

Regarding the proposed bill:

**HB2099**

**– Authorizing school districts to administer certain surveys and questionnaires under the student data privacy act.**

I have provided the email we received last year for our 8<sup>th</sup> grade child from his respective high school principal. We also received a similarly worded one from the high school principal for our 10<sup>th</sup> grader.

I have also included the web page, by the Southeast Kansas Education Service Center – Greenbush, explaining the KANSAS Communities that Care Survey.

The KANSAS Communities that Care Survey is also attached for your information.

**From:** L. Rantz, Principal [mailto:psms@bluevalleyk12.org]  
**Sent:** Wednesday, January 08, 2014 11:51 AM  
**To:** lhuesers@kc.rr.com  
**Subject:** 2 items

PSMS Parents,

**1. The PSMS Geography Bee will be held on Thursday, January 9 at 7:55 am in the library. Parents are welcome to attend, please sign in at the front office. The PSMS Spelling Bee is January 15.**

**2.** Our school will soon be administering to students an annual statewide needs assessment, called the Kansas Communities That Care Student Survey. The purpose of the survey is to gather information to combat such problems as alcohol and other drug use, bullying, gambling and violence in our schools and communities. The study will be conducted with students in the sixth, eighth, tenth and twelfth grades.

I believe this survey is a good tool for teachers and parents to understand the extent of drug and alcohol awareness by our kids, as well as the extent of substance use. More importantly, I believe it is a worthwhile undertaking that will help create more effective prevention programming by our school and various community organizations to address problems associated with alcohol and drug use.

The survey includes questions on alcohol, drugs, tobacco, and community factors related to substance use. You may also be interested to know the following:

1. **It is completely anonymous.** Students will not be asked for their names on the questionnaire, nor will anyone be able to connect any individual student with his/her responses. School staff will not see any one student's responses, but only summaries of results. To further guarantee anonymity, results will not be reported on any particular question without sufficient response from enough students.
2. **Participation is entirely voluntary.** Your child may decline to participate in the survey, or may simply skip any particular question they do not wish to answer.
3. **Annual participation is important.** Even if your child has participated in previous surveys, annual data is extremely helpful in determining the effectiveness of previous efforts and changes in program areas.

I hope you will allow your child to participate in this statewide effort. If you agree, you need do nothing further. However, if for any reason you do not wish your child to participate, please sign and return this letter to me and your child will be excused from participation. Thank you in advance for your cooperation.

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

\_\_\_I do NOT want my child(ren) to participate in the survey this year.

Student Name(s)\_\_\_\_\_

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

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

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SchoolMessenger is a notification service used by the nation's leading school systems to connect with parents, students and staff through voice, SMS text, email, and social media.

## Resources:

[Survey Data](#)  
[Survey Registration](#)  
[Contact us](#)

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The Kansas Communities That Care (KCTC) Student Survey is a vehicle for schools to track teen use of harmful substances such as alcohol, tobacco and other drugs, in addition to teen perceptions about school and community involvement, bullying, gambling,

and guns. In addition, the survey provides a baseline for teen participation in, perception of, and attitudes toward both pro-social and anti-social behavior at the peer, school, family and community levels. We administer this survey annually with funding by Addiction and Prevention Services of the Kansas Department for Children and Families.

The survey gathers information from students in the sixth, eighth, tenth and twelfth grades, by asking their opinions on various subjects, including sections on demographics and school climate, peer influences, drug/alcohol/tobacco usage, community-based perceptions, and family domain. Resulting data is used to help school and community leaders assess current conditions and prioritize areas of greatest need in order to plan prevention and intervention programs.

<http://www.greenbush.org/communities-that-care-survey.html>

(My husband and I have children who have gone through the same school district and the same schools; two are in college; this survey has been given since 1995, but last year was the first year we were informed of the survey being given to our kids, much less being given the option to opt-out.)

#### **OBSERVATIONS:**

- **You will see that the email from the principal did not include an attachment with the actual survey or even a link to view the survey.** Based on an actual look at the survey, it seems very likely to me that the actual survey or a link to the survey are not included because that would give parents too much information about the content of and manner in which the actual questions were being asked.
- **The principal explains that the survey is a “good tool for teachers and parents”.** First, being the person solely responsible for my kids, any information about them should first be directed toward me, the parent, not teachers. Second, **The website for the survey states, “Resulting data is used to help school and community leaders assess current conditions and prioritize areas of greatest need in order to plan prevention and intervention programs.”** The principal encourages parents to allow kids to participate based on the assertion that it is a tool for parents. The administering agency website correctly explains that the survey data is really for school and community leaders. As a parent with four children who participated in the survey (without my knowledge), absolutely nothing was ever been received in the form of a tool we could use in raising our children.
- **The principal also states, the survey is used “to understand the extent of drug and alcohol awareness by our kids”.** On pages 5 and 6 of the survey, you will see 6<sup>th</sup> graders are asked probing questions “on how many occasions” they have used tobacco, smoked cigarettes, drank alcohol, used marijuana, LSD, cocaine or crack, heroine, ecstasy, steroids, and phenoxydine, sniffed glue, inhaled aerosol sprays, taken methamphetamines, or used unprescribed drugs including Vicodin, Valium, Ritalin and others I’ve never heard of. As you can see, if they didn’t know about something before taking the survey, they have certainly been “informed” through the act of taking the survey. Q.86 asks, “During the past 30 days, how did you usually get prescription drugs not prescribed for you?” As if the invasion of privacy isn’t enough, the manner in which the questions are phrased – suggesting affirmative participation in activities – adds another layer of alarm. As an adult, I would probably not even complete this survey, especially when considering the number of “identifying” questions included in the survey.
- **Parents are told the surveys are voluntary.** However, prior to last year, I do not recall ever even knowing it was being administered. Additionally, students innately trust their teachers and are expected by their teachers to do what they say. Except for parents being able to opt-out this last year, the students were only instructed that they could voluntarily skip any question they did not wish to answer. (See the page 1 of the survey.) They were not instructed that they did not have to participate in the survey in its entirety.
- **Parents are told the surveys are anonymous.** However, the first 20 items the kids fill out are personal identifiers. These include: school district, building number, age, grade, gender, race, number of siblings, grades (A, B, etc.) usually received, parents’ level of education. Consider this

being administered in a small school district; it wouldn't be very hard to pretty accurately determine individuals.

- **If the information on the surveys is completely anonymous, then why isn't the complete data from the surveys available to parents and the public?** Per Nancy White, with the Southeast Kansas Education Center – Greenbush administering agency, they “protect” the data, with only data down to building level being provided to school superintendents. If it's anonymous, why does the individual survey level data need to be protected?  
Considering the amount of personally identifying questions in combination with the type of questions and manner in which they are phrased, it is disturbing to me that, until recently, parents were not even apprised of their kids taking the test. But even the notification we received last year was misleading, at best. And, parents only having the option to “opt-out”, rather than “opting-in”, especially without explicit knowledge of the survey, is concerning.
- **Do the intervention programs change student behavior?** I asked Nancy White whether there was any data to substantiate whether the Intervention programs implemented as a result of these surveys actually resulted in a change in student behavior. She said “no”, her agency doesn't have evidence based programs with measurable results. She mentioned that some organizations may have evidence based programs, but that hers doesn't. One such organization that does have evidenced based programs is the Regional Prevention Center in Olathe, KS. Schools may also elect to forward survey information to other organizations, such as the Johnson County Mental Health Center.
- **School approved activity.** From a broader perspective, I have to ask WHY is the inclusion of these types of activities deemed acceptable in our education institutions. This survey is not germane to the education of a student. While education institutions have taken on the mantra of the myriad of social issues and causes, I do not want schools “instructing”, and thereby “influencing”, my kids in these areas. I especially do not want my kids being tracked, inventoried or graded in these areas.

## **CONCLUSION**

At issue is the fact that, as Nancy White with the Southeast Kansas Education Center – Greenbush explained to me, passive permission by parents was changed last year to now require an active permission to occur for kids to participate in this survey. Her concern is a perceived lower participation rate due to parents having to actually “opt their kids in” to taking the survey. She stated that “parents forget to send things back”.

So, there is concern that fewer kids will complete the survey. There is concern that parents will forget to submit the permission form. The concern over not “enough” students completing the survey because parents may not “do what we perceive they need to do”, results in agencies and institutions setting up environments to make allowance for perceived lapses in human beings to “do the right thing” to “force” or “ensure” the desired outcome.

However, in my (a parent’s) opinion, the needs and goals of the agency are super-ceding what is in the best interest of the student. The needs and goals of the agency have super-ceded the express right and responsibility of the parent to determine what is in their child’s best interest. This is an invasion of privacy of children and families.

There used to be an assumption of privacy. If a person or group wanted an individual’s personal information, they had to go through steps to acquire that information. Now, there appears to be an assumption of a lack of privacy. With this presumption of no individual privacy, the individual must go through steps to protect and prohibit others’ acquisition of private information. This is backwards.

I find it amazing that this and other agencies have a problem with acquiring parent permission to collect data on students. Students are not the property of the state or any agency or any other institution. Students are individuals whose parents have the sole responsibility for their well-being. There is not a baby factory spitting out kids somewhere in Kansas, who are then “placed” by the state with adults to be raised under the auspices of the state. Babies are born to parents, who have the privilege and responsibility of raising them to the best of their ability (even abilities not necessarily looked favorably upon by others) and protecting them. Data on students attending educational institutions, whether it be obtained through surveys or other processes, is not the innate property of those institutions. It is the student’s data, and parents must be allowed every opportunity to prohibit the data collection in the first place. Having to ask for permission, “mother may I”, to acquire data seems a simple and civilized thing to do.

Respectfully submitted,

Lisa Huesers