 to 6 times during the past 7 days
  - D. 1 time per day
  - E. 2 times per day
  - F. 3 times per day
  - G. 4 or more times per day

The next 8 questions ask about physical activity.

79. On how many of the past 7 days did you exercise or participate in physical activity for at least 20 minutes that made you sweat and breathe hard, such as basketball, soccer, running, swimming laps, fast bicycling, fast dancing, or similar aerobic activities?
- A. 0 days
  - B. 1 day
  - C. 2 days
  - D. 3 days
  - E. 4 days
  - F. 5 days
  - G. 6 days
  - H. 7 days
80. On how many of the past 7 days did you participate in physical activity for at least 30 minutes that did not make you sweat or breathe hard, such as fast walking, slow bicycling, skating, pushing a lawn mower, or mopping floors?
- A. 0 days
  - B. 1 day
  - C. 2 days
  - D. 3 days
  - E. 4 days
  - F. 5 days
  - G. 6 days
  - H. 7 days
81. On how many of the past 7 days did you do exercises to strengthen or tone your muscles, such as push-ups, sit-ups, or weight lifting?
- A. 0 days
  - B. 1 day
  - C. 2 days
  - D. 3 days
  - E. 4 days
  - F. 5 days
  - G. 6 days
  - H. 7 days

The next question asks about AIDS education.

87. Have you ever been taught about AIDS or HIV infection in school?

- A. Yes
  - B. No
  - C. Not sure
- 

This is the end of the survey.  
Thank you very much for your help.

## United States Code : Title 20, Section 1232h

<http://www4.law.cornell.edu/uscode/20/1232h.text.html>

### ~~Sec. 1232h. Protection of pupil rights~~

#### (a) Inspection of instructional materials by parents or guardians

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any applicable program shall be available for inspection by the parents or guardians of the children.

#### (b) Limits on survey, analysis, or evaluations

No student shall be required, as part of any applicable program, to submit to a survey, analysis, or evaluation that reveals information concerning -

- (1) political affiliations;
- (2) mental and psychological problems potentially embarrassing to the student or his family;
- (3) sex behavior and attitudes;
- (4) illegal, anti-social, self-incriminating and demeaning behavior;
- (5) critical appraisals of other individuals with whom respondents have close family relationships;
- (6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; or
- (7) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program), without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent (*emphasis added*).

#### (c) Notice

Educational agencies and institutions shall give parents and students effective notice of their rights under this section.

#### (d) Enforcement

The Secretary shall take such action as the Secretary determines appropriate to enforce this section, except that action to terminate assistance provided under an applicable program shall be taken only if the Secretary determines that -

- (1) there has been a failure to comply with such section; and
- (2) compliance with such section cannot be secured by voluntary means.

#### (e) Office and review board

The Secretary shall establish or designate an office and review board within the Department of Education to investigate, process, review, and adjudicate violations of the rights established under this section.

MESSAGES FROM THE GOVERNOR

A message dated April 24, 1979 was read stating the Governor has signed the following resolution and is transmitting the enrolled and engrossed copies to the Lieutenant Governor's Office for permanent filing:

HIJR  
32  
amS

HOUSE JOINT RESOLUTION NO. 32amS  
(requesting the establishment of an Arctic Circumpolar Cultural and Technical Interchange Center)  
Legislative Resolve No. 14

A message dated April 24, 1979 was read stating the Governor has signed the following bills and is transmitting the enrolled and engrossed copies to the Lieutenant Governor's Office for permanent filing:

CSSS  
HB  
33

COMMITTEE SUBSTITUTE FOR SPONSOR  
SUBSTITUTE FOR HOUSE BILL NO. 33  
(relating to the disposal of state land formerly under a United States Forest Service permit; and providing for an effective date)  
chapter 26, SLA 1979

HB  
90

HOUSE BILL NO. 90  
(making a supplemental appropriation to the Department of Community and Regional Affairs, division of local government assistance; and providing for an effective date)  
chapter 28, SLA 1979

CSIB  
108  
amS

COMMITTEE SUBSTITUTE FOR HOUSE  
BILL NO. 108amS  
(relating to the function and organization of the state library distribution and data access center)  
chapter 27, SLA 1979

CSIB  
211am

COMMITTEE SUBSTITUTE FOR HOUSE  
BILL NO. 211am  
(relating to public elementary and secondary education; and providing for an effective date)  
chapter 24, SLA 1979

Sb  
164  
am

SENATE BILL NO. 164am  
(relating to nonprofit electric or telephone cooperatives)  
chapter 25, SLA 1979

The following message dated April 24, 1979 was read:

HB  
98

Dear Mr. Speaker:

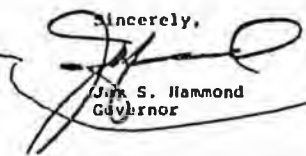
I have signed the following bill and am transmitting the enrolled and engrossed copies to the Lieutenant Governor's Office for permanent filing:

HOUSE BILL NO. 98  
(relating to the administration of questionnaires in public schools; and providing for an effective date)  
chapter 23, SLA 1979

While the apparent intent of this bill (to protect the family's right to privacy) is laudable, the right to privacy is already guaranteed by the general language of Art. 1, § 22 of the Alaska Constitution. To that extent, the bill may be regarded as superfluous. This bill would prevent school or public health workers from inquiring into a student's family history of areas such as communicable diseases, even when the information could be in the public's compelling interest. Similarly, use of broadly based anonymous surveys of school-age children and youth to determine the frequency of alcohol, drug, and child abuse -- tools used in determining the efficiency of government programs -- would also be precluded by this bill.

However, I have determined that keen legislative interest in adoption of the measure warrants that I sign it into law.

Sincerely,

  
Jack S. Hammond  
Governor

MESSAGES FROM THE SENATE

A message dated April 24, 1979 was read stating the Senate has concurred in the House amendment to COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 14, thus adopting:

HOUSE COMMITTEE SUBSTITUTE FOR  
COMMITTEE SUBSTITUTE FOR SENATE  
CONCURRENT RESOLUTION NO. 14  
(development of national and state parks)

A message dated April 24, 1979 was read stating the Senate has concurred in the House amendment to SENATE BILL NO. 77, thus adopting:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 77  
(compensation for criminal injuries;  
effective date)

A message dated April 24, 1979 was read stating the Senate has passed COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 107 (supplemental appropriation for the payment of miscellaneous claims; effective date) with the following amendment:

SENATE COMMITTEE SUBSTITUTE FOR  
COMMITTEE SUBSTITUTE FOR HOUSE BILL  
NO. 107 (same title)

and is transmitting the same for consideration.



**ANCHORAGE COUNCIL OF  
PARENT TEACHER ASSOCIATIONS**

ADVOCATING FOR ANCHORAGE CHILDREN SINCE 1960

May 3, 1999

The Honorable Fred Dyson  
Alaska State Legislature  
House of Representatives  
State Capitol, Room 104  
Juneau, Alaska 99801-1182

Re: CSHB70  
"An Act relating to questionnaires or surveys administered in public schools"

Dear Rep. Dyson:

Attached is a copy of a resolution passed by the Alaska PTA Convention on April 27, 1990, in support of requiring written, informed parental consent for K-12 students prior to being given "attitude" surveys and tests, as described by the resolution.

This resolution continues to be the current position of the body of the Alaska PTA. As the Vice President for Legislation for the Anchorage Council of PTA's I have been asked by our President, Diane Etter, to forward this document to you, since it speaks to the current legislation proposed under CSHB70.

We understand from the Bill History that this legislation was transmitted to the Senate on April 30. In the interest of time we are faxing you our position and asking your office to forward it to the appropriate members today. We will follow with more communication directly to them.

Thank you for your assistance in this matter and we will be available to assist you in whatever way we can.

Sincerely,

Susan Jayich  
Vice President for Legislation  
Anchorage Council of PTAs  
Phone: 345-5130, Fax: 345-7194

## Parental Consent

Adopted by Alaska PTA Convention, April 27, 1990

- Whereas, Parents are recognized as the primary educators of their children; and
- Whereas, There has been an increase in the number of testing and survey instruments being used to evaluate our children's attitudes toward school, their coping skills, and their feelings about themselves and their experiences; and
- Whereas, Alaska School Law (Chapter 4, Sec. 14.03.110) mandates that questionnaires and surveys which inquire into the private family affairs of the student which are not a matter of public record require written permission from the student's parent or guardian before they may be administered; and
- Whereas, The Protection of Pupil Rights Act (20 U.S. Code 1232h) states that no student shall be required to take part in psychiatric or psychological examinations, testing, or treatment in which the primary purpose is to reveal private information, without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of unemancipated minors, without the prior written consent of the parent; therefore be it
- Resolved, That the Alaska PTA supports strict adherence by all Alaska school districts to Federal and State laws requiring written, informed parental consent for both elementary and secondary students prior to the administration of the above described attitude surveys and tests.

### Rationale

In an attempt to assess the needs of children, some school districts have developed a number of testing and survey instruments which measure the affective area of a child's being. These instruments attempt to measure things such as locus of control, attitude toward school, general self-esteem, academic self-esteem, social interaction, coping with stress and anxiety skills, health habits, and identification with school. In many cases, teachers, school psychologists, and administrators discuss and analyze results among themselves and with students, but not with parents. Students have been encouraged to dialogue with teachers about their feelings in regard to affective testing instruments, but parents have not generally been included.

Specific written parental consent forms are often utilized at the elementary level, but hardly ever at the secondary level.

High school students who are taking health classes or AIDS curricula are often required to take attitudes surveys dealing with feelings toward AIDS, homosexuals, sexual feelings, and sexual behavior. These surveys fall under the "Protection of Pupil Rights" federal statute and require written parental consent.

Clarification of and adherence to Federal and State statutes is required of all school districts in the State of Alaska. Psychological probing and surveying should not be done without parental consent and knowledge.

APR 26 1999

Dear Mr. Fred Bryson,

My name is Andrew DeLoose and I am writing this letter for Awanas which is an organization that is run by my church. This letter will help me get my patriotism badge.

I see you are supporting HB 34, the Good Samaritan Law. I see you must like children because you have many foster kids

I hope you will support HB 70 that says parents must approve questionnaires taken by school by children.

Thank you for serving our community.

Your Friend

Andy

Andy DeLoose  
10120 Chickaloon  
Eagle River, Alaska  
99577

A subsequent conversation with the Assistant Principal revealed:

1) How much time was this taking from the class curriculum?

Answer: One class day per month "plus two short periods of time."

2) Is this part of the District's approved curriculum?

Answer: "Apparently" it is not part of the approved curriculum.

3) Were parents asked to give written permission for their son/daughter to participate in the program?

Answer: "Apparently" not.

4) Were parents given written notification or provided any information about the program?

Answer: "Apparently" not.

After the above information was provided to me, I was told the program was put on hold indefinitely. For the remainder of the year, that program was not a part of my son's class.

As a parent who has been very involved with my children's education from the day they entered kindergarten, I knew this program did not belong in the classroom until it had been approved as part of the curriculum and until proper active parent notification had occurred. I resent the amount of time my son spent on the unauthorized surveys and I resent that it was done without my permission or knowledge.

I urge your support of CS HB 70 requiring active parent permission as described in Section 1 of the proposed bill. As far as a fiscal note is concerned, I suggest that the department or organization requesting to survey our children should bear the cost of administering such survey -- but only after proper screening and approval by the district and after active parent permission is received.

Sincerely,

*Marti Hughes*  
Marti (Marilyn) P. Hughes

**Subject: HB 70 Support**

**Date: Wed, 14 Apr 1999 18:26:57 -0500**

**From: Andree McLeod <mcleodak@alaska.net>**

**To: Representative Dyson <Representative\_Fred\_Dyson@legis.state.ak.us>**

Dear Representaive Fred Dyson,

Thank you for taking the time to protect parent's and family's right to privacy.

It's hard enough raising children without having to worry about government agencies going into schools behind our backs, intruding in on our children's privacy and diminishing their study time at school by asking questions.

The compromise you have reached in your bill, as I understand it, is to give annual blanket permission at the time of school registration. Also, parents will be notified in advance before specific surveys are administered where parents can opt to not have their children participate.

Again, thank you for all your efforts on this issue. It has not been easy dealing with most health professional in this state as they have used their power to usurp our privacy. But when the Attorney General's office backs the Administration's position, hopelessness and helplessness abounds for us common folk. You have truly been a saving grace.

Andree McLeod

**Subject: HB 70**

**Date: Wed, 07 Apr 1999 20:29:29 -0800**

**From: Susan <English@alaska.net>**

**To: Representative\_Fred\_Dyson@Legis.state.ak.us**

I would like to express my support for HB 70 requiring parental permission for school surveys. As a parent of three girls 3rd grade, 8th and 10th I would want to know what the schools are requiring of students. It makes sense and I hope it passes without delay. You may pass this on to the HESS committee members if you like. Thank you for your efforts.

Susan Fischetti  
10336 Stewart Dr.  
Eagle River, AK 99577  
907-694-7944