

FINAL MINUTES  
State Board of Education  
November 12-13, 2003

Wednesday, November 12, 2003

California Department of Education  
1430 N Street, Room 1101  
Sacramento, California

**Members Present**

Reed Hastings, President  
Joe Nuñez, Vice President  
Robert J. Abernethy  
Donald Fisher  
Brent Godfrey  
Nancy Ichinaga  
Carol S. Katzman  
Luis J. Rodriguez  
Suzanne Tacheny  
Curtis Washington

**Members Absent**

Vacancy

**Secretary and Executive Officer**

Jack O'Connell, State Superintendent of Public Instruction

**Principal Staff**

Rae Belisle, Executive Director, State Board of Education  
Karen Steentofte, Chief Counsel, State Board of Education  
Phil Garcia, Deputy Executive Director, State Board of Education  
Greg Geeting, Assistant Executive Director, State Board of Education  
Debbie Rury, Education Policy Consultant, State Board of Education  
Deborah Franklin, Education Policy Consultant, State Board of Education  
Maryanna Rickner, Legal Assistant, State Board of Education  
Cathy Akana, Executive Assistant, State Board of Education  
Robin Jackson, Executive Secretary, State Board of Education  
Gavin Payne, Chief Deputy Superintendent, California Department of Education  
Marsha Bedwell, General Counsel, California Department of Education  
Susan Ronnback, Chief Policy Advisor to the State Superintendent of Public Instruction  
Cindy Cunningham, Liaison to the State Board, California Department of Education

**Call to Order**

President Hastings called the meeting to order at 9:00 a.m.

**Salute to the Flag**

Mr. Godfrey led the Board, staff, and audience in the Pledge of Allegiance.

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**Approval of Minutes (September 2003 Meeting)**

- ACTION: Ms. Katzman moved that the State Board approve the minutes of the September 2003 meeting with minor corrections. Ms. Tacheny seconded the motion. The motion was approved by unanimous vote of the members present. Mr. Fisher was not present when the vote was taken.

**Announcements/Communications**

President Hastings announced that Items 13 and 22 would be postponed to Thursday morning, Item 26 was postponed to January 2004, and Items 30 and W-5 were withdrawn.

**Superintendent's Report**

Superintendent O'Connell reported that the Academic Performance Index (API) that was announced two weeks ago identified 90 percent of our schools as showing improvement from the prior year and 78 percent of our schools meeting their growth targets. California's education system continues to move in the right direction but there is still a lot of work to do, particularly in high schools. Superintendent O'Connell hopes that the state will be able to focus additional attention and resources toward high schools.

*Deputy Superintendent, School and District Operations Branch*

Superintendent O'Connell introduced Bill Ellerbee, the new Deputy Superintendent for the School and District Operations Branch. Mr. Ellerbee was previously the Deputy Superintendent for Sacramento City Unified School District and worked for the district for 32 years. He came up through the ranks in the district and comes to the Department with a great deal of experience and knowledge in all aspects of school operation.

*Department Budget Cuts*

Superintendent O'Connell brought to the Board's attention some of the fiscal challenges being faced by the Department. This year alone the Department has taken a \$3.5 million cut and has been reduced by 50 employees/positions compared to one year ago. The Department of Finance has requested a plan of what it would look like with a further 20 percent reduction on top of the previous cuts. Superintendent O'Connell stated that if this reduction were to materialize in 2004-05, in his opinion, it would severely restrict the Department's ability to be able to provide many of the services and support to the field that it has been able to do over the last several years. Another challenge is that the Department is constantly being asked to do more, (e.g., implementation of the No Child Left Behind Act; earlier intervention in low performing schools; assessment) which has made it much more difficult.

Note: Items appear in the order they were heard.

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ITEM 1	<b>STATE BOARD PROJECTS AND PRIORITIES.</b> Including, but not limited to, future meeting plans; agenda items; State Board office budget; staffing, appointments, and direction to staff; declaratory and commendatory resolutions; update on litigation; bylaw review and revision; review of the status of State Board-approved charter schools as necessary; and other matters of interest.	<b>INFORMATION ACTION</b>
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*State Board Budget Cuts*

Ms. Belisle noted that she had asked Superintendent O’Connell to discuss the budget issues because fiscal and policy issues are closely related. These issues should be considered together so the Board is kept fully informed. Ms. Belisle stated that all the cuts described by the Superintendent would equally impact the Board. Once this round of budget cuts is completed, there will have been an overall 40 percent budget cut, which is a dramatic impact given that the State Board staff consists of six professional staff and a few administrative staff.

Mr. Abernethy suggested an overview of the Education Code to relieve the Department of the amount of marginal work it currently does. If it is mandated by statute but does not move the goals forward that the Board has in its Mission, Vision and Goals statement the program should be considered for elimination.

President Hastings stated that there is likely to be some renewed energy on the issues of Education Code Reform and streamlining of programs.

*Fiscal Analysis on Board Items*

Ms. Belisle informed the Board that she had spoken with the Superintendent and Mr. Payne about having the fiscal analysis portion of Board items contain more analysis. In the past, this section has been left blank a majority of the time. While no one wants to put extra work on the Department, as the policymakers, it is important for the Board to understand the fiscal impacts of its actions. Ms. Belisle noted that it would be expected to see more information in the fiscal impact portion of the agenda item in the future.

*Postponement for Election of Officers*

Out of courtesy for the new administration, President Hastings announced that the election process for the 2004 Board President and Vice President would be postponed. This courtesy was also extended during the transition from the Wilson Administration to the Davis Administration five years ago. The Board elections will be on a meeting-to-meeting basis until the new administration has its appointees in place.

No action was taken on this item.

ITEM 2	<b>PUBLIC COMMENT.</b> Public Comment is invited on any matter <u>not</u> 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.	<b>INFORMATION</b>
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The following speakers addressed the Board:

- Daniel B. Haueter, Chief Deputy County Counsel, San Bernardino County
- Isidoro Hojman, community leader

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Paramo Hernandez, Civic Union  
Vickey Rinehart, Superintendent, Knightsen School District  
Ed Amundson, teacher, C.K. McClatchy High School  
Veronica Blackman, student, C.K. McClatchy High School  
Stephanie Romero, student, C.K. McClatchy High School  
Stella Reen, student, C.K. McClatchy High School  
Christopher Madison, student, C.K. McClatchy High School  
Jim Woodhead, Advisory Commission on Special Education  
Silvia DeRuvo, California Association of Resource Specialists and Special Education Teachers

No action was taken on this information item.

ITEM 3	Report on Student Advisory Board on Education.	INFORMATION
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Mr. Godfrey stated that, every year, student leaders come to present recommendations to the State Board of Education. He introduced JaQuan Bryant, President of the California Association of Student Councils (CASC), and Lauren Armstrong, Program Director of the Student Advisory Board of Education (SABE).

The following Advisory Board members presented recommendations to the State Board: Lauren Armstrong, April Milner, Rishi Talwar, Amanda Rose, Jaclyn LeDuc, Leslie Shaw, and Joy Natwick. The State Board members posed questions to the Advisory Board members on topics such as teacher quality, delay in school starting time, technical education and community partnerships, cultural awareness, standardized testing, and the parent report card.

Superintendent O’Connell thanked CASC for inviting him to speak at the SABE meeting that he attended on November 9, 2003. He noted that this group really does represent the best of the best. He thanked the SABE delegates on behalf of the State Board and all the students represented.

Mr. Godfrey stated that the students should be proud of their efforts. He congratulated the 12 semifinalists for the 2004-05 Student Member of the State Board: A.J. Crocker, Rhett Dornbach-Bender, Alana Finlay, Pablo Friedmann, Ricky Gill, Colette Hinckley, Kady Lyons, Mark Murphy, Kevin O’Herin, Lara Takasugi, Chris Wihlidal, and Gabriel Zacarias. Mr. Godfrey thanked the State Board for their commitment, patience, and dedication to the students of the State. By offering them this time, the Board had provided them with a great window to access the education policy decision-making process.

No action was taken on this information item.

President Hastings announced that Items 4 and 5 would be heard later in the day with the proposed consent items.

ITEM 6	Standardized Testing and Reporting (STAR) Program: Update on 2004 STAR California Standards Test (CST) and California Achievement Test, Sixth Edition (CAT/6) Parent Report.	INFORMATION ACTION
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Deputy Superintendent Geno Flores provided an update. Mr. Fisher asked if the report was being printed in other languages to assist non-English speaking parents. Mr. Flores replied that this is being worked

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out with the contractor. Mr. Flores remarked that ETS (contractor) and the GROW Network (ETS subcontractor) had conducted a number of “focus group” meetings during October 2003 to ensure that the report met parents’ need for information about their student’s progress.

Ms. Tacheny spoke regarding the clarity of the stoplight color scheme (green, yellow and red) as a meaningful visual for parents.

- ACTION: Mr. Abernethy moved that the State Board approve the 2004 STAR California Standards Test (CST) and California Achievement Test, Sixth Edition (CAT/6) Parent Report and authorize the Executive Director of the State Board, in consultation with the Board’s testing liaisons, to approve any technical modifications that may be necessary. Ms. Katzman seconded the motion. The motion was approved by unanimous vote.

President Hastings thanked everyone who worked on the report.

ITEM 7	Standardized Testing and Reporting (STAR) Program – Update on 2004 STAR California Alternate Performance Assessment (CAPA) Parent Report.	INFORMATION ACTION
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Mr. Flores provided an update. He explained that the students who take CAPA are those who cannot take the STAR CST, according to their IEP or 504 plan.

Ms. Tacheny noted that the contractor has picked up the costs of this report. She thanked ETS and the GROW Network for their work.

- ACTION: Mr. Abernethy moved that the State Board approve the 2004 STAR California Alternate Performance Assessment (CAPA) Parent Report and authorize the Executive Director of the State Board, in consultation with the Board’s testing liaisons, to approve any technical modifications that may be necessary. Ms. Katzman seconded the motion. The motion was approved by unanimous vote.

ITEM 8	California Assessment System: Test Item Release Plan for the California Standards Tests (CSTs), the California High School Exit Examination (CAHSEE), and the California Alternate Performance Assessment (CAPA).	INFORMATION ACTION
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Mr. Flores provided background information. President Hastings requested an explanation of how the contractor would prevent drift in the difficulty level and maintain confidence that basic still means basic as the improvement is tracked over 10 years. Mr. Flores explained that the anchor items that remain within the examination each year represent a mini-version of the test. Mr. Flores noted that the methodology that ETS uses is a typical approach in the testing industry. The anchor items that remain in the examination each year are an important element to equate tests from year to year.

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Ms. Tacheny stated that the item release plan produced by ETS included tests from different contractors. She asked that it be checked thoroughly across those partnerships to ensure what has been proposed is possible in terms of item release, item refreshment, cost, and impact on the state.

Ms. Belisle recommended leaving CAPA and CELDT off this release plan. The idea would be to try to have the 25 percent item release across all tests. On the CELDT, Ms. Belisle brought to the Board's attention that there are licensing agreements that will have a policy impact on what the Board can and cannot do. She does not recall the Board having any conversations about those licensing agreements. Ms. Belisle recommended taking the CELDT off the plan until the impact of these proposed licensing agreements is clear.

President Hastings explained that it would be easier to articulate if every test has a 25 percent release. The goal is to create a State policy and to apply it across tests.

In regard to CELDT licensing, President Hastings stated that California is leading the nation in the development of these tests and other states are expressing interest in licensing the test. President Hastings asked how these licensing agreements would impact our ability to release items and whether there would be any other constraints. Mr. Flores replied that issue is being negotiated with CTB (the CELDT contractor). Another issue is security, how to keep our tests secure and very reliable while parts of it may be utilized in another state. No license agreement has yet been signed. President Hastings noted that licensure for use in other states should not constrain our policy on item release.

Mr. Abernethy requested an explanation of the licensing process and protecting the test when it is being used in another state. Mr. Flores stated that he could provide some background information on the contractual issues at a later time. President Hastings clarified that the Board wants to be especially aware of any potential conflicts between these licensing agreements and Board policy.

Ms. Tacheny thanked Ms. Belisle for her work on a plan for item release and in disciplining the Board in developing a deep plan that included an evaluation of the cost impact. It has been a very thorough and disciplined process.

- ACTION: Ms. Tacheny moved that the State Board (1) approve the plan for item release in 2003 of 25 percent of the items on each portion of the California High School Exit Exam and 25 percent of items on the California Standards Tests in English-language arts, mathematics, history-social science, and science (with the exception of the 5<sup>th</sup> grade science test); (2) direct State Board staff to work with CDE staff to develop a communications roll-out; and (3) request that Educational Testing Service (ETS) provide additional information (including release plans for CELDT and CAPA) and make corrections to the draft item utilization plan in keeping with the discussion at the State Board meeting and discussion with staff. Ms. Katzman seconded the motion. The motion was approved by unanimous vote.

The following individual addressed the Board:  
Richard Bray, Association of California School Administrators

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ITEM 9	Golden State Seal Merit Diploma: Eligibility Requirements.	INFORMATION ACTION
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Mr. Flores reported on the proposed requirements for the merit diploma now that there is no longer any funding for the Golden State Exams (GSE). Students would still be required to use the test scores from six qualifying tests. Ms. Tacheny recommended the elimination of Algebra I from the list of exams considered for the merit diploma because the Algebra I standards are 8<sup>th</sup> grade standards.

The following individuals addressed the Board:  
Richard Bray, Association of California School Administrators  
Peggy Barber, Los Angeles Unified School District

- ACTION: Ms. Tacheny moved that the State Board (1) approve the staff recommendation to allow students in the classes of 2004 and 2005 to use a combination of GSE and the listed CST exam scores, with a CST scaled score of 370 or above, to qualify for the Golden State Seal Merit Diploma as presented in the agenda materials; (2) direct staff to look at the policy implications of eliminating Algebra I and Integrated Math I from the list of CSTs that qualify for the honors diploma; and (3) request that CDE staff prepare draft regulations and bring them to the State Board for purposes of beginning the rulemaking process in January 2004. Ms. Katzman seconded the motion. The motion was approved by unanimous vote.

ITEM 10	Standardized Testing and Reporting (STAR) Program – Adoption of Amended Title 5 STAR Regulations.	INFORMATION ACTION
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Mr. Flores provided an update on the amended regulations. The public hearing was conducted on November 10, 2003. No comments were received that would require any changes to the proposed regulations.

The following individual addressed the Board:  
Martha Zaragoza Diaz, California Association for Bilingual Education

Ms. Tacheny discussed out-of-level testing and providing parent notification on whether their student is on track for graduation. Ms. Belisle suggested pursuing a statute giving notice or a separate set of regulations.

- ACTION: Ms. Tacheny moved that the State Board adopt the amended permanent Title 5 regulations pertaining to the Standardized Testing and Reporting (STAR) Program as presented in the agenda item. Ms. Katzman seconded the motion. The motion was approved by unanimous vote.

President Hastings announced Item 14 would be heard out of order.

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ITEM 14	<i>No Child Left Behind Act of 2001</i> : Local Educational Agency Plans required by Section 1112.	INFORMATION ACTION
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Joe Barankin, School and District Accountability Division, reported on the additional LEA plans. He stated that an additional 94 were being recommended for approval, which would move the total approved to 1,099. An additional 67 were in hand but not ready for approval for various reasons (i.e., received at the last minute; technical problems). A total of 91 were outstanding (8 school districts and county offices; 83 direct funded charter schools).

- ACTION: Mr. Nuñez moved that the State Board approve the Local Educational Agency Plans required under Section 1112 of NCLB as recommended by staff. Ms. Katzman seconded the motion. The motion was approved by unanimous vote.

ITEM 13	<i>No Child Left Behind (NCLB) Act of 2001</i> : Includes, but not limited to, update on Consolidated State Application.	INFORMATION ACTION
ITEM 15	<i>No Child Left Behind Act of 2001</i> : Approve Supplemental Educational Service Providers (required by Title 1, Section 1116(e)).	INFORMATION ACTION

Items 13 and 15 were postponed to Thursday.

President Hastings announced that the Screening Committee would be meeting during the lunch break in the State Board office to interview the student candidates for the 2004-05 Student Member. The public was welcome to attend.

**Lunch Break:** President Hastings called for the lunch break at 11:25 a.m. He reconvened the session at 1:28 p.m.

ITEM 11	2004-05 State Board of Education Student Member: Interview of Six Candidates and Selection of Three Finalists.	INFORMATION ACTION
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Mr. Nuñez reported on behalf of the Screening Committee on the deliberations and recommendations for the 2004-05 Student Member.

- ACTION: Mr. Nuñez (on behalf of the State Board’s Screening Committee of Mr. Abernethy, Ms. Tacheny, and himself, augmented by Mr. Godfrey and Mr. Washington) moved that the State Board approve the following high school students as the three finalists (in the order shown) for the position of 2004-05 Student Member to be presented to the Governor for appointment consideration:
  - Mark Murphy, Santa Rosa, California, Montgomery High School
  - Lara Takasugi, Northridge, California, North Hollywood High School
  - Ricky Gill, Lodi, California, Tokay High School

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Mr. Abernethy seconded the motion. The motion was approved by unanimous vote of the members present. Mr. Godfrey was not present when the vote was taken.

ITEM 12	Screening Committee review of applications and selection of applicants to be interviewed for appointment to the Curriculum Development and Supplemental Materials Commission.	INFORMATION ACTION
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Mr. Nuñez (on behalf of the Screening Committee) distributed a written report at Thursday's session, indicating that the following applicants for appointment to the Curriculum Commission had been selected for interview. Staff will endeavor to make arrangements for a meeting of the Screening Committee to interview these applicants prior to the January 2004 State Board meeting.

Candidate No.	Name	Position and Employment
2	Ms. Wendy A. Levine	Teacher (Grade 3), Inglewood Unified School District
5	Ms. Judith D'Amico	Vice President, Communications and Public Relations, Wetsel-Oviatt
6	Mr. Charles T. Salter, Jr.	Principal, Aliso Niguel High School, Capistrano Unified School District
7	Ms. Rebecca M. Brown	School Improvement Coordinator, Sacramento City Unified School District
9	Ms. Mary-Alicia McRae	Teacher on Special Assignment, Salinas City Elementary School District
10	Dr. Charles H. Sie	Founding Chairman, Aviva Biosciences Corporation
16	Mr. Austin Dragon	Regional Recruiter, American Red Cross; President, E4, Inc.
17	Mr. Lan Quoc Nguyen	Attorney (self-employed); Board of Education Member, Garden Grove Unified School District
22	Dr. Charles Thomas Munger, Jr.	Retired experimental physicist, University of California, Irvine, Stanford Linear Accelerator Center Currently associated with Lawrence Berkeley Laboratory
23	Mr. Richard Wagoner	Mathematics Teacher, San Pedro High School, Los Angeles Unified School District
25	Mr. Radu Toma	Mathematics Teacher, Palo Alto High School, Palo Alto Unified School District
26	Dr. Edie Pistolesi	Professor of Art, CSU Northridge
27	Mr. Joseph (Jose) Gomez Velasquez	Mentor Teacher, Reading First Literacy Expert, Los Angeles Unified School District
28	Ms. Mary Gonzales	Principal, Rose Elementary School, Escondido Union Elementary School District
29	Mr. Antonio Navarro	Teacher (Grades 7-8) Fallbrook Union Elementary School District

The other applicants will not be interviewed. Their applications will be acknowledged with the State Board's appreciation for their willingness to serve.

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ITEM 16	No Child Left Behind Act of 2001: Teacher Requirements (“Highly Qualified Teacher”) – Including, but not limited to, Adoption of Proposed Title 5 Regulations.	INFORMATION ACTION
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Ms. Steentofte provided the Board with a summary of the public comments received during the 15-day comment period and recommended amendments responding to issues raised by the comments. Ms. Katzman acknowledged Ms. Steentofte’s hard work on these regulations.

The following individuals addressed the Board:

- Quentin Christian, Executive Director, California Association for Health, Physical Education, Recreation & Dance
- Martha Wallace, California Teachers Association
- Peggy Barber, Los Angeles Unified School District
- Martha Zaragoza Diaz, California Association for Bilingual Education
- Richard Bray, Association of California School Administrators
- Mike Melton, California Middle Grades Network Association
- Liz Guillen, Public Advocates
- Silvia DeRuvo, California Association of Resource Specialists and Special Education Teachers

- ACTION: Ms. Katzman moved that the State Board (1) approve the amendments to the proposed permanent regulations regarding No Child Left Behind Act of 2001 Teacher Requirements (“Highly Qualified Teacher”); (2) direct CDE staff to send the amended proposed regulations out for 15-day public comment period; (3) if no objections to the amendments are received, complete the rulemaking package, in accordance with the Administrative Procedure Act, including, but not limited to, responding to public comments; and (4) direct SBE staff to establish a date for a teleconference meeting of the Board in the event that a meeting is required to consider objections to the amendments. Mr. Nuñez seconded the motion. The motion was approved by unanimous vote of the members present. Mr. Fisher and Mr. Godfrey were not present when the vote was taken.

President Hastings thanked Ms. Steentofte for her work on the regulations.

ITEM 17	Reading First Program – Including, but not limited to, approval of proposed amendment to the California Reading First Plan pursuant to Chapter 773, Statutes of 2003 (AB 1485).	INFORMATION ACTION
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Ms. Steentofte reported that AB 1485 had been signed into law. She explained the proposed amendment to the California plan to be submitted to the United States Department of Education.

President Hastings explained that AB 1485 was a compromise between Governor Davis and members of the Legislature on this aspect of the Reading First Plan. The Board is acting in good faith to implement AB 1485.

The following individuals addressed the Board:

- Martha Zaragoza Diaz, California Association for Bilingual Education, representing California Together Coalition
- Judy Hart, California Teachers Association

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- ACTION: Mr. Washington moved that the State Board, pursuant to the requirements of Chapter 773, Statutes of 2003 (AB 1485), approve an amendment to California’s approved Reading First Plan and direct staff to immediately transmit the amended Plan to the United States Department of Education for approval. The motion was seconded by Mr. Nuñez. The motion was approved by a vote of 7-1-1. Mr. Abernethy voted against the motion. Mr. Fisher did not vote on the motion. Mr. Godfrey was not present when the vote was taken.

ITEM 18	California High School Exit Examination (CAHSEE): Update on CAHSEE activities, including, but not be limited to, the Year 4 Independent Evaluation Report and 2002-2003 test results.	INFORMATION ACTION
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Mr. Flores provided update information. He stated that the external evaluator, HumRRO, had submitted its annual report for 2002-2003 and it was posted on the CDE website. Laurie Weiss, HumRRO representative, will appear at the January 2004 meeting to provide the Board with an update of the activities.

No action was taken on this item.

ITEM 19	California High School Exit Examination (CAHSEE): Re-Evaluation of the CAHSEE Passing Score.	INFORMATION ACTION
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Mr. Flores provided background information.

The following individuals addressed the Board:

Richard Bray, Association of California School Administrators  
Jackie Ruby, Alameda County Board of Education/County Office on Child Planning

President Hastings expressed the Board’s appreciation to the members of the Standards-Setting Panel for their many hours of hard work.

Ms. Katzman pointed out an area of the report that highlights the achievement gap in subgroups. She stated that work is needed in this area.

Mr. Nuñez commented that intervention programs are available in English-language arts but not in mathematics. Ms. Belisle noted that an update on the mathematics framework is in the process. One of the specific goals is in providing intervention materials.

Superintendent O’Connell noted that the first-time test takers for the graduating class of 2005 scored about 15 percentage points higher than the first-time test takers for the graduating class of 2004, which shows more familiarity with the test. This test has always been fully aligned to our standards, and our instructional materials are catching up. Superintendent O’Connell said he has seen some very good educational programs for English-language arts (before school, after school, intercession) but not as many for mathematics. Progress has been impeded in developing the supplementary education programs that were envisioned when the law was passed in 1999 due to the budget cutbacks school districts have had to make.

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President Hastings clarified that the purpose of the California High School Exit Exam, from a state policy perspective, is not sorting the students from those who made it and those who did not, but to drive the provision of more instructional resources to the students who need them most.

- **ACTION:** Mr. Nuñez moved that the State Board approve the State Superintendent’s recommendation to maintain the current California High School Exit Examination passing scores of 60 percent of the items correct on the English-language arts test and 55 percent of the items correct on the mathematics test. Mr. Washington seconded the motion. The motion was approved by unanimous vote of the members present. Mr. Abernethy and Mr. Godfrey were not present when the vote was taken.

Mr. Flores announced that mathematics and English-language arts study guides for the California High School Exam, which are workbooks for students who have not yet passed the exam, are being shipped out to all California high schools. These guides are available online and contain tips for studying for and taking the test, frequently asked questions, some items that have been previously released, and information translated into Spanish for parents.

ITEM 20	California High School Exit Examination (CAHSEE): Approval of District Apportionment for the 2003-2004.	INFORMATION ACTION
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Mr. Flores provided background information.

- **ACTION:** Mr. Nuñez moved that the State Board approve the recommended 2003-2004 California High School Exit Examination district apportionment of two dollars and sixty-eight cents (\$2.68) for each student tested and thirty-two cents (\$0.32) for each answer document submitted with completed demographic information. Ms. Katzman seconded the motion. The motion was approved by unanimous vote of the members present. Mr. Abernethy and Mr. Godfrey were not present when the vote was taken.

ITEM 21	California English Language Development Test (CELDT) Update: Including, but not limited to, 2002-03 Initial Identification Results.	INFORMATION ACTION
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Mr. Flores provided update information. The Board held a brief discussion in which it was noted 45 percent of tests administered for initial identification purposes were taken by kindergarten students.

No action was taken on this item.

ITEM 22	Academic Performance Index (API): Report on Growth for 2002-03.	INFORMATION
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This item was postponed to Thursday.

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ITEM 23	Immediate Intervention/Underperforming Schools Program (II/USP): Proposed intervention for (Cohorts I and II) schools that failed to show significant growth.	INFORMATION ACTION
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Wendy Harris, School Improvement Division, updated the Board on what has been done to prepare for intervention in the schools. Based on the 2003 API, a total of 276 schools out of the 1<sup>st</sup> Cohort of II/USP have exited the program. A number of schools remain on watch until they make significant growth for another year. Out of the 2<sup>nd</sup> Cohort of II/USP, 92 schools have exited the program by reaching their targets.

Ms. Harris provided an update on activities related to SAIT. The revised intervention process for this year narrowed the focus of the intervention work to English-language arts and mathematics, and greatly strengthened the role of the district in this process. Ms. Harris acknowledged Laura Wagner, Intervention Assistance Office, and her staff for their hard work on this process. Ms. Wagner provided a brief PowerPoint presentation explaining the SAIT process.

Marion Joseph, former State Board member, noted that she had attended both of the SAIT training sessions and that the Board staff, people from the field, and Department staff have all done a remarkable job. She stated that the training presented a coherent and clear process. Mrs. Joseph thanked the following individuals: Sue Stickel; Ms. Belisle; Betsy Eaves (Reading Lions Center); Beth Rice (Alameda County Office of Education); Alice Furry (Reading Lions Center); Glen Thomas (California County Superintendents Educational Services Association); Pat Alexander (Kern County Office of Education); Dave Jolly (California State University); Mr. Nuñez; Mr. Washington; Justo Robles and professional development staff (California Teachers Association); Pat Duckhorn, Paul Pechin, Robin Lund, and Vicki Alterwitz (Sacramento County Office of Education); Bo Vitolo and Dave Moorhouse (Los Angeles County Office of Education); Cathy Bardos and Kathi Cooper (Sacramento City Unified School District); Wendy Harris, Laura Wagner, Clifton Davis, Kelly Goughnour, Craig Heimbichner, Betty Miura, Jonathan Mortimer, Priscilla Rasanen, Shirley Rehkopf, Jenny Singh, Patricia Terry, and Hussam Zarea (CDE staff). President Hastings thanked Mrs. Joseph for her many months of hard work, as Board member, staff member and now in her volunteer status.

The Board held an in-depth discussion regarding the SAIT process, including the cohorts of II/USP. Mr. Nuñez commented that the challenge is to continue working on the issues.

The following individuals addressed the Board:

Manuel Escandon, Principal, McCabe Jr. High School  
Emily Houck, Principal, Berrendos Middle School/Superintendent, Antelope School District  
Elliott Duchon, Deputy Superintendent, Jurupa Unified School District  
Dana Griggs, Assistant Superintendent, Ontario-Monclair School District  
Robert Storm, Principal, Alicia-Reyes School  
Merv Wright, on behalf of Alicia-Reyes School  
Ross Gentry, Tulare Joint Union High School District  
Harry Gerst, Los Angeles Unified School District  
Rosa Molina, Director of Elementary Education, San Jose Unified School District  
Erin Green, Principal, Hester Elementary School

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Lynn Hyssop, teacher, Hester Elementary School  
Richard Bray, Association of California School Administrators  
Vern Barlogio, Principal, Tulare Western High School

The Board held an in-depth discussion on possible policy options. Ms. Belisle suggested that the Board postpone action on the schools with an invalid API to January 2004 and have staff look into other criteria that these schools could meet outside of calculating an API. The Board could then evaluate if it is inclined to give a waiver on that basis.

- **ACTION:** Mr. Nuñez moved that the State Board (1) with the consent of the affected districts, postpone (to the January 2004 meeting) consideration of the 17 schools identified in the agenda item with invalid Academic Performance Indexes and (2) require the districts of the other 22 schools identified in the agenda item to enter into contracts with School Assistance and Intervention Teams (SAITs) – because the schools have failed to show significant growth, as required by law – and allow the governing board of each school district to retain its legal rights, duties, and responsibilities with respect to each state-monitored school within its jurisdiction. Ms. Tacheny seconded the motion. The motion was approved by a vote of 8-1. Mr. Rodriguez voted against the motion. Mr. Abernethy was not present when the vote was taken.

President Hastings announced that Item 25 was put on the consent agenda; Items 26 and 27 were postponed to January 2004.

ITEM 24	Immediate Intervention/Underperforming Schools Program (II/USP): Schools Assistance and Intervention Team (SAIT): Expenditure plan to support activities and corrective action in non-Title I “state-monitored” schools.	INFORMATION ACTION
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Ms. Harris reported.

- **ACTION:** Mr. Nuñez moved that the State Board approve the expenditure plan to support activities and corrective action in non-Title I state-monitored schools as recommended by staff, but adjusted to reflect elimination of the funds included for Biggs High School (Biggs Unified School District), Rubidoux High School (Jurupa Unified School District), and Tennyson High School (Hayward Unified School District). Ms. Tacheny seconded the motion. The motion was approved by unanimous vote of the members present. Mr. Abernethy, Mr. Fisher, and Mrs. Ichinaga were not present when the vote was taken.

ITEM 26	Assembly Bill 1994 Programmatic Implementation: Approve Commencement of the Rulemaking Process for Amendments to Title 5.	ACTION
ITEM 27	Funding for Countywide Charter Schools (Assembly Bill 1994): Approve Commencement of the Rulemaking Process for Amendments to Title 5.	ACTION

Items 26 and 27 were postponed to January 2004.

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ITEM 28	Request by the Academy of Culture and Technology (ACT) to Approve a Petition to Become a Charter School Under the Oversight of the State Board of Education.	INFORMATION ACTION
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Deborah Connelly, Charter School Division, provided background information.

The following individuals addressed the Board:

- Tomas Ursua, Pomona Valley Center for Community Development, Petitioner
- Rick Worthington, professor, Pomona College
- Angelo Williams, Senate Democratic Caucus, representing Senator Gloria Romero
- Dee Brennick, Assembly Education Committee, representing Assembly Member Jackie Goldberg
- Lois Juarez, Division I Director, Three Valley Municipal Water District
- Tina Mata, Pomona Valley Center for Community Development

- **ACTION:** Mr. Rodriguez moved that the State Board grant approval of the petition by the Pomona Valley Center for Community Development to establish the Academy of Culture and Technology (ACT) for a three-year period (from July 1, 2005, through June 30, 2008), assigning it charter number 608, subject to the petitioners (or their designees) satisfying the following conditions, consistent with the recommendations of CDE staff and the Advisory Commission on Charter Schools:

(1) Insurance Coverage. Not later than June 1, 2005 (or such earlier time as school may employ individuals or acquire or lease property or facilities for which insurance would be customary), submit documentation of adequate insurance coverage, including liability insurance, which shall be based on the type and amount of insurance coverage maintained in similar settings.

(2) Oversight Agreement. Not later than January 3, 2005, either (a) accept an agreement with the State Board of Education (administered through the California Department of Education) to be the direct oversight entity for the school, specifying the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities; or (b) enter into an appropriate agreement between the charter school, the State Board of Education (as represented by the Executive Director of the State Board), and an oversight entity (pursuant to Education Code Section 47605(k)(1)) regarding the scope of oversight and reporting activities, including, but not limited, adequacy and safety of facilities.

(3) Special Education. Not later than February 2, 2004, submit written verification of having applied to join a special education local plan area (SELPA) or having applied to the Pomona Unified School District to be considered a school of the district for special education purposes. Not later than June 1, 2005, submit either written verification that the school is (or will be at the time students are being served) participating in the SELPA, or an agreement with the Pomona Unified School District that explicitly states that the district considers the school's students to be students of the district for purposes of special education programs and services (which is the equivalent of participation in the SELPA) and that specifies the responsibilities of the district and the school in providing special education programs and services to the school's students. Satisfaction of this condition should be determined by the Executive Director of the State Board of Education based primarily on the advice of the State Director of Special Education.

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(4) Educational Program. Not later than September 1, 2004, submit a description of the curriculum development process the school will use and the scope and sequence for the grades envisioned by the school. Not later than March 1, 2005, submit the complete educational program for students to be served in the first year including, but not limited to, a description of the curriculum and identification of the basic instructional materials to be used, plans for professional development of instructional personnel to deliver the curriculum and use the instructional materials, identification of specific assessments that will be used in addition to the results of the Standardized Testing and Reporting (STAR) program in evaluating student progress, and a budget which clearly identifies the core program from enrichment activities and reflects only those loans, grants, and lines of credit (if any) that have been secured by the school. Satisfaction of this condition should be determined by the Executive Director of the State Board of Education based primarily on the advice of the Deputy Superintendent for Curriculum and Instructional Leadership.

(5) Student Attendance Accounting. Not later than May 2, 2005, submit for approval the specific means to be used for student attendance accounting and reporting that will be satisfactory to support state average daily attendance claims and satisfy any audits related to attendance that may be conducted. Satisfaction of this condition should be determined by the Executive Director of the State Board of Education based primarily on the advice of the Director of the School Fiscal Services Division.

(6) Facilities Agreement. Not later than June 2, 2005, present both (a) a written agreement (a lease or similar document) indicating the school's right to use the principal school site identified by the petitioners for at least the first year of the school's operation and evidence that the facility will be adequate for the school's needs; and (b) a written agreement (or agreements) indicating the school's right to use any ancillary facilities planned for use in the first year of operation. Satisfaction of these conditions should be determined by the Executive Director of the State Board of Education based primarily on the advice of the Director of the School Facilities Planning Division.

(7) Zoning and Occupancy. Not less than 30 days prior to the school's opening, present evidence that the facility is located in an area properly zoned for operation of a school and has been cleared for student occupancy by all appropriate local authorities. For good cause, the Executive Director of the State Board of Education may reduce this requirement to fewer than 30 days, but may not reduce the requirement to fewer than 10 days. Satisfaction of this condition should be determined by the Executive Director of the State Board of Education based primarily on the advice of the Director of the School Facilities Planning Division.

(8) Final Charter. Not later than January 1, 2004, present a final charter that includes all provisions and/or modifications of provisions that reflect appropriately the State Board of Education as the chartering authority and otherwise address all concerns identified by California Department of Education staff, and that includes a specification that the school will not operate satellite schools, campuses, sites, resource centers, or meeting spaces not identified in the charter without the prior written approval of the Executive Director of the State Board of Education based primarily on the advice of appropriate CDE staff.

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(9) Legal Issues. In the final charter presented pursuant to condition (8), resolve any provisions related to legal issues that may be identified by the State Board's Chief Counsel.

(10) Processing of Retirement Contributions. Prior to the employment of any individuals by the school, present evidence that the school has made appropriate arrangements for the processing of the employees' retirement contributions to the Public Employees' Retirement System (PERS) and the State Teachers' Retirement System (STRS).

(11) Financing. Not later than January 1, 2005, present a line of credit (representing cash available to the school through at least the first year of operation) in the amount of not less than \$500,000, and present evidence that a grant in the amount of not less than \$150,000 has been awarded by the National Council of La Raza or another source.

(12) Deadlines and Operational Date. If any deadline specified in these conditions is not met, approval of the charter is terminated, unless the State Board of Education by subsequent action deletes or extends the deadline not met. If the school is not in operation by September 30, 2005, approval of the charter is terminated.

Mr. Godfrey seconded the motion. The motion was approved by a vote of 8-1. Mr. Nuñez voted against the motion. Mr. Abernethy was not present when the vote was taken.

ITEM 29	Request by the Leadership Public School – San Rafael (LPSSR) to Approve a Petition to Become a Charter School Under the Oversight of the State Board of Education.	INFORMATION ACTION PUBLIC HEARING
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Exercising an abundance of caution regarding the appearance of a conflict, Mr. Fisher indicated that he would not participate in the consideration or the vote on this agenda item and exited the meeting room. Ms. Connelly provided background information.

President Hastings called the Public Hearing to order at 4:59 p.m.

The following individual addressed the Board:  
Steve Barr, Advisory Commission on Charter Schools

President Hastings adjourned the Public Hearing at 5:00 p.m.

- **ACTION:** Ms. Katzman moved that the State Board grant approval of the petition by Leadership Public Schools to establish the Leadership Public School – San Rafael (LPSSR) for a three-year period (from July 1, 2004, through June 30, 2007), assigning it charter number 609, subject to the petitioners (or their designees) satisfying the following conditions, consistent with the recommendations of CDE staff and the Advisory Commission on Charter Schools:

(1) Insurance Coverage. Not later than June 1, 2004 (or such earlier time as school may employ individuals or acquire or lease property or facilities for which insurance would be customary), submit documentation of adequate insurance coverage, including liability insurance, which shall be based on the type and amount of insurance coverage maintained in similar settings.

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(2) Oversight Agreement. Not later than January 1, 2004, either (a) accept an agreement with the State Board of Education (administered through the California Department of Education) to be the direct oversight entity for the school, specifying the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities; or (b) enter into an appropriate agreement between the charter school, the State Board of Education (as represented by the Executive Director of the State Board), and an oversight entity (pursuant to Education Code Section 47605(k)(1)) regarding the scope of oversight and reporting activities, including, but not limited, adequacy and safety of facilities.

(3) Special Education. Not later than February 2, 2004, submit written verification of having applied to join a special education local plan area (SELPA) or having applied to the school district in which the school will be located to be considered a school of that district for special education purposes. Not later than June 1, 2004, submit either written verification that the school is (or will be at the time students are being served) participating in the SELPA, or an agreement with the school district in which the school will be located that explicitly states that the district considers the school's students to be students of the district for purposes of special education programs and services (which is the equivalent of participation in the SELPA) and that specifies the responsibilities of the district and the school in providing special education programs and services to the school's students. Satisfaction of this condition should be determined by the Executive Director of the State Board of Education based primarily on the advice of the State Director of Special Education.

(4) Educational Program. Not later than January 1, 2004, submit a description of the curriculum development process the school will use and the scope and sequence for the grades envisioned by the school. Not later than June 1, 2004, submit the complete educational program for students to be served in the first year including, but not limited to, a description of the curriculum and identification of the basic instructional materials to be used, plans for professional development of instructional personnel to deliver the curriculum and use the instructional materials, identification of specific assessments that will be used in addition to the results of the Standardized Testing and Reporting (STAR) program in evaluating student progress, and a budget which clearly identifies the core program from enrichment activities and reflects only those loans, grants, and lines of credit (if any) that have been secured by the school. Satisfaction of this condition should be determined by the Executive Director of the State Board of Education based primarily on the advice of the Deputy Superintendent for Curriculum and Instructional Leadership.

(5) Student Attendance Accounting. Not later than May 3, 2004, submit for approval the specific means to be used for student attendance accounting and reporting that will be satisfactory to support state average daily attendance claims and satisfy any audits related to attendance that may be conducted. Satisfaction of this condition should be determined by the Executive Director of the State Board of Education based primarily on the advice of the Director of the School Fiscal Services Division.

(6) Facilities Agreement. Not later than May 3, 2004, present a written agreement (a lease or similar document) indicating the school's right to use the principal school site identified by the petitioners for at least the first year of the school's operation and evidence that the facility will

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be

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adequate for the school’s needs. Not later than June 1, 2004, present a written agreement (or agreements) indicating the school’s right to use any ancillary facilities planned for use in the first year of operation. Satisfaction of these conditions should be determined by the Executive Director of the State Board of Education based primarily on the advice of the Director of the School Facilities Planning Division.

(7) Zoning and Occupancy. Not less than 30 days prior to the school’s opening, present evidence that the facility is located in an area properly zoned for operation of a school and has been cleared for student occupancy by all appropriate local authorities. For good cause, the Executive Director of the State Board of Education may reduce this requirement to fewer than 30 days, but may not reduce the requirement to fewer than 10 days. Satisfaction of this condition should be determined by the Executive Director of the State Board of Education based primarily on the advice of the Director of the School Facilities Planning Division.

(8) Final Charter. Not later than January 1, 2004, present a final charter that includes all provisions and/or modifications of provisions that reflect appropriately the State Board of Education as the chartering authority and otherwise address all concerns identified by California Department of Education staff, and that includes a specification that the school will not operate satellite schools, campuses, sites, resource centers, or meeting spaces not identified in the charter without the prior written approval of the Executive Director of the State Board of Education based primarily on the advice of appropriate CDE staff.

(9) Legal Issues. In the final charter presented pursuant to condition (8), resolve any provisions related to legal issues that may be identified by the State Board’s Chief Counsel.

(10) Processing of Retirement Contributions. Prior to the employment of any individuals by the school, present evidence that the school has made appropriate arrangements for the processing of the employees’ retirement contributions to the Public Employees’ Retirement System (PERS) and the State Teachers’ Retirement System (STRS).

(11) Deadlines and Operational Date. If any deadline specified in these conditions is not met, approval of the charter is terminated, unless the State Board of Education by subsequent action deletes or extends the deadline not met. If the school is not in operation by September 30, 2005, approval of the charter is terminated.

Mr. Nuñez seconded the motion. The motion was approved by unanimous vote of the members present. Mr. Fisher did not participate in the consideration or vote on this agenda item and was not present when the vote was taken. Mr. Abernethy was not present when the vote was taken.

ITEM 30	Request by The Global School to Approve a Petition to Become a Charter School Under the Oversight of the State Board of Education.	INFORMATION ACTION PUBLIC HEARING
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This item was withdrawn.

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ITEM 31	Legislative Update: Including, but not limited to, information on legislation and legislative priorities.	INFORMATION ACTION
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B. Teri Burns, Government Affairs, provided an update. Legislative staff is in the process of refining legislative proposals to submit to the Superintendent for potential sponsorship in the next year of the session, including reauthorization of the testing system, greater alignment of programs for low performing/high priority schools, and the possibility of block granting some of the categorical programs.

Ms. Burns noted that four proposed policy principles were previously discussed for adoption to provide guidance in representing the Board before the next legislative year begins. A fifth policy principle was being recommended to enhance the coordination between K-12 and higher education.

Mr. Fisher believed it was important that the Board adopt some core principles to guide staff in dealing with issues in the legislature. The Department needs guidance now to advance the Board’s policies throughout the year. Mr. Fisher requested two additional principles: (1) strengthen the connection between K-12 and higher education; and (2) encourage only high-quality charter programs.

Superintendent O’Connell clarified that when the Department sponsors legislation, he hopes to have the Board’s support. However, Superintendent O’Connell said he does not need to have the Board’s stamp of approval on legislation if the Board decides to go into another direction. Ms. Belisle confirmed that the Board did adopt a policy on legislation that is very clear that the Superintendent has the ability to put his position forward and to utilize Department staff to do so.

Mr. Nuñez addressed a concern regarding the establishment of a policy promoting high-quality charter schools. He recommended being more inclusive by supporting high-quality public schools for all kids. President Hastings noted there is a separate set of laws governing charter schools than those governing non-charter schools. The high-quality section requires particular attention. The Board discussed a change in wording for the policy. Mr. Fisher stated that the Legislature is being influenced at times by information about poor-performing charter schools. Consequently, legislation occurs that maybe should not because the Board is not as strong on the quality issue as it should be.

Ms. Tacheny stated that she would like the Board to stay focused on accomplishing an agenda of standards, curriculum materials, supporting instructional framework, alignment, and accountability for all those pieces.

- ACTION: Mr. Fisher moved that the State Board approve six core principles to guide liaisons and staff in the pursuit of legislation:
  - (1) Preserve the existing assessment system (including the Standardized Testing and Reporting (STAR) Program, the California High School Exit Examination (CAHSEE), and the California English Language Development Test (CELDT).
  - (2) Maintain the accountability system, making only those minor conforming changes necessary to comply with the No Child Left Behind (NCLB) Act.

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- (3) Encourage more submission of instructional materials by publishers that will meet California's rigorous requirements.
- (4) Safeguard the academic content standards as the foundation of California's K-12 educational system.
- (5) Strengthen coordination between K-12 and higher education.
- (6) Encourage only high-quality charter schools.

Ms. Katzman seconded the motion. The motion was approved by a vote of 7-2. Mr. Nuñez and Mr. Washington voted against the motion. Mr. Abernethy was not present when the vote was taken.

**Proposed Consent Items (Items 4, 5, 25, 32 through 38, and 40 through 43)**

ITEM 4	Standardized Testing and Reporting (STAR) Program – Release of 10 percent of Contract Costs to Educational Testing Service (ETS) for 2002-2003 Content Standards Test (CST) and California Achievement Test (CAT/6) STAR Contract.	INFORMATION ACTION
ITEM 5	Standardized Testing and Reporting (STAR) Program – Including, but not limited to, Release of 10 percent of Contract Costs to CTB/McGraw-Hill for 2002-2003 Spanish Assessment of Basic Education (SABE/2) STAR Contract.	INFORMATION ACTION
ITEM 25	Model Application for Charter Schools.	ACTION
ITEM 32	Assignment of Numbers for Charter School Petitions.	ACTION
ITEM 33	2002-03 (and beyond) determination of funding requests from charter schools pursuant to Senate Bill 740 (Chapter 892, Statutes of 2001), specifically Education Code Sections 47612.5 and 47634.2, California Code of Regulations, Title 5, Sections 11963 to 11963.6, inclusive: Retroactive approval.	ACTION
ITEM 34	The Principal Training Program (AB 75): Approval of Local Educational Agencies (LEAs) and Consortia applications for funding.	ACTION
ITEM 35	The Principal Training Program (AB 75): Approval of Training Providers.	ACTION
ITEM 36	The Principal Training Program (AB 75): Approval of California Department of Education Module 1: Leadership and Support of Student Instructional Programs High School Level; Day 1 and Day 5 training curriculum.	ACTION

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ITEM 37	Mathematics and Reading Professional Development Program (AB 466): Approval of Requests for Local Educational Agencies (LEA) Reimbursement for the 2003-04 Fiscal Year.	ACTION
ITEM 38	Mathematics and Reading Professional Development Program (AB 466) (Chapter 737, Statutes of 2001): Including, but not limited to, Approval of Training Providers and Training Curricula.	ACTION
ITEM 40	Gifted and Talented Education (GATE): Approval of LEA Applications for Funding.	ACTION
ITEM 41	Title 1 Committee of Practitioners: Approval of Appointments.	INFORMATION ACTION
ITEM 42	Appointments to Child Nutrition Advisory Council (Child Nutrition and Physical Activity Advisory Council).	INFORMATION ACTION
ITEM 43	Appointments to Advisory Commission on Charter Schools.	INFORMATION ACTION

- ACTION: Mr. Nuñez moved that the State Board take the actions recommended by staff in Items 4, 5, 25, 32, 33, 34, 35, 36, 37, 38, 40, 41, 42, and 43 as follows:
  - Item 4. Approve the release of the 10 percent withheld from ETS 2002-2003 CST and CAT/6 STAR contract.
  - Item 5. Approve the release of the 10 percent withheld from the 2003 CTB/McGraw-Hill SABE/2 STAR contract.
  - Item 25. Approve the Model Application for Charter Schools, which will be posted on the CDE Web site.
  - Item 32. Assign numbers to charter schools as proposed by CDE staff, including those included in the last minute memorandum for this agenda item.
  - Item 33. Retroactively approve 2002-03 (and beyond) determination of funding requests from charter schools pursuant to Education Code Sections 47612.5 and 47634.2, and California Code of Regulations, Title 5, Sections 11963 to 11963.6, inclusive, based upon the recommendations of the Advisory Commission on Charter Schools and the California Department of Education. This action was taken with recognition of the fact that no individuals present at the meeting requested to speak on this agenda item, and that no written correspondence had been received on this agenda item.
  - Item 34. Approve for funding under The Principal Training Program (AB 75) the LEAs and Consortia listed in the agenda item, extending to CDE staff the authority to determine specific funding allocations as described in the agenda item.
  - Item 35. Approve the recommended training providers for The Principal Training Program (AB 75) as indicated in the agenda item, including the additions presented in the last minute memorandum.

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- Item 36. Approve training curriculum for The Principal Training Program (AB 75) Module 1: Leadership and Support of Student Instructional Programs: High School Level: Day 1 and Day 5.
- Item 37. Approve 2003-04 reimbursements under AB 466 for the local educational agencies listed in the agenda item.
- Item 38. Approve Technology in Learning as an AB 466 provider for Houghton Mifflin *Mathematics*, Grades K-1, for the purposes of providing mathematics professional development under the provisions of the Mathematics and Reading Professional Development Program.
- Item 40. Approve applications from local educational agencies for Gifted and Talented Education (GATE) program funding for varying lengths of time as presented in the agenda item.
- Item 41. Approve the appointments to the Title 1 Committee of Practitioners as presented in the last minute memorandum.
- Item 42. Reappoint two members of the Child Nutrition Advisory Council (Child Nutrition and Physical Activity Advisory council), representing classroom teachers (Lloyd Porter) and curriculum coordinators (Rob Challinor), pursuant to Education Code Section 49533, for three-year terms commencing January 1, 2004.
- Item 43. Reappoint three members of the Advisory Commission on Charter Schools, representing charter schools (Steve Barr), teachers (Tom Conry), and school district governing board members (Beth Hunkapiller), pursuant to Education Code Section 47634.2(b) and State Board Policy 01-04, for two-year terms commencing January 1, 2004.

Ms. Tacheny seconded the motion. The motion was approved by a vote of 7-0. Mr. Godfrey and Mr. Washington, exercising an abundance of caution regarding the appearance of a conflict related to Item 40, did not vote on the motion. Mr. Abernethy was not present when the vote was taken.

ITEM 39	High Priority Schools Grant Program: Approval of 12 New High Priority Schools Implementation Grant Awards.	ACTION
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Ms. Harris provided background information.

The following individuals addressed the Board:

Stephen Rhoads, Strategic Education Services  
Don Bridge, California Teachers Association  
Branché Jones, San Francisco Unified School District  
Michael Wilkening, Department of Finance

The Board held an in-depth discussion.

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- **MOTION FAILS:** Ms. Tacheny moved that the State Board postpone consideration of this agenda item to the January 2004 meeting. Ms. Katzman seconded the motion. The motion failed passage by a vote of 3-6. Mr. Hastings, Ms. Katzman, and Ms. Tacheny voted in favor of the motion. Mr. Abernethy was not present when the vote was taken.
- **ACTION:** Mr. Fisher moved that the State Board approve the 12 new high priority schools implementation grant awards as presented in the agenda item. Mrs. Ichinaga seconded the motion. The motion was approved by a vote of 6-2-1. Mr. Hastings and Ms. Tacheny voted against the motion. Ms. Katzman did not vote on the motion. Mr. Abernethy was not present when the vote was taken.

**Adjournment of Day's Session**

President Hastings adjourned the day's session at 5:37 p.m.