

**SB**

**101**

# Alaska State Legislature

Interim: (May - Dec.)  
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Anchorage, AK 99501  
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Session: (Jan. - May)  
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Juneau, AK 99801-1182  
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Senator\_Bettye\_Davis@legis.state.ak.us  
<http://www.akdemocrats.org>

## Senator Bettye Davis

### Senate Bill 101, 26-LS0524\A

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

### Sponsor Statement

**SB 101 will provide for more student participation in school questionnaires and surveys administered or required by Alaska school districts and the Department of Education and Early Development, while at the same time constitutionally protecting the privacy rights of parents and students and also complying with the federal Protection of Pupil Rights Amendment (PPRA), 20 U.S.C., section 1322h.**

**With the exception the anonymous Youth Risk Behavior Survey noted in new subsection AS 14.03.110(g) which has been administered biennially since 1991 by the United States Centers for Disease Control and Prevention, SB 101 provides that a school district may not administer a survey, anonymous or not, that inquires into personal or private family affairs of the student not a matter of public record or subject to public observation unless written permission is first obtained from the student's parent or legal guardian. SB 101 provides in AS 14.03.110(e) that a student may still "refuse to answer specific questions" or to participate in the survey.**

**SB 101 changes subsection AS 14.03.110(e) by requiring that parents who do not want their children to participate in an anonymous survey, must "opt out" or "actively dissent" to participation with written denial of permission submitted to the teacher or principal. SB 101 effectively changes parental consent to anonymous surveys under the current statute from "active" to "passive" consent, *i.e.*, implied consent without written objection. Notice, however, is still required and permission for anonymous surveys can be obtained by school districts annually under the unchanged provision of AS 14.03.110(b).**

**The 2-week notice requirements under AS 14.03.110(b),(c) remain unchanged, but revised subsection AS 14.03.110(d) under SB 101 requires more information in the notice than current provisions in recognition of the need for more attention to constitutional due process in matters of student privacy. Changes require more information about the nature and content of the survey, the date, sponsor, school contacts, and opportunity to refuse participation in a questionnaire or survey.**

**Changes under SB 101 comport with the original legislative intent of the school survey statute before it was changed in 1999.** The current statute, which requires "active" parental consent for youth to participate in anonymous school surveys requires that parents must acknowledge both permission and denial in writing. SB 101 requires only that parents deny permission in writing to anonymous surveys. Surveys which are not anonymous or that delve into personal or private matters still require parental written consent for permission for students to participate with the exception of AS 14.03.110(g) regarding the Youth at Risk Behavior Survey noted above. The need for statutory changes under SB 101 follow:

**It has been found that "active" parental consent overburdens the public school system and drastically increases the costs and labor involved in conducting student surveys.** Moreover, "active" consent greatly reduces overall participation by students, because many parents simply are non-responsive. While studies have found that the vast majority of parents would consent to students participating in school surveys, non-response is more often due to apathy, oversight, and student omission or error, rather than parental refusal. Many districts are unable to use the data they collect because there are not enough participants for statistical validation. Some surveys such as the Youth Risk Behavior Survey cannot be validated with less than 60% participation, as occurred in Alaska in 2005. Lack of participation may also reduce federal funding.

**School surveys provide reliable and valuable measures of population-based information on youth** which helps policy makers, educators, program planners, and parents to better understand health and social issues that affect students' prospects for program success. Standardized surveys such as the Youth Risk Behavior Survey track trends over time and help guide and evaluate important health and prevention programs. State and federal grant programs which rely on these surveys include tobacco prevention and control, obesity prevention, diabetes, heart disease and stroke, safe and drug free schools and other substance abuse prevention, injury prevention, including violence and suicide prevention, HIV and STD prevention, and more.

**AMENDMENT**

OFFERED IN THE HOUSE  
TO: SB 101

BY REPRESENTATIVE SEATON

- 1 Page 2, lines 23 - 24:
- 2 Delete "guardian notice of the survey"
- 3 Insert "legal guardian notice of the survey as provided under (d) of this section at least
- 4 two weeks before the survey is administered"

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Senator\_Betty\_Davis@legis.state.ak.us  
<http://www.akdemocrats.org>

## Senator Betty Davis

### Senate Bill 101, 26-LS0524A

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

### Sectional Summary

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*Note: this sectional summary should not be considered an authoritative interpretation of the bill, as the bill itself is the best statement of its contents.*

**Section 1.** Amends AS 14.03.110(a) to require a school district to obtain written permission to administer a questionnaire or survey, anonymous or not, with the exception of the Youth Risk Behavior Survey, as provided in Section 4 in new subsection AS 14.03.110(g).

**Section 2.** Repeals and reenacts AS 14.03.110(d) to require a school district provide to a student's parent or legal guardian written notice of a questionnaire or survey with detailed information as to the date, contents, sponsor, contacts at the school district, opportunity to review the questionnaire or survey, description of how to submit written permission or denial of permission to participate, including an anonymous or specific questionnaire or survey.

**Section 3.** Amends AS 14.03.110(e) to allow a student to participate but to refuse to "answer specific questions." Subsection (e) also requires that a parent or legal guardian may refuse to allow the student to participate in a specific questionnaire or survey "by submitting to the teacher or school principal a written denial of permission for the student's participation."

**Section 4.** Adds a new subsection AS 14.03.110(g) which provides that if a school district administers the Youth Risk Behavior Survey provided by the United States Centers for Disease Control and Prevention, written permission of the student's parent or legal guardian is not required, but the school district shall provide parents notice of the survey and the opportunity to submit to the teacher or school principal a written denial of permission to take the survey.

*Note: Subsections AS 14.03.110(b) and (c) remain unchanged as to annual permission and two weeks notice for anonymous surveys under (b), and written permission and two weeks notice for surveys which are not anonymous under (c).*

# FISCAL NOTE

**STATE OF ALASKA**  
**2010 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: SB101  
 () Publish Date: \_\_\_\_\_

Identifier (file name): SB101-EED-TLS-3-15-10 Dept. Affected: Education & Early Develo  
 Title "An Act relating to questionnaires and surveys administered RDU Teaching & Learning Support  
in public schools." Component School & Student Achievement  
 Sponsor Senator Davis  
 Requester House Health & Social Services Component Number 2796

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

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

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
<b>OPERATING EXPENDITURES</b>								
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>0.0</b>

<b>CAPITAL EXPENDITURES</b>								
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<b>CHANGE IN REVENUES ( )</b>								
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
<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>	<b>0.0</b>

Estimate of any current year (FY2010) cost: \_\_\_\_\_

**POSITIONS**

Full-time								
Part-time								
Temporary								

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

This legislation has no fiscal impact on the Department of Education and Early Development

Prepared by: Paul Prussing, Deputy Director  
 Division: Teaching & Learning Support  
 Approved by: Larry LeDoux  
Commissioner

Phone 465-8721  
 Date/Time 3/15/10 12:00 AM  
 Date 3/15/2010

# FISCAL NOTE

**STATE OF ALASKA**  
**2009 LEGISLATIVE SESSION**

Fiscal Note Number: SB 101  
 Bill Version: \_\_\_\_\_  
 ( ) Publish Date: \_\_\_\_\_

Identifier (file name): SB101-EED-ESS-3-06-09 Dept. Affected: EED  
 Title "An Act relating to questionnaires and surveys administered in the public schools." RDU Teaching & Learning Support  
 Component School & Student Achievement  
 Sponsor Sen. Davis  
 Requester Senate Education Committee Component Number 2796

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

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

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
<b>OPERATING EXPENDITURES</b>								
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<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>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>								
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	FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
1002 Federal Receipts							
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1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
<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>	<b>0.0</b>

Estimate of any current year (FY2009) cost: \_\_\_\_\_

**POSITIONS**

	FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Full-time							
Part-time							
Temporary							

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

There is no fiscal impact on the Department of Education and Early Development.

Prepared by: Paul Prussing, Deputy Director  
 Division Teaching & Learning Support  
 Approved by: Larry LeDoux  
Commissioner

Phone 465-8721  
 Date/Time 3/6/09 12:00 AM  
 Date 3/6/2009

Sec. ▶14.03.110◀. Questionnaires and surveys administered in public schools.

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

(b) For an anonymous questionnaire or survey, written permission required under (a) of this section may be obtained annually and is valid until the commencement of the subsequent school year or until the parent or legal guardian who gave permission submits a written withdrawal of permission to the school principal. The school shall provide each student's parent or legal guardian at least two weeks' notice before administering a questionnaire or survey described under this subsection.

(c) If a school administers to a student a questionnaire or survey that is not anonymous, the school shall obtain the written permission required under (a) of this section from the student's parent or legal guardian at least two weeks before the questionnaire or survey is administered.

(d) The school shall give a student's parent or guardian an opportunity to review the questionnaire or survey described under (b) or (c) of this section and shall give the parent or guardian written notice regarding

- (1) how the questionnaire or survey will be administered to the student;
- (2) how the results of the survey or questionnaire will be used; and
- (3) who will have access to the questionnaire or survey.

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

(f) In this section, "questionnaire or survey" means a list of questions to, or information collected from, a class or group of students.

Bill Hogan  
Commissioner  
P.O. Box 110601  
Juneau, AK 99811-0601  
www.hss.state.ak.us



## Fact Sheet

COMMISSIONER'S OFFICE

January 7, 2010

FOR IMMEDIATE RELEASE:

### Fact Sheet: 2009 Alaska Youth Risk Behavior Surveys

#### What is the Youth Risk Behavior Survey (YRBS)?

The Youth Risk Behavior Survey (YRBS) is part of an epidemiological surveillance system that was established in 1990 by the federal Centers for Disease Control and Prevention (CDC). It was developed to monitor health risk behaviors among youth that contribute markedly to the leading causes of death, disability, and social problems of youth and adults in the United States. These behaviors are often established during childhood and early adolescence:

- Tobacco use;
- Unhealthy dietary behaviors;
- Inadequate physical activity;
- Alcohol and other drug use;
- Sexual behaviors that contribute to unintended pregnancy and sexually transmitted diseases, including HIV infection; and
- Behaviors that contribute to unintentional injuries and violence.

#### What is the purpose of the YRBS?

- Determine the prevalence of health-risk behaviors;
- Assess whether health-risk behaviors increase, decrease, or stay the same over time;
- Provide comparable national, state and local data;
- Provide comparable data among subpopulations of youth; and
- Monitor progress toward achieving national and state health goals and other program indicators.

#### How long has Alaska participated in the YRBS?

The YRBS high school survey was first implemented at the national level in 1990. Since that time, the CDC has sponsored national surveys from 1991 to the present on an every-other-year basis. Alaska first participated in the YRBS in 1995 and obtained representative statewide data. Due to external factors, the YRBS was not administered in 1997. It was administered in 1999; however the Anchorage School District did not participate. Without Anchorage the data were not representative of the state as a whole. The survey was administered in 2001, but unfortunately low student response rates rendered the data unusable. Districts indicated that the new requirement for signed (active) parental permission in 2001 was the primary reason for the low response rate. In 2003 the survey was administered statewide with active parental consent and representative data were obtained,

making this the first statewide YRBS representative sample since 1995. The survey was again administered in 2005, however the response rate fell just below the target and the data was not used. In 2007 and in 2009, the survey was administered and achieved an adequate response rate, yielding important survey results.

### **What is the difference between active and passive consent?**

Alaska's active parental consent law, AS 14.03.110, prohibits public schools from administering surveys or questionnaires that ask about personal or family affairs, or anything else that is not a matter of public record or readily observable in public, without first getting written permission from all participating students' parents or legal guardians (opt in). This law holds regardless of whether a survey is anonymous or not. Alaska is one of a few states in the nation that has a school survey law requiring active parental consent for surveys of this type. Most states employ passive parental consent when administering such anonymous surveys. Passive parental consent involves notifying and informing the parents about the survey and assuming that students will participate unless the parent provides a written refusal to opt out of the survey.

### **Two statewide surveys were conducted in 2009:**

*Traditional High Schools* - The YRBS survey of regular (traditional) public high schools (excluding private schools, boarding schools, alternative schools and correctional facilities) was conducted as usual. A two-stage sample design was used to select the actual students for participation. The first stage consisted of selecting schools. Schools were selected with probability proportional to the size of their enrollment. Once a school was selected, classes were selected as the second stage. Eligible classes were those where a student would be enrolled in one and only one class at a time – second period or required English, for example. This gave each student an equal opportunity of being selected. A school district, individual school, student, or student's parent could decline participation at any time.

This YRBS survey was completed by 1,373 students from 43 traditional high schools that were scientifically selected to be included in the survey. The school response rate was 91 percent and the student response rate was 64 percent, resulting in an **overall response rate of 62 percent**. The CDC has determined that the overall response rate must be 60 percent or greater in order for the data to represent the high school population of the state. Therefore, these survey results represent 33,271 students from grades 9 through 12 in traditional public high schools.

*Alternative High Schools* - For the first time, a statewide YRBS survey of high school students in Alaska's alternative schools was conducted. Fifteen alternative schools were chosen to be included in the survey and 1,020 students completed the survey. The school response rate was 100 percent and the student response rate was 71 percent, resulting in an overall response rate of 71 percent.

Alternative schools serving at-risk students are excluded from traditional statewide YRBS surveys per CDC guidelines. Although one national Alternative School YRBS was conducted in 1998, revealing significantly elevated risk behavior among this population, no further national YRBS surveys of alternative schools have been conducted. Since Alaska's Department of Education and Early Development (EED) presently manages several federal grants that require it to direct services and resources to Alaska's most at-risk student/youth populations, it became essential to conduct a statewide alternative schools YRBS to determine if our state's alternative schools profiled consistently with the national alternative schools. Our data indicates Alaska alternative schools report similar levels of risk behavior to the National Alternative Schools Survey of 1998. The results

of this survey provides EED with the credible data it needs to best direct its at-risk initiatives, to determine the level of risk behaviors present in this student population, to advocate for needed supports, and to measure any progress made in decreasing student risk behaviors as a result of its interventions. It is anticipated these data will also be invaluable to Alaska's alternative schools on a local level as they seek to provide empirical evidence for any needed additional resources.

**How was the survey administered?**

The YRBS survey is voluntary and anonymous. For all classes, teachers or proctors were given a script to read to students that established guidelines for student privacy and anonymity and the importance of the survey. Each student was given an unmarked envelope in which to seal his or her survey before turning it in. These survey envelopes remained sealed until received at a central state collection site. The CDC and a CDC contractor analyzed the state survey data for both the traditional high schools and the alternative high schools.

A national YRBS is also conducted every other year. The 2009 national results will not be available until early summer 2010. As a result, 2007 National YRBS results are being used for comparison purposes.

**How are the data used?**

The results of the YRBS are used to detect changes in risk behaviors over time and provide an important piece of program planning and evaluation, curriculum development and decision-making regarding the use of available resources. The information from the YRBS can be used to help schools and communities identify strengths and weaknesses in current programs and services. Additionally, the results can be used by schools and communities when applying for grant funding to initiate or maintain programs that serve youth.

**Who supported the YRBS in Alaska?**

The YRBS in Alaska is a cooperative effort between the state departments of Health and Social Services and Education and Early Development. The survey is also endorsed by the following groups and boards:

- Association of Alaska School Boards
- Alaska Parent Teacher Association (PTA)
- Alaska Action for Healthy Kids
- All Alaska Pediatric Partnership
- American Heart Association, Pacific/Mountain Affiliate
- American Lung Association of Alaska
- American Cancer Society, Alaska
- Alaska Health Education Consortium
- Alaska Tobacco Control Alliance
- Alaska Native Tribal Health Consortium

Contacts: Greg Wilkinson, DHSS, (907) 269-7285, Cell (907) 382-7032  
Ann Potempa, DHSS, (907) 269-7957, Cell (907) 240-9158  
Terri Campbell, DEED, (907) 465-8719  
Todd Brocious, DEED, (907) 465-2887

###

Response to questions during HHSS hearing 2/11/10 on SB 101 – Questionnaires and Surveys in Public Schools.

1. **Copy of 1995 YRBS Survey** (See attached) *(in back of packet)*
2. **Cost to School Districts to reach the minimum of 60% validity threshold for representative data.**

There is no direct cost to school districts to reach the validity threshold, other than contribution of staff time and often copying and postage. School districts receive incentive funding, depending on their size, between \$800 and \$30,000 per district. The total state expenditure in 2009 was approximately \$90,000 (which included the special Alternative School Survey). In addition, some districts receive supplemental money from their community coalitions. The \$90,000 was made up of a combination of federal funding from the YRBS grant and a special contribution of \$20,000 from the Division of Behavioral Health and \$50,000 as a one-time contribution from the Alaska Mental Health Trust.

3. **Impact on grants of failure to meet the minimum of 60% statistical validity.**

We do not have evidence of loss of federal funding for inadequate response rate to YRBS. What we can provide is examples of the program and grant dollar amounts used at the state level that rely on YRBS data.

- DHSS/Division of Public Health/CDC Tobacco Program funding : approximately \$1.6 million per year
- Dept. of Education & Early Development (DEED)/CDC HIV Prevention funding: \$275,000 per year
- DEED/Federal funding: Up until recently, the Title IV Safe and Drug-Free Schools and Community Program funds (formerly \$1.7 million) relied on YRBS – however, this program has been eliminated. It is anticipated that it will be replaced with a new program (focusing on Positive School Climate) which will likely be competitive and it would be difficult to compete with other states without YRBS data with the majority of states that do have YRBS data.
- DHSS/Division of Behavioral Health Programs/Federal Funding:
  - Federal Substance Abuse Prevention and Treatment Block Grant (\$4.8 million approx. per year) has required national outcome measures using YRBS
  - Alaska Youth Suicide Prevention Project, US Dept. of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA). \$500,000 per year x 3 years (1.5 million)
  - SAMHSA's Strategic Prevention Framework State Incentive Grant, five-year, \$11.5 million grant
- Comprehensive Mental Health Plan: \$106,000 from the Alaska Mental Health Trust

**Other programs/efforts that rely on the YRBS data:**

- Overall tracking progress on State Health Plan (Healthy Alaskans 2010) – approximately 16 measures.
- DEED/No Child Left Behind (NCLB) requirements to collect data captured in the YRBS remain in place and DEED has no other established mechanism to gather this data. Building a new instrument would be costly and labor intensive, and DEED presently lacks the infrastructure to accomplish this and would no doubt run in to the same challenges as YRBS faces.
- Alaska’s Plan to Reduce and Prevent Underage Drinking - without the YRBS data we will lose our baseline data to show we are making change.
- DHSS State Epidemiological Outcomes Workgroup contract deliverables relies heavily on YRBS data.
- Alaska Obesity Prevention Plan

**Other large community grants:**

- 7 SAMSHA grants directly to community coalitions

**District level grants:**

- One of the eligibility requirements for school districts to apply for state Tobacco Prevention Grants (\$800,000) is to collect local YRBS data.
- A query is in process to determine how else school districts have used the data to leverage additional funding. Responses so far have mentioned being able to get grant funding for school counselors to address the needs identified by YRBS.

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

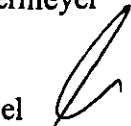
State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

March 12, 2009

**SUBJECT:** Written denial of permission (SB 101;  
Work Order No. 26-LS0524\A)

**TO:** Senator Bettye Davis  
Attn: Thomas Obermeyer

**FROM:** Jean M. Mischel  
Legislative Counsel 

Eddy Jeans asked about the necessity of sec. 3 in the above referenced bill. Section 3 amends existing law in AS 14.03.110(e) to require written denial of permission by a parent or guardian for a student survey. Without the addition of written denial in subsection (e), existing law would be inconsistent with the new subsection (g) that requires written denial of permission for the Youth Risk Behavior Survey (YRBS) contained in sec. 4.

If I may be of further assistance, please advise.

JMM:ljw  
09-153.ljw

(c) Nothing in this section limits the ability of a peace officer, chief administrative officer, or other appropriate person, acting in compliance with local, state, or federal laws, to search a locker or other container provided in a public or private school by the school district. (§ 5 ch 33 SLA 1995)

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

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

(b) For an anonymous questionnaire or survey, written permission required under (a) of this section may be obtained annually and is valid until the commencement of the subsequent school year or until the parent or legal guardian who gave permission submits a written withdrawal of permission to the school principal. The school shall provide each student's parent or legal guardian at least two weeks' notice before administering a questionnaire or survey described under this subsection.

(c) If a school administers to a student a questionnaire or survey that is not anonymous, the school shall obtain the written permission required under (a) of this section from the student's parent or legal guardian at least two weeks before the questionnaire or survey is administered.

(d) The school shall give a student's parent or guardian an opportunity to review the questionnaire or survey described under (b) or (c) of this section and shall give the parent or guardian written notice regarding

- (1) how the questionnaire or survey will be administered to the student;
- (2) how the results of the survey or questionnaire will be used; and
- (3) who will have access to the questionnaire or survey.

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

(f) In this section, "questionnaire or survey" means a list of questions to, or information collected from, a class or group of students. (§ 1 ch 23 SLA 1979; am §§ 1, 2 ch 63 SLA 1999)

**Opinions of attorney general.** — AS 14.03.110 — Behavior Risk Survey does not impermissibly invade the domain of the student's private 'family' affairs. September 28, 1998 Op. Att'y Gen. (Issued before 1999 amendment to this section.)

**Sec. 14.03.115. Access to school records by parent, foster parent, or guardian.**

Upon request of a parent, foster parent, or guardian of a child under 18 years of age who is currently or was previously enrolled in a municipal school district or a school district that is a regional educational attendance area, the school district shall provide a copy of the child's record. This section does not apply to

- (1) a record of a child who is an emancipated minor; or
- (2) record information that consists of the child's address if the school district determines that the release of the child's address poses a threat to the health or safety of the child. (§ 1 ch 36 SLA 1999)

**Sec. 14.03.120. Education planning; reports.** (a) A district shall annually file with the department, and make available to the public, a report that

- (1) establishes district goals and priorities for improving education in the district;
- (2) includes a plan for achieving district goals and priorities; and

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**From:** Jeans, Eddy (EED) [mailto:eddy.jeans@alaska.gov]  
**Sent:** Wednesday, March 11, 2009 11:49 AM  
**To:** Thomas Obermeyer  
**Cc:** Herman, Marcy J (EED)  
**Subject:** FW: SB 101

Here is our question for SB102. 101

What is the intent of section 3? Since the ability for students to refuse is already covered in section 2 (8) and families to opt out/opt in to other surveys is covered in section 2 (7) we think it is unnecessary. (Written denial is also covered in section 4 which is specific to YRBS.)

**Here are the responses to the questions at the hearing.**

**Statistics on parental consent for YRBS:**

Data from the statewide survey from the last time the YRBS was administered (2007) showed that (after intense efforts to collect forms), in general 69-70% of parents provided written permission, 10-11% of parents declined permission, the remaining 20% of parents did not respond. (It is the non-responders that affect the survey the most). These rates vary by school and district – contact individual school districts for more information on their local YRBS survey experience.

**How is the student identity protected?**

The YRBS survey is an anonymous and voluntary survey. The survey has been designed to protect each student's privacy. Students do not put their name or any other identifier, or the name of their class or school on the survey. The teacher or proctor is given special instructions and a script to follow and are also required to sign an *Assurance of Confidentiality Form* which is returned to the Department of Health and Social Services.

When students finish the survey, they place their answer sheet in a privacy envelope and seal it shut. The envelopes are then placed in a big box or envelope for returning to the state.

**Just another FYI:**

The Protection of Pupil Rights Amendment only applies to "required" surveys. (See CDC Parental Permission and the YRBS, 2006)

Let me know if you need any more information.

Patty Owen  
School Health/YRBS Coordinator

PO Box 110614  
Juneau, AK 99811-0614  
phone 907-465-2768 fax 907-465-2770  
Toll Free 1-888-465-3140  
email: Patricia.Owen@alaska.gov

These risk behaviors among high school students<sup>1</sup> ...

### Unintentional Injuries and Violence

- 12% Rarely or never wore a seat belt
- 21% Rode with a driver who had been drinking alcohol, during the past month
- 20% Carried a weapon during the past month
- 28% Were in a physical fight during the past year
- 9% Attempted suicide during the past year

### Alcohol and Other Drug Use

- 33% Drank alcohol during the past month
- 22% Reported episodic heavy drinking during the past month<sup>2</sup>
- 23% Used marijuana during the past month
- 7% Ever used cocaine
- 10% Ever used inhalants
- 21% Ever used prescription drugs without prescription

### Sexual Behaviors

- 44% Ever had sexual intercourse
- 11% Had sexual intercourse with  $\geq 4$  people
- 30% Had sexual intercourse during the past three months
- 5% Did not use a condom during last sexual intercourse<sup>3</sup>

### Tobacco Use

- 48% Ever tried cigarette smoking
- 16% Smoked cigarettes during the past month
- 5% Smoked cigarettes on  $\geq 20$  days during the past month
- 14% Used smokeless tobacco during the past month
- 10% Smoked cigars during the past month

### Dietary Behaviors

- 83% Ate fruits and vegetables < 5 times/day during the past 7 days
- 20% Drank soda or pop one or more times a day during the past 7 days (not including diet soda or pop)

### Physical Activity

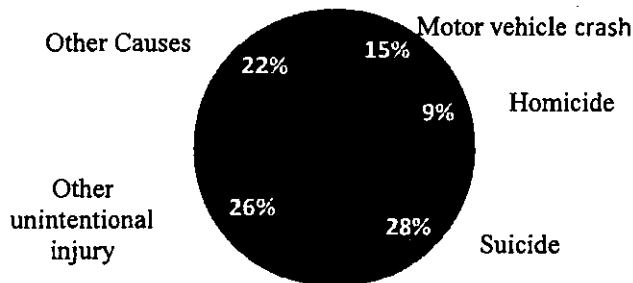
- 58% Did not meet currently recommended levels of physical activity<sup>4</sup>
- 54% Did not attend physical education class
- 82% Did not attend physical education class daily

### Overweight

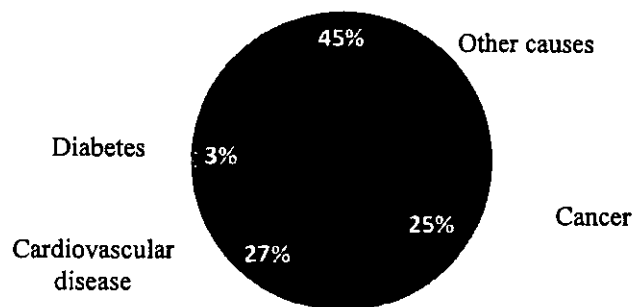
- 14% Were overweight<sup>5</sup>
- 12% Were obese<sup>5</sup>

... contribute to these leading causes of death<sup>7</sup>

Youth Aged 10-24 Years



Adults Aged 25 Years and Older



- <sup>1</sup> High school students grades 9-12 in Alaska excluding alternative schools and boarding schools, weighted data.
- <sup>2</sup> Students who had five or more drinks of alcohol in a row within a couple of hours on at least 1 day during the past 30 days
- <sup>3</sup> Among students who had sexual intercourse during the past 3 months.
- <sup>4</sup> Students who were not physically active for a total of at least 60 minutes per day on 5 or more days of the past 7 days.

- <sup>5</sup> Students who were at or above the 85th percentile but below the 95th percentile for body mass index by age and sex.
- <sup>6</sup> Students who were at or above the 95th percentile for body mass index by age and sex.
- <sup>7</sup> 2004-2006 Alaska mortality data, Centers for Disease Control and Prevention.

For more information visit [www.hss.state.ak.us/dph/chronic](http://www.hss.state.ak.us/dph/chronic)

Or call 1-888-465-3140

The Alaska Youth Risk Behavior Survey is a joint project between the Department of Health and Social Services and the Department of Education & Early Development in cooperation with the Centers for Disease Control and Prevention



# 2009 Youth Risk Behavior Survey (YRBS) Results

These risk behaviors among alternative high school students<sup>1</sup> ...

## Unintentional Injuries and Violence

- 14% Rarely or never wore a seat belt
- 30% Rode with a driver who had been drinking alcohol, during the past month
- 28% Carried a weapon during the past month
- 46% Were in a physical fight during the past year
- 11% Attempted suicide during the past year

## Alcohol and Other Drug Use

- 57% Drank alcohol during the past month
- 43% Reported episodic heavy drinking during the past month<sup>2</sup>
- 51% Used marijuana during the past month
- 29% Ever used cocaine
- 20% Ever used inhalants
- 49% Ever used prescription drugs without prescription

## Sexual Behaviors

- 82% Ever had sexual intercourse
- 43% Had sexual intercourse with  $\geq 4$  people
- 66% Had sexual intercourse during the past three months
- 79% Did not use a condom during last sexual intercourse<sup>3</sup>

## Tobacco Use

- 87% Ever tried cigarette smoking
- 58% Smoked cigarettes during the past month
- 34% Smoked cigarettes on  $\geq 20$  days during the past month
- 18% Used smokeless tobacco during the past month
- 28% Smoked cigars during the past month

## Dietary Behaviors

- 80% Ate fruits and vegetables < 5 times/day during the past 7 days
- 31% Drank soda or pop one or more times a day during the past 7 days (not including diet soda or pop)

## Physical Activity

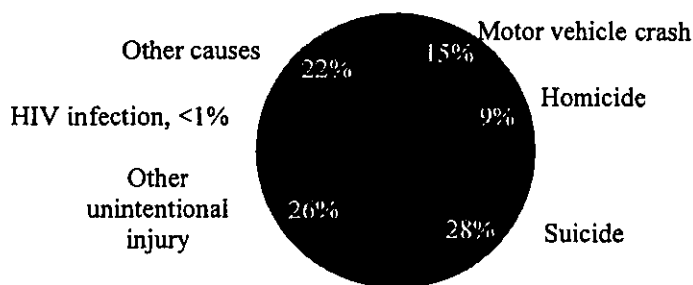
- 80% Did not meet currently recommended levels of physical activity<sup>4</sup>
- 71% Did not attend physical education class
- 87% Did not attend physical education class daily

## Overweight

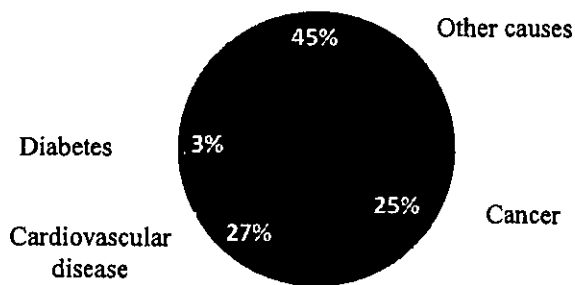
- 18% Were overweight<sup>5</sup>
- 19% Were obese<sup>6</sup>

... contribute to these leading causes of death<sup>7</sup>

Youth Aged 10-24 Years



Adults Aged 25 Years and Older



<sup>1</sup> Alternative high school students grades 9-12 in Alaska, weighted data.  
<sup>2</sup> Students who had five or more drinks of alcohol in a row within a couple of hours on at least 1 day during the past 30 days  
<sup>3</sup> Among students who had sexual intercourse during the past 3 months.  
<sup>4</sup> Students who were not physically active for a total of at least 60 minutes per day on 5 or more days of the past 7 days.

<sup>5</sup> Students who were at or above the 85th percentile but below the 95th percentile for body mass index by age and sex.  
<sup>6</sup> Students who were at or above the 95th percentile for body mass index by age and sex.  
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For more information visit [www.hss.state.ak.us/dph/chronic](http://www.hss.state.ak.us/dph/chronic)

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# Sample-Questions

## 2009 Alaska 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.***

8. During the past 12 months, how would you describe your grades in school?
- A. Mostly A's
  - B. Mostly B's
  - C. Mostly C's
  - D. Mostly D's
  - E. Mostly F's
  - F. None of these grades
  - G. Not sure

E. 6 or more times

The next 4 questions ask about safety.

9. **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
10. 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
11. 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
12. 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

18. 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
19. 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
20. 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
21. During the past 12 months, did your boyfriend or girlfriend ever hit, slap, or physically hurt you on purpose?
- A. Yes
  - B. No
22. Have you ever been physically forced to have sexual intercourse when you did not want to?
- A. Yes
  - B. No

The next question asks about bullying. **Bullying is when 1 or more students tease, threaten, spread rumors about, hit, shove, or hurt another student over and over again. It is not bullying when 2 students of about the same strength or power argue or fight or tease each other in a friendly way.**

23. During the past 12 months, have you ever been bullied on school property?
- 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.**

24. 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
25. During the past 12 months, did you ever **seriously** consider attempting suicide?
- A. Yes
  - B. No
26. During the past 12 months, did you make a plan about how you would attempt suicide?
- A. Yes
  - B. No
27. 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

33. 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, discount store, 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 (or bummed) them from someone else
  - F. A person 18 years old or older gave them to me
  - G. I took them from a store or family member
  - H. I got them some other way
34. 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
35. Have you ever smoked cigarettes daily, that is, at least one cigarette every day for 30 days?
- A. Yes
  - B. No
36. During the past 12 months, did you ever try to quit smoking cigarettes?
- A. I did not smoke during the past 12 months
  - B. Yes
  - C. No
37. During the past 30 days, on how many days did you use chewing tobacco, snuff, or dip, 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
38. During the past 30 days, on how many days did you use chewing tobacco, snuff, or dip 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
39. 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
40. During the past 7 days, on how many days were you in the same room with someone who was smoking cigarettes?
- A. 0 days
  - B. 1 day
  - C. 2 days
  - D. 3 days
  - E. 4 days
  - F. 5 days
  - G. 6 days
  - H. 7 days

- B. Slight risk
- C. Moderate risk
- D. Great risk

The next 5 questions ask about marijuana use. Marijuana also is called grass or pot.

- 49. 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
  
- 50. 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
  
- 51. 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
  
- 52. 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
  
- 53. How much do you think people risk harming themselves (physically or in other ways), if they smoke marijuana regularly?
  - A. No risk
  - B. Slight risk
  - C. Moderate risk
  - D. Great risk

- A. Yes
- B. No

- 64. 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
  
- 65. 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
  
- 66. 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
  
- 67. 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
  
- 68. The last time you had sexual intercourse, did you or your partner use a condom?

The next 9 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.

74. 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
75. 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
76. 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
77. 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
78. 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
79. 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

**The next 6 questions ask about physical activity.**

83. During the past 7 days, on how many days were you physically active for a total of **at least 60 minutes per day**? (Add up all the time you spent in any kind of physical activity that increased your heart rate and made you breathe hard some of the time.)
- A. 0 days
  - B. 1 day
  - C. 2 days
  - D. 3 days
  - E. 4 days
  - F. 5 days
  - G. 6 days
  - H. 7 days
84. 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
85. On an average school day, how many hours do you play video or computer games or use a computer for something that is not school work? (Include activities such as Nintendo, Game Boy, PlayStation, Xbox, computer games, and the Internet.)
- A. I do not play video or computer games or use a computer for something that is not school work
  - 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

86. 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
87. 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. 31 to 40 minutes
  - F. 41 to 50 minutes
  - G. 51 to 60 minutes
  - H. More than 60 minutes
88. 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

**The next 3 questions ask about other health-related topics.**

89. Have you ever been taught about AIDS or HIV infection in school?
- A. Yes
  - B. No
  - C. Not sure
90. Has a doctor or nurse ever told you that you have asthma?
- A. Yes
  - B. No
  - C. Not sure
91. Do you still have asthma?

96. During an average week, on how many days do you take part in organized after school, evening, or weekend activities (such as school clubs; community center groups; music, art, or dance lessons; drama; church; or cultural or other supervised 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

97. Do you agree or disagree that you feel alone in your life?

- A. Strongly agree
- B. Agree
- C. Not sure
- D. Disagree
- E. Strongly disagree

98. Do you agree or disagree that in your community you feel like you matter to people?

- A. Strongly agree
- B. Agree
- C. Not sure
- D. Disagree
- E. Strongly disagree

99. Do you agree or disagree that your school has clear rules and consequences for behavior?

- A. Strongly agree
- B. Agree
- C. Not sure
- D. Disagree
- E. Strongly disagree

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



# Planned Parenthood<sup>®</sup> of the Great Northwest

March 9, 2009

The Honorable Bettye Davis  
Alaska State Senate  
State Capitol, Rm 30  
Juneau, AK 99801-1182

Dear Senator Davis:

On behalf of Planned Parenthood of the Great Northwest (PPGNW), I'm writing in support of Senate Bill 101, "*An Act relating to questionnaires and surveys administered in the public schools.*"

Planned Parenthood relies on the results of the school-based Alaska Youth Behavior Risk Survey to determine where our efforts should be in terms of education and STI prevention programs. For accurate survey results it's critical to get as many survey responses as possible. Planned Parenthood recognizes that the current regulations of active parental consent for anonymous surveys decrease the response rate significantly.

Senate Bill 101 will increase the accuracy of the vital information Planned Parenthood and many other organizations rely on to serve Alaska's young people. Thank you for addressing this issue.

Sincerely,

Clover Simon  
Vice President of Alaska  
Planned Parenthood of the Great Northwest  
(907) 770-9705  
clover.simon@ppgnw.org

Planned Parenthood of the Great Northwest  
Alaska Administrative Office - 4001 Lake Otis Pkwy  
Anchorage, AK 99508



**Position Statement on SB 101  
Relating to Questionnaires and Surveys in Public Schools**

AASB member districts need school-by-school data to increase student achievement and accurately assess the effectiveness of current programs. Since passage of HB 70 in 1999, schools have been unable to obtain an adequate sample of student information to provide reliable information. AASB supports modifying the requirements for parental or legal guardian permission for a student to participate in a questionnaire or survey administered in a public school.



## Alaska's YRBS

Alaska managed to collect enough student responses to the YRBS to get usable data twice since it began administering the survey in 1995. CDC determined that at least 60% of students in the selected sample must complete the survey for it to accurately represent student behavior across the entire state. Alaska was able to get 60% or more responses in 1995 and in 2003. In 2005, Alaska missed achieving an adequate response rate and was unable to use the data. Every effort is being made for a successful survey in 2007.

Here is a sample of Alaska 2003 YRBS data:

- 11.8% of high school boys reported carrying a weapon to school in the last 30 days
- 38.7% of high school students reported drinking alcohol in the last 30 days
- 47.5% of high school students reported having ever used marijuana
- 1 in 4 high school students reporting driving in a vehicle with a driver who drank alcohol in the last 30 days
- 1 in 5 high school girls reported seriously considering suicide in the last 12 months

For more information visit <http://www.hss.state.ak.us/dph/chronic/school/pubs/YRBSreport2003.pdf>.

DEAR PAT,

I am a health teacher who recently heard that Alaska has a law that requires parental consent for youth health surveys at school. I occasionally utilize classroom surveys with my students and now am concerned if I am following protocol. Is this true, and if so, what should I do?  
Signed, Alarmed in ABC School

Dear Alarmed in ABC School,

Alaska has had a law, AS 14.03.110, since 1999 that prohibits schools from administering surveys or questionnaires at public schools that inquire into personal or family affairs, or anything else that is not a matter of public record or readily observable in public (regardless of whether or not the surveys are anonymous and voluntary) without first getting written permission from all participating students' parents or legal guardians. This type of requirement is known as active parental consent.

According to the Centers for Disease Control Alaska is one of two or three states in the nation that has a school survey law requiring active parental consent for surveys that are anonymous and voluntary. Most states employ passive parental consent when administering such surveys. Under this system, written notice is sent out to parents informing them of the upcoming survey and the types of questions it will ask, and then permission to participate is assumed unless parents or students indicate otherwise. With passive parental consent all students and parents can decline to participate at any point in the process.

Classroom teachers need to be aware of this law as it applies to small informal surveys teachers may want to include in their instruction as well as to national surveys like the YRBS. Many teachers are surprised to learn of this law and its requirements, and are forced to revisit some of their current instructional assignments and practices to avoid violations. Teachers should check with their school administrators for further guidance.

Addressing active consent is a controversial topic. Advantages to active parental consent are greater parental involvement and less risk of students being included in surveys without parental approval. Disadvantages of active parental consent include the drastically increased costs and labor involved in conducting student surveys, the high failure rates for getting enough student responses to get usable data for larger surveys, the potential for leading to inaccurate/misrepresentative data, the research suggesting that the vast majority of parents consent to their students participating in such surveys, and that most parental failures to provide written permission are driven by apathy, oversight, or student error, not by refusal.

As a health teacher you can do several things to support collections of important health data for local, state and national use. First you can communicate with your site administrator to see if consent for surveys is built into your school's annual parental enrollment packet. Second, you can incorporate lessons on the YRBS into your curriculum, highlighting its findings and its importance. Student health projects could focus on raising community awareness and support for the YRBS and other youth risk behavior surveys. Finally, some students could choose to research Alaska's law around surveys in schools and its current effects on Alaska's youth risk behavior data collection efforts.

\*\*\*Much of the information in this edition comes from CDC's 2005 Handbook for Conducting YRBS Surveys.

Brain Booster  
Answers  
Economic  
Education Inside  
Cover 16-18

Fundamentals of HIV  
Prevention Council  
Alaska  
February 12, 13, 2005  
Anchorage, Alaska

While training teachers on  
HIV/AIDS, counseling  
substance abuse,  
counseling mental health  
problems and other  
responsibilities of HIV  
prevention counseling  
counselors, many you should  
know some of the  
responsibilities of you.

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ways to help you in the  
community of the new school  
board and the new state  
Society  
mailto:info@ced.state.ak.us

### School Health Partners:



[www.ced.state.ak.us/lj/schoolhealth/](http://www.ced.state.ak.us/lj/schoolhealth/)



[www.hss.state.ak.us/dph/chronic/school/default.htm](http://www.hss.state.ak.us/dph/chronic/school/default.htm)

**Thomas Obermeyer**

---

**From:** Friedman\_Jeff [Friedman\_Jeff@asdk12.org]  
**nt:** Monday, March 09, 2009 8:43 AM  
**o:** Sen. Bettye Davis  
**Cc:** Sen. Charlie Huggins; Sen. Donny Olson; Sen. Gary Stevens; Comeau\_Carol; Siegfried\_Robin; Steiner\_John  
**Subject:** SB 101

Dear Vice Chair Davis and Education Committee Members:

I am writing to urge your support for SB 101 which relates to questionnaires and surveys.

SB 101 returns Alaska Schools to an opt out procedure for conducting the Youth Risk Behavior Survey from the United States Centers for Disease Control and Prevention. This is a completely anonymous survey that helps asses the emotional and physical health of our children. Parents are still informed of the survey and may choose not to allow their children to participate. Students who take the survey are notified of their right to refuse to answer any question they don't want to answer.

Under current law, school districts can not permit the administration of this survey without specific parent consent. Many parents don't object, they just don't follow through with ensuring that their child gets the permission form back to school. The Anchorage School District has gone to great expense and effort to obtain returned permission forms and most of the returned forms do give permission. With the opt out system proposed by the amendments in SB 101, parents who do object will be given lots of notice of their right to object and plenty of opportunity to do so. This is a good compromise between the need to get adequate data about the health of our children and the interests of those parents who believe this anonymous survey is detrimental in some way.

: Anchorage School Board supports making the changes proposed in SB 101.

Jeff Friedman  
Anchorage School Board  
1534 D Street  
Anchorage, AK 99501  
907-742-4699 (Home)



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## Protection of Pupil Rights Amendment (PPRA)

The Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. § 1232h; 34 CFR Part 98) applies to programs that receive funding from the U.S. Department of Education (ED). PPRA is intended to protect the rights of parents and students in two ways:

- It seeks to ensure that schools and contractors make instructional materials available for inspection by parents if those materials will be used in connection with an ED-funded survey, analysis, or evaluation in which their children participate; and
- It seeks to ensure that schools and contractors obtain written parental consent before minor students are required to participate in any ED-funded survey, analysis, or evaluation that reveals information concerning:
  1. Political affiliations;
  2. Mental and psychological problems potentially embarrassing to the student and his/her 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).

Parents or students who believe their rights under PPRA may have been violated may file a complaint with ED by writing the Family Policy Compliance Office. Complaints must contain specific allegations of fact giving reasonable cause to believe that a violation of PPRA occurred.

For additional information or technical assistance, you may call (202) 260-3887 (voice). Individuals who use TDD may call the Federal Information Relay Service at 1-800-877-8339. Or you may contact us at the following address:

**Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5920**

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Last Modified: 02/17/2005

## Model Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

• *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S.

Department of Education (ED)–

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

• *Receive notice and an opportunity to opt a student out of–*

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

• *Inspect*, upon request and before administration or use –

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer to from the parents to a student who is 18 years old or an emancipated minor under State law.

[School District will/has develop[ed] and adopt[ed]] policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. [School District] will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. [School District] will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. [School District] will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

*Parents who believe their rights have been violated may file a complaint with:*

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5901

OR CALL 800-CDC-INFO (800-232-4636).  
VISIT WWW.CDC.GOV/HEALTHYOUTH  
WHERE CAN I GET MORE INFORMATION?

# DASH

Division of Adolescent and School Health



DEPARTMENT OF HEALTH AND HUMAN SERVICES  
CENTERS FOR DISEASE CONTROL AND PREVENTION



Summary of

Surveillance Activities



**DIVISION OF ADOLESCENT  
AND SCHOOL HEALTH (DASH)**

# Summary of Surveillance\* Activities

## Division of Adolescent and School Health

### Youth Risk Behavior Surveillance System (YRBSS)

National      State/Territorial/  
Tribal/District      Other

	National	State/Territorial/ Tribal/District	Other	State	District	
<b>Purpose</b>	<ul style="list-style-type: none"> <li>To determine the prevalence of health-risk behaviors among students</li> <li>To assess trends in these behaviors</li> <li>To examine the co-occurrence of health-risk behaviors</li> </ul>			<ul style="list-style-type: none"> <li>To provide national data on eight components of a school health program at the state, school district, school, and classroom levels</li> </ul>		<ul style="list-style-type: none"> <li>To provide data on school health policies and practices at schools among states, territories, tribal governments, and large urban school districts</li> </ul>
<b>Content</b>	<ul style="list-style-type: none"> <li>Unintentional injuries and violence</li> <li>Tobacco use</li> <li>Alcohol and other drug use</li> <li>Sexual behaviors that contribute to unintended pregnancy and sexually transmitted diseases, including HIV infection</li> <li>Unhealthy dietary behaviors</li> <li>Physical inactivity</li> </ul>			<ul style="list-style-type: none"> <li>Health education</li> <li>Physical education and activity</li> <li>Health services</li> <li>Mental health and social services</li> <li>Nutrition services</li> <li>Healthy and safe school environment</li> <li>Faculty and staff health promotion</li> <li>Family and community involvement</li> </ul>		<ul style="list-style-type: none"> <li>School health education requirements and content</li> <li>Physical education requirements</li> <li>Health services</li> <li>Nutrition-related policies and practices</li> <li>Family and community involvement in school health programs</li> <li>School health policies on HIV and AIDS prevention, tobacco-use prevention, and physical activity</li> <li>Professional preparation and staff development for lead health education teachers</li> </ul>
<b>Sample</b>	Nationally representative sample of public and private high school students	Representative sample of public high school students in each jurisdiction	Representative sample of students in: <ul style="list-style-type: none"> <li>Middle schools</li> <li>Alternative schools</li> <li>Juvenile justice facilities</li> </ul>	<ul style="list-style-type: none"> <li>All states</li> <li>Nationally representative sample of school districts</li> <li>Nationally representative sample of public and private elementary schools, middle schools and high schools</li> </ul>	Representative sample of public middle schools and high schools in a state, territory, tribal government, or school district	
<b>Methods</b>	Self-administered paper-and-pencil questionnaire, conducted in classrooms			Computer-assisted telephone and personal interviews and self-administered, mailed questionnaires		Self-administered, mailed questionnaires
<b>Timing</b>	Biennially, since 1991		Varied	Every 6 years, since 1994		Biennially, since 1994
<b>Example Statements</b>	In 2007, 57.3% of Hispanic female high school students in the U.S. attended physical education classes on 1 or more days in an average week when they were in school.	In 2007, 24.4% of female high school students in Kentucky attended physical education classes on 1 or more days in an average week when they were in school.	In 2007, 87.4% of middle school students in Wyoming attended physical education classes on 1 or more days in an average week when they were in school.	<b>State:</b> In 2006, 70.5% of states required districts or schools to follow national or state physical education standards or guidelines. <b>District:</b> In 2006, 68.9% of districts had someone oversee or coordinate physical education. <b>School:</b> In 2006, 78.3% of schools required students to take some physical education.	In 2006, 60.1% of secondary schools in Alabama required students to take 2 or more physical education courses.	
<b>Ownership of Data</b>	CDC	States, territories, tribal governments, and districts	Varied	CDC		States, territories, tribal governments, and districts
<b>Contractor</b>	ORC Macro	Westat, Inc., plus companies hired by states, territories, tribal governments, and districts	Varied	ORC Macro		Westat, Inc., plus companies hired by states, territories, tribal governments, and districts
<b>Web Site</b>	<a href="http://www.cdc.gov/yrbs">www.cdc.gov/yrbs</a>			<a href="http://www.cdc.gov/shpps">www.cdc.gov/shpps</a>		<a href="http://www.cdc.gov/healthyyouth/profiles">www.cdc.gov/healthyyouth/profiles</a>

\*Surveillance is the ongoing collection, analysis, and interpretation of data from generalizable samples.

# The Protection of Pupil Rights Amendment (PPRA)

**This federal law provides parents with important rights relative to surveys and certain nonemergency physical examinations conducted by schools that receive federal funds from the Dept. of Education.**

The Protection of Pupil Rights Amendment (PPRA) is a statute originally enacted in 1978 that provides parents with important rights regarding surveys performed by schools. Such surveys may be overly intrusive and personal or may collect information for purposes other than those represented. The PPRA and a second federal law known as FERPA are enforced by the Family Policy Compliance Office (FPCO) of the US Dept. of Education. Complaints regarding PPRA violations, including non-notification (failing to annually notify parents of their rights under the PPRA), must be filed by mail to the FPCO. Questions regarding the PPRA can be addressed to the FPCO by phone at (202) 260-3887 or by e-mail at [ppra@ed.gov](mailto:ppra@ed.gov) (we have found them to be very friendly, helpful and responsive).

The PPRA applies to any school that receives funds from the US Dept. of Education.

A summary of the PPRA is located here. In 2002, Phyllis Schlafly of the Eagle Forum made the observation that compliance with the law has been spotty ever since its inception.

The PPRA statute as it existed prior to January 2002 is available here.

The law as amended in January 2002 (the No Child Left Behind Act of 2001) has significantly strengthened the rights of parents, as follows:

- It now requires written parental consent prior to administering ED-funded surveys that include questions falling into any of the following eight categories:
  1. political affiliations or beliefs of the student or the student's parent;
  2. mental and psychological problems of the student or the student's family;
  3. sex behavior or attitudes;
  4. illegal, anti-social, self-incriminating, or 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;
  7. religious practices, affiliations, or beliefs of the student or student's parent; or
  8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
- It now provides for the first time rights regarding surveys *not funded by the US Dept. of Education*. Schools are required to develop and adopt policies - *in conjunction with parents* - regarding the following -

1. The right of parents to inspect, upon request, a survey created by a third party before the survey is administered or distributed by a school to students.
  2. Arrangements to protect student privacy in the event of the administration of a survey to students, including the right of parents to inspect, upon request, the survey, if the survey contains one or more of the same eight items of information noted above.
  3. The right of parents to inspect, upon request, any instructional material used as part of the educational curriculum for students.
  4. The administration of physical examinations or screenings that the school may administer to students.
  5. The collection, disclosure, or use of personal information collected from students for the purpose of marketing or selling, or otherwise providing the information to others for that purpose.
  6. The right of parents to inspect, upon request, any instrument used in the collection of information, as described in number 5.
- Local educational agencies (LEAs) must "directly" notify parents of these policies and, at a minimum, shall provide the notice at least annually, at the beginning of the school year--a sample notification and consent/opt-out examples are provided here. The LEA must also notify parents within a reasonable period of time if any substantive change is made to the policies.
  - In the notification, the LEA shall offer an opportunity for parents to opt out of (remove their child) from participation in the following activities:
    1. Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.
    2. The administration of any third party (non-Department of Education funded) survey containing one or more of the above described eight items of information.
    3. Any non-emergency, invasive physical examination or screening that is: 1) required as a condition of attendance; 2) administered by the school and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students.
  - In the notification, the LEA shall notify parents the specific or approximate dates during the school year when these activities are scheduled.

The Wisconsin Dept. of Public Instruction prepared these instructions/guidelines on surveys and the PPRA for school officials in January 2003.

### **Surveys in Public Schools--Application of the PPRA**

To better understand what might constitute a violation of PPRA, here are several recent examples where surveys have been given or are planned to be given in public schools:

**School Survey in Virginia--2003** This site discusses a survey to be given to Fairfax County, Virginia high school students in April 2003. Although Fairfax County Attorney David Bobzien ruled that no federal funds are involved in the survey and that it is therefore "a local initiative not requiring

informed parental consent," the survey would likely violate the PPRA as amended in January 2002 if students were not allowed to opt out of taking it.

**Alleged Violation of PPRA in Minnesota--2002** This site describes what appears to be a recent violation of the PPRA that occurred at the Mahtomedi, Minnesota High School in September 2002. Freshmen were shown two videos on homosexuality, then assigned to complete an "assessment" (translation--survey) to determine if they "harbored hidden biases toward straight people, or against gay people." The survey is posted at [tolerance.org](http://tolerance.org).

**Alleged Violation of PPRA in Ohio--2000** Parents sued an Ohio school district after their children were given an intrusive survey--although their original PPRA complaint was dismissed because the survey in question was not federally funded, the parents and the school board reached a settlement while the case was on appeal. Note that since passage of the NCLB Act, the PPRA now applies to *all surveys*, not just those performed using DOE funds.

**Intrusive Survey in Connecticut--2000** The New Milford, Connecticut, school district gave students as young as 11 the "Youth Risk Behavior Survey". Administrators claim they complied with the PPRA (which requires parental consent for federally-funded surveys) by sending a letter home advising parents that they could opt their children out of the survey, but the letter gave no warning that some questions would be explicit and many parents claim they never saw it. Under the new provisions of the NCLB Act, the schools would now require "active consent" from parents prior to administering such a survey.

**Survey in New York State** This site details the chronology of events during 1999 and 2000 after it was decided that a "Youth Risk Behavior Survey" would be given to local students in grades 7 through 12. The survey included questions related to sex, drugs and alcohol.

**Violation of PPRA in New Jersey--1999** This rather extensive site documents what happened after an intrusive anonymous survey was given in the Ridgewood, NJ School District in 1999 using Dept. of Education funds. The FPCO ruled that the PPRA had been violated and the incident ultimately resulted in the passage of a NJ state law that provides even more protection for the rights of NJ students than guaranteed by the PPRA. In June 2004 a Federal District Court held that students' and parents' rights were not violated because the survey was "voluntary and anonymous", but an appeal was filed in September 2004 claiming the survey was not in fact administered in a strictly voluntary and anonymous manner.

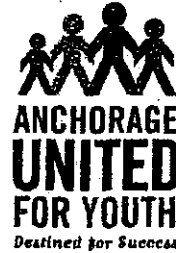
**Violation of PPRA in Texas--1999** This site summarizes a case brought against the San Antonio School District for violation of the PPRA that occurred when high school students were given an intrusive psychological survey that asked personal questions such as "Do you ever wish you were a boy or girl instead of what you are?"

### **What You Should Do**

Parents--talk to your kids, and find out if they are being given surveys that ask questions that fall into any of the categories listed above. Students--if you're given surveys, even anonymous ones, that you feel are too personal or intrusive, tell your parents. Let's keep the schools focused on education!

Last updated October 2004

Legal Disclaimer



February 11, 2010

The Honorable Wes Keller  
Alaska State House Representative  
State Capitol Room 13  
Juneau, Alaska 99801

Dear Representative Keller:

The Leadership Team of Anchorage United for Youth is writing again to request your support for Senate Bill 101, *"An act relating to questionnaires and surveys administered in the public schools."*

Over the past three years, we have been able to energize an entire community around supporting our youth to help them graduate from high school and transition to a healthy and successful adulthood. To guide the planning process for this initiative, and to track its progress in order to remain accountable to ourselves, our community, our funders, and our young people, Anchorage United for Youth has drawn upon the vital information gleaned from the YRBS. When our community saw that almost 20% of our youth reported being physically hurt on purpose by a boyfriend or girlfriend in 2005, it was clear that this was a number we could not accept or allow to continue. Alaska already has one of the highest rates of domestic violence per capita in the nation. Our collaborative effort and our partners are determined to provide a better future for our children.

When our community saw that over 40% of our youth were drinking alcohol and almost 30% were binge drinking, we knew that we must come together to help our kids reject alcohol use in order to keep them safe. Tracking this data over time tells us if we are succeeding and where there is more to be done to bolster our youth.

One of the programs borne of this community effort was the Mountain View Photovoice project that provided the opportunity for at-risk youth to come together in a safe environment, learn a form of artistic expression, think critically about their surroundings, and talk with their peers and supportive adults about issues that were important in their lives. An excerpt from the narrative report at the culmination of this project is below:

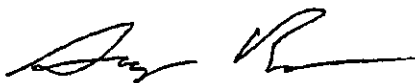
*"A 17-year-old, 300-pound young Samoan man, who had spoken earlier about fighting as a regular activity and who tended to sit in the back and disengage, related [his] photo to the colorlessness and emptiness of life in his adolescence and began to speak of his pain, his loss, his nightly drinking. His eyes got wet as he spoke of the deaths he has suffered. And as we listened and spoke, his eyes grew wider open and he sat closer to us...Even as they shared, and even as the 17-year-old young man was desperately asking for help, we could tell that he was reticent about getting professional help. He spoke of cruelty, of fighting, of drinking, and I knew I couldn't push too hard but had to respond. So I found out about treatment services for teens and spoke to him about them quietly. He came back on Wednesday saying that he and his sister had quit drinking, and on Friday that they are going to AA meetings together. Over a month later, he is still clean even though his sister has begun drinking again and even after suffering the murder of his 15-year-old cousin. This young man even wrote that we should stop violence in Mountain View....[The photographer] has since then gone to hang out and shoot photos with him, keeping him engaged through this art form for which he shows almost a preternatural ability, and keeping him connected to a non-violent adult who cares for him."*

This is but one of many projects and programs being conducted in our community in an effort to strengthen and support our youth and their families. We measure the success of this combined effort through the data collected from the YRBS.

We recognize and support the important role of parents in choosing what's best for their children. We support Senate Bill 101 because it maintains and strengthens current parent notification provisions. It ensures that parents are informed that the survey will be given, provides for the opportunity to review survey content, and allows parents to choose not to allow their children to participate. This bill supports both parental involvement and the ability to better serve our youth.

We thank you for your commitment to youth in the state of Alaska and ask for your support of Senate Bill 101.

Sincerely,



Greg Razo, CIRI Corporation  
Chair, Anchorage United for Youth Leadership Team

Anchorage United for Youth Leadership Team

cc: House Health and Social Services Committee Members (Tammie Wilson, Bob Lynn, Paul Seaton, Sharon Classna, Lindsey Holmes)

Distributed by Representative Bob Lynn – from legislative Blog written 5/3/2007

THURSDAY, MAY 03, 2007

## ALASKA YOUTH RISK BEHAVIOR SURVEY ANOTHER "THAT'S INCREDIBLE AWARD"



I harbor a dated concept that schools should teach reading, writing, arithmetic, history and geography (now morphed into “social studies”), music, art and yes, even vocational education. There may be other subjects (dare I say “home economics?”) worthy of curriculum inclusion, but surely you get my point. Please notice I didn’t mention “behavior surveys.”

Question: So why am I bringing up this up in today’s blog? Answer: House Bill 207, entitled “An Act relating to Questionnaires and Surveys Administered in Public Schools,” came before a committee this week. I voted “Do Not Pass.”

According to the bill’s Sponsor Statement, HB 207 changes parental consent requirements for “anonymous” school surveys from an active to passive consent. That means an opt-out instead of opt-in for your parental permission to conduct an “Anonymous” School Surveys on your kid. And what survey does the bill contemplate? – I hear you cry. It’s the invasive 99 question “Anonymous” School Survey called “The Alaska Youth Risk Behavior Survey (hereinafter in the blog to be called AYBS).”

Currently the AYBS cannot be given to students without signed parental consent. Good. That means a consent form to the parent via the child, returned to the school by the child: that’s called “active consent.” Unfortunately, HB207 would change it so “consent” occurs if the school doesn’t receive back a non-consent form from the parent. Come on now . . . I can tell you, both as a parent and retired teacher, that notes don’t always make it home, and all notes from home don’t make it back to school. This isn’t rocket science.

So what's included in the 99 question invasive "Anonymous" Survey? If you want to see for yourself, check out [www.asd.k12.ak.us/surveys/YRBS/2005/2005\\_YRBS.pdf](http://www.asd.k12.ak.us/surveys/YRBS/2005/2005_YRBS.pdf). I don't make this stuff up.

Let me report some of the more salacious questions (If I heard someone ask some of these questions to a kid selling lemonade from a sidewalk stand, I'd call the cops).

Question 1: How old are you? Response A is 12 years old or younger. Response F is 17 years old. Comment: If a child taking the survey wasn't 12 years old or younger, pray tell what would be the purpose of Question 1?

Question 25: During the last 12 months, did you ever seriously consider attempting suicide?

Question 26: . . . did you make a plan about how you would attempt suicide?

Question 27: . . . how many times did you actually attempt suicide?

Possible answers are: 0, 1,2 or 3, 4 or 5, 6 or more times.

Comment: Well, if a kid hadn't thought of suicide already, the survey takes care of that.

Question 47: Have you ever used marijuana? Answers range from 0 to 100 or more.

Questions 48 through 58 ask the same question about a plethora of other drugs the kids may not have even known about.

Comment: Hopefully, a kid who answers 0 on questions 47 to 58 doesn't think of themselves an under-achiever. That would be bad for self-concept.

Now, the questions blog readers have been waiting for:

Question 60: Have you ever had sexual intercourse? Answer: Yes or No.

Question 61: How old were you when you had sexual intercourse for the first time?

Answers: I have never had sexual intercourse, 11 years old or younger, 12, 13, 14, 15, 16, 17.

Question 62: . . . with how many people have you had sexual intercourse? Answers range

from 0, to 6 or more.

Question 65: . . . did you or your partner use a condom?

Question 66: The last time you had sexual intercourse what method did you or your partner use to prevent pregnancy (select only one response) Answers: none, birth control pills, condoms, Depo-Provera, withdrawal, some other method, not sure.

Suggestion: How about adding a possible response to questions 60-66 of "None of your flipping (to use Governor Murkowski's innocent word) business" after Yes or No?

Question 92: How often does one of your parents talk with you about what you're doing in school? Comment: Here's another opportunity for the answer "none of your flipping business."

After taking this survey, it would be logical for a student to conclude that illegal and immoral conduct is normal and, if they answered with "low scores" on sexual activity, etc., think they are "abnormal," or at least a nerd. No kid (or adult) wants to be abnormal. The ABYS is almost like peer pressure by survey.

It's amazing to me that so many folks stridently call the Patriot Act and the Real ID Act "invasions of privacy," but think nothing about assaults on privacy of our children and parents with surveys like the AYBS.

There are also other dangers to the ABYS. If parents refuse permission for the survey, what happens to the excused kids? Do they sit in a corner of the room, go to a study hall? Whatever, I'm sure kids who don't take the survey will be singled out. Knowing kids like I do, the excluded children will suffer cruel ridicule from the other kids. Shouldn't happen. But it will.

The survey is supposed to be "anonymous." Good. But anonmunity is easily subverted by anyone who would want to. If the survey is administered in a small class – maybe one to five – it's even easier to discover identities.

Consider this: would you take a similar "anonymous" survey from your employer? Now here's an interesting thought: would legislators submit themselves to an "anonymous"

ABYS type "at risk" survey, if constituents approved?

Why do the schools want to give such surveys? Let's be positive. Many good teachers and school administrators want to help "at risk" kids, and envision the ABYS survey as one way to do it. There's probably no bad intent. They mean well, but they simply haven't thought it through. Can some good come from such surveys? Sure. But, like most things, there can be both intended and unintended consequences. For me, the surveys are (as one commentator put it) "a sociological strip search" of children, and whatever good may result could be outweighed by the bad.

There's also another reason schools want to change permission for the surveys from active to passive. Some state and federal grant programs require a certain percentage of surveys to be conducted to qualify. Grants can seduce districts into using surveys to interrogate students just to get the money. As we say in politics, "Follow the money."

HB207 passed out of the committee today (but not with my vote), and continues its journey through the legislature. Win Some. Lose some.

# Anchorage School District

## IMPORTANT RIGHTS FOR PARENTS CONCERNING STUDENT SURVEYS

The Federal Protection of Pupil Rights Amendment (PPRA), 20 U.S.C § 1232h, requires the Anchorage School District to notify you and obtain consent to allow your child to participate in certain school activities. These activities include a student survey, analysis or evaluation that concerns one or more of the following eight areas ("protected information surveys"):

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

The Alaska State Statute and Anchorage School District Board policy also have requirements regarding surveys that require parental consent.

By Alaska State Statute, AS 14.03.110:

Parental permission is required for surveys that inquire into personal or private family affairs of the student not a matter of public record or subject to public observation.

- Parents/guardians may provide "blanket" permission, once per year, for their student to participate in anonymous surveys requiring parental consent.
- For any survey that is not anonymous and requires parental consent, the District will obtain the written permission from the student's parent or guardian at least two weeks before the survey is administered.
- In addition, for all surveys requiring permission, parents will be provided notice and an opportunity to review the survey at least two weeks in advance of the administration of the survey.

By District Board policy:

1. Each year, the District may seek the annual permission of each parent/guardian for their child to participate in anonymous surveys.
2. For those surveys that are not anonymous and require parental permission, the District shall provide a permission form to be returned by the parents/guardians and the permission form must be returned at least two weeks before the administration of the survey.

### 2009-2010 Surveys

For surveys that require notice to parents/guardians, the notice will be provided through your school newsletter, school Web site, emails, and/or other methods. At this time, one survey is planned that requires parental permission: the Aggressors, Victims and Bystanders Survey. This survey is anonymous.

1. Aggressors, Victims and Bystanders Survey (AVB)  
Dates: August – December, 2009  
Grade: Seven

By signing the following Annual Survey Permission Form, your student may participate in this survey. For surveys scheduled after the school year starts, the Anchorage School District will provide parents/guardians at least two weeks notice prior to the administration of the surveys. Notification will come to you through your school newsletter, school Web site, emails, and/or other methods and will advise you of your opportunity to review the surveys.

**The following surveys do not require parental permission. The District will provide notice through your school newsletter, school Web site, emails, and/or other methods at least two weeks prior to the administration of the surveys.**

1. Climate and Connectedness Student Survey  
Dates: January 19 – February 10, 2010  
Grades: Three through Twelve

2. OCR – Athletic Interest Survey  
Dates: October 5 – 29, 2009  
Grades: Eight through Twelve

**ANNUAL SURVEY PERMISSION FORM**  
**2009-2010 School Year**

I understand that the Anchorage School District may administer, or be permitted to administer, anonymous surveys that require parental permission. I understand that as the parent or legal guardian of this student, I may review any of the survey instruments and determine the appropriateness of the survey in relation to my student. I can remove my student from the survey administration.

Printed name of student: \_\_\_\_\_

School: \_\_\_\_\_

Student ID: \_\_\_\_\_

Grade for 2009-2010 school year: \_\_\_\_\_

Printed name of parent/legal guardian: \_\_\_\_\_

Signature of parent/legal guardian: \_\_\_\_\_

I give my approval to administer anonymous surveys to my child this year. I understand that anonymous surveys may inquire into private matters, as explained in the Important Rights for Parents Concerning Student Surveys. I understand that I may review the survey to be given no less than two weeks prior to administration, and I may remove my child at that time if I wish. I further understand that I may revoke this annual permission at any time.

I do not give my approval to administer any anonymous survey that inquires into personal or private family affairs of the student to my child during the 2009-2010 school year.

# *Policy*

## BOARD OF EDUCATION JUNEAU SCHOOL DISTRICT

PROGRAM  
1432/page 1

### STUDENT ATHLETE MANDATORY DRUG TESTING

The Board of Education recognizes that drug abuse is a serious concern in the District's schools and in our community. Drug use by students is physically and emotionally harmful, interferes with the learning process and is detrimental to the welfare of all members of the school community. Further, drug use by students who participate in District athletic programs poses a direct threat to the health and safety of those students and the students with whom they compete.

Participation in extracurricular athletic activities is a privilege available to those students who are willing and able to comply with the requirements for participation in the activity. Some students have abused that privilege by using drugs while participating in athletic activities and by encouraging other students to use drugs. The measures the District has previously taken to prevent student drug abuse have not proven effective to stop that abuse. Consequently, the Board has decided to implement a random drug testing program as a condition of participation in competitive extracurricular athletic activities at the high school level.

The purposes of the program are to 1) help protect the health and safety of all students, 2) help counteract negative peer pressure by providing students with a reason to refuse drugs, and 3) encourage and assist students with drug problems to seek help in overcoming those problems.

As used in this policy and the accompanying regulations, the terms "drugs," "prohibited drugs" and "illegal drugs" include any controlled substance the use of which is prohibited by AS 11.71 in the absence of a valid prescription, tobacco and alcohol, to the extent that students have consumed any of these substances illegally.

Students who desire to participate in high school competitive extracurricular athletic activities shall be required to complete a form signed by the student, and by the student's parent or guardian if the student is a minor, authorizing the District to conduct drug testing on a random basis. The completed form must be submitted before the student may participate in any aspect of a covered activity.

The District's drug testing program shall incorporate procedures for drug testing consistent with applicable legal standards. The program shall include procedures that ensure the confidentiality of student test results and shall require all persons having access to those results to abide by those procedures.

The drug testing program shall also include appropriate consequences in the event of a positive test. Consequences shall be confined to exclusion from covered athletic activities and any applicable periods of exclusion required by the citizenship rules of the Alaska School Activities Association (ASAA); students shall not otherwise be excluded from activities. A positive test in response to random drug testing shall not result in suspension from school or any other academic consequence, nor shall positive test results be reported to law enforcement authorities.

# *Policy*

## BOARD OF EDUCATION JUNEAU SCHOOL DISTRICT

PROGRAM  
1432/page 1

The Superintendent shall develop administrative regulations to implement the District's drug testing program. The District shall provide educational events for parents, guardians, students and the community on alcohol and other drug abuse and the district's policies, rules and regulations relating to drug testing and drug abuse, including the use of suspicion-based drug testing and when and why students may be referred for assessment.

The District will implement evidence-based, comprehensive K-12 educational programs and curricula to assist students in building skills to prevent alcohol and drug use/abuse in accordance with Board Policy # 5530, Drug Abuse. The Superintendent shall direct staff to work with other agencies to improve local support systems for students who are identified as needing intervention and assistance, and shall provide for the training of staff in the District's drug prevention, testing and intervention programs as outlined in Board Policy #5530, Drug Abuse and its accompanying regulations. In addition, the Superintendent shall provide for the periodic assessment of the effectiveness of the District's drug testing, prevention and educational programs.

Adopted 10/5/09

# *Rules & Regulations*

BOARD OF EDUCATION  
JUNEAU SCHOOL DISTRICT

PROGRAM  
1432R/Page 1

## STUDENT ATHLETE MANDATORY DRUG TESTING

Drug testing, including testing for the presence of illegal drugs, tobacco and alcohol, will be required during the term of the athletic activity for students who participate in competitive high school extracurricular athletic activities. The term of the activity in which a student is subject to testing shall be determined as provided in Administrative Regulation 1430R, Student Activities. A complete list of covered activities is set out in Appendix A.

### **Consent**

Prior to participating in any activity covered by this policy, a student and, if the student is a minor (under the age of eighteen), his or her parent will be required to complete and sign the District's Informed Consent Agreement. The agreement will state that the student, and his or her parent, if applicable, understands that by participation in the extra-curricular activity the student agrees to subject himself/herself to the district's drug testing policy. No student will be allowed to participate in practice or competition until this form is completed, signed and on file with the district. One signed form will be sufficient to authorize testing for all covered athletic activities a student participates in during a given school year.

### **Testing Procedure**

Random testing will be conducted weekly during the term of each covered activity. Approximately 15% of the students participating at each school in each sports program that is in season will be tested each week. For purposes of calculating the number of students to be tested, boys' and girls' teams constitute separate programs. Co-ed teams constitute single programs. A program consists of all the teams (varsity, junior varsity, "C" teams, etc.) competing in a particular sport. Students shall be selected for testing by lottery drawing or other random means from a pool of all students participating in a given sport at the time of the drawing. The individual or agency in charge of selecting students for testing shall take all reasonable steps to assure the integrity, confidentiality and random nature of the selection process including, but not necessarily limited to, assuring that the names of all students currently participating in covered activities are included in the pool, assuring that the person drawing names has no way of knowingly choosing or failing to choose particular students for testing, assuring that the identity of students drawn for testing is not known to those involved in the selection process and assuring direct observation of the selection process by at least two adults.

### **Scope of Testing**

Prohibited drugs include any controlled substance the use of which is prohibited by AS 11.71 in the absence of a valid prescription, alcohol and tobacco, to the extent that students have consumed any of these substances illegally. Testing will be performed for one or more prohibited drugs and/or their metabolites. A list of the substances for which testing may be performed is set out in Appendix B. Students shall not be tested for the presence of any substance other than a prohibited drug, nor shall they be tested for the existence of any physical condition other than drug intoxication and/or the presence of prohibited drugs in their systems.

# *Rules & Regulations*

BOARD OF EDUCATION  
JUNEAU SCHOOL DISTRICT

PROGRAM  
1432R/Page 2

## **Testing Protocol**

The District will schedule all testing. District personnel shall designate a certain area in each high school building as the collection site. Initial screening tests will be conducted by personnel provided by an outside testing agency. Those personnel or "test administrators" shall be trained in appropriate procedures for administering the test, recognizing adulteration of samples and evaluating test results.

### Specimen Collection

Students to be tested shall present verification of their identities to the test administrator, if the test administrator does not personally know them. In the absence of other verification, a school administrator may verify a student's identity to the test administrator.

#### 1. Urine Collection

Students shall be asked to remove any jackets or coats and to wash and dry their hands prior to collection of the specimen. Students must leave their purses, packs, wallets and similar items outside the collection site to prevent access to adulterants. These procedures must be completed in the presence of the test administrator.

A student shall be given a choice of at least two sealed drug-testing kits. The student's selected kit shall be opened in full view of the student. The student shall then be directed to a private area for production of a urine specimen. All students providing urine samples shall be given the option of doing so alone in an individual stall with the door closed. The collection and testing process shall be performed in a manner that protects student privacy to the maximum extent consistent with ensuring the validity and accuracy of the test results.

After testing, the student must present the specimen to the test administrator prior to washing his/her hands or flushing the toilet. The specimen shall remain in the student's visual field while the test administrator conducts the following procedures. The test administrator shall measure the specimen and record its temperature. The test administrator shall then divide the specimen in half and shall conduct initial screening using one of the halves. If that screening yields a negative result, the entire specimen will be discarded. If the screening yields an inconclusive or presumptively positive result, the remaining half of the specimen shall be sealed and transmitted as a split specimen to a testing laboratory that has been certified or approved by the federal Substance Abuse and Mental Health Services Administration for confirmatory testing. The student shall be requested to initial and date a form identifying the specimen.

If a student is unable to produce a urine specimen at the time for testing, the student will be allowed to return to provide a specimen later that same day.

# *Rules & Regulations*

BOARD OF EDUCATION  
JUNEAU SCHOOL DISTRICT

PROGRAM  
1432R/Page 3

## **Confirmatory Testing**

The testing laboratory shall conduct confirmatory testing using gas chromatography/mass spectrometry (GC/MS) techniques or other techniques that produce equally reliable results.

For substances other than alcohol or nicotine, tests shall not be considered positive unless the substance to be tested or its metabolite is present at a level equal to or greater than the cutoff level established by the United States Department of Health and Human Services for that substance in connection with federally-mandated workplace drug testing programs. For tobacco and alcohol, cutoff levels shall be set to exclude positive tests due to environmental exposure or incidental ingestion of those substances. See Appendix C for tobacco and alcohol cutoff levels.

A licensed physician or osteopath shall review all positive confirmatory test results. The physician or osteopath shall contact the student and a parent, if the student is a minor, within 48 hours of receiving a confirmatory positive test/result from the laboratory and offer an opportunity to discuss the test results. Students may be requested to provide verification of prescriptions or other relevant medical information. Test results that the physician or osteopath concludes are caused by medicine prescribed for the student or by the legal ingestion of any substance, including alcohol or tobacco, shall be reported as negative.

## **Notification of Testing**

District personnel will make every reasonable effort to notify a parent of any minor student who has been tested that the student has been tested and the results of the initial screening within one school day following the initial screening. District personnel will also make every reasonable effort to notify students and at least one parent, if the student is a minor, of the results of confirmatory testing within one school day following the District's receipt of the results. If the confirmatory test is positive, then the consequences stipulated by these regulations will be enforced, except as provided below.

## **Requests for Re-test**

An opportunity for re-test of a specimen following a confirmatory positive test shall be provided when it is technologically practicable and economically reasonable to do so. The student may request a re-test, using the split specimen initially provided to the lab, within three calendar days following notification of positive confirmatory testing results. The student will be required to pay the associated costs of re-testing in advance unless excused from the obligation to pay due to financial inability to pay, but the costs will be reimbursed if the result of the re-test is negative.

# *Rules & Regulations*

BOARD OF EDUCATION  
JUNEAU SCHOOL DISTRICT

PROGRAM  
1432R/Page 4

## **Appeal**

Regardless of whether a student requests that a specimen be retested, the District shall provide an opportunity for the student and a parent, if the student is a minor, to comment on or explain a positive test result to the principal or designee in a confidential setting prior to taking any action to exclude the student from participation in an extra-curricular activity. A student shall have the right to appeal the principal's decision regarding an exclusion based on random drug testing results in accordance with the procedures established in Board Policy 5710, Student Grievance. Consequences for positive testing shall not be held in abeyance pending appeals past the principal's level unless the principal or Superintendent determines that unusual circumstances justify holding them in abeyance.

## **Right to Review Test Results**

Students and the parents of minor or dependent students have the right to review any records the district maintains related to the student's testing. Written test results will be maintained for at least six months following testing. Students and the parents of minor or dependent students shall have the right to obtain a copy of the written results of the student's tests if they make a written request to the principal for those results within six months after the date of the test. If a student or parent requests written test results in connection with an appeal, the principal shall make every reasonable effort to provide the results within one school day of receiving the request, and shall provide them before the principal's meeting with the student and parent. Otherwise, the principal shall provide the written results to the student or parent within five working days of receiving a timely written request for test results.

## **Refusal to be Tested**

Should a student and/or minor student's parent refuse to permit testing of the student when the student has been selected for random testing under this regulation, the student will be excluded from participation in covered athletic activities to the same extent the student would have been if the student had tested positive, and shall not be permitted to participate in covered athletic activities until the applicable period of exclusion has expired and the student has produced at least one negative drug test.

## **Alteration or Manipulation of Specimens**

The use of substances and methods to alter the integrity of specimens or the validity of test results is prohibited. Examples of prohibited alteration or manipulation include catheterization, urine substitution or adulteration, and modification of renal excretion by the use of diuretics or masking substances or agents.

# *Rules & Regulations*

BOARD OF EDUCATION  
JUNEAU SCHOOL DISTRICT

PROGRAM  
1432R/Page 5

## **Violations**

The following constitute violations for purposes of imposing consequences on students pursuant to these regulations:

- a. Positive test results;
- b. Refusal to take a drug test, unjustified delay in reporting for testing, or unjustified failure to produce a specimen for screening;
- c. Violation of testing protocols by student;
- d. Manipulating, altering or attempting to alter or manipulate the integrity of a specimen or the validity of the collection and testing process.

Positive test results will lead to consequences under both these regulations and the Alaska Student Activities Association's rules, where applicable, as provided below. The violations described in b. through d. above will lead to consequences only under these regulations.

## **Consequences for Violation**

Students who test positive shall be required to complete a substance abuse assessment by a trained substance abuse counselor, and to provide a doctor's or osteopath's certification that the student has successfully completed a course of treatment or otherwise resolved any concerns relating to the student's use of prohibited drugs, in order to be eligible to participate in any future covered athletic activity. Students who violate the requirements of these regulations shall be excluded from participation in the athletic activity in which they are currently participating for the remainder of the season, and shall be excluded from all other athletic activities covered by this policy for a period of thirty days. The 30-day period of exclusion shall run from the first day of exclusion from the student's current activity. For example, a student who commenced serving a term of exclusion during one activity and 20 days prior to the start of another activity would be excluded from participation in the subsequent activity for the first 10 days of that activity. The period of exclusion may be reduced to ten days for athletic activities that have not yet commenced if the student completes a substance abuse assessment and provides medical certification of the student's successful participation in any needed intervention, as provided above. Regardless of whether a student's exclusion is due to a positive test, a refusal to submit to a test after being selected for random testing, or to a violation of the testing protocols, the student must produce at least one negative drug test prior to participating in future covered athletic activities. In addition, positive test results shall be reported to the Alaska School Activities Association (ASAA) as a violation of ASAA's citizenship rules and students who test positive shall be subject to any applicable period of exclusion required by ASAA rules, but shall not otherwise be excluded from activities. Students shall not be subject to any other form of discipline or penalized academically as a result of a violation of these regulations, nor shall positive test results be reported to law enforcement authorities.

# *Rules & Regulations*

BOARD OF EDUCATION  
JUNEAU SCHOOL DISTRICT

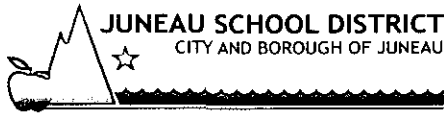
PROGRAM  
1432R/Page 6

## **Confidentiality of Test Results**

The District will limit disclosure of information acquired through drug testing to the student, the parent of a minor or dependent student, the test administrator, laboratory and medical review personnel, and district officials with a need to know, typically including the student's coach, principal, any counselor assisting the student in connection with intervention or rehabilitation services and any school official considering the student's appeal of consequences imposed for a violation of these regulations. The information reported to ASAA shall be restricted to the information required by ASAA for reporting violations of ASAA citizenship rules. Test results and other personal and confidential information regarding a student acquired as a result of the testing process shall not otherwise be released without the student's or minor student's parent's written consent, except where disclosure is compelled by law.

Adopted 10/5/09

10/14/09



**PROGRAM  
FORM #1432A**

## **STUDENT ATHLETE MANDATORY DRUG TESTING**

### **Student Athlete, Parent/Guardian Informed Consent Agreement for the \_\_\_\_\_ School Year**

I have read the attached Board Policy 1432 and Administrative Regulation 1432R on Student Athlete Mandatory Drug Testing for high school participants.

I understand that submission to drug testing is a condition of my participation in school sponsored competitive extra-curricular athletic activities. I understand the terms used in the policy and regulations and the process for conducting mandatory drug testing, including the penalties for violations.

I authorize Juneau School District and the individuals they contract with to conduct a test on a urine and/or saliva specimen that I provide to detect the presence of alcohol, tobacco or illegal drugs. I also authorize release of information concerning the results of such a test to school officials and to the individuals contracted with by the Juneau School District for drug testing and medical review of the testing results, as provided in Juneau School District Administrative Regulation 1432R.

This agreement shall be deemed consent pursuant to the Family Educational Rights and Privacy Act for the release of above information to the parties named above.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student Printed Name

I understand that submission to drug testing is a condition of my student's participation in school sponsored competitive extra-curricular athletic activities. I hereby consent to the testing of my child for the Student Athlete Mandatory Drug Testing and to the release of information concerning the testing as provided above.

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent Printed Name



February 2, 2010

The Honorable Bob Herron  
 Alaska State House Representative  
 State Capitol Room 411  
 Juneau, AK 99801

Dear Representative Herron,

I am writing to you as the Executive Director of Anchorage's Promise – the Alliance for Youth in support of Senate Bill 101, "An Act relating to questionnaires and surveys administered in the public schools."

The Youth Risk Behavior Survey (YRBS) is a tool used by multiple community-serving organizations, including Anchorage's Promise to monitor the health and well-being of Alaskan youth. YRBS data is a critical resource used by our organization to set and monitor performance measures that our agency is actively engaged in addressing. Additionally, the findings presented provide additional help in seeking funding for program services that focus on reducing health risk behaviors among youth.

Anchorage's Promise works to mobilize all sectors of our community to build the character and competence of Anchorage's children and youth by fulfilling *Five Promises; caring adults, safe places, healthy start, effective education, opportunities to help others.*

To successfully do this successfully, we require reliable and statistically valid community data. Routine standardized surveys such as the YRBS allows us to track trends over time and help guide and evaluate the important youth programs we implement to keep our youth on track to graduate from high school, avoid delinquency and reject substance use.

When determining your vote, please consider the following:

- The YRBS has a required response rate of 60% to make it statistically valid.
- Current legislation requires active parental consent which presents significant obstacles and costs to achieving this response rate.
- Approximately \$90,000 is spent for just one survey cycle in order to provide the incentives necessary to simply get permission slips returned. However, failure to return permission slips is primarily linked to apathy, oversight, and student error, not parental refusal of permission, which averages around 10%.
- SB 101 protects previously legislated parental rights to consent, parental rights to notification, and children's right to refuse participation.

We support SB 101 because it continues to provide these protections and respects the privacy of families, while removing the obstacles to obtaining this vital data that allows us to track and improve conditions for our youth. We ask for your support of this very important legislation.

Please contact me if I can provide any additional information about how critical this data is to our community's youth.

  
 Debbie Bogart

*Building Caring Communities with Five Promises*

- 1 Caring Adults 2 Safe Places 3 Healthy Start 4 Effective Education 5 Opportunities to Help Others

Anchorage's Promise – the Alliance for Youth  
 4011 - Zeno Suite 202 Anchorage, AK 99503  
 P: (907) 465-4589 Fax: (907) 472-1798

<http://www.anchoragespromise.org/> www.anchoragespromise.org T: (907) 465-4589

701 West 8th Avenue, Suite 230  
Anchorage, Alaska 99501  
tel 907.263.3800  
fax 907.263.3801  
www.unitedwayofanchorage.org

February 1, 2010



To Representatives Wes Keller and Bob Herron, co-chairs of the House Health and Humans Services Committee; and committee members:

I am writing to ask for your full support of SB101, legislation to change the Youth Risk Behavior Survey, to passive parental consent.

This may be a larger issue than you realize. The YRBS provides community level data that is absolutely critical to our community's ability to provide the services and support our youth need in order to be successful.

This data makes it possible for us to hold ourselves and the community ACCOUNTABLE for accomplishing what we say we want to accomplish. We use many points of data from the YRBS, such as substance use rates, weight, youth perception of sufficient supportive adults in their lives, youth perception of opportunities to engage in the community, and more. We actually have strategic community plans, with cross-sector participation and aligned planning and reporting to improve these community indicators – and we are measuring our work against these indicators from the YRBS.

It is therefore critical that this data be valid and reliable. But the active consent legislation that passed several years ago jeopardized that. And not only was the validity and reliability jeopardized, but the legislative action made it MUCH more expensive (approximately \$90,000 additional per year) to implement the survey. It's more expensive because the school districts have to turn back flips to get sufficient participation. And the irony of that is – the vast majority of the non-participation has nothing to do with parents wanting active consent. It's mostly apathy or paperwork hurdles.

I fully support parents' right to full consent, and parents have that with the passive consent legislation, whereby any parent can deny their child's participation, and in addition, any student can him/herself refuse to participate as well.

So, I ask that the committee support this legislation, which will cause a significant savings and enable communities to work in a "results accountability" manner. I am available if the committee would like more information about how Anchorage partners are using YRBS data to drive action plans that are accountable for results.

Sincerely,

A handwritten signature in cursive script that reads "June Sobocinski".

June Sobocinski  
Vice President, Community Action  
United Way of Anchorage

cc: Senator Bettye Davis, sponsor, SB 101 Student Questionnaires and Surveys

**LIVE UNITED.**



February 2, 2010

To: Representative Bob Herron  
State Capitol Rm 411  
Juneau, Ak 99801

Dear Representative Herron,

On the behalf of the Alaska Red Ribbon Coalition, I am writing in support of SB 101, "An Act relating to questionnaires and surveys administered in the public schools."

The Red Ribbon Coalition relies on data retrieved from the Youth Risk Behavior Survey to secure funding for prevention efforts. The information provided by the YRBS is imperative to understanding health and social issues of Alaska's youth. Accurate YRBS data enables the Coalition to implement youth substance abuse prevention strategies in the Anchorage community.

Senate Bill 101 will continue to protect the anonymity of survey participants, the right of parents to dissent permission, and require advance written notice of survey administration in schools. It will increase participation in the YRBS, increasing the accuracy of the data. This will also allow more cost-effective implementation for the school district.

This information is important to many local and statewide groups, who are actively supporting youth and families in Alaska. Thank you for taking the time to consider our support.

Sincerely,

A handwritten signature in black ink that reads "Sara Clark". The signature is written in a cursive style.

Sara Clark  
Red Ribbon Coalition Coordinator  
Boys & Girls Clubs Alaska  
2300 West 36<sup>th</sup> Ave  
Anchorage, Ak 99517  
[sclark@bgcalaska.org](mailto:sclark@bgcalaska.org)  
(907) 770-7330

701 West 8th Avenue, Suite 230  
Anchorage, Alaska 99501  
tel 907.263.3800  
fax 907.263.3801  
www.unitedwayofanchorage.org

February 2, 2010

The Honorable Bob Herron  
Alaska State House Representative  
State Capitol Room 411  
Juneau, AK 99801



Dear Representative Herron:

United Way of Anchorage and its 20-member business and community leader Board of Directors requests your support for Senate Bill 101, *"An Act relating to questionnaires and surveys administered in the public schools."*

United Way of Anchorage's mission is to advance the common good by making lasting, measurable changes in community conditions that improve lives. We have set a community goal to increase high school graduation rates through a series of proven strategies. Two critical strategies are to decrease youth delinquency and substance use. To do this, we rely on valid community data to help us understand where our youth need additional services and support. It is also critical that we remain accountable for our work by measuring many points of data to see where we are succeeding and where we have more work to do.

The Youth Risk Behavior Survey (YRBS) provides community level data that is central to the ongoing measurement of our work and the work of many of our service partners. Vital data collected through this tool include youth substance use rates, youth engagement in meaningful activities, youth perception of sufficient supportive adult relationships in their lives, and several risk factors including access to alcohol and engagement in risky behavior. This data informs the planning, implementation, investment in, and evaluation of a community-wide youth plan that serves tens of thousands Anchorage youth.

United Way of Anchorage supports Senate Bill 101 because passive parental consent removes the obstacles to acquiring statistically valid and reliable data about our youth while keeping safeguards in place for both parents and their children. Current legislation that requires active parental consent places an enormous logistical and financial burden on our schools and the state simply to get permission slips returned. Approximately \$90,000 is spent for just one survey cycle in order to provide the incentives necessary to simply get permission slips returned. However, failure to return permission slips is primarily linked to apathy, oversight, and student error, not parental refusal of permission, which averages around 10%.

We thank you for your commitment to our state and its youth and ask that you support SB101.

Sincerely,

Michele Brown  
President and CEO  
United Way of Anchorage

cc: Representative Wes Keller; Senator Bettye Davis

**LIVE UNITED.**



# Alaska State Legislature

Please enter into the record my testimony to the House Health & Social Services  
committee name

Committee on SB 101 Student questionnaires, dated 2-11-10  
bill # / subject public hearing date

Dear HHSS Committee Members,

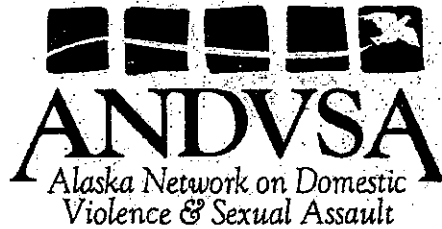
I support SB 101 for the following reasons:

1. It has an opt out provision for parents AND students as well as an opportunity for parents to read the survey ahead of time. It is difficult to get students to return forms. They are kids and don't always do what we want. Many forms end up in the bottom of backpacks or washed in the laundry. The administrative costs to have an opt in are high. As school board members we want to spend our money in classrooms, not on administrative costs. Students in individual classrooms certainly do return field trip forms but most field trips are sponsored by an individual teacher in an elementary classroom. This survey applies to high school students.
2. As school board members we prefer to supplement our programs with grants. The Youth Risk Behavior Survey requires a 60% participation state level.
3. School districts need this information for the safety of all children. This gives us data on obesity, diabetes, suicide prevention, violence/bullying as well as substance abuse. We need to know how students perceive these issues to better serve their needs. We want to provide the best and safest learning environment possible.

Thank you for your service.

Signed: Sammy Crawford  
Testifier  
Kenai Peninsula Borough School Board Past President, Association of Alaska School Boards  
Representing (optional)  
36615 Chinulna Ave Kenai, AK 99611  
Address  
283-9271  
Phone number

Main Office  
130 Seward St #209  
Juneau, Alaska 99801  
Phone: (907) 586-3650  
Fax: (907) 463-4493  
www.andvsa.org



Pro Bono Office  
PO Box 6631  
Sitka, Alaska 99835  
Phone: (907) 747-7545  
Fax: (907) 747-7547

February 11, 2010 -

Senator Bettye Davis  
State Capitol, Room 30  
Juneau, AK 99801

Re: Letter of Support - SB 101

Dear Senator Davis:

Thank you for introducing SB 101, an Act relating to questionnaires and surveys in the public schools. The Alaska Network on Domestic Violence and Sexual Assault is committed to prevention efforts and serving victims of violence. This bill can help: SB 101 would provide an invaluable tool for domestic violence, teen dating violence and sexual violence prevention efforts to understand the prevalence and shared risks of youth experiencing violence.

The Centers for Disease Control and Prevention (CDC) Youth Risk Behavioral Survey (YRBS) is used nationally, and within Alaska, to determine risk behaviors among the Alaska high school student population. CDC-developed YRBS data is a credible data source that can be compared to national data. This survey covers a broad range of risk behaviors and streamlines information gathering/surveys in the schools. However, currently with our active consent YRBS policies, many communities, and sometimes our state, have struggled to have enough responses to consider the data as valid.

This information and data is essential to help educators, health workers, social services, victim service programs, and others better serve their communities. This data helps teachers working on prevention education to determine the best age to teach various skills and health topics in their classrooms. This data also helps organizations seeking resources to advocate for real needs in their communities as well as assisting health practitioners and others to determine how to best approach students with co-occurring risk behaviors.

Within the field of domestic and sexual violence prevention, current YRBS data indicates that in traditional high schools, more than 17% of 12th grade students have experienced physical violence in a dating relationship and more than 11.5% have been forced to have sexual intercourse. We also, know that in alternative schools these numbers are 22.6% and 21.9%. While these numbers are staggering they are incomplete. Many of our most vulnerable students are unlikely to turn in their parental permission forms and therefore will be unable to participate in this survey.

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Member Programs

Anchorage AWAIC, STAR Barrow AWIC Bethel TWC Cordova CFRC Dillingham SAFE  
Fairbanks LAC Homer SPHH Juneau AWARE Kenai LeeShore Center Ketchikan WISH Kodiak KWRCC  
Kotzebue MFCC Nome BSWG Seward SCS Sitka SAFV Unalaska USAFV Valdez AVV



# Alaska State Legislature

Please enter into the record my testimony to the House Health & Social Services  
committee name

Committee on SB 101 Student questionnaires, dated 2-11-10  
bill # / subject public hearing date

Dear HHSS Committee Members,

I support SB 101 for the following reasons:

1. It has an opt out provision for parents AND students as well as an opportunity for parents to read the survey ahead of time. It is difficult to get students to return forms. They are kids and don't always do what we want. Many forms end up in the bottom of backpacks or washed in the laundry. The administrative costs to have an opt in are high. As school board members we want to spend our money in classrooms, not on administrative costs. Students in individual classrooms certainly do return field trip forms but most field trips are sponsored by an individual teacher in an elementary classroom. This survey applies to high school students.
2. As school board members we prefer to supplement our programs with grants. The Youth Risk Behavior Survey requires a 60% participation state level.
3. School districts need this information for the safety of all children. This gives us data on obesity, diabetes, suicide prevention, violence/bullying as well as substance abuse. We need to know how students perceive these issues to better serve their needs. We want to provide the best and safest learning environment possible.

Thank you for your service.

Signed: Sammy Crawford  
Testifier  
Kenai Peninsula Borough School Board Past President, Association of Alaska School Boards  
Representing (optional)  
36615 Chinulna Ave Kenai, AK 99611  
Address  
283-9271  
Phone number

February 4, 2010

House Health and Social Services Committee  
State Capitol, Room 106  
Juneau, AK 99801

RE: SB101—Student Questionnaires and Surveys

Dear House HSS Committee:

The Mat-Su Substance Abuse Prevention Coalition is pleased to provide its support for SB 101, an Act relating to questionnaires and surveys administered in the public schools.

The Youth Risk Behavior Survey (YRBS) is vitally important for tracking the behaviors that affect health and well-being of our nation's youth. In addition, the YRBS data are an invaluable resource used by public and private organizations to set and monitor goals, develop health education programs and to seek funding for programs that focus on reducing the health risk behaviors among youth.

The Mat-Su Substance Abuse Prevention Coalition has committed to develop and implement a comprehensive multi-faceted plan leading to measurable per capita reductions in one or more substance abuse problems. Our work is a coordinated effort to maximize community resources and provide a more integrated approach to reduce substance abuse among youth and, over time, among adults by addressing the factors in our community that increase the risk of substance abuse and promoting the factors that minimize the risk of substance abuse.

Our Coalition members have agreed to participate at the agency level in the collection and assessment of data and to share that data with coalition members in order to define the problems, resources and readiness within the Matanuska-Susitna Borough to address needs and gaps with regard to the substance abuse issue. Our coalition is committed to developing a comprehensive, strategic and data-driven plan that includes policies, programs and practices to address problems identified through the assessment process.

The Alaska Youth Risk Behavior Survey is an important tool in understanding how many youth are engaged in substance abuse, what substances they are using, at what age they started and how they obtained the substance. Due to current State statute AS 14.03.110, the response rate of the 2005 YRBS was so low that the results could not be tallied or released to Mat-Su Borough school district officials. Our coalition could not examine the data or adjust our goals and objectives to implement evidence-based prevention programs, policies and practices in our community. We can't combat what we don't thoroughly understand or know.

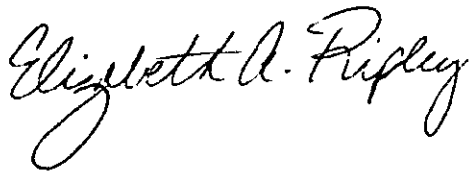
The current law, requiring signed permission slips for any student to participate, unnecessarily hinders data collection needed to design and evaluate risk prevention programs and services to protect our youth. The state spent about \$90,000 last year on incentives to support getting permission slips returned. This is in addition to extra staff time and costs incurred by local school districts. Over the last decade, the survey has had years of not meeting the necessary sample size to have valid data or has barely made the cut off for valid data, but with a higher margin of error than a larger sample size would have provided.

SB101 recognizes the need to keep parents informed and given opportunities for engagement. It balances this with the need to keep administrative burden to a minimum, resulting in a bill that supports both parental involvement and the ability to better serve our youth.

The language in SB 101 allows parents to opt out of the survey for their children, thereby providing those who object a fair and equitable way to prevent their children from participating in the survey. The Mat-Su Substance Abuse Prevention Coalition acknowledges that this opportunity to object is necessary and supports this measure. However, most of the research indicates that parental failures to provide a written permission are driven by apathy, oversight or student error, not by refusal. The current statute results in extremely low response by parents, an inadequate response rate for the survey, and therefore a statistically significant margin of error.

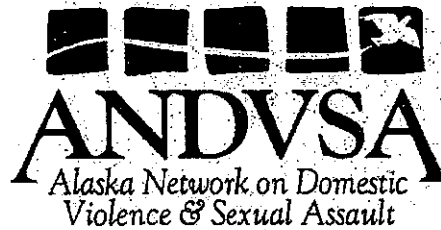
If the Mat-Su Substance Abuse Prevention Coalition succeeds in reducing substance abuse by youth in our community, everyone wins: every parent, child, school, business, neighborhood, and provider. To build this healthier community, we need access to valid and reliable anonymous data about our youth. We fully endorse SB 101 to this end. Many thanks for your efforts!

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth A. Ripley". The signature is written in black ink and is positioned above the typed name and title.

Elizabeth Ripley  
Chair, Mat-Su Substance Abuse Prevention Coalition

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PO Box 6631  
Sitka, Alaska 99835  
Phone: (907) 747-7545  
Fax: (907) 747-7547

February 11, 2010

Senator Bettye Davis  
State Capitol, Room 30  
Juneau, AK 99801

Re: Letter of Support – SB 101

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# **Appendix A High School Questions and Responses**

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## High School Questions and Responses

	Unweighted (N)	Weighted (Percent)
<b>1. How old are you?</b>		
12 years or younger	2	0.1
13 years	2	0.1
14 years	160	9.6
15 years	433	26.7
16 years	432	25.8
17 years	389	22.3
18 years or older	215	15.3
Total	1633	100.0
<b>2. What is your sex?</b>		
Female	807	47.6
Male	821	52.4
Total	1628	100.0
<b>3. In what grade are you?</b>		
9th grade	497	29.8
10th grade	383	25.8
11th grade	477	23.0
12th grade	269	21.0
Ungraded or Other	6	0.4
Total	1632	100.0
<b>4. How do you describe yourself?</b>		
White - not Hispanic	1147	68.3
Black - not Hispanic	87	5.2
Hispanic or Latino	53	3.3
Asian or Pacific Islander	75	4.3
American Indian or Alaskan Native	184	15.0
Other	62	3.9
Total	1608	100.0
<b>5. How often do you wear a seat belt when riding in a car driven by someone else?</b>		
Never	95	6.3
Rarely	196	13.2
Sometimes	271	17.6
Most of the time	497	29.4
Always	571	33.5
Total	1630	100.0
<b>6. During the past 12 months, how many times did you ride a motorcycle?</b>		
0 times	1191	73.8
1 to 10 times	291	17.9
11 to 20 times	51	3.2
21 to 39 times	16	0.9
40 or more times	69	4.2
Total	1618	10.0

	Unweighted (N)	Weighted (Percent)
<b>7. When you rode a motorcycle during the past 12 months, how often did you wear a helmet?</b>		
I did not ride a motorcycle during the past 12 months	1167	73.3
Never wore a helmet	129	8.5
Rarely wore a helmet	38	2.4
Sometimes wore a helmet	27	1.7
Most of the time wore a helmet	51	2.9
Always wore a helmet	183	11.1
Total	1595	100.0
<b>8. During the past 12 months, how many times did you ride a bicycle?</b>		
0 times	243	15.8
1 to 10 times	480	30.0
11 to 20 times	238	14.5
21 to 39 times	167	10.1
40 or more times	480	29.6
Total	1608	100.0
<b>9. When you rode a bicycle during the past 12 months, how often did you wear a helmet?</b>		
I did not ride a bicycle during the past 12 months	238	15.5
Never wore a helmet	1125	70.2
Rarely wore a helmet	77	4.5
Sometimes wore a helmet	58	3.5
Most of the time wore a helmet	49	2.8
Always wore a helmet	59	3.5
Total	1606	100.0
<b>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?</b>		
0 times	1100	68.1
1 time	176	11.1
2 or 3 times	199	11.6
4 or 5 times	49	2.7
6 or more times	105	6.5
Total	1629	100.0
<b>11. During the past 30 days, how many times did you drive a car or other vehicle when you had been drinking alcohol?</b>		
0 times	1413	87.7
1 time	107	6.4
2 or 3 times	45	2.7
4 or 5 times	25	1.6
6 or more times	26	1.5
Total	1616	100.0

	Unweighted (N)	Weighted (Percent)
<b>12. During the past 30 days, on how many days did you carry a weapon such as a gun, knife, or club?</b>		
0 days	1234	76.5
1 day	80	5.0
2 or 3 days	80	4.9
4 or 5 days	34	2.1
6 or more days	182	11.4
Total	1610	100.0
<b>13. During the past 30 days, on how many days did you carry a gun?</b>		
0 days	1475	90.9
1 day	63	3.9
2 or 3 days	34	2.1
4 or 5 days	13	0.8
6 or more days	34	2.2
Total	1619	100.0
<b>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?</b>		
0 days	1428	87.7
1 day	47	3.1
2 or 3 days	37	2.3
4 or 5 days	11	0.7
6 or more days	98	6.1
Total	1621	100.0
<b>15. During the past 30 days, 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?</b>		
0 days	1570	96.4
1 day	26	1.5
2 or 3 days	20	1.3
4 or 5 days	6	0.4
6 or more days	7	0.4
Total	1629	100.0
<b>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?</b>		
0 times	1496	90.6
1 time	57	3.3
2 or 3 times	61	3.5
4 or 5 times	11	0.7
6 or 7 times	7	0.5
8 or 9 times	4	0.2
10 or 11 times	4	0.2
12 or more times	18	1.0
Total	1631	100.0

	Unweighted (N)	Weighted (Percent)
<b>17. During the past 12 months, how many times has someone stolen or deliberately damaged your property such as your car, clothing, or books on school property?</b>		
0 times	1032	64.2
1 time	243	14.7
2 or 3 times	240	14.5
4 or 5 times	54	3.3
6 or 7 times	23	1.3
8 or 9 times	9	0.5
10 or 11 times	6	0.4
12 or more times	19	1.1
Total	1626	100.0
<b>18. During the past 12 months, how many times were you in a physical fight?</b>		
0 times	1038	64.2
1 time	249	15.7
2 or 3 times	174	10.9
4 or 5 times	65	4.3
6 or 7 times	21	1.4
8 or 9 times	8	0.6
10 or 11 times	8	0.4
12 or more times	43	2.5
Total	1606	100.0
<b>19. 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?</b>		
0 times	1545	95.3
1 time	56	3.5
2 or 3 times	10	0.7
4 or 5 times	3	0.3
6 or more times	6	0.3
Total	1620	100.0
<b>20. During the past 12 months, how many times were you in a physical fight on school property?</b>		
0 times	1351	83.4
1 time	166	10.5
2 or 3 times	62	4.0
4 or 5 times	14	0.8
6 or 7 times	7	0.4
8 or 9 times	0	0.0
10 or 11 times	6	0.4
12 or more times	10	0.5
Total	1616	100.0

	Unweighted (N)	Weighted (Percent)
<b>21. The last time you were in a physical fight, with whom did you fight?</b>		
I have never been in a physical fight	671	41.5
A total stranger	137	8.6
A friend or someone I know	398	25.5
A boyfriend, girlfriend, or date	16	1.0
A parent, brother, sister, or other family member	167	9.8
Someone not listed above	135	8.1
More than one of the persons listed above	92	5.5
Total	1616	100.0
<b>22. During the past 12 months, did you ever seriously consider attempting suicide?</b>		
Yes	392	23.9
No	1237	76.1
Total	1629	100.0
<b>23. During the past 12 months, did you make a plan about how you would attempt suicide?</b>		
Yes	308	18.7
No	1320	81.3
Total	1628	100.0
<b>24. During the past 12 months, how many times did you actually attempt suicide?</b>		
0 times	1394	90.6
1 time	79	5.3
2 or 3 times	41	2.7
4 or 5 times	10	0.8
6 or more times	9	0.6
Total	1533	100.0
<b>25. 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?</b>		
I did not attempt suicide during the past 12 months	1389	90.6
Yes	41	2.9
No	98	6.6
Total	1528	100.0
<b>26. Have you ever tried cigarette smoking, even one or two puffs?</b>		
Yes	1142	72.1
No	467	27.9
Total	1609	100.0
<b>27. How old were you when you smoked a whole cigarette for the first time?</b>		
I have never smoked a whole cigarette	664	39.5
8 years or younger	119	7.8
9 or 10 years	123	7.7
11 or 12 years	239	15.2
13 or 14 years	287	18.0
15 or 16 years	159	9.8
17 years or older	30	1.9
Total	1621	100.0

	Unweighted (N)	Weighted (Percent)
<b>28. During the past 30 days, on how many days did you smoke cigarettes?</b>		
0 days	1041	63.5
1 or 2 days	94	5.8
3 to 5 days	51	3.2
6 to 9 days	43	2.7
10 to 19 days	59	3.7
20 to 29 days	79	5.1
All 30 days	235	16.0
Total	1602	100.0
<b>29. During the past 30 days, on the days you smoked, how many cigarettes did you smoke per day?</b>		
I did not smoke cigarettes during the past 30 days	1039	63.2
Less than 1 cigarette per day	78	5.0
1 cigarette per day	96	6.0
2 to 5 cigarettes per day	241	15.6
6 to 10 cigarettes per day	88	6.2
11 to 20 cigarettes per day	46	2.9
More than 20 cigarettes per day	18	1.1
Total	1606	100.0
<b>30. During the past 30 days, how did you usually get your own cigarettes? (Select only one response.)</b>		
I did not smoke cigarettes during the past 30 days	1032	62.9
I bought them in a store such as a convenience store, supermarket, or gas station	152	9.8
I bought them from a vending machine	11	0.7
I gave someone else money to buy them for me	142	9.7
I borrowed them from someone else	170	10.4
I stole them	32	1.9
I got them some other way	71	4.7
Total	1610	100.0
<b>31. When you bought cigarettes in a store during the past 30 days, were you ever asked to show proof of age?</b>		
I did not smoke cigarettes during the past 30 days	1013	61.6
I did not buy cigarettes in a store during the past 30 days	313	20.2
Yes, I was asked to show proof of age	85	5.7
No, I was not asked to show proof of age	191	12.5
Total	1602	100.0

	Unweighted (N)	Weighted (Percent)
<b>32. During the past 30 days, on how many days did you smoke cigarettes on school property?</b>		
0 days	1325	81.2
1 or 2 days	81	5.3
3 to 5 days	39	2.6
6 to 9 days	17	0.9
10 to 19 days	34	2.2
20 to 29 days	45	2.8
All 30 days	75	5.0
Total	1616	100.0
<b>33. Have you ever tried to quit smoking cigarettes?</b>		
Yes	571	40.0
No	904	60.0
Total	1475	100.0
<b>34. 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?</b>		
0 days	1377	84.4
1 or 2 days	87	5.6
3 to 5 days	39	2.3
6 to 9 days	27	1.7
10 to 19 days	25	1.6
20 to 29 days	26	1.7
All 30 days	41	2.7
Total	1622	100.0
<b>35. During the past 30 days, on how many days did you use chewing tobacco or snuff on school property?</b>		
0 days	1470	90.5
1 or 2 days	55	3.4
3 to 5 days	27	1.6
6 to 9 days	14	0.9
10 to 19 days	12	0.7
20 to 29 days	16	0.9
All 30 days	30	1.9
Total	1624	100.0
<b>36. How old were you when you had your first drink of alcohol other than a few sips?</b>		
I have never had a drink of alcohol other than a few sips	300	19.5
8 years or younger	222	14.5
9 or 10 years	117	7.4
11 or 12 years	232	14.8
13 or 14 years	404	26.2
15 or 16 years	229	14.8
17 years or older	35	2.8
Total	1539	100.0

	Unweighted (N)	Weighted (Percent)
<b>37. During your life, on how many days have you had at least one drink of alcohol?</b>		
0 days	304	19.9
1 or 2 days	193	13.6
3 to 9 days	247	15.7
10 to 19 days	190	12.3
20 to 39 days	198	12.6
40 to 99 days	192	12.2
100 or more days	208	13.7
Total	1532	100.0
<b>38. During the past 30 days, on how many days did you have at least on drink of alcohol?</b>		
0 days	824	52.5
1 or 2 days	348	22.7
3 to 5 days	188	11.7
6 to 9 days	108	6.7
10 to 19 days	73	4.5
20 to 29 days	23	1.5
All 30 days	8	0.4
Total	1572	100.0
<b>39. 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?</b>		
0 days	1096	68.7
1 day	177	11.4
2 days	114	7.1
3 to 5 days	112	6.6
6 to 9 days	64	3.8
10 to 19 days	33	2.0
20 or more days	7	0.4
Total	1603	100.0
<b>40. During the past 30 days, on how many days did you have at least one drink of alcohol on school property?</b>		
0 days	1524	94.1
1 or 2 days	71	4.3
3 to 5 days	8	0.6
6 to 9 days	10	0.6
10 to 19 days	3	0.1
20 to 29 days	2	0.1
All 30 days	4	0.2
Total	1622	100.0

	Unweighted (N)	Weighted (Percent)
<b>51. During your life, how many times have you used any other type of illegal drug, such as LSD, PCP, ecstasy, mushrooms, speed, ice, or heroin?</b>		
0 times	1321	81.2
1 or 2 times	125	7.7
3 to 9 times	82	4.9
10 to 19 times	44	2.6
20 to 39 times	18	0.9
40 or more times	41	2.7
Total	1631	100.0
<b>52. During your life, how many times have you used a needle to inject any illegal drug into your body?</b>		
0 times	1599	98.0
1 time	12	0.7
2 or more times	21	1.3
Total	1632	100.0
<b>53. During the past 12 months, has anyone offered, sold, or given you an illegal drug on school property?</b>		
Yes	570	34.1
No	1059	65.9
Total	1629	100.0
<b>54. Have you ever been taught about AIDS or HIV infection in school?</b>		
Yes	1500	92.1
No	74	4.6
Not Sure	53	3.4
Total	1627	100.0
<b>55. Have you ever talked about AIDS or HIV infection with your parents or other adults in your family?</b>		
Yes	1070	64.0
No	447	28.9
Not Sure	110	7.1
Total	1627	100.0
<b>56. Have you ever had sexual intercourse?</b>		
Yes	741	47.2
No	851	52.8
Total	1592	100.0
<b>57. How old were you when you had sexual intercourse for the first time?</b>		
I have never had sexual intercourse	851	52.8
11 years or younger	75	4.8
12 years	56	3.6
13 years	109	7.0
14 years	170	10.9
15 years	158	10.0
16 years	113	6.9
17 years or older	59	4.0
Total	1591	100.0

	Unweighted (N)	Weighted (Percent)
<b>58. During your life, with how many people have you had sexual intercourse?</b>		
I have never had sexual intercourse	851	52.8
1 person	260	16.7
2 people	122	7.5
3 people	98	5.9
4 people	60	4.0
5 people	42	2.5
6 or more people	158	10.5
Total	1591	100.0
<b>59. During the past 3 months, with how many people did you have sexual intercourse?</b>		
I have never had sexual intercourse	852	52.9
I have had sexual intercourse, but not during the past 3 months	253	16.6
1 person	341	21.0
2 people	73	4.7
3 people	34	2.3
4 people	10	0.7
5 people	5	0.3
6 or more people	24	1.5
Total	1592	100.0
<b>60. Did you drink alcohol or use drugs before you had sexual intercourse the last time?</b>		
I have never had sexual intercourse	849	52.7
Yes	188	12.0
No	554	35.3
Total	1591	100.0
<b>61. The last time you had sexual intercourse, did you or your partner use a condom?</b>		
I have never had sexual intercourse	849	52.9
Yes	416	26.7
No	321	20.4
Total	1586	100.0
<b>62. The last time you had sexual intercourse, what one method did you or your partner use to prevent pregnancy? (Select only one response.)</b>		
I have never had sexual intercourse	853	53.4
No method was used to prevent pregnancy	125	8.2
Birth control pills	91	5.6
Condoms	363	23.4
Withdrawal	91	5.8
Some other method	34	2.2
Not sure	20	1.4
Total	1577	100.0
<b>63. How many times have you been pregnant or gotten someone pregnant?</b>		
0 times	1527	93.9
1 time	61	3.9
2 or more times	19	1.2
Not sure	14	1.0
Total	1621	100.0

	Unweighted (N)	Weighted (Percent)
<b>64. How do you describe your weight?</b>		
Very underweight	17	1.0
Slightly underweight	225	13.5
About the right weight	913	56.8
Slightly overweight	414	25.2
Very overweight	56	3.5
Total	1625	100.0
<b>65. Which of the following are you trying to do about your weight?</b>		
Lose weight	675	40.7
Gain weight	287	17.7
Stay the same weight	277	17.8
I am not trying to do anything about my weight	388	23.8
Total	1627	100.0
<b>66. During the past 30 days, did you diet to lose weight or keep from gaining weight?</b>		
Yes	465	27.4
No	1159	72.6
Total	1624	100.0
<b>67. During the past 30 days, did you exercise to lose weight or to keep from gaining weight?</b>		
Yes	930	55.9
No	696	44.1
Total	1626	100.0
<b>68. During the past 30 days, did you vomit or take laxatives to lose weight or to keep from gaining weight?</b>		
Yes	77	4.9
No	1549	95.1
Total	1626	100.0
<b>69. During the past 30 days, did you take diet pills to lose weight or to keep from gaining weight?</b>		
Yes	68	4.1
No	1559	95.9
Total	1627	100.0
<b>70. Yesterday, how many times did you eat fruit?</b>		
0 times	511	30.9
1 time	495	31.0
2 times	388	23.5
3 or more times	230	14.6
Total	1624	100.0
<b>71. Yesterday, how many times did you drink fruit juice?</b>		
0 times	479	29.4
1 time	459	28.3
2 times	342	21.2
3 or more times	343	21.1
Total	1623	100.0

	Unweighted (N)	Weighted (Percent)
<b>72. Yesterday, how many times did you eat green salad?</b>		
0 times	1079	67.2
1 time	449	26.8
2 times	71	4.4
3 or more times	25	1.6
Total	1624	100.0
<b>73. Yesterday, how many times did you eat cooked vegetables?</b>		
0 times	794	48.6
1 time	634	38.9
2 times	151	9.6
3 or more times	45	2.9
Total	1624	100.0
<b>74. Yesterday, how many times did you eat hamburger, hot dogs, or sausage?</b>		
0 times	922	55.9
1 time	497	31.2
2 times	154	9.5
3 or more times	51	3.4
Total	1624	100.0
<b>75. Yesterday, how many times did you eat french fries or potato chips?</b>		
0 times	820	49.9
1 time	591	36.7
2 times	146	9.1
3 or more times	66	4.3
Total	1623	100.0
<b>76. Yesterday, how many times did you eat cookies, doughnuts, pie, or cake?</b>		
0 times	734	45.0
1 time	558	34.5
2 times	221	13.9
3 or more times	106	6.6
Total	1619	100.0
<b>77. On how many of the past 7 days did you exercise or participate in sports activities for at least 20 minutes that made you sweat and breathe hard, such as basketball, jogging, swimming laps, tennis, fast bicycling, or similar aerobic activities?</b>		
0 days	169	11.0
1 day	124	7.9
2 days	151	9.2
3 days	201	12.5
4 days	178	11.1
5 days	273	16.6
6 days	155	9.5
7 days	366	22.2
Total	1617	100.0

	Unweighted (N)	Weighted (Percent)
<b>78. On how many of the past 7 days did you do stretching exercises, such as toe touching, knee bending, or leg stretching?</b>		
0 days	378	24.5
1 day	151	9.6
2 days	165	10.5
3 days	177	11.0
4 days	141	8.1
5 days	237	14.2
6 days	107	6.3
7 days	266	15.7
Total	1622	100.0
<b>79. 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?</b>		
0 days	404	26.3
1 day	131	8.3
2 days	165	10.2
3 days	197	12.1
4 days	178	10.7
5 days	204	12.1
6 days	90	5.0
7 days	252	15.5
Total	1621	100.0
<b>80. On how many of the past 7 days did you walk or bicycle for at least 30 minutes at a time? (Include walking or bicycling to or from school.)</b>		
0 days	494	31.3
1 day	221	13.0
2 days	205	12.9
3 days	166	10.3
4 days	125	7.4
5 days	112	6.9
6 days	60	3.6
7 days	235	14.6
Total	1618	100.0
<b>81. In an average week when you are in school, on how many days do you go to physical education (PE) classes?</b>		
0 days	782	48.9
1 day	20	1.3
2 days	18	1.4
3 days	113	7.3
4 days	236	14.8
5 days	448	26.4
Total	1617	100.0

	Unweighted (N)	Weighted (Percent)
<b>82. During an average physical education (PE) class, how many minutes do you spend actually exercising or playing sports?</b>		
I do not take PE	737	46.0
Less than 10 minutes	41	2.7
10 to 20 minutes	98	5.6
21 to 30 minutes	188	10.9
More than 30 minutes	552	34.8
Total	1616	100.0
<b>83. During the past 12 months, on how many sports teams run by your school, did you play? (Do not include PE classes.)</b>		
0 teams	796	48.8
1 team	407	24.9
2 teams	242	15.0
3 or more teams	174	11.3
Total	1619	100.0
<b>84. During the past 12 months, on how many sports teams run by organizations outside of your school, did you play?</b>		
0 teams	949	59.0
1 team	398	24.4
2 teams	158	9.9
3 or more teams	113	6.7
Total	1618	100.0

AMENDMENT

OFFERED IN THE HOUSE  
TO: SB 101

BY REPRESENTATIVE SEATON

- 1 Page 2, lines 23 - 24:
- 2 Delete "guardian notice of the survey"
- 3 Insert "legal guardian notice of the survey as provided under (d) of this section at least
- 4 two weeks before the survey is administered"