

## Assembly

### Record of Committee Proceedings

#### Committee on Children and Families

##### Assembly Bill 474

Relating to: surveys, analyses and evaluations of pupils and providing a penalty.

By Representatives Pettis, Grothman, Hundertmark, Ladwig, Skindrud, Jensen, Gard, Kedzie, Ainsworth, Albers, Gundrum, Hahn and Huebsch; cosponsored by Senators Welch and Farrow.

September 20, 1999 Referred to committee on Children and Families.

September 20, 1999 **PUBLIC HEARING HELD**

Present: (9) Representatives Ladwig, Jeskewitz, Kreibich, Freese, Grothman, Kestell, Miller, Coggs and Colon.

Absent (0) None.

Excused: (1) Representative Sinicki

##### Appearances for

- State Representative Mark Pettis, 28th Assembly District

##### Appearances against

- Jennifer Kammerud, School Administrators Alliance
- Mickey Beil, Milwaukee Public Schools
- Mike Thompson, Department of Public Instruction
- Bob Andersen, Wisconsin Council on Children and Families
- Katie Schultz-Stout, WEAC/WFT

##### Appearances for Information Only

- Kevein Lewis, Department of Health and Family Services
- David Gunderson, Division of Public Health; Department of Health and Family Services

##### Registrations for

- State Senator Robert Welch, 14th Senate District
- State Representative Rick Skindrud, 79th Assembly District
- Marvin Munyon, Family Research Institute

##### Registrations against

- Joe Quick, Madison Metropolitan School District
- Jan Conwell, Wisconsin Student Assistance Association

September 22, 1999 **EXECUTIVE SESSION**

Present: (10) Representatives Ladwig, Jeskewitz, Kreibich, Freese, Grothman, Kestell, Miller, Coggs, Colon and Sinicki.

Absent (0) None.

Moved by Representative Colon, seconded by Representative Grothman, that **Assembly Amendment 1** be recommended for introduction.

Ayes: (10) Representatives Ladwig, Jeskewitz, Kreibich, Freese, Grothman, Kestell, Miller, Coggs, Colon and Sinicki.

Noes: (0) None.

Absent: (0) None.

**INTRODUCTION RECOMMENDED, Ayes 10, Noes 0, Absent 0**

Moved by Representative Kreibich, seconded by Representative Kestell, that **Assembly Amendment 1** be recommended for adoption.

Ayes: (10) Representatives Ladwig, Jeskewitz, Kreibich, Freese, Grothman, Kestell, Miller, Coggs, Colon and Sinicki.

Noes: (0) None.

Absent: (0) None.

**ADOPTION RECOMMENDED, Ayes 10, Noes 0, Absent 0**

Moved by Representative Kreibich, seconded by Representative Colon, that **Assembly Bill 474** be recommended for passage as amended.

Ayes: (6) Representatives Ladwig, Jeskewitz, Kreibich, Freese, Grothman and Kestell.

Noes: (4) Representatives Miller, Coggs, Colon and Sinicki.

Absent: (0) None.

PASSAGE AS AMENDED RECOMMENDED, Ayes 6, Noes 4,  
Absent 0

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Janine Hale  
Committee Clerk

*Assembly*

**Committee Report**

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The committee on **Children and Families**, reports and recommends:

**Assembly Bill 474**

Relating to: surveys, analyses and evaluations of pupils and providing a penalty.

By Representatives Pettis, Grothman, Hundertmark, Ladwig, Skindrud, Jensen, Gard, Kedzie, Ainsworth, Albers, Gundrum, Hahn and Huebsch; cosponsored by Senators Welch and Farrow.

INTRODUCTION OF ASSEMBLY AMENDMENT 1, Ayes 10, Noes 0, Absent 0

Ayes: (10) Representatives Ladwig, Jeskewitz, Kreibich, Freese, Grothman, Kestell, Miller, Coggs, Colon and Sinicki.

Noes: (0) None.

Absent: (0) None.

ADOPTION OF ASSEMBLY AMENDMENT 1, Ayes 10, Noes 0, Absent 0

Ayes: (10) Representatives Ladwig, Jeskewitz, Kreibich, Freese, Grothman, Kestell, Miller, Coggs, Colon and Sinicki.

Noes: (0) None.

Absent: (0) None.

PASSAGE AS AMENDED RECOMMENDED, Ayes 6, Noes 4, Absent 0

Ayes: (6) Representatives Ladwig, Jeskewitz, Kreibich, Freese, Grothman and Kestell.

Noes: (4) Representatives Miller, Coggs, Colon and Sinicki.

Absent: (0) None.

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Representative Bonnie Ladwig  
Chair

## Is giving parents the right to know what their children are doing in school a bad idea?

By Laurie Sabata-Managing Editor

A bill proposed by State Representative Mark Pettis (R-Hertel) that would allow parents to have a say in what their children are questioned about in school is being hailed by some other government officials as a bad idea.

Pettis presented a bill at the State Capital last month that would require schools to get parental consent before conducting student surveys on such issues as drug use, smoking, drinking and school violence.

Calling the proposed bill "extremist and misguided," State Representative Frank Boyle testified that giving parents the right to choose, "will threaten our efforts to keep kids from smoking and using illegal drugs."

Since when does keeping parents informed and in control of what their children are subjected to considered "extremist and misguided"?

Boyle and representatives from the State Department of Public Instruction and the Department of Health testified against the bill in Madison last month.

"The bill "would have a serious impact on the ability at the state and local level to identify and understand some of the most important issues facing our youth today," testified Mike Thompson, representative from the Department of Public Instruction.

"Ultimately, our ability to help young people deal with the many dangers and challenges of growing up in today's world would be drastically undermined," stated Dr. Stephen Small, Professor of Child and Family Studies at the University of Wisconsin-Madison.

Forcing children to take these surveys and also withholding information from the parents hardly seems the way to help young people. What kind of message is that sending—that the government has the best interest of today's youth in mind and wants to help, but it does not want parents to know about it?

Those in opposition to the bill also claim that requiring parental consent would result in inaccurate survey

information that could jeopardize up to \$22 million in state anti-drug campaigns.

What remains unclear is how requiring parental consent would result in inaccurate survey information?

Even if parental consent is required, the surveys could still be done anonymously. The only necessary authorization could be as simple as having parents sign an annual consent form at the beginning of every school year.

As far as participation numbers, what parent would choose not to allow their child or children to participate? Although it may be a matter of a right to privacy, most parents would probably welcome a survey such as this, and the related programs and funding, especially if they suspect or know their child is involved with drinking, illegal drugs or school violence.

What parent would intentionally jeopardize possible financial assistance for anti-drug programs?

It hardly seem likely that any parent would choose not to allow their child or children to participate, but nevertheless, they should have the right to do so. Parents should be aware of and have input on what their children are being asked to do in school.

As far as other factors that may affect the accuracy of the survey results, there are no guarantees that the information being received is accurate to begin with.

Students upset with the fact that they could be forced to take such surveys may intentionally give misleading answers. A student given the choice to participate would probably be more likely to give honest, accurate responses.

While the importance of anti-drug programs should not be undermined, the importance of allowing the parents (and also the students) the right to choose to participate and the right to maintain their privacy should also not be taken lightly.

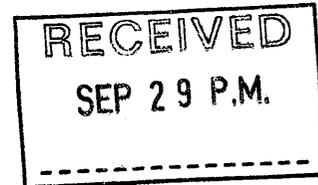
A parent has every right to know about what their child is being asked to do in school and every right to decide if that is what they feel is best for their children.

Office of Deputy Superintendent  
(414) 631-7172

Racine Unified School District  
2220 Northwestern Avenue. Racine, Wisconsin 53404

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September 29, 1999



Representative John Lehman  
State Capitol  
P.O. Box 8952  
Madison, WI 53708

Representative Bonnie Ladwig  
State Capitol  
P.O. Box 8952  
Madison, WI 53708

Dear John and Bonnie:

I sincerely appreciate being made aware of Assembly Bill 474 relating to surveys, analyses and evaluations of pupils. The Racine Unified School District struggled with the issues of student/family confidentiality in surveys and questionnaires. The resultant policy was adopted by the Board of Education on April 19, 1999 (enclosed). I believe that the provisions within our policy both inform and protect parent and student rights while allowing a means for valued surveys to be conducted without the arresting requirement of parental pre-approval. A reading of the policy may facilitate revision of Assembly Bill 474 so that it too may protect parent/student rights without imposing a restriction which administratively precludes the sampling of large populations of students. Unfortunately, assessment validity would be severely compromised if it was reliant upon written pre-approval by parents. Surveys and questionnaires are often administered to measure the effectiveness of substance abuse education and human sexuality education. These surveys are valid measures only when they have access to the targeted population. Candor in self-reporting of the subject behavior and adequate sample size are critical. Parental pre-approval would be an administrative headache; time, personnel for follow-up and recording of approval forms would be over-burdening. In addition, many parents would simply not bother to send in pre-approval for the questionnaire. Therefore, student data that is valued in assessing the effectiveness of student assistance initiatives would be skewed and invalid.

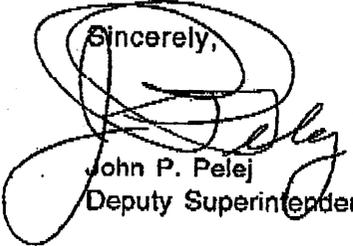
Schools are expected to support the growth of the whole child. The effectiveness of drug education, family life education and student support programs (e.g. coping with divorce, grief, etc.) is measured through self-reporting of related behaviors. These surveys must assure anonymity of the student respondent. Parents must have the option for their child to "opt out," and parents must have adequate information to make their choice. Assembly Bill 474 would preclude valid assessment and may result in the termination of funding for most, if not all,

September 29, 1999  
Page Two

of these worthy initiatives. Without these tools, schools and community organizations such as the Racine Community Coalition for Youth would not have been able to identify the needs of our community as it relates to measuring the developmental assets of young people. They would, consequently, be unable to secure and target resources to these issues.

I hope that the product of the Board's deliberations will be studied and appreciated as a reasonable and effective alternative to mandatory pre-approval.

Sincerely,



John P. Pelej  
Deputy Superintendent

pab

c: Dennis McGoldrick  
Dick Kinch, RCCY  
Delaine Moe  
Ann Laing

6141.6a

## Instruction

f. Research Studies and Projects (6141.6)

The Racine Unified School District supports research designed to improve all phases of the learning process. Surveys, testing instruments, questionnaires and interviews are all a part of the process of research and evaluation.

The Racine Unified School District engages in a number of research activities in an attempt to evaluate many of its current programs. As a result, the District frequently must call upon our students and staff to participate in testing activities and to respond to various questionnaires and surveys. For this reason, the District must carefully evaluate all requests for research which originate either inside or outside Racine Unified School District. Only a limited number can be approved.

## 1. Criteria for Presentation

- a. Highest priorities are given to studies or projects which would be concerned with some major instructional program already in operation within the District or to projects which might lead to major revisions in the District's instructional program.
- b. The next level of priority would be given to studies or projects which will add to the general fund of educational knowledge and would be of some benefit to the District.
- c. The lowest priority is assigned to those studies or projects which may add to the knowledge but have little or no relationship to the District.

## 2. Regulations Affecting Surveys or Research Projects

- a. All surveys and research project requests must be directed to the appropriate Board Committee. Such request must be in writing following the format outlined on the "Recommendation for the Form of Research/Survey Proposal Presentation" (Appendix A).
- b. A research project or survey collecting data from school records, interviews or through questionnaires which have the potential for invasion of privacy of students or their families, even though the data is to be collected and reported under conditions of anonymity, must adhere to the following process:

6141.6b

## Instruction

- 1) Parents/guardians will be notified (through specific mailing to the child's listed residence), that their child(ren) have been identified as being within a population subject to the research project or data collection.
  - 2) The notice will explain the method of data collection, its purpose and the intended use of the information.
  - 3) Parents/Guardians will be alerted to any potential for the invasion of privacy of students or their families.
  - 4) Parents/Guardians will be provided assurance that the data will be collected and reported under conditions of anonymity.
  - 5) Enclosed within the notice will be a form provided for denial of permission for the child's participation. Specific directions will be included for return of the denial (e.g. "If you prefer for your child not to participate in this study, please return the enclosed form to your child's school office (ADDRESS) by (DATE)"). Parents/Guardians will have a minimum of two weeks response time.
  - 6) The notices will include contact information for parent/ guardian questions.
  - 7) All expenses incurred in the production, mailing and administration of these notices will be born by the research study and/or project sponsors.
- c. The participant's parent(s)/ guardian(s) must have ample opportunity to inspect the materials before consenting. Parent(s)/ guardian(s) may withdraw consent at any time. Materials must be available, for public review, at school office.
  - d. A copy of all tests and questionnaires to be given as part of the project must be filed with the Superintendent of Schools.
  - e. A copy of all results and any interpretation of results must also be filed with the Superintendent of Schools.

6141.6c

Instruction

- f. Instructional activities or District curriculum scope and sequence must not be interrupted or changed unless there is a clear significance for improvement of the educational program of the District.
- g. No control or experimental group will be denied the use of the best teaching methods in use in the District.

Legal Reference:

Policy adopted: April 19, 1999

Policy reviewed:

6141.6d  
Appendix A

RESEARCH AND EVALUATION  
RECOMMENDATION FOR THE FORM OF  
RESEARCH SURVEY PROPOSAL PRESENTATION

Title of Project (Please indicate on summary) \_\_\_\_\_  
\_\_\_\_\_

Name and Affiliation of Person Submitting Proposal (Please indicate on  
summary) \_\_\_\_\_

I. DEFINITION OF THE PROJECT

- A. Statement of the proposed project
- B. Brief history of the problem
- C. Definition of terms
- D. Hypotheses

II. DESIGN OF THE PROJECT

- A. Extent of school personnel involved
- B. Description of student involvement in the project
  - 1. Number needed
  - 2. Age or grade level
  - 3. Amount of time needed
  - 4. What concentrations or dispersions are necessary
- C. Instrumentation
- D. Procedure for data collection
- F. Proposed date for beginning project

III. PROCESS OF EVALUATION

IV. SIGNIFICANCE OF THE PROJECT

- A. For the school district
- B. For education in general



State of Wisconsin  
**Department of Health and Family Services**

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Tommy G. Thompson, Governor  
Joe Leraan, Secretary

**DHFS TESTIMONY ON 1999 ASSEMBLY BILL 474**

**BEFORE THE  
ASSEMBLY COMMITTEE ON CHILDREN AND FAMILIES**

**SEPTEMBER 20, 1999**

Many of you have already heard of the Youth Risk Behavior Survey and the Youth Tobacco Survey. These confidential, anonymous surveys are at the heart of Wisconsin's ability to ascertain the health of Wisconsin's school age children and the effectiveness of a variety of state-sponsored programs aimed at improving children's health and lowering risk behaviors. You may also remember that both of these surveys were featured in a series of bipartisan School Health Roundtables held in the Legislature in 1998 and sponsored by Representatives Olsen and Plale and Senators Roessler and Grobschmidt. The Youth Risk Behavior Survey is the only statewide source for measuring a variety of youth risk behaviors as well as developmental assets. Please understand too that neither survey is capable of tracking responses back to the survey taker, and never has a student been identified by his or her responses to the survey.

Assembly Bill 474 – as currently written – would make it impossible to collect statistically significant statewide data for both the Youth Risk Behavior Survey and the Youth Tobacco Survey. Requiring active written parental consent will result in a 50% decline in the response rate according to the Centers for Disease Control and Prevention, and thereby invalidate the survey data. We would then have no methodologically sound statewide trend data on alcohol and drug use, tobacco use, physical activity and health, nutrition, sexual activity, and injury.

The State of Wisconsin and the Department of Health and Family Services rely on the data from the Youth Risk Behavior Survey and the Youth Tobacco Survey in applications for a number of federal grants, to measure the success of the Wisconsin Abstinence Education Project, and the Governor's Safe and Drug Free Schools Program, just to name a few. The Legislature should know that AB 474 – as currently drafted – jeopardizes future evaluations of tobacco prevention, teen pregnancy prevention, and alcohol and other drug abuse. If we are asking ourselves, local partners or funded programs to report on outcomes, we should not undo the very tools we have at our disposal to demonstrate the impact our programs are having in Wisconsin.

Thank you for your consideration of our concerns.



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## WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

One East Main Street, Suite 401; P.O. Box 2536; Madison, WI 53701-2536

Telephone: (608) 266-1304

Fax: (608) 266-3830

Email: leg.council@legis.state.wi.us

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DATE: October 22, 1999

TO: REPRESENTATIVE STEPHEN NASS

FROM: Jane R. Henkel, Acting Director

SUBJECT: Assembly Substitute Amendment 1 (LRBs0144/2), to 1999 Assembly Bill 474, Relating to Surveys and Questionnaires of Pupils and Providing a Penalty

This memorandum was prepared in response to your request for an analysis of Assembly Substitute Amendment 1 (LRBs0144/2) to 1999 Assembly Bill 474, relating to surveys and questionnaires of pupils and providing a penalty.

**Assembly Bill 474** was introduced by Representative Pettis and others; cosponsored by Senators Welch and Farrow. Assembly Amendment 1 to the bill was offered by the Assembly Committee on Children and Families, which then recommended passage of the bill as amended by Assembly Amendment 1.

Assembly Amendment 2 to the bill was offered by Representative Jeskewitz and others; Assembly Amendment 3 was offered by Representative Sinicki and others; Assembly Amendment 4 was offered by Representative F. Lasee; Assembly Amendment 5 was offered by Representative Duff; Assembly Amendment 6 was offered by Representative F. Lasee; and Assembly Amendment 7 was offered by Representative Gundrum.

On September 30, 1999, the Assembly **adopted Assembly Amendments 1, 2, 5 and 6** to the bill and **tabled Assembly Amendment 3**. The Assembly then referred the bill to the Assembly Committee on Education Reform. **No action was taken** by the Assembly on Assembly **Amendments 4 and 7** before referring the bill to the Assembly Committee on Education Reform.

Assembly Substitute Amendment 1 (LRBs0144/2) was prepared at your request. It incorporates into the bill the provisions of Assembly Amendments 1, 5 and 6, plus a three-year sunset date.

**A. RIGHT TO INSPECT MATERIALS**

Under the substitute amendment, each school board must make available for inspection by the parents and guardians of pupils enrolled in the school district all "instructional material," including teachers' manuals, films, tapes and other supplementary material, that will be used in connection with any "written or recorded survey or questionnaire" of pupils.

**B. CONSENT REQUIREMENT**

Under the substitute amendment, except as described in Section C., below, no official, employe or agent of a school board may conduct any written or recorded survey or questionnaire of pupils that may reveal information about any of the following with respect to a pupil or the pupil's family, without the *written consent* of the pupil, if the pupil is an adult or an emancipated minor, or without the written consent of the pupil's parent or guardian, if the pupil is an unemancipated minor:

1. Political affiliations.
2. Mental or psychological problems that may embarrass the pupil or the pupil's family.
3. Sexual behavior or attitudes.
4. Illegal, antisocial, self-incriminating or demeaning behavior.
5. Critical appraisals of individuals with whom the pupil has close family relationships.
6. Legally recognized, privileged or analogous relationships, including relationships with lawyers, physicians or members of the clergy.
7. Income, unless the information is required by law to determine eligibility for participation in a program or for receiving financial assistance.
8. Religious beliefs or practices.

The substitute amendment requires a school board official, employe or agent to obtain written consent for *each* survey or questionnaire conducted. The official employe or agent must *mail a request for consent at least 10 days before* conducting the survey or questionnaire. In seeking consent, the official, employe or agent must explicitly describe, in writing, the specific survey or questionnaire to which the consent will apply.

**C. CONSENT EXCEPTION FOR ACADEMIC PURPOSE**

The substitute amendment provides an exception to the consent requirement described in Section B., above, if the primary purpose of the survey or questionnaire is "academic."

**D. REQUEST TO DISCUSS WITH PARENT OR GUARDIAN**

The substitute amendment provides that no school board official, employe or agent may require a pupil to participate in a survey or questionnaire that may reveal information about any of the topics listed in Section B., above, if the pupil requests to discuss the content of the survey or questionnaire with his or her parent or guardian before completing the survey or questionnaire. This prohibition applies only the first time that the pupil is requested to participate in the survey or questionnaire. (This requirement would be in addition to the consent requirements described above.)

**E. ANNUAL NOTICE**

Under the substitute amendment, annually, each school board must notify pupils enrolled in the school district and their parents of the provisions described in Sections A. to D., above.

**F. PENALTY**

The substitute amendment provides that any person who knowingly conducts a survey in violation of the consent requirements described in Section B., above, shall forfeit not less than \$25 nor more than \$300 for each violation. Each survey or questionnaire of each pupil constitutes a separate violation.

**G. ENFORCEMENT**

Under the substitute amendment, actions seeking civil forfeitures, described in Section F., above, may be brought by the attorney general or, upon the verified complaint of any person, the district attorney of any county where a violation occurs. In actions brought by the attorney general, the court shall award any forfeiture recovered together with reasonable costs to the state; in actions brought by the district attorney, the court shall award any forfeiture recovered together with reasonable costs to the county.

In addition to the forfeiture described in Section F., the attorney general or district attorney may commence an action, separately in conjunction with the forfeiture action, to obtain other legal or equitable relief, including mandamus, injunction or declaratory judgment, as may be appropriate under the circumstances.

If the district attorney refuses or otherwise fails to commence an action to enforce this law within 20 days after receiving a verified complaint, the person making the complaint may bring an action on behalf of the state. In such actions, the court may award actual and reasonable costs of prosecution, including reasonable attorney fees, to the person if he or she prevails, but any forfeiture recovered shall be paid to the state.

**H. THREE-YEAR SUNSET DATE**

The substitute amendment provides that its provisions will "sunset" in three years (i.e., the requirements created by the substitute amendment would not apply to any survey or questionnaire conducted on or after the first day of the 36th month beginning after the effective date).

JRH:rv:tlu:jal;wu;ksm



UNIVERSITY OF  
WISCONSIN-MADISON  
MEDICAL SCHOOL

Department of Preventive Medicine  
Center for Health Policy and Program Evaluation

Sept. 21, 1999

Rep. Bonnie Ladwig  
Chair, Committee on Children and Families  
Room 113 West  
State Capitol  
Madison, WI 53708

Re.: AB 474

Dear Representative Ladwig:

In 1996, I had the opportunity to testify against AB693/SB425 regarding surveys and evaluations in schools. I understand that essentially the same language has again been introduced as AB474 in the current legislative session. This letter summarizes my concerns, as expressed in my 1996 testimony and again reiterated here. The bottom line is that the proposed legislation is harmful and unnecessary in light of protections already in place.

I am opposed to the bill for two basic reasons:

1. It is unnecessary--adequate mechanisms to protect children and families from the risks of surveys and evaluations are already in place; and
2. If enacted, it would significantly (and perhaps prohibitively) increase the costs of needs assessments, program evaluations and research critical to planning educational, health and human service prevention and intervention services.

I have been involved for over 20 years in projects which rely on student survey data as a primary data source. This work has included a number of evaluations of school-based alcohol and other drug abuse prevention and intervention projects, as well as involvement in ongoing youth needs assessments such as the Dane County Youth Survey (conducted every five years) and the Teen Assessment Project (conducted in conjunction with University Extension offices and local parent groups). These surveys are used for a number of planning, evaluation and trend analysis purposes, often assisting in bringing federal and foundation grants to Wisconsin and in local

community and parent group action planning.

I my work, I have never had a problem regarding parental consent--adequate systems are routinely used in legitimate research and evaluation projects which assure that parents are informed and have the opportunity to withhold consent for their children's involvement.

Let me describe the routine safeguards which we use in our projects. Note that these vary with the degree of anonymity of data--when we have the ability to identify individual students, because data need to be linked up over time, the safeguards are more rigid than they are when a one-time survey with no identifying information is conducted.

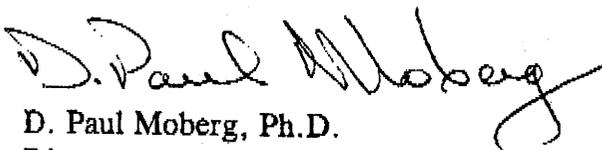
1. All projects are reviewed by the University's Committee for the Protection of Human Subjects, mandated under federal regulations (45 CFR 46).
2. Survey instruments are made available to parents in the school office if they wish to review them in advance of the survey date.
3. Parents are notified in advance of the survey and provided the opportunity to withhold consent for surveys which are **anonymous** (no possible identification of individual students), usually by first class mail. Some school districts have selected other mechanisms, such as notification in a school newsletter sent to all parents. The notification provides a mechanisms for the parent to opt out of the survey, including the option of returning a postcard or of calling the school principal or the research office. Thus we obtain passive parental consent for all anonymous surveys.
4. For surveys in which we will need to link student's data over time, we use first class mailings to parents, returned signature cards, and follow-up telephone calls to obtain active consent. We do accept active consent by telephone from parents, rather than written consent, after mailings have not been responded to. This process would also be prohibited by AB474, in that the telephone consent procedure would not be allowed. This would results in a 20-40% lower participation rate in surveys of this nature, not due to parent objections but to their neglecting to return the signed consent. This is well documented in our own and other's research--the actual rate of intended withheld consent is typically only 2-4% in most studies, while 40 to 60% of parents simply neglect to return signed consent cards.
5. Students participation is always voluntary, and they are always given the opportunity to turn in surveys with blank questions or to not complete the survey at all.
6. Where identifiable information must be kept in order to match surveys on the same students over time, we use only code numbers and destroy the master lists at the conclusion of the data collection phase. We also obtain federal Certificates of Confidentiality, which protect the data on identity of participants from subpoena or court order, where appropriate.

Why is this important? Basically because we need accurate needs assessment and evaluation data to plan needed prevention and intervention programs, as well as to determine which programs are effective and which are ineffective (or even harmful). To do so, we need valid samples of youth participating in the surveys. Repeated studies have shown that **requiring signed parental consent leads to biased data**, with the highest risk students less likely to be included. With extensive follow-up, re-mailing, recontact, reminders, etc., it is possible to obtain high rates of written consent, but the significantly increased costs are not justified; the current procedures I have outlined above provide adequate safeguards. Most of the surveys we are concerned with are conducted with taxpayer dollars--**to enact this legislation would thus significantly and unnecessarily increase the tax burden** for needs assessment and evaluation research in the area of prevention of youthful problem behavior.

Other options are equally or more costly. We have conducted studies of youth using samples obtained by random digit dialing to homes, rather than school based surveys. This is probably at least ten times as expensive as the anonymous surveys in schools using passive consent. Another option, mailed surveys to homes, yield much lower (and hence biased) response rates than school surveys, again due to the neglecting to return phenomena.

In summary, I believe the current procedures are adequate and cost-effective in assuring that parents have the opportunity to review materials and withhold consent from surveys involving their children. I agree with the premise that parents ought to have this right, but disagree with the mechanism proposed in this legislation. If there is a continued belief in the necessity of this legislation, I would recommend that it be **amended to allow for passive parental consent for anonymous surveys and for active verbal consent for surveys which include the use of unique identifiers.**

Sincerely,



D. Paul Moberg, Ph.D.  
Director and Senior Scientist

# W.S.A.A.

WISCONSIN STUDENT ASSISTANCE ASSOCIATION  
3128 S. 12th Street, Sheboygan, WI 53081

## Assembly Bill

Written Testimony by the Wisconsin Student Assistance Association

Dear Chairperson Ladwig, Assembly Committee on Children and Families

On behalf of the Wisconsin Student Assistance Association and its members we are providing written testimony to oppose to the portion of assembly Bill 380, and specifically the portion that amends WI. Statute 118.126 (2).

AB 481

WSAA believes that the proposed changes would:

- Would diminish the power and efficacy of student assistance programs, which rely on confidentiality.
- It would result in fewer adults for students to reach out to
- Student Assistance Programs are modeled after employee assistance programs and the modifications proposed assumes that young people be denied the right to confidential assistance to address problems early
- Proposed changes will create the perception of less safety for students among adults in the school setting
- It will delay the process of students receiving support and care
- Schools often initiate intervention by including parents early on. The elimination of confidentiality will prevent students from approaching adults who initiate the helping process and parental involvement

Our second concern is regarding LRB 3510/1 relating to surveys, analysis and evaluations of pupils.

- Parental review of survey data and ability to opt out child currently exists
- Proposed change will prohibit districts from collecting data which identifies need and helps design and implement research based, proven, effective programs
- Proposed change will interfere with school community partnerships i.e. healthy communities/ healthy youth initiatives

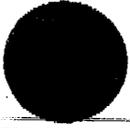
Please do not change current practice, which supports the parent home and school community collaborations.

Jan Conwell, President  
(SK)

Sara Kuefbeck  
Vice President

Cal Kuisenga  
Treasurer

Carol Maier  
Marilyn Devine



CHILD AND FAMILY STUDIES  
SCHOOL OF HUMAN ECOLOGY

*Arts and sciences for a changing world*

Representative Bonnie Ladwig  
(Attention Janine-Committee Clerk)  
Chair, Children and Families Committee  
Wisconsin State Assembly  
Madison, WI 53708

RE: AB 474

September 20, 1999

Dear Representative Ladwig and Members of the Committee:

I am writing in regard to [REDACTED] the bill will require written parental consent before a survey of a minor pupil can be conducted. I would like to strongly voice my **opposition** to the bill.

As a result of my work with thousands of students and parents throughout Wisconsin, I believe such a bill would be detrimental to students, parents, educators, and others who are concerned about Wisconsin's young people.

Student surveys provide young people with an opportunity to voice their concerns about critical issues and problems that they experience. They allow schools, social service agencies and law enforcement officials a way to gather important information from students on serious issues like drug use and suicide - the kind of information that is vital for the prevention and treatment of many of these problems. For example, the United States Department of Education has recommended anonymous student surveys as one of the first steps in combating teen drug use. Student surveys also generate valuable data on whether existing programs are effective, provide the documentation needed to obtain federal and private grants, and provide guidance to policies and programs at both the state and local level.

In addition, the information gathered in such surveys can be quite helpful to parents, greatly enhancing their position rather than undermining it. In my own work with the Teen Assessment Project (TAP), we have surveyed thousands of teens in communities throughout the state. A primary goal of our surveys is to strengthen the position of parents by directly providing parents with the results of the survey. We share the survey findings in a number of ways including presentations to parent groups, community forums, and newsletters featuring the findings which are sent directly to parents. Our research demonstrates that parents are often unaware of what their teenagers are up to and the important role that they as parents can play in protecting their children from the many risks that today's teenagers face. When parents are given the results of these surveys, it strengthens their role as parent. Many parents report initiating discussions with their children about these critical and often life-threatening issues.

While I believe that it is important to notify parents when a survey is to be given and to ~~allow parents the opportunity to keep their children from participating, requiring written parental consent for all students prior to participation ("active consent")~~ is likely to affect the integrity and utility of such surveys.

First, by requiring written parental permission, the surveys become less anonymous and make it more likely that the identity of students might be revealed. Students are less likely to respond to such surveys altogether when they believe their identity might be revealed; and when they do participate, they are typically much less honest and candid.

Second, numerous studies have found that when written parental consent is required, it leads to highly biased data. Parents of children who are at highest risk for various problems are the least likely to respond to requests for parental permission. Consequently, the people most likely to be helped by such surveys are least likely to be included.

Third, because the cost of getting parents to give their permission in writing is quite expensive, the proposed bill will likely make most such surveys unaffordable. A 1989 RAND study estimated that using written active consent would cost approximately \$25 per student (in 1989 dollars) based on the assumption that 60% of parents would fail to respond to the initial permission request (this is the average non-response rate for these kinds of parental requests) and the number of follow-up phone calls that would be needed to solicit parent responses. Using the RAND researchers' estimates, the 1989 costs of getting active, written consent for a sample of 5000 parents would be \$125,000. In 1999 the costs would obviously be much higher. With such a high cost, it is doubtful that many student surveys would be conducted. Consequently, important information that could be used to guide and evaluate local programs and policies and make parents aware of their children's concerns and behavior would not be obtained.

This same 1989 RAND Corporation study also found that **passive parental consent** (informing parents of a survey, giving them the opportunity to remove their child from it, but not requiring that permission be given in writing) was an effective method for informing parents. The study found that nearly all parents who did not want their child involved in the study communicated their refusal to the researcher. And nearly all parents who did not respond to the researcher were aware of the study and gave their passive consent for their child to be included. In contrast, only 40% of parents who were asked to give their written permission (**active consent**) initially responded to the request. Follow-up phone calls with parents who did not initially respond found that nearly all actually approved of their child's inclusion in the study but lacked the motivation to sign and return the permission form.

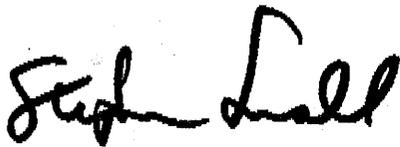
As I understand the legislation being proposed, a primary motivation is to insure the privacy of both the child and the parent. Given this goal, a reasonable compromise would be to permit anonymous surveys (in which the student is not identified in any manner) to be administered to students without written parental permission but require the guidelines that most responsible researchers already follow: require that parents be notified about the survey and ask them to respond *if they do not want their child to be involved* (i.e. passive consent).

In my own work and in the work of my colleagues at the University, notifying parents prior to a survey, providing them with the opportunity to have their child opt out, and giving students the option of not taking the survey, are standard procedures. In other words, there are currently many safeguards already in place. The proposed legislation would drastically affect our ability to assess the needs and concerns of young people and evaluate how well we are serving them. Ultimately, our ability to help young people deal with the many dangers and challenges of growing up in today's world would be drastically undermined.

I hope I have provided some additional insights into the problems with AB 474. While I recognize that there may be a well-meaning group of citizens who favor such a statute, my own experience is that most parents would be against such a statute if they understood the larger implications and the fact that many safeguards already exist.

Thank you for your time and attention. Please feel free to contact me if I can provide you or the committee with additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Small". The signature is written in a cursive, flowing style.

Stephen Small, Ph.D.  
Professor of Child & Family Studies



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A statewide association of citizens and organizations dedicated to improving health, education and human services for children and families. Supported by grants, contributions, the United Way and Community Shares campaigns.

## AB 474, PROHIBITING SURVEYS & QUESTIONNAIRES

### WITHOUT PARENTAL CONSENT

While the bill has been improved by Assembly Amendment 1, replacing the words "analyses and evaluations" with the word "questionnaires," it still will create havoc for schools, because it (1) makes it very difficult for schools to do much of their everyday business, (2) will deprive needy students of critically important services, where parents do not consent and (3) will be unduly harsh in punishing administrators and teachers.

- ◆ It gives schools the impossible task of making available "for inspection" all materials used "in connection with" any "questionnaire." This covers nearly all background substantive materials as well as training materials maintained by a school.
- ◆ Where parents refuse to consent, it will prevent schools from finding out about the special needs children have because of "mental or psychological problems," "sexual behavior," or behavioral problems. This frustrates children's needs for services under programs like "children at risk," or "teen pregnancy," or for services related to mental or emotional problems they are experiencing.
- ◆ It penalizes teachers or administrators with \$300 forfeitures for giving children "questionnaires" that "may reveal information about" a list of vague and ambiguous matters, including "mental problems that may embarrass the pupil," "antisocial or demeaning behavior," or "critical appraisals of individuals with whom the pupil has close family relationships" "unless" the "primary purpose" of the questionnaire is "academic." This becomes impossible to comprehend.



MILWAUKEE PUBLIC SCHOOLS

OFFICE OF GOVERNMENTAL RELATIONS

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Representative Bonnie Ladwig  
PO Box 8952  
Madison WI 53708

September 29, 1999

**TO:** Members of the Wisconsin Legislature  
**FROM:** Mickey Beil, Governmental Relations Specialist *Mickey Beil*  
**RE:** Opposition to AB 474 (Prohibits Surveys and Questionnaires of Pupils)

The purpose of this memo is to urge you to oppose AB 474 as amended and passed by the Assembly Children and Families Committee. The bill prohibits and censors surveys and questionnaires of pupils without the pupil or parent's consent and establishes financial penalty and legal enforcement provisions (see attached criteria).

AB 474 is opposed because it:

- Does not define "written or recorded survey or questionnaire" and could include anything;
- Deletes current/ongoing surveys, questionnaires and related programs which could only be reinstated by the written consent of each pupil/parent in each program;
- Prohibits programs like peer mediation, the Milwaukee Youth Survey, mock Presidential elections, counseling....by imposing legal challenges, injunctions and fines; and
- Provides unclear invasive enforcement within classroom, office or school settings.

AB 474 is so invasive that it would be consistent to amend it to prohibit news surveys, polling, legislative newsletter surveys and phone call vote solicitation unless each individual voter gives written consent.

**Vote no! AB 474 is scheduled for Assembly floor action on Thursday, September 30, 1999.**

MB/DZ

Attachment

## ASSEMBLY BILL 474

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1 SECTION 1. 118.135 of the statutes is created to read:

2 **118.135 Surveys, analyses and evaluations of pupils. (1) INSTRUCTIONAL**  
3 MATERIALS AVAILABLE; CONSENT REQUIRED. (a) Each school board shall make available  
4 for inspection by the parents and guardians of pupils enrolled in the school district  
5 all instructional material, including teacher's manuals, films, tapes and other  
6 supplementary material, that will be used in connection with any survey, analysis  
7 or evaluation of pupils.

8 (b) No official, employe or agent of a school board may conduct any survey,  
9 analysis or evaluation of pupils that may reveal information about any of the  
10 following with respect to a pupil or the pupil's family without the written consent of  
11 the pupil, if the pupil is an adult or an emancipated minor, or without the written  
12 consent of the pupil's parent or guardian, if the pupil is an unemancipated minor:

13 1. Political affiliations.

14 2. Mental or psychological problems that may embarrass the pupil or the pupil's  
15 family.

16 3. Sexual behavior or attitudes.

17 4. Illegal, antisocial, self-incriminating or demeaning behavior.

18 5. Critical appraisals of individuals with whom the pupil has close family  
19 relationships.

20 6. Legally recognized privileged or analogous relationships, including  
21 relationships with lawyers, physicians or members of the clergy.

## ASSEMBLY BILL 474

1           7. Income, unless the information is required by law to determine eligibility for  
2 participation in a program or for receiving financial assistance.

3           8. Religious beliefs or practices.

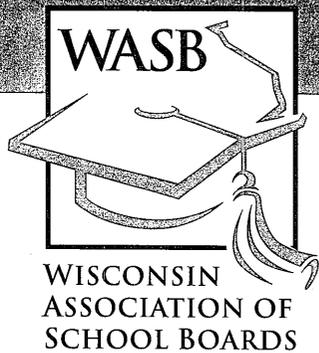
4           (c) An official, employe or agent of a school board shall obtain written consent  
5 under par. (b) for each survey, analysis or evaluation conducted. In seeking consent,  
6 the official, employe or agent shall explicitly describe, in writing, the specific survey,  
7 analysis or evaluation to which the consent will apply.

8           (2) NOTICE. Annually each school board shall notify the pupils enrolled in the  
9 school district and their parents or guardians of the provisions of sub. (1).

10          (3) PENALTY. Any person who knowingly violates sub. (1) (b) shall forfeit not less  
11 than \$25 nor more than \$300 for each violation. Each survey, analysis or evaluation  
12 of each pupil constitutes a separate violation.

13          (4) ENFORCEMENT. (a) Forfeitures under this section shall be enforced by action  
14 on behalf of the state by the attorney general or, upon the verified complaint of any  
15 person, by the district attorney of any county where a violation occurs. In actions  
16 brought by the attorney general, the court shall award any forfeiture recovered  
17 together with reasonable costs to the state; and in actions brought by the district  
18 attorney, the court shall award any forfeiture recovered together with reasonable  
19 costs to the county.

20          (b) In addition and supplementary to the remedy provided in sub. (3), the  
21 attorney general or the district attorney may commence an action, separately or in  
22 conjunction with an action brought under sub. (3), to obtain such other legal or  
23 equitable relief, including mandamus, injunction or declaratory judgment, as may  
24 be appropriate under the circumstances.



122 W. WASHINGTON AVENUE, MADISON, WI 53703  
PHONE: 608-257-2622 • FAX: 608-257-8386

KEN COLE, EXECUTIVE DIRECTOR

To: Rep. Bonnie Ladwig, Chair, and Members  
of the Assembly Committee on Children and Families

From: *Senn* Senn Brown (9/21/99)

Re: Assembly Bill 474 – WASB Opposed

Your committee is scheduled to vote tomorrow morning on AB 474. We are writing to express the WASB's opposition to the bill.

We're concerned that the legal prohibitions of the bill may be interpreted in ways that restrict the reasonable use of surveys and evaluations by schools.

The requirement to obtain written consent imposes a new paperwork mandate that may be costly and cumbersome in the day-to-day operations of schools.

Rather than a broad statutory prohibition, we believe that this issue is best addressed by school board policy.

Thank you.



# State of Wisconsin Department of Public Instruction

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John T. Benson  
State Superintendent

Steven B. Dold  
Deputy State Superintendent

## Assembly Bill 474

September 20, 1999

Testimony by Mike Thompson, Director, Student Services/Prevention and Wellness

Chairperson Ladwig of the Assembly Committee on Children and Families

On Behalf of the Department of Public Instruction and State Superintendent John Benson, we appreciate the opportunity to testify on Assembly Bill 474. This bill prohibits any official, employe or agent of a school board from conducting any survey, analysis or evaluation of pupils that may reveal information with respect to a pupil or the pupil's family about political affiliations, mental or psychological problems, sexual behavior or attitudes, illegal or antisocial behavior, critical appraisals of family members, privileged relationships, income or religious beliefs or practices, without the pupil's written consent if he or she is an adult or emancipated minor, or without the written consent of the pupil's parent or guardian if the pupil is an unemancipated minor.

We appreciate the intent of this bill to provide parents with information and decision making in their child's education, but believe it would have a serious impact on the ability at the state and local level to identify and understand some of the most important issues facing our youth today. Information on such issues as teen smoking, school safety, and alcohol and drug use is essential in developing effective programs and accountability measures for our prevention efforts. For example, the state currently administers the Youth Risk Behavior Survey (YRBS) supported through the national center for Disease Control. This survey is anonymous and does not personally identify any individuals or schools. It is the only statewide source for measuring many risk behaviors and assets of Wisconsin youth. The results of this survey conducted every two years provide valuable information that is utilized by state agencies, legislative study committees, policy makers and local communities to assess the current status of our youth.

Mandating that youth surveys, such as the YRBS, require active written parental permission would likely result in limited data that would not be generalizable to the population as a whole. Active parent permission means that a letter is sent home to parents describing the survey and their child's participation. Parents must send back a signed slip before their child can participate. Only those students with signed slips could participate. On the other hand, passive parent permission means that a letter is sent home to parents describing the survey and their child's participation. Parents return a slip only if they do not give permission for their child to participate.

Active parent permission drastically reduces the number of students who participate because of the difficulty of getting permission slips returned to school. Experienced survey researchers (at the CDC) report that active parent permission will reduce the response rate by 50%. Many students whose parents actually give permission are not able to participate because the slip was not returned. It may be misplaced or set aside by the parent or lost by the student. Passive parent permission is preferable and more widely used because it gives parents information and ability to withdraw their student, while making it easier for the vast majority of parents who do give

September 20, 1999

Testimony by Mike Thompson, Director, Student Services/Prevention and Wellness  
Chairperson Ladwig of the Assembly Committee on Children and Families

permission. Requiring active parent permission would drastically reduce the student response rate. Surveys by schools, community organizations and the state would be much more expensive to conduct because of the additional follow-up needed to remind parents to return the permission slip.

The current draft bill is not needed to require passive parent permission. That is the common practice in communities and statewide surveys. An amended bill that would require parent notification of surveys and ability to withdraw their child would only confirm current practice. We thank you for this opportunity to testify and would be happy to answer any questions you have regarding revisions to Wis. Stat. 118.126(2).



**WISCONSIN COALITION FOR ADVOCACY**

THE PROTECTION AND ADVOCACY SYSTEM FOR PEOPLE WITH DISABILITIES

September 20, 1999

To: Members of the Assembly Committee on Children and Families

From: Dianne Greenley  
Supervising Attorney  
Wisconsin Coalition for Advocacy

Re: LRB 3553/2, Relating to Access by a Parent to Records Relating to the Parent's Child  
██████████ Relating to Surveys, Analyses and Evaluation of Pupils  
LRB 3483/2, Relating to Physical Health Examinations of Pupils

LRB 3553/2, Relating to Access by a Parent to Records Relating to the Parent's Child

We have not had an opportunity to review this bill draft carefully. However, we do have concerns about immediate parental access to mental health records in certain circumstances. Over the years I have received many phone calls from treatment providers concerning parental access to therapy records by a parent who has engaged in physical or sexual abuse of the child. There is legitimate concern about the parent using the information to reabuse the child and/or to terminate the child's treatment. Under current law the treatment provider can withhold access during the child's treatment if they make a determination that "the benefits of allowing access are outweighed by the disadvantages of allowing access." (HSS 92.05 (1) (b) 1.; Sec. 51.30 (5) (b) 1., Wis. Stats.) I do not believe that this provision should be changed. In fact many individuals have urged that this provision be extended to access after treatment has been terminated so that vulnerable children can be protected. I would also like to point out that federal law specifically requires a minor's consent before a parent can have access to drug or alcohol abuse treatment records. See 42 CFR Part 2.

LRB 3510/1, Relating to Surveys, Analyses and Evaluations of Pupils

We would like to see an <sup>analysis</sup> ~~analysis~~ of this bill by the Department of Public Instruction to ensure that it would not interfere with evaluations required under special education law.

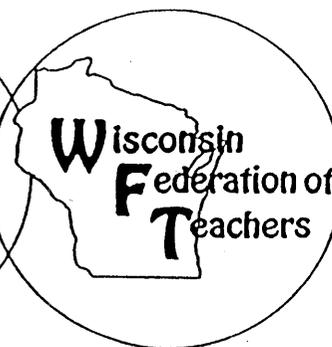
LRB 3483/2, Relating to Physical Health Examinations of Pupils

We would urge an amendment to this bill to clarify that examinations in emergency situations are clearly permitted.

33 NOB HILL DRIVE  
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1334 APPLGATE ROAD  
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(608) 277-7700 • 1-800-362-7390  
FAX: (608) 277-7708

TO: Members of State Assembly  
FR: John Stocks, Director of Government Relations  
RE: **Opposition to 1999 Assembly Bill 474**

This distribution has been

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Signature

The Wisconsin Education Association Council and the Wisconsin Federation of Teachers urge you to oppose 1999 Assembly Bill 474.

This bill requires school boards to make available to their pupils' parents or guardians instructional questionnaires used in the classroom. Amendment 1 to attempts to simplify the bill by replacing the terms 'analyses' and 'evaluations' with the term 'questionnaires'. In reality, this bill and amendment 1 would be virtually impossible to implement and enforce.

It would be virtually impossible for educators to interpret this law on a daily basis. Educators use many forms of questionnaires, both verbal and written, all of the time. One interpretation of whether a questionnaire infringes on a parent's rights will be different than another interpretation. We should be doing everything in our power to provide more time for teachers to work with students, to prepare instructional plans, and to reflect on the work of students. Having to comply with a vague requirement like this will only take time away from the primary work of educators.

While we have great concern for the welfare of our children and their families, we believe that even the most basic classroom decisions must be based on what is best for the common good. There has been no significant evidence of abuse of student or parental privacy to warrant passage of AB 474. Our time and energy should be spent on addressing the needs of all of our children. This effort has been characterized as a parent's rights issue. In fact, it could easily result in giving the right to censor school activities and programs to a few parents while denying the rights of others.

WEAC and the WFT strongly believe that educators and local officials must be given the latitude necessary to do the best job they can in the classroom. Quite often, the education process requires the use of simple questionnaires. 1999 Assembly Bill 474 unnecessarily micro-manages the classroom. In addition, the bill imposes a civil penalty on those who might unknowingly violate the provisions of the bill. This could cost an educator of 28 students \$8,400.

The Wisconsin Education Association Council and Wisconsin Federation of Teachers urge you to oppose 1999 Assembly Bill 474.



# WISCONSIN LEGISLATURE

P.O. Box 7882 • Madison, WI 53707-7882

FOR IMMEDIATE RELEASE  
September 30, 1999

CONTACT: Rep. Mark Miller  
(608) 266-5342

## DARE Officer, Educator, Children's Advocate Speak Out Against GOP Survey Bill

*Bill Would Hamstring Anti-Drug, Anti-Smoking, Anti-School Violence Programs*

MADISON – A broad spectrum of professionals who fight teen drug abuse, child abuse, and other threats to the welfare of Wisconsin's children gathered at the state Capitol today. They were joined by two Democratic legislators who sit on the Children and Families Committee and the ranking Democrat on the Education Committee.

The group spoke against AB 474, a bill by Rep. Mark Pettis (R-Hertel) that would require parental consent before teenagers can take part in surveys about at-risk behaviors such as drug abuse and school violence.

According to the Centers for Disease Control, requiring parental consent on such surveys reduces student participation by up to 50%, dramatically reducing their accuracy. Less accurate data could jeopardize millions of dollars in grants for many programs, including:

- \$12 million from the Safe and Drug Free School Program
- \$6 million from other alcohol and drug abuse prevention programs
- \$1 million from Centers for Disease Control programs

"This should be called the 'Ignorance is Bliss' bill," said Rep. Mark Miller (Monona), ranking Democrat on the Children and Families Committee. "Unfortunately, when it comes to teen drug abuse and school violence, ignorance actually isn't bliss—ignorance is dangerous."

Jeff Smith, a police officer from Germantown active in the DARE program, said that the Pettis bill would threaten anti-drug programs. "We need to know what these kids are doing, so we know what kind of programs and age groups to focus on. Without accurate information from these surveys, we're flying blind, and not doing all we can to help them stay off of drugs."

Smith's comments were echoed by Bob Anderson, legal advocate for the Wisconsin Council for Children and Families. "Wisconsin families need support to protect their children for the half of the day when they're out of the home. Instead, we're looking at depriving needy students of critically important services."

- more -

## GOP Survey Bill, Page 2

Steve Small, Professor of Child and Family Studies at the University of Wisconsin-Madison said that parents and families were better off having accurate information from surveys.

"This bill is anti-family and anti-parent's rights because it keeps vital information from parents about the world their kids are growing up in," said Small. "For my family, I'd like to know how big a problem drugs, alcohol and violence are in the schools so that I can best educate and protect my kids."

"This bill was rammed through committee in a mere two days with minimal public input," said Rep. Christine Sinicki (Milwaukee) of the Children and Families Committee. "I think it's obvious why they want to sneak this through: it's simply an awful idea."

What have state agencies had to say about the Pettis bill?

- **DPI:** The Pettis bill "would have a serious impact on the ability at the state and local level to identify and understand some of the most important issues facing our youth today," testified DPI's Mike Thompson at a hearing last week. "Information on such issues as teen smoking, school safety, and alcohol and drug use is essential in developing effective programs and accountability measures for our prevention efforts."
- **DHFS:** Kevin Lewis of that agency testified that Pettis' bill would jeopardize the accuracy of the only statewide survey that evaluates the health and well-being of school children. Lewis add that the Pettis bill posed a special threat to youth anti-smoking programs, including \$1.2 million in federal money for tobacco prevention and \$1.0 million in federal money for the Thomas Melvin Tobacco Prevention Fund.



# State of Wisconsin Department of Public Instruction

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John T. Benson  
State Superintendent

Steven B. Dold  
Deputy State Superintendent

## Uses of the Wisconsin Youth Risk Behavior Survey

### Wisconsin Department of Public Instruction

- **The Safe and Drug Free Schools and Communities Program.** \$5,617,000 annually. This program, part of the Improving America's Schools Act, requires the reporting of youth alcohol and other drug use and violent behaviors as part of its accountability component. The Wisconsin Youth Risk Behavior Survey (YRBS) is used for both accountability and the application. If Wisconsin did not have YRBS, we would need another student alcohol/drug survey.
- **AIDS/HIV STD and Chronic Disease Prevention Grants.** \$750,000 annually. DPI uses the YRBS data in its application for various competitive funds from the Centers for Disease Control. One example is a grant to reduce cardiovascular disease in minority students through school health programs. YRBS is also used for accountability to CDC by DPI for grants on AIDS/HIV/STDs and chronic disease prevention.
- **State AODA Prevention Grants Programs.** \$6,172,000 annually. The programs funded by the Wisconsin legislature including *Youth Alcohol and Other Drug Prevention, Drug Abuse Resistance Education, Families and Schools Together, After School/Summer School Program* all use the Youth Risk Behavior Survey as part of their accountability.
- **Team Nutrition Training and Nutrition Education and Training grants.** \$150,000 annually. These use the YRBS in their applications and needs assessment.

### Wisconsin Department of Health and Family Services

- Brighter Futures, the statewide adolescent pregnancy prevention plan, relies on the YRBS to measure its progress toward the two subgoals. The subgoals are to: increase the percentage of youth that choose abstinence; and, for those youth that do not choose abstinence, increase the consistent and correct use of contraception.
- Brighter Futures under the Government section of both the original plan and the implementation plan supports and recommends the continued use of YRBS and making the findings available to local and state agencies.
- YRBS data are used in our application to the federal Department of Education for the Governor's Safe and Drug Free Schools program.
- The Wisconsin Abstinence Education Project, uses YRBS data in its annual report to federal Maternal and Child Health Bureau.

- DPH uses YRBS data for the Maternal and Child Health Services Block Grant application.
- The DHFS Strategic Business Plan uses the YRBS to measure goals such as 1-8 reduction of the use of harmful substances by 12-17 year olds.
- The YRBS is the only source for statewide data on youth behaviors of interest to our department such as: alcohol, tobacco, and other drug use; sexual risk behaviors; weapons and violence; suicide; diet and exercise; unintentional injuries; and, access to health care.

#### **Other Surveys Impacted by AB 474**

- Teen Assessment Project (TAP) survey is administered at the local level under the direction of a local advisory group. Similar written notification and opportunities for instrument review and opt-out are provided to parents.
- The Search Institute's Profiles of Student Life Attitudes & Behaviors instrument has been widely used at the community level throughout the state. Requiring active consent would impact the effectiveness of this survey.
- The Youth Tobacco Survey (YTS) is a statewide random sample survey and will be administered every other year beginning in Spring of 2000. This survey will be used to monitor youth tobacco use activity including smokeless tobacco and cigar use. The YTS will determine program priorities and will be the most comprehensive survey available to policy makers and communities. Requiring active consent would impact the effectiveness of this survey.
- The Thomas T. Melvin Youth Tobacco Prevention and Education Program has an evaluation component to determine the impact of media and program activities under the state-funded program. Requiring active consent would impact the effectiveness of this survey.