

Members of the Education Committee,

My name is Kimberly Hurst and I reside in District 1. I am asking that you please render a do pass on Senate Bill 2105.

I am a mother of four children that have been previously enrolled in North Dakota public education. It was nearly three years ago when I learned about the excessive amount of surveys the students of our school district participate in; whether it was a survey from the school, a third party or the state surveys. From this array, it was the North Dakota state Youth Risk Behavior Survey (YRBS) that startled me the most in regard to the obscene questions that our North Dakota students are being asked to answer. I would like to read some of these questions for you to understand what I am referring to, but before I do I would like to reference that according to the North Dakota Department of Public Instruction, both the YRBS and the Student Engagement survey are voluntary with no funding associated with participation.

I would like to remind you this survey is delivered to children as young as 12 years old; children who are of tender age. The questions are sensitive topics that I do believe should be discussed at some point with our children; however, these discussions should take place at home with a parent or guardian. Delicate subjects such as, "Have you ever had sexual intercourse?", or asking them if they describe themselves as "gay, straight, lesbian, bisexual, or otherwise"; or how about question #54, " Some people describe themselves as transgender when their sex at birth does not match the way they think or feel about their gender. Are you transgender?" I ask you, members of the Education Committee, do you believe these are age appropriate

questions for 12 year old children? Furthermore, there are an additional 16 questions that relate to smoking, alcohol, cocaine and prescription abuse that these *tender aged children* are being asked to answer without their parents being aware. A child may struggle to navigate these fragile topics without parental involvement, potentially leading them to question if they should be engaging in such activities at their age if they are not currently doing so.

The high school Youth Risk Behavior Survey contains 99 questions and many of which are also obscene. Questions like, "During the last 3 months, how many people did you have sexual intercourse with?" and "Did you drink alcohol or use drugs before you had sexual intercourse the *last time*?" Perhaps you might consider these questions a little more age appropriate considering high school students are developing into young adults. Contrary to this belief, I would like to pose the question, would we ask these same obscene questions to adults in a workplace? If an employer administered a survey to their employees with sexual behavior questions it would be grounds for sexual harassment. So why is this okay for minors, to answer these kinds of questions in school without parental consent? When my children attended public school I was absolutely unaware they were being given this survey. I did not know these sensitive topics were being asked of my children to answer; had I known, I would've rightfully opted them out so I could have these conversations one on one with them at home before they were exposed to them for the first time in school. This means, due to the lack of prior notification regarding this survey, the current opt-out process is ineffective, as parents cannot opt out of a survey they are unaware of.

Finally, my rebuttal to the opposition who are suggesting that parents are aware of the nature of these surveys, I challenge each and every one of you to ask parents you personally know with children in public schools if they are aware of these surveys and the types of questions that are being asked. You will quickly discover that most parents are not aware. I would like to reiterate what Senator Gerhardt pointed out on the Senate floor on February 20th, if parents are already being informed about these surveys, as the opposition claims, then why would this bill impact the results or compromise the data they seek to obtain? If parents are already aware, how could this bill disrupt the current process, as it only formalizes parental consent? Given the strong resistance from the opposition, it suggests otherwise. So if this is the case the opposition is making against this bill, it's simply not logical. As a parent who was unaware, I know there are many others who are still in the dark. That means there are many parents in North Dakota who are not informed that the Department of Public Instruction seeks the information regarding the number of sexual partners their *children* have had in the last 3 months, or whether or not they are gay, straight, bisexual or otherwise, or if they have a STD. The *need* to obtain this kind of private and very personal *data* from children, raises the question of how this kind of information is deemed essential for achieving academic proficiency.

Sex, alcohol, smoking, drug use has always been areas of concern for adolescents; where is the *data* proving these surveys are mitigating these kinds of youth behaviors in any way? A common sense analysis would suggest that these kinds of concerning youth behaviors have been problematic for decades without needing a survey to tell us that. Common sense also makes it evident that these problem areas have steadily deteriorated over the past decade. So I ask again, please

show me the data that proves these surveys in school are mitigating these areas of concern; data would show they are not. Also, the opposition's argument that obtaining parental consent, also known as a *permission slip*, would be too difficult is a weak dispute, as permission slips have been a common occurrence in all of school history. I assure you it never has been nor will it ever be too complex of a task for schools to accomplish.

I am a strong advocate for this bill, with emphasis on line item number three, requiring the parent or guardian to review a copy of this survey and authorize in writing that their student may participate. North Dakota parents deserve the right to know what is being asked of their children to answer in these surveys, I urge you to support the passing of Senate Bill 2105. Thank you for your consideration on this important matter and for your service to the state of North Dakota. I stand for questions.

Kimberly Hurst