

1 North Dakota School Study Council Testimony in Opposition SB 2105 – Surveys

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3 Chairman Heinert and Members of the Committee,

4 I am writing to express opposition to SB 2015, which seeks to regulate the
5 administration of surveys in educational settings. While we understand the intent behind
6 this legislation, we are concerned about its broader implications and potential
7 unintended consequences.

8 One key question that arises is whether this bill would prohibit surveys conducted by the
9 military, the school board, or other vendors with whom we collaborate. These surveys
10 are often critical for understanding student needs, improving services, and ensuring
11 compliance with various programs. Additionally, many short, informal surveys—such as
12 those used at the beginning or end of class to gauge student well-being—could be
13 inadvertently restricted. For example, simple tools like the "pain scale" used in doctors'
14 offices or the three-colored face system to measure emotions might fall under the
15 restrictions imposed by this bill. Would these common and beneficial tools be prohibited
16 under this legislation?

17 Furthermore, Part 3 of the bill raises concerns about the requirement for parental or
18 legal guardian approval. Would this apply to every survey administered, or only to those
19 defined within the bill? Currently, we operate under an opt-out policy for major surveys
20 like the Youth Risk Behavior Survey (YRBS), ensuring that parents are informed and
21 given the opportunity to review materials before deciding whether their child will
22 participate. This policy has worked effectively and allows for parental involvement
23 without unnecessarily burdening educators and administrators.

24 Additionally, I would like to highlight that even with the administration of the YRBS this
25 year, many schools, including Mandan and Bismarck Public Schools, proactively
26 removed controversial questions before distributing the survey. This demonstrates that
27 schools are already taking steps to address concerns without the need for additional
28 restrictive legislation.

29 We urge you to consider the potential unintended consequences of SB 2015 and its
30 impact on valuable data collection efforts in our schools. I respectfully request that you
31 oppose this bill or, at the very least, clarify its language to ensure that essential, non-
32 intrusive surveys remain permissible.

33 Thank you for your time and consideration. I am happy to provide further information or
34 answer any questions you may have.

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36 Dr. Paul Stremick