

# California State Board of Education Final Minutes January 8-9, 2020

## Members Present

* Linda Darling-Hammond, President
* Ilene W. Straus, Vice President
* Sue Burr
* Matt Navo
* Feliza I. Ortiz-Licon
* Kim Pattillo Brownson
* Patricia A. Rucker
* Niki Sandoval
* Ting L. Sun
* Brenna Pangelinan, Student Member
* Tony Thurmond, State Superintendent of Public Instruction (SSPI), Secretary and Executive Officer

## Member Absent

* None

## Principal Staff

* Karen Stapf Walters, Executive Director, State Board of Education (SBE)
* Judy Cias, Chief Counsel, SBE
* Patricia de Cos, Deputy Executive Director, SBE
* David Sapp, Deputy Policy Director and Assistant Legal Counsel
* Janet Weeks, Director of Communications, SBE
* Carolyn Pfister, Education Administrator I, SBE
* Laila Fahimuddin, Policy Consultant, SBE
* Sara Pietrowski, Policy Consultant, SBE
* Pamela Castleman, Education Programs Consultant, SBE
* Amy Bubbico, Staff Services Manager I, SBE
* Lupita Cortez-Alcalá, Chief Deputy Superintendent, California Department of Education (CDE)
* Stephanie Papas, Education Policy Administrator I, CDE
* Stephanie Gregson, Deputy Superintendent, CDE
* Khieem Jackson, Deputy Superintendent, CDE
* Sarah Neville-Morgan, Deputy Superintendent, CDE
* Lisa Constancio, Deputy Superintendent, CDE
* Keith Yamanaka, Chief Counsel, CDE

**Please note that the complete proceedings of the January 8-9, 2020 State Board of Education meeting, including closed-captioning, are available online at:** <http://www.cde.ca.gov/be/ag/ag/sbewebcastarchive.asp>

## California State Board of Education Public Session January 8, 2020

**Wednesday – January 8, 2020 Pacific Time ±**California Department of Education  
1430 N Street, Room 1101  
Sacramento, California 95814

* Call to Order
* Salute to the Flag
* Communications
* Announcements
* Report of the State Superintendent of Public Instruction
* Special Presentations
  + *Public notice is hereby given that special presentations for informational purposes may take place during this session.*
* Agenda Items
* Continuance

**President Darling-Hammond called the meeting to order at approximately 8:30 a.m.**

**Report of the State Superintendent of Public Instruction**

**Report of the SBE President**

### AGENDA ITEMS DAY 1

#### Item 01

**Subject:** STATE BOARD PROJECTS AND PRIORITIES.

Including, but not limited to, future meeting plans; agenda items; and officer nominations and/or elections; State Board appointments and direction to staff; declaratory and commendatory resolutions; Bylaw review and revision; Board policy; approval of minutes; Board liaison reports; training of Board members; and other matters of interest.

**Type of Action:** Action, Information

**Recommendation:** The SBE staff recommends that the SBE:

1. Take up annual election of officers

**ACTION 1, Election of President:** Member Straus moved to nominate Linda Darling-Hammond to the office of president for 2020.

Member Navo seconded the motion.

**Yes votes:** Members Navo, Pangelinan, Sandoval, Pattillo Brownson, Sun, Darling-Hammond, Straus, Burr, Ortiz-Licon, and Rucker.

**No votes:** None

**Member Absent:** None

**Abstentions:** None

**Recusals:** None

Member Straus moved to elect Linda Darling-Hammond to the office of President for 2020 by acclamation.

Member Navo seconded the motion.

Seeing no objections, Member Darling-Hammond was elected President by acclamation.

The motion passed with 10 votes.

**ACTION 2, Election of Vice President:** Member Sun moved to nominate Ilene Straus to the office of vice-president for 2020.

Member Navo seconded the motion.

**Yes votes:** Members Navo, Pangelinan, Sandoval, Pattillo Brownson, Sun, Darling-Hammond, Straus, Burr, Ortiz-Licon, and Rucker.

**No votes:** None

**Member Absent:** None

**Abstentions:** None

**Recusals:** None

The motion passed with 10 votes. Member Sun moved elect Ilene Straus to the Office of Vice President for 2020, by acclamation.

Member Pattillo Brownson seconded the motion.

Seeing no objection, Member Straus was elected Vice-President by acclamation.

#### Item 02

**Subject:** The Local Control and Accountability Plan Template: Adoption of the Revised Local Control and Accountability Plan Template, Consistent with California *Education Code* Section 52064 and Adoption of the Local Control and Accountability Plan Annual Update Template for the 2019–20 Local Control and Accountability Plan Year Consistent with California *Education Code* Sections 52061 and 52064.

**Type of Action:** Action, Information

**Recommendation:** The CDE recommends that the SBE adopt the proposed Revised Local Control and Accountability Plan (LCAP) Template and allow the CDE, in collaboration with SBE staff, to make any necessary typographical or formatting corrections as the document is prepared for posting on the CDE website. Further, the CDE recommends that the SBE adopt the 2019–20 LCAP Annual Update Template.

**ACTION:** Member Burr moved to approve the CDE staff recommendation.

Member Straus seconded the motion.

**Yes votes:** Members Navo, Pangelinan, Sandoval, Pattillo Brownson, Sun, Darling-Hammond, Straus, Burr, Ortiz-Licon, and Rucker.

**No votes:** None

**Member Absent:** None

**Abstentions:** None

**Recusals:** None

The motion passed with 10 votes.

#### Item 03

**Subject:** 2021 Revision of the Mathematics Framework for California Public Schools, Kindergarten Through Grade Twelve: Approval of Curriculum Framework and Evaluation Criteria Committee Guidelines and Appointment of Members to the Curriculum Framework and Evaluation Criteria Committee.

**Type of Action:** Action, Information

**Recommendation:** The CDE recommends that the SBE take the following actions:

1. Approve the Curriculum Framework and Evaluation Criteria Committee Guidelines for the 2021 Revision of the *Mathematics Framework for California Public Schools, Kindergarten Through Grade Twelve* as recommended by the Instructional Quality Commission (IQC).
2. Appoint candidates for the Mathematics Curriculum Framework and Evaluation Criteria Committee (CFCC) recommended by the IQC.

**ACTION:** Member Rucker moved to approve the CDE recommendation.

Member Straus seconded the motion.

**Yes votes:** Members Navo, Pangelinan, Sandoval, Pattillo Brownson, Sun, Darling-Hammond, Straus, Burr, Ortiz-Licon, and Rucker.

**No votes:** None

**Member Absent:** None

**Abstentions:** None

**Recusals:** None

The motion passed with 10 votes.

#### Item 04

**Subject:** 2020 United States Senate Youth Program: Recognition of California's Selected Delegates.

**Type of Action:** Information

**CDE Recommendation:** The CDE recommends that the SBE President and the SSPI recognize Violet Wang, Arushi Avachat, Olivia Brooke Sally, and Nathan Viotti as the 2020 U.S. Senate Youth representatives for California.

**ACTION:** No Action Taken.

*CLOSED SESSION*

President Darling-Hammond announced at approximately 11:56 a.m., the Board would be going into closed session to discuss and/or take action on the following case:

* *Ella T. v. State*

*REPORT OUT OF CLOSED SESSION*

President Darling-Hammond announced, in Closed Session the Board discussed and/or took action on the following case:

* *Ella T. v. State*

*REGULAR ITEMS DAY 1 CONTINUED*

#### Item 05

**Subject:** The California Assessment of Student Performance and Progress System and English Language Proficiency Assessments for California: Approval of Revisions to the California Science Test Blueprint, Student Score Reports for the Initial English Language Proficiency Assessments for California, and an Update on Assessment Program Activities.

**Type of Action:** Action, Information

**CDE Recommendation:** The CDE recommends that the SBE approve the following:

1. Proposed changes to the California Science Test (CAST) design and blueprint

* Delay the implementation of the multistage adaptive test (MST) until the item pool is of sufficient size to measure the range of students’ abilities.
* Eliminate the use of a screener.
* Revise the CAST blueprint, as described in Attachment 2.
  + Reduce the number of stand-alone items in Segment A and Segment C.
  + Add a third performance task to Segment B to assess all three science domains.
  + Eliminate matrix sampling in Segment C.

1. Proposed Student Score Reports (SSRs) for the Initial English Language Proficiency Assessments for California (ELPAC), as described in Attachment 3

The CDE further recommends that the SBE authorize CDE staff to make technical edits, as necessary, in the documents associated with the recommendations above.

**ACTION:** Member Sun moved to approve the CDE recommendation

Member Straus seconded the motion.

**Yes votes:** Members Navo, Pangelinan, Sandoval, Pattillo Brownson, Sun, Darling-Hammond, Straus, Burr, Ortiz-Licon, and Rucker.

**No votes:** None

**Member Absent:** None

**Abstentions:** None

**Recusals:** None

The motion passed with 10 votes.

#### Item 07

**Subject:** Update on the Development of the California State Plan for the Every Student Succeeds Act: Approval of the Revisions to the State Plan for Resubmission to the U.S. Department of Education.

**Type of Action:** Action, Information

**CDE Recommendation:** The CDE recommends that the SBE approve the amendments to California’s Every Student Succeeds Act (ESSA) State Plan for submission to the U.S. Department of Education. (ED), pending the SBE Executive Director approval of final revisions requested by the SBE, correction of any typographical errors, and necessary, non-substantive clarifying edits.

**ACTION**: Member Sun moved to approve the CDE staff recommendation.

Member Navo seconded the motion.

**Yes votes:** Members Navo, Pangelinan, Sandoval, Pattillo Brownson, Sun, Darling-Hammond, Straus, Burr, Ortiz-Licon, and Rucker.

**No votes:** None

**Member Absent:** None

**Abstentions:** None

**Recusals:** None

The motion passed with 10 votes.

#### Item 08

**Subject:** Approval of Local Educational Agencies’ Comprehensive Support and Improvement Plans, Pursuant to Every Student Succeeds Act Section 1111(D).

**Type of Action:** Action, Information

**CDE Recommendation:** The CDE recommends that the SBE approve the CSI School Plans as represented by the comprehensive support and improvement (CSI) plan summaries for those LEAs referenced in Attachment 1.

**ACTION:** Member Burr moved to approve the CDE staff recommendation.

Member Navo seconded the motion.

**Yes votes:** Members Navo, Pangelinan, Sandoval, Pattillo Brownson, Sun, Darling-Hammond, Straus, Burr, and Rucker.

**No votes:** Member Ortiz-Licon

**Member Absent:** None

**Abstentions:** None

**Recusals:** None

The motion passed with 9 votes.

### PUBLIC HEARING

#### Item 09

**Subject:** Appeal from an Action of the San Bernardino County Committee on School District Organization to Disapprove a Petition to Transfer Territory from the Fontana Unified School District to the Etiwanda Elementary School District and the Chaffey Joint Union High School District.

**Type of Action:** Action, Information, Hearing

**CDE Recommendation:** The CDE recommends that the SBE affirm the decision of the County Committee to disapprove the proposal to transfer territory from the Fontana USD to the Etiwanda ESD and the Chaffey JUHSD.

**President Darling Hammond opened the Public Hearing at approximately 3:02 p.m.**

**President Darling Hammond closed the Public Hearing at approximately 3:14 p.m.**

**ACTION:** Member Navo moved to approve the CDE staff recommendation.

Member Rucker seconded the motion.

**Yes votes:** Members Navo, Pangelinan, Sandoval, Pattillo Brownson, Sun, Darling-Hammond, Straus, Ortiz-Licon, and Rucker.

**No votes:** None

**Member Absent:** Member Burr

**Abstentions:** None

**Recusals:** None

The motion passed with 10 votes.

*END OF PUBLIC HEARING*

*REGULAR ITEMS DAY 1 CONTINUED*

#### Item 10

**Subject:** Development of the Draft Federal Perkins V State Plan for Career Technical Education.

**Type of Action:** Action, Information

**CDE Recommendation:** The CDE recommends that the SBE review and provide input on the content of the Draft Federal Perkins V State Plan for Career Technical Education (CTE). Based on guidance provided by the SBE at this meeting, the CDE will revise the Draft Federal Perkins V State Plan after also considering public input, before bringing final recommendations to the SBE at the March 2020 SBE meeting.

**ACTION:** No Action Taken.

*END OF DAY’S SESSION*

**At approximately 4:39 p.m., President Darling-Hammond announced adjournment of the day’s meeting.**

## California State Board of Education Public Session January 9, 2020

**Thursday, January 9, 2020 – 8:30 a.m. Pacific Time +**

California Department of Education

1430 N Street, Room 1101

Sacramento, California 95814

* Call to Order
* Salute to the Flag
* Communications
* Announcements
* Report of the State Superintendent of Public Instruction
* Special Presentations  
  *Public notice is hereby given that special presentations for informational purposes may take place during this session.*
* Agenda Items
* Adjournment

**President Darling-Hammond called the meeting to order at approximately 8:30 a.m.**

### AGENDA ITEMS DAY 2

#### Item 11

**Subject:** State Annual Performance Report for Part B of the Individuals with Disabilities Education Act of 2004 covering program year 2018-19.

**Type of Action:** Action, Information

**CDE Recommendation:** The CDE recommends the SBE review and approve the Executive Summary of the federal fiscal year (FFY) 2018 APR for Part B of the Individuals with Disabilities Education Act (IDEA) covering program year 2018–19 as prepared by the Special Education Division (SED).

**ACTION:** Member Sandoval moved to approve the CDE staff recommendation.

Member Navo seconded the motion.

**Yes votes:** Members Navo, Pangelinan, Sandoval, Pattillo Brownson, Sun, Darling-Hammond, Straus, Burr, Ortiz-Licon, and Rucker.

**No votes:** None

**Member Absent:** None

**Abstentions:** None

**Recusals:** None

The motion passed with 10 votes.

### WAIVERS ON CONSENT

*(W-01 through W-06 and W-08 through W-12)*

The following agenda items include waivers that are proposed for consent and those waivers scheduled for separate action because CDE staff has identified possible opposition, recommended denial, or determined may present new or unusual issues that should be considered by the State Board. Waivers proposed for consent are so indicated on each waiver’s agenda item; however, any board member may remove a waiver from proposed consent and the item may be heard individually. On a case-by-case basis, public testimony may be considered regarding the item, subject to the limits set by the Board President or by the President's designee; and action different from that recommended by CDE staff may be taken.

School District Reorganization (Elimination of Election Requirement)

#### Item W-01

**Subject:** Request by eight local educational agenciesto waive California *Education Code* Section 5020, and portions of sections 5019, 5021, and 5030, that require a districtwide election to establish a by-trustee-area method of election.

Waiver Numbers:

* Campbell Union School District 3-10-2019
* Coalinga-Huron Unified School District 6-9-2019
* East Whittier City Elementary School District 2-10-2019
* Hollister School District 13-10-2019
* Los Nietos School District 8-10-2019
* Santa Paula Unified School District 7-10-2019
* Vallecitos Elementary School District 3-9-2019
* Valley Center-Pauma Unified School District 13-9-2019

(Recommended for APPROVAL)

School District Reorganization (Elimination of Election Requirement)

#### Item W-02

**Subject:** Request by Compton Unified to waive California *Education Code* Section 5020, and portions of sections 5019, 5021, and 5030, that require a districtwide election to establish a by-trustee-area method of election.

Waiver Number: 1-11-2019

(Recommended for APPROVAL)

School District Reorganization (Lapsation of a Small District)

#### Item W-03

**Subject:** Request by Elkins Elementary School District to waive portions of California *Education Code* sections 35780, 35782, and 35783, which will allow that district to lapse.

Waiver Number: 10-10-2019

(Recommended for APPROVAL)

Schoolsite Council Statute (Shared Schoolsite Council)

#### Item W-04

**Subject:** Request by **Placer County Office of Education** under the authority of California *Education Code* Section 65001(e) for waivers of *Education Code* sections 65000 and 65001, relating to schoolsite councils regarding changes in shared, composition, or shared and composition members.  
Waiver Number: 9-9-2019  
(Recommended for APPROVAL WITH CONDITIONS)

Special Education Program (Algebra I Requirement for Graduation)

#### Item W-05

**Subject:** Request by **El Dorado Union High School District** to waive California *Education Code* Section 51224.5(b), the requirement that all students graduating in the 2018-19 school year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation for one student with disabilities based on *Education Code* Section 56101, the special education waiver authority.  
Waiver Number: 8-9-2019  
(Recommended for APPROVAL WITH CONDITIONS)

Special Education Program (Extended School Year (Summer School))

#### Item W-06

**Subject:** Request by three local educational agencies to waive *California Code of Regulations,* Title 5, Section 3043(d), which requires a minimum of 20 school days for an extended school year (summer school) for students with disabilities.  
Waiver Numbers:

* Hemet Unified School District 6-10-2019
* Manteca Unified School District 5-10-2019
* San Marcos Unified School District 15-9-2019

(Recommended for APPROVAL WITH CONDITIONS)

Special Education Program (Educational Interpreter for Deaf and Hard of Hearing)

#### Item W-08

**Subject:** Request by two County Offices of Education to waive California Code of Regulations, Title 5, Section 3051.16(b)(3), the requirement that educational interpreters for deaf and hard of hearing pupils meet minimum qualifications as of July 1, 2009, to allow Erika Danielle Zamora and William Curd to continue to provide services to students until August 14, 2020, under a remediation plan to complete those minimum requirements.

Waiver Numbers:

* Fresno County Office of Education 12-9-2019
* San Luis Obispo County Office of Education 4-10-2019

(Recommended for APPROVAL WITH CONDITIONS)

Special Education Program (Child Specific/ NPA or NPS Certification)

#### Item W-09

**Subject:** Request by **Chico Unified School District** to waive California *Education Code* (*EC*) Section 56366(d), the requirement for nonpublic, nonsectarian schools or agencies to be state-certified, to allow the use of state and federal special education funds for the placement of one high school student with disabilities at an uncertified out-of-state school for students with disabilities located in Delta, Utah.  
Waiver Number: 8-7-2019  
(Recommended for APPROVAL)

Special Education Program (Child Specific/ NPA or NPS Certification)

#### Item W-10

**Subject:** Request by **Lake Elsinore Unified School District on behalf of the Sycamore Academy of Science and Cultural Arts**, to waive California *Education Code* (*EC*) Section 56366(d), the requirement for nonpublic, nonsectarian schools or agencies to be state-certified, to allow the use of state and federal special education funds for the placement of one high school student with disabilities at an uncertified out-of-state school for students with disabilities located in Troy, Montana.  
Waiver Number: 13-7-2019  
(Recommended for APPROVAL WITH CONDITIONS)

Special Education Program (Child Specific/ NPA or NPS Certification)

#### Item W-11

**Subject:** Request by **Sweetwater Union High School District** to waive California *Education Code* (*EC*) Section 56366(d), the requirement for nonpublic, nonsectarian schools or agencies to be state-certified, to allow the use of state and federal special education funds for the placement of one high school student with disabilities at an uncertified out-of-state school for students with disabilities located in Milford, Massachusetts.  
Waiver Number: 1-7-2019  
(Recommended for APPROVAL WITH CONDITIONS)

Special Education Program (Child Specific/ NPA or NPS Certification)

#### Item W-12

**Subject:** Request by **William S. Hart Union High School District** to waive California *Education Code* (*EC*) Section 56366(d), the requirement for nonpublic, nonsectarian schools or agencies to be state-certified, to allow the use of state and federal special education funds for the placement of one student with disabilities at an uncertified out-of-state school located in Hurricane, Utah.  
Waiver Number: 14-4-2019  
(Recommended for APPROVAL)

*ACTION ON WAIVER CONSENT ITEMS W-01 THROUGH W-06 AND W-08 THROUGH W-12*

**ACTION:** Member Burr moved to approve the CDE staff recommendations for each waiver item on consent (W-01 through W-06 and W-08 through W-12).

Member Rucker seconded the motion.

**Yes votes:** Members Navo, Pangelinan, Sandoval, Pattillo Brownson, Sun, Darling-Hammond, Straus, Burr, Ortiz-Licon, and Rucker.

**No votes:** None

**Member Absent:** None

**Abstentions:** None

**Recusals:** None

The motion passed with 10 votes.

### Item W-07 was withdrawn by the district on January 7, 2020.

~~Special Education Program (Resource Teacher Caseload)~~

#### ~~Item W-07~~

**~~Subject:~~** ~~Requests by the~~ **~~Ontario-Montclair Unified School District~~** ~~to waive~~ *~~Education Code~~* ~~Section 56362(c), allowing the caseloads of resource specialists to exceed the maximum caseload of 28 students by no more than four students (32 maximum).  
Waiver Numbers:~~

* ~~4-9-2019~~
* ~~5-9-2019~~
* ~~7-9-2019~~
* ~~10-9-2019~~

~~Waiver Number: 10-9-2019~~

~~(Recommended for DENIAL)~~

[Note: the preceding information about Item W-07 contains strikethroughs which indicate the item has been withdrawn.]

### Item W-13 was withdrawn by the district on December 30, 2019.

~~SALE OR LEASE OF SURPLUS PROPERTY (Lease of Surplus Property)~~

#### ~~Item W-13~~

**~~Subject:~~** ~~Request by~~ **~~Torrance Unified School District~~** ~~to waive California~~ *~~Education Code~~* ~~(~~*~~EC~~*~~) sections specific to statutory provisions for the sale or lease of surplus property.  
Waiver Number: 2-8-2019  
(Recommended for DENIAL)~~

[Note: the preceding information about Item W-13 contains strikethroughs which indicate the item has been withdrawn.]

**END OF WAIVERS**

### REGULAR CONSENT ITEMS (Item 06 and Item 13 through Item 16)

#### Item 06

**Subject:** Update of Performance Standards of Local Indicators and Self-Reflection Tools for Local Indicator Reporting within the California School Dashboard.

**Type of Action:** Action, Information

**CDE Recommendation:** Consistent with statute, the CDE recommends that the SBE revise the approved standards for local performance indicators to require LEAs to:

* Annually measure its progress in meeting the requirements of the specific Local Control Funding Formula (LCFF) priority.
* Report the results as part of a non-consent item at a regularly scheduled public meeting of the local governing board/body in conjunction with the adoption of the LCAP.
* Report results to the public through the Dashboard utilizing the SBE-adopted self-reflection tools for each local indicator.

#### Item 13

**Subject:** State Board of Education-Adopted Instructional Materials Revisions Process: Instructional Quality Commission Advisory Report.

**Type of Action:** Action, Information

**CDE Recommendation:** The CDE recommends that the SBE accept the findings of the Instructional Quality Commission (IQC) Advisory Report and approve Studies Weekly’s proposed revisions to their 2017 SBE-adopted history–social science program.

#### Item 14

**Subject:** Consideration of Requests for Determination of Funding as Required for Nonclassroom-based Charter Schools Pursuant to California Education Code sections 47612.5 and 47634.2, and Associated California Code of Regulations, Title 5.

**Type of Action:** Action, Information

**CDE Recommendation:** The CDE recommends that the SBE approve the determination of funding requests at the percentages and for the time periods specified for the charter schools listed in Attachment 1.

#### Item 15

**Subject:** Approval of the Charter School Numbers Assigned to Newly Established Charter Schools.

**Type of Action:** Action, Information

**CDE Recommendation:** The CDE recommends that the SBE assign a charter number to the charter schools identified in Attachment 1.

#### Item 16

**Subject:** Approval of 2019–20 Consolidated Applications.

**Type of Action:** Action, Information

**CDE Recommendation:** The CDE recommends that the SBE approve the 2019–20 Consolidated Applications (ConApps) submitted by LEAs in Attachment 1.

*ACTION ON REGULAR CONSENT ITEM 06 AND ITEM 13 THROUGH*

*ITEM 16*

**ACTION:** Member Rucker moved to approve the CDE staff recommendations for each regular item on consent (Item 06 and Item 13 through Item 16).

Member Straus seconded the motion.

**Yes votes:** Members Navo, Pangelinan, Sandoval, Sun, Darling-Hammond, Straus, Burr, Ortiz-Licon, and Rucker.

**No votes:** None

**Member Absent:** Member Pattillo Brownson

**Abstentions:** None

**Recusals:** None

The motion passed with 9 votes.

### **Item 12 was withdrawn by the California Department of Education on January 7, 2020.**

#### ~~Item 12~~

**~~Subject:~~** ~~Approval of the Fiscal Year 2019–20 Career Technical Education Incentive Grant Allocations, Including the Allocation Formula; Specific Funding Amounts and Number of Grant Awards; Purposes for Grant Fund Use; and Allowable and Non-Allowable Expenditures.~~

**~~Type of Action:~~** ~~Action, Information~~

**~~CDE Recommendation:~~** ~~The CDE recommends that the SBE review and approve the following information:~~

* ~~Proposed Career Technical Education Incentive Grant (CTEIG) Allocation Formula (Attachment 1)~~
* ~~Specific Proposed Funding Amounts and Number of Grant Awards (Attachment 2)~~
* ~~Purposes for which grant funds may be used / minimum eligibility standards~~
* ~~Allowable and Non-allowable expenditures~~

[Note: the preceding information about Item 12 contains strikethroughs which indicate the item has been withdrawn.]

### END OF REGULAR CONSENT ITEMS

### PUBLIC HEARINGS

#### Item 17

**Subject:** The New School of San Francisco: Hold a Public Hearing to Consider a Petition to Renew the Charter Currently Authorized by the State Board of Education.

**Type of Action:** Action, Information, Public Hearing

**CDE Recommendation:** The CDE proposes to recommend that the SBE hold a public hearing to approve the request to renew New School of San Francisco (NSSF), a K through grade five charter school, for a five-year term effective July 1, 2020, through June 30, 2025, based on the CDE’s findings pursuant to *EC* Section47605 and *California Code of Regulations*, Title 5 Section 11967.5.

The NSSF petitioner does meet the renewal criteria and presents a sound educational program as well as performs, overall, at least equal to its comparable district schools where the majority of NSSF pupils would otherwise attend.

Additionally, the CDE finds that the NSSF petition does provide reasonably comprehensive descriptions of most of the required elements. If approved by the SBE, and as a condition of approval, NSSF will be required to revise the petition in order to reflect the SBE as the authorizer and include the necessary language for the following required charter elements: Employee Qualifications, Racial and Ethnic Balance, Admission Requirements, and Dispute Resolution Procedures.

**Advisory Commission on Charter Schools Recommendation**

The Advisory Commission on Charter Schools (ACCS) considered the NSSF petition for renewal at its December 10, 2019, meeting. The ACCS moved CDE staff recommendation to approve the NSSF petition. The motion passed unanimously.

The meeting notice for the December 10, 2019, ACCS meeting is located on the SBE ACCS web page at <https://www.cde.ca.gov/be/cc/cs/accsnotice121019.asp>.

**President Darling Hammond opened the Public Hearing at approximately 10:11 a.m.**

**President Darling Hammond closed the Public Hearing at approximately 10:59 a.m.**

**ACTION:** Member Burr moved to approve the CDE staff recommendation.

Member Sun seconded the motion.

**Yes votes:** Members Navo, Pangelinan, Sandoval, Pattillo Brownson, Sun, Darling-Hammond, Straus, Burr, and Ortiz-Licon.

**No votes:** None

**Member Absent:** None

**Abstentions:** Member Rucker

**Recusals:** None

The motion passed with 9 votes.

#### Item 18

**Subject:** The New School of San Francisco: Consideration of a Material Revision of the Charter to Change from Kindergarten through Grade Five to Kindergarten through Grade Eight, which was denied by the San Francisco Unified School District.

**Type of Action:** Action, Information, Public Hearing

**CDE Recommendation:** The CDE proposes to recommend that the SBE hold a public hearing to approve the request for a material revision to the New School of San Francisco (NSSF) charter petition to change from K through grade five to K through grade eight, based on the CDE’s findings pursuant to *Education Code* (*EC*) Section47605 and *California Code of Regulations*, Title 5 Section 11967.5.

The NSSF petition is consistent with sound educational program and the petitioners are demonstrably likely to successfully implement the intended program.

However, as outlined in the item for the renewal of NSSF, if approved by the SBE, and as a condition of approval, NSSF will be required to revise the petition in order to reflect the SBE as the authorizer and include the necessary language for the following required charter elements: Employee Qualifications, Racial and Ethnic Balance, Admission Requirements, and Dispute Resolution Procedures.

In order to increase NSSF’s ability to reflect the student population of San Francisco Unified School District (SFUSD), the CDE recommends an additional change to the admission preferences as outlined below:

* The petitioners will be required to revise the lottery admission preferences outlined in Element 8–Admission Requirements as follows:
  1. Pupils eligible for free and reduced-price meals who reside within the boundaries of SFUSD, with a 33 percent minimum for each grade
     + For the 2020–21 school lottery, the CDE is requiring a 50 percent floor for K and sixth grade
  2. Siblings of pupils admitted to or attending NSSF
  3. Children of employees and board members of NSSF, not to exceed 10 percent of the total enrollment
  4. All other pupils residing in the boundaries of SFUSD
  5. Pupils residing outside the boundaries of SFUSD
* By June 1, 2020, the petitioners will be required to revise the Community Engagement Plan in the petition to include a Transportation Plan to address the transportation challenges socioeconomically-disadvantaged families may encounter upon enrollment in NSSF.
* The petitioners will be required to provide an update of the school’s percentage of enrollment of socioeconomically-disadvantaged pupils by grade level at each monthly oversight phone call.
* By May 1 of each year, the petitioners will be required to submit a report to the CDE, upon the completion of NSSF annual enrollment lotteries, outlining the racial and ethnic balance of each pupil as determined by each lottery.

**Advisory Commission on Charter Schools Recommendation**

The Advisory Commission on Charter Schools (ACCS) considered the NSSF petition for renewal at its December 10, 2019, meeting. The ACCS did not move CDE staff recommendation to deny the NSSF request for material revision and moved to recommend approval of the material revision submitted with CDE staff recommendations implemented, which are as follows:

* The petitioners will be required to revise Element 5–Employee Qualifications by identifying the positions that NSSF regards as key in each category.
* The petitioners will be required to revise Element 7–Racial and Ethnic Balance to incorporate the Community Engagement Plan into the NSSF petition.
* The petitioners will be required to revise Element 8–Admission Requirements to reorder the NSSF admission preferences to achieve a racial and ethnic balance that is reflective of SFUSD.
* The petitioners will be required to revise Element 14–Dispute Resolution Procedures by including the necessary language.

The motion to recommend approval of the material revision passed by a vote of six to one.

The meeting notice for the December 10, 2019, ACCS meeting is located on the SBE ACCS web page at <https://www.cde.ca.gov/be/cc/cs/accsnotice121019.asp>.

**President Darling Hammond opened the Public Hearing at approximately 12:10 p.m.**

**President Darling Hammond closed the Public Hearing at approximately 1:00 p.m.**

**ACTION:** Member Burr moved to approve the CDE staff recommendations with the following substitution regarding the lottery admission preferences:

* Every year of the term of the charter, at least 50 percent of the kindergarten enrollment shall be Free or Reduced Price Meal (FRPM) eligible students.
* For every other grade (1st through 8th grade) 100 percent of open slots shall go to FRPM eligible students until the entire grade’s enrollment is a least 50 percent FRPM eligible students.

Member Sun seconded the motion.

**Yes votes:** Members Navo, Pangelinan, Sandoval, Pattillo Brownson, Sun, Darling-Hammond, Straus, Burr, and Rucker.

**No votes:** None

**Member Absent:** Member Ortiz-Licon

**Abstentions:** None

**Recusals:** None

The motion passed with 9 votes.

*END OF PUBLIC HEARINGS*

### REGULAR ITEMS DAY 2 CONTINUED

#### Item 19

**Subject:** California's Application to the United States Department of Education for Funds Available through the 2020–23 Federal Charter Schools Program: Discussion and Consideration of Proposed Content and Submission.

**Type of Action:** Action, Information

**CDE Recommendation:** The CDE recommends that the SBE approve and direct the CDE to apply for up to $45 million in federal funds under the federal Charter Schools Program (CSP) for a total grant award period of three years. The CDE also recommends that the SBE direct the CDE, in consultation with the Executive Director of the SBE and/or the SBE liaisons, to perform all necessary activities required to finalize the CSP application.

**ACTION:** Member Burr moved to approve the CDE staff recommendation.

Member Sun seconded the motion.

**Yes votes:** Members Navo, Pangelinan, Sandoval, Pattillo Brownson, Sun, Darling-Hammond, Straus, Burr, Ortiz-Licon, and Rucker.

**No votes:** None

**Member Absent:** None

**Abstentions:** None

**Recusals:** None

The motion passed with 10 votes.

### President Darling-Hammond Re-opened Item 01.

#### Re-Open Item 01

**Subject:** STATE BOARD PROJECTS AND PRIORITIES.

Including, but not limited to, future meeting plans; agenda items; and officer nominations and/or elections; State Board appointments and direction to staff; declaratory and commendatory resolutions; Bylaw review and revision; Board policy; approval of minutes; Board liaison reports; training of Board members; and other matters of interest.

**Type of Action:** Action, Information

**Recommendation:** The SBE staff recommends that the SBE:

1. Approve the Preliminary Report of Actions/Minutes for the November 6, 2019 meeting. (Attachment 1)
2. Consider the SBE Screening recommendations for appointments to the Advisory Commission on Charter Schools (ACCS). (Attachment 2)

*Approval of the Preliminary Report of Actions/Draft Minutes*

**ACTION 1:** Member Pattillo Brownson moved to approve the Preliminary Report of Actions/Draft Minutes from the November 6, 2019 meeting.

Member Rucker seconded the motion.

**Yes votes:** Members Pangelinan, Sandoval, Pattillo Brownson, Sun, Darling-Hammond, Straus, Burr, Ortiz-Licon, and Rucker.

**No votes:** None

**Member Absent:** None

**Abstentions:** Member Navo

**Recusals:** None

The motion passed with 9 votes.

*SBE Screening Committee Recommendations for Appointment to the Advisory Committee on Charter Schools (ACCS)*

**ACTION 2:** Member Straus moved to approve the SBE Screening Committee recommendations for appointments to the ACCS.

Member Ortiz-Licon seconded the motion.

**Yes votes:** Members Navo, Pangelinan, Sandoval, Pattillo Brownson, Sun, Darling-Hammond, Straus, Burr, Ortiz-Licon, and Rucker.

**No votes:** None

**Member Absent:** None

**Abstentions:** None

**Recusals:** None

The motion passed with 10 votes.

#### Item 20

**Subject:** GENERAL PUBLIC COMMENT.

Public Comment is invited on any matter **not** included on the printed agenda. Depending on the number of individuals wishing to address the State Board, the presiding officer may establish specific time limits on presentations.

**Type of Action:** Information

**ACTION:** No Action Taken.

### ADJOURNMENT OF MEETING

**At approximately 2:58 p.m., President Darling-Hammond adjourned the meeting.**