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May 26, 2010

The Honorable Arne Duncan
Secretary of Education
U.S. Department of Education
400 Maryland Ave., S.W.
Washington, D.C. 20202

Dear Secretary Duncan:

We recently became aware of a sample "School Climate Survey" developed by the Office of Safe and Drug Free Schools (OSDFS), headed by Assistant Deputy Secretary Kevin Jennings. It is our understanding this survey will be administered to students by states and school districts as part of a new School Culture and Climate initiative created in the FY2010 Labor-HHS-Education Appropriations Bill. The Appropriations bill directs the Department to focus School Culture and Climate grants in two areas: (1) reducing the number of suspensions and expulsions related to student disruptive behavior and nonviolent offenses, and (2) reducing violent crime in schools, on school grounds, and on the way to and from school. Some questions included in the sample survey are personal in nature and delve into areas seemingly beyond the scope of school violence as outlined by the Appropriations bill. We therefore request you provide our offices with responses to the following inquiries prior to distributing this survey to states or school districts.

- 1) Under what circumstances, and to whom, will this survey be distributed? Under what circumstances is the survey expected to be administered to students? How many students are expected to participate? Will participation be mandatory or voluntary? Will students be identifiable?
- 2) What is the Department's expected timeframe for distributing the survey? What is the expected timeframe for survey administration?
- 3) Please provide a list of all individuals and organizations involved in the development of the survey or consulted by the Department during the development of the survey.
- 4) What materials (*i.e.* cover letter or guidance) does OSDFS plan to distribute to states, school districts, and schools to accompany this survey?

The Honorable Arne Duncan

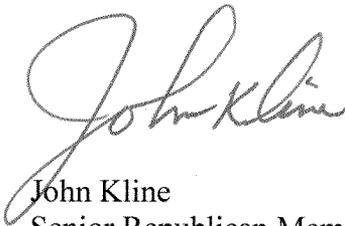
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- 5) What steps is OSDFS taking to ensure states and schools comply with the Protection of Pupil Rights Amendment (20 U.S.C. § 1232h), which requires schools to obtain written parental consent before minor students participate in Education Department-funded surveys that ask questions about personal or family matters?
- 6) What, if any, recommendations will OSDFS make to states and schools with respect to their use of survey findings? Will results be reported to the Department of Education and, if so, how and when will such results be reported and how will the Department make use of such information?
- 7) Please provide copies of the most recent sample survey OSDFS has developed.

We would appreciate a response no later than June 11, 2010, or prior to the distribution of the survey, whichever is earlier. If you have any questions, please contact James Bergeron, Deputy Director for Education Policy, Minority Staff at the Committee on Education and Labor at james.bergeron@mail.house.gov, 202-225-6558 or Stephen Sepp, Professional Staff, at the Committee on Appropriations, Labor-HHS-Education Subcommittee at stephen.sepp@mail.house.gov, 202-225-3481.

Sincerely,



John Kline
Senior Republican Member
Committee on Education and Labor



Todd Tiahrt
Ranking Member
Subcommittee on Labor, HHS, Education
Committee on Appropriations