



Colorado State Board of Education

TRANSCRIPT OF PROCEEDINGS
BEFORE THE
COLORADO DEPARTMENT OF EDUCATION COMMISSION
DENVER, COLORADO
February 27, 2015

BE IT REMEMBERED THAT on February 27, 2015,
the above-entitled meeting was conducted at the Colorado
Department of Education, before the following Board
Members:

Marcia Neal (R), Chairman
Angelika Schroeder (D), Vice Chairman
Steven Durham (R)
Valentina (Val) Flores (D)
Jane Goff (D)
Pam Mazanec (R)
Debora Scheffel (R)



1 MADAM CHAIR: ...this meeting to order.
2 Bizy, would you call roll, please?
3 MS. BURDSALL: Steve Durham?
4 MR. DURHAM: Here.
5 MS. BURDSALL: Val Flores?
6 MS. FLORES: Here.
7 MADAM CHAIR: I can't hear (inaudible). Did
8 Steve answer?
9 MR. DURHAM: Here.
10 MS. BURDSALL: Val Flores?
11 MS. FLORES: Here.
12 MADAM CHAIR: I can barely hear Steve.
13 MS. BURDSALL: Jane Goff?
14 MS. GOFF: Here.
15 MS. BURDSALL: Pam Mazanec?
16 MS. MAZANEC: Here.
17 MS. BURDSALL: Marcia Neal?
18 MADAM CHAIR: Here.
19 MS. BURDSALL: Deborah Scheffel?
20 MS. SCHEFFEL: Here.
21 MS. BURDSALL: And Dr. Schroeder?
22 MS. SCHROEDER: Here.
23 MADAM CHAIR: Does anybody else here, like,
24 a (inaudible)? Yeah, right now, there's a (inaudible) in
25 the background.



1 (Overlapping)

2 MADAM CHAIR: Me, either. Who's on a beach
3 and didn't tell us?

4 MS. SCHROEDER: I wish, and Steve wishes.

5 CHAIRMAN DURHAM: I really wish.

6 MADAM CHAIR: (Inaudible). It's still
7 there. Who else is at the table?

8 MS. BURDSALL: At the table, Jennifer Mello,
9 Jennifer Asmoths (ph), Dale Holly (ph), Tony Dyl, the
10 Commissioner; Steve Durham, Dr. Flores, Dr. Schroeder...

11 MADAM CHAIR: I got the (inaudible).

12 MS. BURDSALL: Sarah Matthew.

13 MADAM CHAIR: I was just wondering what --
14 was there. And we're not -- this is not being broadcast,
15 right? So nobody else is listening to us?

16 MS. BURDSALL: We have a -- we are -- we do
17 not broadcast special meetings, Madam Chair, but we do have
18 a number of folks in attendance in the audience.

19 MADAM CHAIR: Okay. Good, thank you. All
20 right. Moving forward. This is, officially, a legislative
21 session. I understand that no bills -- that is a very
22 annoying sound. Are you still getting it, Pam?

23 MS. MAZANEC: I am. It is very annoying.

24 MS. BURDSALL: Perhaps, if you're not
25 speaking, for those of you on the phone -- I know that



1 Leann and others may be on the phone -- if you could mute
2 your phones unless you're speaking, that would perhaps cut
3 down on some of the static that we're getting.

4 MADAM CHAIR: Okay. Yeah. That sounds a
5 little better here. Yes. Again, and this is a special
6 legislative session. I understand that we have no bills to
7 action to date, but I -- Jennifer, if you'd like to lead
8 off and give us a quick background of anything that's going
9 on across the street this week, and if Jan and Jane and
10 Steve have anything to add, they can do so. Okay,
11 Jennifer?

12 MS. MELLO: Madam Chair, thank you. So we
13 don't have any bills to recommend for action. We did meet
14 as a legislative contact group earlier this week, and there
15 were no bills that the legislative contacts wanted to refer
16 to the entire board for a position one way or the other.
17 It is -- continues to be a little bit slow over at the
18 capitol as it relates to educational related bills. I know
19 some of the smaller bills are moving a pace or being
20 killed, but in terms of the more significant, larger
21 conversations of the session, we have yet to have any of
22 those bills up and committed.

23 And I think there will be some new bills
24 introduced on some of those topics, particularly around
25 implementation on the 12.02 commission recommendations,



1 within the next -- I -- they're saying next weeks, too, so
2 it might not be the next three or four weeks. But we will
3 see how that (inaudible). So I would stop there, and just
4 -- if there's any questions about anything specific, or
5 what's happening over there, I'm happy to respond.

6 MADAM CHAIR: James, do you have anything to
7 add?

8 MR. JAMES: I don't, no.

9 MADAM CHAIR: Jane? Jane, are you there?

10 MS. GOFF: Yes, I am. Thank you.

11 MADAM CHAIR: Are you trying to...

12 MS. GOFF: (Inaudible).

13 MADAM CHAIR: Okay.

14 MS. GOFF: I have no questions. (Inaudible)
15 where we ended up on Wednesday.

16 MADAM CHAIR: Okay. Then that's fine.
17 Before we have this other piece of information I'm going to
18 take down, but since we're talking legislation I would
19 again like to just remind folks about H.R.5, which is
20 moving through the House. Representative Klein's (ph)
21 bill. There is a couple of pieces of real scare, kind of,
22 literature out there that this is a terrible bill, it's
23 anti-Christian, I am -- I don't get that. And one of my
24 local board members said to me and was real concerned about
25 it. So I have already spent quite a bit of time, but I



1 spent a lot more time, and I urge you all to look and
2 answer -- and I know many of you have -- look it up and
3 become familiar with it. As it stands, just a few general
4 points, Title 1 dollars would follow the student to schools
5 of their choice, including charter schools.

6 And there is a second amendment to that
7 which would include private schools. Now, the amendments,
8 of course, have not been debated yet, but that's one that
9 will be debated. Soon to be accepted for debate. It would
10 prohibit the Secretary of Education from coercing states
11 and providing incentives for school adoption of standards
12 or testing. It would -- there's another amendment that has
13 been accepted that would allow states to opt out of Common
14 Core. Another amendment addresses the -- would give states
15 the use of federal dollars to audit for the number and
16 rigor of tests and eliminate low quality.

17 Another amendment would allow states to give
18 authority to allow local districts to administer their own
19 tests. And there's a lot more to it, but I just wanted to
20 some highlights. All of it sounds good. I think there are
21 very few people out there -- a lot of people do not
22 understand the quality of the entanglements and the
23 regulations that we have gotten into with the federal
24 government in the last 30 years. There's a similar bill,
25 of course, working away through the Senate. (Inaudible)



1 has a bill. I again (inaudible) talked to Representative
2 Klein and weighed in that he thought it was a good bill.
3 Benji Brough (ph), I talked to Benji Brough (ph) and a
4 couple of local board members. Senator -- the senator's
5 staff is working on the same process. So I would just urge
6 you all to read all the information you can, get a hold of
7 your own congressional reps, and push forward. This bill
8 would go through. I mean, anything we can do to untangle
9 the regulations, I think would be very helpful. Anybody
10 have any questions? No? Okay.

11 MS. GOFF: Marcia?

12 MADAM CHAIR: Yeah?

13 MS. GOFF: This is Jane. Yeah, I have been
14 trying to call (inaudible) for the last few days. There is
15 the other side, and some comments of extension (inaudible),
16 one of the tenant health committee members, and some other
17 publications that have come out. I have not had a chance
18 to call my (inaudible). But I will. I'm watching it, and
19 I'll be happy to send some additional stuff as well, as
20 soon as I can.

21 MADAM CHAIR: Yeah. And there's a ton of
22 stuff out there. And of course, a lot of it is on the
23 education and the workforce committee, which we can -- get
24 their newsletter all the time, so. Okay.

25 MS. ASMOTHS: Madam Chair?



1 MADAM CHAIR: Uh-huh?

2 MS. ASMOTHS: Madam Chair, this is Jennifer.
3 May I add something?

4 MADAM CHAIR: Sure, absolutely.

5 MS. ASMOTHS: Just for the sake of clarity,
6 for the room, that was a discussion about federal
7 legislation, not state.

8 UNIDENTIFIED VOICE: Yes.

9 MADAM CHAIR: Yes. Yes. Thank you, I
10 should have made that more clear. Yes, that's federal
11 legislation and we don't know how slow in progress that is
12 but makes us look like real speed demons here. Okay, the
13 second part of this has to do with the Healthy Student
14 Survey, and the concerns around the Healthy Survey. Would
15 somebody take a few minutes and advise everybody, kind of,
16 what the concerns are about the survey? I don't
17 understand, perhaps I know you can -- a lot of people --
18 would you like a --

19 UNIDENTIFIED VOICE: Jane?

20 MADAM CHAIR: -- could you, kind of,
21 summarize what the concerns are around this issue?

22 MS. GOFF: Sure. I mean, I think what --
23 the questions I've had are just around clarity around who -
24 - what prompted the survey in terms of statute, what
25 protections are in place as far as how it's released, if



1 parents have to opt in or opt out, how we can -- I mean, I
2 know the general -- the way the survey was (inaudible) as
3 far as what good it will do, but I mean, I guess what is
4 the statue, what are the requirements, what are the
5 parameters, what are the guidelines, what are the parent's
6 rights, and all of those details.

7 I've been looking at the document
8 (inaudible) put together, that's somewhat helpful. But I
9 think what parents want to know (inaudible) I really don't
10 want my child to take this survey, and I don't know how to
11 get in front of it because it seems to show up before I
12 have a chance to say anything about it. And before I know
13 it, it's already been taken by my child or other kids have
14 taken it.

15 MADAM CHAIR: Thank you. Commissioner, do
16 you or staff -- can you explain some of those things for
17 us, please?

18 MR. CHAPMAN: Madam Chair, what you asked
19 for at the last board meeting was, you know, our
20 involvement in the survey. And we prepared, kind of, a
21 fact sheet. But more importantly, you asked for an
22 informal opinion from the Attorney General. For us to be
23 able to talk about that, we need to go into executive
24 session to discuss that and to determine if that's to be
25 released or not.



1 MADAM CHAIR: What procedure -- would you
2 want to do that, then? Would that make all the people in
3 the room leave, or how can -- how would you like to proceed
4 there with this?

5 MS. BURDSALL: Madam Chair, would you like
6 me to announce an executive session? And at that point,
7 the board can hear from Tony Dale, and make --

8 MADAM CHAIR: Okay. If that's what you
9 recommend, that's fine.

10 MR. CHAPMAN: We can come back, that's fine.

11 MADAM CHAIR: If we could do that.

12 MS. BURDSALL: An executive session has been
13 noticed for today's State Board meeting in conformance with
14 24-6-402 CRS to receive legal advice on specific legal
15 questions pursuant to 24-6-402(3)(a)(III) in matters
16 required to be kept confidential by Federal Law or rules or
17 State statues pursuant to 24-6-402(3)(a)(III)CRS.

18 MR. CHAPMAN: Executive session for the
19 purpose stated.

20 MS. BURDSALL: Is there a second?

21 MS. SCHROEDER: Angelika second (inaudible).

22 MADAM CHAIR: All right, good enough. No
23 object -- any objections? If not, we'll move into what --
24 executive session.

25



1 (Pause)

2 MS. BURDSALL: I just wanted -- just want to
3 do a Happy Birthday on behalf of all of us to Pam.

4 MS. EMM: Oh, Pam. Happy Birthday, Pam.

5 MADAM CHAIR: A what?

6 MS. BURDSALL: Happy Birthday to Pam.

7 MADAM CHAIR: Oh, Happy Birthday, Pam.

8 MS. BURDSALL: Shall we sing?

9 MS. MAZANEC: Thank you. Thank you.

10 MS. NEAL: I actually did a quick, "Happy
11 Birthday, Pam," whenever (inaudible) --

12 MADAM CHAIR: I have some more questions,
13 too, but you think (inaudible). You go first, Debora.

14 MS. SCHEFFEL: All right. Yeah, I'm just
15 wondering -- just looking at the CDE history, and
16 (inaudible) prospective data use, and appreciate the
17 summary there. Is it possible to get more detail? Because
18 what parents want to know is this: What statute requires
19 this survey? Why is CDE involved? What districts are
20 chosen? How are they chosen? What discretion to parents
21 have to get out of it?

22 I understand the Attorney General's, you
23 know, decision there, so that helped. But why wasn't that
24 implemented when the survey was sent out? Who has
25 oversight over the questions? I mean, the whole thing just



1 seems really poorly handled. And it would never fly in
2 university if you're doing research on a whole group of
3 people that can be harmed by it. Parents particularly,
4 very upset by it. And why are there no -- why is it so
5 hidden? Why do we have to wait for activist parents to
6 tell us about it? I mean, I feel like I'm flat-footed. I
7 got very little information.

8 MADAM CHAIR: You know, I -- and this is
9 just a guess -- I'm -- I was -- we have become such a
10 different society. People weren't, you know, I've, kind,
11 of, heard about these for a long time. Never given it much
12 thought, and most people didn't. But right now we're in a
13 period where people have become, you know, much more
14 protective of that sort of information. And I don't think
15 it was careless or anything, I just think it was a
16 different period then. We weren't as into education as we
17 are now, and it is what it is, so...

18 MS. SCHROEDER: Marcia, it's Angelika.

19 MS. SCHEFFEL: Well, I'd like to hear from
20 the Commissioner as to, you know, I mean, this is an
21 obvious issue that we know that if parents know about it,
22 they're going to be upset by. This is the kind of thing
23 I'd like to be briefed about in advance and not stumble
24 upon, because parents get upset.

25 MR. DURHAM: Madam Chairman, I'd like to



1 make a motion, if that's appropriate.

2 MADAM CHAIR: Do you have it written out?

3 MR. DURHAM: No.

4 MADAM CHAIR: Well, can you say it very
5 slowly, so we can copy it out --

6 MR. DURHAM: Well, I --

7 MADAM CHAIR: -- and know what you're
8 saying?

9 MR. DURHAM: -- I'll try and speak extra
10 slow.

11 MADAM CHAIR: Thank you, Steve.

12 MR. DURHAM: No problem.

13 MADAM CHAIR: Slowly, just for me.

14 MR. DURHAM: I -- I move that the Board
15 waive its attorney-client privilege and release the legal -
16 - the -- the informal opinion of the Attorney General on
17 this matter.

18 MS. SCHROEDER: I'll second that.

19 MADAM CHAIR: Who is the second?

20 MS. SCHROEDER: Angelika.

21 MADAM CHAIR: Okay, did he --

22 MS. SCHROEDER: And Angelika wanted to
23 comment also, so...

24 MADAM CHAIR: Questions or discussions?

25 MS. SCHROEDER: Well, this is not in



1 relationship to this motion, it's in relationship to what
2 Deb was saying, which is that parents -- certainly in my
3 school district -- were always notified when this survey
4 was to come out. And this was 30 years ago. So I think
5 it's all over the map, and I think it's been seen as a
6 local control issue. And I'm going to guess that places
7 where parents didn't know, that kind of notice was not
8 occurring. So I think we need the -- we need to be real
9 careful that all parents don't know. Because parents are
10 notified. And we had to --

11 MS. SCHEFFEL: Madam Chair -- just let me
12 answer, Angelika -- we need to be very careful why,
13 Angelika.

14 MS. SCHROEDER: Well, because we're
15 generalizing that parents are the last to know, and that's
16 not true in the districts that we worry about. And when I
17 was on the board, we actually had the discussion whether we
18 thought we had the discretion to have opt in or opt out,
19 and we had that discussion. So it was all very much on the
20 table. We also received a report every -- well, I guess it
21 was (inaudible).

22 MS. SCHEFFEL: (Inaudible).

23 MS. SCHROEDER: So it was much more open.

24 MADAM CHAIR: I -- I -- I -- I'm -- I'm
25 trying to, you know, it's a little difficult to -- and



1 Steve's motion simply requests --

2 MS. SCHROEDER: Right.

3 MADAM CHAIR: -- that we --

4 MS. SCHROEDER: I agree.

5 MADAM CHAIR: -- waive the Attorney General
6 opinion and to make it public. I don't think that -- and
7 your concern falls under that.

8 MS. SCHROEDER: I agree. I was trying to
9 speak earlier, and Steve --

10 MADAM CHAIR: Okay. Well, should we --

11 MS. SCHROEDER: -- took over.

12 MADAM CHAIR: -- if we go ahead and do this,
13 then we still have, you know, other discussion about --
14 that just allows us, I guess, to just be a little more free
15 in the discussion. Is anybody -- so let's stick to this
16 for just this minute, unless you want to withdraw that and
17 have a wider one, and then come back.

18 MS. SCHROEDER: Okay.

19 MADAM CHAIR: We need to, you know, this is
20 a very narrow motion.

21 MR. DURHAM: It will be easier to have a
22 flow.

23 MADAM CHAIR: Okay. Any more comment on
24 this motion?

25 MS. SCHROEDER: One thing that I want --



1 MADAM CHAIR: Comments on the motion?

2 MS. SCHROEDER: I'm commenting on the
3 motion. I agree with -- I seconded and agree with it,
4 because I think it will be helpful for everyone --

5 MADAM CHAIR: Okay. Anyone --

6 MS. SCHROEDER: -- to know what it is that
7 we have heard.

8 MADAM CHAIR: -- anyone else? No other
9 comments? Let's call the roll, please.

10 MS. BURDSALL: Steve Durham?

11 MADAM CHAIR: Oh, did -- we did get a
12 second? Oh yeah, Angelika seconded it, right. Okay. Call
13 the roll, please.

14 MS. BURDSALL: Steve Durham?

15 MR. DURHAM: Aye.

16 MS. BURDSALL: Dr. Flores?

17 MS. FLORES: Aye.

18 MS. BURDSALL: Jane Goff?

19 MS. GOFF: Aye.

20 MS. BURDSALL: Pam Mazanec?

21 MS. MAZANEC: Aye.

22 MS. BURDSALL: Marcia Neal?

23 MADAM CHAIR: Aye.

24 MS. BURDSALL: Dr. Scheffel?

25 MS. SCHEFFEL: (Inaudible).



1 MS. BURDSALL: Dr. (inaudible).

2 MADAM CHAIR: Okay. So the motion carries.
3 Does that just -- do you see that, Steve, as just allowing
4 us to have a more free discussion as we move forward?

5 MR. DURHAM: Yes. Yes, Madam Chair. I
6 think it allows us to have a broader discussion about what
7 the next actions -- the -- that the Commissioner might take
8 -- excuse me -- take in disseminating the report with
9 appropriate guidance to the schools. And I think once we -
10 - I don't know whether that requires a motion, or whether
11 the commissioner just does that, but, you know, he might be
12 more comfortable if we instruct him or ask him to do it.
13 So at the appropriate time, someone can make that motion.

14 MR. CHAPMAN: It helps with the (inaudible).

15 MR. DURHAM: Yeah. So maybe for purposes of
16 discussion, I'll move that the board instruct Dr. Chapman
17 to send to all the school districts a copy of the Attorney
18 General's informal opinion along with appropriate guidance
19 for the implementation of obtaining written consent from
20 the -- from the parent or legal guardian. And that his
21 guidance include a recitation of the penalties that can
22 accrue to school district employees that don't follow the
23 guidance.

24 MADAM CHAIR: Thank you, Steve. You're
25 talking much slower, I got all of that.



1 MS. SCHEFFEL: I will second that. That's
2 good.

3 MADAM CHAIR: Okay. Any (inaudible)
4 discussion?

5 MS. SCHROEDER: I'm wondering if I don't
6 just agree with it at all -- it's Angelika -- but I'm
7 wondering if we shouldn't do this motion next time. I
8 think the distribution of the opinion is important so that
9 folks know what all -- what we're really talking about
10 here. But we -- we pass this motion today, we may, in
11 fact, have some concerns from folks and we won't hear that.
12 Generally speaking, we would be voting on this at our
13 regular meeting -- has not been noticed --

14 MADAM CHAIR: I -- I have to agree with --

15 MS. SCHROEDER: -- and I'm a little worried
16 about the process.

17 MADAM CHAIR: -- you, Angelika. I surely
18 would have no trouble with putting this out until March
19 when everybody has, I think, a chance to get things more
20 clear.

21 (Overlapping)

22 MADAM CHAIR: But (inaudible) it's up to the
23 rest of the -- it's up to the rest of the board to make
24 that decision. Other discussions?

25 MS. MAZANEC: My problem is that I don't



1 think we know exactly what's going on. I think parents
2 need to know their rights before it goes out with such
3 little detail on this whole survey.

4 MADAM CHAIR: So that would be another good
5 reason to hold up for March, so we have more detail?

6 MS. SCHROEDER: Could we get some more
7 detail?

8 MS. MAZANEC: It would be -- I'd like to do
9 it now, because if we wait, we don't know when the survey's
10 even going out and my parents know their rights now.

11 MR. CHAPMAN: Madam Chair, this is Pat
12 Chapman.

13 MADAM CHAIR: Thank you, Chapman. I was
14 just getting ready to ask you --

15 MR. CHAPMAN: Thank you.

16 MADAM CHAIR: -- what --

17 MR. CHAPMAN: We offer (inaudible) to just
18 give a briefing to you, all right, and it addresses some of
19 the questions that you have raised. And then, you can ask
20 your questions. So I turn to Rebecca

21 MS. BURDSALL: We --

22 MADAM CHAIR: Okay.

23 MS. HOLMES: -- give permission to Madam
24 Chair, for those of you on the phones, this is Rebecca
25 Holmes, Associate Commissioner. I have, I think, kept



1 track of most of the questions that have come up so far.
2 You've had the short summary information for a few days
3 that we prepared, so I'll try to elaborate on the questions
4 that you've asked.

5 To that most recent question, the
6 administration of the survey, as always, is every other
7 year from September to December. The 2015 questions for
8 the survey have not yet finished being completed by the
9 Steering Committee or the or the (inaudible). So the
10 administration, in terms of your consideration for
11 tallying, that is, I can confirm, in the fall, not this
12 spring. You may have heard reference to schools or
13 districts being selected in late spring.

14 That process has also not yet begun, but the
15 process of -- and selecting districts randomly through the
16 use of the research pro -- process, and then seeing if
17 those districts and schools then consent to be involved --
18 in which they are, obviously, completely able to either
19 consent or deny -- that takes place in the late spring.
20 But the survey does not go in front of the students until
21 the fall. So the other questions that --

22 MADAM CHAIR: (Inaudible), Rebecca?

23 MS. HOLMES: Sure.

24 MADAM CHAIR: Could you talk just a little
25 slower?



1 MS. HOLMES: Sure.

2 MS. SCHROEDER: That would be good, sorry.

3 MADAM CHAIR: (Inaudible).

4 MS. HOLMES: What?

5 MR. CHAPMAN: Go ahead, Rebecca.

6 MADAM CHAIR: Yeah. I have questions still,
7 too.

8 MS. HOLMES: Madam Chair --

9 MADAM CHAIR: As well.

10 MS. HOLMES: -- would you prefer that I
11 proceed?

12 MADAM CHAIR: I would prefer that you
13 proceed and then go back and ask the questions, because I
14 think we lose focus from the -- from asking the questions
15 now, but that's up to you, you know. If nobody has any
16 objection, let's let Rebecca continue, take good notes, and
17 then come back and question her, okay?

18 MS. SCHROEDER: Okay.

19 MS. HOLMES: Thank you, Madam
20 Chair. To our knowledge -- before Dr. Schroeder's comment
21 -- to our knowledge, most districts do follow a two-week
22 guidance process. We certainly don't know if all selected
23 districts are doing that, but to our knowledge at least the
24 districts we work closely with have. This survey, as you
25 asked, is entirely anonymous at the student level.



1 UCD is the partner and was the partner in
2 2013, and the survey does go through their IRB, their
3 institutional review board process, as well as going
4 through the CDE EDAF (ph) process. And a number of
5 districts then put the survey itself through a third review
6 process on the school level. The data release is always
7 and only an aggregate at the state or regional level, based
8 on the statistical health regions, which addresses the
9 anonymity at the school and district level.

10 The only reporting of the school and
11 district level data is directly to that school or district.
12 They then hone that data and can choose whether or not it's
13 released. So what you see shared very widely on state
14 websites and in references and in -- comparatively to group
15 polling data or teen use of alcohol data is only aggregate
16 either regional or state data. You mentioned that schools
17 are randomly selected through the UCD process as part of
18 their (inaudible) research process, and you've shared with
19 us the timing. I think that was the majority of the
20 questions that you've all raised so far, and I'm happy to
21 answer anything else that I can.

22 MADAM CHAIR: All right. Questions? Deb?

23 MS. SCHEFFEL: Could you, like, go into
24 detail about the current guidance documents? Just because
25 I think those are important details. How often it's given,



1 and (inaudible) am I missing that?

2 MS. HOLMES: A few of those are there, but
3 we can certainly add more detail.

4 MS. SCHEFFEL: Thank you.

5 MADAM CHAIR: Okay. Pam?

6 MS. MAZANEC: Now, one of my questions is,
7 again about the -- the -- I'm sorry -- how this -- how the
8 survey came to be. And we talked about the survey's been
9 going on for years. In the last two surveys, or the
10 previous survey, were the surveys before that this
11 intrusive in their questioning? Because -- who put this
12 together is one of the issues that I keep getting, just as
13 a statement.

14 It strikes me as exploiting the children.
15 I'm worried about children may be experiencing or limiting
16 activity that might be unhealthy or detrimental, and how to
17 confront those issues on a survey in a school setting? I
18 mean, like, that's not a very good -- good, you know, I
19 don't know that I'm in charge of that, but I -- I just want
20 to make that statement. It concerns me.

21 MS. SCHEFFEL: I think the content of it has
22 changed dramatically over the years. Dramatically.

23 MS. MAZANEC: I just think it's
24 inappropriate to ask schoolchildren questions to collect
25 data about activity of children and family, you know,



1 through the school system and it's repulsive to me.

2 MS. SCHEFFEL: It would be fair to be
3 objectionable.

4 MADAM CHAIR: Anybody else?

5 MS. HOLMES: Madam Chair, I can certainly
6 speak to the history question that was posed, and that
7 question -- the core questions on the survey have been the
8 same as since the Youth Risk Behavior Survey was
9 administered in 1991. There then began a proliferation of
10 questions and other surveys.

11 So in 2013 what you saw was a collaboration
12 of those three surveys. And that's when the department --
13 when CDC became a member of the survey Steering Committee
14 with the other two agencies. The other questions that were
15 coming from other surveys that schools felt were just
16 creating a list of surveys -- as an example, one was about
17 marijuana. You can imagine that the Center for Disease
18 Control does not treat marijuana questions the same way
19 that you would treat the marijuana questions in a state
20 with either medical or recreational legalization.

21 So that's an example of how the questions
22 have grown over the collaboration of multiple surveys.

23 MS. MAZANEC: Madam Chair?

24 MADAM CHAIR: Yes, Pam?

25 MS. MAZANEC: Again, I'm really having



1 trouble understanding Rebecca, and again I would reiterate
2 Deborah's request that all of this detail about the history
3 of the survey and who is formulating the questions and how
4 the information is being used, et cetera -- I would be
5 surprised at questions about sexual activity and drug use
6 were being given to our kids for 20 years.

7 MS. HOLMES: Well, what happened --

8 MS. MAZANEC: If that's the case, I'm very
9 sorry to hear that.

10 MADAM CHAIR: Rebecca, do you have samples
11 of older surveys?

12 MS. HOLMES: Madam Chair, we could --

13 MADAM CHAIR: Do you know how much change --
14 has there been a lot of change in the questions?

15 MS. HOLMES: -- we can pull for you all the
16 surveys over multiple years. Those particular categories
17 of questions have been asked for most of the 24 years of
18 the administration of the survey.

19 MADAM CHAIR: Okay. Because while I
20 understand a past concern, I also -- is it -- because --
21 because it's anonymous now, we can't control the fact that
22 some people might be bothered by asking the questions, but
23 it's because it's anonymous, nobody's going to know what
24 they said. And, you know, I -- it seems like lately we've
25 talked so far over into the privacy section that we can't



1 gather any information at all.

2 I see both sides of this, and I, you know, I
3 tend to think that as long as we get a, you know, that if
4 we are to administer this, and have that notice out two
5 weeks in advance, and et cetera, and really carefully
6 control -- a lot of parents that -- who are unhappy, it's
7 like, Pam if one of your children was taking it I'm sure
8 you would opt out, because you would feel that way. But
9 there are other parents that don't feel that way. And
10 would not have a problem with that. And I -- we have to do
11 the very best we can to meet the needs of all the parents,
12 you know.

13 So I am -- I see what you're saying, but --
14 yeah. But I just -- I, kind of, I'm looking at it a little
15 broader picture, I guess. I -- I would -- by the way --
16 and I'm sorry, I seem to have lost track, and I know we
17 have this motion in there -- I personally would like to
18 hold that up and take action on at the March meeting when
19 we have some of this information that Rebecca can pull for
20 us. But that's just me. Other topics?

21 MS. MAZANEC: There is something else. I'd
22 like to see us vote on it. I guess my comment would be
23 that this survey does not meet the needs of parents, it
24 meets the needs of governmental entities. And to say that
25 we should somehow balance the needs of various parents I



1 think is really misguided. When you look at the questions
2 on this survey, I defy as to look at -- to ask the parents,
3 and ask which ones feel like the survey's meeting their
4 needs.

5 MADAM CHAIR: Any comments?

6 MS. SCHROEDER: I'm wondering if we can't
7 just table this discussion for the board meeting in ten
8 days, so that we can get info from the community, so that
9 they know what it is that we're voting on. Steve, would
10 you consider it?

11 MR. DURHAM: Madam Chair?

12 MADAM CHAIR: Yes, sir?

13 MR. DURHAM: I'll withdraw the motion since
14 it's obvious that none of these things are going to be sent
15 out in the next two weeks. But I would just simply say,
16 based on my experience in the last 24 hours, expect to get
17 lobbied from everybody from the anti-marijuana crew to God
18 knows who else about how important this survey is. So --

19 MADAM CHAIR: Well, we could lobby on both
20 sides, Steve.

21 MR. DURHAM: Actually --

22 MADAM CHAIR: My computer was full today.

23 MR. DURHAM: My computer isn't full of
24 either, so that's good news on my part. But I did --

25 MADAM CHAIR: Well, I appreciate you --



1 MR. DURHAM: Yeah.

2 MADAM CHAIR: -- withdrawing, and I would
3 prefer to do that. Jane and Val, what are your thoughts on
4 here?

5 MS. GOFF: Well, I have no objection to
6 withdrawing whatsoever. I think it would be a good
7 opportunity for the public to share as they will and can.
8 Maybe there are some answers out there. Maybe there are
9 members of our public who are able to cite examples one way
10 or the other of how this has benefitted, how it has led to
11 constructive initiatives, how it has led to certain pieces
12 of legislation that have resulted in action.

13 MADAM CHAIR: Okay.

14 MS. GOFF: So, I would -- but I would agree
15 with --

16 MADAM CHAIR: What, Val?

17 MS. FLORES: I agree. I think we --

18 MADAM CHAIR: Okay.

19 MS. FLORES: -- need to look up -- look at
20 the --

21 MS. SCHROEDER: I'm rescinding my seconds,
22 thank you.

23 MS. SCHEFFEL: No, we'll take them.

24 MADAM CHAIR: No. Yeah. I just wondered if
25 you had any comment, then. So I think --



1 MS. SCHROEDER: Well, I think it's --

2 MADAM CHAIR: -- I want to handle the
3 objection to Steve's generous motion to withdraw the
4 motions and take it up in March.

5 MS. SCHROEDER: In March I believe it is on
6 the agenda for the March meeting already. I'm not sure.

7 MADAM CHAIR: Oh.

8 MS. SCHROEDER: We'll have to see whether we
9 have enough time allocated.

10 MADAM CHAIR: Okay.

11 MR. CHAPMAN: So Madam Chair --

12 MADAM CHAIR: All right.

13 MR. CHAPMAN: Madam Chair?

14 MADAM CHAIR: Yes. Commissioner, would you
15 tie this up for us, here?

16 MR. CHAPMAN: I don't know if I can tie it
17 up, but -- in just clarifying with Steve just a minute, I
18 will not be sending anything out to districts at this point
19 based upon the withdrawal of that motion. Just making sure
20 that's clear. And this will be an item on for the board
21 meeting for discussion.

22 MS. SCHROEDER: In a couple of days.

23 MR. CHAPMAN: Yeah.

24 MS. SCHROEDER: Yeah.

25 MS. MAZANEC: But the official opinion, Mr.



1 Commissioner --

2 MR. CHAPMAN: Yeah.

3 MS. MAZANEC: -- if I may, has been released
4 to the public --

5 MR. CHAPMAN: Correct.

6 MS. MAZANEC: -- and has been distributed to
7 the folks in this room?

8 MR. CHAPMAN: Correct.

9 MS. SCHROEDER: Yes.

10 MR. CHAPMAN: Correct. Correct.

11 MR. DURHAM: Thank you.

12 MADAM CHAIR: Okay. (Inaudible). I would
13 just make a comment that as Jane as said, yesterday we made
14 a real effort to shorten the presentation. Several of you
15 mentioned that. And they will be shortened. Yeah. But
16 that also means that you're going to have a ton of stuff
17 you've really got to read very carefully. If we're going
18 to keep this discussion short. But I really appreciate the
19 commissioner, the work that they've done to, you know, work
20 on that and shorten it up. That seemed to be a general
21 feeling at the last meeting, and I appreciate that help.
22 Anything else before we adjourn?

23 MS. MAZANEC: Did you mean to keep the
24 discussions short or the presentations short, because I
25 like the presentations to be shorter --



1 MADAM CHAIR: No, that --

2 MS. MAZANEC: -- and the discussions longer.

3 MADAM CHAIR: -- isn't that what I said?

4 Keep the --

5 MS. MAZANEC: You said (inaudible).

6 MADAM CHAIR: Okay.

7 MS. MAZANEC: (Inaudible) I just wanted to
8 make sure you were...

9 MADAM CHAIR: No, we're on the same page.

10 MS. MAZANEC: (Inaudible). Okay. Great.

11 MADAM CHAIR: Just another time I go off
12 topic.

13 MR. CHAPMAN: Madam Chair?

14 MADAM CHAIR: Yes, sir?

15 MR. CHAPMAN: Okay. Pam asked a very good
16 question. Your guidance -- at the last meeting, you're
17 going to see that we're trying to limit the presentations
18 for a lot more time for discussion. So you may criticize
19 us for not having enough discussion, I don't know. Okay.
20 But we're going to try it this way and see what happens,
21 okay?

22 MADAM CHAIR: Thank you, Commissioner.

23 MS. MAZANEC: Robert -- yeah.

24 MADAM CHAIR: While I'm defending that
25 that's what you saying, but the materials are still going



1 to be available through ahead of time.

2 MS. HOLMES: I sent those to you last night.

3 MADAM CHAIR: (Inaudible).

4 MS. HOLMES: Yeah, that.

5 MADAM CHAIR: Okay. I just want to make
6 sure that it's not shorter material, just shorter
7 presentations.

8 MS. SCHROEDER: And I --

9 MADAM CHAIR: I've got --

10 MS. HOLMES: If anyone had difficulty
11 accessing the material that I sent last night, please let
12 me know. It looks like they all sent from my end. But if
13 you did not receive them, please let me know.

14 MS. GOFF: I had the same --

15 MADAM CHAIR: (Inaudible), it came back like
16 it was too much, it was too full or something like that?

17 MS. GOFF: I didn't receive that.

18 (Overlapping)

19 MS. GOFF: Yeah, I did.

20 MADAM CHAIR: It was one of them, I don't
21 remember which one it was, but it --

22 MS. GOFF: It's our computers, or something.

23 MADAM CHAIR: -- was too much or something.

24 I'll look at it and let you know what it was.

25 MS. HOLMES: I will break it down in my



1 response, and you will probably receive 20 emails from me
2 instead of eight.

3 MS. GOFF: But at the same time, may I ask a
4 question?

5 MADAM CHAIR: Oh, it will get good.

6 MS. SCHROEDER: Marcia, I'd like to ask to
7 get the hard copies before and not just from. Can we still
8 ask for them?

9 MS. HOLMES: You will have your hard copies.
10 This is for those of you that want to read them now.

11 MS. GOFF: Okay.

12 MS. HOLMES: We are preparing the hard
13 copies and we will have them for you next week --

14 MS. GOFF: Okay.

15 MS. HOLMES: -- early next week.

16 MS. GOFF: Thank you.

17 MADAM CHAIR: Okay.

18 MS. HOLMES: Probably by Monday.

19 MADAM CHAIR: If there's nothing else, let's
20 adjourn the meeting. Talk to you later, bye.

21 (Meeting adjourned)

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