

## Agenda--January 8-9, 2003

California State Board of Education (SBE) meeting agenda.

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### FULL BOARD Public Session

All Items within the Agenda are Portable Document Format (PDF) Files. And you'll need Adobe Acrobat Reader to open them.

Wednesday, January 8, 2003 9:00 a.m.±

STATE BOARD OF EDUCATION

Closed Session - IF NECESSARY (The public may not attend.)

The Closed Session (1) may commence earlier than 9:00 a.m.; (2) may begin at or before 9:00 a.m., be recessed, and then be reconvened later in the day; or (3) may commence later than 9:00 a.m.

- Call to Order
- Salute to the Flag
- Approval of Minutes (December 2002 Meetings)
- Announcements
- Communications
- REPORT OF THE SUPERINTENDENT (May be held over to the Thursday session)
- SPECIAL PRESENTATIONS

Public notice is hereby given that special presentations for informational purposes may take place during this session.

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ITEM 1 STATE BOARD PROJECTS AND PRIORITIES.

INFORMATION  
ACTION

Including, but not limited to, future meeting plans; agenda items; State Board office budget; staffing, appointments, and direction to staff; nomination of State Board officers; 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.

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ITEM 2 PUBLIC COMMENT.

INFORMATION

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.

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ITEM 3 No Child Left Behind (NCLB) Accountability Plan.

INFORMATION  
ACTION

ITEM 4 No child Left Behind (NCLB) Act, including but not limited to, Update on NCLB and Reading First Implementation.

INFORMATION  
ACTION

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ITEM 5 Revisions in the 2002 Base Academic Performance Index (API).

INFORMATION  
ACTION

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ITEM 6	Standardized Testing and Reporting (STAR) Program: Including, but not limited to, Approval of Performance Standards (Levels) for the California Integrated Science Standards Tests.	INFORMATION ACTION
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ITEM 7	California High School Exit Examination (CAHSEE): Including, but not limited to, CAHSEE Program Update.	INFORMATION ACTION
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ITEM 8	California English Language Development Test (CELDT): Including, but not limited to, CELDT Program Update.	INFORMATION ACTION
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**\*\*\*RECOGNITION CEREMONIES\*\*\***

Ceremonies to recognize the 2002-2003 United States Senate Youth delegates and alternates and the 2003 California Teachers of the Year. The ceremonies will begin at approximately 11:15 a.m.

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ITEM 9	United States Senate Youth Presentation.	INFORMATION
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ITEM 10	California Teachers of the Year (TOY) 2003.	INFORMATION
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**\*\*\* END OF RECOGNITION CEREMONIES\*\*\***

ITEM 11	Draft Evaluation Criteria for K-8 History-Social Science Adoption of Instructional Materials.	INFORMATION ACTION
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ITEM 12	High Priority Schools Grant Program Implementation Grant Awards.	INFORMATION ACTION
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ITEM 13	Implementation of the AB 466 Mathematics and Reading Professional Development Program (Chapter 737, Statutes of 2001): Including, but not limited to, Approval of Training Providers and Training Curricula.	INFORMATION ACTION
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ITEM 14	Approval of Local Educational Agencies (LEAs) and Consortia applications for funding under AB 75, The Principal Training Program.	INFORMATION ACTION
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**ADJOURNMENT OF DAY'S SESSION**

**Thursday, January 9, 2003 - 8:00 a.m. ± (Upon Adjournment of Closed Session, if held)**

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

REPORT OF THE SUPERINTENDENT (unless presented on the preceding day)

**SPECIAL PRESENTATIONS**

Public notice is hereby given that special presentations for informational purposes may take place during this session.

## ITEMS DEFERRED FROM PRECEDING DAY

Any matters deferred from the previous day's session may be considered.

The State Board of Education will also consider and take action as appropriate on the following agenda items:

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ITEM 15	Assignment of Numbers for Charter School Petitions.	INFORMATION ACTION
ITEM 16	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.	INFORMATION ACTION
ITEM 17	Funding approval to provide 1) professional development courses in nutrition and food service management including instruction on the School Meals Initiative menu planning systems for child nutrition personnel employed in schools and child care centers; 2) professional development and technical assistance to school teachers through regional school garden resource centers; and 3) grants to local educational agencies for garden-enhanced nutrition education to build skills and motivate children to make healthy food choices using Fiscal Year 2002-2003 state nutrition educational funds.	INFORMATION ACTION
ITEM 18	Appointments to Curriculum Development and Supplemental Materials Commission, Advisory Commission on Special Education, and Child Nutrition Advisory Council.	INFORMATION ACTION
ITEM 19	Appointment of one deputy and three associate superintendents (exempt positions) in accordance with Article IX, Section 2.1, of the Constitution of the State of California.	ACTION
ITEM 20	Legislative Update: Including, but not limited to, information on committee appointments and legislation.	INFORMATION
ITEM 21	Approval of 2002-2003 Consolidated Applications.	ACTION

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## WAIVER REQUESTS

## CONSENT MATTERS

The following agenda items include waivers and other administrative matters that California Department of Education (CDE) staff have identified as having no opposition and presenting no new or unusual issues requiring the State Board's attention.

### CARL PERKINS VOCATIONAL AND TECHNICAL EDUCATION ACT OF 1998

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ITEM WC-1	Request by Sherman Indian High School for a renewal of a waiver of <i>Section 131(d)(1)</i> of the Carl D. Perkins Vocational and Technical Education Act of 1998 (Public Law 105-332)	ACTION
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CDSIS-5-11-2002

(Recommended for APPROVAL)

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ITEM WC-2

Request by Waterford Unified School District for a renewal of a waiver of Section 131(d)(1) of the Carl D. Perkins Vocational and Technical Education Act of 1998 (Public Law 105-332)

ACTION

CDSIS-15-11-2002

(Recommended for APPROVAL)

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**CHARTER SCHOOL ATTENDANCE**

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ITEM WC-3

Request by the Learning Community Charter School under the authority of Education Code Section 33054 to waive Title 5 CCR Section 11960, related to charter school attendance for Heatherstone School Site for Four Winds School Site.

ACTION

CDSIS-16-10-2002

(Recommended for APPROVAL WITH CONDITIONS)

E.C. 33051(c) will apply

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**HIGH SCHOOL EXIT EXAMINATION (special education students)**

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ITEM WC-4

Request by Glendora School District to waive *Education Code* Section 60851 (a), "the requirement to successfully pass the exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school" for one special education student #063.

ACTION

CDSIS-17-10-2002

(Recommended for APPROVAL)

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ITEM WC-5

Request by Glenn County Office of Education to waive *Education Code* Section 60851 (a), "the requirement to successfully pass the exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school" for two special education students #064 and #065.

ACTION

CDSIS-20-10-2002

(Recommended for APPROVAL)

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ITEM WC-6

Request by Julian School District to waive *Education Code* Section 60851 (a), "the requirement to successfully pass the exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school" for one special education student #066.

ACTION

CDSIS-1-11-2002

(Recommended for APPROVAL)

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ITEM WC-7 Request by Fremont School District to waive *Education Code* Section 60851 (a), "the requirement to successfully pass the exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school" for one special education student #067.  
CDSIS-2-11-2002  
(Recommended for APPROVAL) ACTION

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ITEM WC-8 Request by Poway SELPA to waive *Education Code* Section 60851 (a), "the requirement to successfully pass the exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school" for four special education students #069, #070, #071, and #072.  
CDSIS-6-11-2002  
(Recommended for APPROVAL) ACTION

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ITEM WC-9 Request by Placentia Yorba Linda School District to waive *Education Code* Section 60851 (a), "the requirement to successfully pass the exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school" for one special education student #074.  
CDSIS-8-11-2002  
(Recommended for APPROVAL) ACTION

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ITEM WC-10 Request by Nevada School District to waive *Education Code* Section 60851 (a), "the requirement to successfully pass the exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school" for three special education students #076, #077, and #078.  
CDSIS-9-11-2002  
(Recommended for APPROVAL) ACTION

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ITEM WC-11 Request by Moorpark School District to waive *Education Code* Section 60851 (a), "the requirement to successfully pass the exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school" for four special education students #080, #081, #083 and #084.  
CDSIS-13-11-2002  
(Recommended for APPROVAL) ACTION

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**INSTRUCTIONAL MATERIALS SUFFICIENCY (Audit Findings)**

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ITEM WC-12 Request by Old Adobe Union School District for a retroactive waiver of *Education Code* (EC) Section 60119 regarding Annual Public Hearing on the availability of textbooks or instructional materials. This district has an audit finding for the 2001-2002 fiscal year that they failed to properly notice (10 days) the public hearing.  
CDSIS-19-11-2002  
(Recommended for APPROVAL) ACTION

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MILLER-UNRUH READING SPECIALIST

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ITEM WC-13

ACTION

Request by Riverside Unified School District to waive *Education Code* Section 52859(b). This request is related to the prohibition of using funds coordinated under the School-Based Coordinated Program (SBCP) to pay for the local share of costs associated with the employment of a Miller-Unruh Reading Specialist.  
CDSIS-10-11-2002  
(Recommended for APPROVAL)

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REGIONAL OCCUPATIONAL PROGRAMS

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ITEM WC-14

ACTION

Request by Lassen County Office of Education for the Regional Occupational Program to waive *Education Code* Section 52314.6(a) regarding the 3% limit enrollment of students under the age of 16, in the Regional Occupational Program (ROP)  
CDSIS-21-10-2002  
(Recommended for APPROVAL WITH CONDITIONS)

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RESOURCE SPECIALIST

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ITEM WC-15

ACTION

Request by Fortuna Union High School District to waive *Education Code* (EC) Section 56362(c), which allows the district to exceed the maximum caseload of 28 students (but not more than 32) for each Resource Specialist, Kathlee Teague and Carol Argyle assigned at Fortuna Union High School.  
CDSIS-7-11-2002  
(Recommended for APPROVAL)

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SATURDAY SCHOOL STATE MEAL MANDATE

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ITEM WC-16 Renewal request by Pixley Union School District to waive *Education Code* Section 49550, for 2002/03, 2003/04, and 2004/05 state fiscal years for the Saturday school program.  
CDSIS-19-10-2002  
(Recommended for APPROVAL) *E.C.* 33051(c) will apply

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ACTION

**NON-CONSENT (ACTION)**

The following agenda items include waivers and other administrative matters that CDE staff have identified as having opposition, being recommended for denial, or presenting new or unusual issues that should be considered by the State Board. On a case by case basis public testimony may be considered regarding the item, subject to the limits set by the Board President or the President's designee; and action different from that recommended by CDE staff may be taken.

FEDERAL SUPPLEMENTAL SERVICES

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ITEM W-1 Request by districts for a waiver of NCLB, Title I, Part A, Section 1116(e), ACTION the requirement to provide "supplemental services" to eligible students.

CDSIS-To be determined  
(Recommended for)

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ACADEMIC PERFORMANCE INDEX (adult testing irregularities)

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ITEM W-2      Alhambra Schools District (ASD) Academic Performance Index (API Waiver). Specifically, the ASD requests a waiver of Title 5 CCR Section 1032(d)(1) and (3) to allow Mark Keppel High School to be included in the API for the current year (2002) or at least in the subsequent year (2003). The district had "adult testing irregularities."  
CDSIS-39-7-2002  
(Recommended for DENIAL per *Education Code* Section 33051(a) (1), the educational needs of the pupils are not adequately addressed.

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ACTION

COMMUNITY DAY COLLOCATION

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ITEM W-3      Request by Cotati-Rhonert Park Unified School District for a waiver of *Education Code* Section 48661(a) relating to the placement of a community day school on the same site as two continuation high schools, an independent study center, and an adult education center at the new relocated site (Alternative Education Center at Richard Crane site).  
CDSIS-18-11-2002  
(Recommended for APPROVAL) *E.C.* 33051(c) will apply

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ACTION

EQUITY LENGTH OF TIME

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ITEM W-4      Request by Dublin Unified School District to waive *Education Code* (EC) Section 37202, the equity length of time requirement for third grade students at Dougherty and Dublin Elementary Schools, to unstagger their third grade classes in order that all students in their classes can attend a longer school day (45 minutes per day).  
CDSIS-14-10-2002  
(Recommended for APPROVAL WITH CONDITIONS)

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ACTION

INSTRUCTIONAL MATERIALS FUND (IMF) PETITION REQUEST

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ITEM W-5      Petition request under *Education Code* Section 60200 (g) by Sonoma County Office of Education to purchase nonadopted Instructional Resources for "special education students" using Instructional Materials Fund (IMF) monies. (List attached)  
CDSIS-22-10-2002  
(Recommended for APPROVAL)

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ACTION

SALE AND LEASE SURPLUS PROPERTY

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ITEM W-6      Sale/Lease of Surplus Real Property: Waiver of Property Bid and Offer Procedures for the Maintenance and Transportation Yard owned by the Huntington Beach Union High School District.

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ACTION

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**SCHIFF-BUSTAMANTE STANDARDS-BASED INSTRUCTIONAL MATERIALS**

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| ITEM W-7 | General waiver request of <i>Education Code</i> Sections 60450 (b) and 60451(b) - Schiff-Bustamante Standards-Based Instructional Materials Program by Woodside Elementary School District to purchase nonadopted Instructional Resources ( <i>FOSS, Grades K-5, California Edition</i> ) using Schiff-Bustamante Funds.<br>CDSIS-12-10-2002<br>(Recommended for APPROVAL WITH CONDITIONS) | ACTION |
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**SCHOOL SITE COUNCIL**

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| ITEM W-8 | Request by Lassen View Union Elementary School District to renew a waiver of <i>Education Code</i> Section 52852 , allowing one joint school site council to function for two small rural schools.<br>CDSIS-21-11-2002<br>(Recommended for APPROVAL) | ACTION |
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**END OF WAIVER REQUESTS**

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| ITEM 22 | Revision to the <i>California State Plan (1999-2004) for the Workforce Investment Act, Title II: Adult Education and Family Literacy Act</i> (revised May 30, 2002). | INFORMATION           |
| ITEM 23 | Proposed Additions and Amendments to Title 5, CCR, Regulations Relating to Special Education.  | INFORMATION<br>ACTION |
| ITEM 24 | Permanent Regulations Regarding Claims for Average Daily Attendance for Pupils Over the Age of 19 by Charter Schools and Charter Granting Entities.                  | INFORMATION<br>ACTION |
| ITEM 25 | Monitoring and Evaluation of Supplemental Educational Services Providers for No Child Left Behind Act of 2001  | INFORMATION<br>ACTION |
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**ADJOURNMENT OF MEETING**

For more information concerning this agenda, please contact Rae Belisle, Executive Director of the California State Board of Education, or Deborah Franklin, Education Policy Consultant, at 1430 N Street, Room 5111, Sacramento, Ca, 95814; telephone 916-319-0827; fax 916-319-0175. To be added to the speaker's list, please fax or mail your written request to the above referenced address/fax number. This agenda is posted on the [State Board of Education's Web site](http://www.cde.ca.gov/be/) [http://www.cde.ca.gov/be/]

Questions: State Board of Education | 916-319-0693

Last Reviewed: Monday, November 21, 2011

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