

12175

HOUSE

JUDICIARY

From: Rep. Nancy Dahlstrom
Sent: Tuesday, April 03, 2007 9:57 AM
To: Jennifer Baxter
Subject: FW: HB 200 Presumptive Legislation for Firefighters

From: Armstrong, Wayne [mailto:WArmstrong@borough.kenai.ak.us]
Sent: Tuesday, April 03, 2007 9:53 AM
To: Rep. Kurt Olson; Rep. Nancy Dahlstrom
Subject: HB 200 Presumptive Legislation for Firefighters

My name is Wayne Armstrong and I am a professional Firefighter/Paramedic for Central Emergency Services. I am writing this email asking all of you for your support of HB 200 Presumptive Legislation for Firefighters. This bill addresses very important issues for the protection of all firefighters when it is their time of need. As you may know being a Firefighter/Paramedic is an extremely hazardous job and the hazards vary from running into burning buildings to going to the aid of someone with any number of infectious diseases. Most Firefighters and Rescue personell do their job every day, providing care, transport and possibly saving a families home or a life from a burning building without any second thoughts of "I can't go help that person he may have HIV, or HEP. C" or " I can't go into the building because I may get burned or I may fill my lungs full of a carcinogen filled smoke". They do it because they love doing the job and helping others. They do it even though they know they could end up with a permanent disability or an infectious disease that could kill them. With your help this bill could make it where they don't have to fight for their rights while they may be fighting for their lives

I would like to encourage you to help push this bill through so you can help those who answer the call when others are in need of help.

Thank you.

Wayne Armstrong

From: Jim Lecrone [Jim@acoa.us]
Sent: Tuesday, April 03, 2007 9:24 AM
To: Rep. Nancy Dahlstrom
Cc: Rep. Andrea Doll
Subject: Thank You

As a retired Correctional Officer who currently is employed by the Alaska Correctional Association I wish to express my appreciation for your sponsorship of HB 200 to provide presumptive coverage for certain diseases for firefighters, peace officers, and emergency medical and rescue personnel. Thank you!

If it is not too late for suggestions, I would ask you to consider changing 1 (c) (1) (F), which currently reads "any uncommon infectious disease the contraction of which the United States Secretary of Labor determines to be related to the hazards to which an employee in fire protection activities may be subject" to "any uncommon infectious disease the contraction of which the United States Secretary of Labor determines to be related to the hazards to which **fire fighters, peace officers, and emergency medical and rescue personnel may be subject**"

With or without any revisions, I want to personally thank you for sponsoring this bill.

Jim Lecrone

From: Quelland, Lesley [LQuell@borough.kenai.ak.us]
Sent: Tuesday, April 03, 2007 9:33 AM
To: Rep. Nancy Dahlstrom
Subject: HB200

Thank you for your time and consideration for this bill. As a firefighter in the State of Alaska for the past 22 years, I urge you to do all you can to get this bill passed. It will benefit firefighters statewide and open the door to more options than what worker's compensation addresses.

The hazards we face today are much different and much more caustic than of times the past, largely due to technology and product content. While we do more training than ever, and have better personal protective equipment, we are still exposed to greater hazards while fighting fire and in our normal day-to-day response to our communities needs.

Again, thank you.

Lesley Quelland, Captain
Central Emergency Services
Soldotna, AK 99669
(907) 262-4792



Anchorage Firefighters Local 1264



P.O. Box 242041 • Anchorage, AK 99524-2041
(907) 349-1264 • (907) 349-5580 (fax)

Senator French
Representative Dahlstrom

I would like to personally thank you both for your support of SB117 and HB200 respectively. As a newly hired Firefighter/ Paramedic w/ the Anchorage Fire Department, it is comforting that you both are looking out for the interest of my family and brothers of the IAFF Local 1264. It is comforting for me to know that your diligence and representation in the House and Senate is for the betterment of Firefighters in our great state of Alaska.

Sincerely,

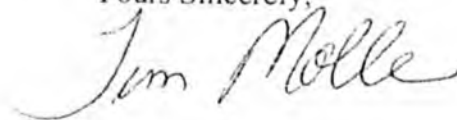
Don L. Wagner
Firefighter/ Paramedic
Anchorage Fire Department

Tim Molle
Station 4 Engineer
Anchorage Fire Department

It is with great admiration that I write this letter to express my deep felt appreciation for the legislation that Rep. Nancy Dahlstrom and Senator Hollis French have put forward to help first responders to cope with the inherent dangers of their job. I have worked for the Anchorage Fire Department for sixteen years, and this legislation will be a comfort for the present and future first responders who have committed to a career of helping people.

Thank you once again and I hope that the position that you have taken will be viewed as a fair legislation by all that must act.

Yours Sincerely;

A handwritten signature in cursive script that reads "Tim Molle". The signature is written in dark ink and is positioned below the typed name "Tim Molle".

James R. Veatch
3141 Vadla Way
Anchorage, AK. 99504

Senator Hollis French and
Representative Nancy Dahlstrom
State Capitol room #417
Juneau, AK. 99801-1182

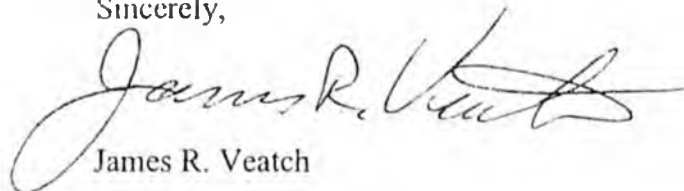
March 19, 2007

Dear Senator French and Representative Dahlstrom,

I would like to thank you both for sponsoring Senate Bill 117 and House Bill 200 respectively. History has proven time and again that long after we hang up our helmets and retire from this career we cannot escape the long term health risks and problems associated with this line of work. I am a 49 year old Captain who has been a firefighter with the city of Anchorage for 23 years. I have worried about the future of my health and I'm glad steps are being taken to assist us with health benefits.

I won't make this a long letter but please accept my gratitude and that of my family for moving this bill through the long and tedious process. The Anchorage Fire Fighters will not forget you.

Sincerely,



James R. Veatch



Anchorage Firefighters Local 1264

P.O. Box 242041 • Anchorage, AK 99524-2041
(907) 349-1264 • (907) 349-5580 (fax)



Senator French and Representative Dahlstrom,
I would like to thank you for sponsoring this
very important Legislation, HB 200 and SB 117. I'm
thankful you realize the need and importance
of the legislation to my colleagues and I. As
a 12 yr firefighter for Anchorage Fire Dept, I'm
concerned with the inherent risks of my pro-
fession, rising health care costs, and how these
will effect my family and I in the future.

Thanks for your efforts
Sincerely,
Robert Fulls
Firefighter



International Association of Fire Fighters

HAROLD A. SCHAIBERGER
General President

VINCENT J. BOLLON
General Secretary-Treasurer

SENATOR HOLLIS FRENCH : REPRESENTATIVE DAHLSTRÖM

THANK YOU FOR SUPPORTING HOUSE BILL 200 AND
SENATE BILL 117. AS A FIRE FIGHTER I WANT TO THANK
YOU FOR HELPING TO FIGHT FOR OUR HEALTH BENEFITS.

AFF FIRE FIGHTER

DAVID BELLVILLE

19 MARCH 07

REP. NANCY DAHLSTROM AND SEN. HOLLY FRENCH,

I JUST WANTED TO LET YOU KNOW
THAT I APPRECIATE YOUR CONTINUOUS
SUPPORT FOR HOUSE BILL 300 AND SENATE
BILL 117.

RESPECTFULLY,

TED FUSSELL, ANCHORAGE FIRE DEPT



Anchorage Firefighters Local 1264



P.O. Box 242041 • Anchorage, AK 99524-2041
(907) 349-1264 • (907) 349-5580 (fax)

DEAR SENATOR FRENCH -

I WANTED TO SAY THANK YOU FOR
YOUR INTRODUCTION AND SUPPORT OF SB117.
I FULLY SUPPORT THIS LEGISLATION AND
LOOK FORWARD TO SERVING MY COMMUNITY WITH
THE COMFORT OF KNOWING I WILL BE
TAKEN CARE OF IN THE EVENT OF
TRAGEDY.

SINCERELY,
ADAM PETERSON



ANCHORAGE FIRE FIGHTERS UNION
IAFF -- LOCAL 1264

ANDY MULLEN

HOME 907.696.0160
CELL 907.980.1313
EMAIL eb2@iaff1264.com

OFFICE 907.349.1264
P.O. BOX 242041
ANCHORAGE, AK 99524

Senator French & Rep. Dahlstrom

I enjoyed my first trip to Juneau last month. Thank you for meeting with us and for all the work you have put into our presumptive disability legislation.

All of us at Anchorage Fire Dept. really have our fingers crossed that HB 200 & SB 117 pass quickly.

Thank you Thank you - Thank you!
-Andy Mullen



ALASKA CORRECTIONAL OFFICERS ASSOCIATION

"Walking Alaska's Toughest Beat"

April 5, 2007

Representative Nancy Dahlstrom
Alaska State Legislature
State Capitol, Room 409
Juneau, Alaska 99801-1182

Dear Representative Dahlstrom,

The Alaska Correctional Officers Association and Correctional Officers state-wide thank you for your sponsorship and support of House Bill 200. Firefighters, peace officers and emergency medical and rescue personnel work in environments where they are regularly exposed to the specific health risks addressed in your Bill. These diseases are serious line of duty hazards for these Officers and passage of this Bill is vitally important to all Correctional Officers around the state. If there is anything we can do to assist in the passage of this very important Bill, please feel free to contact us.

Sincerely,

Brad Wilson
Business Manager

**ALASKA STATE
FIREFIGHTERS ASSOCIATION**

P.O. Box 22092 • Juneau, AK 99802

April 3, 2007

Representative Nancy Dahlstrom
Alaska House of Representatives
State Capital, Room 409
Juneau, Alaska 99801

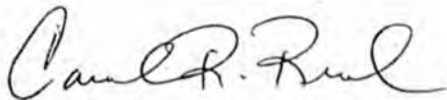
Ref: HB 200

Dear Representative Dahlstrom,

On behalf of the Alaska State Firefighters Association, I would like to thank you for your introduction and support of HB 200. Alaska's fire service is in reality, an "all hazards" service. On a daily basis firefighters respond into situations where there are unknown hazards in an effort to assist the Alaskans we serve. This important legislation will provide presumptive coverage for occupational illnesses such as; respiratory disease, heart attacks, and certain cancers.

State of the art hazard identification and personal protective equipment used by Alaska firefighters, while effective, do not and can not protect us from all hazards. The Alaska State Firefighters Association endorses the passage of House Bill 200.

Sincerely,



Carol R. Reed
President
Alaska State Firefighters Association
907.841.4757



ALASKA CORRECTIONAL OFFICERS ASSOCIATION

"Walking Alaska's Toughest Beat"

April 5, 2007

APR 10 2007

Representative Kurt Olson
Alaska State Legislature
State Capitol, Room 408
Juneau, Alaska 99801-1182

Dear Representative Olson,

The Alaska Correctional Officers Association and Correctional Officers state-wide request your support for House Bill 200. Firefighters, peace officers and emergency medical and rescue personnel work in environments where they are regularly exposed to the specific health risks addressed in this Bill. These diseases are serious line-of-duty hazards for these Officers and passage of this Bill is vitally important to all Correctional Officers around the state. Please help us by supporting this Bill. If there is anything we can do to assist you, please feel free to contact us.

Sincerely,

Brad Wilson
Business Manager



Alaska Public Entity Insurance

418 Harris Suite 401
Juneau, AK 99801

Phone: (907) 523-9400
Fax: (907) 586-2008
www.akpei.com

May 2, 2007

The Honorable Jay Ramras, Chair, and
The Honorable Nancy Dahlstrom, Vice Chair
House Judiciary Committee
Alaska State Capitol
Juneau, AK 99801
Sent by email

Re: House Bill 200

Dear Representatives Ramras and Dahlstrom:

The above-referenced bill, creating a presumption of workers' compensation coverage for firefighters who contract certain diseases, is scheduled for hearing on Friday, May 4. Unfortunately, I will be unable to attend the hearing, so I offer this letter in lieu of oral testimony on the bill.

Alaska Public Entity Insurance is a joint insurance arrangement, or pool, organized under AS 21.76. APEI currently has 43 members, all Alaska school districts and municipalities. As you know, many of these Alaska public entities are currently suffering financial difficulties, and I know the Legislature is currently considering several finance-related pieces of legislation to relieve some of their problems, primarily in the areas of revenue sharing and PERS/TRS. This bill goes against those interests and exacerbates the situation for many Alaska municipalities.

For the great majority of fire departments in Alaska, the arguments made in support of this legislation do not ring true. Virtually all of the testimony in support of HB 200 and its companion bill, SB 117, has come from professional Alaska firefighters, but the majority of fire departments in Alaska are composed of volunteers. These volunteers, in most cases, are not exposed to the same risks as professional firefighters. For instance, we have municipal fire departments that respond to less than 5 calls *per year*, and most of those calls are for minor incidents. Firefighters in those communities face no more risk of contracting the listed diseases than do members of the general public. To presume that a firefighter who happens to contract such a disease did so on the job amounts to nothing more than saddling the workers' compensation system with claims that are not job-related.

The best estimate for the cost of this bill to Alaska municipalities is the estimates developed by the National Council on Compensation Insurance (NCCI), the national organization that promulgates starting workers'

compensation rates for insurance carriers and pools in Alaska. NCCI estimates that passage of this legislation will initially raise rates for affected job classes by 10 to 20 percent.

The testimony of those supporting the legislation has been inconsistent. On the one hand, they state that the likely incidence of these claims would be one claim every 3-4 years. On the other hand, at least one firefighter from Anchorage testified that he knows several fellow workers who have contracted one of the listed diseases, and this legislation would help them.

Even if we were to assume the statistics listed are correct – just one claim every 3-4 years – such a claim will be very expensive and have a severe impact on workers' compensation rates for Alaska municipalities, particularly the smaller villages. For illustrative purposes, let me mention another claim. In 2004, a police officer was killed in the line of duty in Kenai. APEI, as the workers' compensation carrier for the city, is responsible for this claim, and it is currently estimated that the payouts will exceed \$1 million over the 20-30 year life of the claim. That single incident, which is probably less costly than a typical claim under this legislation because there are no medical costs involved, has affected the workers' compensation rates for all of APEI's members, and made it much more difficult and expensive for APEI to obtain reinsurance for large claims.

Because the Alaska market is so small by national standards, a single major claim has a greater impact here than elsewhere. Therefore, there is a strong possibility that the first claim filed under this legislation will cause even more serious rate increases than the projected 10-20% initial increase.

We all have known people who have died from one of the diseases listed in this legislation. A good friend of mine, former Deputy Attorney General Ron Lorensen, recently passed away after a long struggle with brain cancer. These are horrible situations, and I sympathize very much with the friends and families of those victims. However, just because we sympathize with these victims and their families does not mean that the workers' compensation system should be used to compensate them, where there is no evidence whatsoever to show that the disease was caused by the job. If that standard is adopted here, similar arguments can and likely will be made regarding other professions, such as health care workers, those in the construction industry, or even public works personnel. Once we begin presuming workers' compensation coverage based solely on statistics and feelings of sympathy, we jeopardize the entire workers' compensation system. I urge the committee not to head down this path.

Sincerely,



Jeffrey W. Bush
Executive Director

18 December 2006

From: Rich Duffy, IAFF Assistant to the General President
To: Kelly Bach, President, Oregon State Fire Fighters Council
Ref: Presumptive Cancer Costs

I am pleased to provide you specific information regarding the claims experience of States that currently have presumptive cancer legislation.

As you are aware, I represent the 274,000 members of the International Association of Fire Fighters (IAFF) for occupational health, medicine and safety issues. I have been with the IAFF for over 28 years. Additionally, I have been personally involved in every state and provincial effort to obtain cancer compensation benefits for our members, whether through direct testimony or developing data and information to support legislative efforts.

During this vast experience, it became quite obvious to me that the fiscal impact and other financial information provided by opponents to fire fighter cancer legislation might be incomplete. This is not surprising since fire fighters throughout the United States are not universally covered by State Worker's Compensation Programs. Many states, by statute, allow fire departments to cover their employees for worker compensation benefits through the individual retirement systems. Hence, any claims made and or paid would not be recorded by the State Worker Compensation Bureau, but would be recorded by the individual retirement system. This would be the case in a number of other states that currently have cancer presumptive legislation. This data is more easily obtainable from those States that have statewide fire fighter pension systems, since the system collects and records the data. The only exception would be when the employer challenges the presumptive nature of the claim. In this case the State Worker Compensation program would record the claim.

We believe that it is reasonable to suggest that there would be some claims experience related to this type of coverage. Therefore, we were able to obtain some additional numbers on fire fighter disabilities and cost experience from around the country.

In the State of California, which has the largest career sector of fire fighters in the country (30,000) and one of the largest volunteer sectors (33,000) the addition of cancer presumptive benefits has had "no impact" on the actuarial assumptions or funding of the state's fire fighter retirement system (Assemblyman Sal Cannella, California Legislature). An actuary for the California Public Employee Retirement System (CALPERS), the largest retirement system in the United States, has

December 18, 2006

Page 2

declared that the addition of presumptive cancer benefits for fire fighters has had "minimal effect" on the actuarial costs to the retirement system. In fact, the financial implications were so minimal, that CALPERS never had to perform an actuarial impact study after the implementation of the benefit by the California legislature (David DuBois, Contract Services Department, CALPERS). During the first three years, an average of 45 annuitant claims were paid for cancer related disabilities. This is .07% of the active fire fighting workforce. The average claim for total cancer benefits was \$14,075.00.

In 1984, the State of Illinois added cancer presumption language to its worker compensation statute. The City of Chicago employs over 50% of the 10,700 career fire fighters in the State of Illinois. During the 6 year period following the implementation of the statute the average number of beneficiaries receiving occupational disability benefits was 8.3% lower than the average number of beneficiaries in the six years prior to passage. Thus the inclusion of cancer benefits in 1984 obviously had no impact on the funding requirements for the occupational disability benefits portion of the Chicago Firemen's Annuity and Benefit Fund (Firemen's Annuity and Benefit Fund of Chicago Actuarial Statement).

In the first six years that they had fire fighter cancer legislation in Oklahoma, they had 22 claims paid statewide or 6% of the 378 disability claims paid. This averages to 4 claims per year for a rate of cancer claims of .03% at an average cost to the pension system of \$10,409.00 per total cancer claim (Bob Hollander, Executive Director, Oklahoma Firefighters Pension and Retirement System). There are 3,420 career fire fighters and 9,000 volunteer fire fighters.

In Nevada, there were 3 cancer claims paid in the first four years that the legislation was enacted. None of these cases include lung cancer, which is covered under separate legislation (S. Mark Balen, President, Nevada Fire Fighters Association). There are 1,790 career fire fighters and 2,200 volunteer fire fighters in Nevada. This averages to less than 1 claim per year for a rate of cancer claims of .02%.

In Rhode Island, which passed the legislation in 1986, there were 6 claims paid in the first 8 years. This averages to less than 1 claim per year for a rate of cancer claims of .02% (Theodore Scripsack, Chairmar, Rhode Island Firefighter's Relief Board). There are 2,200 career fire fighters and 2,800 volunteer fire fighters in Rhode Island.

In the first four years that they had cancer legislation in Massachusetts, there were 34 cancer claims paid (15 disability and 19 death benefits). (Joseph Martin, Deputy Director, Public Employee Retirement Agency). This averages to less than 9 claims per year at a rate of .03% of the active fire fighting workforce.

December 18, 2006

Page 3

There are 14,500 career fire fighters and 11,400 volunteer fire fighters in Massachusetts.

In Florida there 22,445 active career fire fighters. Using the assumption that Florida has a rate that does not exceed the average of the above States' cancer related disabilities -- .034% of the active fire fighting workforce -- the expected number of annual cancer claims for career fire fighters would be 8 fire fighters.

Based on the above information on actual experience, the cost per cancer claim for those states having presumptive occupational disease statutes is substantially less than the unsubstantiated figures asserted by other parties. The reason for this, unlike benefits for other occupations, is the higher mortality rate and significantly shorter life expectancy associated with fire fighting. Fire fighters are dying too quickly from cancer and other occupational diseases, unfortunately producing a significant pension annuity saving for state and municipalities.

I hope this information is helpful. If you need any additional assistance, please do not hesitate to contact us.

HB

207

25-LS0680\K
Mischel
4/30/07

CS FOR HOUSE BILL NO. 207()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVE WILSON

MG - Y
BL - N
JC - Y
JR - Y
ND - N
RS - Y
LH - Y

*Do not have to
Answer Survey or Q
if they do not desire.*

A BILL

FOR AN ACT ENTITLED

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

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

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

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

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

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

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

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

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

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

- 8 (1) the date the questionnaire or survey is to be administered;
- 9 (2) a description of the content of the questionnaire or survey;
- 10 (3) the sponsor of the questionnaire or survey;
- 11 (4) the name of a person to contact at the school district;
- 12 (5) notice of the opportunity to review the questionnaire or survey to
13 be administered;
- 14 (6) a description of how the questionnaire or survey will be
15 administered to the student;
- 16 (7) a description of how to submit written permission or denial of
17 permission to participate in a questionnaire or survey, including an anonymous or
18 specific questionnaire or survey.

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

20 (e) A student may refuse to participate in a questionnaire or survey
21 administered in a public school. A student's parent or legal guardian may refuse to
22 allow the student to participate in a specified questionnaire or survey by submitting to
23 the teacher or school principal a written denial of permission for the student's
24 participation.

Concept Amend #1
CS 207 \K

ADOPT
By Gruenberg
Lynn

p7-2, ~~line~~ after line 18

(8) ~~clear~~ notice of the opportunity for the student not
to answer specific questions or the entire survey

ALASKA STATE LEGISLATURE

Interim:
P.O. Box 109
Wrangell, AK 99929
Phone: (907) 874-3088
Fax: (907) 874-3055



Session:
State Capitol, Room 403
Juneau, AK 99801-1182
Phone: (907) 465-3824
1-800-686-3824
Fax: (907) 465-3175

REPRESENTATIVE PEGGY WILSON
HOUSE DISTRICT 2

SPONSOR STATEMENT Committee Substitute House Bill 207

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

HB 207 changes the parental consent requirements for surveys in schools from active to passive for anonymous surveys.

School-based surveys are a reliable method for gathering valuable population based information on youth that helps policy makers, educators, program planners and parents to better understand important health and social issues that affect their chances of success.

Routine standardized surveys such as the national and state Youth Risk Behavior Survey track trends over time and help guide and evaluate important health and prevention programs. State and federal grant programs that 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.

Active parental consent requires written permission to opt in to participate in the survey. Active parental consent overburdens the school system and drastically increases the costs and labor involved in conducting student surveys. Though research and experience suggests that the vast majority of parents would consent to their students participating in such surveys, many schools are unable to use the data they collect because there are not enough participants. Most of the research indicates parental failures to provide written permission are driven by apathy, oversight, or student error, not by refusal. Passive parental consent notifies and informs the parents about the nature of the surveys and allows for parents to provide a written refusal to opt out of the survey.

Notification of surveys and their content will still be sent to every parent of a child that is a candidate participant in the survey. A parent will have the option of reviewing the entire survey and how it will be administered before it is administered. Any parent who doesn't want their child to participate will have the option to opt-out.

The House Health, Education and Social Services Committee Substitute made a change to clarify that written permission is required for non-anonymous surveys and written denial of permission is required for anonymous surveys.

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB207
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Education
 Title Student Questionnaires and Surveys RDU Teaching & Learning Support
 Component Student and School Achievement
 Sponsor Representative Wilson
 Requester House HESS Component No. 2796

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill has no fiscal impact on the Department of Education and Early Development. We are, therefore, submitting a zero fiscal note.

Prepared by: Terri Campbell
 Division: Teaching & Learning Support
 Approved by: Barbara Thompson, Deputy Commissioner
 Agency: Education and Early Development

Phone 907-465-8719
 Date/Time 4/2/07 12:00 AM
 Date 4/2/2007

ALASKA STATE LEGISLATURE

Interim:
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Wrangell, AK 99929
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Session:
State Capitol, Room 403
Juneau, AK 99801-1182
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Fax: (907) 465-3175

REPRESENTATIVE PEGGY WILSON
HOUSE DISTRICT 2

Sectional Analysis

Committee Substitute for House Bill 207

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

Section 1. Requires a school district to get written permission to administer a questionnaire or survey. It exempts anonymous surveys. Surveys that concern public information are also exempted.

Section 2. Requires a school district to provide a parent or guardian the opportunity to deny permission to take an anonymous questionnaire or survey. Written permission is not required.

Section 3. Defines a 2 week time frame for school districts to notice parents of an upcoming questionnaire or survey so that they may either deny permission, for anonymous, or grant permission, for non-anonymous, surveys.

Section 4. Defines what a written notice must contain.

Section 5. Adds language to current statute that defines how a parent can deny permission for student to participate in an anonymous survey.

From: Cathy Carter [ccarter@bartlethospital.org]
Sent: Tuesday, April 24, 2007 7:59 AM
To: Rep. Jay Ramras
Subject: FW: HB 207

From: Cathy Carter
Sent: Tuesday, April 24, 2007 7:56 AM
To: 'Representative_Jay_Ramras@legis.state.ak.us'; 'Representative_Nancy_Dahlstrom@legis.state.ak.us';
'Representative_John_Coghill@legis.state.ak.us'; 'Representative_Bob_Lynn@legis.state.ak.us';
'Representative_Ralph_Samuels@legis.state.ak.us'
Cc: 'Representative_Max_Gruenberg@legis.state.ak.us'; 'Representative_Lindsay_Holmes@legis.state.ak.us'
Subject: HB 207

Legislators,

I respectfully submit my comments. I was recently involved as a consultant through the University of Arkansas in Little Rock to develop a multi-county network to promote access to health care in the rural areas of the Mississippi Delta. We relied heavily on data. Our job was hampered by the quality of data available. Accurate data is so hard to come by. I implore you to support HB 207 in order to promote meaningful data collection. As a nurse manager, I strive to promote health at every opportunity. Spending for health care should be based on scientific study and caring decision-making.

Thank you for your work to promote quality of life for Alaskans.
Catherine Price Carter, MSN, RN



American Heart Association | American Stroke Association

Learn and Live.

Pacific/Mountain Affiliate
3700 Woodland Drive, Suite 700
Anchorage, AK 99517-2555
907.865.5303 (phone)
888.276.0858 (toll-free)
907.865.5310 (fax)
americanheart.org

April 24, 2007

Representative Jay Ramras
State Capitol, Room 118
Juneau, AK 99801-1182

Dear Representative Ramras:

The American Heart Association is writing to you in support of HB 207, a bill that would change the requirements of parental consent for students to participate in anonymous questionnaires and surveys. Currently, parents must actively consent in order for their child to participate in anonymous surveys about student health and behavior. If HB 207 were to become law, parents and students could still opt out of participation, but if they declined to opt out, their consent to participate would be implied.

The American Heart Association is a national voluntary health agency whose mission is to reduce disability and death from cardiovascular diseases and stroke. The American Heart Association supports HB 207 because it would make it feasible to collect weighted, statistically significant data to accomplish important public health tasks like tracking childhood physical activity levels, and ensuring that tobacco prevention programs directed at our youth are on-target and actually effective in reducing tobacco use.

By allowing the state to track the health of our children, HB 207 will result in better, more effective programs directed at Alaska's children, and ultimately reduce preventable threats to cardiovascular health like tobacco use and chronic obesity.

Thank you.

Suzanne Meunier
Director of Advocacy

Please remember the American Heart Association in your will.

RECEIVED
APR 12 2007

George W. Brown, MD
Community Pediatrician
1640 Second St. Douglas, AK 99824 907 364 2726 qwbrown76@yahoo.com

Representative Peggy Wilson
Alaska State Capitol Room 403
Juneau, AK 99801

April 11, 2007

Dear Representative Wilson:

Thank you for the opportunity to speak on behalf of HB 207 yesterday. Since returning to Juneau after 1 & ½ years medical work in Kenya, I sense a fresh wind is blowing for the future of Alaska. The discussion about HB 207 is an example. I know you and your legislative colleagues must look hard at state government costs. It is also obvious that all the requests and worthwhile ideas thrown at you cannot be supported. Making and sticking with priorities is hard work. The study your HESS committee did last year is an example.

One of the most important priorities for Alaska's future is her children. I am most grateful SB 4 and CS for HB 198 have addressed Denali Kid Care (DKC). Yet for children, it is necessary to promote further improvements for child health care access. SB 87, as well as HB140, aims to do this. Their ultimate goal is extending DKC to 200% of the federal poverty level for all and to 300% for families willing and able to provide a co-pay. Such increase in access to child health care will cost us state dollars for many years. But, as Dr. Monica Gross said in her testimony for HB 140, the process of getting many more children into regular medical care (we call it their "medical homes") means work on prevention and on-going health education for parents and children. It is a pleasure to see hard working families bring in their children for regular well child and adolescent care to receive these preventive and education services. Public health and child health economists have calculated the cost savings from such regular care which decreases emergency room and hospital use. This gives back \$4.50 to DKC for every \$1 spent.

Please make HB 140 a priority for consideration through the necessary committee process so it, or a similar CS, will go for a floor vote this session. As citizens continue to see the legislative and administration work of consensus and cooperation this year, the "answer" truly seems to be "blowing in the wind".

Respectfully,

George W. Brown

cc: House and Senate Finance and Rules members

From: Chris Chandler & Randy Magen [mailto:chisrandy@gci.net]
Sent: Thursday, April 12, 2007 1:10 PM
To: Rep. Peggy Wilson
Subject: HB 207

Dear Representative Peggy Wilson,
I support your efforts with HB 207:

HB 207, an act relating to questionnaires and surveys administered in schools, sponsored by Representative Peggy Wilson, changes the permission required for students to participate from active to passive. That means a student participates unless a parent/guardian says "no". As you may recall, the permission requirement was changed to active in the late 1990's with the result that survey data collected was insufficient or not valid for use. The Youth Risk Behavioral Survey (YRBS) suffered the most.

As a Family Nurse Practitioner Graduate Student and am currently completing a thesis on adolescent and young adult males and sexual risk taking behaviors. It has been extremely difficult, if not impossible to find appropriate outlets to gather information for my survey. I support your effort in bring this bill into action.

Christine Chandler, RN, BSN, MSN/FNP graduate student

From: Redwood, Diana [mailto:dredwood@anmc.org]
Sent: Thursday, April 12, 2007 9:55 AM
To: Rep. Peggy Wilson
Cc: Rep. Bob Roses; Rep. Anna Fairclough; Rep. Mark Neuman; Rep. Paul Seaton; Rep. Sharon Cissna; Rep. Berta Gardner
Subject: *****SPAM***** FW: HB 207,House H&SS Thursday at 3PM, change permission for surveys

Good morning,

I just wanted to take a moment to voice my support for HB 207, an act relating to questionnaires and surveys administered in schools, changing the permission required for students to participate from active to passive. Information from surveys such as the YRBS are vital to preventing and reducing health risks.

I am in full support of this bill, and hope that it passes into law. Thank you for the opportunity to write.
Sincerely,
Diana Redwood

Diana Redwood, MS, MPH
Nutrition Research Specialist
Office of Alaska Native Health Research
Alaska Native Tribal Health Consortium
4315 Diplomacy Dr
Anchorage AK 99508
Phone: 907.729.3959
Fax: 907.729.2924
E-mail: dredwood@anmc.org



April 3, 2007

The Honorable Peggy Wilson, Chair
House Health, Education and Social Services Committee
Alaska State Capitol, Room 403
Juneau, AK 99801-1182

RE: HB 207 (Wilson)—Support

Dear Chair Wilson:

On behalf of the members of AARP in Alaska, we strongly encourage you and your colleagues on the House Health, Education and Social Services Committee to support your bill HB 207.

AARP is the world's largest organization of grandparents. There are over 89,000 AARP members in Alaska. Most of our members benefited from participating in America's public education program. We are strong supporters of public education. We understand that, to be successful, educators must be able to secure information that aids in their decision-making. This includes student surveys.

Currently parents must opt-in to have their students participate in surveys. HB 207 would return us to our previous system in which a parent would have to opt-out if they did not wish their child to participate in a survey.

Knowing how difficult the current situation has been for successful surveys, AARP supports HB 207, recognizing that surveys of students will only be worthwhile if sufficient numbers participate. The grandparents of AARP support public education and successful survey research for our Alaska students.

We urge an "AYE" vote on HB 207.

Should you have any questions about our position, please feel free to contact me (586-3637) or Patrick Luby, AARP Advocacy Director (907-762-3314).

Thank you for your consideration.

Sincerely,

Marie Darlin

Marie Darlin, Coordinator
AARP Capital City Task Force
415 Willoughby Avenue, Apt. 506
Juneau, AK 99801
586-3637 (voice)
463-3580 (fax)

CC: Vice-Chair Bob Roses
Representative Anna Fairclough
Representative Mark Neuman
Representative Paul Seaton
Representative Berta Gardner
Representative Sharon Cissna
Representative Mike Kelly



YRBSS

Youth Risk Behavior Surveillance System

What is the Youth Risk Behavior Surveillance System (YRBSS)?

The YRBSS was developed in 1990 to monitor priority health risk behaviors that contribute markedly to the leading causes of death, disability, and social problems among youth and adults in the United States. These behaviors, often established during childhood and early adolescence, include

- 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.
- Behaviors that contribute to unintentional injuries and violence.

What are the purposes of the YRBSS?

The YRBSS was designed to

- Determine the prevalence of health risk behaviors.
- Assess whether health risk behaviors increase, decrease, or stay the same over time.
- Examine the co-occurrence of health risk behaviors.
- Provide comparable national, state, and local data.
- Provide comparable data among subpopulations of youth.
- Monitor progress toward achieving the Healthy People 2010 objectives and other program indicators.

What are the components of the YRBSS?

The YRBSS includes national, state, and local school-based surveys of representative samples of 9th through 12th grade students. These surveys are conducted every two years, usually during the spring semester. The national survey, conducted by CDC, provides data representative of high school students in public and private schools in the United States. The state and local surveys, conducted by departments of health and education, provide data representative of public high school students in each state or local school district.

The YRBSS also includes additional national surveys conducted by CDC:

- The Youth Risk Behavior Survey, conducted in 1992 as a follow back to the National Health Interview Survey among nearly 11,000 persons aged 12–21 years.
- The National College Health Risk Behavior Survey, conducted in 1995 among a representative sample of about 5,000 undergraduate students.
- The National Alternative High School Youth Risk Behavior Survey, conducted in 1998 among a representative sample of almost 9,000 students in alternative high schools.
- A series of methodological studies conducted in 1992, 2000, 2002, and 2004 to improve the quality and interpretation of the YRBSS data.

Where can I get more information? Visit <http://www.cdc.gov/yrbss> or call 800-CDC-INFO (800-232-4636).



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





ESEA Information Update

Wisconsin Department of Public Instruction/Elizabeth Burmaster, State Superintendent, P.O. Box 7841/Madison, WI 53707-7841

Bulletin No. 02.14

Created: April 11, 2003
Updated: August 4, 2003

Topic: Student Surveys

In January 2002, the Protection of Pupil Rights Amendment (PPRA) was amended by the Elementary and Secondary Education Act of 2001 (also known as the No Child Left Behind Act). The amendment added an additional category (religious practices, affiliations, or beliefs of the student or student's parent) to the existing categories that impact student surveys and made minor changes to the existing seven categories. If a survey contains one or more of the identified categories, schools and contractors must protect student privacy and give parents the right to inspect the survey. The eight categories are:

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
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

A local educational agency (LEA) that receives funds under any U.S. Department of Education program is required to develop and adopt policies, in consultation with parents, concerning student privacy. The policies relating to surveying of students must address:

- 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, and procedures for granting a parent request to access the survey within a reasonable period of time after the request is received
- 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 eight categories of information noted above.

However, an LEA is not required to develop and adopt new policies if it has in place -- and did so on the date of enactment of the Elementary and Secondary Education Act of 2001 -- policies covering the requirements set forth in the law.

LEAs must directly notify parents of these policies, and at a minimum, they shall provide the notice at least annually, at the beginning of the school year. Also, an LEA shall notify parents

Copies of this and other ESEA Information Updates can be found at www.dpi.state.wi.us/dpi/esea

within a reasonable period of time if any substantive change is made to the policies. In the notification, the LEA shall:

- Provide an opportunity for parents to opt out of (remove their child from) participation in the administration of any survey containing one or more of the eight categories of information noted above, and
- Provide parents with the specific or approximate dates during the school year when the surveys are scheduled.

Confusion often exists about prior written parental consent, also known as "active" parental permission, and if it is required before a student may participate in a survey that asks for personal information described in PPRA (e.g., sexual behavior, illegal or antisocial behavior, and mental or psychological problems). Examples of common surveys used in Wisconsin that collect personal information are the Youth Risk Behavior Survey (YRBS) and the Search Institute Profiles of Student Life: Attitudes and Behaviors. Currently, PPRA only requires active parental permission before minor students are required to participate in any survey, funded in whole or in part by the U.S. Department of Education that reveals information concerning one or more of the eight categories noted above. Most student surveys administered in Wisconsin, such as the YRBS, are voluntary, and if administered properly (students are instructed on the voluntary nature), active parental permission is not required and "passive" parental permission is allowable. "Passive" means the parent is provided an opportunity to opt out of (remove the child from) participation. The district may assume parental consent if they hear no timely objection from the parent.

Specific questions related to this bulletin should be directed to:

Doug White, Director
Student Services/Prevention and Wellness Team
(608) 266-5198
douglas.white@dpi.state.wi.us

References:

1. U.S. Department of Education, Family Policy Compliance Office, (2002). Hot topics: Recent changes affecting FERPA & PPRA. (http://www.ed.gov/offices/OM/fpco/hot_topics/ht_10-28-02.html) Washington, D.C.
2. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Division of Adolescent School Health, (2002). Parental Permission: Conducting a successful Youth Risk Behavior Survey (YRBS) with Active Parental Permission. Atlanta, GA.

When: Annually at start of school year.

Who: Any Title-funded schools and districts.

Sample Parental Permission Forms (Passive and Active) for Student Surveys

PASSIVE Parental Permission Form

Our school is taking part in the 2003 Youth Risk Behavior Survey sponsored by [name of state or local agency]. The research survey will ask about the health behaviors of 9th through 12th grade students. The survey will ask about nutrition, physical activity, injuries, tobacco, alcohol, and other drug use. It also will ask about sexual behaviors that cause AIDS, other sexually transmitted diseases, and pregnancy.

Students will be asked to fill out a questionnaire that takes about 45 minutes to complete.

Doing this paper and pencil survey will cause little or no risk to your child. The only potential risk is that some students might find certain questions to be sensitive. The survey has been designed to protect your child's privacy. Students will not put their names on the survey. Also, no school or student will ever be mentioned by name in a report of the results. Your child will get no benefit right away from taking part in the survey. However, the results of this survey will help children in the future. We would like all selected students to take part in the survey, **but the survey is voluntary**. No action will be taken against the school, you, or your child, if your child does not take part. Students can skip any question that they do not wish to answer. In addition, students may stop participating in the survey at any point without penalty.

Please read the section below. If you do **not** want your child to take part in the survey, check the box and return the form to the school no later than [Date]. Please see the other side of this form for more facts about the survey. If your child's teacher or principal cannot answer your questions about the survey, call [name of state or local agency contact] at [phone number]. Thank you.

Child's name: _____ Grade: _____

I have read this form and know what the survey is about.

My child may **not** take part in this survey.

Parent's signature: _____

Date: _____

Phone number: _____

GUIDELINES FOR PASSIVE CONSENT

Based on recent change to state law,¹ CDE has determined that under certain circumstances LEAs conducting the California Healthy Kids Survey (CHKS) have the option of using passive parental consent, rather than active (written) consent as previously required.² Under passive-consent procedures, parents/guardians inform the school only if they *don't want* their child to participate in a study (opt out).³ To adopt passive consent, the following conditions must be met:

- The survey is limited to grades 7 through 12. Passive consent cannot be used below grade 7.⁴
- It is anonymous, confidential, and voluntary. Active consent must still be used if respondent data are linked to a respondent's name in any form or manner, such as in longitudinal tracked surveys.
- The school board formally adopts, in consultation with parents, a written passive consent policy for the administration of the CHKS (and any other survey or test) consistent with California Education Code sections 51513 and 51938(b) and the federal Protection of Pupil Rights Act (PPRA), 20 USC 1232h.
- Parents/guardians are notified in writing at the beginning of the school year about the survey and when it is to be administered, and given a reasonable opportunity to review the survey and to decline their child's participation (opt out).
- Parents/guardians are notified of any substantive changes in survey policies, dates, or content that occur after the initial notification.
- The parental notice contains all the required elements specified in the CHKS Guidebook for protection of human subjects and in the federal Protection of Pupil Rights Act.
- Questions are not added to the survey that elicit reports of parental attitudes or behaviors or any other category that requires active consent under Ed Code 51513 but not exempted under Ed Code 51938.

The following guidelines are designed to help you determine whether you should switch from written to passive consent and the steps you should take if you decide to make the change.

Benefits of Passive Consent

- Passive consent involves less cost and labor, particularly for the classroom teacher.
- If you have *not* been successful in meeting your target sample using written consent, passive consent will likely increase your response rates.
- Research also suggests that passive consent will result in a more representative sample, as many hard-to-reach subgroups, including groups at high-risk of substance use and other problem behaviors, are underrepresented in written consent surveys.⁵

¹ See Education Code 51938(b), which stipulates: "Notwithstanding Section 51513, anonymous, voluntary, and confidential research and evaluation tools to measure pupils' health behaviors and risks, including tests, questionnaires, and surveys containing age appropriate questions about the pupil's attitudes concerning or practices relating to sex may be administered to any pupil in grades 7 to 12, inclusive, if the parent or guardian is notified in writing that this test, questionnaire, or survey is to be administered and the pupil's parent or guardian is given the opportunity to review the test, questionnaire, or survey and to request in writing that his or her child not participate."

² Written consent requirements and strategies are detailed in the CHKS Guidebook, available online at www.wested.org/hks.

³ As described in the CHKS Guidebook, under active-consent procedures parents must confirm in writing that they consent or not, usually by signing and returning a form. If a form is not returned, it must be assumed that parental permission is not granted.

⁴ Education Code 51938(o) authorizes passive consent only for grades 7 through 12 (see note 1).

Considerations for Changing from Active to Passive Consent

- **Written consent provides extra protection** against surveying a student whose parents did not receive notification or did not approve of participation but failed to inform the school. This extra protection may be important if risk behavior surveys are a sensitive issue in your community.
- If passive consent reduces the burden on the classroom teacher, **schools must take special precautions** to demonstrate that they made every reasonable effort possible to inform parents about the survey (and any subsequent changes) and to give them opportunities to opt out.
- If your sample changes (e.g., becomes more representative), it will **complicate interpretation of current trends**. Did student behavior change or the sample? Most research suggests reported AOD use will increase. WestEd will provide talking points to address this issue.
- **If you have been meeting your target response rates using written consent**, you might want to continue using it to avoid the issues listed above, especially if your district will still need to use written consent with 5th grade.

Recommendations for Passive Consent Implementation

Survey procedures must ensure that parents receive the consent materials, pay attention to them, and have sufficient time and opportunities to refuse participation. To assure PPRA compliance and reduce the risk of inadvertently surveying a child without parent permission, we recommend the following:

- **Stress that survey participation is voluntary in all communications.** This is a key requirement for the use of passive consent procedures in the PPRA. Notify students in writing and verbally (before survey administration) that they have the right to decline participation and to not answer any question that makes them uncomfortable. Make sure nothing is done that might cause a student to feel uncomfortable if he doesn't want to participate.
- **Send all consent information and forms via a method that guarantees receipt**, such as by mail. Preferably, use a method that documents receipt. For example, the information can be put into a parent handbook that the parent signs for.
- **Use multiple contact techniques.** Do everything possible to insure parents receive notification.
- **Make sure all materials are language appropriate** for parents with limited English reading ability.⁶
- **Make disapproval notification convenient.** Again, use multiple venues: a written form that can be turned into a teacher, a phone number to call, or email address. Each channel should reach a single person or office, identified in district policies, responsible for monitoring consent. This will help avoid parent refusals from slipping through the cracks.
- **Document all your efforts to notify parents.**

*For more information about consent procedures,
call your regional CHKS advisor at 888.841.75 5.*

⁵ The application of active-consent procedures to anonymous, voluntary surveys with rigorous data safeguards and minimal risks to students—such as the CHKS—has been criticized for jeopardizing access to essential information by imposing overly rigid, stringent, and costly consent procedures

⁶ CDE policy is that, in addition to English, notification must also be in each primary language other than English where 15 percent of the students speak that primary language.

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Archive: Action Alert for School Based Research

YOUR HELP NEEDED

Action Alert for School-based Research Threats

January 30, 2002

Dear Colleagues:

You may be aware that APA has worked in coalition with a number of science, education and public health organizations to protect the ability of scientists to conduct research in schools without having an absolute requirement of prior, written parental consent. Due to our advocacy efforts on the recent education reform legislation ("Leave No Child Behind"), the federal government has not imposed a written consent standard. However, the legislation does require school districts to establish policies on privacy that extend to in-school surveys about risk behaviors and attitudes. Thus, the focus of our concern must expand from the federal level to the state and local levels. You may have read that the state of New Jersey has recently approved legislation requiring prior, written parental consent for in-school surveys. Below is a Washington Times story in which several prominent researchers are quoted about the New Jersey law. We are interested in your reaction to these developments. Please contact me directly if you have questions or concerns.

Pat Clem Kobor
Senior Science Policy Analyst
American Psychological Association
(202) 336-5933
(202) 336-6063-f

All that schools survey
Cheryl Wetzstein
THE WASHINGTON TIMES
Published 1/29/2002

Have you ever had sexual intercourse ("gone all the way, made love")? As of this month, students in New Jersey public schools can't be asked this kind of personal question on a survey without their parents' prior written consent. The Jan. 9 law enacting this change has been hailed as a victory for privacy rights of parents and their children and something that should be adopted nationally. Researchers, however, say the law is "excessive" and will jeopardize important research into teen behavior. There has long been a tug-of-war over student surveys in schools. Researchers agree that schools are the ideal place to survey teens and have typically addressed the need for parental consent with a technique called "passive consent," "active dissent" or "opt out."

With this technique, schools inform parents of an upcoming survey and ask them to tell the school if they don't want their children to take it — parents must "actively dissent" or "opt out." If the school doesn't hear from the parents, it assumes it has their "passive consent" to give the survey to their children.

The New Jersey law requires "active consent," which means parents must tell the school that their children can take a survey. If parents don't say yes, their children cannot participate in any school survey that asks questions about politics, sex, drugs and other personal issues. The law stems from a battle over a 156-question survey that was given in 1999 to more than 2,000 public middle- and high-school students in Ridgewood, N.J. The survey asked teens about sexual activity, birth control, drugs, liquor, cigarettes, binge eating, depression, suicide, stealing, physical violence, and relationships with family and friends. School officials said they notified parents several times about the survey but did not seek parental consent because the survey was voluntary. Many Ridgewood parents were outraged by the survey, saying it introduced children to bad behaviors, invaded family privacy and instilled a politically liberal worldview.

"The questions were so politically correct," said Ridgewood mother Frances Edwards, noting that students were asked to assess their feelings about race relations, poverty and "speaking up for equality." Amid a lengthy battle — which includes an ongoing lawsuit — New Jersey officials passed their law, which was hailed as a "great victory for parents" by Phyllis Schlafly, founder of the Eagle Forum. "The school system is just obsessed with giving these nosy questionnaires," Mrs. Schlafly said. Schools shouldn't use valuable classroom time on social surveys, but if they do, they should all require active parental consent, she said.

"Now in New Jersey, there will be one state where the parents will not always lose," said Michael Schwartz, vice president for government relations at Concerned Women for America, which supports parental rights in surveys.

Getting active parental consent for student surveys is "analogous to doing medical research," Mr. Schwartz said. Medical research can only be

conducted on people who consent to it, he said. "Why in the world would we think you can do research on children without their parents' knowledge and consent?" Shepherd Smith, president of the Institute for Youth Development, which publishes a journal on teen behaviors, is "empathetic to both sides" in the issue.

"Clearly as a parent, I'm not real excited about intrusive surveys in high school," he said. "At the same time, I understand that the data gained in these surveys is critically important to ultimately reducing the negative behaviors."

Supporters of the N.J. law "may have won a Pyrrhic victory," said Lloyd D. Johnston, director of the Monitoring the Future (MTF) survey. The federally funded MTF, founded in 1975, goes into 400 schools every year to ask eighth, 10th and 12th graders about their substance abuse and other behaviors. MTF uses active dissent in almost all its schools, said Mr. Johnston, who works at the Institute for Social Research at the University of Michigan.

In the few schools that require active consent, he said, MTF researchers have found that many parents don't return the consent form — "they didn't open their mail or get around to answering it," Mr. Johnston said. As a result, as many as 30 percent of students are excluded from taking the MTF survey, even though, based on deeper research, fewer than 2 percent of parents actually object to the survey. The loss of so many students "skews the findings in a serious and important way," Mr. Johnston said. "Parents, more than anyone, stand to benefit from our having this knowledge," he said, noting that the MTF helped alert the nation to expanding marijuana use in the 1970s, cocaine use in the 1980s and ecstasy use in the 1990s.

"So I'm not sure the interests of parents are being well-served, even though it's in their name that these efforts are taken," he said.

"I have yet to hear someone come up with an alternative approach to getting data other than asking the question," said Sarah Brown, director of the National Campaign to Prevent Teen Pregnancy. Parental concerns about sensitive surveys of young teens are reasonable and should be addressed, perhaps with opt-out techniques, said Mrs. Brown. But there are compelling public health concerns that require data about teen behavior that have to be addressed as well, she said.

It's difficult to ask teens questions about topics such as oral sex, and yet "every time there's something in the paper, we get hysterical calls asking isn't it true that all the middle schoolers are having oral sex?" "And I have to say, 'Well, I actually don't have any information. All I have is anecdotes,'" Mrs. Brown said. "I see [the N.J. law] as excessive," said Michael D. Resnick, a pediatrics professor at the University of Minnesota and researcher with the National Longitudinal Study of Adolescent Health (Add Health). "The vast majority of parents are all right [with surveys] as long as they are informed," he said, citing his two decades of experience in researching teen behavior.

Add Health, which tracks the same teens, requires written prior consent, said Mr. Resnick. It also uses laptop computers for privacy and question control — when teens say they have had sex or used cocaine, they are asked more questions about those subjects. But if they say they haven't had sex or used drugs, the computer program immediately moves them to new topic.

Such computer-assisted surveys are becoming more popular and may resolve a lot of the concerns about survey content, Mr. Resnick said.

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Best Practices

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Resources

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Who is AASB?

The Association of Alaska School Boards is a non-profit organization that serves as a source of assistance, information, and liaison for school boards and the districts they represent.

QS2 Formation

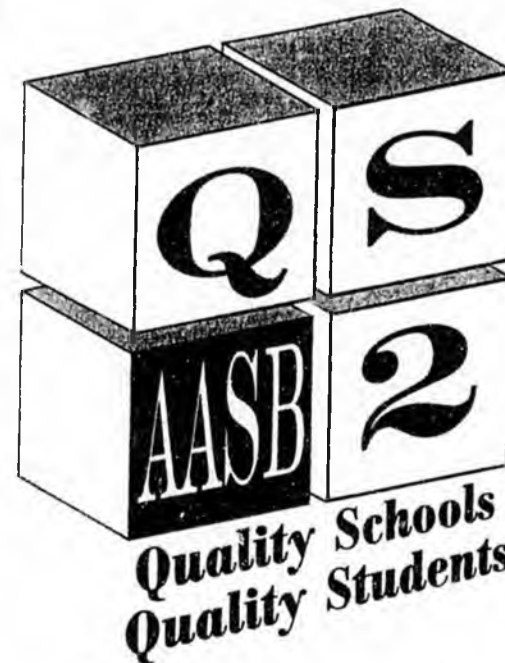
The QS2 service is guided by the Association of Alaska School Boards with contributions and a broad base of support from education and community leaders throughout Alaska. AASB and district partners are learning as the service matures. From the beginning many supportive organizations and individuals helped create the vision for QS2. The following organizations were directly involved: Northwest Regional Education Laboratory, Alaska Department of Education and Early Development, Alaska Staff Development Network, Alaska Center for Excellence in Schools, and the University of Alaska.

Costs & Resources

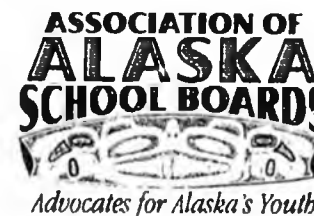
QS2 is available to districts ready to show a 3 year commitment to the full service, including strategic planning. AASB provides direct services as well as contracted services by consultants agreed to by the district. The cost will vary depending upon the needs of the individual district.

AASB is continually seeking grant and foundation support to assist districts with finding resources in addition to their own contribution of local human and financial resources. Currently participating partner districts benefit from a federal grant, Alaska Initiative for Community Engagement (Alaska ICE). This grant provides significant support to assist partner districts in achieving greater community, parent, and student involvement and commitment. AASB views such broad base support as key to improving the achievement of all students.

Investing in Alaska's future



Supporting Student Learning
Building on Standards-Based Learning,
Engaged Communities, and Involved Students





Linking a Shared Vision with Successful Practices

Taking Aim on Results

Where the School Is Vs. Where the School Wants To Be.

Out of necessity, most Alaskan schools are engaged in reform at many levels. Quality Schools/Quality Students (QS2) is designed to support school districts in promoting high achievement for all students by focusing effort on:

- Determining a common vision and system wide plan of action
- Promoting community ownership and engagement
- Building staff, school board, and community capacity
- Examining current student achievement
- Redirecting and securing resources
- Holding systems accountable for results

What is QS2?

QS2 is a comprehensive school improvement service that will assist school districts and their local communities in raising student achievement to meet or exceed state standards by linking a shared vision for education with successful practices. Central to QS2 is the facilitation of a strategic planning process that brings a broad spectrum of the community together to create the shared vision. It brings all efforts under one umbrella using the quality management principles of the continuous improvement cycle - Plan, Implement, Evaluate, Refine. QS2 efforts focus on the broad areas:

- Leadership
- Programs and Staff
- Community, Parent, and Student Engagement
- Resources

Participating Districts

AASB welcomed Sitka as a new QS2 partner district in July 2005. The district was selected for this part in an effort to draw attention to the QS2 partnership - Alaska Gateway, Education, and Quality Schools. Taking full advantage of the Alaska ICE partnership, AASB and the regional grants that help student districts in their efforts to develop quality improvement systems, AASB will be supporting and helping to develop the QS2 partnership in Sitka. AASB will be providing technical assistance to help districts, including:

QS2 Benefits from Alaska ICE

Alaska ICE is entering into its third year as a recipient of a federal grant through the Alaska Gateway for Community Improvement. Alaska Gateway for Quality Schools/Quality Students will receive financial support to help develop and implement quality improvement systems. AASB will be providing technical assistance to help districts, including:

How QS2 Works

Step #1 District Application

Districts interested in becoming a QS2 district make application during the early spring. Following conditional acceptance, an AASB staff member will brief the district staff and board on all facets for qualifying

district, *understand* how the community is involved, *determine* the effort directed to help students achieve state standards, and lots more. With the inventory results in hand, the board makes a formal commitment to QS2 and proceeds

Step #2 District Inventory

QS2 consultants conduct an "inventory" from which a district will be able to determine customer satisfaction as well as identify targeted areas for improvement. The inventory results, presented and discussed at a board meeting, help create a "snapshot" of the district's current condition, particularly focused on student achievement and the many factors that influence achievement

Step #3 Strategic Planning

Strategic planning is the next essential step for the QS2 partnership. Strategic planning helps to establish or refine a vision for the district and develops specific action plans based on an analysis of objective data that are designed to benefit student learning in quantifiable ways. Using the inventory and the action plans a district will focus on pre-determined priorities and track progress on strategic goals.

The inventory is similar to a management review. The inventory consultants serve as visiting colleagues, not as evaluators. The review team conducts in-depth interviews with board members, administrators, teachers, community members, parents, and students. The interviews are designed to *gauge* district constituent perceptions of district strengths and weaknesses, *learn* how decisions are made within the

Step #4 Implementing Best Practices

Areas identified as "in need of improvement" will be the basis of a customized plan of professional assistance and guidance. All activities undertaken will be district-determined, research-based, and continuously evaluated for the impact on students

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FAQs - Conducting In-School Surveys

Written by Tasha Snyder, Agricultural Sciences

The school setting is an optimal location to survey large numbers of students for research projects. Before planning a data collection study, however, it is important to be aware of federal guidelines and policies that contain regulations relevant for researchers conducting in-school studies of youth. These guidelines have implications for sampling, the informed consent process, and survey content.

Q: What federal regulations should I be aware of before planning an in-school study of youth?

A: The two key federal regulations you need to be familiar with are the Family Education Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA). Both federal regulations apply to any institution receiving funds from the U.S. Department of Education.

FERPA

Initially signed into law in 1974, FERPA regulations are periodically updated, most recently under the No Child Left Behind Act of 2001. The main function of FERPA is to protect parent's rights regarding inspection and modification of their child's educational records. Under FERPA regulations parents have the right to inspect their child's educational records, request a correction to any errors in those record, and *parent's written permission must be sought before releasing their child's educational records*. Schools may release limited contact information for students (name, address, phone number, attendance record, date and place of birth, honors and awards) without written parental permission, but parents must be notified of these requests and given the opportunity to request that their child's information not be released.



PPRA

Part of the FERPA and No Child Left Behind legislation, PPRA is designed to protect parent's and pupil's rights regarding inspection of any materials - as part of the instructional curriculum or study instruments - to which students are exposed. Instructional and survey materials must be made available for parents to review, and *schools must obtain written parental consent before their minor students participate in any study that asks about the following:*

- political affiliations or beliefs of the student or student's parents;
- mental and psychological problems that are potentially embarrassing to the student and/or his or her family;
- sexual behaviors and attitudes; ✖
- illegal, antisocial, self incriminating and demeaning behavior; ✖
- critical appraisals of family members;
- legally protected relationships, such as those with lawyers, clergy and physicians;
- religious practices or beliefs of the student or student's parents; or
- income

Under PPRA schools are required to develop and adopt policies in conjunction with parents regarding their rights to inspect research surveys and instructional materials, protect students' privacy related to the eight items noted above, administering physical exams to students, and collecting student information intended to be used for marketing purposes. In addition, parents must be made aware in advance of dates when data collection studies will occur and of their rights to withdraw their children from participating in any study that asks about the eight items listed above, any marketing surveys, and any non-emergency physical exam or screening.

For a complete description of the FERPA and PPRA regulations, recent Supreme Court rulings, and a history of the legislation, see the following urls:

http://personalinfomediary.com/FERPA_info.htm
<http://www.ed.gov/policy/gen/guid/fpco/hottopics/ht10-28-02.html>

Q: What are the implications of the FERPA and PERPA regulations for the design, sampling, and implementation of my in-school study?

A: There are two main implications for study design and implementation. First, the content of your survey largely determines the level of parental consent required. In-school studies with surveys that contain sensitive questions related to any of the eight items described above must first provide parents full information about the study and survey content and then obtain written parental consent before a student can participate in the study. Surveys that contain more benign questions might not require active written parental consent but rather "passive" consent where parents are notified of the study, usually at least 2-3 weeks in advance, and reply to deny consent, rather than provide it. This type of scenario is addressed on a case-by-case basis by the IRB. Regardless though, all parents must be notified of the dates when data collection will occur so they can choose to withdraw their child from the study, even after giving written parental permission to participate.

Second, the level of consent required has important implications for the representativeness of your sample and can introduce sample bias into your study. Findings from several recent studies consistently highlight how sampling bias is introduced into research involving youth when active written parental consent is required (Dent, Galaif, Sussman, Stacy, Burtun and Flay 1993; Ellickson and Hawes 1989; Esbensen, Miller, Taylor, He and Freng 1999; Henry, Smith and Hopkins 2002). Two studies in particular, Esbensen et al. (1999) and Henry et al. (2002), compare samples from the same population involving active written parental consent with those involving passive parental consent and document how response rates are affected and bias is introduced.



Esbensen et al. (1999) collected data from 7th grade students in six U.S. cities and employed a sampling design that used passive parental consent for their pre-test wave of data collection, and then were required to obtain active parental consent for a subsequent wave of data collection on the same sample. This design provides a unique opportunity to compare the two samples of the same population, and determine how passive and active parental consent procedures differentially impact sample selectivity. Regarding response rates, in their pre-test survey, where passive parental consent was used, only 13 of the 2,496 eligible 7th grade students (0.4%) could not participate because their parents denied consent. When active parental consent was required for their first wave of data collection the response rate and sample size of their study were considerably reduced. Between 23% and 45% of youth did not participate in the study, depending on the site, due to non-response from the parents. Extensive follow-up of non-respondents found that 78% of the parents subsequently provided consent for their child to participate in the study, and 22% refused to provide consent. This suggests that non-response indicates passive

acceptance rather than being synonymous with refusal. Thus, the active written parental consent process that is required by PPRA could result in an unnecessarily large non-response rate, preventing students from participating in studies.

Regarding sample bias, Esbensen et al. (1999) provide strong evidence that the characteristics of the students whose parents did not respond were different from those whose parents responded, thus introducing bias into their sample. Comparing the pre-test sample with the sample of responders to the active parental consent, including those who allowed their children to participate and those who did not, revealed that the sample of responders was more likely to be white, to come from intact homes (two married parents), and to have parents with more than a high school education. In addition, parents of "at-risk" youth (positive attitudes towards and engagement in delinquent behaviors) were less likely to return consent forms at all. This study documents a selection bias introduced by the active parental consent procedure, and recommends that a mailing be sent home to parents notifying them of the study, and that the parents be given 2-3 weeks to deny their child's participation in the study, after which time period the consent is implied.

More recently, similar findings were reported when Henry et al. (2002) conducted an in-school study of 7th grade students in nine school districts in rural Pennsylvania. Active written parental consent was required for all students participating in their study, however, the project was able to access secondary data on several student characteristics for all eligible students--including GPA and absence from school--which allowed them to determine whether and how their sample was biased on these important characteristics. This study further made comparisons between the consent, non-consent, and non-response groups and determined not only if bias was introduced into their sample, but whether it originated from the non-consent group, the non-response group, or both. Findings revealed that the students whose parents declined their consent did not differ significantly from those whose parents provided consent, but that the students with non-responding parents did differ significantly from those who consented on two key educational variables. The students whose parents provided consent had fewer days of school absence and higher grade point averages compared to the students with non-responding parents. Thus, comparisons of the three groups (consenters, decliners, and non responders) find that the students eliminated from the study because of the lack of permission due to non-responders is the source of sample bias, not the presence of decliners. The result is that the Henry et al. (2002) sample represents students who are less "at-risk" for poor outcomes, thus introducing sample bias.

Both of these studies employed the numerous strategies suggested to increase return rates for active written parental consent. **These strategies include designing effective informational and consent forms, working with key school personnel, multiple mailings to parents, providing rewards for classrooms that have high return rates (such as pizza or ice cream parties), and following up with non-responders** (Esbensen et al., 1999; Fletcher and Hunter, 2003; Henry et al., 2002). Even though these strategies were implemented, both studies report biased samples due to the high degree of non-response associated with written active parental consent procedures.

Q: Yikes! So, what's a child and youth researcher planning to use in-school data collection to do?

A: Well, there really isn't much you can do to completely avoid sampling bias with in-school youth surveys of sensitive topics where active written parental consent is required. The FERPA and PPRA regulations were developed and instituted with the goal of protecting the rights and privacy of parents and students, not to promote easier access to students for research purposes.

Following the suggestions outlined above will help reduce bias in your study. Also keep in mind that sampling bias is an issue for most primary data collection studies.

References

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1998 Alaska Statute

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

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 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 guardian.

1999 Alaska Statute

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(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.

2005 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.

Directions

- 0 Use a 92 pencil only.
- 0 Make dark marks.
- 0 Fill in a response like this: A B ● D.
- 0 To change your answer, erase completely.

1. How old are you?
 - A. 12 years old or younger
 - B. 13 years old
 - C. 14 years old
 - D. 15 years old
 - E. 16 years old
 - F. 17 years old
 - G. 18 years old or older

2. What is your sex?
 - A. Female
 - B. Male

3. In what grade are you?
 - A. 9th grade
 - B. 10th grade
 - C. 11th grade
 - D. 2th grade
 - E. Ungraded or other grade

4. How do you describe yourself? (Select one or more responses.)
 - A. American Indian or Alaska Native
 - B. Asian
 - C. Black or African American
 - D. Hispanic or Latino
 - E. Native Hawaiian or Other Pacific Islander
 - F. White

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

6. How tall are you without your shoes on?

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

Example

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

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

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

Example

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

8. How do you describe your health in general?
- A. Excellent
 - B. Very good
 - C. Good
 - D. Fair
 - E. Poor

The next 4 questions ask about personal 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
 - E. 6 or more times

The next 11 questions ask about violence related behaviors.

13. During the past 30 days, on how many days did you carry a weapon such as a gun, knife, or club?
- A. 0 days
 - B. 1 day
 - C. 2 or 3 days
 - D. 4 or 5 days
 - E. 6 or more days
14. During the past 30 days, on how many days did you carry a gun?
- A. 0 days
 - B. 1 day
 - C. 2 or 3 days
 - D. 4 or 5 days
 - E. 6 or more days
15. During the past 30 days, on how many days did you carry a weapon such as a gun, knife, or club on school property?
- A. 0 days
 - B. 1 day
 - C. 2 or 3 days
 - D. 4 or 5 days
 - E. 6 or more days
16. During the past 30 days, on how many days did you not go to school because you felt you would be unsafe at school or on your way to or from school?
- A. 0 days
 - B. 1 day
 - C. 2 or 3 days
 - D. 4 or 5 days
 - E. 6 or more days

17. During the past 12 months, how many times has someone threatened or injured you with a weapon such as a gun, knife, or club on school property?
- A. 0 times
 - B. 1 time
 - C. 2 or 3 times
 - D. 4 or 5 times
 - E. 6 or 7 times
 - F. 8 or 9 times
 - G. 10 or 11 times
 - H. 12 or more times
18. 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?
- 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?
- A. 0 times
 - B. 1 time
 - C. 2 or 3 times
 - D. 4 or 5 times
 - F. 6 or 7 times
 - G. 8 or 9 times
 - H. 10 or 11 times
 - I. 12 or more times
20. 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
21. 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
22. During the past 12 months, did your boyfriend or girlfriend ever hit, slap, or physically hurt you on purpose?
- A. Yes
 - B. No
23. Have you ever been physically forced to have sexual intercourse when you did not want to?
- A. Yes
 - B. No
- The next 5 questions ask about sad feelings and attempted suicide. Sometimes people feel so depressed about the future that they may consider attempting suicide, that is, taking some action to end their own life.
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
 - F. 6 or more times
28. If you attempted suicide during the past 12 months, did any attempt result in an injury, poisoning, or overdose that had to be treated by a doctor or nurse?
- A. I did not attempt suicide during the past 12 months
 - B. Yes
 - C. No

The next 11 questions ask about tobacco use.

29. Have you ever tried cigarette smoking, even one or two puffs?
- A. Yes
 - B. No
30. How old were you when you smoked a whole cigarette for the first time?
- A. I have never smoked a whole cigarette
 - B. 8 years old or younger
 - C. 9 or 10 years old
 - D. 11 or 12 years old
 - E. 13 or 14 years old
 - F. 15 or 16 years old
 - G. 17 years old or older

31. During the past 30 days, on how many days did you smoke cigarettes?
- A. 0 days
 - B. 1 or 2 days
 - C. 3 to 5 days
 - D. 6 to 9 days
 - E. 10 to 19 days
 - F. 20 to 29 days
 - G. All 30 days
32. During the past 30 days, on the days you smoked, how many cigarettes did you smoke per day?
- A. I did not smoke cigarettes during the past 30 days
 - B. Less than 1 cigarette per day
 - C. 1 cigarette per day
 - D. 2 to 5 cigarettes per day
 - E. 6 to 10 cigarettes per day
 - F. 11 to 20 cigarettes per day
 - G. More than 20 cigarettes per day
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 too
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

The next 7 questions ask about drinking alcohol. This includes drinking beer, wine, wine coolers, and liquor such as rum, gin, vodka, or whiskey. For these questions, drinking alcohol does not include drinking a few sips of wine for religious purposes.

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

42. During the past 30 days, on how many days did you have at least one drink of alcohol?

- A. 0 days
- B. 1 or 2 days
- C. 3 to 5 days
- D. 6 to 9 days
- E. 10 to 19 days
- F. 20 to 29 days
- G. All 30 days

43. During the past 30 days, on how many days did you have 5 or more drinks of alcohol in a row, that is, within a couple of hours?

- A. 0 days
- B. 1 day
- C. 2 days
- D. 3 to 5 days
- E. 6 to 9 days
- F. 10 to 19 days
- G. 20 or more days

44. During the past 30 days, on how many days did you have at least one drink of alcohol on school property?

- A. 0 days
- B. 1 or 2 days
- C. 3 to 5 days
- D. 6 to 9 days
- E. 10 to 19 days
- F. 20 to 29 days
- G. All 30 days

45. During the past 30 days, how did you usually get your alcohol?

- A. I did not drink alcohol during the past 30 days
- B. I bought it in a store such as a liquor store, convenience store, supermarket, discount store, or gas station
- C. I bought it at a restaurant, bar, or club
- D. I bought it at a public event such as a concert or sporting event
- E. I gave someone else money to buy it for me
- F. A person 18 years old or older gave it to me
- G. I took it from a store or family member
- H. I got it some other way

46. During the past 30 days, where did you usually drink alcohol?

- A. I did not drink alcohol during the past 30 days
- B. At my home
- C. At another person's home
- D. At a restaurant, bar, or club
- E. At a public place such as a park, beach, or parking lot
- F. At a public event such as a concert or sporting event
- G. On school property
- H. Some other place

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

47. 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

48. 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

49. 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

50. During the past 30 days, how many times did you use marijuana on school property?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 or more times

The next 9 questions ask about other drugs.

51. During your life, how many times have you used any form of cocaine, including powder, crack, or freebase?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 or more times

52. During the past 30 days, how many times did you use any form of cocaine, including powder, crack, or freebase?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 or more times

53. During your life, how many times have you sniffed glue, breathed the contents of aerosol spray cans, or inhaled any paints or sprays to get high?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 or more times

54. During your life, how many times have you used heroin (also called smack, junk, or China White)?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 or more times

55. During your life, how many times have you used methamphetamines (also called speed, crystal, crank, or ice)?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 or more times

56. During your life, how many times have you used ecstasy (also called MDMA)?
- 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
57. During your life, how many times have you taken steroid pills or shots without a doctor's prescription?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 or more times
58. During your life, how many times have you used a needle to inject any illegal drug into your body?
- A. 0 times
 - B. 1 time,
 - C. 2 or more times
59. During the past 12 months, has anyone offered, sold, or given you an illegal drug on school property?
- A. Yes
 - B. No
- The next 7 questions ask about sexual behavior.
60. Have you ever had sexual intercourse?
- A. Yes
 - B. No
61. 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
62. 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
63. 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
64. 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
65. The last time you had sexual intercourse, did you or your partner use a condom?
- A. I have never had sexual intercourse
 - B. Yes
 - C. No

66. The last time you had sexual intercourse, what one method did you or your partner use to prevent pregnancy? (Select only one response.)
- A. I have never had sexual intercourse
 - B. No method was used to prevent pregnancy
 - C. Birth control pills
 - D. Condoms
 - E. Depo-Provera (injectable birth control)
 - F. Withdrawal
 - G. Some other method
 - H. Not sure

The next 7 questions ask about body weight.

67. How do you describe your weight?
- A. Very underweight
 - B. Slightly underweight
 - C. About the right weight
 - D. Slightly overweight
 - E. Very overweight
68. Which of the following are you trying to do about your weight?
- A. Lose weight
 - B. Gain weight
 - C. Stay the same weight
 - D. I am not trying to do anything about my weight
69. During the past 30 days, did you exercise to lose weight or to keep from gaining weight?
- A. Yes
 - B. No
70. During the past 30 days, did you eat less food, fewer calories, or foods low in fat to lose weight or to keep from gaining weight?
- A. Yes
 - B. No

71. During the past 30 days, did you go without eating for 24 hours or more (also called fasting) to lose weight or to keep from gaining weight?
- A. Yes
 - B. No
72. During the past 30 days, did you take any diet pills, powders, or liquids without a doctor's advice to lose weight or to keep from gaining weight? (Do not include meal replacement products such as Slim Fast.)
- A. Yes
 - B. No

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

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

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
 - H. 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
80. During the past 7 days, how many glasses of milk did you drink? (Include the milk you drank in a glass or cup, from a carton, or with cereal. Count the half pint of milk served at school as equal to one glass.)
- A. I did not drink milk during the past 7 days
 - B. 1 to 3 glasses during the past 7 days
 - C. 4 to 6 glasses during the past 7 days
 - D. 1 glass per day
 - E. 2 glasses per day
 - F. 3 glasses per day
 - H. 4 or more glasses per day
- The next 7 questions ask about physical activity.
81. On how many of the past 7 days did you exercise or participate in physical activity for at least 20 minutes that made you sweat and breathe hard, such as basketball, soccer, running, swimming laps, fast bicycling, fast dancing, or similar aerobic activities?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days

82. On how many of the past 7 days did you participate in physical activity for at least 30 minutes that did not make you sweat or breathe hard, such as fast walking, slow bicycling, skating, pushing a lawn mower, or mopping floors?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days
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 spend in any kind of physical activity that increases your heart rate and makes 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. 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
86. During an average physical education (PE) class, how many times 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
87. 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 4 questions ask about other health-related topics.
88. Have you ever been taught about IDS or HIV infection in school?
- A. Yes
 - B. No
 - C. Not sure
89. Has a doctor or nurse ever told you that you have asthma?
- A. Yes
 - B. No
 - C. Not sure

90. During the past 12 months, have you had an episode of asthma or an asthma attack?
- A. I do not have asthma
 - B. No, I have asthma, but I have not had an episode of asthma or an asthma attack during the past 12 months
 - C. Yes, I have had an episode of asthma or an asthma attack during the past 12 months
 - D. Not sure

91. Has a doctor or nurse ever told you that you have diabetes?
- A. Yes
 - B. No
 - C. Not sure

The next 8 questions are general items about you.

92. How often does one of your parents talk with you about what you are doing in school?
- A. Never
 - B. Less than once a month
 - C. About once or twice a month
 - D. About once or twice a week
 - E. About every day
93. My teachers really care about me and give me a lot of encouragement.
- A. Strongly agree
 - B. Agree
 - C. Not sure
 - D. Disagree
 - E. Strongly disagree

94. Besides your parents, how many adults would you feel comfortable seeking help from if you had an important question affecting your life?
- A. None
 - B. 1 adult
 - C. 2 adults
 - D. 3 adults
 - E. 4 adults
 - F. 5 or more adults
 - G. Not sure

95. During an average week, how many hours do you spend helping other people without getting paid (such as helping elders or neighbors, watching young children, tutoring, helping out at a hospital, clinic, youth program, local agency, or doing other things) to make your community a better place for people to live?
- A. 0 hours
 - B. 1 hour
 - C. 2 hours
 - D. 3 to 5 hours
 - E. 6 to 10 hours
 - F. 11 or more hours

96. On how many of the past 7 days did you take part in organized after school, evening, or weekend activities (such as school clubs, community center groups, music/art/dance lessons, drama, church, 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. I feel alone in my life.
- A. Strongly agree
 - B. Agree
 - C. Not sure
 - D. Disagree
 - E. Strongly disagree
98. In my community, I feel like I matter to people.
- A. Strongly agree
 - B. Agree
 - C. Not sure
 - D. Disagree
 - E. Strongly disagree
99. My 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 time

April 24, 2007

Representative Peggy Wilson
Alaska State Capitol, Room 403
Juneau, Alaska 99801

Dear Representative Wilson:

Thank you for your effort with addressing the many challenges of positive parent consents for student participation in surveys. I support your efforts with HB 207.

For the past two Youth Risk Behavior Surveys (2005 & 2007) I have served as coordinator for the Juneau School District. The current requirement of positive consent requires a tremendous amount of time, energy, and resources. We are a system that does what it takes to get the job done. In spite of the vast effort by my office and school staff, we still did not meet the required 60% return rate for our YRBS data to be considered weighted in comparison with previous years data. We are very eager to have useful data in looking at trends related to student safety and well being. It has been an exercise in frustration to put forth huge effort for minimal return.

I want to point out the impact on students, from my perspective. I want students to take this survey seriously. Instead, the hype and efforts up front to convince parents (and students) of the importance is met with mixed response. Not all households are responsive to school correspondence, especially once a student is in the secondary level. This past YRBS 2007 we closely tracked parent responses. I would estimate that .25 of families are conscientious and responded quickly to the request for a positive consent. That left us with a majority of families non-responsive or slow to respond. Judging from teacher interaction with students there was a profound indifference to the survey, thus minimal effort to secure parent signature, especially as the effort to secure parent signature was prolonged with teacher effort. This is not the response we want from students! I believe it impacts their attention once they actually sit down to take the survey. They've already dismissed the survey as unimportant, otherwise why didn't families respond immediately?

I would advocate for informing parents of the survey and content, allowing prior review and option to not participate. I do not see the positive parent consents as anything but an additional layer of hundreds of hours spent with little return. Our efforts are better spent providing a safe, productive learning environment, not chasing paper.

Respectfully,

Ronalda Cadiante, Project Director
Safe Schools/Healthy Students
(907) 523-1736

April 24, 2007

Representative Peggy Wilson
Alaska State Capitol, Room 403
Juneau, Alaska 99801

Dear Representative Wilson:

I appreciate your efforts to initiate a practice allowing school districts to gather critical data through the survey process without roadblocks to the process. The current practice of positive parent consents, for students to participate, does not allow the necessary feedback desired for data collection and analysis. I support your efforts with HB 207.

I have coordinated the Youth Risk Behavior Surveys (2003, 2005 & 2007) at Juneau Douglas High School. The current legislation surrounding student surveys requires a tremendous amount of time, energy, and resources, of which an entire teams' efforts, these past few years, resulted in incredible frustration and little results. Regardless our tremendous team effort to get the required parent consent ie., providing teacher and student monetary incentive, a promotional campaign to motivate consents (positive or negative), we still did not meet the required 60% return rate for the YRBS.

I support informing parents of the survey and content, allowing prior review and option to not participate. Our efforts are better spent on coordinating important surveys, gathering data and analyzing it to assist school leaders in providing a safe, productive learning environment, not chasing after parent signatures.

Respectfully,

Kathryn S. Milliron, Vice Principal
Juneau-Douglas High School
907-523-1555

From: Becky Judd [bjudd-h@ak.net]
Sent: Wednesday, May 02, 2007 12:12 AM
To: Rep. Jay Ramras; Rep. John Coghill; Rep. Nancy Dahlstrom; Rep. Bob Lynn; Rep. Ralph Samuels; Rep. Max Gruenberg; Rep. Lindsey Holmes
Subject: HB 207

Dear House Judiciary Members,

I urge you to support HB 207 An Act relating to questionnaires and surveys administered in the public schools.

Without good data, schools and community agencies are at disadvantage in applying for national and federal funding because we can not adequately describe and quantify our needs. The active consent law has placed an undue time and financial burden on the health department and schools to collect this data. Even with incentives the state may not get a full sample of participating students in the YRBS, because parents did not get their forms back into the office. That means our most recent statewide data is 5 years old now, 7 years old by the next time the Youth Risk Behavior Survey can be administered.

I have personally volunteered many nights calling parents to remind them to send the forms back into the school. I was available to answer any questions they had about the survey. Of the several hundred calls made i only had two parents that did not want their teenage child to participate in the survey.

I have witnessed the schools going to extraordinary measures to inform parents about the surveys so they can decide what is best for their children.

Please support HB 207.

Becky Judd
6401 Italy Circle



May 1, 2007

The Honorable Jay Ramras, Chair
House Judiciary Committee
Alaska State Capitol, Room 118
Juneau, Alaska 99801-1182

RE: HB 207 (Wilson)—Support

Dear Chair Ramras:

On behalf of the members of AARP in Alaska, we strongly encourage you and your colleagues on the House Judiciary Committee to support HB 207, authored by Representative Peggy Wilson.

AARP is the world's largest organization of grandparents. There are over 89,000 AARP members in Alaska. Most of our members benefited from participating in America's public education program. We are strong supporters of public education. We understand that, to be successful, educators must be able to secure information that aids in their decision-making. This includes student surveys.

Currently parents must opt-in to have their students participate in surveys. HB 207 would return us to our previous system in which a parent would have to opt-out if they did not wish their child to participate in a survey.

Knowing how difficult the current situation has been for successful surveys, AARP supports HB 207, recognizing that surveys of students will only be worthwhile if sufficient numbers participate. The grandparents of AARP support public education and successful survey research for our Alaska students.

We urge an "AYE" vote on HB 207.

Should you have any questions about our position, please feel free to contact me (586-3637) or Patrick Luby, AARP Advocacy Director (907-762-3314).

Thank you for your consideration.

Sincerely,

Marie Darlin

Marie Darlin, Coordinator
AARP Capital City Task Force
415 Willoughby Avenue, Apt. 506
Juneau, AK 99801
586-3637 (voice)
463-3580 (fax)

CC: Vice-Chair Nancy Dahlstrom
Representative John Coghill
Representative Ralph Samuels
Representative Max Gruenberg
Representative Lindsey Holmes
Representative Bob Lynn
Representative Peggy Wilson

ALL ALASKA

PEDIATRIC
PARTNERSHIP

3RD MEDICAL GROUP * ALASKA NATIVE CHILDREN'S CENTER * ALASKA REGIONAL HOSPITAL
CHILDREN'S HOSPITAL AT PROVIDENCE * FAIRBANKS MEMORIAL HOSPITAL
STATE OF ALASKA DEPARTMENT OF HEALTH AND SOCIAL SERVICES
MUNICIPALITY OF ANCHORAGE DEPARTMENT OF HEALTH AND HUMAN SERVICES
MAT-SU REGIONAL MEDICAL CENTER
CENTRAL PENINSULA HOSPITAL * NORTH STAR BEHAVIORAL HEALTH SYSTEM

Via fax

April 25, 2007

RE: HB 207

House Judiciary Committee
Chair Representative Jay Ramras
Vice Chair Nancy Dahlstrom
State Capitol
Juneau, AK 99801

Representatives:

Please pass HB 207, anonymous school survey permission.

The collection of data for use in planning and delivering services to our children is critical. In recent years, insufficient data has hampered school districts and others from gaining funding for services. The information collected provides the "gold standard" data that is used for evaluating efforts to improve health and well-being of our youth. State and local education agencies and communities can use results to help focus programs and policies for comprehensive school health education, school safety education and policy as well as drug and violence prevention education. The Alaska State Legislature and the Office of the Governor also have utilized the findings of previous surveys for programmatic purposes.

The Youth Risk Behavior Survey yields valuable information on the prevalence of priority health risk behaviors that contribute to the leading causes of death, disability, and social problems among youth and adults in Alaska and the United States. These behaviors include: tobacco use; poor eating habits; inadequate physical activity; alcohol and other drug use; sexual behaviors that contribute to unintended pregnancy and sexually

PO Box 230567 ANCHORAGE, AK 99523 VOICE: 907-580-3180 FAX: 907-580-2435 www.a2p2.com

transmitted diseases (including HIV infection); and behaviors that contribute to suicide, violence and other injuries. Unfortunately, many of these behaviors are established at a young age and result in health problems later in life.

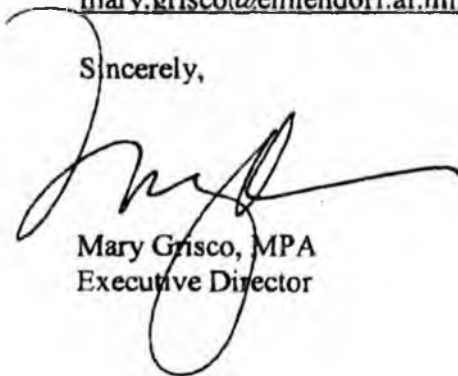
Information from this survey is vital to preventing and reducing health risks and improving the health and success of our youth.

AAPP is a unique public private partnership committed to all Alaskan children since 1995 that creates safe places to grow working relationships to move positive decisions forward. We bring institutional perspectives to exchange ideas and develop collaborative approaches to enhance, not diminish Alaska's pediatric services.

Our current areas of focus include expansion of behavioral health services, increasing pediatric sub-specialty providers and sharing institutional best practices. We promote medical homes and access for children as we know that investing in regular preventive care for children gives them an excellent foundation to be successful students, productive workers and involved citizens.

If I can provide additional information, please contact me at mary.grisco@elmendorf.af.mil.

Sincerely,



Mary Grisco, MPA
Executive Director

ALASKA STATE LEGISLATURE HOUSE JUDICIARY COMMITTEE

Representative Jay Ramras
Chairman

(907) 465-3004

Fax: (907) 465-2070

Representative_Jay_Ramras@legis.state.ak.us

1292 Sadler Way, Suite 324
Fairbanks, AK 99701



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Vice-Chairman

Representative John Coghill

Representative Bob Lynn

Representative Ralph Samuels

Representative Max Gruenberg

Representative Lindsey Holmes

State Capitol, Room 120
Juneau, Alaska 99801-1182

Fax

To: Leg. Legal

Fax #: 2029

Number of pages including cover: 1

From: Jane Pierson

Date: May 2, 2007

Re: HB207 version \K

Please go final on a HJUD CS for the above-referenced bill with the following conceptual amendment:

P.L. 18

(8) notice of the opportunity for the student not to answer specific questions or the entire survey.

HB

209



ALASKA STATE LEGISLATURE

HOUSE LABOR & COMMERCE COMMITTEE

REP. KURT OLSON

Chairman
State Capitol, Room 17
Juneau, AK 99801-1182
(907) 465-2693 FAX 465-3835

Rep Mark Neuman, V-Chair Rep. Carl Gatto
Rep. Jay Ramras Rep. Berta Gardner
Rep. Gabrielle LeDoux Rep. Bob Buch

SPONSOR STATEMENT

CS HB 209

Regulatory Commission of Alaska

HB 209 implements recommendations received from the Regulatory Commission of Alaska ("RCA"), the Legislative Budget and Audit Committee, and regulated utilities to improve the quality and timeliness of the RCA's decision-making.

The bill requires appointment of the RCA Chair be made by the Governor and clarifies processes used in discovery and intervention.

HB 209 limits the RCA's ability to extend a statutory timeline for "good cause", and establishes statutory timeline for matters not otherwise subject to a timeline under state or federal law.

The RCA has extraordinarily broad jurisdiction that covers numerous companies that build and operate critical parts of Alaska's infrastructure. These companies include intrastate pipeline companies, power and water and waste utilities, and telecommunications carriers. The economic growth of Alaska and the well-being of Alaskans depend, to a large degree, on the ability of the RCA to consistently resolve complex regulatory issues in a legally sound, procedurally fair manner. HB 209 will enhance the ability of the RCA to perform this vital mission.

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

May 2, 2007

SUBJECT: Changes for CSHB 209(JUD) (Work Order No. 25-LS0717AK)

TO: Representative Jay Ramras
Attn: Jane Pierson

FROM: Brian J. Kane *BJK*
Legislative Counsel

I have drafted the CS for HB 209 with the changes you requested from adopted amendments. However, there are two points I need to call to your attention.

(1) The phrase on page 1, line 10, "**and the chair may only serve one term,**" is somewhat ambiguous. This phrase does not make it clear whether a member can only serve one term as chair, or that the chair is only allowed to serve one term as a member of the commission.

(2) On page 3, lines 1 - 2, the insertion of "state law," could be problematic. Perhaps a better option would be to phrase this as "state law or federal law." This might provide more clearly which types of docket matters you are referring to.

If I may be of further assistance, please advise.

BJK:med
07-286.med

Enclosure

ALASKA STATE LEGISLATURE
HOUSE JUDICIARY COMMITTEE

Representative Jay Ramras
Chairman
(907) 465-3004
Fax: (907) 465-2070
Representative_Jay_Ramras@legis.state.ak.us



1292 Sadler Way, Suite 324
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Committee Members:
Representative Nancy Dahlstrom,
Vice-Chairman
Representative John Coghill
Representative Bob Lynn
Representative Ralph Samuels
Representative Max Gruenberg
Representative Lindsey Holmes

State Capitol, Room 120
Juneau, Alaska 99801-1182

Fax

To: Brian Kane

Fax #: 2029

Number of pages including cover: 1

From: Jane Pierson

Date: May 2, 2007

Re: HB209(JUD) 25-LS0717AM

Brian,

Would you please draft another final for the above-referenced bill and I'll trade it out for the one I have. We would like to clarify the two points on your memo.

1. The chair may only serve one term as chair.
2. Use the better option "state law or federal law"

Thank you

HP Officejet 7310xl
Personal Printer/Fax/Copier/Scanner

Log for
Representative Jay Ramras
(907) 465-2070
May 02 2007 5:20PM

Last Transaction

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
May 2	5:19PM	Fax Sent	2029	0:24	1	OK

ALASKA STATE LEGISLATURE
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Representative John Coghill
Representative Bob Lynn
Representative Ralph Samuels
Representative Max Gruenberg
Representative Lindsey Holmes

State Capitol, Room 120
Juneau, Alaska 99801-1182

Fax

To: Brian Kane

Fax #: 2029

Number of pages including cover; 4

From: Jane Pierson

Date: May 1, 2007

Re: HB209(L&C) 25-LS0717AM

Brian,

Please go final on a HJUD CS for the above-referenced bill to include the following attached amendments:

Call me if you have any questions.

Thank you.

HP Officejet 7310xd
Personal Printer/Fax/Copier/Scanner

Log for
Representative Jay Ramras
(907) 465-2070
May 01 2007 4:49PM

Last Transaction

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
May 1	4:48PM	Fax Sent	2029	1:07	4	OK

ADOPT

25-LS0717M.2
Kane
5/1/07

AMENDMENT # 1

OFFERED IN THE HOUSE

BY REPRESENTATIVE RAMRAS

TO: CSHB 209(L&C)

- 1 Page 1, line 1:
- 2 Delete ";"
- 3 Insert "and"
- 4
- 5 Page 1, lines 2 - 3:
- 6 Delete "; and relating to rules of evidence, discovery, and petitions to intervene in
- 7 a proceeding of the commission"
- 8
- 9 Page 2, lines 1 - 31:
- 10 Delete all material.
- 11
- 12 Renumber the following bill sections accordingly.

Delete Sec 9. Amend # 2

P. 3 L. 30 - P. 4, L. 14.

ADOPT

ADOPT

Conceptual Amendment # 3.

OFFERED IN THE HOUSE
TO CSHB 209(L&C)

BY REPRESENTATIVE RAMRAS

Page 3, Line 15 Delete "450" and Insert "270"

by July 1, 2008

Amendment # 4
By Rep. Samuels

Offered in the House Judiciary Committee

Conceptual

ADOPT

To: CSHB209(L&C)

Page 1, Line 11

Insert after "The term of chair is three years":

However, they may fill a vacancy

and the chair may only serve one term. If the chair fills a vacancy with time remaining on the term, the chair may be appointed to a subsequent full term.

#5 P. 4, L. 18
Insert "state law," before "federal law"
ADPT