

2025 SENATE EDUCATION

SB 2105

2025 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

SB 2105
1/21/2025

Related to the administration of surveys to students in kindergarten through grade twelve schools.
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9:00 a.m. Chairman Beard called the meeting to order.

Members Present: Chairman Beard; Vice-Chairman Lemm; Senators: Axtman, Boschee, Gerhardt, and Wobbema.

Discussion Topics:

- Student Survey Requirements
- Clarification
- Parental rights

9:02 a.m. Bobbi Vaagen, technical clerk, introduced herself.

9:03 a.m. Senator Beard, Legislative Council, testified in favor and submitted written testimonies #30422 and #30423.

9:19 a.m. Kimberly Hurst, testified in favor and submitted written testimony #30387.

9:24 a.m. Karen Krenz, testified in favor and submitted written testimony #30389.

9:42 a.m. Dr. Aimee Copas, Executive Director, ND Council of Education, testified in opposition and submitted written testimony #30184.

9:43 a.m. Dr. Tracy Miller, ND Department of Health, testified in opposition and submitted written testimony #30299.

Additional written testimony:

Amy De Kok, Executive Director, ND School Boards Association, submitted written testimony #30428 in favor.

Judy Vinger, submitted testimony #30340 in opposition.

Faye Seidler, Suicide Prevention Advocate, submitted testimony #30400 in opposition.

Kristin Nelson submitted testimony #30288 in opposition.

9:52 a.m. Vice Chairman Lemm closed the hearing.

Susan Helbling, Committee Clerk



1 Testimony in Opposition to SB2105 -

2 Restriction of student surveys

3 Thank you for the opportunity to testify today in opposition to SB2105. While the intent to
 4 protect parental rights and student privacy is appreciated, this bill presents significant challenges
 5 for schools, students, and compliance with existing educational requirements.

6 Key Concerns:

7 1. Opt-In vs. Opt-Out: An Administrative Burden

- 8 ○ The proposed **opt-in requirement** creates significant logistical challenges.
 9 Schools already provide an opt-out option, offering parents flexibility while
 10 ensuring robust participation.
- 11 ○ An opt-in system would lower response rates, resulting in incomplete data and
 12 additional administrative burdens and staffing challenges that divert resources
 13 from student-focused initiatives. Imagine dealing with an opt-in process in our
 14 larger districts.

15 2. Impact on Required Surveys (ESSA and Accreditation)

- 16 ○ Schools must conduct third-party surveys, such as **Cognia** assessments, to comply
 17 with **federal mandates like ESSA** and maintain accreditation.
- 18 ○ Limiting surveys to those administered by the Department of Public Instruction
 19 (DPI) could jeopardize compliance, potentially risking funding and hindering
 20 school improvement efforts.

21 3. Hindrance to School Improvement Efforts

- 22 ○ Surveys provide critical insights into mental health, school climate, and
 23 instructional effectiveness, guiding decisions that directly impact student success.
- 24 ○ Restricting survey options could delay or prevent schools from identifying and
 25 addressing pressing student needs.

26 4. Loss of Local Control

- 27 ○ The bill undermines local decision-making by restricting districts' ability to
 28 partner with trusted third-party organizations for data collection tailored to their
 29 unique needs.

30 The current **opt-out process** already balances parental choice with schools' ability to gather
 31 essential data. Adding an opt-in requirement would create unnecessary barriers to compliance
 32 and improvement efforts.

33 I respectfully urge the committee to **oppose this bill** and maintain the flexibility schools need to
 34 support their students effectively.

35 Thank you for your time, and I am happy to answer any questions.

Kristin Nelson

1/20/2025

5409 20th Street South

Fargo, District 46

DO NOT PASS SB 2105

Chairman Beard and members of the Senate Education Committee:

I am writing to you today in the hopes you **oppose SB 2105**. Control needs to remain with each school district in how they collect data from learners, districts know what works best and how to collect information efficiently.

The Youth Risk Behavior Survey (YRBS) is administered every other year by DHHS and is used to monitor behaviors in school-aged children that can lead to poor health outcomes. This survey is well respected around the state and provides information that school districts, health agencies, and lawmakers can use for program planning, targeted education, and decision-making. This survey is already optional, and students can opt out of questions that they do not want to answer, but it does provide valuable information that can benefit students.

Making data collection harder for districts does not improve outcomes for students. Pretending the truth about our North Dakota students does not help them. Please consider a DO NOT PASS on this bill and show our students you are interested in supporting them well into the future.

Respectfully submitted:

Kristin Nelson (she/her)



Health & Human Services

Testimony
Senate Bill No. 2105
Senate Education Committee
Senator Beard, Chairman
January 21, 2025

Chairman Beard, and members of the Senate Education Committee, I am Dr. Tracy Miller, State Epidemiologist and Health Statistics and Performance Section Director with the Department of Health and Human Services (Department). I appear before you in opposition of Senate Bill No. 2105, which relates to the administration of surveys to students in kindergarten through grade twelve schools.

The Senate Bill would create a new section to chapter 15.1-06 of North Dakota Century Code that would not allow students to be surveyed by anyone other than schools or the Department of Public Instruction. Currently, two long standing surveys have been implemented in schools, the Youth Risk Behavioral Survey (YRBS), conducted in odd years since 1995 and Youth Tobacco Survey (YTS), conducted in odd years since 2003. Recently, in 2023, the Department took over the management, coordination, and distribution of the YRBS from the Department of Public Instruction. With the requested addition of this new section to the century code, the department would no longer be able to collect this data.

Currently, these two data sources are the only two of their kind, and offer insight into dietary behaviors, sleep, mental health issues, tobacco/vaping use, seatbelt use, safety concerns, texting while driving, physical activity, etc. Questions for the YRBS survey are selected through a committee of stakeholders which includes HHS Public Health, HHS Behavioral Health Division, DPI, DOT, Community Organizations & Regional Education

Associations (REAs). The YTS survey utilizes subject matter experts and Local Tobacco Prevention Coordinators in local public health to determine new question selection.

Our data users include: Child nutrition programs, substance use programs, family health and wellness, Behavioral Health, DOT, DPI, school districts, community leaders, universities, and members of the general public. They use this data to obtain federal and private grants, program planning for priorities, quality improvement, evaluation of public health interventions, inform decisions about school policy, plan prevention and treatment-related activities, measure progress, etc.

There are also concerns with requirement number 3, regarding the requirement to gather parental consent for participation. This could be a laborious process for schools depending on size of the school. Both the YRBS and YTS provide schools with informational sheets regarding the surveys. Information is sent home with students/parent newsletters/mailings, etc. Included in the information is a form for parents to sign and return to the school if they choose to not have their student participate in the survey. Additionally, school administrators are allowed to redact questions from the surveys and as always, students are allowed to skip any questions they do not want to answer. Student names are not collected on either survey and school specific data is not publicly available.

While my testimony has initially focused on these two specific surveys, I want to point out this bill would also hinder the department's ability to follow up on infectious diseases. In situations such as enteric outbreaks within the school, it is imperative that information about foods and

activities are collected to identify the source so that prevention efforts can be put into place.

SB 2105, if enacted, would result in the loss of data used by a variety of agencies which could result in the loss of resources, not to mention ongoing transmission of infectious disease.

This concludes my testimony. I would be happy to try to answer any questions the committee may have. Thank you.

My name is Judy Vinger

I am a mother of 5 and a grandmother of 19. I have been a childcare provider\preschool teacher in Williston ND for 45 years. My passion is the care and education of the children in Williston.

I would like to thank you for the opportunity to render my support of "Do Pass" for SB 2104

I have had the opportunity to read through some of the surveys that are presented to the students in my school district ages 11-18, and was mortified at the questions asked. As a parent and grandparent it is my job to communicate and educate my children\grandchildren in the areas of faith, morality and private family dynamics. These surveys have no business taking that conversation out of the hands of families. Most of the personal questions have no bearing at all on education. Additionally no young child 5-10 should ever be expected to take surveys at all, as this is a very vulnerable age for them in terms of learning about the world. They should not be pressured to make decisions about life they have not experienced yet.

The bigger question is... to what purpose? Where do these surveys go? Where is the data saved? Who sees the answers? Will the information be used to label children or direct a child to seek answers outside of their family dynamic or feel their family is not normal?

It is my understanding that surveys are to be voluntary by century code, but it is also my understanding that this is not made clear to students; also, that families can opt out, but who and how is made aware of to parents? Likewise what parent actually sees the survey's questions if they are not alerted to them by someone who is in the know?

I am adamant that this type of family abuse stop immediately, and that safeguards be put in place that provide repercussion's to any third party agency, school administration or district that would defy a century code safeguarding our children against surveys. Without a penalty nothing will change.

With respect,

Judy Vinger

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 that DPI administers 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 "The *last time* you had sexual intercourse, did you or your partner use a

condom?”, or other sexual behavior questions asking them if they are transgender. 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 parental guidance, a child may struggle to navigate these fragile topics, potentially leading them to question if they should be engaging in such activities at their age if they are not currently doing so. Especially in today’s world, these topics of conversation can be necessary but that should be at the discretion of the parent or guardian of when the time is appropriate.

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, tender aged children, 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. As a parent, I trusted our public school system to provide academically sound education to my children; so it remains unclear to me why the state of North Dakota or the federal government needs to know anything about my children's sexual behaviors and how exactly does this relate to their academic proficiency in school. It's likely I will never agree or understand, but this proposed legislation safeguards these vulnerable conversations for the parents to have at home with their child.

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. This not only highlights the importance of parental awareness of the survey but also encourages parents to engage in discussions at home after reading this survey. 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

Thank you, members of the Education Committee, for the opportunity to give my testimony. My name is Karen Krenz, I am from District 1 in Williston and a mother of three boys. I was a teacher and counselor for 23 years in North Dakota. I am asking that you render a DO PASS for SB 2105.

There has been a movement across our country in the education system to gather information on our children for quite some time now, it is referred to as data mining. Data mining is a process used by companies to turn raw data into useful information. We all need to keep in mind collecting data is interpreted through the person who is looking at the results and very well could be through an “equity lens” of systemic racism & oppression. This will result in producing biased results. Our surveys are being given and interpreted by third parties not by in house teachers and administrators. In fact, in recent research we have found out that our Panorama surveys that are being done in our school system are being interpreted by AI. An example of a question on a survey may be: “How often were you polite to adults?”, translation through equity lens the scores indicate: “students lack respect because teachers are creating tension with their own prejudices and discrimination in the class”, resulting in an intervention of teachers needing more DEI and anti-racism training. Keeping survey results within our local school systems ensures that surveys are looked at and scored according to our community's interpretation rather than an outside entity's.

The Family Education Rights and Privacy Act (FERPA) when it was first introduced it protected the privacy of the students. The law prohibited schools from disclosing Personally Identifiable Information (PII) to non-school officials without parental consent or notification. In 2008 and 2009 the bill was amended and started allowing schools to share data with third party companies and organizations without parent consent. On page 5 of the United States Department of Education FERPA policy, you will find exceptions that exclude privacy rights for students by organization conducting research for, or on behalf of, the school such as improving instruction. In other words, school districts may bypass parent consent to share student mental health information.

https://studentprivacy.ed.gov/sites/default/files/resource_document/file/A%20parent%20guide%20to%20ferpa_508.pdf

My personal experience with third party surveys was when my child's information was given to a third party without my consent a few years ago. After filling out the paperwork to opt my son out of surveys at WBSD #7, I discovered he had received a survey from Panorama, a third-party organization, on his school email address. Panorama had access to every student's school email address and sent surveys to them without parental consent. It is likely that many parents are unaware that third parties possess their children's school email addresses.

It is important to note that the Protection of Pupil Rights Amendment (PPRA) protects students from having to disclose personal information, such as data about sexual behavior, religious practices, or mental health issues. According to our district, WBSD #7, they are exempt from following PPRA law since the surveys are not funded by federal funds. From my understanding, this is misinterpreted by my school district. Parents may be unaware that PPRA requires written parental consent to complete surveys that include the 8 protected areas.

[https://studentprivacy.ed.gov/faq/what-protection-pupil-rights-amendment-ppra#:~:text=File%20a%20Complaint-What%20is%20the%20Protection%20of%20Pupil%20Rights%20Amendment%20\(PPRA\)?,financial%20assistance%20under%20such%20program\)](https://studentprivacy.ed.gov/faq/what-protection-pupil-rights-amendment-ppra#:~:text=File%20a%20Complaint-What%20is%20the%20Protection%20of%20Pupil%20Rights%20Amendment%20(PPRA)?,financial%20assistance%20under%20such%20program))

Courage is a Habit website has a lot of great information on data mining if you are interested in gathering more information on this topic

<https://courageisahabit.org/>

North Dakota children should be protected from third party data mining and parents must have the choice whether to let their children participate in any survey. That is way I support a do pass on this bill.

I stand for questions.

Karen Krenz

Senate Education Committee
Jan 20th, 2025 SB 2105
Testimony in Opposition

Dear Chair Beard and the members of the Senate Education Committee,

I urge a "Do Not Pass" on SB 2105.

I believe the bill sponsor, Chairman Beard, may not realize that in 2024 we moved our data management systems for the Youth Risk Behavior Survey from the North Dakota Department of Public Instruction to our Health and Human Services.

"The Youth Risk Behavior Survey (YRBS) is a national system of surveys used to monitor behaviors in school age children that can lead to poor health outcomes. North Dakota has conducted the YRBS in partnership with the Centers for Disease Control and Prevention (CDC) since 1995. On odd-numbered years, ND students in grades 7-8 and 9-12 are administered a voluntary, anonymous survey questionnaire. Schools, teachers, public health professionals, community leaders, and policymakers in North Dakota use YRBS data for decision making, evaluation, and planning" ([NDHHS](#))

As this bill is written, I don't believe we are able to continue running this critical survey that is used by professionals, policy makers, and researchers like myself across the state. It would also be difficult to assess how many various programs, organizations, or efforts in North Dakota that depend on third party school surveys for their grants or grant assessment.

I would also defer to [Dr. Aimee Copas's Testimony](#) to the points of administrative burden and reflecting on the idea that the system is not broken and does not need fixing. At the very least, as this bill is considered, please clarify that the NDHHS is also allowed survey privileges to conduct the YRBS or expand it to any state department rather than strictly the NDDPI.

Thank you for your time, consideration, and service to our state,
Faye Seidler

SB2105

Vice-Chair Lemm and members of the committee. My name is Todd Beard. I am the Senator from District 23 serving the Williston and Trenton area.

Part 1 of the bill defines a survey to mean a written document to obtain information about a student from a student. That definition excludes surveys completed for educational purposes or if a student is surveyed because they have chosen to sign up and join a group for extracurricular activities.

Part 2 of the bill excludes 3rd parties from coming into a school to survey students other than the department of public instruction. Parents are the ones who should decide if their children should participate in a survey. No 3rd party has a right to their information.

Part 3 of the bill determines parent or guardian approval before a survey can be administered.

This bill is meant to ensure parents have the opportunity to review a survey their child is asked to fill out. After the parent reviews the survey, they must authorize in writing allowing the child to take the survey before it can be administered. The reasons this is important are:

1. It coincides with federal law. In my testimony you will find a copy of the federal code known as Protection of Pupil Rights. No student can be required to be surveyed for any of the descriptive items listed unless a parent or guardian has given written consent.

2. If the parent or guardian reviews the survey to be given to the child, this could open dialogue that might not have otherwise happened. This could be of benefit to their family.

I also have an amendment to bring with the bill to give clarity that CTE may survey their students/members. Legislative Council believes they were covered under subsection 1 as they are part of the school, but to make it clear we may add them in this manner:

"The term does not include a survey administered or approved by a licensed teacher or ~~school~~-administrator of a school, including a center for career and technical education, for educational or extracurricular purposes."

Thank you for your consideration and ask for a DO PASS recommendation on SB2105. I stand for any questions.

stituted “the student seeks or intends to” for “the student intends to”, in subpar. (C), substituted reference to “section 408(c)” for reference to “section 409 of this Act” which for purposes of codification has been translated as “section 1221e-3(c) of this title”, and added subpars. (E) to (I).

Subsec. (b)(2). Pub. L. 93-568, §2(a)(1)(E), (2)(E), substituted “educational agency or institution which has a policy or practice of releasing, or providing access to, any personally identifiable information in education records other than directory information, or as is permitted under paragraph (1) of this subsection” for “state or local educational agency, any institution of higher education, any community college, any school, agency offering a preschool program, or any other educational institution which has a policy or practice of furnishing, in any form, any personally identifiable information contained in personal school records, to any persons other than those listed in subsection (b)(1) of this section”.

Subsec. (b)(3). Pub. L. 93-568, §2(a)(8)(D), substituted “information is specifically authorized by Federal law, any data collected by such officials shall be protected in a manner which will not permit the personal identification of students and their parents by other than those officials, and such personally identifiable data shall be destroyed when no longer needed for such audit, evaluation, and enforcement of Federal legal requirements” for “data is specifically authorized by Federal law, any data collected by such officials with respect to individual students shall not include information (including social security numbers) which would permit the personal identification of such students or their parents after the data so obtained has been collected”.

Subsec. (b)(4). Pub. L. 93-568, §2(a)(9), substituted provisions that each educational agency or institution maintain a record, kept with the education records of each student, indicating individuals, agencies, or organizations who obtained access to the student's record and the legitimate interest in obtaining such information, that such record of access shall be available only to parents, school officials, and their assistants having responsibility for the custody of such records, and as a means of auditing the operation of the system, for provisions that with respect to subsecs. (c)(1), (c)(2), and (c)(3) of this section, all persons, agencies, or organizations desiring access to the records of a student shall be required to sign forms to be kept with the records of the student, but only for inspection by the parents or the student, indicating specifically the legitimate educational or other interest of the person seeking such information, and that the form shall be available to parents and school officials having responsibility for record maintenance as a means of auditing the operation of the system.

Subsec. (e). Pub. L. 93-568, §2(a)(1)(F), substituted “to any educational agency or institution unless such agency or institution” for “unless the recipient of such funds”.

Subsec. (g). Pub. L. 93-568, §2(a)(7), (10)(B), struck out reference to sections 1232c and 1232f of this title and inserted provisions that except for the conduct of hearings, none of the functions of the Secretary under this section shall be carried out in any of the regional offices of such Department.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2010 AMENDMENT

Amendment by Pub. L. 111-296 effective Oct. 1, 2010, except as otherwise specifically provided, see section 445 of Pub. L. 111-296, set out as a note under section 1751 of Title 42, The Public Health and Welfare.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-110 effective Jan. 8, 2002, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub.

L. 107-110, set out as an Effective Date note under section 6301 of this title.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 of this title.

EFFECTIVE DATE OF 1992 AMENDMENT

Pub. L. 102-325, title XV, §1555(b), July 23, 1992, 106 Stat. 840, provided that: “The amendment made by this section [amending this section] shall take effect on the date of enactment of this Act [July 23, 1992].”

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-46 effective Oct. 1, 1978, see section 8 of Pub. L. 96-46, set out as a note under section 930 of this title.

EFFECTIVE DATE OF 1974 AMENDMENT

Pub. L. 93-568, §2(b), Dec. 31, 1974, 88 Stat. 1862, provided that: “The amendments made by subsection (a) [amending this section] shall be effective, and retroactive to, November 19, 1974.”

EFFECTIVE DATE

Pub. L. 93-380, title V, §513(b)(1), Aug. 21, 1974, 88 Stat. 574, provided that: “The provisions of this section [enacting this section and provisions set out as a note under section 1221 of this title] shall become effective ninety days after the date of enactment [Aug. 21, 1974] of section 438 [now 444] of the General Education Provisions Act [this section].”

§ 1232h. Protection of pupil rights

(a) Inspection of instructional materials by parents or guardians

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any applicable program shall be available for inspection by the parents or guardians of the children.

(b) Limits on survey, analysis, or evaluations

No student shall be required, as part of any applicable program, to submit to a survey, analysis, or evaluation that reveals information concerning—

- (1) political affiliations or beliefs of the student or the student's parent;
- (2) mental or 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; or
- (8) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program),

without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent.

(c) Development of local policies concerning student privacy, parental access to information, and administration of certain physical examinations to minors

(1) Development and adoption of local policies

Except as provided in subsections (a) and (b), a local educational agency that receives funds under any applicable program shall develop and adopt policies, in consultation with parents, regarding the following:

(A)(i) The right of a parent of a student to inspect, upon the request of the parent, a survey created by a third party before the survey is administered or distributed by a school to a student; and

(ii) any applicable procedures for granting a request by a parent for reasonable access to such survey within a reasonable period of time after the request is received.

(B) Arrangements to protect student privacy that are provided by the agency in the event of the administration or distribution of a survey to a student containing one or more of the following items (including the right of a parent of a student to inspect, upon the request of the parent, any survey containing one or more of such items):

(i) Political affiliations or beliefs of the student or the student's parent.

(ii) Mental or psychological problems of the student or the student's family.

(iii) Sex behavior or attitudes.

(iv) Illegal, anti-social, self-incriminating, or demeaning behavior.

(v) Critical appraisals of other individuals with whom respondents have close family relationships.

(vi) Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers.

(vii) Religious practices, affiliations, or beliefs of the student or the student's parent.

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

(C)(i) The right of a parent of a student to inspect, upon the request of the parent, any instructional material used as part of the educational curriculum for the student; and

(ii) any applicable procedures for granting a request by a parent for reasonable access to instructional material within a reasonable period of time after the request is received.

(D) The administration of physical examinations or screenings that the school or agency may administer to a student.

(E) The collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose), including arrangements to protect student privacy that are provided by the agency in the event of such collection, disclosure, or use.

(F)(i) The right of a parent of a student to inspect, upon the request of the parent, any

instrument used in the collection of personal information under subparagraph (E) before the instrument is administered or distributed to a student; and

(ii) any applicable procedures for granting a request by a parent for reasonable access to such instrument within a reasonable period of time after the request is received.

(2) Parental notification

(A) Notification of policies

The policies developed by a local educational agency under paragraph (1) shall provide for reasonable notice of the adoption or continued use of such policies directly to the parents of students enrolled in schools served by that agency. At a minimum, the agency shall—

(i) provide such notice at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in such policies; and

(ii) offer an opportunity for the parent (and for purposes of an activity described in subparagraph (C)(i), in the case of a student of an appropriate age, the student) to opt the student out of participation in an activity described in subparagraph (C).

(B) Notification of specific events

The local educational agency shall directly notify the parent of a student, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when activities described in subparagraph (C) are scheduled, or expected to be scheduled.

(C) Activities requiring notification

The following activities require notification under this paragraph:

(i) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

(ii) The administration of any survey containing one or more items described in clauses (i) through (viii) of paragraph (1)(B).

(iii) Any nonemergency, invasive physical examination or screening that is—

(I) required as a condition of attendance;

(II) administered by the school and scheduled by the school in advance; and

(III) not necessary to protect the immediate health and safety of the student, or of other students.

(3) Existing policies

A local educational agency need not develop and adopt new policies if the State educational agency or local educational agency has in place, on January 8, 2002, policies covering the requirements of paragraph (1). The agency shall provide reasonable notice of such existing policies to parents and guardians of students, in accordance with paragraph (2).

(4) Exceptions**(A) Educational products or services**

Paragraph (1)(E) does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- (i) College or other postsecondary education recruitment, or military recruitment.
- (ii) Book clubs, magazines, and programs providing access to low-cost literary products.
- (iii) Curriculum and instructional materials used by elementary schools and secondary schools.
- (iv) Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments.
- (v) The sale by students of products or services to raise funds for school-related or education-related activities.
- (vi) Student recognition programs.

(B) State law exception

The provisions of this subsection—

- (i) shall not be construed to preempt applicable provisions of State law that require parental notification; and
- (ii) do not apply to any physical examination or screening that is permitted or required by an applicable State law, including physical examinations or screenings that are permitted without parental notification.

(5) General provisions**(A) Rules of construction**

- (i) This section does not supersede section 1232g of this title.
- (ii) Paragraph (1)(D) does not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

(B) Student rights

The rights provided to parents under this section transfer to the student when the student turns 18 years old, or is an emancipated minor (under an applicable State law) at any age.

(C) Information activities

The Secretary shall annually inform each State educational agency and each local educational agency of the educational agency's obligations under this section and section 1232g of this title.

(D) Funding

A State educational agency or local educational agency may use funds provided under part A of title IV of the Elementary

and Secondary Education Act of 1965 [20 U.S.C. 7101 et seq.] to enhance parental involvement in areas affecting the in-school privacy of students.

(6) Definitions

As used in this subsection:

(A) Instructional material

The term “instructional material” means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audiovisual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

(B) Invasive physical examination

The term “invasive physical examination” means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

(C) Local educational agency

The term “local educational agency” means an elementary school, secondary school, school district, or local board of education that is the recipient of funds under an applicable program, but does not include a postsecondary institution.

(D) Parent

The term “parent” includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

(E) Personal information

The term “personal information” means individually identifiable information including—

- (i) a student or parent's first and last name;
- (ii) a home or other physical address (including street name and the name of the city or town);
- (iii) a telephone number; or
- (iv) a Social Security identification number.

(F) Student

The term “student” means any elementary school or secondary school student.

(G) Survey

The term “survey” includes an evaluation.

(d) Notice

Educational agencies and institutions shall give parents and students effective notice of their rights under this section.

(e) Enforcement

The Secretary shall take such action as the Secretary determines appropriate to enforce this section, except that action to terminate assistance provided under an applicable program

shall be taken only if the Secretary determines that—

- (1) there has been a failure to comply with such section; and
- (2) compliance with such section cannot be secured by voluntary means.

(f) Office and review board

The Secretary shall establish or designate an office and review board within the Department of Education to investigate, process, review, and adjudicate violations of the rights established under this section.

(Pub. L. 90–247, title IV, §445, formerly §439, as added Pub. L. 93–380, title V, §514(a), Aug. 21, 1974, 88 Stat. 574; amended Pub. L. 95–561, title XII, §1250, Nov. 1, 1978, 92 Stat. 2355; Pub. L. 103–227, title X, §1017, Mar. 31, 1994, 108 Stat. 268; renumbered §445, Pub. L. 103–382, title II, §212(b)(1), Oct. 20, 1994, 108 Stat. 3913; amended Pub. L. 107–110, title X, §1061, Jan. 8, 2002, 115 Stat. 2083; Pub. L. 114–95, title IX, §9215(mm)(5), Dec. 10, 2015, 129 Stat. 2176.)

Editorial Notes

REFERENCES IN TEXT

The Individuals with Disabilities Education Act, referred to in subsec. (c)(5)(A)(ii), is title VI of Pub. L. 91–230, Apr. 13, 1970, 84 Stat. 175, as amended, which is classified generally to chapter 33 (§1400 et seq.) of this title. For complete classification of this Act to the Code, see section 1400 of this title and Tables.

The Elementary and Secondary Education Act of 1965, referred to in subsec. (c)(5)(D), is Pub. L. 89–10, Apr. 11, 1965, 79 Stat. 27. Part A of title IV of the Act is classified generally to part A (§7101 et seq.) of subchapter IV of chapter 70 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 6301 of this title and Tables.

PRIOR PROVISIONS

A prior section 445 of Pub. L. 90–247 was classified to section 1233d of this title prior to repeal by Pub. L. 103–382.

AMENDMENTS

2015—Subsec. (c)(5)(D). Pub. L. 114–95 substituted “part A of title IV” for “part A of title V”.

2002—Subsec. (b)(1) to (8). Pub. L. 107–110, §1061(1), added pars. (1) to (8) and struck out former pars. (1) to (7) which read as follows:

- “(1) political affiliations;
- “(2) mental and psychological problems potentially embarrassing to the student or his family;
- “(3) sex behavior and attitudes;
- “(4) illegal, anti-social, self-incriminating and 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; or
- “(7) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).”

Subsec. (c) to (f). Pub. L. 107–110, §1061(2), (3), added subsec. (c) and redesignated former subsecs. (c) to (e) as (d) to (f), respectively.

1994—Pub. L. 103–227 amended section generally, substituting in subsec. (a), provisions relating to inspection of instructional materials by parents or guardians for similar provisions, in subsec. (b), provisions relating to limits on survey, analysis, or evaluations for provisions relating to psychiatric or psychological examinations, testing, or treatment, and adding subsecs. (c) to (e).

1978—Pub. L. 95–561 designated existing provisions as subsec. (a) and added subsec. (b).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114–95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114–95, set out as a note under section 6301 of this title.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107–110 effective Jan. 8, 2002, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 107–110, set out as an Effective Date note under section 6301 of this title.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95–561 effective Oct. 1, 1978, see section 1530(a) of Pub. L. 95–561, set out as a note under section 1221e–3 of this title.

EFFECTIVE DATE

Pub. L. 93–380, title V, §514(b), Aug. 21, 1974, 88 Stat. 574, provided that: “The amendment made by subsection (a) [enacting this section] shall be effective upon enactment of this Act [Aug. 21, 1974].”

§ 1232i. Limitations on withholding of Federal assistance

(a) Refusal to supply personal data on students or families

Except as provided in section 1232g(b)(1)(D) of this title, the refusal of a State or local educational agency or institution of higher education, community college, school, agency offering a preschool program, or other educational institution to provide personally identifiable data on students or their families, as a part of any applicable program, to any Federal office, agency, department, or other third party, on the grounds that it constitutes a violation of the right to privacy and confidentiality of students or their parents, shall not constitute sufficient grounds for the suspension or termination of Federal assistance. Such a refusal shall also not constitute sufficient grounds for a denial of, a refusal to consider, or a delay in the consideration of, funding for such a recipient in succeeding fiscal years. In the case of any dispute arising under this section, reasonable notice and opportunity for a hearing shall be afforded the applicant.

(b) Noncompliance with nondiscrimination provisions of Federal law

The extension of Federal financial assistance to a local educational agency may not be limited, deferred, or terminated by the Secretary on the ground of noncompliance with title VI of the Civil Rights Act of 1964 [42 U.S.C. 2000d et seq.] or any other nondiscrimination provision of Federal law unless such agency is accorded the right of due process of law, which shall include—

- (1) at least 30 days prior written notice of deferral to the agency, setting forth the particular program or programs which the Secretary finds to be operated in noncompliance with a specific provision of Federal law;
- (2) the opportunity for a hearing on the record before a duly appointed administrative



NDSBA
**NORTH DAKOTA SCHOOL
 BOARDS ASSOCIATION**

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SB 2105

Testimony of Amy De Kok Senate Education January 21, 2025

Chairman Beard and members of the Senate Education, my name is Amy De Kok. I am the executive director of the North Dakota School Boards Association. NDSBA represents all 168 North Dakota public school districts and their governing boards. I am writing to express our opposition to SB 2105, which seeks to impose additional limitations on the administration of surveys to students in kindergarten through grade twelve.

While the protection of student privacy is a priority we all share, this bill raises serious concerns regarding its potential impact on the ability of schools to effectively address student needs, comply with federal law, and foster a supportive learning environment. In particular, the provisions of SB 2105 conflict with the requirements and intentions of the Protection of Pupil Rights Amendment (PPRA), a federal statute that already establishes clear safeguards for student and parental rights concerning surveys and data collection.

The PPRA ensures that schools **must obtain parental consent before administering surveys** funded by the U.S. Department of Education that solicit certain sensitive information. These include:

- Political affiliations or beliefs of the student or parent;
- Mental or psychological problems of the student or family;
- Sexual behavior or attitudes;
- Illegal, anti-social, self-incriminating, or demeaning behavior;
- Critical appraisals of others with whom the respondents have close family relationships;
- Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- Religious practices, affiliations, or beliefs of the student or parent; and
- Income, other than as required by law to determine eligibility for participation in a program.

For surveys that students are not required as part of a program administered by the Department of Education, to participate in but that are administered by a school that is the recipient of federal funds, PPRA requires that the school “directly” notify (i.e., U.S. Mail or email), parents of students who are

scheduled to participate in a survey that asks questions about one or more of the eight protected areas listed above in order to provide them with **an opportunity to opt their children out of participation**.

Additionally, PPRA requires school districts to work with parents to develop policies addressing key elements of survey administration. These include providing notice regarding **the right to inspect a survey** created by a third party before it is administered or distributed to a student and outlining procedures for granting reasonable access to such surveys. Policies must also ensure arrangements to protect student privacy when surveys include one or more of the eight areas identified above. These collaborative efforts are essential to maintaining trust and transparency between schools and families. PPRA further specifies that the policies adopted by a school district must provide reasonable notice of the adoption or continued use of such policies. At a minimum, the school district is required to provide such notice at least annually, at the beginning of the school year, and also within a reasonable period of time if any substantive change is made to the policies. Further, school districts must offer an opportunity for parents to opt-out of (remove their child) from participation in the administration of any third-party (non-USDE funded) survey containing one or more of the above-described eight items of information.

SB 2105 introduces additional barriers by requiring parental authorization for virtually all surveys administered by third parties. While this may seem aligned with PPRA, it significantly hampers the ability of schools to identify and address critical issues like behavioral health, bullying, and community needs, which often rely on aggregated and anonymous data collected through surveys. The bill's vague language regarding what constitutes a "third party" or "behavioral health survey" creates unnecessary ambiguity and may inadvertently restrict the work of trusted educational partners.

Behavioral health and well-being are critical components of a successful educational experience. By imposing stringent limitations on the use of surveys, SB 2105 could:

- Delay schools' ability to identify emerging mental health crises among students;
- Limit opportunities to gather valuable data to improve school safety and climate;
- Discourage parental involvement by overburdening families with unnecessary paperwork for routine, anonymous surveys.

These consequences disproportionately affect vulnerable student populations who benefit the most from targeted interventions informed by survey data. Further, SB 2105's exclusion of surveys conducted by the Department of Public Instruction ignores the collaborative role other organizations, like the ND Department of Health and Human Services, play in supporting schools and students.

In its current form, SB 2105 undermines the ability of schools to serve their students effectively, particularly in addressing behavioral health and safety concerns. I respectfully urge you to issue a DO NOT

PASS recommendation on this bill and instead work toward solutions that balance privacy protections with the need for meaningful data to support student success.

Thank you for your attention to this critical issue. I welcome any questions or opportunities to collaborate on more effective policy solutions.

2025 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

SB 2105
1/22/2025

Related to the administration of surveys to students in kindergarten through grade twelve schools.
--

10:53 a.m. Chairman Beard opened the hearing.

Members Present: Chairman Beard; Vice-Chairman Lemm; Senators: Axtman, Boschee, Gerhardt, and Wobbema.

Discussion Topics:

- Student Survey Requirements
- Clarification
- Parental rights

10:55 a.m. Committee Discussion

11:10 a.m. Chairman Beard adjourned the meeting.

Susan Helbling, Committee Clerk

2025 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

SB 2105
1/29/2025

Related to the administration of surveys to students in kindergarten through grade twelve schools.
--

2:57 p.m. Chairman Beard called the hearing to order.

Members Present: Chairman Beard; Vice-Chairman Lemm; Senators: Axtman, Boschee, Gerhardt, and Wobbema.

Discussion Topics:

- Notification of surveys
- Data collected
- Legal opinion

2:57 p.m. Senator Gerhardt updated committee on his findings regarding school surveys.

3:05 p.m. Senator Boschee gave an update on his findings regarding the opt out policy.

3:19 p.m. Chairman Beard adjourned the meeting.

Susan Helbling, Committee Clerk

2025 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

SB 2105
2/17/2025

Related to the administration of surveys to students in kindergarten through grade twelve schools.

9:58 a.m. Chairman Beard called the hearing to order.

Members Present: Chairman Beard; Vice-Chairman Lemm; Senators: Axtman, Boschee, Gerhardt.

Members Absent: Senators Boschee and Wobbema.

Discussion Topics:

- Parent approval
- School choice

9:58 a.m. Senator Beard discussed proposed amendment testimony #30422 that was proposed previously on January 21.

10:09 a.m. Senator Lemm moved to adopt amendment LC #25.0489.02001.

10:09 a.m. Senator Gerhardt seconded the motion.

Senators	Vote
Senator Todd Beard	Y
Senator Randy D. Lemm	Y
Senator Michelle Axtman	Y
Senator Josh Boschee	AB
Senator Justin Gerhardt	Y
Senator Mike Wobbema	AB

Motion Passed 4-0-2

10:14 a.m. Senator Lemm moved a Do Pass as amended.

10:14 a.m. Senator Gerhardt seconded the motion.

Senators	Vote
Senator Todd Beard	Y
Senator Randy D. Lemm	Y
Senator Michelle Axtman	N
Senator Josh Boschee	AB
Senator Justin Gerhardt	Y
Senator Mike Wobbema	AB

Motion Passed 3-1-2

Senator Beard will carry the bill.

10:15 a.m. Chairman Beard adjourned the meeting.

Susan Helbling, Committee Clerk

February 17, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

SENATE BILL NO. 2105

Introduced by

Senator Beard

2-17-25

JR 1001

1 A BILL for an Act to create and enact a new section to chapter 15.1-06 of the North Dakota
2 Century Code, relating to the administration of surveys to students in kindergarten through
3 grade twelve schools.

4 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

5 **SECTION 1.** A new section to chapter 15.1-06 of the North Dakota Century Code is created
6 and enacted as follows:

7 Student surveys - Requirements.

- 8 1. As used in this section, "survey" means a screening tool, questionnaire, poll, or other
9 written document used to obtain information about a student from the student,
10 including surveys related to behavioral health. The term does not include a survey
11 administered or approved by a licensed teacher or ~~school~~ administrator of a school,
12 including a center for career and technical education, for educational or extracurricular
13 purposes.
- 14 2. A school may not administer a survey to a student on behalf of a third party other than
15 the department of public instruction.
- 16 3. If a student's parent or legal guardian has reviewed a copy of a survey and authorized
17 in writing that the student may participate in the survey, a school may administer the
18 survey to that student.

**REPORT OF STANDING COMMITTEE
SB 2105**

Education Committee (Sen. Beard, Chairman) recommends **AMENDMENTS** ([25.0489.02001](#)) and when so amended, recommends **DO PASS** (3 YEAS, 1 NAY, 2 ABSENT OR EXCUSED AND NOT VOTING). SB 2105 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

2025 HOUSE EDUCATION

SB 2105

2025 HOUSE STANDING COMMITTEE MINUTES

Education Committee Coteau AB Room, State Capitol

SB 2105
3/12/2025

Relating to the administration of surveys to students in kindergarten through grade twelve schools.

10:40 a.m. Chairman Heinert opened the hearing.

Members Present: Chairman Heinert, Vice Chairman Schreiber- Beck, Representatives, Conmy, Hager, Hatlestad, Hauck, Heilman, Jonas, Longmuir, Maki, Marchall, Morton, Novak, Osowski

Discussion Topics:

- Appropriate surveys for students
- Content of the surveys
- Youth risk behavior survey

10:41 a.m. Senator Todd Beard, North Dakota Senator for District 23, introduced the bill and submitted testimony #40890, #40891.

10:45 a.m. Kimberly Hurst, North Dakota Resident, testified in favor and submitted testimony #40858.

10:52 a.m. Senator Todd Beard, North Dakota Senator for District 23, answered committee questions.

10:54 a.m. Nick Archuleta, President, ND United, testified in opposition and submitted testimony #40851.

10:57 a.m. Amy De Kok, Executive Director, North Dakota School Boards Association, NDSBA, testified in opposition and submitted testimony #40880.

11:05 a.m. Dr. Tracy Miller, North Dakota Health and Human Services, testified in opposition and submitted testimony #40810.

11:15 a.m. Pamela Sagness, North Dakota Resident, testified in opposition and submitted testimony #41014.

11:18 a.m. Andrew Horn, Coalition Program Director for Tobacco Free ND, testified in opposition and submitted testimony #40614.

11:21 a.m. Paul Stremick, Lobbyist, North Dakota School Study Council, testified in opposition and submitted testimony #40831.

11:24 a.m. Barbara Frydenlund, Registered Nurse, Rolette Co Public health, testified in opposition and submitted testimony #40916.

11:36 a.m. Leslie Beiber, Superintendent, Alexander Public School, testified in opposition and submitted testimony. #40769

Additional written testimony:

Sharlet Mohr, Williston, North Dakota, submitted testimony in favor #40866

Karen Krenz, Williston, North Dakota, submitted testimony in favor #40813

Joel Hektner, Fargo, North Dakota, submitted testimony in opposition #40683

Samantha Harrison, Constituent from District 34, submitted testimony in opposition #40252

Kristin Nelson, Fargo, North Dakota, submitted testimony in opposition #40261

Faye Seidler, North Dakota Suicide Prevention Advocate, submitted testimony in opposition #40871

Chelsea Ridge, North Dakota Public Health Association, submitted testimony in opposition #40079

11:39 a.m. Chairman Heinert closed the hearing.

Wyatt Armstrong for Leah Kuball, Committee Clerk



Opposition Testimony of SB 2105

Chelsea Ridge
North Dakota Public Health Association
Alcohol, Tobacco and Other Drugs Section, Chair
Williston, ND

Chairman Heinert, and Representatives of the House Education Committee,

My name is Chelsea Ridge, and I am the chairwoman of the North Dakota Public Health Association (NDPHA) Alcohol, Tobacco, and Other Drugs Section. Our vision is a North Dakota where every person can live their healthiest life. I am here to provide Opposition testimony to SB 2105, the K-12 survey bill.

North Dakota's public health system consists of 28 decentralized local public health units working in partnership with the North Dakota Department of Health and Human Services. We collaborate closely with local governments across our state to enhance and safeguard the health and safety of our citizens. In a combined effort to implement effective solutions for our local communities.

The Youth Risk Behavior Survey (YRBS) is a critical tool for communities striving to prevent youth alcohol, tobacco, and other drug use. By collecting real-time data on adolescent behaviors, YRBS helps identify emerging trends, risk factors, and gaps in prevention efforts. Ultimately, YRBS empowers communities with the evidence needed to craft effective policies, allocate resources wisely, and implement prevention programs that truly make a difference in reducing youth substance use.

Prevention efforts for youth substance use rely on understanding risk factors (conditions that increase the likelihood of use) and protective factors (conditions that help prevent use). Risk factors include peer pressure, family history of substance use, and easy access to alcohol or drugs, while protective factors include strong family bonds, school engagement, and positive community support.ⁱ

The Youth Risk Behavior Survey (YRBS) helps local communities by providing data on these factors, identifying where youth are most vulnerable. For instance, if YRBS data shows high levels of underage drinking in a specific area communities can strengthen protective factors by implementing after-school programs, mentorship opportunities, or parental education initiatives. By using YRBS data, local leaders can design targeted prevention strategies that address root causes, ultimately fostering healthier, safer environments for youth.ⁱⁱ

Parents often have concerns about whether students should opt in or opt out of surveys like the Youth Risk Behavior Survey (YRBS), particularly when it comes to sensitive topics such as

substance use, mental health, and risky behaviors. If concerns exist about survey content, they should be reviewed and addressed yearly rather than removing the survey entirely.

An opt-in system requires parents to actively give permission before their child can participate, which can significantly lower response rates. This may result in incomplete or biased data, as the students most at risk may be less likely to participate, either due to lack of parental engagement or concerns about the content.

On the other hand, an opt-out system allows for broader participation while still giving parents the choice to exclude their child. When fewer students take the survey, the data may not accurately reflect the real challenges within a community, making it harder for schools and local organizations to secure funding and design effective prevention programs.ⁱⁱⁱ

Ensuring high participation rates is crucial for gathering reliable data that truly represents all youth experiences, allowing communities to address risks and strengthen protective factors effectively. Local public health measures need the flexibility to tailor interventions to meet the needs of our local communities. For all these reasons, we urge you to vote no on SB2105.

Thank you for your time and consideration

Sincerely,
Chelsea Ridge

ⁱ Substance Abuse and Mental Health Service Administration; Risk and Protective Factors <https://www.samhsa.gov/sites/default/files/20190718-samhsa-risk-protective-factors.pdf>, Accessed on March 10, 2025.

ⁱⁱ Sheri Lawal, MPH, CHES, Program Analyst, Injury and Violence Prevention, National Association of City County Health Officers, “*Steps to Implementing Drug Abuse Prevention Programs in Local Health Departments*.” March 11, 2015. NACCHOVoice. <https://www.naccho.org/blog/articles/steps-to-implementing-drug-abuse-prevention-programs-in-local-health-departments>, Accessed on March 10, 2025.

ⁱⁱⁱ North Dakota Health and Human Services, Division of Behavioral Health Data Book, 2025. <https://www.hhs.nd.gov/sites/www/files/documents/BH/Data/2025%20BH%20DataBook.pdf> Accessed on March 10, 2025.

Samantha Harrison

Regarding Senate Bill 2105

March 10th, 2025

Dear Chairman Heinert and Members of the House Education Committee,

My name is Samantha Harrison, a constituent of District 34 in Mandan. I am writing to express my concern and to urge a **Do Not Pass** recommendation and a **No** vote on Senate Bill 2105.

I am deeply disappointed that the Senate voted to move this legislation through to the House, and I am hopeful that you will come to a more sensible conclusion on this bill, which would be a Do Not Pass recommendation.

While I do not currently work in Public Health, that field is the reason I moved to North Dakota five years ago and am happy to call this state my home. Public Health professionals rely greatly on data from surveys like the Youth Risk Behavior Survey (YRBS) to identify problems facing youths and develop and recommend strategies to make those problems better. This is how we know that vaping is a problem in certain age groups, how we know that mental health is a big concern for others, and how we're able to attack a problem with this data.

I have used YRBS data in both my educational and professional life—I even remember taking the YRBS survey occasionally as a student in K-12 school. I believe that the opposition to surveys like the YRBS and the introduction of this bill comes from the same place as culture war topics like wanting to charge librarians with crimes, and like that bill, this bill is a waste of time and has no basis in actual concern. A parent has always had the ability to opt-out of having the survey administered to their child, and it is very easy to do. All switching to an opt-in format for surveys like the YRBS will do is damage the good that comes from collecting this data.

I am asking that the Committee recommend a **Do Not Pass on SB 2105**.

I appreciate your time and consideration.

Samantha K. Harrison
Constituent - District 34

Kristin Nelson

3/10/25

5409 20th Street South

Fargo, ND

District 46

DO NOT PASS SB 2105

Chair Heinert and members of the House Education Committee:

I am writing to you today in the hopes you **oppose SB 2105**. Control needs to remain with each school district in how they collect data from learners, districts know what works best and how to collect information efficiently.

The **Youth Risk Behavior Survey (YRBS)** is administered every other year by DHHS and is used to monitor behaviors in school-aged children that can lead to poor health outcomes. This survey is well **respected around the state and the country** and provides information that school districts, health agencies, and lawmakers can use for program planning, targeted education, and decision-making. This survey is **already optional**, and students can opt out of questions that they do not want to answer, but it does provide valuable information that can benefit students.

Making data collection harder for districts does not improve outcomes for students. Pretending the truth about our North Dakota students does not help them. Please consider a **DO NOT PASS** on this bill and show our students you are interested in supporting them well into the future.

For those reasons, **DO NOT PASS SB 2105**.

Respectfully submitted:

Kristin Nelson (she/her)



P.O. Box 3237
Bismarck, ND 58502
701-751-0229
www.tfnd.org

March 12, 2025

9:30 am CDT

House Education Committee for the 69th ND Legislative Assembly

Chairman Heinert and members of the Education Committee, my name is Andrew Horn, and I am the Coalition Program Director for Tobacco Free North Dakota. The mission of Tobacco Free North Dakota is to improve and protect the public health of all North Dakotans by reducing the serious health and economic consequences of tobacco use, the state's number one cause of preventable disease and death. Thank you so much for your time this morning.

Today I am here to recommend a DO NOT PASS on SB 2105, the bill relating to the administration of surveys to students in kindergarten through grade twelve schools, as this bill would significantly reduce the access to data surrounding tobacco use in our state. Simply put, we can't fix problems unless we can identify them. That is what these surveys can do.

TFND, along with many public and private partners, rely on a particular survey, the Youth Risk Behavior Survey, to inform the public about a myriad of youth-related issues in North Dakota, including tobacco use. If SB 2105 is passed, we would lose access to one of the most comprehensive data sets at our disposal that we use to improve health outcomes for all North Dakotans.

Here are some important data points from the 2023 survey:

- The percentage of high school students who currently smoke cigarettes (during 1 of the past 30 days) is 5.4%
- The percentage of high school students who currently use electronic vapor products (during 1 of the past 30 days) is 18.2%
- The percentage of middle school students who currently use electronic vapor products (during 1 of the past 30 days) is 7.6%

By using the historical data, we can see that all the above numbers are decreasing, which shows our public health strategies are working. Good data leads to good policy, and good policy leads to good outcomes for all North Dakotans. We must do everything we can to preserve our survey administering capabilities and continue this cycle.

Again, I urge a DO NOT PASS on SB2105. Thank you for your time this morning. May I answer any questions?

Andrew Horn
Coalition Program Director,
Tobacco Free North Dakota
Cell: 443-280-0041
andrew@tfnd.org
www.tfnd.org

Testimony in Opposition to SB2105
Joel Hektner
Fargo, ND

As both a parent and a researcher of child and youth behavior, I urge a “Do Not Pass” recommendation and a no vote on SB 2105. I have conducted research using survey data for over 30 years. In fact, as a professor at North Dakota State University, I am paid by the state of North Dakota, in part to conduct research on children and youth. I have conducted research on bullying, afterschool programs, suicide prevention programs, and interventions for aggressive children. To determine the overall prevalence of risk behaviors, I have relied on data from the Youth Risk Behavior Survey. Each of the studies I have conducted has been first vetted by an Institutional Review Board (IRB) for the protections of human participants in research, and each has involved some level of parental informed consent, whether that be to opt-in or opt-out. In every case, surveys were available for parental review, though we had very few requests over the years.

If this bill become law, the research that the state is paying me to do will become much more difficult to conduct, and in many cases the research will not be conducted at all because we will not be able to get an adequate and representative sample. One consequence of this is that we will know much less about the risks facing our children and youth and will be less able to create interventions to mitigate those risks, leading to a greater numbers of youth affected by unhealthy behaviors. A second implication is that it will become more difficult for us to recruit new faculty in our field to come to NDSU once they understand the restrictions against collecting data in schools.

Finally, contrary to some of the concerns voiced by those in favor of this bill, there is no evidence that exposure to questions about risky behavior causes youth to become more likely to engage in that behavior.

Testimony in Opposition to SB 2105

Chairperson Hienert and Members of the Committee,

I am writing in opposition to SB 2105, which would limit the ability of schools to administer anonymous student surveys related to behavioral health and at-risk behaviors. These surveys are essential tools that allow schools to identify trends in student behavior, including substance use, mental health struggles, and other risk factors affecting our youth.

While no one wants to believe that students are engaging in risky behaviors such as drinking, drug use, or unsafe sexual activity, ignoring these issues does not make them disappear. Schools must have access to this anonymous data to develop effective prevention and intervention programs that promote the well-being of all students. Education is our most powerful tool in addressing risky behaviors and protecting our youth from dangerous situations. To develop meaningful prevention efforts, schools must first understand the challenges students' face, something these surveys help us do.

Importantly, parents already have the option to review and opt their child out of these surveys. If we are serious about fostering a safe and healthy learning environment, we must ensure that schools continue to have the tools necessary to understand and respond to the challenges our youth face.

I urge you to vote against SB 2105 and allow schools to continue gathering critical, anonymous information to better serve our students.

Thank you for your time and consideration.



Health & Human Services

Testimony
Senate Bill No. 2105
House Education Committee
Representative Heinert, Chairman
March 12, 2025

Chairman Heinert, and members of the House Education Committee, I am Dr. Tracy Miller, State Epidemiologist and Health Statistics and Performance Section Director with the North Dakota Health and Human Services (Department). I appear before you in opposition of Senate Bill No. 2105, which relates to the administration of surveys to students in kindergarten through grade twelve schools.

Currently, two long standing health and wellness surveys have been implemented in schools, the Youth Risk Behavioral Survey (YRBS), conducted in odd years since 1995 and Youth Tobacco Survey (YTS), conducted in odd years since 2003. In 2023, the Department took over the management, coordination, and distribution of the YRBS from the Department of Public Instruction due to capacity concerns and limited funding.

While most of the discussion on this bill centered around the YRBS, this bill affects many more surveys and questionnaires which will cause undue burdens and introduces limitations on schools and other agencies. But to begin my testimony, I will start with the YRBS. One of the questions that consistently came up was the parents' ability to approve that their child takes the survey. The necessity of this bill becomes unclear when reviewing all levels of local control and permissions provided by this survey. Initially, not every school district is selected to offer the survey to its students, if a district is selected, that district can approve or decline

its participation in distributing the survey to its students. If the district approves, the school will then have to decide if they would like to participate. If the school decides to participate, then the parent has the opportunity to determine if their child should participate or not in the survey. Lastly, if the parent approves, the student, upon reviewing the survey, can determine for themselves if they do or do not want to participate.

As stated, parents have the opportunity to determine whether or not their child participates in this survey. Schools and administrators are responsible for communicating this information to parents. Parents can work with their schools to determine the best avenue for providing information about surveys being conducted in their school throughout the school year. This allows the issue to be effectively addressed at the local level without the need for a new law.

Another question that came up more than once was regarding the questions on the survey itself. Currently, the YRBS questions provide insight into dietary behaviors, sleep, mental health issues, tobacco/vaping use, seatbelt use, school safety concerns, texting while driving, substance use, physical activity, bullying, etc. Questions for the YRBS survey are selected through a committee of stakeholders which includes HHS Public Health, HHS Behavioral Health Division, DPI, DOT, Community Organizations & Regional Education Associations (REAs). However, local control is still in place for those schools that choose to participate. Any question on the survey can be removed at the request of that school. And as previously stated, if a student reads a question they do not want to answer, they can simply skip that question and leave it blank.

The information collected in this survey is not collected simply to say North Dakota participates in the nationwide survey. This survey serves as the sole source of data used by a variety of programs in North Dakota to track health risk behaviors among adolescents. Programs such as child nutrition, substance use and treatment, family health and wellness, oral health, Behavioral Health, DOT, DPI, domestic violence, school districts and nurses, community leaders, Kids Count, local police departments, universities, and members of the general public all use this data. They use this data to obtain federal and private grants, program planning for priorities, quality improvement, evaluation of health and wellness interventions, inform decisions about school policy, plan prevention and treatment-related activities, measure progress, etc.

Many schools are very aware of how useful this data is: yes, every year we get a few schools that decline participation for a variety of reasons; however, this is very rare. In 2023:

- 67 ND high schools were sampled, and 2,469 ND high school students were randomly selected to participate.
- 74 ND middle schools were sampled, and 2,693 ND middle school students were randomly selected to participate.

Additionally in 2023:

- 6,641 high school students took the YRBS in schools that voluntarily participated.
- 5,377 middle school students took the YRBS in schools that voluntarily participated

Lastly, one comment that was repeatedly brought forth was, “if we already know that kids are smoking, vaping, drinking etc. Do we need to

continually gather this information?” I want to say that this is a resounding Yes! The need for continuous data collection, is multifaceted but one of the most important reasons is, if a school/district is spending money on a program such as reducing teen smoking, improvements in oral health, student mental health improvements, etc. It is imperative that schools/school nurses/districts have this data so that their program can be evaluated on how well the program is or is not working. No school should be spending money year after year on a program if it is not making a difference in the lives of their students and community.

While this testimony has focused on the YRBS, I would also want to point out this bill would also hinder the department’s ability to follow up on infectious diseases. In situations such as food born outbreaks within the school, it is imperative that information about foods and activities are collected to identify the source so that prevention efforts can be put into place.

SB 2105, if enacted, would result in the loss of data used by a variety of agencies which could result in the loss of resources, not to mention ongoing transmission of infectious disease.

This concludes my testimony. I would be happy to try to answer any questions the committee may have. Thank you.

Thank you, members of the Education Committee, for the opportunity to give my testimony. My name is Karen Krenz, I am from District 1 in Williston and a mother of three boys. I was a teacher and counselor for 23 years in North Dakota. I am asking that you render a DO PASS for SB 2105.

PPRA law and the FERPA laws are not protecting our North Dakota families due to loop holds in the surveys given. North Dakota children should be protected from giving private information without parent consent. If you ask your constituents about these surveys many of them have no idea the kinds of questions asked. As part of my due diligence, I spoke with many parents about the survey and the questions given, many of whom were unaware of the types of questions their child was asked. In conversations with students about the survey, none were aware it was not required.

Although opposition claims that many steps are taken to opt out, parents and students are not informed about these steps. This bill would guarantee parents informed consent to these surveys and questions.

Thank you for considering a DO PASS for the SB 2105 and for your service to the state of North Dakota.

Karen Krenz

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

2
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.

35 

36 Dr. Paul Stremick



*Great Public Schools**Great Public Service*

**Testimony Before the House Education Committee
SB 2105
Wednesday, March 12, 2025**

Chairman Heinert and members of the Committee, for the record I am Nick Archuleta, and I am the president of North Dakota United. I rise today to urge a ***do not pass*** recommendation for SB 2105. Members of the Committee, I am certain that all of us here today agree that student privacy is a matter that must be taken very seriously. The federal government has passed legislation to ensure that the rights of students and their records are protected. You can learn more about these protections here: <https://studentprivacy.ed.gov/training/what-protection-pupil-rights-amendment>.

SB 2105, while well intentioned, creates unintended consequences which may cause school districts unnecessary headaches as they strive to gather information that helps them to recognize specific trends that may negatively impact the students in their charge. As you know, the Youth Risk Behavior Survey has been administered biennially since 1991. The Youth Risk Behavior Survey has proven to be a valuable tool in helping the public and school administrators recognize specific trends regarding drug and alcohol use among our young people, as well as gathering statistics on smoking, vaping, bullying and other self-destructive behaviors. Over the years, the YRBS has informed school leaders of the nature of physical and mental health challenges experienced by their students. This knowledge has allowed them to deploy services and strategies to their student populations to help mitigate the effects of the challenges they identified. These surveys are completely anonymous, and parents have the right to opt their students out of the YRBS and other surveys administered by schools. By mandating that students opt in to the YRBS, SB 2105 would cause lower rates of participation and cause imprecise data to be collected, thus hindering a school district's efforts to provide adequate resources to address concerns.

Chairman Heinert and members of the Committee, thank you for the opportunity to be here today and share our concerns about SB 2105. I will conclude my testimony by urging you to give SB 2105 a ***do not pass*** recommendation.

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

Esteemed members of the committee. My name is Sharlet Mohr, and I'm here today as a concerned parent, citizen, and advocate to urge you to give this bill a swift "due pass." This legislation is a critical step toward protecting our children in North Dakota's K-12 schools from the invasive, disgusting surveys that some so-called "experts" are trying to force on them. Because once again, it's always about the money just ask the Health and Human Services Department

Right now, there's a problem, a big one. Schools are being pressured by outsiders to push surveys that dig into our kids' private lives with questions that no child should ever have to answer. I'm talking about gross, sexual, and downright inappropriate content that has no place in a classroom. These surveys aren't about education. They're about prying into our children's minds and exploiting their innocence. As a parent and community member, I've seen the toll this takes: confusion, discomfort, and a loss of trust in the very schools meant to protect our kids.

This bill changes that. By adding a new section to chapter 15.1-06, it puts clear rules in place for how and when surveys can be given to students. It's about taking back control. Making sure schools aren't just rubber-stamping every invasive questionnaire that comes their way. It's a simple, common-sense fix: regulate these surveys, protect our kids, and keep the classroom focused on learning, not probing.

I know some might say, "Oh, but we need data!" Fine get your data. But don't do it by sneaking filthy questions past parents and onto our children's desks. This bill doesn't ban surveys; it brings awareness and parental consent back to the table. That's why it deserves a "due pass" it's straightforward, it's necessary, and it's overdue. There's no reason to drag this out with debate when we all know our kids deserve better.

Please, move this bill forward fast. Vote "due pass" and let's protect North Dakota's future, our kids.

Thank you for your time and you should be thanking me for mine,

Sharlet Mohr

**House Education Committee
March 12th, 2025 SB 2105
Testimony in Opposition**

Dear Chair Heinert and the members of the House Education Committee,

I urge a "Do Not Pass" on SB 2105.

My original testimony expressed concern over the future of the YRBS, which is a critical data set that I use within my work and has led in part to millions of dollars coming into our state through grants. Listening to testimony during the first hearing of this bill, I was not surprised to learn there were dozens of stakeholders that would be negatively impacted by the restrictions this bill imposes. Where we would not be able to conduct necessary surveys or get adequate data if we created a required opt-in model.

To listen to individuals in favor of this bill it was about parental choice. While this is a strong value that many in North Dakota fight for, what we found is that parents already have a choice. They can opt their kids out of surveys and have access to the full questionnaire of the surveys that we conduct. Very few parents opt their child out of these surveys or particularly care about them. Which means this direction would only serve a small minority of parents who already have the authority to keep their kid from participating in content they do not want.

To put another way, we are creating hurdles for the essential work many data researchers conduct every year to make life slightly easier for a couple of parents. This is not a winning scenario and this is not in service to our kids, our parents, families or state. We need this data to accurately understand and prevent issues of abuse, neglect, or substance misuse. We need it for grants and to determine if the work we are doing is landing.

I am an advocate for youth and when I think of the opt-in model, I think about abusive parents who would of course refuse to let their children take surveys like this. And while this isn't necessarily the scope of this bill or discussion, children should have a voice too. We should be able to listen to their experience, because if they are silenced, so too is the harm that happens to them and I think this bill is moving us in the wrong direction when thinking about preventing child abuse. For this reason, I urge you a "Do Not Pass."

Thank you for your time, consideration, and service to our state,
Faye Seidler



NDSBA
**NORTH DAKOTA SCHOOL
BOARDS ASSOCIATION**

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Bismarck ND 58501
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SB 2105
Testimony of Amy De Kok
House Education Committee
March 12, 2025

Chairman Heinert and members of the House Education Committee, my name is Amy De Kok. I am the executive director of the North Dakota School Boards Association. NDSBA represents all 168 North Dakota public school districts and their governing boards. I appreciate the opportunity to testify today in opposition to Senate Bill 2105. While we share the goal of protecting student privacy, SB 2105 presents significant concerns regarding its impact on the ability of schools to gather essential data necessary for student support, school safety, and compliance with existing laws. The bill imposes overly restrictive limitations on student surveys, which could hinder efforts to assess behavioral health, school climate, and other critical factors impacting students' well-being.

Existing Federal Protections Under the PPRA

The Protection of Pupil Rights Amendment (PPRA) already provides a comprehensive framework for protecting student privacy while allowing schools to conduct surveys necessary for understanding student needs. PPRA requires schools to obtain prior written parental consent before administering any survey funded by the U.S. Department of Education that solicits information about sensitive topics, including:

- Political affiliations or beliefs of the student or their parent;
- Mental or psychological problems of the student or their family;
- Sexual behavior or attitudes;
- Illegal, anti-social, self-incriminating, or demeaning behavior;
- Critical appraisals of close family members;
- Legally recognized privileged relationships, such as those with lawyers, doctors, or clergy;
- Religious practices, affiliations, or beliefs of the student or parent; and
- Income information, except when required by law to determine eligibility for assistance programs.

For any survey containing these topics that is not directly funded by the U.S. Department of Education, PPRA grants parents the right to opt their child out and requires schools to provide advance notice of the survey's administration. Additionally, PPRA mandates that school districts adopt policies—developed in collaboration with parents—

governing how surveys are conducted, how parents are notified, and how privacy is protected. These policies must be reviewed and communicated to parents at least annually and whenever significant changes occur.

In other words, federal law already ensures robust parental involvement in the survey process. SB 2105, however, creates additional and unnecessary barriers that go beyond these well-established protections, limiting schools' ability to collect essential, anonymous data that informs policies on student safety, health, and well-being.

Impact on Behavioral Health and School Safety

The ability of schools to assess and address student mental health needs is vital. Behavioral health surveys help identify trends in student well-being, allowing schools and community organizations to respond effectively. By restricting survey administration only to the Department of Public Instruction and requiring written parental authorization for all other surveys, this bill creates unnecessary delays in obtaining data that informs intervention strategies for bullying, mental health support, and crisis prevention.

Furthermore, surveys conducted in partnership with other state and local agencies—including those related to student safety, public health, and community wellness—would be severely limited. Schools rely on these partnerships to ensure comprehensive support systems for students, and this bill could create barriers to collaboration.

Unintended Consequences and Administrative Burdens

SB 2105 introduces ambiguity regarding the definition of third-party surveys and could disrupt long-standing practices that benefit students, educators, and policymakers. Many surveys, such as those conducted by the Department of Health and Human Services, provide data used to inform programs that support student success and public health initiatives. Restricting these efforts may lead to unintended negative consequences, such as:

- Reduced access to grant funding used to improve student services,
- Limited ability to track progress on critical issues such as mental health and school safety, and
- Increased administrative burden on schools and families.

Additionally, the requirement for parental written authorization for each survey places an unnecessary burden on families and schools. Many surveys are anonymous and serve broad public policy objectives rather than collecting personal student information. Overburdening parents with additional paperwork for surveys that do not pose privacy risks may lead to reduced participation and less accurate data collection.

Conclusion

SB 2105 unnecessarily restricts schools' ability to assess and address student needs while duplicating protections that already exist under federal law. The bill may have unintended consequences that hinder school safety efforts, delay identification of mental health concerns, and impede collaboration between education and public health agencies.

For these reasons, NDSBA respectfully urges the committee to issue a DO NOT PASS recommendation on SB 2105. We are committed to working with lawmakers, educators, and families to find balanced solutions that protect student privacy while ensuring schools have the tools they need to support student success.

Thank you for your time and consideration. I welcome any questions the committee may have.

SB2105

Members of the committee. My name is Todd Beard. I am the Senator from District 23 serving the Williston and Trenton area.

I bring to you SB2105.

Part 1 of the bill defines a survey to mean a written document to obtain information about a student from a student. This means any survey asking explicit personal information from a student including behavioral health questions. That definition excludes surveys completed for educational purposes or if a student is surveyed because they have chosen to sign up and join a group for extracurricular activities.

Part 2 of the bill excludes 3rd parties from coming into a school to survey students other than the department of public instruction. Parents are the ones who should decide if their children should participate in a survey. No 3rd party has a right to their information.

Part 3 of the bill determines the parent or guardian approval before a survey can be administered.

This bill is meant to ensure parents have the opportunity to review a survey their child is asked to fill out. After the parent reviews the survey, they must authorize in writing allowing the child to take the survey before it can be administered. Some reasons this is important are:

1. The government is not entitled to information requested on surveys like the Youth Risk Behavior Survey. No student should be subjected to personal private information questions without the knowledge and consent of the parents.

2. If the parent or guardian reviews the survey to be given to the child, this could open dialogue that might not have otherwise happened. This could be of benefit to their family.

The opposition to this bill has stated that they must have this information from the students. So, does that mean they don't want the parents/guardians to know what the children are being asked? That would seem to be the case since the information packet sent to the school declares a goal of 95-100% participation.

The opposition also declares it's a voluntary survey and parents or students may "Opt-Out". That seems to contradict the goal for participation. Also, it contradicts almost every other activity in the school system.

Opt-in to sign up for school

Opt-in for classes to take

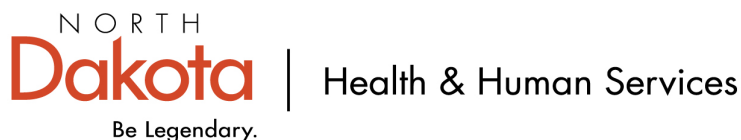
Opt-in for extracurricular activities

Opt-in for field trips

Why is it such a problem for a parent to review the survey and opt-in the child for the survey.

Lastly, this bill does not stop the survey from being conducted. It just declares the parent/guardian must sign-off for the child to take it.

Thank you for your consideration and ask for a DO PASS recommendation on SB2105. I stand for any questions.



December 2024

Dear Administrator,

We would like to express our continued support of the Youth Risk Behavior Survey (YRBS) that has been conducted since the early 1990s by ND Health & Human Services (NDHHS) and the ND Department of Public Instruction (NDDPI). Again, in 2025, we will concurrently conduct the YRBS, and the Youth Tobacco Survey (YTS) based on instruments developed by the Centers for Disease Control and Prevention (CDC). Students in grades seven through 12 will be randomly selected from schools throughout North Dakota to participate in these important surveys.

The YRBS addresses major aspects of youth health, including intentional and unintentional injuries, tobacco, alcohol, and other drug use, sexual behaviors, dietary behaviors, and physical activity. The YRBS data is invaluable for use in program planning, grant writing, and school improvement planning. Schools that participate and meet the state guidelines regarding sample size will receive local reports in addition to state reports.

The YTS obtains data on the knowledge, behaviors, and attitudes toward tobacco and an assessment of other influences that might make youths susceptible to future tobacco use. The survey information is essential for measuring the effectiveness of tobacco prevention and education programs, including those programs initiated with the master tobacco settlement funding.

To minimize the impact on schools' instructional time, only a small number of classes will be randomly selected in each participating school. The anonymous survey should only take one class period to complete. In response to requests for fewer surveys that take students away from instructional time, the NDHHS and NDDPI have agreed that these are the only statewide youth health surveys that they will endorse to be administered biennially.

Winkelman Consulting is contracted to administer the surveys between **February 3-28, 2025**. The principal at each school will be notified by mail as to whether the school has been selected for the statewide sample.

Your support and endorsement of these surveys will expedite this extremely important effort. If you have any questions about survey administration, please contact Mark Winkelman of Winkelman Consulting by phone (701.799.0877) or by e-mail (mrwinkelman@gmail.com). For questions about the YRBS, please contact Matt Schmidt by phone (701.328.1384) or by e-mail (matschmidt@nd.gov). For questions about the YTS, please contact Clint Boots by phone (701.328.4566) or e-mail (cboots@nd.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Nizar Wehbi".

Nizar Wehbi, MD, MPH, MBA
State Health Officer

A handwritten signature in blue ink, appearing to read "Kirsten Baesler".

Kirsten Baesler
State Superintendent

PUBLIC HEALTH

600 East Boulevard Ave. Dept. 301 | Bismarck, ND 58505-0200 | hhs.nd.gov
701.328.2372 | Fax 701.328.4727 | 800.472.2622 | 711 (TTY)



December 1, 2024

To Whom It May Concern:

The Youth Risk Behavior Survey provides an important opportunity for school districts to assess the risk behavior of students within their care, and I am pleased to lend our association's support. Survey results can be compared across North Dakota and to schools throughout the nation. This survey is a good example of state agencies working together for the benefit of our youth.

Answering questions on this survey requires students to take a good look at their own behavior. It is my hope that taking the survey and learning about the results will contribute to students making good choices.

The statistical analysis of survey results enables educators to tailor and improve their prevention curriculum to address needs of students at the local level. Results of the survey will help educators identify, understand, and meet the many challenges associated with the complexities of being a teen in today's society.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amy L De Kok', is written over a horizontal line.

Amy L De Kok
Executive Director

You're Crucial to the Youth Risk Behavior Survey

Participating in the YRBS is easy and important: It helps schools and communities improve the health and wellbeing of our youth

► Why is it valuable to collect health-related data about our youth?

- The YRBS collects data from students in grades 9 – 12 on key health behaviors that contribute to the leading causes of death and illness during both youth and adulthood.
- Results help monitor changes over time, identify emerging issues, and plan and evaluate programs to support the health of youth. YRBS data are used by health departments, educators, lawmakers, doctors, and community organizations to inform school and community programs, communications campaigns, and other efforts.
- These efforts ultimately help improve youth health both in the short term (reducing screen time, receiving mental health support) and in the future (reducing the risk of cancer, addiction, or sexually transmitted diseases). Healthy students are better learners and more likely to become healthy adults.

► Why should districts and schools participate?

- Districts, schools, and students are randomly selected and cannot be replaced; each school's participation is critical to ensure results are representative of youth nationwide.
- The YRBS gives your students an opportunity to share their voice, anonymously and voluntarily.
- Participation brings students' experiences to light so that parents, districts, and schools can provide the most appropriate resources for any challenges students may face.

“There were minimal disruptions to my school day, classroom, and teachers' [day] due to clear communication and organized effort [of your team and data collector]. I don't know why I was so hesitant and didn't respond sooner.”

Texas Public
High School Principal

“Thank you...for working with me to survey our diverse population about their health behaviors. It's important we ask them [students] how they're doing.”

Indiana Public
High School Principal

“[YRBS] results are critical to understand the health status and needs of our youth ... [and] add great insight into the world of our youth and the environment in which our young people spend the majority of their time.”

Nathan R. Monell, CAE,
Executive Director, National PTA


The YRBS helps us understand many health-related topics affecting high school students, including mental health. National YRBS data tells us that during the past year...



37%
felt **sad** or **hopeless**



19%
seriously **considered** **suicide**



16%
were **electronically** **bullied**



20%
were **bullied** **on school property**

Fact Sheet and Answers to Frequently Asked Questions about the 2025 Youth Risk Behavior Survey (YRBS) & 2025 Youth Tobacco Survey (YTS)

Q. What is the focus of the Youth Risk Behavior Survey (YRBS)?

- A. The YRBS focuses on health-risk behaviors established during youth that contribute to the leading causes of death, disability, and social problems among youth and adults. These include behaviors that result in unintentional and intentional injuries; tobacco use; alcohol and other drug use; sexual behaviors that contribute to sexually transmitted diseases (STDs) and unintended pregnancies; unhealthy dietary behaviors; and physical inactivity.

Q. Why is the YRBS being done?

- A. The YRBS data is invaluable for use in program planning, grant writing, and school improvement planning. The YRBS monitors priority health-risk behaviors among youth to create school health programs to help reduce these behaviors.

Q. Why is the Youth Tobacco Survey (YTS) being done?

- A. The Youth Tobacco Survey (YTS) is designed to enhance our state's capacity to design, implement, and evaluate the youth component of our Tobacco Prevention and Control Program. The YTS will provide data that was previously not available for students in grades 7-12 with respect to: (1) prevalence of tobacco use (cigarettes, smokeless tobacco, cigars, pipes, etc.), (2) exposure to environmental tobacco smoke (ETS), (3) minors' access and enforcement, (4) knowledge and attitudes, (5) media and advertising, (6) school curriculum, and (7) tobacco use cessation.

Q. We are doing the Youth Risk Behavior Survey (YRBS), which includes questions on smoking, why do we also need the data provided by the Youth Tobacco Survey (YTS)? Is this really necessary?

- A. The major distinction between the YTS and the YRBS is the number and type of tobacco-related questions asked. The YTS includes 94 tobacco-related questions on the high school survey and 78 on the middle school survey; the YRBS has only 7 on the high school survey and 6 on the middle school survey. The additional questions in the YTS cover prevalence, media and advertising, cessation, knowledge and attitudes, environmental tobacco use, school curriculum, enforcement and minors' access. All of this information is needed for effective surveillance and evaluation of our Tobacco Prevention and Control program, including those programs initiated with master tobacco settlement.

Q. What does your school receive for participating in the YRBS and/or YTS?

- A. Your school will receive a copy of the state survey results for the YRBS and YTS. A local YRBS report will be provided if your school meets the state guidelines for reporting (*participate in the "larger sample" and complete 10+ questionnaires per survey*). A regional YRBS report will be provided if your school does not meet the state reporting guidelines.

Q. Our school's priorities are activities related to the Every Student Succeeds Act (ESSA) and improving student success. Will participating in the YRBS help that as well?

- A. YES! Study after study has shown that students who do not engage in the behaviors assessed by the YRBS have higher grades and test scores. In addition, the YRBS provides valuable data that are relevant to ESSA data collection requirements including data on the incidence and prevalence of illegal drug use and violence among youth, age of onset, and the prevalence of risk factors. The YRBS also provides data to assess school climate which the ND ESSA Committee has chosen as its non-academic indicator.

Q. Are sensitive questions asked on the YRBS?

- A. Yes. Some questions are sensitive. To help solve health problems among our youth, we must ask questions about health-risk behaviors. Attempted suicide, tobacco use, alcohol and other drug use, weapon carrying and sexual behavior are sensitive issues. Questions are presented in a straightforward, yet sensitive manner.

Q. Are sensitive questions asked on the YTS?

- A. No. All questions on the survey relate to student's attitudes, behaviors, and knowledge about tobacco use, intent to use, exposure to tobacco use, and exposure to tobacco marketing/advertising.

Q. Will student names be used or linked to the surveys?

- A. No. The surveys have been designed to protect student privacy and anonymity (*we never know which students at a school did or did not take the survey*). For online surveys, students receive a code that allows a student to access the survey website (*the codes are distributed at random to students so we can never link a code to an individual student*), once a code has been used it cannot be used again to access the web survey, and CDC website/classroom protocols prevent others from seeing a student's answers while they are taking the survey. For paper surveys, students do not put their name on either survey, when students finish the survey they place it in a self-sealing envelope, and the sealed envelopes are then placed in a big box or envelope.

Q. Do students take the surveys more than once to see how their behaviors change?

- A. No. A new sample of schools and students is drawn each time the surveys are administered. Students who take part cannot be tracked because their names are not on the survey and no identifying information is collected.

Q. What if school districts, schools or students do not choose to participate?

- A. Participation in the YRBS and/or YTS is voluntary. However, to develop accurate state and national estimates of priority health-risk behaviors among adolescents, participation rates must be high. Selected schools and students cannot be replaced. The goal is to achieve 95 to 100 percent participation by selected schools and students.

Q. What grade levels are included?

- A. The YRBS and YTS are administered to students in grades 7 and 8 (middle school) and grades 9 through 12 (high school). Both the YRBS and YTS use separate surveys for each grade level (middle school and high school).

Q. How many students are involved from each school?

- A. Depending on the size of the school, both the YRBS and YTS sample one to five classes per selected school (depending on the number of students enrolled at your school). Approximately 10 to 100 students are selected from each school using a random, systematic process determined by CDC. For the YRBS, however, you also have the option to participate in the “larger sample” and survey more classes/students in order to receive statistically reliable data for your school.

Q. How are schools selected to be in the survey?

- A. CDC uses a stratified, random sample to select schools for the YRBS and YTS statewide samples. The probability of a school being selected is based on enrollment, community size, and the percentage of students receiving “free or reduced lunch”. For the YRBS, however, you have the option to survey classes/students even if your school was not selected for the CDC statewide sample.

Q. How long does it take to fill out the survey? Does the survey include a physical test?

- A. One class period is needed to fill out the survey (either online or paper). The survey does not include a physical test or exam.

Q. Do students answer questions truthfully?

- A. Research indicates data of this nature may be gathered as reliably from adolescents as from adults. Internal reliability checks help identify the small percentage of students who falsify their answers. To obtain truthful answers, students must perceive the survey as important and know procedures have been developed to protect their privacy and allow for anonymous participation. This is accomplished by implementing strict CDC protocols that protect student privacy (*for both the online and paper surveys*) and having an adult present during survey administration.

Q. When is the survey conducted? When are results available?

- A. Data collection occurs during February and/or March on odd-numbered years. Results are published the following year. All participating states receive YRBS & YTS results. For the YRBS, a local report will be provided if your school meets the state guidelines for reporting (*participate in the “larger” sample and complete 10+ questionnaires per survey*). A regional report will be provided if your school does not meet the state reporting guideline. State, regional, and individual school results will be available later next fall.

Q. What kind of parent permission is needed?

- A. In 1995, the North Dakota Department of Public Instruction began recommending that schools use passive parental permission forms, which means permission is given unless a parent or guardian instructs the school **not** to give the survey to their child. Samples of a parental consent form and a newsletter article are included with your survey materials.

Q. Where can additional information be obtained?

- A. To obtain additional information about the YRBS and/or YTS, contact one of the following:

YRBS Coordinator:

Matt Schmidt
YRBS Program Coordinator
ND Department of Health and Human Services
600 East Boulevard Avenue, Dept. 301
Bismarck, ND 58505-0200
Phone: 701.328.1384
Email: matschmidt@nd.gov

YTS Coordinator:

Clint Boots
Research Analyst
Health Statistics and Performance Division
ND Department of Health and Human Services
600 East Boulevard Avenue, Dept. 301
Bismarck, ND 58505-0200
Phone: 701.328.4566
Email: cboots@nd.gov

YRBS & YTS Contractor:

Mark Winkelman, Owner
Winkelman Consulting
PO Box 11375
Fargo, ND 58106-1375
Phone: 701.799.0877
Email: mrwinkelman@gmail.com

Frequently Asked Questions: Administering the Youth Risk Behavior Survey (YRBS) and the Youth Tobacco Survey (YTS) while protecting student confidentiality

Q. What are the differences between passive and active parent permission?

A. See the chart below.

Passive & Active Parent Permission

	Passive Parent Permission	Active Parent Permission
Parental notification...	...informs parents about the survey and gives them the opportunity to decline their child's participation.	...informs parents about the survey and gives them the opportunity to decide whether or not their child participates.
Parents are notified when...	...a letter is sent to parents that describes the purpose, procedures, and the voluntary nature of the survey.	...a letter is sent to parents that describes the purpose, procedures, and the voluntary nature of the survey.
In order for a child to participate in the survey...	...parents do not have to return any forms.	...parents return a permission form indicating whether they give permission for their child to participate.
If a form is not returned...	...permission is assumed.	...it is assumed that permission is not granted and the child may not participate. However, children with a signed permission form that indicates approval to participate in the survey will be asked to complete the survey.

Q. Does my school/district need active parent permission in order to conduct the Youth Risk Behavior Survey (YRBS)/Youth Tobacco Survey (YTS)?

A. No. There are **no** new federal or state laws or regulations that require active permission for students who participate in the YRBS/YTS.

Q. What type of parental permission should our school/district use to conduct the Youth Risk Behavior Survey (YRBS)/Youth Tobacco Survey (YTS)?

A. Since 1995, the North Dakota Department of Public Instruction has recommended that schools use passive parental permission. The YRBS is administered in January, February, and/or March of odd numbered years. Copies of passive permission forms will be distributed along with YRBS participation forms and support materials at least one month prior to the survey administration start date.

Q. Does Family Educational Rights and Privacy Act (FERPA) apply to the YRBS/YTS?

A. No. FERPA applies to individual, identifiable educational records. The YRBS/YTS DO NOT contain any personally identifiable information on student participants. Both surveys are administered ANONIMOUSLY and results are not part of any student's permanent educational record.

Q. How does the Every Student Succeeds Act (ESSA) affect the YRBS/YTS?

- A.** ESSA **does not** change the way the YRBS/YTS has been conducted in North Dakota. ESSA will continue the requirement through the Protection of Pupil Rights Amendment (PPRA). The PPRA states that schools and contractors obtain written parental consent before minor students are **required** to participate in any Department of Education-funded survey, analysis, or evaluation that reveals information concerning any of the following eight protected areas described in the law. These eight areas include:
1. Political affiliation;
 2. Mental and psychological problems potentially embarrassing to the student and his/her family;
 3. Sex behavior and attitudes;
 4. Illegal, anti-social, self-incriminating, and 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; or
 8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

The YRBS/YTS surveys do ask questions regarding some of these areas. However, they are **not required** and they are **not funded** in whole or in part by the Department of Education. Therefore, the PPRA requirement for active parental consent **does not apply to the YRBS/YTS**. The YRBS/YTS are conducted using funds from the Centers for Disease Control and Prevention.

ESSA will also continue to require schools that receive funds from the U.S. Department of Education develop and adopt local policies, in consultation with parents, to protect student privacy. This includes the right of parents to inspect the survey upon request if the survey contains any of the personal issues listed above. Allowing parents to review the YRBS/YTS questionnaires at the school is consistent with standard YRBS/YTS practice in North Dakota.

Q. Can the YRBS help my school fulfill its ESSA requirements?

- A.** Yes. As agreed by the ND ESSA Planning Committee, ND schools will need to collect data on school climate and student engagement as its non-academic indicator. Based on their work, YRBS stakeholders have added questions pertaining to school climate so that ND school districts can use this vital data as a needs assessment tool for the consolidated application process.

REFERENCES:

- 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.
- Forum Guide to Protecting the Privacy of Student Information
<http://www.nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2004330>

FOR MORE INFORMATION:

Matt Schmidt
YRBS Program Coordinator
ND Department of Health and Human Services
600 East Boulevard Avenue, Dept. 301
Bismarck, ND 58505-0200
Phone: 701.328.1384
Email: matschmidt@nd.gov

The YRBS gives your child an opportunity to share their voice anonymously and voluntarily.

Participation brings students' experiences to light so that parents, districts, and schools can provide the most appropriate resources for any challenges students may face.

Q&A

► Are sensitive questions asked?

YES. Some questions may be considered sensitive. The questionnaire asks about attempted suicide, tobacco, alcohol and other drug use, and behaviors related to violence. Topics also include sexual intercourse and injection drug use, as these are among the behaviors known to increase the risk of HIV and other STDs. Questions are presented in a straightforward manner and the survey is anonymous, thus reducing any uneasiness about answering questions considered sensitive. If students are not comfortable answering a question, they may leave it blank.

► Will student names be used or linked to the surveys?

NO. The survey is anonymous. Teachers are not involved directly in the administration of the survey. Specially trained staff will administer the survey in each selected school. Students are not asked to provide their names when completing the survey.

► Do students take the survey more than once to see how their behaviors change?

NO. Each year a new random sample of states, schools, and students is selected. Students who take part one year cannot be tracked because their names are not recorded.

► How was my child selected to be in the survey?

About 25,000 students from approximately 315 schools were selected to take part across the country. One or two classes (about 25 to 50 students) in each of grades 9 through 12 were picked randomly to take part in each school.

“YRBS results are critical to understand the health status and needs of our youth. The results of this comprehensive survey add great insight into the world of our youth and the environment in which our young people spend the majority of their time.”

Nathan R. Monell, CAE,
Executive Director, National PTA



“CDC’s dedication to maintaining the YRBS system at all levels (local, state and national) is important in raising awareness of the kinds of risky behaviors in which adolescents engage, and the role of pediatricians and other health care providers in reducing these unhealthy and risky behaviors. The issues identified in the YRBS impact many facets of adolescents’ lives that can result in long-term consequences, ranging for example from unintended pregnancies, sexually transmitted infections, poorer school performance, and unhealthy lifestyle choices.”

Debra B. Waldron, MD, MPH, FAAP,
American Academy of Pediatrics



Form for Denial of Parental Permission

2025 Youth Risk Behavior Survey (YRBS) & 2025 Youth Tobacco Survey (YTS) High School (Grades 9-12) & Middle School (Grades 7-8)

To **grant permission**, do **nothing** and your child **will** be allowed to participate.

To **deny permission** to participate, you **must** (1) check the box below, (2) complete the entire section at the bottom of the form, **and** (3) return the completed form to the school office.

- ☐ **My child may not take part in the YRBS and/or YTS survey.** If I do **not** (1) check this box, (2) complete the entire section at the bottom of the form, **and/or** (3) return the completed form to the school office, my child will be allowed to participate.

Our school is taking part in the 2025 North Dakota Youth Risk Behavior Survey (YRBS) and 2025 North Dakota Youth Tobacco Survey (YTS) sponsored by the North Dakota Department of Health & Human Services and the North Dakota Department of Public Instruction. The YRBS survey will ask about nutrition, physical activity, injuries, tobacco, alcohol, other drug use, sexual behavior, and school climate. The content of the YTS survey includes tobacco questions related to: prevalence (electronic vapor products, cigarettes, smokeless tobacco, cigars, and pipes); knowledge and attitudes; cessation; environmental tobacco smoke; media and advertising; minors' access; and school curriculum. Copies of the questionnaires are available in the school office for your review.

Students in grades 7-12 will be asked to fill out a questionnaire that takes about 45 minutes to complete. Doing this survey will cause no risk to your child. The survey has been designed to protect your child's privacy. No student or class will ever be mentioned by name in a report of the results. Although there is no immediate benefit to your child taking part in this survey, the results will help establish trends over time.

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 they do not wish to answer. In addition, students may stop participating in the survey at any point without penalty.

Our school has been asked to administer the surveys between February 17 & March 3, 2025 (*or as soon as we are able after those dates*). If you decide you do **not** want your child to take part in the survey, please sign the form below and return it to the office.

If your child's teacher or principal cannot answer your questions about the survey, please feel free to email or call Mark Winkelman, Owner of Winkelman Consulting, at mrwinkelman@gmail.com or 701.799.0877. Thank you.

I have read this form and know what the survey is about. To **deny permission** for my child to participate, I understand that I **must** (1) check the box at the top of this form, (2) complete the entire section below, **and** (3) return the signed form to the school office.

Child's Name:

Child's Grade:

Parent's Phone Number:

Date:

Parent's Signature:

Sample - School Newsletter Articles:
2025 Youth Risk Behavior Survey (YRBS) & 2025 Youth Tobacco Survey (YTS)

***High School (Grades 9-12) & Middle School (Grades 7-8):
YRBS & YTS Surveys***

Our school is taking part in the 2025 North Dakota Youth Risk Behavior Survey (YRBS) and the 2025 North Dakota Youth Tobacco Survey (YTS) sponsored by the North Dakota Department of Health & Human Services and the North Dakota Department of Public Instruction. The YRBS survey will ask about nutrition, physical activity, injuries, tobacco, alcohol, other drug use, sexual behavior and school climate. The content of the YTS survey includes tobacco questions related to: prevalence (electronic vapor products, cigarettes, smokeless tobacco, cigars, and pipes); knowledge and attitudes; cessation; environmental tobacco smoke; media and advertising; minors' access; and school curriculum.

Students in grades 7-12 will be asked to fill out a questionnaire that takes about 45 minutes to complete. Doing this survey will cause no risk to students. The survey has been designed to protect student privacy. No student or class will ever be mentioned by name in a report of the results. The results of the survey will help establish trends over time that can be utilized in school planning and curriculum development.

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 they do not wish to answer. In addition, students may stop participating in the survey at any point without penalty.

Our school has been asked to administer the surveys between February 17 & March 7, 2025 (*or as soon as we are able after those dates*). The surveys will be available in the front office for you to preview if you desire. If you decide you do not want your child to take part in the survey, we will have you sign the appropriate form.

NOTE:

1. *If you would like to have an electronic Microsoft Word version of this document (or any other documents in this packet) emailed to you, please contact Mark Winkelman at mrwinkelman@gmail.com*
2. *If needed, feel free to change the survey administration date range in the last paragraph to better fit the date or dates on which your students will be completing their surveys.*

2025 North Dakota Youth Risk Behavior Survey

High School (Grades 9-12) Questionnaire

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 improve 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, experience, or think.

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

- Use a #2 pencil only.
- Make dark marks.
- Fill in a response like this: A B ● D.
- If you change your answer, erase your old answer 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. 12th grade
 - E. Ungraded or other grade
4. What is your race and/or ethnicity? **(Select one or more responses.)**
 - A. American Indian or Alaska Native
 - B. Asian
 - C. Black or African American
 - D. Hispanic or Latino
 - E. Middle Eastern or North African
 - F. Native Hawaiian or Pacific Islander
 - G. White
5. 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	7
③	⑩
④	①
●	②
⑥	③
⑦	④
	⑤
	⑥
	●
	⑧
	⑨
	⑩
	⑪

6. 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	2
①	①	①
●	①	①
②	②	●
③	③	③
	④	④
	●	⑤
	⑥	⑥
	⑦	⑦
	⑧	⑧
	⑨	⑨

7. How long have you lived in the United States?
- A. Less than 1 year
 - B. 1 to 3 years
 - C. 4 to 6 years
 - D. More than 6 years but not my whole life
 - E. I have always lived in the United States

The next 9 questions ask about safety.

8. 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
9. How often do you wear a seat belt when **driving** a car?
- A. I do not drive a car
 - B. Never
 - C. Rarely
 - D. Sometimes
 - E. Most of the time
 - F. Always
10. 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

11. During the past 30 days, how many times did you **ride** in a car or other vehicle **driven by someone who had been using marijuana** (also called pot or weed)?
- 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. I did not drive a car or other vehicle during the past 30 days
 - B. I drove a car or other vehicle, but not when I had been drinking alcohol
 - C. 1 time
 - D. 2 or 3 times
 - E. 4 or 5 times
 - F. 6 or more times
13. During the past 30 days, how many times did you **drive** a car or other vehicle **when you had been using marijuana** (also called pot or weed)?
- A. I did not drive a car or other vehicle during the past 30 days
 - B. I drove a car or other vehicle, but not when I had been using marijuana
 - C. 1 time
 - D. 2 or 3 times
 - E. 4 or 5 times
 - F. 6 or more times
14. During the past 30 days, on how many days did you **text or e-mail** while **driving** a car or other vehicle?
- A. I did not drive a car or other vehicle during the past 30 days
 - B. I drove a car or other vehicle, but did not text or e-mail while driving
 - C. 1 or 2 days
 - D. 3 to 5 days
 - E. 6 to 9 days
 - F. 10 to 19 days
 - G. 20 to 29 days
 - H. All 30 days

15. During the past 30 days, on how many days did you **talk on a cell phone** while **driving** a car or other vehicle?
- A. I did not drive a car or other vehicle during the past 30 days
 - B. 0 days
 - C. 1 or 2 days
 - D. 3 to 5 days
 - E. 6 to 9 days
 - F. 10 to 19 days
 - G. 20 to 29 days
 - H. All 30 days
16. During the past 30 days, on how many days did you **use the Internet or apps on your cell phone** (such as YouTube, Instagram, or Facebook) while **driving** a car or other vehicle? (Do not count using your cell phone to get driving directions or to determine your location.)
- A. I did not drive a car or other vehicle during the past 30 days
 - B. 0 days
 - C. 1 or 2 days
 - D. 3 to 5 days
 - E. 6 to 9 days
 - F. 10 to 19 days
 - G. 20 to 29 days
 - H. All 30 days

The next 4 questions ask about violence-related behaviors and experiences.

17. During the past 12 months, how many times did **anyone** force you to do sexual things that you did not want to do? (Count such things as kissing, touching, or being physically forced to have sexual intercourse.)
- A. 0 times
 - B. 1 time
 - C. 2 or 3 times
 - D. 4 or 5 times
 - E. 6 or more times

18. During the past 12 months, how many times did **someone you were dating or going out with** purposely try to control you or emotionally hurt you? (Count such things as being told who you could and could not spend time with, being humiliated in front of others, or being threatened if you did not do what they wanted.)
- A. I did not date or go out with anyone during the past 12 months
 - B. 0 times
 - C. 1 time
 - D. 2 or 3 times
 - E. 4 or 5 times
 - F. 6 or more times
19. During the past 12 months, did you ever force **someone you were dating or going out with** to do sexual things that they did not want to do? (Count such things as kissing, touching, or physically forcing them to have sexual intercourse.)
- A. I did not date or go out with anyone during the past 12 months
 - B. Yes
 - C. No
20. Has an adult or person at least 5 years older than you ever made you do sexual things that you did not want to do? (Count such things as kissing, touching, or being made to have sexual intercourse.)
- A. Yes
 - B. No

The next 3 questions ask about experiences with parents or other adults in your home.

21. During your life, how often has a parent or other adult in your home insulted you or put you down?
- A. Never
 - B. Rarely
 - C. Sometimes
 - D. Most of the time
 - E. Always
22. During your life, how often has a parent or other adult in your home hit, beat, kicked, or physically hurt you in any way?
- A. Never
 - B. Rarely
 - C. Sometimes
 - D. Most of the time
 - E. Always

23. During your life, how often have your parents or other adults in your home slapped, hit, kicked, punched, or beat each other up?
- A. Never
 - B. Rarely
 - C. Sometimes
 - D. Most of the time
 - E. Always

The next question asks about times that you felt you were treated badly or unfairly.

24. During your life, how often have you felt that you were treated badly or unfairly **in school** because of your race or ethnicity?
- A. Never
 - B. Rarely
 - C. Sometimes
 - D. Most of the time
 - E. Always

The next 3 questions ask about bullying. Bullying is when 1 or more students tease, threaten, spread rumors about, hit, shove, or hurt another student over and over again. It is not bullying when 2 students of about the same strength or power argue or fight or tease each other in a friendly way.

25. During the past 12 months, have you ever been bullied **on school property**?
- A. Yes
 - B. No
26. During the past 12 months, have you ever been **electronically** bullied? (Count being bullied through texting, Instagram, Facebook, or other social media.)
- A. Yes
 - B. No
27. During the past 12 months, have you ever been the victim of teasing or name calling because someone thought you were gay, lesbian, or bisexual?
- A. Yes
 - B. No

The next question asks about hurting yourself on purpose.

28. During the past 12 months, how many times did you do something to purposely hurt yourself without wanting to die, such as cutting or burning yourself on purpose?
- A. 0 times
 - B. 1 time
 - C. 2 or 3 times
 - D. 4 or 5 times
 - E. 6 or more times

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.

29. 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
30. During the past 12 months, did you ever **seriously** consider attempting suicide?
- A. Yes
 - B. No
31. During the past 12 months, did you make a plan about how you would attempt suicide?
- A. Yes
 - B. No
32. 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
 - E. 6 or more times
33. **If you attempted suicide** during the past 12 months, did you ask for help from someone such as a doctor, counselor, or hotline before your attempt?
- A. **I did not attempt suicide** during the past 12 months
 - B. Yes
 - C. No

The next 3 questions ask about cigarette smoking.

34. Have you ever smoked a cigarette, even one or two puffs?
A. Yes
B. No
35. 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
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
C. No

The next 2 questions ask about electronic vapor products, such as JUUL, Vuse, NJOY, Elf Bar, or Esco Bars. Electronic vapor products include e-cigarettes, vapes, mods, e-cigs, e-hookahs, or vape pens.

37. Have you ever used an electronic vapor product?
A. Yes
B. No
38. During the past 30 days, on how many days did you use an electronic vapor product?
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 2 questions ask about other tobacco products.

39. During the past 30 days, on how many days did you use **chewing tobacco, snuff, dip, snus, dissolvable tobacco products, or nicotine pouches**, such as Copenhagen, Grizzly, Skoal, Camel Snus, on!, ZYN, or Velo? (Do **not** count any electronic vapor products.)
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
40. During the past 30 days, on how many days did you smoke **cigars, cigarillos, or little cigars**, such as Swisher Sweets, Middleton's (including Black & Mild), or Backwoods?
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, flavored alcoholic beverages, 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.

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 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
43. 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
44. During the past 30 days, what is the largest number of alcoholic drinks you had in a row, that is, within a couple of hours?
- A. I did not drink alcohol during the past 30 days
 - B. 1 or 2 drinks
 - C. 3 drinks
 - D. 4 drinks
 - E. 5 drinks
 - F. 6 or 7 drinks
 - G. 8 or 9 drinks
 - H. 10 or more drinks
45. During the past 30 days, how did you **usually** get the alcohol you drank?
- 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. Someone 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? (Select only **one** response.)
- A. I did not drink alcohol during the past 30 days
 - B. At my home
 - C. At another person's home
 - D. While riding in or driving a car or other vehicle
 - E. At a restaurant, bar, or club
 - F. At a public place such as a park, beach, or parking lot
 - G. At a public event such as a concert or sporting event
 - H. On school property
47. How much do you think people risk harming themselves (physically or in other ways) if they have five or more drinks of alcohol (beer, wine, or liquor) once or twice each weekend?
- A. No risk
 - B. Slight risk
 - C. Moderate risk
 - D. Great risk

The next 4 questions ask about marijuana use. Marijuana also is called pot or weed. For these questions, do not count CBD-only or hemp products, which come from the same plant as marijuana, but do not cause a high when used alone.

48. 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
49. 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

50. 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

51. During the past 30 days, how did you **usually** use marijuana? (Select only **one** response.)
- A. I did not use marijuana during the past 30 days
 - B. I smoked it in a joint, bong, pipe, or blunt
 - C. I ate it in food such as brownies, cakes, cookies, or candy
 - D. I drank it in tea, cola, alcohol, or other drinks
 - E. I vaporized it
 - F. I dabbled it using waxes or concentrates
 - G. I used it some other way

The next question asks about synthetic marijuana use. Synthetic marijuana also is called Spice, fake weed, K2, or Black Mamba.

52. During your life, how many times have you used synthetic 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

The next question asks about the use of prescription pain medicine without a doctor's prescription or differently than how a doctor told you to use it. For this question, count drugs such as codeine, Vicodin, OxyContin, Hydrocodone, and Percocet.

53. During your life, how many times have you taken **prescription pain medicine** without a doctor's prescription or differently than how a doctor told you to use it?
- 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 2 questions ask about other drugs.

54. During your life, how many times have you used **methamphetamines** (also called speed, crystal meth, crank, ice, or meth)?
- 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 **hallucinogenic drugs**, such as LSD, acid, PCP, angel dust, mescaline, or mushrooms?
- 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 question asks about body weight.

56. 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

The next 9 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.

57. 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
 - G. 4 or more times per day

58. During the past 7 days, how many times did you eat **green salad**?
- I did not eat green salad during the past 7 days
 - 1 to 3 times during the past 7 days
 - 4 to 6 times during the past 7 days
 - 1 time per day
 - 2 times per day
 - 3 times per day
 - 4 or more times per day
59. During the past 7 days, how many times did you eat **potatoes**? (Do **not** count french fries, fried potatoes, or potato chips.)
- I did not eat potatoes during the past 7 days
 - 1 to 3 times during the past 7 days
 - 4 to 6 times during the past 7 days
 - 1 time per day
 - 2 times per day
 - 3 times per day
 - 4 or more times per day
60. During the past 7 days, how many times did you eat **carrots**?
- I did not eat carrots during the past 7 days
 - 1 to 3 times during the past 7 days
 - 4 to 6 times during the past 7 days
 - 1 time per day
 - 2 times per day
 - 3 times per day
 - 4 or more times per day
61. During the past 7 days, how many times did you eat **other vegetables**? (Do **not** count green salad, potatoes, or carrots.)
- I did not eat other vegetables during the past 7 days
 - 1 to 3 times during the past 7 days
 - 4 to 6 times during the past 7 days
 - 1 time per day
 - 2 times per day
 - 3 times per day
 - 4 or more times per day
62. During the past 7 days, how many times did you drink a **can, bottle, or glass of soda or pop**, such as Coke, Pepsi, or Sprite? (Do **not** count diet soda or diet pop.)
- I did not drink soda or pop during the past 7 days
 - 1 to 3 times during the past 7 days
 - 4 to 6 times during the past 7 days
 - 1 time per day
 - 2 times per day
 - 3 times per day
 - 4 or more times per day
63. During the past 7 days, how many times did you drink a **can, bottle, or glass of a sugar-sweetened beverage** such as sports drinks (for example, Gatorade or PowerAde), energy drinks (for example, Red Bull or Jolt), lemonade, sweetened tea or coffee drinks, flavored milk, Snapple, or Sunny Delight? (Do **not** count soda or pop or 100% fruit juice.)
- I did not drink these sugar-sweetened beverages during the past 7 days
 - 1 to 3 times during the past 7 days
 - 4 to 6 times during the past 7 days
 - 1 time per day
 - 2 times per day
 - 3 times per day
 - 4 or more times per day
64. During the past 7 days, how many times did you drink a **bottle or glass of plain water**? (Count tap, bottled, and unflavored sparkling water.)
- I did not drink water during the past 7 days
 - 1 to 3 times during the past 7 days
 - 4 to 6 times during the past 7 days
 - 1 time per day
 - 2 times per day
 - 3 times per day
 - 4 or more times per day
65. During the past 7 days, on how many days did you eat **breakfast**?
- 0 days
 - 1 day
 - 2 days
 - 3 days
 - 4 days
 - 5 days
 - 6 days
 - 7 days
- The next question asks about physical activity.**
66. 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 spent in any kind of physical activity that increased your heart rate and made you breathe hard some of the time.)
- 0 days
 - 1 day
 - 2 days
 - 3 days
 - 4 days
 - 5 days
 - 6 days
 - 7 days

The next question asks about concussions. A concussion is when a blow or jolt to the head causes problems such as headaches, dizziness, being dazed or confused, difficulty remembering or concentrating, vomiting, blurred vision, or being knocked out.

67. During the past 12 months, how many times did you have a concussion **from playing a sport or being physically active**?
- A. 0 times
 - B. 1 time
 - C. 2 times
 - D. 3 times
 - E. 4 or more times

The next question asks about social media, such as Instagram, TikTok, Snapchat, and X (formerly known as Twitter).

68. How often do you use social media?
- A. I do not use social media
 - B. A few times a month
 - C. About once a week
 - D. A few times a week
 - E. About once a day
 - F. Several times a day
 - G. About once an hour
 - H. More than once an hour

The next 10 questions ask about other health-related topics.

69. When was the last time you saw a dentist for a check-up, exam, teeth cleaning, or other dental work?
- A. During the past 12 months
 - B. Between 12 and 24 months ago
 - C. More than 24 months ago
 - D. Never
 - E. Not sure
70. When was the last time you saw a doctor or nurse for a check-up or physical exam when you were not sick or injured?
- A. During the past 12 months
 - B. Between 12 and 24 months ago
 - C. More than 24 months ago
 - D. Never
 - E. Not sure

71. During the past 30 days, how often was your mental health not good? (Poor mental health includes stress, anxiety, and depression.)
- A. Never
 - B. Rarely
 - C. Sometimes
 - D. Most of the time
 - E. Always
72. During the past 12 months, when you have felt sad, empty, hopeless, angry, or anxious, how often did you get the kind of help you needed?
- A. I did not need help with any of these emotions during the past 12 months
 - B. Never
 - C. Rarely
 - D. Sometimes
 - E. Most of the time
 - F. Always
73. When something upsetting happens to you, how often can you manage your emotions?
- A. Never
 - B. Rarely
 - C. Sometimes
 - D. Most of the time
 - E. Always
74. On an average school night, how many hours of sleep do you get?
- A. 4 or less hours
 - B. 5 hours
 - C. 6 hours
 - D. 7 hours
 - E. 8 hours
 - F. 9 hours
 - G. 10 or more hours
75. During the past 12 months, where did you usually sleep?
- A. In my parent's or guardian's home
 - B. In the home of a friend, family member, or other person because I had to leave my home or my parent or guardian cannot afford housing
 - C. In a shelter or emergency housing
 - D. In a motel or hotel
 - E. In a car, park, campground, or other public place
 - F. I do not have a usual place to sleep
 - G. Somewhere else

76. During the past 12 months, how often was your family worried that your food would run out before you got money to buy more?
- A. Never
 - B. Rarely
 - C. Sometimes
 - D. Most of the time
 - E. Always
77. During the past 12 months, how often did the food your family bought run out and they did not have money to buy more?
- A. Never
 - B. Rarely
 - C. Sometimes
 - D. Most of the time
 - E. Always
78. During your life, how often has there been an adult in your household who tried hard to make sure your basic needs were met, such as looking after your safety and making sure you had clean clothes and enough to eat?
- A. Never
 - B. Rarely
 - C. Sometimes
 - D. Most of the time
 - E. Always

The next 3 questions ask about other experiences you may have had during your life.

79. Have you ever lived with a parent or guardian who was having a problem with alcohol or drug use?
- A. Yes
 - B. No
80. Have you ever lived with a parent or guardian who had severe depression, anxiety, or another mental illness, or was suicidal?
- A. Yes
 - B. No
81. Have you ever been separated from a parent or guardian because they went to jail, prison, or a detention center?
- A. Yes
 - B. No

The next 3 questions ask about school experience and support.

82. Is there at least one teacher or other adult in your school that you can talk to if you have a problem?
- A. Yes
 - B. No
 - C. Not sure
83. Do you agree or disagree that your school has clear rules and consequences for behavior?
- A. Strongly agree
 - B. Agree
 - C. Not sure
 - D. Disagree
 - E. Strongly disagree
84. How often do you feel safe and secure at school?
- A. Never
 - B. Rarely
 - C. Sometimes
 - D. Most of the time
 - E. Always

The next question asks about your paying jobs, including work at a family business or farm, even if you were not paid directly. When answering these questions, do NOT include chores, yard work, or babysitting at your own home.

85. During the school year, how many hours per week do you usually work at all your paying jobs?
- A. I do not work at a paying job during the school year
 - B. 1 to 5 hours per week
 - C. 6 to 10 hours per week
 - D. 11 to 20 hours per week
 - E. 21 to 30 hours per week
 - F. 31 or more hours per week

The next 4 questions ask about HIV, STI, and Pregnancy Prevention.

86. During the past 12 months, have you been tested for a sexually transmitted infection (STI) including HIV, the virus that causes AIDS? (Do **not** count tests done if you donated blood.)
- A. Yes
 - B. No
 - C. Not sure
87. Have you ever had sex education in school?
- A. Yes
 - B. No
 - C. Not sure
88. During the past 12 months, from which source did you receive the most information about sexual health? (Select only **one** response.)
- A. I did not receive information about sexual health during the past 12 months
 - B. An online source, such as a website or social media
 - C. A friend
 - D. An adult at school, such as a teacher or school nurse
 - E. A parent, guardian, or other trusted adult outside of school
 - F. Some other source
89. From which source would you prefer to receive information about sexual health? (Select only **one** response.)
- A. I would prefer not to receive information about sexual health
 - B. I do not have a preferred source for sexual health information
 - C. An online source, such as a website or social media
 - D. A friend
 - E. An adult at school, such as a teacher or school nurse
 - F. A parent, guardian, or other trusted adult outside of school
 - G. Some other source

The next 2 questions ask about revealing or sexual photos.

90. During the past 30 days, have you received a text or an e-mail with a revealing or sexual photo of someone?
- A. Yes
 - B. No

91. During the past 30 days, has a revealing or sexual photo of you been texted, e-mailed, or posted electronically without your permission?
- A. Yes
 - B. No
 - C. Not sure

The next 2 questions ask about sexual and gender identity.

92. Which of the following best describes you?
- A. Heterosexual (straight)
 - B. Gay or lesbian
 - C. Bisexual
 - D. I describe my sexual identity some other way
 - E. I am not sure about my sexual identity (questioning)
 - F. I do not know what this question is asking
93. 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?
- A. No, I am not transgender
 - B. Yes, I am transgender
 - C. I am not sure if I am transgender
 - D. I do not know what this question is asking

The next 5 questions ask about sexual behavior.

94. Have you ever had sexual intercourse?
- A. Yes
 - B. No
95. 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
96. 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

97. 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

98. The **last time** you had sexual intercourse with an opposite-sex partner, what **one** method did you or your partner use to **prevent pregnancy**? (Select only **one** response.)
- A. I have never had sexual intercourse with an opposite-sex partner
 - B. No method was used to prevent pregnancy
 - C. Birth control pills (Do **not** count emergency contraception such as Plan B or the "morning after" pill.)
 - D. Condoms
 - E. An IUD (such as Mirena or ParaGard) or implant (such as Implanon or Nexplanon)
 - F. A shot (such as Depo-Provera), patch (such as Ortho Evra), or birth control ring (such as NuvaRing)
 - G. Withdrawal or some other method
 - H. Not sure

This is the end of the survey.
Thank you very much for your help.

2025 North Dakota Middle School 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 improve 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, experience, or think.

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

- Use a #2 pencil only.
- Make dark marks.
- Fill in a response like this: A B ● D.
- If you change your answer, erase your old answer completely.

1. How old are you?
 - A. 10 years old or younger
 - B. 11 years old
 - C. 12 years old
 - D. 13 years old
 - E. 14 years old
 - F. 15 years old
 - G. 16 years old or older

2. What is your sex?
 - A. Female
 - B. Male
3. In what grade are you?
 - A. 6th grade
 - B. 7th grade
 - C. 8th grade
 - D. Ungraded or other grade
4. What is your race and/or ethnicity? (**Select one or more responses.**)
 - A. American Indian or Alaska Native
 - B. Asian
 - C. Black or African American
 - D. Hispanic or Latino
 - E. Middle Eastern or North African
 - F. Native Hawaiian or Pacific Islander
 - G. White
5. How long have you lived in the United States?
 - A. Less than 1 year
 - B. 1 to 3 years
 - C. 4 to 6 years
 - D. More than 6 years but not my whole life
 - E. I have always lived in the United States

The next 2 questions ask about safety.

6. How often do you wear a seat belt when **riding** in a car?
 - A. Never
 - B. Rarely
 - C. Sometimes
 - D. Most of the time
 - E. Always
7. Have you ever ridden in a car driven by someone who had been drinking alcohol?
 - A. Yes
 - B. No
 - C. Not sure

The next 2 questions ask about violence-related behaviors and experiences.

8. During the past 12 months, did someone do sexual things to you that you did not want to do by pressuring you, lying to you, making promises about the future, threatening to end your relationship, or threatening to spread rumors about you?
- A. Yes
B. No
9. During the past 12 months, did **someone you were dating or going out with** purposely try to control you or emotionally hurt you? (Count such things as being told who you could and could not spend time with, being humiliated in front of others, or being threatened if you did not do what they wanted.)
- A. I did not date or go out with anyone during the past 12 months
B. Yes
C. No

The next question asks about times that you felt you were treated badly or unfairly.

10. During your life, how often have you felt that you were treated badly or unfairly **in school** because of your race or ethnicity?
- A. Never
B. Rarely
C. Sometimes
D. Most of the time
E. Always

The next 2 questions ask about bullying. Bullying is when 1 or more students tease, threaten, spread rumors about, hit, shove, or hurt another student over and over again. It is not bullying when 2 students of about the same strength or power argue or fight or tease each other in a friendly way.

11. Have you ever been bullied **on school property**?
- A. Yes
B. No

12. Have you ever been **electronically** bullied? (Count being bullied through texting, Instagram, Facebook, or other social media.)
- A. Yes
B. No

The next 4 questions ask about attempted suicide. Sometimes people feel so depressed about the future that they may consider attempting suicide or killing themselves.

13. 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
14. Have you ever **seriously** thought about killing yourself?
- A. Yes
B. No
15. Have you ever made a **plan** about how you would kill yourself?
- A. Yes
B. No
16. Have you ever **tried** to kill yourself?
- A. Yes
B. No

The next 2 questions ask about cigarette smoking.

17. Have you ever smoked a cigarette, even one or two puffs?
- A. Yes
B. No
18. 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

The next 2 questions ask about electronic vapor products, such as JUUL, Vuse, NJOY, Elf Bar, or Esco Bars. Electronic vapor products include e-cigarettes, vapes, mods, e-cigs, e-hookahs, or vape pens.

19. Have you ever used an electronic vapor product?
- A. Yes
 - B. No
20. During the past 30 days, on how many days did you use an electronic vapor product?
- 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 2 questions ask about other tobacco products.

21. During the past 30 days, on how many days did you use **chewing tobacco, snuff, dip, snus, dissolvable tobacco products, or nicotine pouches**, such as Copenhagen, Grizzly, Skoal, Camel Snus, on!, ZYN, or Velo? (Do **not** count any electronic vapor products.)
- 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
22. During the past 30 days, on how many days did you smoke **cigars, cigarillos, or little cigars**, such as Swisher Sweets, Middleton's (including Black & Mild), or Backwoods?
- 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 4 questions ask about drinking alcohol. This includes drinking beer, wine, flavored alcoholic beverages, 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.

23. Have you ever had a drink of alcohol, other than a few sips?
- A. Yes
 - B. No
24. 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 years old
 - D. 10 years old
 - E. 11 years old
 - F. 12 years old
 - G. 13 years old or older
25. 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
26. Have you ever had 5 or more drinks of alcohol in a row, that is, within a couple of hours?
- A. Yes
 - B. No

The next 3 questions ask about marijuana use. Marijuana also is called pot or weed. For these questions, do not count CBD-only or hemp products, which come from the same plant as marijuana, but do not cause a high when used alone.

27. Have you ever used marijuana?
- A. Yes
 - B. No

28. 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 years old
 - D. 10 years old
 - E. 11 years old
 - F. 12 years old
 - G. 13 years old or older

29. 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

The next question asks about the use of prescription pain medicine without a doctor's prescription or differently than how a doctor told you to use it. For this question, count drugs such as codeine, Vicodin, OxyContin, Hydrocodone, and Percocet.

30. Have you ever taken **prescription pain medicine** without a doctor's prescription or differently than how a doctor told you to use it?
- A. Yes
 - B. No

The next question asks about other drugs.

31. Have you ever sniffed glue, breathed the contents of spray cans, or inhaled any paints or sprays to get high?
- A. Yes
 - B. No

The next question asks about body weight.

32. 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

The next 4 questions ask about food you ate or drank. 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.

33. 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
 - G. 4 or more times per day

34. During the past 7 days, how many times did you eat **vegetables**? (Do **not** count french fries, fried potatoes, or potato chips.)
- A. I did not eat 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

35. During the past 7 days, how many times did you drink **a bottle or glass of plain water**? (Count tap, bottled, and unflavored sparkling water.)
- A. I did not drink water 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

36. During the past 7 days, on how many days did you eat **breakfast**?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days

The next question asks about physical activity.

37. 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 spent in any kind of physical activity that increased your heart rate and made 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

The next question asks about concussions. A concussion is when a blow or jolt to the head causes problems such as headaches, dizziness, being dazed or confused, difficulty remembering or concentrating, vomiting, blurred vision, or being knocked out.

38. During the past 12 months, how many times did you have a concussion **from playing a sport or being physically active**?
- A. 0 times
 - B. 1 time
 - C. 2 times
 - D. 3 times
 - E. 4 or more times

The next question asks about social media, such as Instagram, TikTok, Snapchat, and X (formerly known as Twitter).

39. How often do you use social media?
- A. I do not use social media
 - B. A few times a month
 - C. About once a week
 - D. A few times a week
 - E. About once a day
 - F. Several times a day
 - G. About once an hour
 - H. More than once an hour

The next 8 questions ask about other health-related topics.

40. During the past 30 days, how often was your mental health not good? (Poor mental health includes stress, anxiety, and depression.)
- A. Never
 - B. Rarely
 - C. Sometimes
 - D. Most of the time
 - E. Always
41. During the past 12 months, when you have felt sad, empty, hopeless, angry, or anxious, how often did you get the kind of help you needed?
- A. I did not need help with any of these emotions during the past 12 months
 - B. Never
 - C. Rarely
 - D. Sometimes
 - E. Most of the time
 - F. Always
42. Is there at least one teacher or other adult in your school that you can talk to if you have a problem?
- A. Yes
 - B. No
 - C. Not sure
43. On an average school night, how many hours of sleep do you get?
- A. 4 or less hours
 - B. 5 hours
 - C. 6 hours
 - D. 7 hours
 - E. 8 hours
 - F. 9 hours
 - G. 10 or more hours

44. During the past 12 months, where did you usually sleep?
- A. In my parent's or guardian's home
 - B. In the home of a friend, family member, or other person because I had to leave my home or my parent or guardian cannot afford housing
 - C. In a shelter or emergency housing
 - D. In a motel or hotel
 - E. In a car, park, campground, or other public place
 - F. I do not have a usual place to sleep
 - G. Somewhere else
45. When was the last time you saw a dentist for a check-up, exam, teeth cleaning, or other dental work?
- A. During the past 12 months
 - B. Between 12 and 24 months ago
 - C. More than 24 months ago
 - D. Never
 - E. Not sure

46. During the past 12 months, how often was your family worried that your food would run out before you got money to buy more?
- A. Never
 - B. Rarely
 - C. Sometimes
 - D. Most of the time
 - E. Always
47. During the past 12 months, how often did the food your family bought run out and they did not have money to buy more?
- A. Never
 - B. Rarely
 - C. Sometimes
 - D. Most of the time
 - E. Always

The next 2 questions ask about revealing or sexual photos.

48. During the past 30 days, have you received a text or an e-mail with a revealing or sexual photo of someone?
- A. Yes
 - B. No
49. During the past 30 days, has a revealing or sexual photo of you been texted, e-mailed, or posted electronically without your permission?
- A. Yes
 - B. No
 - C. Not sure

The next 2 questions ask about gender and sexual identity.

50. 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?
- A. No, I am not transgender
 - B. Yes, I am transgender
 - C. I am not sure if I am transgender
 - D. I do not know what this question is asking
51. Which of the following best describes you?
- A. Heterosexual (straight)
 - B. Gay or lesbian
 - C. Bisexual
 - D. I describe my sexual identity some other way
 - E. I am not sure about my sexual identity (questioning)
 - F. I do not know what this question is asking

The next 3 questions ask about sexual behavior.

52. Have you ever had sexual intercourse?
- A. Yes
 - B. No
53. 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
54. During the past 12 months, from which source did you receive the most information about sexual health? (Select only **one** response.)
- A. I did not receive information about sexual health during the past 12 months
 - B. An online source, such as a website or social media
 - C. A friend
 - D. An adult at school, such as a teacher or school nurse
 - E. A parent, guardian, or other trusted adult outside of school
 - F. Some other source

**This is the end of the survey.
Thank you very much for your help.**

North Dakota High School (Grades 9-12)

2025 Youth Tobacco Survey (YTS)

- This survey is about tobacco. We would like to know about you and things you do that may affect your health. Your answers will be used for programs 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 and know.
- Completing the survey is voluntary. Whether or not you answer the questions will not affect your grade in this class. Try to answer all the questions. If you do not want to answer a question, just leave it blank. There are no wrong answers.
- The questions that ask about your background will only be used 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.
- Please read every question. Try to answer all the questions. Circle the letter in front of your answer (*or answers if more than one answer is allowed*). When you are finished, follow the instructions of the person giving you the survey.

Thank you very much for your help!

The first questions ask for some background information about you.

1. How old are you?
 - A. 13 years old or younger
 - B. 14 years old
 - C. 15 years old
 - D. 16 years old
 - E. 17 years old
 - F. 18 years old or older
2. What is your sex?
 - A. Female
 - B. Male
3. 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?
 - A. No, I am not transgender
 - B. Yes, I am transgender
 - C. I am not sure if I am transgender
 - D. I do not know what this question is asking
4. Which of the following best describes you?
 - A. Heterosexual (*straight*)
 - B. Gay or lesbian
 - C. Bisexual
 - D. I describe my sexual identity some other way
 - E. I am not sure about my sexual identity (*questioning*)
 - F. I do not know what this question is asking
5. What grade are you in?
 - A. 9th
 - B. 10th
 - C. 11th
 - D. 12th
 - E. Ungraded or other grade
6. What is your race and/or ethnicity? (**Select one or more answers.**)
 - A. American Indian or Alaska Native
 - B. Asian
 - C. Black or African American
 - D. Hispanic or Latino
 - E. Middle Eastern or North African
 - F. Native Hawaiian or Pacific Islander
 - G. White
7. During the past 12 months, have you had an episode of asthma or an asthma attack?
 - A. Yes
 - B. No

The next six sets of questions ask about your use of certain tobacco products.

Electronic vapor products

The next few questions are about electronic vapor products, such as JUUL, Vuse, NJOY, Elf Bar, or Esco Bars. Electronic vapor products include e-cigarettes, vapes, mods, e-cigs, e-hookahs, or vape-pens.

8. If one of your best friends were to offer you an electronic vapor product, would you use it?
 - A. Definitely yes
 - B. Probably yes
 - C. Probably not
 - D. Definitely not

9. Have you **ever** used an electronic vapor product, even one or two puffs?
- A. Yes
 - B. No

NOTE: If you answered “No” to question 9 above (*Have you ever used an electronic vapor product, even one or two puffs?*), **then skip** to question 16, the first question in the “Cigarettes” Section.

10. What are the main reasons why you have used an electronic vapor product? (**Select one or more answers.**)
- A. I have never used an electronic vapor product
 - B. Friend or family member used them
 - C. To try to quit using tobacco products, such as cigarettes
 - D. They cost less than other tobacco products, such as cigarettes
 - E. Famous people on TV or in movies use them
 - F. They are less harmful than other forms of tobacco, such as cigarettes
 - G. They are available in flavors, such as mint, candy, fruit, or chocolate
 - H. They can be used in areas where other tobacco products, such as cigarettes, are not allowed
 - I. I saw an ad for them and they looked cool
 - J. They are easier to hide than other tobacco products
 - K. I used them for some other reason

11. Which of the following substances have you ever used in an electronic vapor product? (**Select one or more answers.**)
- A. I have never used an electronic vapor product
 - B. I have used nicotine in an electronic vapor product
 - C. I have used marijuana, THC or hash oil, or THC wax in an electronic vapor product
 - D. I have used another substance that is not nicotine, marijuana, THC or hash oil, or THC wax in an electronic vapor product
 - E. I am not sure what substance or substances were in the electronic vapor products I've used

12. During the **past 30 days**, on how many days did you use an electronic vapor product?
- 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

NOTE: If you answered “0 days” to question 12 above (*During the past 30 days, on how many days did you use an electronic vapor product?*), **then skip** to question 16, the first question in the “Cigarettes” Section.

13. Menthol electronic vapor products are electronic vapor products that taste like mint. During the **past 30 days**, were the electronic vapor products that you usually used menthol electronic vapor products?
- A. I did not use electronic vapor products during the past 30 days
 - B. Yes
 - C. No
 - D. Not sure

14. During the **past 30 days**, how did you get your own electronic vapor products? (**Select one or more answers.**)
- A. I did not use electronic vapor products during the past 30 days
 - B. I bought them myself from a store, gas station, or vending machine
 - C. I bought them myself on the Internet or by mail
 - D. I had someone else buy them for me
 - E. I borrowed or bummed them
 - F. Someone gave them to me without my asking
 - G. I took them from a store or another person
 - H. I got them some other way
15. I plan to stop using electronic vapor products **for good** within the next... (**Please chose the FIRST answer that fits**)
- A. I do not use electronic vapor products now
 - B. 7 days
 - C. 30 days
 - D. 6 months
 - E. 1 year
 - F. I do not plan to stop using electronic vapor products within the next year

Cigarettes

The next few questions are about cigarettes, which includes all types of cigarettes and flavored cigarettes.

NOTE: Do not include e-cigarettes and other electronic vapor products.

16. If one of your best friends were to offer you a cigarette, would you smoke it?
- A. Definitely yes
 - B. Probably yes
 - C. Probably not
 - D. Definitely not
17. Have you **ever** smoked a cigarette, even one or two puffs?
- A. Yes
 - B. No

NOTE: If you answered “No” to question 17 above (*Have you ever smoked a cigarette, even one or two puffs?*), **then skip** to question 30, the first question in the “Cigars” Section.

18. How old were you when you **first** smoked a cigarette, even one or two puffs?
- I have never smoked a cigarette, not even one or two puffs
 - 8 years old or younger
 - 9 years old
 - 10 years old
 - 11 years old
 - 12 years old
 - 13 years old
 - 14 years old
 - 15 years old
 - 16 years old
 - 17 years old or older
19. When was the last time you smoked a cigarette, even one or two puffs? (**Please chose the FIRST answer that fits**)
- I have never smoked cigarettes, not even one or two puffs
 - Earlier today
 - Not today but sometime during the past 7 days
 - Not during the past 7 days but sometime during the past 30 days
 - Not during the past 30 days but sometime during the past 6 months
 - Not during the past 6 months but sometime during the past year
 - 1 to 4 years ago
 - 5 or more years ago
20. During the **past 30 days**, on how many days did you smoke cigarettes?
- 0 days
 - 1 or 2 days
 - 3 to 5 days
 - 6 to 9 days
 - 10 to 19 days
 - 20 to 29 days
 - All 30 days

NOTE: If you answered "0 days" to question 20 above (During the **past 30 days**, on how many days did you smoke cigarettes?), **then skip** to question 30, the first question in the "Cigars" Section.

21. During the **past 30 days**, on the days you smoked, how many cigarettes did you smoke per day?
- I did not smoke cigarettes during the past 30 days
 - Less than 1 cigarette per day
 - 1 cigarette per day
 - 2 to 5 cigarettes per day
 - 6 to 10 cigarettes per day
 - 11 to 20 cigarettes per day
 - More than 20 cigarettes per day
22. How long can you go without smoking before you feel like you need a cigarette?
- I have never smoked cigarettes
 - I do not smoke cigarettes now
 - Less than an hour
 - 1 to 3 hours
 - More than 3 hours but less than a day
 - A whole day
 - Several days
 - A week or more

23. Menthol cigarettes are cigarettes that taste like mint. During the **past 30 days**, were the cigarettes that you usually smoked menthol cigarettes?
- I did not smoke cigarettes during the past 30 days
 - Yes
 - No
 - Not sure
24. Flavored cigarettes are cigarettes that taste like fruit flavors, chocolate or candy flavors, beverage flavors, or a combination of flavors. During the **past 30 days**, were the cigarettes that you usually smoked flavored cigarettes? (**Do not include menthol cigarettes**)
- I did not smoke cigarettes during the past 30 days
 - Yes
 - No
 - Not sure
25. During the **past 30 days**, how did you get your own cigarettes? (**Select one or more answers.**)
- I did not smoke cigarettes during the past 30 days
 - I bought them myself from a store, gas station, or vending machine
 - I bought them myself on the Internet or by mail
 - I had someone else buy them for me
 - I borrowed or bummed them
 - Someone gave them to me without my asking
 - I took them from a store or another person
 - I got them some other way
26. During the **past 30 days**, did anyone **refuse** to sell you cigarettes because of your age?
- I did not try to buy cigarettes during the past 30 days
 - Yes
 - No
27. I plan to stop smoking cigarettes **for good** within the next... (**Please chose the FIRST answer that fits**)
- I do not smoke cigarettes now
 - 7 days
 - 30 days
 - 6 months
 - 1 year
 - I do not plan to stop smoking cigarettes within the next year
28. During the **past 12 months**, how many times have you stopped smoking for **one day or longer** because you were trying to quit smoking cigarettes for good?
- I did not smoke cigarettes during the past 12 months
 - I did not try to quit cigarettes during the past 12 months
 - 1 time
 - 2 times
 - 3 to 5 times
 - 6 to 9 times
 - 10 or more times

29. When you **last tried to quit** for good, how long did you stay off cigarettes? (*Please chose the **FIRST** answer that fits*)
- A. I have never smoked cigarettes
 - B. I have never tried to quit cigarettes
 - C. Less than a day
 - D. 1 to 7 days
 - E. More than 7 days but less than 30 days
 - F. More than 30 days but less than 6 months
 - G. More than 6 months but less than 1 year
 - H. 1 year or more

Cigars

The next few questions are about cigars, which includes all types of cigars, cigarillos, little cigars, and little flavored cigars.

NOTE: Do not include e-cigars and other electronic vapor products.

30. Have you **ever** smoked a cigar, even one or two puffs?
- A. Yes
 - B. No

NOTE: If you answered "**No**" to question 30 above (*Have you **ever** smoked cigars, even one or two puffs?*), then skip to question 34, the first question in the "**Smokeless Tobacco**" Section.

31. How old were you when you **first** smoked a cigar, even one or two puffs?
- A. I have never smoked a cigar, not even one or two puffs
 - B. 8 years old or younger
 - C. 9 years old
 - D. 10 years old
 - E. 11 years old
 - F. 12 years old
 - G. 13 years old
 - H. 14 years old
 - I. 15 years old
 - J. 16 years old
 - K. 17 years old or older
32. During the **past 30 days**, on how many days did you smoke 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

NOTE: If you answered "**0 days**" to question 32 above (*During the **past 30 days**, on how many days did you smoke cigars?*), then skip to question 34, the first question in the "**Smokeless Tobacco**" Section.

33. During the **past 30 days**, how did you get your own cigars? (*Select one or more answers.*)
- A. I did not smoke cigars during the past 30 days
 - B. I bought them myself from a store, gas station, or vending machine
 - C. I bought them myself on the Internet or by mail
 - D. I had someone else buy them for me
 - E. I borrowed or bummed them
 - F. Someone gave them to me without my asking
 - G. I took them from a store or another person
 - H. I got them some other way

Smokeless Tobacco

The next few questions are about smokeless tobacco, which includes all types of chewing tobacco, snuff, or dip (*such as Copenhagen, Grizzly, Skoal, etc.*); snus (*such as Camel Snus, etc.*); or dissolvable tobacco products (*such as Camel Orbs, Sticks, or Strips, etc.*).

NOTE: Do not include electronic vapor products.

34. Have you **ever** used chewing tobacco, snuff, dip, snus, or dissolvable tobacco products, even just a small amount?
- A. Yes
 - B. No

NOTE: If you answered "**No**" to question 34 above (*Have you **ever** used chewing tobacco, snuff, dip, snus, or dissolvable tobacco products, even just a small amount?*), then skip to question 39, the first question in the "**Tobacco Pipes**" Section.

35. How old were you when you **used** chewing tobacco, snuff, dip, snus, or dissolvable tobacco products for the **first** time?
- A. I have never used chewing tobacco, snuff, dip, snus, or dissolvable tobacco products
 - B. 8 years old or younger
 - C. 9 years old
 - D. 10 years old
 - E. 11 years old
 - F. 12 years old
 - G. 13 years old
 - H. 14 years old
 - I. 15 years old
 - J. 16 years old
 - K. 17 years old or older
36. During the **past 30 days**, on how many days did you use chewing tobacco, snuff, dip, snus, or dissolvable tobacco products?
- 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

NOTE: If you answered "**0 days**" to question 36 above (*During the **past 30 days**, on how many days did you use chewing tobacco, snuff, dip, snus, or dissolvable tobacco products?*), then skip to question 39, the first question in the "**Tobacco Pipes**" Section.

37. During the **past 30 days**, how did you get your own chewing tobacco, snuff, dip, snus, or dissolvable tobacco products? **(Select one or more answers.)**
- A. I did not use chewing tobacco, snuff, dip, snus, or dissolvable tobacco products during the past 30 days
 - B. I bought it myself from a store, gas station, or vending machine
 - C. I bought it myself on the Internet or by mail
 - D. I had someone else buy it for me
 - E. I borrowed or bummed it
 - F. Someone gave it to me without my asking
 - G. I took it from a store or another person
 - H. I got it some other way
38. During the **past 30 days**, did anyone **refuse** to sell you chewing tobacco, snuff, dip, snus, or dissolvable tobacco products because of your age?
- A. I did not try to buy chewing tobacco, snuff, dip, snus, or dissolvable tobacco products during the past 30 days
 - B. Yes
 - C. No

Tobacco Pipes

The next few questions are about tobacco pipes, which includes all types of pipes, hookahs, and waterpipes.

NOTE: Do not include e-hookahs, hookah-pens, and other electronic vapor products.

39. Have you **ever** smoked tobacco in a pipe, hookah, or waterpipe, even one or two puffs?
- A. Yes
 - B. No

NOTE: If you answered “No” to question 39 above (*Have you **ever** smoked tobacco in a pipe, hookah, or waterpipe, even one or two puffs?*), **then skip** to question 41, the first question in the “**Other Tobacco/Nicotine Products**” Section.

40. During the **past 30 days**, on how many days did you smoke tobacco in a pipe, hookah, or waterpipe?
- 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

Other Tobacco/Nicotine Products

The next few questions are about other tobacco and nicotine products that were not already asked about earlier in this survey.

41. Which of the following tobacco or nicotine products have you **ever** tried, even just one time? **(Select one or more answers.)**
- A. Roll-your-own cigarettes
 - B. Clove cigars
 - C. Bidis or Beedis (*small brown cigarettes wrapped in a leaf*)
 - D. Kreteks (*clove cigarettes*)
 - E. Nicotine pouches (*e.g., Zyn, Velo, Volt, etc.*)
 - F. Some other tobacco or nicotine products not listed above or not asked about earlier in the survey
 - G. I have never tried any of the products listed above or any other tobacco or nicotine products not asked about earlier in the survey

NOTE: If you answered “I have never tried any of the products listed above or any other tobacco or nicotine products not asked about earlier in the survey” to question 41 above (*Which of the following tobacco or nicotine products have you ever tried, even just one time?*), **then skip** to question 43, the first question in the “**Quitting Tobacco Products**” Section.

42. In the **past 30 days**, which of the following tobacco or nicotine products have you used on **at least one day**? **(Select one or more answers.)**
- A. Roll-your-own cigarettes
 - B. Clove cigars
 - C. Bidis or Beedis (*small brown cigarettes wrapped in a leaf*)
 - D. Kreteks (*clove cigarettes*)
 - E. Nicotine pouches (*e.g., Zyn, Velo, Volt, etc.*)
 - F. Some other tobacco or nicotine products not listed above or not asked about earlier in the survey
 - G. I have not used any of the products listed above or any other tobacco or nicotine products not asked about earlier in the survey in the past 30 days

The next questions are about quitting all tobacco products. This includes quitting electronic vapor products, cigarettes, cigars, smokeless tobacco, tobacco pipes, or any other kind of tobacco product.

43. I plan to stop using all tobacco products **for good** within the next... **(Please chose the FIRST answer that fits)**
- A. I do not use any tobacco products now
 - B. 7 days
 - C. 30 days
 - D. 6 months
 - E. 1 year
 - F. I do not plan to stop using all tobacco products within the next year

44. In the **past 12 months**, did you do any of the following to help you quit using tobacco products of any kind for good? **(Select one or more answers.)**

- A. I did not use tobacco products of any kind during the past 12 months
- B. I did not try to quit any tobacco products during the past 12 months
- C. Attended a program at my school
- D. Attended a program in the community
- E. Called NDQuits
- F. Used nicotine gum
- G. Used nicotine patch
- H. Used any medicine to help quit
- I. Visited an Internet quit site
- J. Used a social media site such as Facebook
- K. Used a mobile App
- L. Got help from family or friends
- M. Used another method such as hypnosis or acupuncture
- N. Tried to quit on my own or quit "cold turkey"

45. Do you think you would be able to quit using all tobacco products now if you wanted to?

- A. I do not use tobacco products of any kind now
- B. Yes
- C. No

The next questions ask about your thoughts about getting electronic vapor products and if you think electronic vapor companies are trying to get young people to use electronic vapor products.

46. How easy would it be for you to get electronic vapor products if you wanted some?

- A. Very easy
- B. Somewhat easy
- C. Not easy at all

47. Do you believe that electronic vapor companies try to get young people under 18 to use electronic vapor products?

- A. Yes
- B. No

The next questions ask about your thoughts about getting cigarettes and other tobacco products and if you think tobacco companies are trying to get young people to use cigarettes and other tobacco.

NOTE: Do not include electronic vapor products or electronic vapor product companies.

48. How easy would it be for you to get cigarettes or other tobacco products if you wanted some?

- A. Very easy
- B. Somewhat easy
- C. Not easy at all

49. Do you believe that tobacco companies try to get young people under 18 to use cigarettes or other tobacco products?

- A. Yes
- B. No

The next questions ask about advertisements you have seen or heard for various tobacco products.

50. When you are using the Internet, how often do you see ads for electronic vapor products, cigarettes, or other tobacco products?

- A. I do not use the Internet
- B. Never
- C. Rarely
- D. Sometimes
- E. Most of the time
- F. Always

51. When you watch TV or movies, how often do you see actors and actresses using electronic vapor products, cigarettes, or other tobacco products?

- A. I do not watch TV or movies
- B. Never
- C. Rarely
- D. Sometimes
- E. Most of the time
- F. Always

52. When you play videogames, how often do you see ads or promotions for electronic vapor products, cigarettes, or other tobacco products?

- A. I do not play videogames
- B. Never
- C. Rarely
- D. Sometimes
- E. Most of the time
- F. Always

53. When you go to a convenience store, supermarket, or gas station, how often do you see ads or promotions for electronic vapor products, cigarettes, or other tobacco products?

- A. I do not go to convenience stores, supermarkets, or gas stations
- B. Never
- C. Rarely
- D. Sometimes
- E. Most of the time
- F. Always

54. During the **past 30 days**, how often did you see an ad for electronic vapor products, cigarettes, or other tobacco products that was outdoors on a billboard or could be seen from outside a store?

- A. I did not see billboards or outdoor ads during the past 30 days
- B. Never
- C. Rarely
- D. Sometimes
- E. Most of the time
- F. Always

55. What is the name of the **electronic vapor product** brand of your favorite electronic vapor product ad? (**Select one or more answers.**)
- A. Blu
 - B. Suorin Drop
 - C. JUUL
 - D. Logic
 - E. NJOY
 - F. Puff Bar
 - G. ROLO Badge
 - H. SMOK
 - I. Vuse
 - J. Some other brand not listed here
 - K. I do not have a favorite electronic vapor product ad
 - L. Not Sure

The next questions ask about tobacco warning labels. A warning label tells you if a product is harmful to you and can be either a picture or words.

56. During the **past 30 days**, how often did you see a warning label on an electronic vapor product or liquid refill package?
- A. I did not see an electronic vapor product or liquid refill package during the past 30 days
 - B. Never
 - C. Rarely
 - D. Sometimes
 - E. Most of the time
 - F. Always
57. During the **past 30 days**, how often did you see a warning label on a cigarette pack?
- A. I did not see a cigarette pack during the past 30 days
 - B. Never
 - C. Rarely
 - D. Sometimes
 - E. Most of the time
 - F. Always
58. During the **past 30 days**, how often did you see a warning label on a smokeless tobacco product (*chewing tobacco, snuff, dip, snus, or dissolvable tobacco products*)?
- A. I did not see a smokeless tobacco product during the past 30 days
 - B. Never
 - C. Rarely
 - D. Sometimes
 - E. Most of the time
 - F. Always

The next questions are about questions and advice any doctor, dentist, nurse, or other health professional might have asked.

59. During the **past 12 months**, did any doctor, dentist, or nurse ask you if you use electronic vapor products, cigarettes, or any other kind of tobacco?
- A. I did not see a doctor, dentist, or nurse during the past 12 months
 - B. Yes
 - C. No

60. During the **past 12 months**, did any doctor, dentist, or nurse advise you not to use electronic vapor products, cigarettes, or any other kind of tobacco?
- A. I did not see a doctor, dentist, or nurse during the past 12 months
 - B. Yes
 - C. No

The next questions ask about your exposure to vapor from other people's electronic vapor products.

61. During the **past 7 days**, on how many days did someone use an electronic vapor product **in your home** while you were there?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days
62. During the **past 7 days**, on how many days did you ride **in a vehicle** where someone was using an electronic vapor product?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days
63. During the **past 7 days**, on how many days were you with or near someone who was using an electronic vapor product **at your school**, including school buildings, school grounds, and school parking lots?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days
64. During the **past 7 days**, on how many days were you with or near someone who was using an electronic vapor product in the place **where you work**?
- A. I do not have a job
 - B. I have a job but did not work in the past 7 days
 - C. 0 days
 - D. 1 day
 - E. 2 days
 - F. 3 days
 - G. 4 days
 - H. 5 days
 - I. 6 days
 - J. 7 days

65. During the **past 7 days**, on how many days were you with or near someone who was using an electronic vapor product **in an indoor or outdoor public place**?
(Examples of indoor public places are stores, restaurants, and sports arenas. Examples of outdoor public places are parking lots, stadiums, and parks.)
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days

The next questions ask about your exposure to smoke from other people's cigarettes, cigars, pipes, or other tobacco products.

NOTE: Do not include electronic vapor products.

66. During the **past 7 days**, on how many days did someone smoke a cigarette or other tobacco product **in your home** while you were there?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days
67. During the **past 7 days**, on how many days did you ride **in a vehicle** where someone was smoking a cigarette or other tobacco product?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days
68. During the **past 7 days**, on how many days were you with or near someone who was smoking a cigarette or other tobacco product **at your school**, including school buildings, school grounds, and school parking lots?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days

69. During the **past 7 days**, on how many days were you with or near someone who was smoking a cigarette or other tobacco product in the place **where you work**?
- A. I do not have a job
 - B. I have a job but did not work in the past 7 days
 - C. 0 days
 - D. 1 day
 - E. 2 days
 - F. 3 days
 - G. 4 days
 - H. 5 days
 - I. 6 days
 - J. 7 days

70. During the **past 7 days**, on how many days were you with or near someone who was smoking a cigarette or other tobacco product **in an indoor or outdoor public place**?
(Examples of indoor public places are stores, restaurants, and sports arenas. Examples of outdoor public places are parking lots, stadiums, and parks.)
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days

The next questions ask about rules in your home and vehicle for using electronic vapor products.

71. **In your home** is the use of electronic vapor products...
- A. Always allowed
 - B. Allowed only at some times or in some places
 - C. Never allowed
72. **In vehicles** that you and your household members own or lease, is the use of electronic vapor products...
- A. Always allowed
 - B. Sometimes allowed
 - C. Never allowed

The next questions ask about rules in your home and vehicle for smoking cigarettes or other tobacco products.

NOTE: Do not include electronic vapor products.

73. **In your home** is smoking cigarettes or other tobacco products...
- A. Always allowed
 - B. Allowed only at some times or in some places
 - C. Never allowed
74. **In vehicles** that you and your household members own or lease, is smoking cigarettes or other tobacco products...
- A. Always allowed
 - B. Sometimes allowed
 - C. Never allowed

The next questions ask about use of tobacco or nicotine products by people who live with you, your friends, and other people your age.

75. Does anyone who lives with you now...

(Select one or more answers.)

- A. Use electronic vapor products
- B. Smoke cigarettes or flavored cigarettes
- C. Smoke cigars, cigarillos, little cigars, or flavored little cigars
- D. Use chewing tobacco, snuff, dip, snus, or dissolvable tobacco products
- E. Smoke tobacco using a pipe, hookah, or waterpipe
- F. Smoke bidis or beedis (*small brown cigarettes wrapped in a leaf*)
- G. Smoke kreteks (*clove cigarettes*)
- H. Nicotine pouches (*e.g., Zyn, Velo, Volt, etc.*)
- I. Use some other kind of tobacco or nicotine product not listed here
- J. No one who lives with me now uses any kind of tobacco or nicotine product

76. How many of your **four** closest friends use **electronic vapor products**?

- A. None
- B. One
- C. Two
- D. Three
- E. Four
- F. Not sure

77. Out of every 100 North Dakota students at your grade level, how many do you think use **electronic vapor products**?

- A. 0 to 10
- B. 11 to 20
- C. 21 to 30
- D. 31 to 40
- E. 41 to 50
- F. 51 or more

78. How many of your **four** closest friends **smoke cigarettes or other tobacco products**? (Do not include *electronic vapor products*)

- A. None
- B. One
- C. Two
- D. Three
- E. Four
- F. Not sure

79. Out of every 100 North Dakota students at your grade level, how many do you think **smoke cigarettes or other tobacco products**? (Do not include *electronic vapor products*)

- A. 0 to 10
- B. 11 to 20
- C. 21 to 30
- D. 31 to 40
- E. 41 to 50
- F. 51 or more

80. How many of your **four** closest friends use **chewing tobacco, snuff, dip, snus, or dissolvable tobacco products**?

- A. None
- B. One
- C. Two
- D. Three
- E. Four
- F. Not sure

81. Thinking about **electronic vapor product users**, which one would you prefer to date?

- A. I would not like to date anyone
- B. A person who uses electronic vapor products
- C. A person who does not use electronic vapor products
- D. No preference
- E. Not sure

82. Thinking about **tobacco smokers** (*cigarettes, cigars, pipes*), which one would you prefer to date?

- A. I would not like to date anyone
- B. A person who smokes tobacco (*cigarettes, cigars, pipes*)
- C. A person who does not smoke tobacco (*cigarettes, cigars, pipes*)
- D. No preference
- E. Not sure

83. Thinking about **smokeless tobacco users** (*chewing tobacco, snuff, dip, snus, or dissolvable tobacco products*), which one would you prefer to date? (Do not include *electronic vapor products*)

- A. I would not like to date anyone
- B. A person who uses smokeless tobacco products
- C. A person who does not use smokeless tobacco products
- D. No preference
- E. Not sure

The next questions ask about your thoughts about electronic vapor products.

84. In your opinion, **in your home**, the use of electronic vapor products should...

- A. Always be allowed
- B. Be allowed only at some times or in some places
- C. Never be allowed

85. In your opinion, **in vehicles** that you and your household members own or lease, the use of electronic vapor products should...

- A. Always be allowed
- B. Sometimes be allowed
- C. Never be allowed

86. Do you think that breathing vapor from other people's electronic vapor products is...

- A. Very harmful to one's health
- B. Somewhat harmful to one's health
- C. Not very harmful to one's health
- D. Not harmful at all to one's health

87. Do you think using electronic vapor products makes young people look cool or fit in?
 A. Definitely yes
 B. Probably yes
 C. Probably not
 D. Definitely not
88. Do you think young people who use electronic vapor products have more friends?
 A. Definitely yes
 B. Probably yes
 C. Probably not
 D. Definitely not
89. How strongly do you agree or disagree with the statement 'Electronic vapor products are dangerous'?
 A. Strongly agree
 B. Agree
 C. Disagree
 D. Strongly disagree
90. Do you think people can get addicted to using electronic vapor products just like they can get addicted to using cocaine or heroin?
 A. Definitely yes
 B. Probably yes
 C. Probably not
 D. Definitely not
91. Do you think young people risk harming themselves if they use electronic vapor products from 1 to 5 times per day?
 A. Definitely yes
 B. Probably yes
 C. Probably not
 D. Definitely not
92. Do you think it is safe to use electronic vapor products for only a year or two, as long as you quit after that?
 A. Definitely yes
 B. Probably yes
 C. Probably not
 D. Definitely not
95. Do you think that breathing smoke from other people's cigarettes or other tobacco products is...
 A. Very harmful to one's health
 B. Somewhat harmful to one's health
 C. Not very harmful to one's health
 D. Not harmful at all to one's health
96. Do you think smoking cigarettes or other tobacco products makes young people look cool or fit in?
 A. Definitely yes
 B. Probably yes
 C. Probably not
 D. Definitely not
97. Do you think young people who smoke cigarettes or other tobacco products have more friends?
 A. Definitely yes
 B. Probably yes
 C. Probably not
 D. Definitely not
98. How strongly do you agree or disagree with the statement 'All cigarettes and other tobacco products are dangerous'?
 A. Strongly agree
 B. Agree
 C. Disagree
 D. Strongly disagree
99. Do you think people can get addicted to using cigarettes or other tobacco products just like they can get addicted to using cocaine or heroin?
 A. Definitely yes
 B. Probably yes
 C. Probably not
 D. Definitely not
100. Do you think young people risk harming themselves if they smoke from 1 to 5 cigarettes or other tobacco products per day?
 A. Definitely yes
 B. Probably yes
 C. Probably not
 D. Definitely not

The next questions ask about your thoughts about smoking cigarettes and other tobacco.

NOTE: Do not include electronic vapor products.

93. In your opinion, **in your home**, smoking cigarettes or other tobacco products should....
 A. Always be allowed
 B. Be allowed only at some times or in some places
 C. Never be allowed
94. In your opinion, **in vehicles** that you and your household members own or lease, smoking cigarettes or other tobacco products should...
 A. Always be allowed
 B. Sometimes be allowed
 C. Never be allowed

101. Do you think it is safe to smoke cigarettes or other tobacco products for only a year or two, as long as you quit after that?
 A. Definitely yes
 B. Probably yes
 C. Probably not
 D. Definitely not

END OF SURVEY

THANK YOU FOR COMPLETING THE YOUTH TOBACCO SURVEY!!

North Dakota Middle School (Grades 7-8)

2025 Youth Tobacco Survey (YTS)

- This survey is about tobacco. We would like to know about you and things you do that may affect your health. Your answers will be used for programs 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 and know.
- Completing the survey is voluntary. Whether or not you answer the questions will not affect your grade in this class. Try to answer all the questions. If you do not want to answer a question, just leave it blank. There are no wrong answers.
- The questions that ask about your background will only be used 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.
- Please read every question. Try to answer all the questions. Circle the letter in front of your answer (or answers if more than one answer is allowed). When you are finished, follow the instructions of the person giving you the survey.

Thank you very much for your help!

The first questions ask for some background information about you.

1. How old are you?
 - A. 9 years old or younger
 - B. 10 years old
 - C. 11 years old
 - D. 12 years old
 - E. 13 years old
 - F. 14 years old or older
2. What is your sex?
 - A. Female
 - B. Male
3. 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?
 - A. No, I am not transgender
 - B. Yes, I am transgender
 - C. I am not sure if I am transgender
 - D. I do not know what this question is asking
4. Which of the following best describes you?
 - A. Heterosexual (*straight*)
 - B. Gay or lesbian
 - C. Bisexual
 - D. I describe my sexual identity some other way
 - E. I am not sure about my sexual identity (*questioning*)
 - F. I do not know what this question is asking
5. What grade are you in?
 - A. 7th
 - B. 8th
 - C. Ungraded or other grade
6. What is your race and/or ethnicity? (**Select one or more answers.**)
 - A. American Indian or Alaska Native
 - B. Asian
 - C. Black or African American
 - D. Hispanic or Latino
 - E. Middle Eastern or North African
 - F. Native Hawaiian or Pacific Islander
 - G. White
7. During the past 12 months, have you had an episode of asthma or an asthma attack?
 - A. Yes
 - B. No

The next six sets of questions ask about your use of certain tobacco products.

Electronic vapor products

The next few questions are about electronic vapor products, such as JUUL, Vuse, NJOY, Elf Bar, or Esco Bars. Electronic vapor products include e-cigarettes, vapes, mods, e-cigs, e-hookahs, or vape-pens.

8. If one of your best friends were to offer you an electronic vapor product, would you use it?
 - A. Definitely yes
 - B. Probably yes
 - C. Probably not
 - D. Definitely not

9. Have you **ever** used an electronic vapor product, even one or two puffs?
- A. Yes
 - B. No

NOTE: If you answered “No” to question 9 above (*Have you ever used an electronic vapor product, even one or two puffs?*), **then skip** to question 16, the first question in the “Cigarettes” Section.

10. What are the main reasons why you have used an electronic vapor product? (**Select one or more answers.**)
- A. I have never used an electronic vapor product
 - B. Friend or family member used them
 - C. To try to quit using tobacco products, such as cigarettes
 - D. They cost less than other tobacco products, such as cigarettes
 - E. Famous people on TV or in movies use them
 - F. They are less harmful than other forms of tobacco, such as cigarettes
 - G. They are available in flavors, such as mint, candy, fruit, or chocolate
 - H. They can be used in areas where other tobacco products, such as cigarettes, are not allowed
 - I. I saw an ad for them and they looked cool
 - J. They are easier to hide than other tobacco products
 - K. I used them for some other reason

11. Which of the following substances have you ever used in an electronic vapor product? (**Select one or more answers.**)
- A. I have never used an electronic vapor product
 - B. I have used nicotine in an electronic vapor product
 - C. I have used marijuana, THC or hash oil, or THC wax in an electronic vapor product
 - D. I have used another substance that is not nicotine, marijuana, THC or hash oil, or THC wax in an electronic vapor product
 - E. I am not sure what substance or substances were in the electronic vapor products I've used

12. During the **past 30 days**, on how many days did you use an electronic vapor product?
- 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

NOTE: If you answered “0 days” to question 12 above (*During the past 30 days, on how many days did you use an electronic vapor product?*), **then skip** to question 16, the first question in the “Cigarettes” Section.

13. Menthol electronic vapor products are electronic vapor products that taste like mint. During the **past 30 days**, were the electronic vapor products that you usually used menthol electronic vapor products?
- A. I did not use electronic vapor products during the past 30 days
 - B. Yes
 - C. No
 - D. Not sure

14. During the **past 30 days**, how did you get your own electronic vapor products? (**Select one or more answers.**)
- A. I did not use electronic vapor products during the past 30 days
 - B. I bought them myself from a store, gas station, or vending machine
 - C. I bought them myself on the Internet or by mail
 - D. I had someone else buy them for me
 - E. I borrowed or bummed them
 - F. Someone gave them to me without my asking
 - G. I took them from a store or another person
 - H. I got them some other way
15. I plan to stop using electronic vapor products **for good** within the next... (**Please chose the FIRST answer that fits**)
- A. I do not use electronic vapor products now
 - B. 7 days
 - C. 30 days
 - D. 6 months
 - E. 1 year
 - F. I do not plan to stop using electronic vapor products within the next year

Cigarettes

The next few questions are about cigarettes, which includes all types of cigarettes and flavored cigarettes.

NOTE: Do not include e-cigarettes and other electronic vapor products.

16. If one of your best friends were to offer you a cigarette, would you smoke it?
- A. Definitely yes
 - B. Probably yes
 - C. Probably not
 - D. Definitely not
17. Have you **ever** smoked a cigarette, even one or two puffs?
- A. Yes
 - B. No

NOTE: If you answered “No” to question 17 above (*Have you ever smoked a cigarette, even one or two puffs?*), **then skip** to question 25, the first question in the “Cigars” Section.

18. How old were you when you **first** smoked a cigarette, even one or two puffs?
- A. I have never smoked a cigarette, not even one or two puffs
 - B. 8 years old or younger
 - C. 9 years old
 - D. 10 years old
 - E. 11 years old
 - F. 12 years old

- G. 13 years old
- H. 14 years old or older

19. 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

NOTE: If you answered “0 days” to question 19 above (During the **past 30 days**, on how many days did you smoke cigarettes?), **then skip** to question 25, the first question in the “**Cigars**” Section.

20. 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

21. Menthol cigarettes are cigarettes that taste like mint. During the **past 30 days**, were the cigarettes that you usually smoked menthol cigarettes?

- A. I did not smoke cigarettes during the past 30 days
- B. Yes
- C. No
- D. Not sure

22. Flavored cigarettes are cigarettes that taste like fruit flavors, chocolate or candy flavors, beverage flavors, or a combination of flavors. During the **past 30 days**, were the cigarettes that you usually smoked flavored cigarettes? (Do **not** include menthol cigarettes)

- A. I did not smoke cigarettes during the past 30 days
- B. Yes
- C. No
- D. Not sure

23. During the **past 30 days**, how did you get your own cigarettes? (**Select one or more answers.**)

- A. I did not smoke cigarettes during the past 30 days
- B. I bought them myself from a store, gas station, or vending machine
- C. I bought them myself on the Internet or by mail
- D. I had someone else buy them for me
- E. I borrowed or bummed them
- F. Someone gave them to me without my asking
- G. I took them from a store or another person
- H. I got them some other way

24. I plan to stop smoking cigarettes **for good** within the next... (**Please chose the FIRST answer that fits**)

- A. I do not smoke cigarettes now
- B. 7 days
- C. 30 days
- D. 6 months
- E. 1 year
- F. I do not plan to stop smoking cigarettes within the next year

Cigars

The next few questions are about cigars, which includes all types of cigars, cigarillos, little cigars, and little flavored cigars.

NOTE: Do **not** include e-cigars and other electronic vapor products.

25. Have you **ever** smoked a cigar, even one or two puffs?

- A. Yes
- B. No

NOTE: If you answered “No” to question 25 above (Have you **ever** smoked cigars, even one or two puffs?), **then skip** to question 29, the first question in the “**Smokeless Tobacco**” Section.

26. How old were you when you **first** smoked a cigar, even one or two puffs?

- A. I have never smoked a cigar, not even one or two puffs
- B. 8 years old or younger
- C. 9 years old
- D. 10 years old
- E. 11 years old
- F. 12 years old
- G. 13 years old
- H. 14 years old or older

27. During the **past 30 days**, on how many days did you smoke 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

NOTE: If you answered “0 days” to question 27 above (During the **past 30 days**, on how many days did you smoke cigars?), **then skip** to question 29, the first question in the “**Smokeless Tobacco**” Section.

28. During the **past 30 days**, how did you get your own cigars? (**Select one or more answers.**)

- A. I did not smoke cigars during the past 30 days
- B. I bought them myself from a store, gas station, or vending machine
- C. I bought them myself on the Internet or by mail
- D. I had someone else buy them for me
- E. I borrowed or bummed them
- F. Someone gave them to me without my asking
- G. I took them from a store or another person
- H. I got them some other way

Smokeless Tobacco

The next few questions are about smokeless tobacco, which includes all types of chewing tobacco, snuff, or dip (such as *Copenhagen, Grizzly, Skoal, etc.*); snus (such as *Camel Snus, etc.*); or dissolvable tobacco products (such as *Camel Orbs, Sticks, or Strips, etc.*).

NOTE: Do not include electronic vapor products.

29. Have you **ever** used chewing tobacco, snuff, dip, snus, or dissolvable tobacco products, even just a small amount?
- A. Yes
 - B. No

NOTE: If you answered “No” to question 29 above (Have you **ever** used chewing tobacco, snuff, dip, snus, or dissolvable tobacco products, even just a small amount?), **then skip** to question 33, the first question in the “**Tobacco Pipes**” Section.

30. How old were you when you **used** chewing tobacco, snuff, dip, snus, or dissolvable tobacco products for the **first** time?
- A. I have never used chewing tobacco, snuff, dip, snus, or dissolvable tobacco products
 - B. 8 years old or younger
 - C. 9 years old
 - D. 10 years old
 - E. 11 years old
 - F. 12 years old
 - G. 13 years old
 - H. 14 years old or older
31. During the **past 30 days**, on how many days did you use chewing tobacco, snuff, dip, snus, or dissolvable tobacco products?
- 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

NOTE: If you answered “0 days” to question 31 above (During the **past 30 days**, on how many days did you use chewing tobacco, snuff, dip, snus, or dissolvable tobacco products?), **then skip** to question 33, the first question in the “**Tobacco Pipes**” Section.

32. During the **past 30 days**, how did you get your own chewing tobacco, snuff, dip, snus, or dissolvable tobacco products? (**Select one or more answers.**)
- A. I did not use chewing tobacco, snuff, dip, snus, or dissolvable tobacco products during the past 30 days
 - B. I bought it myself from a store, gas station, or vending machine
 - C. I bought it myself on the Internet or by mail
 - D. I had someone else buy it for me
 - E. I borrowed or bummed it
 - F. Someone gave it to me without my asking
 - G. I took it from a store or another person
 - H. I got it some other way

Tobacco Pipes

The next few questions are about tobacco pipes, which includes all types of pipes, hookahs, and waterpipes.

NOTE: Do not include e-hookahs, hookah-pens, and other electronic vapor products.

33. Have you **ever** smoked tobacco in a pipe, hookah, or waterpipe, even one or two puffs?
- A. Yes
 - B. No

NOTE: If you answered “No” to question 33 above (Have you **ever** smoked tobacco in a pipe, hookah, or waterpipe, even one or two puffs?), **then skip** to question 35, the first question in the “**Other Tobacco Products**” Section.

34. During the **past 30 days**, on how many days did you smoke tobacco in a pipe, hookah, or waterpipe?
- 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

Other Tobacco/Nicotine Products

The next few questions are about other tobacco and nicotine products that were not already asked about earlier in this survey.

35. Which of the following tobacco or nicotine products have you **ever** tried, even just one time? (**Select one or more answers.**)
- A. Roll-your-own cigarettes
 - B. Clove cigars
 - C. Bidis or Beedis (small brown cigarettes wrapped in a leaf)
 - D. Kreteks (clove cigarettes)
 - E. Nicotine pouches (e.g., Zyn, Velo, Volt, etc.)
 - F. Some other tobacco or nicotine products not listed above or not asked about earlier in the survey
 - G. I have never tried any of the products listed above or any other tobacco or nicotine products not asked about earlier in the survey

NOTE: If you answered “I have never tried any of the products listed above or any other tobacco or nicotine products not asked about earlier in the survey” to question 35 above (Which of the following tobacco or nicotine products have you ever tried, even just one time?), **then skip** to question 37, the first question in the “**Quitting Tobacco Products**” Section.

36. In the **past 30 days**, which of the following tobacco or nicotine products have you used on **at least one day**? **(Select one or more answers.)**
- A. Roll-your-own cigarettes
 - B. Clove cigars
 - C. Bidis or Beedis (*small brown cigarettes wrapped in a leaf*)
 - D. Kreteks (*clove cigarettes*)
 - E. Nicotine pouches (*e.g., Zyn, Velo, Volt, etc.*)
 - F. Some other tobacco or nicotine products not listed above or not asked about earlier in the survey
 - G. I have not used any of the products listed above or any other tobacco or nicotine products not asked about earlier in the survey in the past 30 days

The next questions are about quitting all tobacco products. This includes quitting electronic vapor products, cigarettes, cigars, smokeless tobacco, tobacco pipes, or any other kind of tobacco product.

37. I plan to stop using all tobacco products **for good** within the next... **(Please chose the FIRST answer that fits)**
- A. I do not use any tobacco products now
 - B. 7 days
 - C. 30 days
 - D. 6 months
 - E. 1 year
 - F. I do not plan to stop using all tobacco products within the next year
38. Do you think you would be able to quit using all tobacco products now if you wanted to?
- A. I do not use tobacco products of any kind now
 - B. Yes
 - C. No

The next questions ask about your thoughts about getting electronic vapor products and if you think electronic vapor companies are trying to get young people to use electronic vapor products.

39. How easy would it be for you to get electronic vapor products if you wanted some?
- A. Very easy
 - B. Somewhat easy
 - C. Not easy at all
40. Do you believe that electronic vapor companies try to get young people under 18 to use electronic vapor products?
- A. Yes
 - B. No

The next questions ask about your thoughts about getting cigarettes and other tobacco products and if you think tobacco companies are trying to get young people to use cigarettes and other tobacco.

NOTE: Do not include electronic vapor products or electronic vapor product companies.

41. How easy would it be for you to get cigarettes or other tobacco products if you wanted some?
- A. Very easy
 - B. Somewhat easy
 - C. Not easy at all
42. Do you believe that tobacco companies try to get young people under 18 to use cigarettes or other tobacco products?
- A. Yes
 - B. No

The next questions ask about advertisements you have seen or heard for various tobacco products.

43. When you are using the Internet, how often do you see ads for electronic vapor products, cigarettes, or other tobacco products?
- A. I do not use the Internet
 - B. Never
 - C. Rarely
 - D. Sometimes
 - E. Most of the time
 - F. Always
44. When you watch TV or movies, how often do you see actors and actresses using electronic vapor products, cigarettes, or other tobacco products?
- A. I do not watch TV or movies
 - B. Never
 - C. Rarely
 - D. Sometimes
 - E. Most of the time
 - F. Always
45. When you play videogames, how often do you see ads or promotions for electronic vapor products, cigarettes, or other tobacco products?
- A. I do not play videogames
 - B. Never
 - C. Rarely
 - D. Sometimes
 - E. Most of the time
 - F. Always
46. When you go to a convenience store, supermarket, or gas station, how often do you see ads or promotions for electronic vapor products, cigarettes, or other tobacco products?
- A. I do not go to convenience stores, supermarkets, or gas stations
 - B. Never
 - C. Rarely
 - D. Sometimes
 - E. Most of the time
 - F. Always

47. During the **past 30 days**, how often did you see an ad for electronic vapor products, cigarettes, or other tobacco products that was outdoors on a billboard or could be seen from outside a store?
- A. I did not see billboards or outdoor ads during the past 30 days
 - B. Never
 - C. Rarely
 - D. Sometimes
 - E. Most of the time
 - F. Always

48. What is the name of the **electronic vapor product** brand of your favorite electronic vapor product ad? (**Select one or more answers.**)
- A. Blu
 - B. Suorin Drop
 - C. JUUL
 - D. Logic
 - E. NJOY
 - F. Puff Bar
 - G. ROLO Badge
 - H. SMOK
 - I. Vuse
 - J. Some other brand not listed here
 - K. I do not have a favorite electronic vapor product ad
 - L. Not Sure

The next questions are about questions and advice any doctor, dentist, nurse, or other health professional might have asked.

49. During the **past 12 months**, did any doctor, dentist, or nurse ask you if you use electronic vapor products, cigarettes, or any other kind of tobacco?
- A. I did not see a doctor, dentist, or nurse during the past 12 months
 - B. Yes
 - C. No
50. During the **past 12 months**, did any doctor, dentist, or nurse advise you not to electronic vapor products, cigarettes, or any other kind of tobacco?
- A. I did not see a doctor, dentist, or nurse during the past 12 months
 - B. Yes
 - C. No

The next questions ask about your exposure to vapor from other people's electronic vapor products.

51. During the **past 7 days**, on how many days did someone use an electronic vapor product **in your home** while you were there?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days

52. During the **past 7 days**, on how many days did you ride **in a vehicle** where someone was using an electronic vapor product?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days

53. During the **past 7 days**, on how many days were you with or near someone who was using an electronic vapor product **at your school**, including school buildings, school grounds, and school parking lots?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days

54. During the **past 7 days**, on how many days were you with or near someone who was using an electronic vapor product **in an indoor or outdoor public place**? (*Examples of indoor public places are stores, restaurants, and sports arenas. Examples of outdoor public places are parking lots, stadiums, and parks.*)
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days

The next questions ask about your exposure to smoke from other people's cigarettes, cigars, pipes, or other tobacco products.

NOTE: Do not include electronic vapor products.

55. During the **past 7 days**, on how many days did someone smoke a cigarette or other tobacco product **in your home** while you were there?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days

56. During the **past 7 days**, on how many days did you ride in a **vehicle** where someone was smoking a cigarette or other tobacco product?

- A. 0 days
- B. 1 day
- C. 2 days
- D. 3 days
- E. 4 days
- F. 5 days
- G. 6 days
- H. 7 days

57. During the **past 7 days**, on how many days were you with or near someone who was smoking a cigarette or other tobacco product **at your school**, including school buildings, school grounds, and school parking lots?

- A. 0 days
- B. 1 day
- C. 2 days
- D. 3 days
- E. 4 days
- F. 5 days
- G. 6 days
- H. 7 days

58. During the **past 7 days**, on how many days were you with or near someone who was smoking a cigarette or other tobacco product **in an indoor or outdoor public place**? (*Examples of indoor public places are stores, restaurants, and sports arenas. Examples of outdoor public places are parking lots, stadiums, and parks.*)

- A. 0 days
- B. 1 day
- C. 2 days
- D. 3 days
- E. 4 days
- F. 5 days
- G. 6 days
- H. 7 days

The next questions ask about rules in your home and vehicle for using electronic vapor products.

59. In your home is the use of electronic vapor products...

- A. Always allowed
- B. Allowed only at some times or in some places
- C. Never allowed

60. In vehicles that you and your household members own or lease, is the use of electronic vapor products...

- A. Always allowed
- B. Sometimes allowed
- C. Never allowed

The next questions ask about rules in your home and vehicle for smoking cigarettes or other tobacco products.

NOTE: Do not include electronic vapor products.

61. In your home is smoking cigarettes or other tobacco products...

- A. Always allowed
- B. Allowed only at some times or in some places
- C. Never allowed

62. In vehicles that you and your household members own or lease, is smoking cigarettes or other tobacco products...

- A. Always allowed
- B. Sometimes allowed
- C. Never allowed

The next questions ask about use of tobacco or nicotine products by people who live with you, your friends, and other people your age.

63. Does anyone who lives with you now...

(Select one or more answers.)

- A. Use electronic vapor products
- B. Smoke cigarettes or flavored cigarettes
- C. Smoke cigars, cigarillos, little cigars, or flavored little cigars
- D. Use chewing tobacco, snuff, dip, snus, or dissolvable tobacco products
- E. Smoke tobacco using a pipe, hookah, or waterpipe
- F. Smoke bidis or beedis (*small brown cigarettes wrapped in a leaf*)
- G. Smoke kreteks (*clove cigarettes*)
- H. Nicotine pouches (*e.g., Zyn, Velo, Volt, etc.*)
- I. Use some other kind of tobacco or nicotine product not listed here
- J. No one who lives with me now uses any kind of tobacco or nicotine product

64. How many of your **four** closest friends use **electronic vapor products**?

- A. None
- B. One
- C. Two
- D. Three
- E. Four
- F. Not sure

65. Out of every 100 North Dakota students at your grade level, how many do you think use **electronic vapor products**?

- A. 0 to 10
- B. 11 to 20
- C. 21 to 30
- D. 31 to 40
- E. 41 to 50
- F. 51 or more

66. How many of your **four** closest friends **smoke cigarettes or other tobacco products**? (Do not include electronic vapor products)

- A. None
- B. One
- C. Two
- D. Three
- E. Four
- F. Not sure

67. Out of every 100 North Dakota students at your grade level, how many do you think **smoke cigarettes or other tobacco products**? (Do not include electronic vapor products)

- A. 0 to 10
- B. 11 to 20
- C. 21 to 30
- D. 31 to 40
- E. 41 to 50
- F. 51 or more

68. How many of your **four** closest friends **use chewing tobacco, snuff, dip, snus, or dissolvable tobacco products**?

- A. None
- B. One
- C. Two
- D. Three
- E. Four
- F. Not sure

69. Thinking about **electronic vapor product users**, which one would you prefer to date?

- A. I would not like to date anyone
- B. A person who uses electronic vapor products
- C. A person who does not use electronic vapor products
- D. No preference
- E. Not sure

70. Thinking about **tobacco smokers** (*cigarettes, cigars, pipes*), which one would you prefer to date?

- A. I would not like to date anyone
- B. A person who smokes tobacco (*cigarettes, cigars, pipes*)
- C. A person who does not smoke tobacco (*cigarettes, cigars, pipes*)
- D. No preference
- E. Not sure

71. Thinking about **smokeless tobacco users** (*chewing tobacco, snuff, dip, snus, or dissolvable tobacco products*), which one would you prefer to date? (Do not include electronic vapor products)

- A. I would not like to date anyone
- B. A person who uses smokeless tobacco products
- C. A person who does not use smokeless tobacco products
- D. No preference
- E. Not sure

The next questions ask about your thoughts about electronic vapor products.

72. In your opinion, **in your home**, the use of electronic vapor products should...

- A. Always be allowed
- B. Be allowed only at some times or in some places
- C. Never be allowed

73. In your opinion, **in vehicles** that you and your household members own or lease, the use of electronic vapor products should...

- A. Always be allowed
- B. Sometimes be allowed
- C. Never be allowed

74. Do you think that breathing vapor from other people's electronic vapor products is...

- A. Very harmful to one's health
- B. Somewhat harmful to one's health
- C. Not very harmful to one's health
- D. Not harmful at all to one's health

75. Do you think using electronic vapor products makes young people look cool or fit in?

- A. Definitely yes
- B. Probably yes
- C. Probably not
- D. Definitely not

76. Do you think young people who use electronic vapor products have more friends?

- A. Definitely yes
- B. Probably yes
- C. Probably not
- D. Definitely not

77. How strongly do you agree or disagree with the statement 'Electronic vapor products are dangerous'?

- A. Strongly agree
- B. Agree
- C. Disagree
- D. Strongly disagree

78. Do you think people can get addicted to using electronic vapor products just like they can get addicted to using cocaine or heroin?

- A. Definitely yes
- B. Probably yes
- C. Probably not
- D. Definitely not

The next questions ask about your thoughts about smoking cigarettes and other tobacco.

NOTE: Do not include electronic vapor products.

79. In your opinion, **in your home**, smoking cigarettes or other tobacco products should...
- A. Always be allowed
 - B. Be allowed only at some times or in some places
 - C. Never be allowed
80. In your opinion, **in vehicles** that you and your household members own or lease, smoking cigarettes or other tobacco products should...
- A. Always be allowed
 - B. Sometimes be allowed
 - C. Never be allowed
81. Do you think that breathing smoke from other people's cigarettes or other tobacco products is...
- A. Very harmful to one's health
 - B. Somewhat harmful to one's health
 - C. Not very harmful to one's health
 - D. Not harmful at all to one's health
82. Do you think smoking cigarettes or other tobacco products makes young people look cool or fit in?
- A. Definitely yes
 - B. Probably yes
 - C. Probably not
 - D. Definitely not
83. Do you think young people who smoke cigarettes or other tobacco products have more friends?
- A. Definitely yes
 - B. Probably yes
 - C. Probably not
 - D. Definitely not
84. How strongly do you agree or disagree with the statement 'All cigarettes and other tobacco products are dangerous'?
- A. Strongly agree
 - B. Agree
 - C. Disagree
 - D. Strongly disagree
85. Do you think people can get addicted to using cigarettes or other tobacco products just like they can get addicted to using cocaine or heroin?
- A. Definitely yes
 - B. Probably yes
 - C. Probably not
 - D. Definitely not

END OF SURVEY

THANK YOU FOR COMPLETING THE YOUTH TOBACCO SURVEY!!

Testimony
Senate Bill No. 2105
Chairperson Representative Heinert
House Education Committee
March 12, 2025
Rolette County Public Health District

Good morning, Chairperson Heinert, and members of the House Education Committee Services.

My name is Barbara Frydenlund, I am a Registered Nurse and the administrator of Rolette County Public Health. Rolette County Public Health District serves Rolette County located in District 9.

I stand before you in opposition to SB 2105 as it relates to the administration of surveys to students in North Dakota K-12 schools.

As a public health administrator, I am concerned about the impact that this legislation would have on student surveys conducted every other year through collaboration with the North Dakota Department of Health and Human Services and local public health program specific surveys. These surveys include but not limited to the Youth Risk Behavior Survey (YRBS) and the Youth Tobacco Survey (YTS).

Such legislation would block the administration of these surveys and have a detrimental effect on the understanding of the health needs and concerns of students. There is little to no local or state youth related data available within North Dakota in the absence of these surveys. Local data is needed as supporting documentation in the pursuit of state, federal and local grant opportunities.

These surveys are conducted anonymously, through a non – identifying means. The information collected from school-based surveys assist school staff and specifically health entities to develop health and education plans, curriculums, and programs best suited to address the concerns most relevant to the youth of the school, region, or the state of North Dakota. Without research most plans are ineffective and a waste to resources.

Information received from assessment, whether scholastic or health assist school administration in educating parents regarding the collaborative behaviors of students. Often parents are unaware of behavior trends amongst youth. An example of this can be the challenges that are copycat from social media, detrimental to our youth and many parents/guardians are oblivious to.

It has been my experience that schools are diligent in posting surveys on websites, apps etc. providing parents/guardians the opportunity to review the content prior to the administration of the survey and giving them the opportunity to opt out of the survey. These surveys are not funded by the United States Department of Education, so active parental consent is not required. Participation in the surveys is voluntary. However, to develop accurate estimates of health risk behaviors among adolescents, participation rates must be high.

Parental consents are increasingly difficult to obtain despite the options for paper or electronic submissions. Lives are busy! Health units spent an extraordinarily large amount of time ensuring parents are informed, have options for submitting consents and spend countless hours and resources calling parents to remind them and often parents prefer to provide verbal consent and express appreciation for the contact. I am aware of public health and school staff going the extra mile to complete all the demographics on a consent form leaving the parents with only the responsibility of signing their name and filling in a half dozen health screening questions if the consent is related to immunizations. Obtaining consents and gaining parental involvement is not like it was 10, 20, 30, 40 + years ago.

As a Registered Nurse working in the world of prevention, a mother, and the wife of a school superintendent I quickly learned the if you genuinely want to know the concerns and needs of a student's....ask

the students! Allow the students to be part of the solution, most adults do not give our youth enough credit for their insight and the great ideas that they can contribute to alleviating negative behaviors.

The entire reason for these school-based surveys is to identify ways to help our youth as they navigate an extraordinarily complex world created by adults.

Youth tend to be very honest when completing surveys when they know they can not be identified or when talking with a trusted adult with whom they have built a mutual respectful relationship with. Over and over, I have seen these relationships flourish between youth and our nursing staff. There truly is a reason nurses are considered to be the most trusted profession for the past 23 years.

A few years ago, my health district conducted a youth wellness survey to sophomore students. Parents were informed of the survey content, the day of administration, the opportunity to opt out and that a summary of positive and negative concerns would be returned to the student in a privacy envelope. This survey was not anonymous. I was clear to the students that this survey was not a judgement, it would provide aggregate data identifying their concerns and what health topics our agency could best provide to them. My admission was that the only questions that I would personally review were those relating to suicidal ideation/plan and that if I identified a concern, I would be back in contact with the individual student that day. If they were uncomfortable with answering any of the questions, they were free to omit them. Upon completion I did identify a student who expressed a current suicide plan. As promised, I returned to the school, involved the student, school counselor and her parent. Long story short the student

revealed this survey gave her the opportunity to reach for help to someone she saw as a trusted adult. I am happy to say this individual received the care she needed and to this day both the parent and young adult thank me for saving her life... and without that opportunity this individual does not believe that she would be alive today.

Surveys and assessments are not meant to be intrusive or burdensome but rather insightful to how we as adults can best support our youth, make the best use of the limited education resources, and provide the opportunity to shape our youth into healthy, productive, and well-adjusted adults.

Please do not make the consent process even more cumbersome.

But more importantly, please do not take away the voice of our youth and students, a voice that may be the difference between life and death.

Thank you for the opportunity to testify in opposition to SB 2105.

I stand for questions.

Sincerely,

Barbara Frydenlund

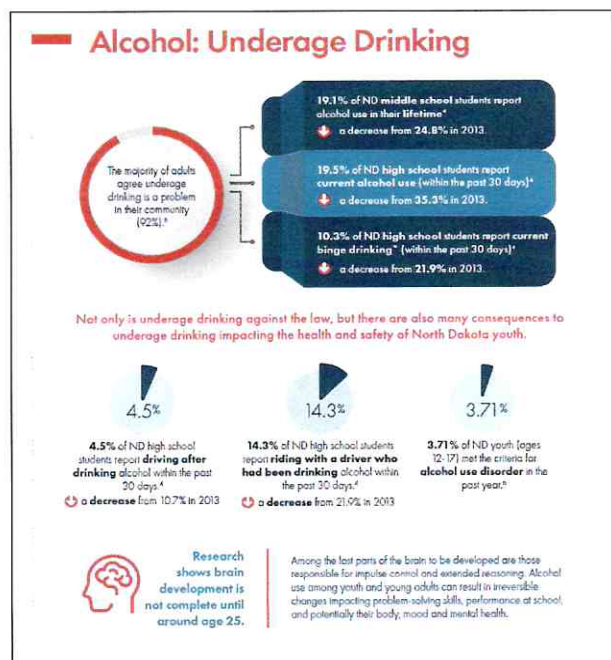
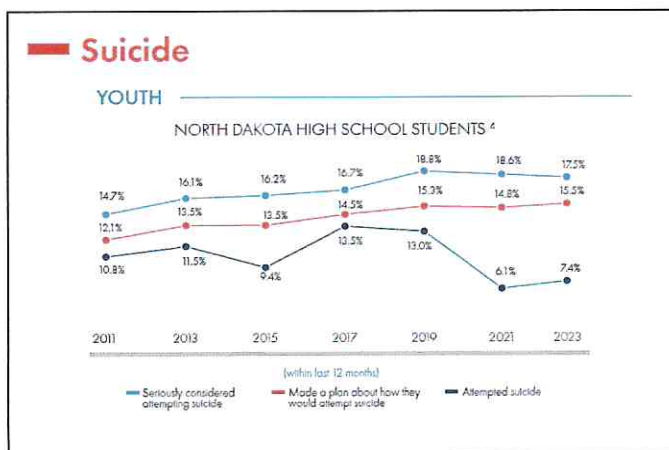
Rolette County Public Health

Testimony
Engrossed Senate Bill No. 2105
Education Committee
Representative Pat Heinert, Chairman
March 12, 2025

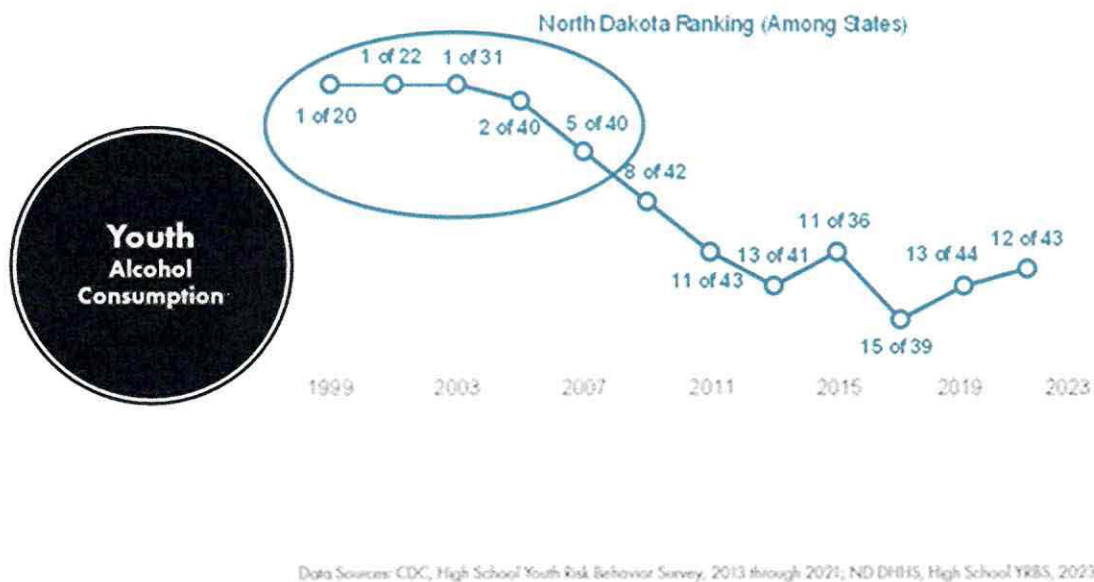
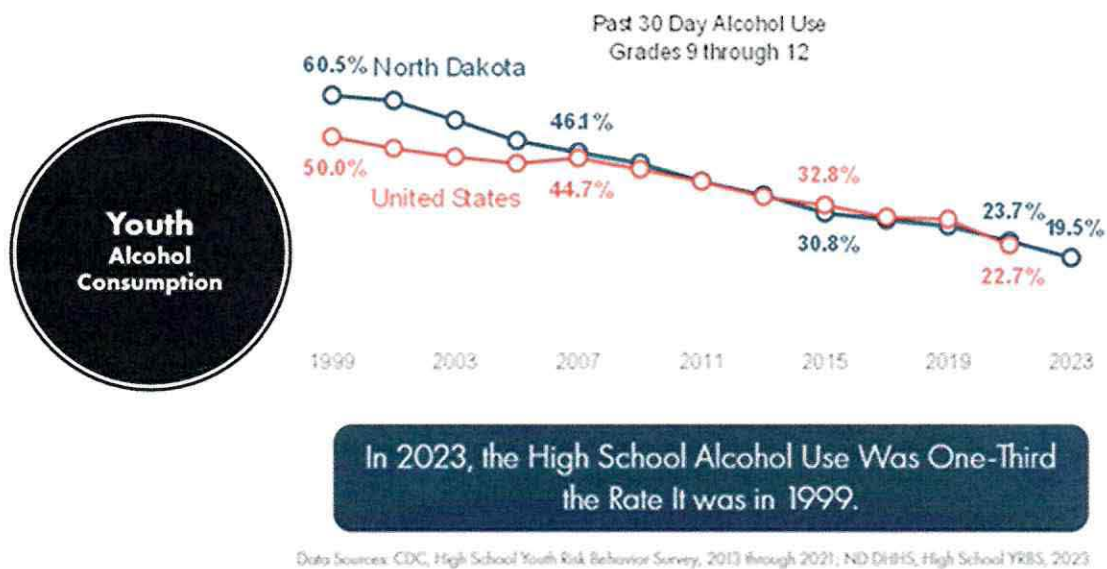
Chairman Heinert, and members of the Human Services Committee, I am Pamela Sagness with the Department of Health and Human Services, Behavioral Health Division. I appear before you in opposition to Engrossed Senate Bill No. 2105.

The Youth Risk Behavioral Survey (YRBS) is a vital tool in planning behavioral health efforts, distributing funds, and monitoring progress of programs and funding invested. Below are examples of how the YRBS data is utilized to drive planning, monitor implementation, and ensure outcomes are achieved.

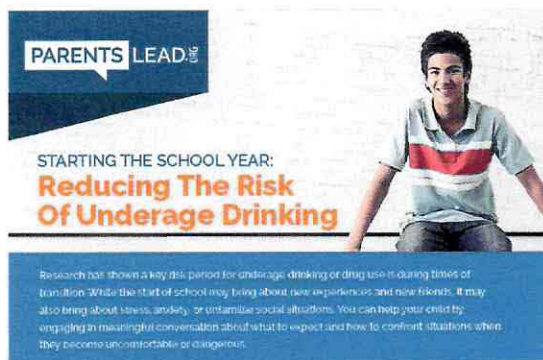
In addition, behavioral health professionals utilize the YRBS for grant applications. As a Department we are required to report bi-annual outcome data to address the progress and impact of the funding provided to the state.



The data is also important for state level assessment and implementation of efforts but also in determining, at a regional level, areas of highest need for program implementation and funding distribution. For example, our substance abuse prevention team has regularly created formulas for distribution of funds based on the regional or local data or need.



Many programs, like Parent's Lead, utilize the data to develop professional technical assistance, focused training, and community resources. For example, if we see changes like increases in certain behaviors the program can work with school or parent organizations to develop helpful content.



Try these helpful tips to help your child prepare for the new school year:



Ease into routine

Transitioning from summer to a school schedule can be challenging, so having a set bedtime or curfew is crucial for making mornings successful. Practice the routine a few days in advance by setting the alarm clock, going through the morning routine, and even walking to school or the bus stop.



Stock up

Taking your child school supply shopping can be a fun and exciting way for your child to eliminate any stressors that come with entering a new classroom. Establish guidelines by following the list, but also allow for a few fun items like a unique notebook or set of colored pens.



Get acquainted

For kids, one of the biggest back-to-school stressors is fear of whether they will like their teacher. Another is being late or not knowing where to go. To help alleviate these, take advantage of back-to-school night or set an appointment to meet your child's teachers. Find the different classrooms, or if your child is in middle or high school, walk through their class schedule room by room.

f i o www.parentlead.org

This concludes my testimony. I would be happy to answer any questions. Thank you.



2025 HOUSE STANDING COMMITTEE MINUTES

Education Committee Coteau AB Room, State Capitol

SB 2105
3/19/2025

Relating to the administration of surveys to students in kindergarten through grade twelve schools.

9:57 a.m. Chairman Heinert opened the hearing.

Members Present: Chairman Heinert, Vice Chairman Schreiber- Beck, Representatives, Conmy, Hager, Hatlestad, Hauck, Heilman, Jonas, Longmuir, Maki, Marchall, Morton, Novak, Osowski

Discussion Topics:

- Ability to opt out of school administered surveys
- Examples of survey questions

9:58 a.m. Representative Schreiber-Beck moved a Do Not Pass.

9:58 a.m. Representative Hager seconded the motion.

Representatives	Vote
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Dori Hauck	N
Representative Matthew Heilman	N
Representative Jim Jonas	Y
Representative Donald W. Longmuir	Y
Representative Roger A. Maki	N
Representative Andrew Marschall	N
Representative Desiree Morton	N
Representative Anna S. Novak	N
Representative Doug Osowski	Y

10:16 a.m. Motion passed 8-6-0

10:16 a.m. Representative Conmy will carry the bill.

After the hearing it was determined that Representative Schreiber-Beck would carry the bill.

10:17 a.m. Chairman Heinert closed the hearing.

Wyatt Armstrong for Leah Kuball, Committee Clerk

**REPORT OF STANDING COMMITTEE
ENGROSSED SB 2105 ([25.0489.03000](#))**

Education Committee (Rep. Heinert, Chairman) recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). SB 2105 was placed on the Fourteenth order on the calendar.