

Agenda (Corrected)--July 12-13, 2006

California State Board of Education (SBE) meeting agenda corrected June 30, 2006.

Corrected Agenda  
June 30, 2006 – 1:00 pm

State Board Members

Glee Johnson, President  
Kenneth Noonan, Vice President

Alan Bersin  
Ruth Bloom  
Yvonne Chan  
Don Fisher  
Ruth E. Green  
Joe Nuñez  
Johnathan Williams  
Paul Gardner, III, Student Member

Secretary & Executive Officer

Hon. Jack O'Connell

Executive Director

Roger Magyar

SCHEDULE OF MEETING	LOCATION
<b>Wednesday, July 12, 2006</b> 9:00 a.m. ±  STATE BOARD OF EDUCATION Closed Session - <b>IF NECESSARY</b> (The public may not attend.)	<b>California Department of Education</b> 1430 N Street, Room 1101 Sacramento, California 916-319-0827

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.

CLOSED SESSION AGENDA

Conference with Legal Counsel – Existing Litigation: Under *Government Code* sections 11126(e)(1) and (e)(2)(A), the State Board of Education hereby provides public notice that some or all of the pending litigation which follows will be considered and acted upon in closed session:

- *California Association of Private Special Education Schools, et al., v. California Department of Education, et al.*, Los Angeles County Superior Court, Case No. BC272983, and related appeal (Second Appellate District, Case No. B1818435)
- *California Parents for the Equalization of Educational Materials v. California State Board of Education, et al.* U.S. Eastern District of California, Case No. 2:06-CV-00532-FCD-KJM
- *Californians for Justice Education Fund v. State Board of Education, et. al.*, Alameda County Superior Court Case No. RG06265395
- *Centinela Valley Union High School District v. State Board of Education, et al.*, Los Angeles Superior Court, Case No. BS093483

*Coachella Valley Unified School District, et.al., v. State of California, et.al.* Case No. CPF-05-505334

- *Emma C., et al. v. Delaine Eastin, et al.*, United States District Court, Northern District of California, Case No. C 96 4179
- *EMS-BP, LLC, Options for Youth Burbank, Inc. et al. v. California Department of Education, et al.*, Sacramento County Superior Court, Case No. 03CS01078 / 03CS01079 and related appeal
- *Hindu American Foundation, et al., v. California State Board of Education, et al.*, Sacramento Superior Court Case No. 06CS00386
- *K.C. et al. v. Jack O’Connell, et al.*, U.S. District Court, Northern District of California, Case No. C 05 4077 MMC
- *Kidd, et al., v. California Department of Education, et al.*, Alameda Superior Court Case No. 2002049636
- *Medina, et al., v. State of California Department of Education et al.*, San Francisco Superior Court Case No. CPF-06-506068
- *Options for Youth, et al., v. California Department of Education, et al.*, Los Angeles Superior Court Case No. BC 347454
- *Porter, et al., v. Manhattan Beach Unified School District, et al.*, United States District Court, Central District, Case No. CV-00-08402
- *Roxanne Serna, et al., v. Delaine Eastin, State Superintendent of Public Instruction, et al.*, Los Angeles County Superior Court, Case No. BC174282
- *Sonoma County Superintendents of Schools, et. al. v. Special Education Hearing Office, et.al.* Sacramento County Superior Court, Case No. 04AS0393
- *Valenzuela, et al., v. Jack O’Connell, et al.*, San Francisco Superior Court, Case No. CPF 06506050
- Case Name Unspecified: Disclosure of case names would jeopardize existing settlement negotiations

Conference with Legal Counsel – Anticipated Litigation: Under *Government Code* sections 11126(e)(1) and (e)(2)(B), the State Board of Education hereby provides public notice that it may meet in closed session to decide whether there is a significant exposure to litigation, and to consider and act in connection with matters for which there is a significant exposure to litigation. Under *Government Code* sections 11126(e)(1) and (e)(2)(C), the State Board of Education hereby provides public notice that it may meet in closed session to decide to initiate litigation and to consider and act in connection with litigation it has decided to initiate.

Under *Government Code* section 11126(c)(14), the State Board of Education hereby provides public notice that it may meet in closed session to review and discuss the actual content of pupil achievement tests (including, but not limited to, the High School Exit Exam) that have been submitted for State Board approval and/or approved by the State Board.

Under *Government Code* section 11126(a), the State Board of Education hereby provides public notice that it may meet in closed session regarding the appointment, employment, evaluation of performance, or dismissal of public employees, or a complaint or charge against public employees. Public employees include persons exempt from civil service under Article VII, Section 4(e) of the California Constitution.

SCHEDULE OF MEETING	LOCATION
<b>Wednesday, July 12, 2006</b> 9:00 a.m. ± (Upon Adjournment of Closed Session, if held)  STATE BOARD OF EDUCATION Public Session	<b>California Department of Education</b> 1430 N Street, Room 1101 Sacramento, California 916-319-0827

Please see the detailed agenda for more information about the items to be considered and acted upon. The public is welcome.

SCHEDULE OF MEETING	LOCATION
<b>Thursday, July 13, 2006</b> 8:00 a.m. ±  STATE BOARD OF EDUCATION Closed Session – <b>IF NECESSARY</b> (The public may not attend.)	<b>California Department of Education</b> 1430 N Street, Room 1101 Sacramento, California 916-319-0827

Please see **Closed Session Agenda** above. The Closed Session (1) may commence earlier than 8:00 a.m.; (2) may begin at or before 8:00 a.m., be recessed, and then be reconvened later in the day; or (3) may commence later than 8:00 a.m.

SCHEDULE OF MEETING	LOCATION

**Thursday, July 13, 2006**

8:00 a.m. ± (Upon Adjournment of Closed Session, if held)

STATE BOARD OF EDUCATION  
Public Session

**California Department of Education**

1430 N Street, Room 1101

Sacramento, California

916-319-0827

Please see the detailed agenda for more information about the items to be considered and acted upon. The public is welcome.

**ALL TIMES ARE APPROXIMATE AND ARE PROVIDED FOR CONVENIENCE ONLY  
ALL ITEMS MAY BE RE-ORDERED TO BE HEARD  
ON ANY DAY OF THE NOTICED MEETING  
THE ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE**

Persons wishing to address the State Board of Education on a subject to be considered at this meeting, including any matter that may be designated for public hearing, are asked to notify the State Board of Education Office (see telephone/fax numbers below) by noon of the third working day before the scheduled meeting/hearing, stating the subject they wish to address, the organization they represent (if any), and the nature of their testimony. Time is set aside for individuals so desiring to speak on any topic NOT otherwise on the agenda (please see the detailed agenda for the Public Session). In all cases, the presiding officer reserves the right to impose time limits on presentations as may be necessary to ensure that the agenda is completed.

**REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY**

Pursuant to the *Rehabilitation Act of 1973* and the *Americans with Disabilities Act of 1990*, any individual with a disability who requires reasonable accommodation to attend or participate in a meeting or function of the California State Board of Education (SBE), may request assistance by contacting the SBE Office, 1430 N Street, Room 5111, Sacramento, CA, 95814; telephone, 916-319-0827; fax, 916-319-0175.

**CALIFORNIA STATE BOARD OF EDUCATION  
FULL BOARD  
Public Session**

**AGENDA**

**CORRECTED AGENDA  
June 30, 2006 – 1:00 pm**

July 12-13, 2006

**Wednesday, July 12, 2006 – 9:00 a.m. ± (Upon adjournment of Closed Session if held)**

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

Call to Order

Salute to the Flag

Approval of Minutes (meetings from March, April and May 2006)

Communications

Announcements

REPORT OF THE SUPERINTENDENT

SPECIAL PRESENTATIONS

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

NOTE: Items not heard or completed on July 12, 2006, will be carried over to July 13, 2006.

[ITEM 1](#) (DOC;  
152KB; 7pp.)

STATE BOARD PROJECTS AND PRIORITIES.

Including, but not limited to, future meeting plans; agenda items;

ACTION  
INFORMATION

	State Board office budget; staffing, appointments, and direction to staff; declaratory and commendatory resolutions; update on litigation; bylaw review and revision; Board Liaison Reports; and other matters of interest	
<a href="#">ITEM 2</a> (DOC; 57KB; 1p.)	<p>PUBLIC COMMENT.</p> <p>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</p>	INFORMATION
<a href="#">ITEM 3</a> (DOC; 93KB; 5pp.)	Appoint William Padia as Deputy Superintendent of the Assessment and Accountability Branch in accordance with Article IX, Section 2.1, of the Constitution of the State of California	ACTION INFORMATION
<a href="#">ITEM 4</a> (DOC; 96KB; 8pp.)	<p>Legislative update, including, but not limited to information on legislation from the 2005-06 session</p> <ul style="list-style-type: none"> <li>• <a href="#">Last Minute Memorandum</a> (DOC; 79KB; 8pp.)</li> </ul>	ACTION INFORMATION
<a href="#">ITEM 5</a> (DOC; 157KB; 19pp.)	<p>California Fresh Start (CFS) Pilot Program, Senate Bill (SB) 281 (Maldonado) Regulations: Approve proposed amendments</p> <ul style="list-style-type: none"> <li>• <a href="#">Last Minute Memorandum</a> (DOC; 29KB; 1p.)</li> </ul>	ACTION INFORMATION
<a href="#">ITEM 6</a> (DOC; 142KB; 8pp.)	Reading First: Approve recommendations for Spanish assessments and teacher training that have been considered by the English Learner Advisory Committee	ACTION INFORMATION
<a href="#">ITEM 7</a> (DOC; 138KB; 16pp.)	Reading First: Regulations – Approve Proposed Amendments to Regulations for Reading First Achievement Index/Definition of Significant Progress for a Second 15-Day Comment Period	ACTION INFORMATION
<a href="#">ITEM 8</a> (DOC; 120KB; 9pp.)	No Child Left Behind Act of 2001, Title II, Part A: Approve Proposed Plan of Detailed Activities to Meet the Highly Qualified Teacher Requirements by the End of the One Year Extension, June 30, 2007	ACTION INFORMATION

[Last Minute Memorandum](#) (DOC; 237KB; 25pp.)

<a href="#">ITEM 9</a> (DOC; 917KB; 75pp.)	School Accountability Report Card: Approve Proposed Template and Data Definitions for the 2006-07 School Year	ACTION INFORMATION
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<a href="#">ITEM 10</a> (DOC; 76KB; 5pp.)	Update on issues related to California's implementation of No Child Left Behind and other federal programs – Including, but not limited to, an update on approval from the U.S. Department of Education (ED) of amendments to California's Accountability Workbook <ul style="list-style-type: none"><li>• <a href="#">Last Minute Memorandum</a> (DOC; 53KB; 5pp.)</li></ul>	ACTION INFORMATION
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<a href="#">ITEM 11</a> (DOC; 69KB; 3pp.)	High Priority Schools Grant Program (HPSGP): Amend Definition of Significant Growth and Criteria to Determine Academic Growth for HPSGP Schools Without a Valid Academic Performance Index: Approve regulations <ul style="list-style-type: none"><li>• <a href="#">Attachment 1</a> (DOC; 31KB; 2pp.)</li><li>• <a href="#">Last Minute Memorandum</a> (DOC; 32KB; 1pp.)</li><li>• <a href="#">Last Minute Memorandum Attachment 2</a> (DOC; 22KB; 1pp.)</li></ul>	ACTION INFORMATION
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<a href="#">ITEM 12</a> (DOC; 255KB; 3pp.)	Nonpublic School and Agency Certification: Approve commencement of the Rulemaking Process for Amendments to Title 5 <i>California Code of Regulations</i> , Part 30 of <i>Education Code</i> Sections 56365 Through 56366.12	ACTION INFORMATION
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<a href="#">ITEM 13</a> (DOC; 204KB; 21pp.)	Appeal of Approval by the Merced County and Stanislaus County Committees on School District Organization of a Transfer of Territory from the Turlock Unified School District to the Delhi Unified School District	ACTION INFORMATION
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<a href="#">ITEM 14</a> (DOC; 55KB; 2pp.)	Appeal from a decision of the Orange County Committee on School District Organization to deny a petition to transfer territory from the ABC Unified School District in Los Angeles County to the Los Alamitos Unified School District in Orange County	ACTION INFORMATION
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<a href="#">ITEM 15</a> (DOC;	Appeal from a decision of the Santa Clara County Committee on	ACTION
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55KB; 2pp.)	School District Organization to deny a petition to transfer territory from the Morgan Hill Unified School District to the San Jose Unified School District in Santa Clara County	INFORMATION
<a href="#">ITEM 16</a> (DOC; 73KB; 2pp.)	Chief Business Officer Training Program – Approve Training Provider	ACTION INFORMATION
<a href="#">ITEM 17</a> (DOC; 76KB; 2pp.)	Chief Business Officer Training Program – Approve Training Candidates <ul style="list-style-type: none"> <li>• <a href="#">Attachment 1</a> (XLS; 30KB; 12pp.)</li> <li>• <a href="#">Last Minute Memorandum</a> (DOC; 32KB; 1p.)</li> </ul>	ACTION INFORMATION
<a href="#">ITEM 18</a> (DOC; 62KB; 2pp.)	No Child Left Behind Act of 2001: Approve Local Educational Agency Plans, Title 1, Section 1112 <ul style="list-style-type: none"> <li>• <a href="#">Last Minute Memorandum</a> (DOC; 31KB; 1p.)</li> </ul>	ACTION INFORMATION
<a href="#">ITEM 19</a> (DOC; 60KB; 2pp.)	Consolidated Applications 2005-06: Approval	ACTION INFORMATION
<a href="#">ITEM 20</a> (DOC; 80KB; 5pp.)	The Principal Training Program, Assembly Bill 75 (Chapter 697, Statutes of 2001): Approval of Applications for Funding from Local Educational Agencies and Consortia	ACTION INFORMATION
<a href="#">ITEM 21</a> (DOC; 267KB; 9pp.)	Mathematics and Reading Professional Development Program, Assembly Bill 466 (Chapter 737, Statutes of 2001): Approve Reimbursement Requests from Local Educational Agencies	ACTION INFORMATION
<a href="#">ITEM 22</a> (DOC; 69KB; 5pp.)	Child Nutrition Advisory Council: Approve Amendments To Bylaws	ACTION INFORMATION
<a href="#">ITEM 23</a> (DOC; 97KB; 5pp.)	Standardized Testing and Reporting Program: Approval of the revisions to the California Alternate Performance Assessment English-language arts Blueprint for Level 1	ACTION INFORMATION

<a href="#">ITEM 24</a> (DOC; 51KB; 1p.)	Advisory Commission on Special Education: Appointment of two commissioners <ul style="list-style-type: none"><li>• <a href="#">Last Minute Memorandum</a> (DOC; 46KB; 1p.)</li></ul>	ACTION INFORMATION
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<a href="#">ITEM 25</a> (DOC; 102KB; 5pp.)	Assignment of Numbers for Charter School Petitions <ul style="list-style-type: none"><li>• <a href="#">Last Minute Memorandum</a> (DOC; 60KB; 3pp.)</li></ul>	ACTION INFORMATION
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<a href="#">ITEM 26</a> (DOC; 96KB; 6pp.)	Charter Schools: Determination of Funding Requests for 2005-06 (and beyond) for Nonclassroom-based Charter Schools <ul style="list-style-type: none"><li>• <a href="#">Last Minute Memorandum</a> (DOC; 35KB; 1p.)</li></ul>	ACTION INFORMATION
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\*\*\*PUBLIC HEARING\*\*\*

Public Hearing on the following agenda items will commence no earlier than **2:00 p.m.** The Public Hearing will be held at or after **2:00 p.m.** as the business of the State Board permits.

<a href="#">ITEM 27</a> (DOC; 3,551KB; 137pp.)	Petition by Green Dot Public Schools to establish a Statewide Benefit Charter School under the oversight of the State Board of Education: Hold Public Hearing, Make Finding, and Approve	ACTION INFORMATION PUBLIC HEARING
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\*\*\*END OF PUBLIC HEARING\*\*\*

<a href="#">ITEM 28</a> (DOC; 91KB; 3pp.)	State Board of Education-Approved Charter Schools: Update	ACTION INFORMATION
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<a href="#">ITEM 29</a> (DOC; 123KB; 14pp.)	Academy of Culture and Technology: Revocation Pursuant to <i>Education Code</i> Section 47607(d) and Direction to Proceed with Closure	ACTION INFORMATION
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\*\*\*PUBLIC HEARING\*\*\*

Public Hearing on the following agenda items will commence no earlier than **2:30 p.m.** The Public Hearing will be held at or after **2:30 p.m.** as the business of the State Board permits.

<a href="#">ITEM 30</a> (DOC;	Cypress Grove Charter High School for Arts and Sciences: Appeal	ACTION
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121KB; 3pp.)	of Renewal Denial Pursuant to <i>Education Code</i> Section 47607.5 <ul style="list-style-type: none"> <li>• <a href="#">Last Minute Memorandum</a> (DOC; 44KB; 3pp.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 1</a> (DOC; 510KB; 53pp.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 2</a> (DOC; 271KB; 53pp.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 3a</a> (PDF; 15KB; 1p.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 3b</a> (PDF; 370KB; 33pp.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 4</a> (PDF; 225KB; 4pp.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 5</a> (PDF; 22KB; 1p.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 6</a> (DOC; 716KB; 118pp.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 7</a> (PDF; 47KB; 4pp.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 8 page1</a> (PDF; 24KB; 1p.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 8 page2</a> (XLS; 28KB; 3pp.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 9</a> (PDF; 25KB; 1p.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 10</a> (PDF; 26KB; 1p.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 11</a> (PDF; 94KB; 1p.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 12</a> (PDF; 22KB; 2pp.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 13</a> (PDF; 181KB; 35pp.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 14</a> (PDF; 11KB; 1p.)</li> </ul> <p>NOTE: The remaining pages are available in hard copy at the State Board of Education office.</p> <ul style="list-style-type: none"> <li>• <a href="#">Last Minute Memorandum Attachment 15</a> (PDF; 50KB; 9pp.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 16 page1-20</a> (PDF; 77KB; 20pp.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 16 page21</a> (PDF; 14KB; 1p.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 16 page22-27</a> (PDF; 281KB; 6pp.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 17</a> (DOC; 129KB; 1p.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 18</a> (PDF; 66KB; 44pp.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 19</a> (DOC; 49KB; 3pp.)</li> <li>• <a href="#">Last Minute Memorandum Attachment 20</a> (PDF; 234KB; 7pp.)</li> </ul>	INFORMATION PUBLIC HEARING
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**\*\*\*END OF PUBLIC HEARING\*\*\***

<a href="#">ITEM 31</a> (DOC; 60KB; 2pp.)	Proposed Revision of State Board of Education Waiver Policy Number 99-03 - Physical Education Requirements – Block Schedules <ul style="list-style-type: none"> <li>• <a href="#">Attachment 1</a> (DOC; 92KB; 3pp.)</li> </ul>	ACTION INFORMATION
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**Thursday, July 13, 2006 – 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)

ITEMS DEFERRED FROM PRECEDING DAY

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

**CLOSED SESSION**

NOTE: Items not heard or completed on July 12, 2006, will be carried over to July 13, 2006.

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

<a href="#">ITEM 32</a> (DOC; 72KB; 3pp.)	California High School Exit Examination: Review local educational agency failure to grant diplomas for certain students under California <i>Education Code</i> (EC) Section 60852.3	ACTION INFORMATION
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<a href="#">ITEM 33</a> (DOC; 230KB; 6pp.)	California High School Exit Examination: Including, but not limited to, CAHSEE Program and independent evaluation update	ACTION INFORMATION
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<a href="#">ITEM 34</a> (DOC; 222KB; 18pp.)	Standardized Testing and Reporting Program: Adopt Amendments to Title 5 Regulations <ul style="list-style-type: none"><li>• <a href="#">Last Minute Memorandum</a> (DOC; 254KB; 58pp.)</li></ul>	ACTION INFORMATION
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<a href="#">ITEM 35</a> (DOC; 99KB; 5pp.)	Standardized Testing and Reporting Program: Including, but not limited to, program update <ul style="list-style-type: none"><li>• <a href="#">Last Minute Memorandum</a> (DOC; 648KB; 27pp.)</li></ul>	ACTION INFORMATION
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<a href="#">ITEM 36</a> (DOC; 726KB; 3pp.)	Standardized Testing and Reporting Program: Approval of grades five, six, and seven Proposed Blueprints for the Reading/language arts and Mathematics Standards-based Tests in Spanish	ACTION INFORMATION
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<a href="#">ITEM 37</a> (DOC; 76KB; 5pp.)	California English Language Development Test: Including, but not Limited to, Update on California English Language Development Test and Review of Possible Modifications to Guidelines for Reclassification of English Learners	ACTION INFORMATION
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ITEM 38	State Board's Budget and Staffing Under New State Budget	ACTION INFORMATION
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**WAIVER REQUEST 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.

**REGIONAL OCCUPATIONAL PROGRAM**

<p><a href="#">ITEM WC-1</a> (DOC; 62KB; 2pp.)</p>	<p>Request by Stanislaus County Office of Education for a renewal waiver of <i>Education Code (EC)</i> Section 52314.6(a) regarding the 3 percent limit on enrollment of students under the age of 16 in the Regional Occupational Program (ROP).</p> <p>Waiver Number: 15-5-2006</p> <p>(Recommended for APPROVAL WITH CONDITIONS)</p> <p><i>EC</i> 33051(c) will apply</p>	<p>ACTION</p>
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**RESOURCE SPECIALIST CASELOAD**

<p><a href="#">ITEM WC-2</a> (DOC; 60KB; 2pp.)</p>	<p>Request by North Monterey County Unified School District to waive <i>Education Code (EC)</i> Section 56362(c), allowing the caseload of the resource specialist to exceed the maximum caseload of 28 students by no more than 4 students (32 maximum). Justin Matlow assigned at the Prunedale Elementary School.</p> <p>Waiver Number: 6-5-2006</p> <p>(Recommended for APPROVAL WITH CONDITIONS)</p>	<p>ACTION</p>
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<p><a href="#">ITEM WC-3</a> (DOC; 60KB; 2pp.)</p>	<p>Request by Cucamonga School District to waive <i>Education Code (EC)</i> Section 56362 (c), allowing the caseload of the resource specialist to exceed the maximum caseload of 28 students by no more than 4 students (32 maximum). Donna Brazill assigned at Los Amigos Elementary School.</p> <p>Waiver Number: 19-5-2006</p> <p>(Recommended for APPROVAL WITH CONDITIONS)</p>	<p>ACTION</p>
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**SAFE AND DRUG FREE SCHOOLS AND COMMUNITIES**

<p><a href="#">ITEM WC-4</a> (DOC; 63KB; 2pp.)</p>	<p>Request by Redding Elementary School District to waive No Child Left Behind Act (NCLB); Title IV, Part A, Section 4115(a)(1)(c), to use Safe and Drug Free Schools and Communities funds to support the cost of</p>	<p>ACTION</p>
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	<p>Building Effective Schools Together (BEST) - a positive behavior support program for students in kindergarten through eighth grade.</p> <p>Waiver Number: 8-4-2006</p> <p>(Recommended for APPROVAL WITH CONDITONS)</p>	
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**SCHOOL SITE COUNCIL**

<p><a href="#">ITEM WC-5</a> (DOC; 58KB; 2pp.)</p>	<p>Request by Lassen View Union Elementary School District under the authority of <i>Education Code (EC)</i> Section 52863 for a renewal waiver of <i>EC</i> Section 52852, relating to the required school site council for each school to allow one joint school site council to function for two small schools (Kindergarten through eighth and community day school).</p> <p>Waiver Number: 28-4-2006</p> <p>(Recommended for APPROVAL)</p>	<p>ACTION</p>
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**STATE MEAL MANDATE (Saturday School Session)**

<p><a href="#">ITEM WC-6</a> (DOC; 62KB; 2pp.)</p>	<p>Request by Bishop Union Elementary Unified School District under the waiver authority of <i>Education Code (EC)</i> Section 49548 to waive <i>Education Code (EC)</i> Section 49550, the requirement that needy pupils must be provided with a nutritionally adequate free or reduced-price meal during each school day (State Meal Mandate) during the Saturday school session at the Home Street Middle School.</p> <p>Waiver Number 20-5-2006</p> <p>(Recommended for APPROVAL)</p>	<p>ACTION</p>
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**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.

**ALGEBRA I – SPECIAL EDUCATION STUDENTS**

<p><a href="#">ITEM W-1</a> (DOC; 63KB; 3pp.)</p>	<p>Request by Sacramento City Unified School District to waive <i>Education Code (EC)</i> Section 51224.5(b), the requirement that all students be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation for seven special education student(s) based on <i>EC</i> Section 56101, the special education waiver authority.</p> <p>Waiver Number: 7-5-2006</p> <p>(Recommended for APPROVAL WITH CONDITIONS)</p>	<p>ACTION</p>
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CHARTER SCHOOL (Single Gender)

<p><a href="#">ITEM W-2</a> (DOC; 72KB; 3pp.)</p>	<p>Request by the New Village Charter School for a waiver of <i>Education Section (EC) Section 47605(d)(1)(2)(A)</i>, to waive the statutory prohibition on gender discrimination and the statutory requirement for charter schools to admit all pupils who wish to attend in order to operate a charter school that admits and serves only female students.</p> <p>Waiver Number: 10-5-2005</p> <p>(Recommended for Denial)</p> <ul style="list-style-type: none"> <li>• <a href="#">Last Minute Memorandum</a> (DOC; 56KB; 3pp.)</li> </ul>	<p>ACTION</p>
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CLASSIFIED SENIOR MANAGEMENT EMPLOYEES

<p><a href="#">ITEM W-3</a> (DOC; 67KB; 3pp.)</p>	<p>Request by the Los Angeles Unified School District (LAUSD) using the specific waiver authority of the <i>Education Code (EC) 45108.7</i> to waive Section 45108.5(b)(4) to increase permanently the number of Classified Senior Management Employees in the district. Current: 66 permanent. Proposed: add 7 new permanent designations for a total of 73 permanent designations.</p> <p>Waiver Number: 13-5-2006</p> <p>(Recommended for APPROVAL)</p>	<p>ACTION</p>
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COMMUNITY DAY SCHOOL

<p><a href="#">ITEM W-4</a> (DOC; 66KB; 3pp.)</p>	<p>Request by Grant Joint Union High School District for a renewal waiver of portions of <i>Education Code (EC) Section 48661(a)</i> to permit the operation of a community day school (CDS) on the same site as a continuation high school, Vista Nueva Career &amp; Technology High School.</p> <p>Waiver Number 11-6-2006</p> <p>(Recommended for APPROVAL) EC 33051(c) will apply</p>	<p>ACTION</p>
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EQUITY LENGTH OF TIME

<p><a href="#">ITEM W-5</a> (DOC; 66KB; 3pp.)</p>	<p>Request by Temecula Valley Unified School District for a renewal of a waiver of <i>Education Code (EC) Section 37202</i>, the equity length of time requirement, at one of the district's three high schools, Chaparral High School.</p> <p>Waiver Number: 9-5-2006</p> <p>(Recommended for APPROVAL WITH CONDITIONS)</p> <p>EC 33051(c) will apply</p>	<p>ACTION</p>
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INSTRUCTIONAL MATERIALS

<p><a href="#">ITEM W-6</a> (DOC; 64KB; 2pp.)</p>	<p>Request by Hot Springs School District to waive <i>Education Code (EC)</i> Section 60061(a)(3), the requirement that free instructional materials be given equally to all school districts in any state. Waiver would allow a very small school district to obtain more free instructional materials than the normal based on their size, for the adoption from the 2005 History Social Science materials list.</p> <p>Waiver Number: 29-4-2006</p> <p>(Recommended for APPROVAL) <i>EC</i> 33051(c) will not apply</p>	<p>ACTION</p>
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INSTRUCTIONAL MATERIALS SUFFICIENCY (Audit Findings)

<p><a href="#">ITEM W-7</a> (DOC; 63KB; 3pp.)</p>	<p>Request by Mono County Office of Education for a retroactive waiver of the audit penalty for the 2004/2005 fiscal year of <i>Education Code (EC)</i> Section 60119 regarding the annual public hearing on the availability of textbooks and instructional materials. The county office held the required public hearing during school hours.</p> <p>Waiver Number: 7-3-2006</p> <p>(Recommended for APPROVAL)</p>	<p>ACTION</p>
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<p><a href="#">ITEM W-8</a> (DOC; 60KB; 2pp.)</p>	<p>Request by Siskiyou County Office of Education for a retroactive waiver of the audit penalty for the 2004/2005 fiscal year for <i>Education Code (EC)</i> Section 60119 regarding the annual public hearing and board resolution on the availability of textbooks and instructional materials for all students at all grade levels and subjects. The county held their required annual public hearing during school hours.</p> <p>Waiver Number: 2-6-2006</p> <p>(Recommended for APPROVAL)</p>	<p>ACTION</p>
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<p><a href="#">ITEM W-9</a> (DOC; 62KB; 2pp.)</p>	<p>Request by Mendocino County Office of Education for a retroactive waiver of the audit penalty for the 2004/2005 fiscal year for <i>Education Code (EC)</i> Section 60119 regarding the annual public hearing and board resolution on the availability of textbooks and instructional materials for all students at all grade levels and subjects. The county office held the hearing during school hours.</p> <p>Waiver Number: 50-3-2006</p> <p>(Recommended for APPROVAL)</p>	<p>ACTION</p>
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INSTRUCTIONAL TIME PENALTY

<p><a href="#">ITEM W-10</a> (DOC; 62KB; 2pp.)</p>	<p>Request by Liberty Elementary School District under the authority of <i>Education Code (EC)</i> Section 64206 to waive <i>Education Code (EC)</i> Section 46200(c), the Longer Instructional Year Incentive Program audit penalty for failing to meet the requirement of 180 days of instruction for the 2004-2005 school year. Liberty Elementary School was one day short for that year.</p> <p>Waiver Number: 1-4-2006</p> <p>(Recommended for APPROVAL WITH CONDITIONS)</p>	<p>ACTION</p>
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<p><a href="#">ITEM W-11</a> (DOC; 80KB; 4pp.)</p>	<p>Request by Santa Cruz Elementary School District under the authority of <i>Education Code (EC)</i> 46206 to waive three <i>EC</i> sections of audit penalties for Monarch Elementary Alternative School related to the Longer Instructional Day and Year Incentive program in the 2004-05 school year:</p> <ul style="list-style-type: none"> <li>• <i>EC</i> Section 46202(b) (longer day) for offering less instructional time than the required state minimums at grades 1-3 (shortfall of 2,265 minutes) and grades 4-6 (shortfall of 1,635 minutes);</li> <li>• <i>EC</i> Section 46200.5(c) (longer day) for offering less instructional time than the district offered in 1982-1983 in grades 7-8 (shortfall of 4,020 minutes) and;</li> <li>• <i>EC</i> 46200(a) (longer year) for offering less than 180 days (shortfall of 4 days).</li> </ul> <p>Waiver Number: 27-4-2006</p> <p>(Recommended for APPROVAL WITH CONDITIONS)</p>	<p>ACTION</p>
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INSTRUCTIONAL TIME PENALTY (Charter Schools)

<p><a href="#">ITEM W-12</a> (DOC; 102KB; 3pp.)</p>	<p>Request by the Sacramento River Discovery Charter School under the authority of <i>Education Code (EC)</i> Section 47612.6 to waive <i>EC</i> 47612.5(c) the audit penalty for offering fewer than the minimum required number of annual instructional minutes in the 2004-05 fiscal year for grades 9-12 in charter schools (shortfall of 3,300 minutes).</p> <p>Waiver Number: 10-3-2006</p> <p>(Recommended for APPROVAL WITH CONDITIONS)</p>	<p>ACTION</p>
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LIMITATIONS ON SCHOOL BOUNDARIES

<p><a href="#">ITEM W-13</a></p>	<p>Request by the Turlock Unified School District (USD) using the specific</p>	<p>ACTION</p>
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(DOC; 67KB; 3pp.)	<p>waiver authority of <i>Education Code (EC)</i> 33050 to waive Section 15301(c), the limitations on boundaries of a school facilities improvement district, allowing the Turlock USD to form a School Facilities Improvement District that includes property in an existing Community Facilities District, for bonding purposes.</p> <p>Waiver Number: 14-5-2006</p> <p>(Recommended for APPROVAL WITH CONDITONS)</p>	
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**NINTH GRADE CLASS SIZE REDUCTION PROGRAM**

<p><a href="#">ITEM W-14</a> (DOC; 62KB; 2pp.)</p>	<p>Request by Liberty Union High School District (LUHSD) for a renewal of a waiver of <i>Education Code (EC)</i> Section 52084(a), the Ninth Grade Class Size Reduction Program (Morgan-Hart), to receive funding for a full year, double period of "Intensified Algebra" for targeted low performing students, and English (three courses total).</p> <p>Waiver Number: 11-5-2006</p> <p>(Recommended for APPROVAL WITH CONDITIONS)</p>	ACTION
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**PETITION**

<p><a href="#">ITEM W-15</a> (DOC; 66KB; 3pp.)</p>	<p>Petition request under <i>Education Code (EC)</i> sections 60421(d) and 60200(g) by Lake Tahoe Unified School District to purchase Instructional Resources (<i>Everyday Mathematics</i>, Grades K-3, c.2001, and Grades 4-6, c.2002) using Instructional Materials Funding Realignment Program (IMFRP) monies.</p> <p>Waiver Number: 12-5-2006</p> <p>(Recommended for APPROVAL WITH CONDITIONS)</p>	ACTION
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**SCHOOL SITE COUNCIL (Composition)**

<p><a href="#">ITEM W-16</a> (DOC; 61KB; 2pp.)</p>	<p>Request by Lompoc Unified School District under the authority of <i>Education Code (EC)</i> Section 52863 to waive <i>EC</i> Section 52852, to allow the schoolsite advisory team to function in place of the schoolsite council and to waive the parity requirements of this advisory group in regards to proportion of parent members to schoolsite members.</p> <p>Waiver Number: 29-2-2006</p> <p>(Recommended for APPROVAL WITH CONDITIONS)</p>	ACTION
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<p><a href="#">ITEM W-17</a> (DOC; 59KB;</p>	<p>Request by Tulelake Basin Joint Unified School District under the authority of <i>Education Code (EC)</i> Section 52863 for a renewal waiver of</p>	ACTION
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2pp.)	<p>EC Section 52852, allowing one joint school site council to function for three small rural schools participating in the School Based Coordinated Program, and allowing the district to continue to operate a school site council which includes two, rather than four students for each school participating in the School Based Coordination Act.</p> <p>Waiver Number: 3-5-2006</p> <p>(Recommended for APPROVAL)</p>	
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STATE TESTING REPORTING DEADLINES

<p><a href="#">ITEM W-18</a> (DOC; 60KB; 2pp.)</p>	<p>Request by ten school districts and two charter school to waive the State Testing Apportionment Information Report deadline of December 31st in the <i>California Code of Regulations (CCR)</i>, Title 5, Section 11517.5(b)(1)(A) regarding the California English Language Development Test (CELDT), or <i>CCR</i> Title 5, Section 1225(b)(2)(A) regarding the California High School Exit Examination (CAHSEE), or <i>CCR</i>, Title 5, Section 862(c)(2)(A) regarding the Standardized Testing and Reporting Program (STAR).</p> <p>Waiver Numbers: see attached list for specific school districts</p> <p>(Recommended for APPROVAL)</p> <ul style="list-style-type: none"> <li>• <a href="#">Attachment 1</a> (DOC; 45KB; 1p.)</li> </ul>	ACTION
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ADJOURNMENT OF DAY'S SESSION

\*\*\*ADJOURNMENT OF MEETING\*\*\*

For more information concerning this agenda, please contact the State Board of Education 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 | 916-319-0827

Last Reviewed: Friday, August 05, 2011



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

<b>SUBJECT</b>	
STATE BOARD PROJECTS AND PRIORITIES. 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; Board Liaison Reports; and other matters of interest.	<input checked="" type="checkbox"/> <b>Action</b> <input checked="" type="checkbox"/> <b>Information</b> <input type="checkbox"/> <b>Public Hearing</b>

### **RECOMMENDATION**

Take action (as necessary and appropriate) regarding State Board Projects and Priorities.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

At each regular meeting, the State Board has traditionally had an agenda item under which to address "housekeeping" matters, such as agenda planning, non-closed session litigation updates, non-controversial proclamations and resolutions, bylaw review and revision, Board liaison reports; and other matters of interest. The State Board has asked that this item be placed appropriately on each agenda.

### **SUMMARY OF KEY ISSUES**

#### **Board Member Liaison Reports**

Board Members serve as liaisons to various committees, organizations, and issue areas. When appropriate, the Liaisons provide short oral reports on issues of interest to the State Board. At this time, there are several vacant liaison positions that Board Members may wish to accept.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

Not applicable for this "housekeeping" item.

### **ATTACHMENT(S)**

Attachment 1 State Board Bylaws (as amended July 9, 2003) (10 pages)

Attachment 2: Agenda Planner 2006 (3 Pages)

Attachment 3: Acronyms Chart (3 Pages)

## AGENDA PLANNER 2005-2006

**MAY 10-11, 2006..... SACRAMENTO**

### **Board Meeting**

- No Child Left Behind Act, approve supplemental educational service providers
- STAR, update/action as necessary
- CAHSEE, update/action as necessary
- CELDT, update/action as necessary
- No Child Left Behind Act, update/action as necessary

### **Dates of Interest to the State Board:**

- Curriculum Development and Supplemental Materials Commission, Sacramento, May 18-19
- Advisory Commission on Special Education, Sacramento, Sacramento, May 25-26

**JUNE 2006 .....NO MEETING SCHEDULED**

### **Dates of Interest to the State Board:**

To be determined

**JULY 12-13, 2006..... SACRAMENTO**

### **Board Meeting**

- STAR, update/action as necessary
- CAHSEE, update/action as necessary
- CELDT, update/action as necessary
- No Child Left Behind Act, update/action as necessary

### **Other Dates of Interest to the State Board:**

- 2006 Science Primary Adoption, IMAP/CRP deliberations, Sacramento, July 10-13
- 2006 Visual and Performing Arts Primary Adoption, IMAP/CRP deliberations, Sacramento, July 31 – August 3
- Biennial Report to the Governor on the State Board's Actions and Operations for the Years 2004-2006.

**AUGUST 2006.....NO MEETING SCHEDULED**

### **Dates of Interest to the State Board:**

- 2006 Visual and Performing Arts Primary Adoption, IMAP/CRP deliberations, Sacramento, July 31 – August 3

**SEPTEMBER 6-7, 2006 ..... SACRAMENTO**

### **Board Meeting**

- Consolidated Applications for 2006-07, for approval
- STAR, update/action as necessary
- CAHSEE, update/action as necessary
- CELDT, update/action as necessary
- No Child Left Behind Act, update/action as necessary

**AGENDA PLANNER 2005-2006**

- Instructional Materials Fund budget, for approval

**Other Dates of Interest to the State Board:**

- Biennial report from State Board of Education due to State Legislature
- Curriculum Development and Supplemental Materials Commission, Sacramento, September 28-29
- 2006 Science Primary Adoption, Curriculum Commission action on IMAP/CRP recommendations, Sacramento, September 28-29
- 2006 Visual and Performing Arts Primary Adoption, Curriculum Commission action on IMAP/CRP recommendations, Sacramento, September 28-29

**OCTOBER 2006 .....NO MEETING SCHEDULED**

**Dates of Interest to the State Board:**

To be determined

**NOVEMBER 8-9, 2006 ..... SACRAMENTO**

**Board Meeting**

- Consolidated Applications for 2006-07, for approval
- STAR, update/action as necessary
- CAHSEE, update/action as necessary
- CELDT, update/action as necessary
- No Child Left Behind Act, update/action as necessary
- 2006 Science Primary Adoption, Curriculum Commission action on IMAP/CRP recommendations, Sacramento, September 28-29
- 2006 Visual and Performing Arts Primary Adoption, Public Hearing and action on Curriculum Commission adoption recommendations

**Other Dates of Interest to the State Board:**

- Curriculum Development and Supplemental Materials Commission, Sacramento, November 30 – December 1

## AGENDA PLANNER 2005-2006

**DECEMBER 2006 .....NO MEETING SCHEDULED**

**Dates of Interest to the State Board:**

- Curriculum Development and Supplemental Materials Commission, Sacramento, November 30-December 1
- California High School Proficiency Exam contract expires, December 31

# ***ACRONYMS CHART***

<i><b>ACRONYMS</b></i>	
<b>AB</b>	<b>Assembly Bill</b>
<b>ACCS</b>	<b>Advisory Commission on Charter Schools</b>
<b>ACES</b>	<b>Autism Comprehensive Educational Services</b>
<b>ACSA</b>	<b>Association of California School Administrators</b>
<b>ADA</b>	<b>Americans with Disabilities Act</b>
<b>ADA</b>	<b>Average Daily Attendance</b>
<b>AFT</b>	<b>American Federation of Teachers</b>
<b>AP</b>	<b>Advanced Placement</b>
<b>API</b>	<b>Academic Performance Index</b>
<b>ASAM</b>	<b>Alternative Schools Accountability Model</b>
<b>AYP</b>	<b>Adequate Yearly Progress</b>
<b>BTSA</b>	<b>Beginning Teacher Support and Assessment</b>
<b>CAHSEE</b>	<b>California High School Exit Examination</b>
<b>CAPA</b>	<b>California Alternate Performance Assessment</b>
<b>CASBO</b>	<b>California Association of School Business Officials</b>
<b>CASH</b>	<b>Coalition for Adequate School Housing</b>
<b>CAT/6</b>	<b>California Achievement Test, 6<sup>th</sup> Edition</b>
<b>CCSESA</b>	<b>California County Superintendents Educational Services Association</b>
<b>CDE</b>	<b>California Department of Education</b>
<b>CELDT</b>	<b>California English Language Development Test</b>
<b>CFT</b>	<b>California Federation of Teachers</b>
<b>CHSPE</b>	<b>California High School Proficiency Exam</b>
<b>CNAC</b>	<b>Child Nutrition Advisory Council</b>
<b>COE</b>	<b>County Office of Education</b>
<b>ConAPP</b>	<b>Consolidated Applications</b>
<b>CRP</b>	<b>Content Review Panel</b>
<b>CSBA</b>	<b>California School Boards Association</b>
<b>CSIS</b>	<b>California School Information System</b>
<b>CST</b>	<b>California Standards Test</b>
<b>CTA</b>	<b>California Teachers Association</b>
<b>CTC</b>	<b>California Commission on Teacher Credentialing</b>

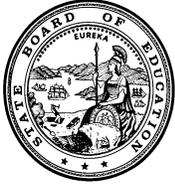
## ACRONYMS CHART

<i><b>ACRONYMS</b></i>	
<b>EL</b>	<b>English Learner</b>
<b>ELAC</b>	<b>English Learner Advisory Committee</b>
<b>ESL</b>	<b>English as a Second Language</b>
<b>FAPE</b>	<b>Free and Appropriate Public Education</b>
<b>FEP</b>	<b>Fluent English Proficient</b>
<b>GATE</b>	<b>Gifted and Talented Education</b>
<b>GED</b>	<b>General Education Development</b>
<b>HPSGP</b>	<b>High-Priority School Grant Program</b>
<b>HumRRO</b>	<b>Human Resources Research Organization</b>
<b>IDEA</b>	<b>Individuals with Disabilities Education Act</b>
<b>IEP</b>	<b>Individualized Education Program</b>
<b>II/USP</b>	<b>Immediate Intervention/Underperforming Schools Program</b>
<b>IMAP</b>	<b>Instructional Materials Advisory Panel</b>
<b>IMFRP</b>	<b>Instructional Materials Fund Realignment Program</b>
<b>LEA</b>	<b>Local Educational Agency</b>
<b>LEP</b>	<b>Limited English Proficient</b>
<b>NAEP</b>	<b>National Assessment of Educational Progress</b>
<b>NEA</b>	<b>National Education Association</b>
<b>NCLB</b>	<b>No Child Left Behind Act of 2001</b>
<b>NPS/NPA</b>	<b>Non Public Schools/Non Public Agencies</b>
<b>NRT</b>	<b>Norm-Referenced Test</b>
<b>OSE</b>	<b>Office of the Secretary for Education</b>
<b>PAR</b>	<b>Peer Assistance and Review Program for Teachers</b>
<b>PSAA</b>	<b>Public School Accountability Act</b>
<b>ROP</b>	<b>Regional Occupation Program</b>
<b>RLA/ELD</b>	<b>Reading/Language Arts/English Language Development</b>
<b>SABE/2</b>	<b>Spanish Assessment of Basic Education, 2<sup>nd</sup> Edition</b>
<b>SAIT</b>	<b>School Assistance and Intervention Team</b>
<b>SARC</b>	<b>School Accountability Report Card</b>
<b>SAT 9</b>	<b>Stanford Achievement Test, 9<sup>th</sup> Edition</b>

## ACRONYMS CHART

### *ACRONYMS*

<b>SB</b>	<b>Senate Bill</b>
<b>SEA</b>	<b>State Educational Agency</b>
<b>SELPA</b>	<b>Special Education Local Plan Area</b>
<b>SBCP</b>	<b>School Based Coordination Program</b>
<b>SBE</b>	<b>State Board of Education</b>
<b>SSPI</b>	<b>State Superintendent of Public Instruction (Jack O'Connell)</b>
<b>STAR</b>	<b>Standardized Testing and Reporting Program</b>
<b>TDG</b>	<b>Technical Design Group (PSAA Advisory Committee)</b>
<b>USD</b>	<b>Unified School District</b>
<b>USDE</b>	<b>United States Department of Education</b>
<b>UTLA</b>	<b>United Teachers-Los Angeles</b>
<b>WIA</b>	<b>Workforce Investment Act</b>



## CALIFORNIA STATE BOARD OF EDUCATION JULY 2006 AGENDA

<b>SUBJECT</b> PUBLIC COMMENT. 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.	<input type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing
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### **RECOMMENDATION**

Listen to public comment on matters not included on the agenda.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

N/A

### **SUMMARY OF KEY ISSUES**

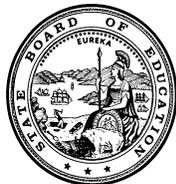
N/A

### **FISCAL ANALYSIS (AS APPROPRIATE)**

N/A

### **ATTACHMENT(S)**

None



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
Appoint William Padia as Deputy Superintendent of the Assessment and Accountability Branch in accordance with Article IX, Section 2.1, of the Constitution of the State of California	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### RECOMMENDATION

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The California Department of Education (CDE) recommends that the State Board of Education (SBE) support the nomination of State Superintendent of Public Instruction Jack O'Connell and appoint William Padia as Deputy Superintendent of the Assessment and Accountability Branch in accordance with Article IX, Section 2.1, of the Constitution of the State of California and the provisions of the State Board of Education (SBE) Policy Number 2: Policy for the Appointment of Constitutional Officers.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

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The California Constitution establishes that the SBE, based upon the recommendation of the State Superintendent of Public Instruction, appoints four staff positions. The positions are exempt from civil service. The general duties to be assigned each individual recommended for appointment are to be specified by the State Superintendent of Public Instruction, recognizing that specific assignments will be made based on the workload of the California Department of Education and are subject to change. The individuals are appointed for up to four-year terms, which run concurrently with the four-year term of the State Superintendent of Public Instruction.

### SUMMARY OF KEY ISSUES

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State Superintendent O'Connell nominated William Padia to serve as the Deputy Superintendent of the Assessment and Accountability Branch and requests that the SBE approve this nomination.

### FISCAL ANALYSIS (AS APPROPRIATE)

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The funding for this position is annually allocated in the California Department of Education budget.

### ATTACHMENT(S)

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Attachment 1: State Board of Education Policy Number 2 (3 pages)  
Attachment 2: Biography for William Padia (1 page)



## California State Board of Education Policy

	POLICY #
	2
SUBJECT	DATE
<i>Policy for the Appointment of Constitutional Officers</i>	<b>February 1995</b>
REFERENCES	
<p>Article IX, Section 2.1 of the California Constitution states in relevant part:</p> <p>The State Board of Education, on nomination of Superintendent of Public Instruction, shall appoint one Deputy Superintendent of Public Instruction and three Associate Superintendents of Public Instruction who shall be exempt from State civil service and whose terms of office shall be four years.</p>	
HISTORICAL NOTES	
<p>This policy succeeds and replaces Policy No. 2 as adopted by the State Board in September 1990.</p>	

Section 1. To carry out the provisions of Article IX, Section 2.1 of the California Constitution, the State Board of Education (State Board) shall appoint one Deputy Superintendent of Public Instruction and three Associate Superintendents of Public Instruction to four-year terms in keeping with this policy; such officers shall be exempt from state civil service. It is the further policy of the State Board that in the event of a vacancy in one or more of those positions, the vacancy shall be filled in accordance with this policy. These positions shall be funded by the Department of Education and adequate office space for these officers shall be provided by the Department.

Section 2. Whenever any of the positions established by Article IX, Section 2.1 of the California Constitution is vacant (or is known to become vacant in the foreseeable future), the Superintendent of Public Instruction (or the Superintendent's designee) shall, in a timely manner, nominate and present to the State Board at least one individual who, in the Superintendent of Public Instruction's opinion, is qualified to fill the vacancy.

Section 3. The Superintendent of Public Instruction (or the Superintendent's designee) shall inform the State Board of the general duties envisioned for each individual nominated, recognizing the Superintendent's legal authority to make specific assignments as the workload of the Department of Education demands. The Superintendent (or designee) shall present to the State Board each nominee's qualifications to undertake the general duties envisioned.

Section 4. Unless exempted therefrom by formal action of the State Board, each individual nominated and presented to the State Board in keeping with this policy shall be available for interview by the State Board or by an appropriate committee of the State Board in keeping with its Bylaws.

Section 5. The Superintendent of Public Instruction (or the Superintendent's designee) shall provide information regarding each nominee to the State Board's Executive Director. The Executive Director shall ensure that the presentation of each nominee is appropriately noticed in the State Board's agenda, as required the by *Bagley-Keene Open Meeting Act*, such that the State Board, if satisfied as to the nominee's qualifications, may take action to appoint the nominee in keeping with this policy.

Section 6. The Superintendent of Public Instruction shall nominate at least one individual to fill each position specified in Article IX, Section 2.1 of the California Constitution, such that none of the positions remains continuously vacant for more than 120 days. The 120-day limitation set forth in this section as it applies to a given position may be extended by formal action of the State Board in unusual circumstances.

Section 7. The State Board after completing its review of the qualifications of a nominee (or set of nominees) for a given position, may appoint that nominee (or one nominee from that set of nominees) or decline to appoint that nominee (or any nominee from that set of nominees). If the State Board declines to appoint the nominee (or any nominee from the set of nominees), it shall direct the Superintendent of Public Instruction within 60 days to present another nominee or set of nominees for the position. The 60-day limitation set forth in this section may be extended by formal action of the State Board in unusual circumstances.

Section 8. (a) The State Board of Education recognizes that the intent of the people in enacting Article IX, Section 2.1 of the California Constitution appears to have been to set the terms of the positions established therein on a basis coterminous with the term of the Superintendent of Public Instruction.

(b) The State Board recognizes the desire of honest, diligent, capable, and dedicated individuals to be held accountable for their job performance, as well as for their personal and professional conduct.

Section 9. (a) Any individual nominated by the Superintendent of Public Instruction in keeping with this policy has the right, prior to appointment, to agree voluntarily to the following employment conditions, which shall have the status of a contract and violation of which, if so determined by the Superintendent and by formal action of the State Board, shall terminate immediately the affected individual's service with no compensation owed or payable to that individual beyond that point, regardless of the time remaining in the individual's term.

(1) Compliance with all laws—federal and state—in the performance of duties.  
(2) Compliance with the requirements of all other binding authority in the performance of duties.

(3) Demonstration of fitness to perform the duties of office on a continuing basis.

(4) Except as provided in this paragraph, the four-year term specified in Article IX, Section 2.1 of the California Constitution is coterminous with that of the Superintendent of Public Instruction and is running continuously whether a position established by that constitutional provision is vacant or occupied. An appointed individual's actual period of service does not extend beyond the then-current term of the Superintendent of Public Instruction by whom the individual has been nominated, regardless of when the appointment is made during the Superintendent's term, and no compensation is owed or payable to the individual except that earned during the individual's actual period of service. An incoming Superintendent of Public Instruction may extend the period of service of an appointee for up to 120 days into that

incoming Superintendent's term in order to provide for an orderly transition. The 120-day limitation may be extended by formal action of the State Board. Extension of an appointee's period of service for transitional purposes shall give the individual no right to nomination by the incoming Superintendent, reappointment by the State Board, or compensation beyond that earned for the actual service rendered.

(b) Acceptance of appointment to a position pursuant to Article IX, Section 2.1 of the California Constitution under the statement of employment conditions specified in paragraph (a) of this section is equivalent to, at the time of appointment, submission of a voluntary letter of resignation by the individual appointed, effective on the date the expiration of the current term of the Superintendent of Public Instruction by whom he or she was nominated, or at an earlier time if the State Board makes a determination as specified in paragraph (a) of this section.

(c) No individual is required to agree to a voluntary statement of employment conditions set forth in this section either to be nominated by the Superintendent of Public Instruction or considered by the State Board for appointment. Following evaluation of a nominee's qualifications, the State Board may appoint that individual pursuant to Article IX, Section 2.1 of the California Constitution without condition or restriction if convinced of the wisdom of so doing. However, failure of a nominee voluntarily to agree to the employment conditions as set in paragraph (a) of this section is a factor the State Board may take into consideration when evaluating the nominee.

(d) If a nominee agrees to the employment conditions as set forth in paragraph (a) of this section and is appointed by the State Board, but then retracts that agreement (in whole or in part) or challenges the employment conditions (in whole or in part) in a court of law or before an administrative body other than the State Board that either has or asserts authority to make determinations regarding the conditions, the making of that retraction or the filing of that challenge shall immediately and automatically rescind and invalidate the State Board's action of appointing that individual. The rescission and invalidation of action by operation of this section may be overruled by a subsequent formal action of the State Board.

(e) By formal action of the State Board and agreement of the affected individual and the Superintendent of Public Instruction, the employment conditions set forth in paragraph (a) of this section as they pertain to that individual may be modified after the appointment has been made.

Section 10. (a) Except as permitted by formal action of the State Board, the Superintendent of Public Instruction shall make no recommendations to the Governor for appointment of deputy or associate superintendents of public instruction pursuant to *Education Code* section 33143 at a time when any of the positions established by Article IX, Section 2.1 of the California Constitution is vacant.

(b) The occurrence of a vacancy among the positions established by Article IX, Section 2.1 of the California Constitution shall not affect the status of any individual who has already been recommended to or appointed by the Governor pursuant to *Education Code* section 33143.

Section 11. This policy succeeds and replaces Policy No. 2 as adopted by the State Board in September 1990.

## Biography for William Padia

William Padia has served as Deputy Superintendent of the California Department of Education's Assessment & Accountability Branch since January 2006. Prior to this, he was the Director of the Branch's Policy and Evaluation Division since 1988. Padia was the lead for the development of both the Academic Performance Index and the No Child Left Behind Adequate Yearly Progress accountability measures. Padia earned a bachelor's degree in mathematics and a doctorate in research methodology, statistics, and measurement from the University of Colorado, Boulder.



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
Legislative update, including, but not limited to information on legislation from the 2005-06 session.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### **RECOMMENDATION**

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This item is presented to the State Board of Education (SBE) for information and action as deemed necessary and appropriate.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The May 2006 legislative update provided to the SBE included a summary and status of legislative measures from the 2005-2006 legislative session.

### **SUMMARY OF KEY ISSUES**

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The legislative measures presented include bills that fall under the seven principles adopted by the SBE at the September 2004 Board meeting, as well as legislation that may be of interest to the SBE, including an overview of the 2006-07 state budget.

June 30, 2006, was the last day for policy committees to meet and report bills. The legislature will be on Summer recess beginning July 7, 2006, and will reconvene on August 7, 2006. August 18, 2006, will be the last day for fiscal committees to meet and report bills to the floor, and August 31, 2006, will be the last day for each house to pass bills, with final recess beginning at the end of that day's session.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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The fiscal impact will be noted as appropriate in the legislative summary of each measure.

### **ATTACHMENT(S)**

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Attachment 1: Legislative update (7 pages). A last minute memorandum will be submitted with an update on the status of legislative measures.

## Legislative Update

Bills Related to State Board (SBE) of Education Principles

**1. Safeguard the State Board of Education adopted academic content standards as the foundation of California's K-12 educational system; the same standards for all children.**

### **AB 1246 (Wolk)**

This bill would authorize the Superintendent of Public Instruction to develop preschool learning standards and develop curriculum guides in preliteracy, prenumeracy, history/social science and science. This bill is sponsored by the Superintendent of Public Instruction. **This measure is waiting to be heard in the Senate Appropriations Committee.**

### **AB 2115 (Goldberg)**

This bill contains the recommendations of the Assembly Education Committee workgroup on Standards, Accountability and Instruction for which there was bi-partisan agreement. These include:

The establishment of a Career Technical Education Coordinating Council to identify state and federal career education programs in kindergarten and grades 1-12 schools and to recommend to the Governor and the Legislature ways to coordinate programs and funding streams in order to enhance the effectiveness and economy of those programs. It requires the council to identify barriers to the articulation of K-12 programs with the programs of various state institutions of higher education, and to link K-12 programs with community college certificate and degree programs. It requires the council to make recommendations regarding the credential requirements and instruction for various CTE programs.

The creation of Electronic Materials Site Licenses, which requires a publisher or manufacturer of electronic materials to provide a site license to the purchasing school or district to reproduce up to 10% of the materials to replace lost or damaged materials.

**AB 2115 passed the Assembly Floor 74-6 on May 31, 2006, and is awaiting assignment in the Senate Rules Committee.**

**2. Insure that curriculum is rigorous, standards-aligned, and research-based utilizing State Board adopted materials or standards-aligned textbooks in grades 9 to 12, to prepare children for college or the workforce.**

### **AB 607 (Goldberg)**

This bill would limit the term of members of the Curriculum Development and Supplemental Materials Commission. This bill would prohibit a person appointed to serve as part of an advisory group to the commission from participating in that advisory group for more than one subject matter adoption. **This bill is awaiting a hearing in the Senate Education Committee.**

**AB 2722 (Canciamilla)**

This bill would prohibit the State Board from adopting basic instructional materials in language arts or mathematics for the same grade level in successive years. The bill would require the State Board of Education to allow the continued use of certain instructional materials for at least 2 years following the 6th year after those instructional materials are adopted if specified conditions are met. **This bill passed the Assembly Floor 71-0 on May 18, 2006, and is awaiting a hearing in the Senate Education Committee.**

**SB 696 (Escutia)**

This bill is the same as SB 657 from last year. SB 657 was vetoed by the Governor. This bill would require the SBE to annually solicit recommendations from school districts of instructional materials for adoption in any subject area in which the Board adopts instructional materials. This bill permits a school district that recommends instructional materials for adoption to use those instructional materials as if the materials were adopted by the SBE, unless the SBE, within 180 calendar days, makes written factual findings that the instructional materials lack specific criteria. In addition, the SBE must decide within one year of the receipt of a school district recommendation whether to adopt the recommended instructional materials. A failure of the State Board to act on the recommendation deems the instructional materials adopted for four years, or until the next regular adoption of materials in that category, whichever comes later. At the May 2006 meeting, the SBE voted to oppose this bill. This measure passed the Senate Floor 23-10 on January 26, 2006, and is awaiting a hearing in the Assembly Education Committee.

**3. Insure the availability of State Board of Education adopted instructional materials for Kindergarten and grades 1 to 8 and locally adopted standards-aligned instructional materials in grades 9 to 12.**

**AB 1548 (Pavley)**

This bill establishes the Digital Classroom Grant Program of 2006, which directs the State Superintendent of Public Instruction (SPI) to divide funds appropriated for the purpose among the 11 technology project regions of the state and reserve funds for schools selected by the SPI in each region. The new Digital Classroom Grant Program is intended to provide a means for allocating \$25 million proposed in the 2006-07 Governor's Budget for education technology grants. This is an urgency measure sponsored by the Governor. **This bill is awaiting a hearing in the Senate Appropriations Committee.**

**4. Support professional development for teachers on the adopted instructional materials that are used in the classroom.**

### **SB 362 (Torlakson)**

This bill would establish the Physical Education Professional Development Program, administered by the Superintendent of Public Instruction. Adds components to the categorical monitoring process (CMP) as it relates to Physical Education. Clarifies that a secondary school physical education class is one in which each student is required to actively participate. Deletes the authority for a student to be excused from physical education classes to attend driver's training, and closes a loophole that allows a student who is at least 16 years old and in 11<sup>th</sup> grade or repeating 10<sup>th</sup> grade to be permanently excused from physical education courses. **This measure passed the Senate floor 27-10 on January 30, 2006, and is awaiting a hearing in the Assembly Education Committee.**

### **SB 472 (Alquist)**

This bill is similar to SB 414 (Alquist) from last year. The Governor vetoed SB 414 due to "drafting errors." This bill would extend the Mathematics and Reading Professional Development Program for teachers from July 1, 2006 to July 1, 2012. This bill is sponsored by the Superintendent of Public Instruction. **This bill passed the Assembly Education Committee 6-2 on May 3, 2006, and is awaiting a hearing in the Assembly Appropriations Committee.**

### **SB 1190 (Alquist)**

This bill would expand the Mathematics and Reading Professional Development Program by adding science to the existing teacher professional development program. This bill is sponsored by the Superintendent of Public Instruction. **This bill passed the Senate Floor 24-11 on May 30, 2006, and currently is awaiting a hearing in the Assembly Education Committee.**

### **AB 2248 (Coto)**

This bill would extend Reading First grants for years five and six to local education agencies that have received continuous funding and can demonstrate significant progress. This bill is sponsored by the Superintendent of Public Instruction.

**AB 2248 passed the Assembly Floor 56-23 on May 31, 2006, and is awaiting a hearing in the Senate Education Committee.**

## **5. Maintain the assessment and accountability system (including STAR, EAP, CAHSEE, and CELDT).**

### **AB 1483 (Arambula)**

Requires the development and administration of an English language development assessment in early literacy skills for English learners in kindergarten and grade 1. The bill would require the State Department of Education, in the development of the test for pupils in kindergarten and grade 1, to minimize any additional testing time and to ensure that the test is age and developmentally appropriate. This bill is sponsored by the Superintendent of Public Instruction and would bring California into alignment with federal requirements. **This measure is awaiting a hearing in the Senate Education Committee.**

**AB 2117 (Coto)**

This bill requires the California Department of Education (CDE) to administer a three-year competitive grant pilot project, beginning on September 1, 2007, with the goal of identifying and implementing the most effective practices to instruct English language learners (ELLs). It also requires a consortium consisting of the CDE, the University of California (UC), the California State University (CSU), and various county offices of education (COEs) to develop a plan for a training program for certificated and classified staff teaching ELL. **This bill is the vehicle for legislation discussed by the Assembly Education Committee workgroup on English Language Learners. AB 2117 passed the Assembly Floor 63-15 on May 31, 2006, and is awaiting assignment in the Senate Rules Committee.**

**AB 2937 (Pavley)**

Requires the California Department of Education (CDE) to conduct a study to determine which of the California Standards Tests (CSTs), or which combination of those tests, is equivalent to the English language arts and mathematics portion of the California High School Exit Examination (CAHSEE). This bill also requires CDE to determine the performance level on the test or tests that is equivalent to a passing score on the pertinent portion of the CAHSEE, and to report its findings to the Legislature as to whether any of these tests is equivalent to the CAHSEE and whether a student who achieves an equivalent passing score on the identified CST should be deemed to have passed that portion of the CAHSEE. **This bill passed the Assembly Floor 49-31 on May 31, 2006, and is awaiting assignment in the Senate Rules Committee.**

**AB 2975 (Hancock)**

This bill makes Legislative declarations that action is needed to align the state and federal assessment and accountability programs and requires the SBE to change the definition of "proficient" for purposes of adequate yearly progress (AYP) for the federal No Child Left Behind Act of 2001 (NCLB) to be set at the level needed to pass the California High School Exit Examination. This bill requires that, by March 31, 2007, the SBE shall report to the education and budget committees of the Legislature on its plan for implementing these changes. At the May 2006 meeting, the SBE voted to oppose this bill. **This bill passed the Assembly Floor 45-33 on May 31, 2006, and is awaiting assignment in the Senate Rules Committee.**

**SB 1592 (Romero)**

As amended, this bill would require that the Superintendent of Public Instruction make available the results of the California High School Exit Exam and student demographic information as soon as test scores and information are available. **This bill passed the Senate Floor 26-10 on May 25, 2006, and currently is being held at the Assembly Desk.**

**6. Insure that the California Commission on Teacher Credentialing (CTC) and all teacher training institutes use State Board adopted standards as the basis for determining the subject matter competency of teacher candidates.**

**SB 428 (Scott)**

This bill would repeal the CBEST and would charge the California Commission on Teacher Credentialing with establishing standards and procedures for the issuance and renewal of teaching credentials in California. **This measure, which is a two-year bill, is awaiting a hearing in the Assembly Appropriations Committee.**

**SB 1209 (Scott)**

This bill, as amended, eliminates duplicate preliminary credential requirements for new teachers who have completed state-adopted credentialing requirements in another state, consolidates testing requirements for teacher credential candidates, provides incentives to strengthen the preparation of teacher interns and induce experienced teachers to teach and mentor new teachers in high priority schools, among other revisions of teacher credentialing law. **This bill passed the Senate Floor 26-11 on May 30, 2006, and currently is awaiting a hearing in the Assembly Education Committee.**

**7. Strengthen coordination between K-12 and higher education.**

**SB 1563 (Escutia)**

This bill establishes the Community College Early Assessment Pilot program, under which up to 25 community colleges (CCCs) would be authorized to participate to provide students at their feeder high schools with an indicator of their readiness for college-level English and math. The program would be administered by the California Partnership for Achieving Student Success (Cal-Pass) which the bill also establishes. This bill is proposed to be amended to add the collaboration with the California Department of Education on all Community College Early Assessment Activities. **This bill passed the Senate Floor 24-14 on May 30, 2006, and currently is being held at the Assembly Desk.**

**Other Bills of Interest to the State Board**

**AB 172 (Chan)**

States the intent of the Legislature to establish and provide a voluntary preschool-for-all system. In addition, AB 172 would require the Superintendent of Public Instruction to prepare a report and submit it to the Legislature before January 1, 2007, regarding the types of preschool programs that receive funding, including data relating to the geographic and income distribution of participants in these programs. In addition, the Superintendent shall convene a committee to develop a plan to coordinate the capacity and efficiency of the state system of postsecondary education for the purpose of preparing and training high quality staff in preschool programs. This bill would become operative only if funding is provided for purposes of the bill in a statewide initiative that authorizes universal preschool and is approved by the voters at a statewide election. **This measure is awaiting a hearing in the Senate Education Committee.**

### **AB 1988 (Coto)**

This bill implements several recommendations of the Assembly Education Committee's English learner working group. This bill requires the Commission on Teacher Credentialing (CTC) to develop a ten hour English language learner (EL) professional development module to be incorporated into the Beginning Teacher Support and Assessment (BTSA) Program. This bill also requires the Department of Education (CDE) in consultation with CTC to require each school district to report to CDE teacher proficiency in EL teaching knowledge and skills. This bill makes several changes and revisions surrounding the California English Language Development Test, EL Proficiency, data collection on EL students and the Advancement Via Individual Determination (AVID) Program. **This bill was held under submission in the Assembly Appropriations Committee**

### **AB 2254 (Umberg)**

This bill, sponsored by the Superintendent of Public Instruction, consolidates language and clarifies program requirements and timelines for interventions and sanctions for schools in the High Priority Schools Grant Program (HPSGP) and establishes a pilot HPSGP for Alternative Schools. **This bill passed the Assembly Floor 56-23 on May 31, 2006, and is awaiting assignment in the Senate Rules Committee.**

### **AB 2594 (Nunez and Chu)**

This bill, sponsored by the Superintendent of Public Instruction, seeks to create more coherence between the state and federal accountability systems in dealing with school interventions through improved coordination of their accountability features for all schools. **This bill passed the Assembly Floor 48-32 on May 31, 2006, and is awaiting assignment in the Senate Rules Committee.**

### **SB 1284 (Scott)**

This bill updates and makes technical correcting amendments to statutes that establish the Academic Performance Index (API) by:

- Striking mention of the applied academic skills matrix test from the list of test results that provide the basis for calculation of the API.
- Repealing the requirement for the API advisory committee to recommend specified matters by July 1, 2005 and recasts the authorization for the committee with technical corrections.

**This bill passed the Senate Floor 39-0 on May 11, 2006, and is awaiting a hearing in the Assembly Education Committee.**

### **SB 1510 (Alquist)**

This bill, sponsored by the Superintendent of Public Instruction, removes seven reporting requirements from the School Accountability Report Card (SARC) that are duplicative or outdated in an effort to make the SARC a more readable and useful tool for parents. **This bill passed the Senate Floor on May 30, 2006, and currently is awaiting a hearing in the Assembly Education Committee.**

**AB 1801 (Laird)**

This is the Budget Act of 2006. A summary of education funding will be presented at the meeting.

State of California

Department of Education

## LAST MINUTE MEMORANDUM

**DATE:** July 7, 2006

**TO:** MEMBERS, STATE BOARD OF EDUCATION

**FROM:** Andrea Ball, Director  
Government Affairs

**RE:** Item No. 04

**SUBJECT:** Legislative Update: Including, but not limited to, Information on Legislation from the 2005-06 Legislative Session.

The legislative measures presented include bills that fall under the seven principles adopted by the SBE at the September 2004 Board meeting, as well as legislation that may be of interest to the SBE.

June 30, 2006, was the last day for policy committees to meet and report bills. The legislature is on Summer recess and will reconvene on August 7, 2006. August 18, 2006, will be the last day for fiscal committees to meet and report bills to the floor, and August 31, 2006, will be the last day for each house to pass bills, with final recess beginning at the end of that day's session.

The Legislature passed the Budget on June 28, 2006, and it was signed by the Governor on June 30, 2006.

Attachment 1: Legislative Update (7 pages)

## Legislative Update

Bills Related to State Board (SBE) of Education Principles

**1. Safeguard the State Board of Education adopted academic content standards as the foundation of California's K-12 educational system; the same standards for all children.**

### **AB 1246 (Wolk)**

This bill would authorize the Superintendent of Public Instruction to develop preschool learning standards and develop curriculum guides in preliteracy, prenumeracy, history/social science, science, and social, emotional, and physical development. This bill is sponsored by the Superintendent of Public Instruction. **This measure is waiting to be heard in the Senate Appropriations Committee.**

### **AB 2115 (Goldberg)**

This bill contains the recommendations of the Assembly Education Committee workgroup on Standards, Accountability, and Instruction for which there was bi-partisan agreement. These include:

The establishment of a Career Technical Education Coordinating Council to identify state and federal career education programs in kindergarten and grades 1-12 schools and to recommend to the Governor and the Legislature ways to coordinate programs and funding streams in order to enhance the effectiveness and economy of those programs. It requires the council to identify barriers to the articulation of K-12 programs with the programs of various state institutions of higher education, and to link K-12 programs with community college certificate and degree programs. It requires the council to make recommendations regarding the credential requirements and instruction for various CTE programs. **This measure is waiting to be heard in the Senate Appropriations Committee.**

**2. Insure that curriculum is rigorous, standards-aligned, and research-based utilizing State Board adopted materials or standards-aligned textbooks in grades 9 to 12, to prepare children for college or the workforce.**

### **AB 607 (Goldberg)**

The January 4, 2006, version of this bill dealt with term limits of members of the Curriculum Development and Supplemental Materials Commission. The bill was amended June 22, 2006, to replace its contents with revisions to the method for funding under the School Facilities Emergency Repair Program that was enacted as part of the settlement in *Williams v. California* so that funds may be granted in advance rather than in reimbursement. **This bill is awaiting a hearing in the Senate Appropriations Committee.**

**AB 2722 (Canciamilla)**

This bill would prohibit the State Board from adopting basic instructional materials in language arts or mathematics for the same grade level in successive years. The bill would require the State Board of Education to allow the continued use of certain instructional materials for at least 2 years following the 6th year after those instructional materials are adopted if specified conditions are met. **This measure is waiting to be heard in the Senate Appropriations Committee.**

**SB 696 (Escutia)**

This bill, as amended on June 22, 2006, would authorize a school district to expend for kindergarten and grades 1 to 8, inclusive, not more than 30% of the district's allowance to purchase standards-aligned instructional materials selected by the school district, upon compliance with certain requirements. At the May 2006 meeting, the SBE voted to oppose this bill. However, the bill has been substantially amended since the last meeting. **This measure is waiting to be heard in the Assembly Appropriations Committee.**

**SB 1769 (Escutia)**

This bill would require the 2008 Reading/Language Arts/English Language Development Curriculum Frameworks and Criteria adopted by the State Board on April 17, 2006, to include the accelerated English program, as defined, established under the bill. This bill also would provide an appropriation to the California Department of Education for support of the State Board. **This bill is awaiting a hearing in the Assembly Appropriations Committee.**

**3. Insure the availability of State Board of Education adopted instructional materials for Kindergarten and grades 1 to 8 and locally adopted standards-aligned instructional materials in grades 9 to 12.**

**AB 1548 (Pavley)**

This bill would, as a pilot program and until January 1, 2016, require the California Department of Education (CDE) to authorize 12 schools to either (1) purchase electronic equipment bundled with standards-based, state-adopted instructional materials, from moneys received from the State Instructional Materials Fund or (2) request a publisher that makes basic instructional materials available to a school district in a hard copy format to make instructional materials available in an electronic multi-media format upon adoption of instructional materials after January 1, 2000, by the State Board or by the governing board of a selected school district that maintains a high school.

The bill also would require the CDE, by December 31, 2011, to evaluate the effectiveness of the pilot program and report on the results of the evaluation to the appropriate committees of the Legislature and the Governor. **This bill is awaiting a hearing in the Senate Appropriations Committee.**

#### **4. Support professional development for teachers on the adopted instructional materials that are used in the classroom.**

##### **SB 362 (Torlakson)**

This bill would establish the Physical Education Professional Development Program, administered by the Superintendent of Public Instruction. Adds components to the categorical monitoring process (CMP) as it relates to Physical Education. Clarifies that a secondary school physical education class is one in which each student is required to actively participate. Deletes the authority for a student to be excused from physical education classes to attend driver's training, and closes a loophole that allows a student who is at least 16 years old and in 11<sup>th</sup> grade or repeating 10<sup>th</sup> grade to be permanently excused from physical education courses. **This measure is awaiting a hearing in the Assembly Appropriations Committee.**

##### **SB 472 (Alquist)**

This bill is similar to SB 414 (Alquist) from last year. The Governor vetoed SB 414 due to "drafting errors." This bill would extend the Mathematics and Reading Professional Development Program for teachers from July 1, 2006 to July 1, 2012. This bill is sponsored by the Superintendent of Public Instruction. **This bill passed the Assembly Education Committee 6-2 on May 3, 2006, and is awaiting a hearing in the Assembly Appropriations Committee.**

##### **SB 1190 (Alquist)**

This bill would expand the Mathematics and Reading Professional Development Program by adding science to the existing teacher professional development program. This bill is sponsored by the Superintendent of Public Instruction. **This bill is awaiting a hearing in the Assembly Appropriations Committee.**

##### **AB 2248 (Coto)**

This bill would extend Reading First grants for years five and six to local education agencies that have received continuous funding and can demonstrate significant progress, as defined in the bill. This bill is sponsored by the Superintendent of Public Instruction. **AB 2248 is awaiting a hearing in the Senate Appropriations Committee.**

#### **5. Maintain the assessment and accountability system (including STAR, EAP, CAHSEE, and CELDT).**

##### **SB 267 (Romero)**

This bill intends to extend the exemption provided by SB 517 (Chapter 3, Statutes of 2006) to students with disabilities in the Class of 2007.

##### **AB 1483 (Arambula)**

Requires the development and administration of an English language development assessment in early literacy skills for English learners in kindergarten and grade 1. The bill would require the State Department of Education, in the development of the test for

pupils in kindergarten and grade 1, to minimize any additional testing time and to ensure that the test is age and developmentally appropriate. In the Senate Education Committee, this bill was amended to include a sunset (2012) and a report to the Legislature on the results and administrative process. This bill is sponsored by the Superintendent of Public Instruction and would bring California into alignment with federal requirements. **This measure is awaiting a hearing in the Senate Appropriations Committee.**

#### **AB 2117 (Coto)**

This bill requires the California Department of Education (CDE) to administer a three-year competitive grant pilot project, beginning on September 1, 2007, with the goal of identifying and implementing the most effective practices to instruct English language learners (ELLs). It also requires the SPI to convene an advisory committee to provide regular recommendations on implementation of this project and a consortium consisting of the CDE, the University of California (UC), the California State University (CSU), and various county offices of education (COEs) to develop a plan for a training program for certificated and classified staff teaching ELL. **This bill is the vehicle for legislation discussed by the Assembly Education Committee workgroup on English Language Learners. AB 2117 is awaiting a hearing in the Senate Appropriations Committee.**

#### **AB 2937 (Pavley)**

Requires the California Department of Education (CDE) to conduct a study to determine which of the California Standards Tests (CSTs), or which combination of those tests, is equivalent to the English language arts and mathematics portion of the California High School Exit Examination (CAHSEE). This bill also requires CDE to determine the performance level on the test or tests that is equivalent to a passing score on the pertinent portion of the CAHSEE, and to report its findings to the Legislature as to whether any of these tests is equivalent to the CAHSEE and whether a student who achieves an equivalent passing score on the identified CST should be deemed to have passed that portion of the CAHSEE. **This bill is awaiting a hearing in the Senate Appropriations Committee.**

#### **AB 2975 (Hancock)**

This bill makes Legislative declarations that action is needed to align the state and federal assessment and accountability programs and requires the SBE to change the definition of "proficient" for purposes of adequate yearly progress (AYP) for the federal No Child Left Behind Act of 2001 (NCLB) to be set at the level needed to pass the California High School Exit Examination. This bill requires that, by March 31, 2007, the SBE shall report to the education and budget committees of the Legislature on its plan for implementing these changes. At the May 2006 meeting, the SBE voted to oppose this bill. **This bill is awaiting a hearing in the Senate Appropriations Committee.**

#### **SB 1592 (Romero)**

As amended, this bill would require that the Superintendent of Public Instruction make available the results of the California High School Exit Exam and student demographic information as soon as test scores and information are available. **This bill is awaiting a**

**hearing in the Assembly Appropriations Committee.**

**SB 1580 (Ducheny)**

Requires, commencing in the 2007-08 fiscal year, an English language learner (ELL) who is literate in his or her primary language or who receives instruction in his or her primary language to take standards aligned assessments in the student's primary language, as soon as such tests are available, and requires the State Department of Education (SDE) to develop modified assessments including a modified California High School Exit Exam (CAHSEE), that remove necessary linguistic complexity for English learner students. In addition, SB 1580 Requires the results of the primary language and modified achievement tests be used to determine adequate yearly progress (AYP) per the No Child Left Behind (NCLB) Act and for purposes of the Academic Performance Index (API). **This bill is awaiting a hearing in the Assembly Appropriations Committee.**

**6. Insure that the California Commission on Teacher Credentialing (CTC) and all teacher training institutes use State Board adopted standards as the basis for determining the subject matter competency of teacher candidates.**

**SB 428 (Scott)**

This bill would repeal the CBEST and would charge the California Commission on Teacher Credentialing with establishing standards and procedures for the issuance and renewal of teaching credentials in California. **This measure, which is a two-year bill, is awaiting a hearing in the Assembly Appropriations Committee.**

**SB 1209 (Scott)**

This bill, as amended, eliminates duplicate preliminary credential requirements for new teachers who have completed state-adopted credentialing requirements in another state, consolidates testing requirements for teacher credential candidates, provides incentives to strengthen the preparation of teacher interns and induce experienced teachers to teach and mentor new teachers in high priority schools, among other revisions of teacher credentialing law. **This bill is awaiting a hearing in the Assembly Appropriations Committee.**

**7. Strengthen coordination between K-12 and higher education.**

**SB 1563 (Escutia)**

This bill establishes the Community College Early Assessment Pilot program, under which up to 25 community colleges (CCCs) would be authorized to participate to provide students at their feeder high schools with an indicator of their readiness for college-level English and math. The program would be administered by the California Partnership for Achieving Student Success (Cal-Pass) which the bill also establishes. This bill is proposed to be amended to add the collaboration with the California Department of Education on all Community College Early Assessment Activities. **This bill is awaiting a hearing in the Assembly Appropriations Committee.**

## Other Bills of Interest to the State Board

### **AB 172 (Chan)**

This bill requires, to the extent funding is provided in the Budget Act, the Superintendent of Public Instruction (SPI) to convene a committee for the purpose of developing a plan to "coordinate the capacity and efficiency" of the state's institutions of higher education to prepare and train preschool staff. This bill may carry the details of the Governor's voluntary preschool program proposed in the 2006-2007 Budget. **This measure is awaiting a hearing in the Senate Appropriations Committee.**

### **AB 1988 (Coto)**

This bill implements several recommendations of the Assembly Education Committee's English learner working group. This bill requires the Commission on Teacher Credentialing (CTC) to develop a ten hour English language learner (EL) professional development module to be incorporated into the Beginning Teacher Support and Assessment (BTSA) Program. This bill also requires the Department of Education (CDE) in consultation with CTC to require each school district to report to CDE teacher proficiency in EL teaching knowledge and skills. This bill makes several changes and revisions surrounding the California English Language Development Test, EL Proficiency, data collection on EL students and the Advancement Via Individual Determination (AVID) Program. **This bill was held under submission in the Assembly Appropriations Committee**

### **AB 2254 (Umberg)**

This bill, sponsored by the Superintendent of Public Instruction, consolidates language and clarifies program requirements and timelines for interventions and sanctions for schools in the High Priority Schools Grant Program (HPSGP). This bill was recently amended in the Senate Education Committee to remove the proposed pilot HPSGP for Alternative Schools. **This measure is awaiting a hearing in the Senate Appropriations Committee.**

### **AB 2594 (Nunez and Chu)**

This bill, sponsored by the Superintendent of Public Instruction, seeks to create more coherence between the state and federal accountability systems in dealing with school interventions through improved coordination of their accountability features for all schools. **This bill is waiting to be heard in the Senate Appropriations Committee.**

### **SB 1284 (Scott)**

This bill updates and makes technical correcting amendments to statutes that establish the Academic Performance Index (API) by:

- Striking mention of the applied academic skills matrix test from the list of test results that provide the basis for calculation of the API.
- Repealing the requirement for the API advisory committee to recommend specified matters by July 1, 2005 and recasts the authorization for the committee with technical corrections.

**This bill is awaiting a hearing in the Assembly Appropriations Committee.**

**SB 1510 (Alquist)**

This bill, sponsored by the Superintendent of Public Instruction, removes seven reporting requirements from the School Accountability Report Card (SARC) that are duplicative or outdated in an effort to make the SARC a more readable and useful tool for parents. **This bill passed the Assembly Education Committee on June 29, 2006.**

**AB 2448 (Hancock)**

This bill refocuses the ROC/P mission and provides Career Technical Education (CTE) to secondary students while limiting the number of adults served in the ROC/P delivery system. The bill also allows shifting of adult ADA to secondary ADA over a six year time period giving ROC/Ps sufficient time to meet the new limitation on adult students and provides for sequencing of courses. **This bill is waiting to be heard in the Senate Appropriations Committee.**

**AB 1801 (Laird)**

This is the Budget Act of 2006.

**AB 1811 (Laird)**

Companion to the Budget Act.

**AB 1802 (Laird)**

Education Trailer Bill.

**AB 1808 (Laird)**

Child Care and Foster Youth Services Trailer Bill.



## CALIFORNIA STATE BOARD OF EDUCATION

### JULY 2006 AGENDA

<b>SUBJECT</b> California Fresh Start (CFS) Pilot Program, Senate Bill (SB) 281 (Maldonado): Approve proposed amendments	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing
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#### **RECOMMENDATION**

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the proposed amendments to the regulations.

#### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND**

In March 2006, the SBE approved the emergency regulations, Initial Statement of Reasons, and the commencement of the regulatory process for the permanent regulations for the California Fresh Start Pilot (CFS) Program and directed staff to begin the 45-day written comment period. The emergency regulations were approved by the Office of Administrative Law on March 16, 2006, and are effective for 120 days.

The CDE proposed amendments to the CFS regulations in response to public comment received during the 45-day public comment period. At the May 2006 SBE meeting, the SBE approved the amendments to the CFS regulations and directed the amended regulations be sent out for 15-day public comment.

#### **SUMMARY OF KEY ISSUES**

The CFS regulations serve to guide school districts and schools in the administration of the CFS pilot program. The purposes of the current regulations are to: 1) clarify some of the bill's language, most specifically, what constitutes a "nutritious" fruit or vegetable eligible for purposes of reimbursement through the CFS Pilot Program; 2) to implement the CFS Pilot Program; 3) add definitions; and, 4) specify requirements for participation. The CDE is not proposing any substantive changes to the regulations approved by the SBE at its May 2006 meeting.

**FISCAL ANALYSIS (AS APPROPRIATE)**

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The Economic and Fiscal Impact Statement will be provided to the SBE in a last minute memorandum.

**ATTACHMENT(S)**

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The Final Statement of Reasons and the proposed regulations that were approved by the SBE and sent out for the 15-day written comment period are attached.

Attachment 1: Final Statement of Reasons (12 pages)

Attachment 2: Regulations - Title 5. Education, Division 1. California Department of Education, Chapter 15. Child Nutrition Programs, Subchapter 1 Food Sales, Food Service, Nutrition Education, Article 5. California Fresh Start Pilot Program. (5 pages)

Attachment 3: The Economic and Fiscal Impact Statement will be provided as a Last Minute Memorandum.

**FINAL STATEMENT OF REASONS  
California Fresh Start Program (CFS)**

**UPDATE OF INITIAL STATEMENT OF REASONS**

The purpose of the emergency regulations is to implement the California Fresh Start (CFS) Pilot Program and to clarify what constitutes a “nutritious” fruit or vegetable eligible for purposes of reimbursement through the CFS Pilot Program.

The emergency regulations were adopted by the Office of Administrative Law on March 17, 2006. The 45-day public comment period began on March 17, 2006 and ended on May 2, 2006. Several comments were received which are incorporated into the attached chart. Changes were made to the proposed regulations due to the comments received.

A 15-day comment period was held from May 16, 2006 through May 30, 2006, inclusive. Several comments were received which are also incorporated into the attached chart.

**SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE INITIAL NOTICE PERIOD OF MARCH 17, 2006 THROUGH MAY 2, 2006.**

The text was made available to the public from March 17, 2006, through May 2, 2006. The State Board of Education (SBE) received comments that are addressed in the attached chart. In response to the comments, the California Department of Education (CDE) recommended the SBE amend certain portions of the regulations. The comments and responses to the comments are attached (pages 3 – 6). The following revisions were made and approved by SBE at the May board meeting:

**Section 15567(e), (j), (o) and (u). Definitions.**

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**(e)** “Fresh fruits and vegetables” was changed to “Fresh fruits or vegetables” in order to be consistent with the statute.

**(j)** The symbol for percent (%) has been removed, and has been spelled out for consistency.

**(o)** “Nutritious fruits or vegetables” – The definition for nutritious fruits or vegetables has been revised to reflect that canned, dried, or frozen fruits should contain no added sweetener other than 100 percent fruit juice.

**(u)** “NSLP” was spelled out (National School Lunch Program) for clarity.

**Section 15568(a)(2), (b), (e), and (f). Requirements for Participation.**

**(a)(2)** – The initials “NSLP” were used and National School Lunch Program was deleted because it had been referenced in an earlier subdivision.

**(b)** “California-produced” has been deleted and “while adhering to state and federal procurement requirements” has been added to respond to a comment received from the U.S. Department of Agriculture.

**Section 15668(e) and (f):** Both subdivisions were deleted because they are not conditions for reimbursement and are duplicative of the statute.

**Section 15669. Strategies.**

Section 15669 was removed from the regulations because it is duplicative of the statute.

**SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE 15-DAY NOTICE AND PROPOSED REGULATION TEXT WAS AVAILABLE TO THE PUBLIC**

The modified text was made available to the public from May 16, 2006 through May 30, 2006. The SBE received the following comments on the modified text that are addressed in the attached chart (pages 7 – 12).

**ALTERNATIVES DETERMINATION**

The SBE has determined that no alternative would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed regulations.

**LOCAL MANDATE DETERMINATION**

The proposed regulations do not impose any mandate on local agencies or school districts.

COMMENTS RECEIVED DURING 45-DAY PUBLIC COMMENT PERIOD		
SUBMITTED BY	COMMENT	CDE RESPONSE
<b>Section 15567(h). Give priority to...</b>		
Allen Ng, Regional Administrator, United States Department of Agriculture	Commenter objected to CFS statute because "...purchase made by SFA for any purpose and using the nonprofit school food service funds must be made in accordance with 7 CFR 3016.60(c), which prohibits geographic preferences in evaluating bids or proposals."	This comment goes to the statute. No response is required. The statutory provision is also in the regulations and will be deleted.
Ann Aguilar, Child Nutrition Director, Yucaipa-Calimesa Joint Unified School District, submitted via e-mail	Commenter states: "serious consideration needs to be made to place serving fresh fruit that is California produced as a high priority and follow through with strong regulation language."	Federal procurement regulations prohibit the use of statutorily or administratively imposed in-State or local geographic preferences.
Pam Sampson, Public Health Nutritionist, Department of Public Health-Nutrition, San Bernardino, submitted via e-mail	Commenter recommends that the definition of "Give priority to" be changed to reflect "California-produced fresh fruits or vegetables".	Federal procurement regulations prohibit the use of statutorily or administratively imposed in-State or local geographic preferences.
Caryl Burns, M.P.H., R.D., Health Information Specialist	Commenter states: "Registered dietitians recommend defining 'Give priority' to mean that the school district or charter school will purchase California-produced fresh fruits and vegetables unless they are not commercially available. In that case, the school district or charter school will purchase fresh fruits and vegetables, regardless of their origin, unless they are not commercially available. In that case, the school district or charter school may purchase any nutritious fruits and vegetables."	Federal procurement regulations prohibit the use of statutorily or administratively imposed in-State or local geographic preferences.

<b>Section 15567(o). Definition of Nutritious</b>		
Ann Aguilar, Child Nutrition Director, Yucaipa-Calimesa Joint Unified School District, submitted via e-mail	Commenter states: "I am against the inclusion of canned fruits in heavy syrup in the definition of nutritious fruits. I support the definition of 'nutritious fruits and vegetables' to be 'fruits or vegetables, that are fresh, or that are canned, dried or frozen which contain no added sweeteners other than juice'".	CDE concurs with this recommendation and recommends amending the definition to say "shall contain no added sweeteners other than 100 percent fruit juice."
Pam Sampson, Public Health Nutritionist, Department of Public Health-Nutrition, San Bernardino, submitted via e-mail	Commenter recommends that "which contain no added sweeteners other than juice and no added sodium" be added to the definition of nutritious.	CDE concurs with this recommendation in regards to added sweeteners and recommends amending the definition to say "shall contain no added sweeteners other than 100 percent fruit juice."
Leslie G. Sarasin, President and Chief Executive Officer, American Frozen Food Institute	Commenter states: "We believe that explicit inclusion of frozen fruits and vegetables in the definition of 'nutritious fruits or vegetables' for eligibility for the CFS program as the Department has proposed represents sound public policy."	No response required.
Caryl Burns, M.P.H., R.D., Health Information Specialist	Commenter states: "'Nutritious' does not include canned fruits and vegetables packed in sugar syrup. Canned fruits and vegetables containing added sugar (as corn syrup, sugar, etc.) should not be used in this program. Canned fruits and vegetables should not be used if any other fresh, frozen or dried fruits and vegetables are available."	CDE concurs with this comment and recommends amending the definition to say "shall contain no added sweeteners other than 100 percent fruit juice."

<p>Richard A. Greene, Chair,        Child Nutrition Advisory        Council</p>	<p>Commenter states: "The Council agreed that if canned fruits or vegetables were to be allowed under the interpretation of 'nutritious fruits and vegetables' that canned should be allowed only when the fruit and vegetable processing takes place without any added sweeteners other than 100% fruit juice."</p> <p>Commenter further states: "The USDA reference material is inconsistent with the consensus of the Council and therefore should be eliminated from the text of the requirements for participation in paragraph (o) of 15567 definitions."</p>	<p>CDE concurs with the comment and recommends amending the definition to say "shall contain no added sweeteners other than 100 percent fruit juice."</p>
<p>A.G. Kawamura, Secretary,        California Department of        Food &amp; Agriculture</p>	<p>Commenter states: "By including all forms of fruits and vegetables, school food service directors will not be forced to purchase non-Californian or non-domestic product during seasons when fresh product is not available within program funds."</p>	<p>CDE concurs with the comment and recommends amending the definition to say "shall contain no added sweeteners other than 100 percent fruit juice."</p>
<p>Susan Foerster, Chief,        Hope Wilson, M.P.H, R.D.        California Department of        Health Services, Cancer        Prevention and Nutrition        Section (CPNS)</p>	<p>Commenter states: "in the event that schools do purchase processed fruits or vegetables, CPNS strongly recommends that Section 15667, Definitions, the Proposed Regulations be amended – on page 2, line 16 after 'shall', insert 'contain no added sugars and' on page 2, line 17, strike out 'the specifications' and insert 'other specifications'".</p>	<p>CDE concurs with the comment and recommends amending the definition to say "shall contain no added sweeteners other than 100 percent fruit juice."</p>

<b>Section 15567(q). "Serving"...</b>		
Richard A. Greene, Chair, Child Nutrition Advisory Council	Commenter states: "The USDA Food Buying Guide for Child Nutrition Programs (2001 edition) is pertinent in relation to delineating serving sizes and should therefore remain in paragraph (q) of 15567 Definitions."	CDE agrees with this recommendation.
<b>General Comments</b>		
Ed Yates, President/CEO, California League of Food Processors (CLFP)	Commenter states: "The CLFP respectfully requests members of the State Board of Education to approve this California Fresh Start Pilot Program regulation package."	No response required.
Doug Robertson, Manager, Government Affairs, The Grocery Manufacturers Association (GMA)	Commenter states: "GMA hopes the Board will continue to treat fresh and processed fruits and vegetables equitably as defined in the emergency and proposed regulations for the California Fresh Start Pilot Program."	No response required.
William W. Marshall, Nurse- Consultant, Santa Rita Union School District	Commenter states: "I speak in favor of this bill for increasing the consumption of FRESH fruit and vegetables by our school children."	No response required.
Ken Hecht, California Food Policy Advocates	Commenter states: "No reference to start-up funds is made in the regulations; a cross-reference should be included."	This comment does not relate to the regulations up for public comment. No response required.
Ken Hecht, California Food Policy Advocates	Commenter states: "We support the SB 281 Fresh Start regulations as written today. Changes can be made after the program has been operating for some time if needed."	No response required.
Patrick Leathers, Gualco Group, representing the Agricultural Council	Commenter states: "We support the regulations as written and would like to see the program implemented."	No response required.

PUBLIC COMMENTS RECEIVED DURING 15-DAY COMMENT PERIOD		
SUBMITTED BY	COMMENT	CDE RESPONSE
<b>Section 15567(h). Give priority to...</b>		
Pam Sampson, Public Health Nutritionist, Department of Public Health-Nutrition, San Bernardino, submitted via e-mail	<p>Commenter states –            “Please consider inserting the following <b>bolded</b> suggestions....            Page one, Line 29:            (h) “Give priority to” means that <b>California-produced</b> fresh fruits or vegetables shall be served unless they are not reasonably available on a commercial basis within program funds.”</p>	<p>No response is required because the comments do not pertain to the modifications made to the text during the 15-day comment period.            However, Federal procurement regulations limit the use of statutorily or administratively imposed in-State or local geographic preferences.</p>
<b>Section 15567(o). Definition of Nutritious</b>		
Pam Sampson, Public Health Nutritionist, Department of Public Health-Nutrition, San Bernardino, submitted via e-mail	<p>Commenter states –            “Please consider inserting the following <b>bolded</b> suggestions....            (o) “Nutritious fruits or vegetables” means fruits or vegetables that are fresh, or that are canned, dried, or frozen. Fruits or vegetables that are canned, dried or frozen shall <u>contain no added sweeteners other than 100 percent fruit juice and no added sodium. meet the specifications established in Section 2 of the United States Department of Agriculture (USDA) Food Buying Guide for Child Nutrition Programs (2001 edition), which is incorporated by reference.</u>”</p>	<p>CDE believes that “no added sodium” would be prohibitive for participation in the pilot program since added sodium is commonly used as a preservative. CDE recommends no change.</p>
Caryl Burns, M.P.H., R.D., Health Information Specialist	<p>Commenter states:            “Regarding the following definition of “nutritious Fruits or vegetables” in the California Fresh Start Pilot Program: Canned fruits or vegetables should only be used if fresh, dried, or frozen fruits or vegetables are not available within the school food budget.”</p>	<p>CDE believes that this would be restrictive and discourage schools from participating in the program. CDE also notes that the regulations define “Give priority to” to mean that fresh fruits or vegetables shall be served unless they are not reasonably available on a commercial basis within program funds. CDE recommends no change.</p>

<p>Chris Shaw, HEAC-Oakland Site Coordinator, Alameda County Public Health Department</p>	<p>We strongly urge the Department of Education to esteem the original intent of SB 281, and to demonstrate your strong commitment to making a profound impact on the child obesity epidemic in the regulations to enact the legislation that would allow school districts to serve only fresh fruits and vegetables.</p>	<p>CDE believes that this would be restrictive and discourage schools from participating in the program and is not the intent of the legislation. CDE recommends no change.</p>
<p>Leslie G. Sarasin, President &amp; Chief Executive Officer, American Frozen Food Institute</p>	<p>Commenter states:        "The American Frozen Foods Institute opposes the imposition of this additional (no added sweeteners other than 100% juice) criteria as it discriminates against nutritious items such as fruit products in light syrup. Favoring naturally occurring sugars over added sugar is without scientific merit.        The 2005 USDA Dietary Guidelines Advisory Committee concluded that there is no difference in the molecular structure of sugar molecules, whether they are naturally occurring in the food or added to the food.        Banning products containing added sugars could limit the flexibility food service directors need to compose palatable and nutritious meal plans. The prohibition could also discriminate against those schools whose access to fresh fruits and vegetables is more challenged by geographic region or other factors.        The American Frozen Foods Institute believes that inclusion of this criteria would alter the regulation in such a way that it no longer fulfills the legislative intent of SB 281 which allows schools to use 'fruits or vegetables that are canned, dried or frozen'."</p>	<p>CDE believes that the change in the definition does not place unwarranted or unfair restrictions as canned, dried or frozen fruits and vegetables are allowable as the regulations are currently written. CDE changed the definition of nutritious in response to comments from nutritionists, the State Board of Education's Child Nutrition Advisory Council (CNAC) and the California Department of Health Services (which SB 281 requires that CDE consult with in development of the regulations). Furthermore, the USDA <i>Dietary Guidelines for Americans</i> (2005) and the USDA <i>MyPyramid</i> (2005 edition) both recommend fruits canned in 100% juice as having the best nutritional value. CDE believes that the regulations are not prohibitive as they do allow for canned, dried or frozen fruits and vegetables. This allows flexibility for food service directors with limited availability to fresh fruits and vegetables. CDE believes that the regulations comply with the intent of the law.</p>

<p>Ed Yates, President/CEO, California League of Food Processors</p>	<p>Commenter states: “The change in definition of nutritious fruits and vegetables is contrary to the intent of SB 281. The clear intent of the language “nutritious fruits and vegetables” in SB 281 (Maldonado) was to include processed fruit and vegetables, whether canned, dried, or frozen. Industry representatives created the term “nutritious fruits and vegetables” specifically to encompass all fruits and vegetables including canned, dried, fresh and frozen.”</p>	<p>CDE believes that the change in the definition does not place unwarranted or unfair restrictions as canned, dried or frozen fruits and vegetables are allowable as the regulations are currently written. CDE changed the definition of nutritious in response to comments from nutritionists, the CNAC and the California Department of Health Services (which SB 281 requires that CDE consult with in development of the regulations). Furthermore, the USDA <i>Dietary Guidelines for Americans</i> (2005) and the USDA <i>MyPyramid</i> (2005 edition) both recommend fruits canned in 100% juice for best nutritional value.</p>
<p>Melodee Lopez, Public Health Nutritionist, County of San Bernardino</p>	<p>Commenter states: “I am writing in support of the proposed regulations to be adopted as written. The proposed regulations are broad enough to allow adequate discretion by individual districts, but it is important that the program excludes fruits canned with added sweeteners.”</p>	<p>No response needed.</p>
<p>William J. Spain, Del Monte Foods</p>	<p>Commenter states: “Deleting the provisions of Section 2 of the US Department of Agriculture <i>Food Buying Guide for Child Nutrition Programs</i> (2001 edition) created unwarranted and unfair restrictions. This latest change discriminates against nutritious foods such as fruits in light syrup. Moreover, the amendment creates a substantive departure from the legislative intent of SB 281, which provides for schools to use ‘fruits or vegetables that are canned, dried or frozen’”.</p>	<p>CDE believes that the change in the definition does not place unwarranted or unfair restrictions as canned, dried or frozen fruits and vegetables are allowable as the regulations are currently written. CDE changed the definition of nutritious in response to comments from nutritionists, the CNAC and the California Department of Health Services (which SB 281 requires that CDE consult with in development of the regulations). Furthermore, the USDA <i>Dietary Guidelines for Americans</i> (2005) and the USDA <i>MyPyramid</i> (2005 edition) both recommend fruits canned in 100% juice for best nutritional value.</p>

<p>LeAnn Onasch, Assistant Manager Food Services, Val Verde Unified School District</p>	<p>Commenter states: "School food authorities must have the flexibility to serve USDA canned FRUITS with the program guidelines, which contain 'light syrup' or USDA canned fruits must be packed only in 'juice'".</p>	<p>CDE believes that the regulations are not overly prohibitive as they do allow for canned, dried or frozen fruits and vegetables. The California Fresh Start Program also is for a <i>supplemental</i> fruit or vegetable serving.</p>
<p>Donald G. Gordon, President, Agricultural Council of California</p>	<p>Commenter states:        "The Agricultural Council of California urges the California Board of Education to adopt the proposed regulations that includes a definition of nutritious that complies with the federal food nutrition services regulations and guidelines that were noticed prior to the proposed amendments made public on May 9, 2006. Specifically, we support the definition of nutritious that complies with the federal standards because it complies with the statutory authority and legislation intent of SB 281."</p>	<p>CDE believes that the regulations comply with the intent of the law. School districts are required to follow federal procurement guidelines and standards to participate in all school nutrition programs, which includes the USDA <i>Food Buying Guide for Nutrition Programs</i> (2001 Edition). CDE further defined "nutritious" fruits and vegetables eligible for the supplemental serving provided by the California Fresh Start Program based on recommendations by nutritionists, the CNAC and the California Department of Health Services (which SB 281 requires that CDE consult with in development of the regulations) and based on recommendations of the USDA <i>Dietary Guidelines for Americans</i> (2005) and the USDA <i>MyPyramid</i> (2005 edition).</p>

<p>Susan Foerster, Chief,        Hope Wilson, M.P.H, R.D.        California Department of        Health Services, Cancer        Prevention and Nutrition        Section (CPNS)</p>	<p>Commenter states:        "CPNS strongly supports the revised definition of        'Nutritious fruits or vegetables' located on page 2,        lines 16 – 18 of the revised regulations proposed by        CDE. This proposed definition set a higher standard        for California's children and is consistent with        national health recommendations and standards for        National 5 A Day marketing strategies." On behalf of        the Department of Health Services, CPNS strongly        recommends that the final California Fresh Start Pilot        Program regulations reflect the amendments        proposed by CDE on May 11, 2006."</p>	<p>No response needed.</p>
<p><b>Section 15567(q). "Serving"...</b></p>		
<p>LeAnn Onasch, Assistant        Manager Food Services,        Val Verde Unified School        District</p>	<p>Although the commenter questions the ½ cup        serving size, stating that "it does not include        provisions for Nutrient Standard Menu Planning", the        commenter made no recommendations on how to        change the regulations.</p>	<p>No response is required because the        comments do not pertain to the modifications        made to the text during the 15-day comment        period. The federal serving size standard is        one half cup and CDE believes this standard is        sufficient for the purposes of this program.</p>
<p><b>Section 15567(t). "Supplement"...</b></p>		
<p>LeAnn Onasch, Assistant        Manager Food Services,        Val Verde Unified School        District</p>	<p>Commenter recommends adding "offered" to the        definition of supplement.</p>	<p>No response is required because the        comments do not pertain to the modifications        made to the text during the 15-day comment        period.</p>
<p><b>Section 15568 (a)(1) Requirements for Participation</b></p>		
<p>LeAnn Onasch, Assistant        Manager Food Services,        Val Verde Unified School        District</p>	<p>Commenter states:        "Fresh Fruit cost an average of .17 cents per serving,        therefore it is cost prohibitive to serve more than 1        serving, if already offering serving."</p>	<p>No response is required because the        comments do not pertain to the modifications        made to the text during the 15-day comment        period.</p>

<b>Section 15568 (a)(2) Requirements for Participation</b>		
LeAnn Onasch, Assistant Manager Food Services, Val Verde Unified School District	Commenter recommends striking this section. No reason is given and the meaning for this is unclear.	CDE recommends no change.
<b>Section 15569. Strategies</b>		
Paula de Silva, Registered Dietitian	Commenter states: "The only suggestion I have is that examples of strategies to implement the program would be valuable and should be included in the regulations. I hope that the final document will include examples of strategies to implement the pilot program. I have had experience in implementing a variety of pilot programs with school age children and the general population. Examples of way to implement pilot programs are very useful."	The strategies for implementation of the pilot program were stricken from the regulations because they are duplicative of the statute. The Nutrition Services Division has provided information on strategies in communication to school districts.
<b>General Comments</b>		
Carolyn Donohoe Mather, WIC Nutritionist, Sutter County	Commenter states: "I am satisfied with the regulations as I read them. The only suggestion I would make would be to expand the growing of fruits by allowing some of the proposed money on seeds for a school garden."	Although the statute encourages garden sampling no provision in the statute provides for the purchase of seeds.
Richard Green, Chair, Child Nutrition Advisory Council	Commenter states: "We believe the State Board of Education made the correct choice by rejecting the use of food products canned in sugar syrups within the California Fresh Start Pilot Program."	No response required.

1 **Title 5. EDUCATION**

2 **Division 1. California Department of Education**

3 **Chapter 15. Child Nutrition Programs**

4 **Subchapter 1. Food Sales, Food Service, Nutrition Education**

5 **Article 5. California Fresh Start Pilot Program**

6  
7 **§ 15566. Purpose and Scope.**

8 This article specifies the policies and requirements of the California Fresh Start  
9 (CFS) Pilot Program to promote the consumption of fresh fruits and vegetables by  
10 schoolage children and to provide supplemental State reimbursement for breakfast  
11 meals served that meet the requirements of the CFS Pilot Program.

12 NOTE: Authority cited: Sections 33031 and 49565.8, Education Code. Reference:  
13 Section 49565, Education Code

14  
15 **§ 15567. Definitions.**

16 As used in this article and the CFS Pilot Program, the term:

17 (a) "After school" means following the end of the school day. For kindergarten  
18 pupils, "after school" means following the end of a morning or afternoon session.

19 (b) "Deep-fried" means any fruit or vegetable cooked by total submersion in oil or  
20 fat.

21 (c) "Department" means the California Department of Education.

22 (d) "Funds" means program reimbursement provided by the Department pursuant to  
23 provisions of the CFS Pilot Program.

24 (e) "Fresh fruits ~~and~~ or vegetables" means whole or portioned fruits ~~and~~ or  
25 vegetables, including, but not limited to, those that are minimally processed.

26 (f) "Fruit" means ripened seed-bearing part of a plant developed from a flower,  
27 usually considered to be sweet and fleshy, as in apples, oranges, plums or strawberries.

28 (g) "Fruit bar" means a self-service counter featuring an array of fruits.

29 (h) "Give priority to" means that fresh fruits or vegetables shall be served unless  
30 they are not reasonably available on a commercial basis within program funds.

1 (i) "Grab and Go" means food that is packaged in a bag, box, or other container that  
2 can be picked up quickly and eaten "on the go."

3 (j) "Juice" means the extractable liquid that is contained in fruits or vegetables. Any  
4 liquid or frozen product labeled "juice," "full-strength juice," "100% percent juice,"  
5 "single-strength juice," or "reconstituted juice" is included in this definition.

6 (k) "Meal" means breakfast, as defined in 7 CFR 220.2(b).

7 (l) "Minimally processed" means fruits and vegetables prepared and handled to  
8 maintain their fresh nature while providing convenience to the user by pre-cleaning,  
9 washing, trimming, coring, slicing, shredding, and other similar actions. Other terms  
10 used to refer to minimally processed products are "lightly processed," "partially  
11 processed," "fresh processed," and "prepared."

12 (m) "Nonprofit [school] food service" means all food service operations conducted  
13 by the School Food Authority principally for the benefit of school children, all of the  
14 revenue from which is used solely for the operation or improvement of such food  
15 service.

16 (n) "Nutrition education" means a broad range of activities that promote and enable  
17 healthy eating behaviors.

18 (o) "Nutritious fruits or vegetables" means fruits or vegetables that are fresh, or that  
19 are canned, dried, or frozen. Fruits or vegetables that are canned, dried or frozen shall  
20 contain no added sweeteners other than 100 percent fruit juice ~~meet the specifications~~  
21 ~~established in Section 2 of the United States Department of Agriculture (USDA) *Food*~~  
22 ~~*Buying Guide for Child Nutrition Programs* (2001 edition), which is incorporated by~~  
23 ~~reference.~~

24 (p) "School Breakfast Program" (SBP) means the federal program operated  
25 pursuant to 7 CFR Part 220.

26 (q) "Serving" means an amount of fruit(s) and/or vegetable(s), equal to one  
27 half (1/2) cup or as referenced in Charts 2A and B of the USDA *Food Buying Guide for*  
28 *Child Nutrition Programs* (2001 edition), which is incorporated by reference.

29 (r) "Site" means a public elementary school, middle school, junior high school, or  
30 high school, including a charter school, in California, operating classes for pupils in a  
31 single building or complex of buildings, or any public classes of preprimary grade when

1 they are conducted in the aforementioned school that participate in the School  
2 Breakfast Program.

3 (s) "Supplant" means "to substitute for" and/or "take the place of."

4 (t) "Supplement" means (1) an additional serving to the number of fruit or vegetable  
5 servings provided in the SBP prior to claiming CFS Pilot Program reimbursement, or  
6 (2) increasing, by no less than 90 percent of the CFS Pilot Program reimbursement, the  
7 total expenditure for nutritious fruits or vegetables served as part of a SBP.

8 (u) "Tasting and Sampling" means offering a taste or small portion of fresh fruits  
9 and/or vegetables to pupils not as part of the SBP or National School Lunch Program  
10 (NSLP).

11 (v) "Universal classroom breakfast" means providing all children breakfast in the  
12 classroom at no charge.

13 (w) "Vegetable" means a plant cultivated for an edible part, such as the root, stem,  
14 leaf, or flower, such as spinach, broccoli or carrot.

15 NOTE: Authority cited: Sections 33031 and 49565.8, Education Code. Reference:  
16 Sections 49534 and 49565, Education Code; Title 7 CFR Parts 220.

17

18 **§ 15568. Requirements for Participation.**

19 All school districts and charter schools that operate a SBP are eligible to participate  
20 in the CFS Pilot Program. To receive reimbursement, the school district or charter  
21 school shall:

22 (a)(1) Provide one or more supplemental servings of nutritious fruits or vegetables,  
23 or both, at breakfast, at no additional charge to a pupil and give priority to serving fresh  
24 fruits or vegetables;

25 (2) If already serving two nutritious fruits and/or vegetables at a site during  
26 breakfast, the district or charter school may provide one to two servings of nutritious  
27 fruits ~~and or~~ or vegetables for after school snacks. Such snacks do not need to be  
28 provided through the ~~National School Lunch Program (NSLP)~~, but if they are, serving  
29 size requirements may differ from the one-half (1/2) cup required for the CFS Pilot  
30 Program.

1 (b) Spend at least 90 percent of the CFS Pilot Program funding received on the  
2 direct purchase of nutritious fruits or vegetables, or both, and give priority to purchasing  
3 ~~California-produced~~ fresh fruits or vegetables while adhering to state and federal  
4 procurement requirements.

5 (c) Not spend any of the funding for the purchase of juice or for the provision of  
6 fruits and vegetables that have been deep fried.

7 (d) Provide data as required by the independent evaluator pursuant to Education  
8 Code section 49565.7(b).

9 ~~(e) Deposit all reimbursements in the nonprofit food service account of the school~~  
10 ~~district or charter school.~~

11 ~~(f) Use the reimbursement to supplement, but not to supplant, state and federal~~  
12 ~~funding used to support the SBP.~~

13 ~~(e)(g)~~ Expend the CFS Pilot Program reimbursement funds only for the benefit of  
14 participating school sites.

15 ~~(f)(h)~~ Claim reimbursement only for meals that provide at least one serving of a  
16 nutritious fruit and/or vegetable that is not juice or a fruit or vegetable that has been  
17 deep fried. Reimbursement can be claimed for meals served on all or some school  
18 days.

19 ~~(g)(i)~~ Promote the consumption of California-grown fruits and vegetables through  
20 the include tasting and sampling of nutritious fruits and vegetables as part of nutrition  
21 education at school sites participating in the CFS Pilot Program. Strategies for nutrition  
22 education that include tasting and sampling of nutritious fruits or vegetables, or both,  
23 may include, but are not limited to:

24 (1) Educational sampling and tasting supported with nutrition education.

25 (2) An offering of fruits or vegetables in the classroom that is reinforced with  
26 nutrition and agricultural bulletins.

27 (3) A monthly school campus farmers' market that highlights California fruits and  
28 vegetables for the student body to sample and taste, including:

29 (A) Demonstration markets that allow students or school-sponsored organizations  
30 to sell and offer samples of California's fruits and vegetables, obtained by the school,  
31 school district, or school organization directly from farmers to students.

1 (B) Certified farmers' markets operated by, or in coordination with, students or  
2 school-sponsored organizations, on school grounds, in compliance with applicable  
3 state statutes and regulations.

4 (4) A produce sampling program that supports a school garden's harvest through  
5 additional purchases of local, in-season fruits or vegetables to be used for a sampling  
6 and tasting program for the school campus featuring what is growing in the school  
7 garden.

8 NOTE: Authority cited: Sections 33031 and 49565.8, Education Code. Reference:  
9 Sections 49565, 49565.1, 49565.2, 49565.3, 49565.4, and 49565.6, Education Code.

10  
11 **§ 15569. Strategies.**

12 ~~Specific strategies for the provision of one to two servings of nutritious fruits or~~  
13 ~~vegetables, or both, may include, but not be limited to, one or more of the following:~~

14 ~~(a) Fruit bars containing at least three choices of nutritious fruits or vegetables, or~~  
15 ~~both.~~

16 ~~(b) Grab and Go breakfasts with one to two servings of nutritious fruits or~~  
17 ~~vegetables, or both, to be eaten on the school campus.~~

18 ~~(c) Universal Classroom Breakfast that includes one to two servings of nutritious~~  
19 ~~fruits or vegetables, or both.~~

20 NOTE: Authority cited: Sections 33031 and 49565.8, Education Code. Reference:  
21 Section 49565.5, Education Code.

State of California

Department of Education

# LAST MINUTE MEMORANDUM

**DATE:** July 6, 2006

**TO:** **MEMBERS, STATE BOARD OF EDUCATION**

**FROM:** Dr. William J. Ellerbee, Deputy Superintendent  
School and District Operations

**RE:** Item No. 5

**SUBJECT:** California Fresh Start (CFS) Pilot Program, Senate Bill (SB) 281  
(Maldonado) Regulations: Approve proposed amendments

The California Department of Education (CDE) is providing the final Fiscal Impact Statement for the California Fresh Start Regulations, noted as Attachment 3 in the item.

Attachment 1: The Economic and Fiscal Impact Statement. This attachment is not available for web viewing. A printed copy is available for viewing in the State Board of Education Office. (5 pages)



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
Reading First: Approve Recommendations for Spanish Assessments and Teacher Training That Have Been Considered by the English Learner Advisory Committee	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the recommendations for revision to the Reading First Spanish End-of-Year Assessments, 6-8 Week Skills Assessments, and Professional Development as proposed by the Reading First English Learner Advisory Committee (ELAC). The CDE also recommends the items outside of the scope of the contractor's work be returned to the ELAC for further study and recommendations.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Reading First is part of the No Child Left Behind (NCLB) Act of 2001 and focuses on improving reading instruction for high-poverty, low achieving students in kindergarten through grade three. Starting as an English-only program in California in budget year 2002-03, *Education Code (EC)* Section 310 primary language classrooms were added in 2003-04. These classrooms are authorized to use the state-adopted Spanish translations of SRA/McGraw Hill *Open Court* or Houghton Mifflin and translations of program and unit assessments. In addition, teachers and coaches working in these classrooms may receive Assembly Bill (AB) 466 professional development in the use of these alternative format instructional materials.

The major milestones pertaining to this item are as follows:

- August 23, 2002, California Reading First Plan for approximately \$900 million over a six-year period was approved by the U.S. Department of Education (ED). The SBE was approved as the state educational agency for this grant.
- January 2003, the CDE approved the alternative format of the Spanish translation of the SBE-adopted English Reading/Language Arts programs: Houghton-Mifflin *Lectura* and the SRA/McGraw-Hill *Foro abierto*.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION . . . (Cont.)**

- October 11, 2003, Assembly Bill (AB) 1485 (Firebaugh, Chapter 773) directed the SBE to amend California's Reading First Plan to include the alternative format of the Spanish translated programs for inclusion of Section 310 waived classrooms in eligible Reading First schools.
- November 14, 2003, a request to the ED for approval of an amendment to California's Approved Reading First Plan to allow the use of Spanish translations of the scientifically research-based instructional materials included in the approved plan submitted by Reed Hastings, President, SBE. Approval was granted in late November 2003.
- January 14, 2004, the SBE directed the Reading First, California Technical Assistance Center to subcontract with San Diego County Office of Education R-TAC to develop instructor and participant training materials for kindergarten through grade three on the approved Spanish alternative format of the adopted instructional materials for Houghton-Mifflin *Lectura* comparable to AB 466 approved professional development programs.
- July 11, 2005, Senate Bill (SB) 77 directed the CDE to (1) convene an advisory group to assist in implementing the Reading First program in waived classrooms; (2) direct the committee to assist in (a) revising and implementing Reading First assessments for waived classrooms, "such that the assessments are comparable to and as rigorous as all of the assessments developed for the English language Reading First program, and (b) developing and implementing training for teachers and coaches in all of the approved alternative format instructional teacher materials; and to (3) report to the legislature "detailing the improvements made in this area" by March 1, 2006.

## **SUMMARY OF KEY ISSUES**

The Reading First section of the SB 77 Budget for 2005-06 (Section 6110-126-0890) Provision 7, directed the CDE to convene an advisory group. It was named the ELAC. Membership was specified to include:

- (a) Teachers of waived classrooms participating in the Reading First Program as recommended by superintendents of school districts participating in Reading First,
- (b) Academic experts in second-language acquisition, and
- (c) Academic experts in reading who have knowledge of both formats of the Reading/Language Arts programs and expertise in Spanish language arts or the development of Spanish language arts assessment.

## **SUMMARY OF KEY ISSUES (Cont.)**

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The CDE compiled a list of teachers and experts by requesting nominations from superintendents of Reading First local educational agencies (LEAs). The language of SB 77 states that “. . . It is the intent of the Legislature that no funding shall be provided to support this advisory committee,” and therefore the LEAs were advised that they had to sponsor their nominees if selected. The composition of the 17 member committee includes: 3 teachers, 7 academic experts in second-language acquisition, and 7 academic experts in reading who have knowledge of both formats and expertise in Spanish language arts. (Attachment 1 contains the list of the Reading First ELAC members.)

The 2005-06 State Budget Language describes the work of the advisory committee:

- Revising and implementing Reading First assessments for waived classrooms so that they are as rigorous as those used for the English language Reading First program.
- Developing and implementing training for teachers and coaches in all of the approved alternative format instructional materials.

To date the CDE has held two committee meetings pertaining to this purpose. The first meeting was held on March 28, 2006. The committee's charge was to provide recommendations on “revising and implementing” Reading First assessments for waived classrooms so that they are “comparable to and as rigorous as all of the assessments developed for the English language Reading First program.” The End-of-Year Assessments, Kindergarten Assessments, and 6-8 Skills Assessments were reviewed, both English and Spanish versions. (Attachment 2 contains the list of the CDE's recommendations.)

On May 8, 2006, the committee's charge was to provide recommendations on “developing and implementing training for teachers and coaches in all of the approved alternative format instructional teacher materials.” The materials available for review were the kindergarten through grade three Advanced I English program and *Lectura* and *Foro abierto* programs that are attended by both teachers and coaches. (Attachment 3 contains the list of the CDE's recommendations.)

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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It is the intent of the legislature that no funding shall be provided to support this advisory committee. However, the End-of-Year Assessments are included in the proposed measure of “Significant Progress” for Reading First which may be used to preclude districts failing to make this measure from receiving ongoing Reading First funds.

**ATTACHMENT(S)**

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Attachment 1: English Learner Advisory Committee Members May 2006 (1 Page)

Attachment 2: Recommendations for Revisions for End of Year Assessments and 6-8  
Week Skills Assessments in Spanish (1 Page)

Attachment 3: Recommendations for Revisions to Professional Development for  
Spanish Programs (2 Pages)

## **English Learner Advisory Committee Members May 2006**

Adelina Abril, Literacy Coach, West Contra Costa Unified School District

Tim Allen, Superintendent, San Ysidro School District

Sandra Ceja, Regional Implementation Center Director, Region IX, San Diego County Office of Education

Kevin Chavez, Programs Coordinator, Leonard R. Flynn Elementary School, San Francisco Unified School District

Anaida Colon-Muniz, Professor, Chapman University

Jorge Cuevas Antillon, Reading First Content Expert/Coach, Escondido Union School District

Norma Gibson, English Language Development Teacher, Los Angeles Unified School District

Linda Gonzales, Director, Spanish Curriculum, Sacramento County Office of Education

Ana Guzman, Literacy Coach, Buchanan Street School, Los Angeles Unified School District

Julie Maxwell-Jolly, Professor, Division of Education, University California, Davis

Lupe Mendoza-Ramirez, Manager of Bilingual/English Language Development Programs, San Jose Unified School District

Yolanda Meza, Kindergarten Teacher, Olive Elementary School, Vista Unified School District

Bengie Jaime Morgan, Literacy Coordinator, San Ysidro School District

Charleen Renne, Teacher, Olive Elementary School, Vista Unified School District

Robin Scarcella, Associate Professor/Director of English As A Second Language, University California, Irvine

Norma Valenzuela, 2 Way Language Immersion Coordinator, Dr. Martin Luther King Jr. Elementary School, Santa Ana Unified School District

Sherry Vaughn, Reading First Coach, San Francisco Unified School District

### Recommendations for Revisions for End of Year Assessments and 6-8 Week Skills Assessments in Spanish

Problem Identified	Recommendation	Contractor's Response
Fluency passages with too many multi-syllabic words	Calculate correct words per minute to achieve comparability to English passage	Support recommendation by reducing the number of the multi-syllabic words in 2006-07, Edition 2
Readability of fluency passages	Assure, measure, and report "readability" of all Spanish passages, or at least research and/or test it	Passages are reviewed annually for reliability and changes have been made for 2006-07, Edition 2
Writing rubric needs revisions	<ol style="list-style-type: none"> <li>1. Delete what is not pertinent to Spanish</li> <li>2. Make necessary changes to the conventions sections</li> <li>3. Edit rubric to match Lectura or at least Spanish</li> <li>4. Collect anchor papers in an ongoing effort to revise the writing rubric</li> </ol>	<p>Will be revised as suggested for 2006-07, Edition 2</p> <p>Rubrics represent a constant standard and should not be influenced by writing samples</p> <p>Districts and schools are encouraged to collect anchor papers</p>
Rhyming words connected to familiar vocabulary	Choose words that more easily rhyme with familiar words	Will be revised as suggested for 2006-07, Edition 2
Item Analysis	<p>Rate each test item</p> <p>Examine materials and assessments in detail</p>	Item specifications are copyrighted; districts are encouraged to analyze results and include an item analysis
Answer choices include obscure distractors	Eliminate vocabulary obscure distractors (e.g., choose words taught for semantics in Lectura	Support recommendation by reviewing all answer choices for the 2006-07, Edition 2

## Recommendations for Revisions to Professional Development for Spanish Programs

Problem Identified	Recommendations	Contractor's Response
Phoneme chart(s) not in Spanish**	Create phoneme chart(s) in Spanish	Outside scope of work: Appropriate only for primary language program (not applicable for Alternate Program)
Training videos in Spanish to address technical skills of reading	Create or find Spanish training videos to provide a meaningful context for teachers addressing phonemic awareness, decoding, oral blending, and comprehension	Will develop videos for Advanced III (2006-07)
Emphasis on Spanish linguistics	Cover more in-depth Spanish linguistics: diptongos, diphthongs, triptongo or triphthongs	Only when introduced and practiced in the adopted reading/language arts program
Vowel chart	Add a vowels chart: add diphtongs in Spanish – focus on mouth placement comparison	Will refer to developers for consideration for revision in Advanced I (2006-07)
Training visuals in Spanish	Add Spanish visuals (direct instruction and effective practice to participant notebook)	Available in Advanced I and II and will be included in Advanced III
Cognates support	Add cognates in Advanced Levels	Are addressed in Advanced II (05/06) and also in Advanced III
Increase writing instruction by specific genre**	Add more writing/genre at each grade level (Cover the elements in genre. Teachers need more background knowledge 0 teachers need to know how to teach writing in different genres)	Outside scope of work: Publisher issue – professional development program focuses on what is currently included in the reading/language arts program
Translation of fluency techniques using Spanish norms	<ol style="list-style-type: none"> <li>1. Revise approach to oral fluency techniques using Spanish norms</li> <li>2. Balance the prosody to correct inequities between the English and Spanish Instructor Guides</li> </ol>	Are addressed in Advanced II

\*\*This item will be returned to the ELAC and the contractor for further study and recommendations.

### Recommendations for Revisions to Professional Development for Spanish Programs (Cont.)

Problem Identified	English Learner Advisory Committee Recommendations	Contractor's Response
Syllable types/transferability to English	<ol style="list-style-type: none"> <li>1. Regarding syllable types: refer to syllable types in Spanish and then refer to English transferability</li> <li>2. Explore more Spanish references and those on transfer</li> </ol>	Will include in Advanced III
Research on validating Spanish instruction for success in bi-literacy**	Include high quality research that validates teaching in Spanish and the success that bilingual students have in both languages	Will refer to developers for consideration for all Advanced programs
All videos are not in Spanish	Include videos in Spanish	Will support both Spanish and English videos since publisher materials offer valuable information to teachers in both languages
Professional development materials for participants not written solely in Spanish	All materials should be in Spanish	Will support both Spanish and English materials for participants
Spelling errors in Spanish	Correct spelling errors in Spanish	Corrected in Advanced I (2005-06)
Lack of transition between Spanish and English	Make the transition between Spanish and English more obvious	Will support the suggestion
Cadre of expert reviewers	Continue to refine training material – set up cadre of experts (academic providers) within California	Continuously provided through instructors
“Big Ideas” in Spanish/English concepts	Cover the “big ideas” in Spanish/English concepts – researched, informed similarities and differences	Clarification needed to consider for inclusion
Organization chart of English and Spanish prefixes and suffixes**	Regarding prefixes/suffixes: revise/create in Spanish perhaps side by side	Out of scope of work: requires research and outside authorities on Spanish language
International research articles on bi-literacy	Include international research articles on literacy and validation	Will review availability of such articles
Emphasis on vocabulary and concept development	Focus on improvement and deepening of instruction – vocabulary and concept development	Greater emphasis on these topics is to be included in Advanced III

\*\*This item will be returned to the ELAC and the contractor for further study and recommendations.



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

<b>SUBJECT</b>  Reading First: Regulations – Approve Proposed Amendments to Regulations for Reading First Achievement Index/Definition of Significant Progress for a Second 15-Day Comment Period	<input checked="" type="checkbox"/> Action  <input checked="" type="checkbox"/> Information  <input type="checkbox"/> Public Hearing
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### **RECOMMENDATION**

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The California Department of Education (CDE) recommends that the State Board of Education (SBE):

- Approve the proposed amendments to the regulations;
- Direct that the proposed amendments be circulated for a second 15-day public comment period in accordance with the Administrative Procedure Act;
- If no objections to the revisions are received during the second 15-day public comment period, the CDE shall complete the rulemaking package and submit the amended regulations to the Office of Administrative Law for approval; and
- If substantive objections to the revisions are received during the second 15-day public comment period, the CDE shall place the amended regulations on the SBE's September 2006 agenda for action following consideration of the comments received.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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On August 23, 2002, the U.S. Department of Education approved California's Reading First State Plan. The SBE is designated as the state educational agency (SEA) for the program.

The SEA responsibilities are delineated in Exhibit XIII of the plan. The SBE is assigned the responsibility to "approve the definition of what constitutes 'making significant progress for the local educational agencies annual benchmark on student achievement.'"

On November 9, 2005, the SBE considered the proposed definition of significant progress recommended by the Reading First Reading and Literacy Partnership Team.

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## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION . . . (Cont.)**

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The CDE presented the proposal but noted that some of the language in the item needed clarification. The CDE agreed to submit a corrected proposal at the January 2006 SBE meeting with draft regulations.

On March 9, 2006, the SBE received a draft Final Statement of Reasons, summarizing public comments. The SBE agreed to have the CDE review the public comments and submit revisions to the proposed regulations at the May 2006 SBE meeting.

On May 11, 2006, the SBE requested that the proposed regulations be sent out for public comment for an additional 15 days. In addition, the SBE requested that the English Learner Advisory Committee (ELAC) also review the proposed regulations and that their comments be presented at the July 2006 SBE meeting.

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## **SUMMARY OF KEY ISSUES**

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The Reading First Reading and Literacy Partnership Team, convened on October 19, 2005, unanimously accepted the recommendation to use the Reading First Achievement Index score as the measure for significant progress.

A measure of significant progress is a federal Reading First program requirement and is addressed in California's Reading First State Plan. The measure will be used to determine if a local educational agency (LEA) should be discontinued in the Reading First program. On January 12, 2006, the SBE approved the draft regulations for the measure of significant progress and the Notice of Proposed Rulemaking was published on January 20, 2006. The period for public comment ended March 6, 2006.

A second period for public comment was initiated on May 22, 2006, ending June 5, 2006.

The ELAC met on May 31, 2006, to discuss the proposed regulations defining significant progress in Reading First. Their comments are reflected in the draft Final Statement of Reasons.

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## **FISCAL ANALYSIS (AS APPROPRIATE)**

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A measure of significant progress will be applied to districts to determine whether they will continue to receive funding for the remainder of the grant period following their fourth year of funding. Those districts that do not meet the standard for significant progress will not be recommended for additional funding. These funds will become available for use in the Reading First program.

**ATTACHMENT(S)**

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Attachment 1: The Reading First Reading and Literacy Partnership Team's  
Recommendation for Significant Progress As Originally Proposed—  
October 2005 (1 Page)

Attachment 2: TITLE 5. Education Division 1. California Department of Education  
Chapter 11. Special Programs (4 Pages)

Attachment 3: Economic and Fiscal Impact Statement (PDF File) (6 Pages)  
(This attachment is not available for Web viewing. A printed copy is  
available for viewing in the State Board of Education office.)

Attachment 4: Final Statement of Reasons (8 Pages)

**The Reading First Reading and Literacy Partnership Team's  
Recommendation for Significant Progress As Originally Proposed—October 2005**

In order to continue to receive Reading First Funding, a local educational agency (LEA) must achieve "significant progress" which is defined as having more than half of the LEA's schools score above one standard deviation below the mean on the Reading First Achievement Index for the LEA's cohort. A cohort is made up of all the LEAs that were funded in the same round of subgrant competition. LEAs not meeting this standard are deemed not to have made "significant progress" and funding is discontinued. The standard for significant progress is applied after the fourth year of funding.

1 TITLE 5. Education

2 Division 1. California Department of Education

3 Chapter 11. Special Programs

4 Subchapter 22.5 Reading First Achievement Index/Definition  
5 of Significant Progress  
6

7 **§ 11991. Reading First Achievement Index.**

8 (a) The California Reading First Plan, approved by the United States Department of  
9 Education on August 23, 2002, requires ~~that an external, independent evaluator~~  
10 ~~under contract to the California Department of Education~~ the development of  
11 criteria to determine progress for Reading First ~~local educational agencies (LEAs)~~  
12 ~~districts and schools.~~ To comply with this requirement, the Reading First  
13 Achievement Index (RFAI) was created. ~~and is comprised of the following three~~  
14 ~~achievement measures~~ The RFAI is an annually calculated numerical index of a  
15 school's reading achievement in kindergarten through grade three, and ~~is~~  
16 ~~comprised of weighted~~ test results from the following assessments:

17 (1) The Standardized Testing and Reporting Program (STAR), California Standards  
18 Test (STAR/CST), in English Language Arts, for grades two and three. Each of  
19 these assessments is weighted as 30 percent of a school's RFAI, for a total of 60  
20 percent;

21 (2) The STAR norm-referenced subtests in reading, language arts, and  
22 spelling, ~~California Achievement Test/6 English Language Arts, (STAR/CAT/6)~~ for  
23 grade three. The reading subtest is weighted as 6 percent, the language arts  
24 subtest as 2 percent, and the spelling subtest as ~~two 2~~ percent of a school's  
25 RFAI, for a total of 10 percent; and

26 (3) ~~The California Technical Assistance Center (C-TAC), The Reading First~~  
27 End-of-Year Reading Assessments in either English or Spanish for ~~grades~~  
28 kindergarten through grade three. The kindergarten and grade three assessments  
29 are each weighted as 5 percent of a school's RFAI, and grade one and two  
30 assessments are each weighted as 10 percent of a school's RFAI, for a total of  
31 ~~thirty 30~~ percent.

1 (b) The RFAI is calculated annually and is computed in the following manner:

2 (1) Sixty (60) percent of the total RFAI score is calculated from STAR/CST for  
3 English/Language Arts, which is comprised of 30 percent from the second grade  
4 CST and 30 percent from the third grade CST. The score is generated through  
5 weights set by performance levels as follows: a “0” score for students scoring  
6 “far below basic” and “below basic”; a “0.5” score for students scoring at the  
7 “basic” level; and a “1.0” for students scoring “proficient” and above.

8 (2) Ten (10) percent of the total RFAI score is calculated from STAR/CAT/6 for  
9 the third grade, which is comprised of 6 percent for subtests in Reading, 2  
10 percent for subtests in Language, and 2 percent for subtests in Spelling.

11 (3) Thirty (30) percent of the total RFAI Score is calculated from C-TAC End-of  
12 Year Assessment Tests, which is comprised of 5 percent for kindergarten (7  
13 subtests), 10 percent for first grade Oral Fluency, 10 percent for second grade  
14 Oral Fluency, and 5 percent for third grade Oral Fluency.

15 (c) The result of the calculation described in part (b) above is a two digit  
16 weighted percentage index score (the RFAI) that describes reading achievement  
17 for Reading First Schools. If a school does not have test results as specified in  
18 section 11991(a), due to either not having classrooms in one or more of the  
19 primary grade levels, kindergarten through grade three, or having less than 11  
20 students in any grade level, the LEA’s mean values on those missing data  
21 elements will be used to calculate the school’s RFAI. If a school does not submit  
22 test results for any of the assessments specified in section 11991(a), a value of  
23 zero will be used for that data element to calculate the school’s RFAI. If a school  
24 does not have at least 45 percent of the RFAI weights, an RFAI will not be  
25 calculated for that school.

26 NOTE: Authority cited: Sections 12001, 12032 and 33031, Education Code.

27 Reference: Section 51700, Education Code; 20 USC 6361 ~~et seq.~~ (Title I, Part B,  
28 federal No Child Left Behind Act), California’s Reading First Plan as approved by the  
29 United States Department of Education on August 23, 2002.

1 **§ 11991.1. Defining Significant Progress/Continuance of Reading First Funding.**

2 **(a) In order to continue to receive Reading First Funding, a local educational agency**  
3 **(LEA) must achieve "significant progress" which is defined as having ~~more than at~~**  
4 **least half of the LEA's Reading First schools that have an RFAI score above one**  
5 **standard deviation below the mean on the RFAI for the LEA's cohort.**

6 **(b) A cohort is made up of all the LEAs that were funded in the same round of**  
7 **subgrant competition. ~~LEAs not meeting this standard are deemed not to have~~**  
8 **made "significant progress" and funding is discontinued. The standard for**  
9 **significant progress is applied after the fourth year of funding.**

10 **(c) For Cohort One, if a LEA fails to make significant progress after the fifth**  
11 **year of implementation, the California Department of Education (CDE) shall notify**  
12 **the LEA that it will not be funded for the next year of implementation.**

13 **(d) For all other cohorts, if a LEA fails to make significant progress after the**  
14 **fourth year of implementation, CDE shall notify the LEA that it will not be funded**  
15 **for the next year of implementation.**

16 NOTE: Authority cited: Sections 12001, 12032 and 33031, Education Code.

17 Reference: Section 51700, Education Code; 20 USC 6362 (Title I, Part B, federal No  
18 Child Left Behind Act), California's Reading First Plan as approved by the United  
19 States Department of Education on August 23, 2002.

20  
21 **§ 11991.2. Appeal Process.**

22 **For Cohort One, if an LEA fails to make significant progress after the fifth year of**  
23 **implementation, or for all other cohorts, if an LEA fails to make significant progress**  
24 **after the fourth year of implementation, CDE shall notify them in writing that they will**  
25 **not be funded for the next year of implementation (defunding determination). Such**  
26 **notice shall also include information regarding the LEA's ability to appeal the defunding**  
27 **determination.**

28 **If an LEA chooses to appeal the defunding determination, the following process**  
29 **shall be adhered to:**

30 **(a) Within 30 days of receipt of the defunding determination notification, the LEA**  
31 **shall file a written request for appeal with the CDE. The request shall include an**

1 explanation of the basis for the appeal and any supporting documentation.

2 (b) Upon receipt of an LEA appeal, the CDE shall have 30 days to investigate the  
3 appeal. CDE shall have the right to request the LEA to provide additional or clarifying  
4 information. CDE shall also have the right to reasonably extend the investigation period  
5 for up to an additional 30 days, if in its opinion, more time is required to complete a  
6 thorough review of the appeal and supporting documents.

7 (c) Upon completion of its investigation, CDE shall make a recommendation to the  
8 SBE to either uphold or deny the LEA's appeal, including the reasons for such  
9 recommendation.

10 (d) The SBE shall consider the recommendation at the earliest regularly scheduled  
11 SBE meeting at which the appeal can be placed on the Agenda.

12 An LEA involved in the appeal process may continue to offer the Reading First  
13 program while the appeal is being considered and a final determination achieved.

14 If a LEA disagrees with the determination that it has not made significant progress,  
15 it can seek reconsideration from the SBE prior to the next year of implementation.

16 **NOTE: Authority cited: Sections 12001, 12032 and 33031, Education Code.**

17 **Reference: Section 51700, Education Code; 20 USC 6362 (Title I, Part B, federal**  
18 **No Child Left Behind Act), California's Reading First Plan as approved by the**  
19 **United States Department of Education on August 23, 2002.**

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**FINAL STATEMENT OF REASONS**  
**Reading First Regulations-Definition of Significant Progress**

**UPDATE OF INITIAL STATEMENT OF REASONS**

The proposed regulation provides a measure, the Reading First Achievement Index (RFAI), to determine whether a district is making “significant progress” in improving reading achievement in kindergarten through grade three in Reading First schools. The proposed regulation provides a clear standard to determine whether a district and its participating schools have attained “significant progress” and merits continued funding for the remainder of the grant period following their fourth year of participation in the Reading First program.

A public hearing was held on March 6, 2006, following the 45-day public comment period. Four sets of comments were received. Changes were made to the proposed regulations and a 15-day comment period was held.

**SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE INITIAL NOTICE PERIOD OF JANUARY 20, 2006 THROUGH MARCH 6, 2006.**

***Martha Hernandez of California Association for Bilingual Education (CABE) and Shelly Spiegel Coleman of Californians Together submitted the following five comments:***

**Comment #1:** Martha Hernandez of CABE and Shelly Spiegel Coleman of Californians Together question the validity of the RFAI as a measure of reading achievement for students in waived classrooms because it uses second grade California Standards Test (CST) scores, which are only given in English, as part of the calculation the RFAI score. They state that the agreement was that second graders in waived classrooms would use Spanish tests from the curriculum materials and the Sacramento County Office of Education.

**Response:** The agreement that is apparently being referenced by this comment, is the settlement agreement reached in Pazmino v. State Board of Education (SBE). The agreement did not address how second grade students enrolled in waived classrooms would be assessed, or reference the use of the English CST for second grade students. Thus, the comment incorrectly characterizes the nature of the agreement.

Furthermore, the state does not have a primary language, standards based test that can be incorporated into this index for second grade. In order to comply with federal law, the state is required to have a measure of significant progress in place right now. In addition, the end of year assessments can be administered in Spanish for waived classrooms.

**Comment #2:** Martha Hernandez of the CABA and Shelly Spiegel Coleman of Californians Together state that the RFAI treats all students as if they have been in Reading First for all three years

**Response:** While the RFAI measures third year data, it treats the district, not the students, as having been in Reading First for all three years. The population of participating students, both in waived and English-only classrooms, varies considerably. At least half the districts in all three cohorts make some adjustment yearly by adding or dropping kindergarten through grade three classrooms to existing schools because of either growth or loss in student population. Every year, significant numbers of districts either close participating schools and open new ones that meet the eligibility requirements or substitute an eligible but previously non-participating school for one that has closed or been reconfigured.

Waived classes and schools that were added after the first year of the grant did not start from zero implementation. Most had been using the state adopted core instructional materials, either in Spanish or English. They had been receiving classroom instruction; teachers had received AB 466 training. The same is true for non-waived classes. In 2003-04, 679 waived and 213 non-waived kindergarten through grade three classes were added; in 2004-05, 427 waived and 281 non-waived classes were added.

Staggered dates for students beginning participation is an on-going factor in Reading First.

**Comment #3:** Martha Hernandez of the CABA and Shelly Spiegel Coleman of Californians Together state that the RFAI does not account for the unique literacy needs of English learners, who may enter the program with varying levels of literacy in both English and their native language.

**Response:** The state does not have a primary language, standards based test that can be incorporated into this index for second grade. In order to comply with federal law, the state is required to have a measure of significant progress in place right now. In addition, the end of year assessments can be administered in Spanish for waived classrooms. The English Learner Advisory Committee (ELAC) was convened in March and reached consensus on recommendations to improve the assessments in Spanish.

**Comment #4:** Martha Hernandez of the CABA and Shelly Spiegel Coleman of Californians Together recommend that data used in the calculation of the RFAI be disaggregated by the number of years students have participated in the program, levels of English proficiency, and years of instruction in the core reading programs using the Spanish translations versus using the English language versions.

**Response:** Data is not collected at the student level; it is aggregated at the classroom, school, and district level. It is not possible to identify specific students and track them according to years of participation, level of English proficiency, or reading program. It is

a matter of the level of complexity of collecting individual student data and issues of confidentiality that are beyond the capability of the Reading First program.

**Comment #5:** Martha Hernandez of the CAFE and Shelly Spiegel Coleman of Californians Together state that the application of the proposed definition of Significant Progress on *Education Code* Section 310 (Proposition 227) waived classrooms may be unfair because of the failure of the California Department of Education to convene a legislatively mandated advisory committee on English learners in waived classrooms. The committee was to determine the validity and accuracy of the Spanish language assessments in Reading First.

**Comment #5a:** A form letter from 96 individuals makes the same statements and recommendations as those contained in the comments from CAFE and Californians Together.

**Response:** In March 2006, the ELAC convened, and has made recommendations about the Spanish language assessments that are used in Reading First.

***Alice Furry, Chief Administrative Officer, Reading First, California Technical Assistance Center (CTAC); Sharon Van Vleck, Director of the California Technical Assistance Center and the eight Regional Technical Assistance Center (RTAC) Directors for Reading First (Gladys Frantz, Kathy Clements, Della Larimore, Roxanne Higgins, Bette Harrison, Marilyn Miles, Connie Tate, David Demille) submitted the following four comments :***

**Comment #1:** They state that the Reading First State Plan requires that the SBE must approve a definition of Significant Progress and that this should be reflected in the regulations.

**Response:** Since the SBE must approve or disapprove the Title 5 regulations that define Significant Progress, it is not necessary to restate this in the regulations themselves.

**Comment #2:** They state that the regulations identify a specific publisher's test, California Achievement Test(CAT/6), as part of the California Standards Test (STAR) and that the test could change in the future; the regulations misstate the ownership of the End-of-Year Assessments (EOY); the regulations do not accurately describe how the RFAI is computed; the regulations state there are seven subtests in the kindergarten EOY instead of eight; and the regulations do not clearly state the RFAI is computed for individual schools. They submitted suggested changes in the draft regulatory language.

**Response:** All references to specific test publishers have been eliminated. The EOY assessments are identified as Reading First assessments in section 11991(a)(3). The computation of the RFAI has been more accurately defined in section 11991(a)(1)(2)(3). The reference to the number of kindergarten subtests has been removed. The regulations now state in section 11991(a) that the RFAI is an index of "...a school's reading achievement...".

**Comment #3:** They state that specifying that the RFAI is a two digit number is inaccurate, it can range from 0 to 100 and that this is an unnecessary detail that should be eliminated.

**Response:** The language specifying that the RFAI is a two digit number has been eliminated from the draft regulations because it was not necessary.

**Comment #4:** They state that the regulatory language does not clearly state the year in which achievement data will be used to determine significant progress, does not clearly differentiate which cohort an LEA belongs to if it receives funding in different years, and does not clearly state when funding will be discontinued.

**Response:** Section 11991.1 (c) and (d) states that the significant progress standard will be applied after the fifth year of implementation for Cohort One, after the fourth year of implementation for all other cohorts. Section 11991.1 (b) defines a cohort as being made up of all the LEAs that were funded in the same round of subgrant competition. Section 11991.1 (c) (d) state that funding will be discontinued after the fifth year of implementation for Cohort One and after the fourth year for all other cohorts that do not make significant progress.

***Harlan Kerr, Reading First Coordinator of West Contra Costa, made the following comments during the public hearing:***

**Comment #1:** Stated that all 14 of the participating Reading First schools in the district have made significant growth over the four years they have been in the program. He suggested that there be a "safe harbor" provision for districts and schools that have made significant progress but have not met the standard of having 50 percent of the schools above the mean on the RFAI.

**Response:** As defined in the current draft regulations, the measure of "Significant Progress" does not measure reading achievement progress from year to year, but measures attainment of reading achievement as reflected by the district's RFAI score in the fourth or fifth year of a district's having implemented the program. The Reading and Literacy Partnership, the advisory committee to Reading First, considered many options about how to define significant progress, and has advised that the measure as set forth in the regulations provides sufficient opportunity for a district to demonstrate that it has achieved significant progress.

**Comment #2:** Stated that if the district was allowed to drop those schools that had the lowest RFAI scores, the district would then be able to meet the standard of Significant

Progress as defined in the draft regulations. For his district, if they dropped the five lowest performing schools, the remaining nine schools would meet the standard for Significant Progress as defined in the draft regulations.

**Response:** The option of applying the significant progress standard to individual schools rather than the district as a whole was considered by the Reading and Literacy Partnership, the advisory committee to Reading First, and was rejected. The rationale was that the district is responsible for assuring that all participating schools implement the program with fidelity and the district is also responsible for assuring that all participating schools will meet the standards established for improving reading achievement. Added to the proposed regulations is a provision that if the district disagrees with a determination that it did not make significant progress, it can seek reconsideration from the SBE prior to the next year of implementation.

**Comment #3:** Stated that the standard for Significant Progress is applied “retroactively”. That is, a Cohort One district is currently in Year 4 of implementation yet the standard is being applied to Year 3 data. In the absence of established guidelines for defining Significant Progress, districts do not have a clear definition and lack the opportunity to engage in proactive action to improve their scores on the RFAI.

**Response:** The revised regulations call for the standard for significant progress for Cohort One districts to be applied in the fifth year of implementation. If a district does not make significant progress after the fifth year of implementation, then it will not be funded for the next year of implementation. For all other cohorts, the standard for significant progress will be applied in the fourth year. If the district fails to meet the standard after the fourth year of implementation, then it will not be funded for the next year.

**Comment #4:** Stated that his district has one of the largest numbers of waived classrooms in Cohort One and they have made significant growth, especially in this last year (Year 4). If the standard of Significant Progress were applied at the end of Year 4 instead of Year 3, he feels this growth would be reflected in improved RFAI scores for those classrooms and schools.

**Response:** Section 11991.1 provides the extra time for participation of waived classrooms by applying the standard for significant progress after the fifth year for Cohort One, and after the fourth year for all other cohorts.

#### **COMMENTS RECEIVED DURING THE PERIOD THE 15-DAY NOTICE AND PROPOSED REGULATION TEXT WAS AVAILABLE TO THE PUBLIC**

The modified text was made available to the public from May 22, 2006, through June 5, 2006, inclusive.

**Comment:** Alice Furry, Chief Administrative Officer, Reading First, submitted seven nonsubstantive suggested edits.

**Response:** Five suggested edits and grammatical corrections were implemented.

***The ELAC met on Wednesday, May 31, 2006, to discuss the proposed regulations defining significant progress in Reading First. There was general agreement from the committee on the following comments.***

**Comment 1:** The RFAI should be reconfigured as a measure used in determining significant progress because it is a flawed measure of reading achievement when applied to students in waived classrooms who are learning primarily in Spanish. The majority of the assessments that make up the RFAI are in English and it is more heavily weighted toward these measures. This could be due to it being developed as a measure of reading achievement when Reading First was an English-only program and thus did not take into account assessments in Spanish.

There were several ideas presented about how to make the RFAI fairer to students in waived classrooms:

- The CAT 6 should be removed from the RFAI calculation because it will be phased out of STAR testing anyway. In addition, its norms were developed based on a student population that bears little resemblance to California's.
- There should be factors taken into account in computing the RFAI for waived classrooms such as the number of years students participated in Reading First, student mobility and transience, class size.
- There should be more weight assigned in the calculation of the RFAI to the EOY assessments, which are given in both English and Spanish, and less to the CST which is only given in English.
- In calculating the RFAI, kindergarten EOY, in either English or Spanish, should account for 10 percent and first grade EOY 15 percent; in second grade the EOY should account for 10 percent and 30 percent should be the CST; and third grade 5 percent EOY and 30 percent CST.

Thus, kindergarten scores contribute 10 percent, first grade 15 percent, second grade 40 percent, and third grade 35 percent, to the total RFAI calculation.

- The calculation should also contain a weighting factor for years in Reading First e.g. a higher weighting factor applied to those students who have been in the program the longest.

**Response:** The Reading First Reading and Literacy Partnership, after considering various alternatives, selected the RFAI as the measure for determining significant progress. The calculation of the RFAI is currently conducted by the external evaluator as part of their yearly evaluation of Reading First. It has been used as a measure of reading achievement in Reading First since the program began and has shown to be a

consistent and accurate measure of reading achievement from year to year. All districts in Reading First are familiar with it and understand how it is calculated. Any changes in the RFAI would need to be tested to determine reliability and validity. This would require at least six months to a year. There is no guarantee that adjusting the RFAI as has been suggested will result in a fairer measure for waived classrooms. Also, changing the RFAI would interfere with longitudinal and comparative evaluation of Reading First, which has used the same RFAI calculation for three years. The CAT 6 (norm-referenced test) is not being considered for removal from STAR. Individual student data is not available; the RFAI is calculated at the classroom, school, and district level.

**Comment 2:** There was general agreement that the appeals process should be described in greater detail in the regulations to better define the factors that could be considered in an appeal by districts deemed not to have made significant progress. These factors could include:

- Attendance
- Class size
- Percentage of newcomers
- Length of time in the program/mobility
- Inadequacies of the RFAI as a measure of significant progress because
  - It was developed without taking into account waived classrooms
  - It does not account for the number of years a student receives Reading First “treatment”
  - It does not include measures related to implementation
  - It does not measure progress over the four years of program implementation

**Response:** Section 11991.2. of the draft regulations has been modified. The appeals process is described in greater detail.

**Comment 3:** There was general agreement for having districts in danger of losing their funding due to not making significant progress to write an action plan with both the CTAC and the appropriate RTAC. The plan would be developed in the year prior to the year in which they would potentially lose funding and would detail the specific technical assistance that CTAC and RTAC would provide to improve the quality of program implementation in the district.

**Response:** Under the draft regulations, districts in Cohort One that do not attain the standard for significant progress could lose funding for the sixth and last year of their grant period, districts in Cohort Two would be in danger of not being funded for the last two years of their funding. This measure will not apply to districts in Cohorts Three and Four since Reading First is scheduled to end after the sixth year of state implementation in 2008. Any further delay, such as adding an additional year for an intervention plan, in applying the standard for significant progress would negate the utility of adopting this standard.

**Comment 4:** There was general agreement that there should be an ongoing study of data so as to enable a reconsideration of the tests and weighting factors used in determining significant progress. This is in consideration of the potential reauthorization of Reading First.

**Response:** This is an advisory comment and does not directly relate to the proposed regulations.

**Comment 5:** There was general agreement to encourage developing and implementing an assessment system that employs individual student identifiers such as those being considered in the California Longitudinal Pupil Achievement Data System.

**Response:** This is an advisory comment and does not directly relate to the proposed regulations.

#### **ALTERNATIVES DETERMINATION**

The SBE has determined that no alternative would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective as and less burdensome to affected private persons than the proposed regulation.

#### **LOCAL MANDATE DETERMINATION**

The proposed regulations do not impose any mandate on local agencies or school districts. The Reading first program is a voluntary program, so there is no mandate being imposed by the state.

#### **REGULATIONS TO BECOME EFFECTIVE UPON FILING**



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
No Child Left Behind Act of 2001, Title II, Part A: Proposed Plan of Detailed Activities to Meet the Highly Qualified Teacher Requirements by the End of the One Year Extension, June 30, 2007.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the plan of activities detailing the new innovative actions the CDE and local educational agencies (LEAs) will take to reach the No Child Left Behind (NCLB) Highly Qualified Teacher (HQT), 100 percent compliant goal by June 30, 2007, and beyond.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

NCLB reauthorizes the Elementary and Secondary Education Act (ESEA) of 1965 and expands on major reforms, particularly in the areas of state academic standards, assessment, accountability, and school improvement. The largest single program in NCLB is Title I, Part A, which provides LEAs, or school districts and charter schools, with additional resources to help improve instruction in high-poverty schools and ensure that poor and minority children have the same opportunity as other children to meet challenging State academic standards.

Information regarding NCLB Teacher Requirements was announced in December 2002, with the U.S. Department of Education (ED) releasing its first non-regulatory guidance in January 2003. Between February and June 2003, CDE staff held meetings and discussions regarding the HQT definition and requirements.

Between July 2003 and February 2004, CDE and SBE staff, in collaboration with various stakeholder groups including the California Commission on Teacher Credentialing, the Association of California School Administrators, the California Teachers Association, the California School Boards Association, developed the *California NCLB Teacher Requirements Resource Guide (Guide)*.

In March and April 2004, regional briefings were held on implementation of the NCLB teacher requirements in 14 county office of education regions; at the same time the *Guide* was posted on the CDE Web site.

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## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION . . . (Cont.)**

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In response to the HQTs and Improving Teacher Quality State Grants Monitoring Report of June 14-16, 2005, the SBE approved a monitoring process, the NCLB Compliance Monitoring, Interventions and Sanctions (CMIS) program which will be fully implemented during the 2006-07 school year.

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## **SUMMARY OF KEY ISSUES**

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A key goal of the federal reauthorization of the ESEA, commonly known as NCLB, is that all students are taught by HQTs by the end of the 2005-06 school year. To achieve this goal, each LEA must ensure that all elementary, middle, and high school teachers who are assigned to teach core academic subjects meet NCLB teacher quality requirements by June 2006. Recently the ED conducted a review of California's implementation of the HQT provisions in NCLB. While it is clear that California is making a strong effort to reach the HQT goal, it appears that we will not reach it in all districts and schools by the end of the current school year. Accordingly, the ED has granted California, along with only 29 other states, a one year extension to reach this goal with the proviso that California develop and submit a State Plan of Activities detailing specific new actions the state will take to assist LEAs in reaching the HQT goal in the 2006-07 school year.

In particular, the ED wants to be assured that California has identified activities to ensure that teachers who meet HQT requirements are spread equitably among and within school districts and that we have a means of collecting and reporting teacher qualifications data.

As part of the State Plan of Activities, the CDE has identified the 1,368 schools that have not met their annual growth targets and is proposing three tiers of monitoring.

As part of our State Plan of Activities, the SBE and CDE address how the state plans to complete the implementation of the High Objective Uniform State Standard of Evaluation (HOUSSE) procedures for current teachers and how the state will limit the use of HOUSSE for teachers hired for the 2007-08 school year and beyond, except for teachers who teach multiple core academic secondary subjects in school districts eligible to participate in the Small Rural School Achievement program and are highly qualified in at least one core academic subject at the time of hire; new special education teachers who teach multiple core academic subjects, and who are highly qualified in either mathematics, language arts, or science at the time they are hired; and teachers who come to the United States from other countries to teach on a temporary basis.

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## **FISCAL ANALYSIS (AS APPROPRIATE)**

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In 2005-06 the CDE received Title II, Part A, Improving Teacher Quality federal funds:

- \$2,213,559 for State Educational Agency (SEA) Administration

**FISCAL ANALYSIS (AS APPROPRIATE) (Cont.)**

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- NCLB Legal Office Cost Allocation/FF \$ 50,654
- NCLB Legal Office Cost Allocation/FF \$ 12,103
- Title II – Teacher Quality/FF \$ 88,926
- School & District Accountability \$ 179,844
- School & District Accountability \$ 80,693
- Title II – Teacher Quality/FF \$ 1,801,339
  
- \$5,904,000 for SEA State Activities
  
- \$4.35 million for University of California Office of the President (UCOP) Subject Matter Project contracts
  
- \$1.554 million Principal Training program
  
- \$322,427,000 for LEA grants

**ATTACHMENT(S)**

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Attachment 1: U.S. Department of Education letter from Henry Johnson, Assistant Secretary. (23 Pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board of Education office.)

Attachment 2: The SBE-approved Monitoring, Intervention, and Sanctions for No Child Left Behind Teacher Requirements (6 Pages)

A last minute memorandum will be provided that will include planned activities as required by the ED.

## **Monitoring, Intervention, and Sanctions for No Child Left Behind Teacher Requirements**

In contrast to previous reauthorizations of the Elementary and Secondary Education Act, the No Child Left Behind (NCLB) Act of 2001, requires that the state educational agency (SEA) and the local educational agencies (LEAs) be held jointly accountable for the goals included in the plan. As part of the plan described in Section 1111, each SEA must develop a plan to ensure that all teachers teaching in core academic subjects are highly qualified no later than the end of the 2005-06 school year.

This section describes California's plan to meet the accountability requirements for NCLB teacher requirements, which include data collection and reporting, annual review of progress, improvement plans, the LEA monitoring and the California Department of Education (CDE) interventions. Sections one and two are required of all LEAs within California. The last three sections, three, four, and five, are directed at LEAs that have been identified as non-compliant under the Highly Qualified Teacher (HQT) Monitoring, Intervention, and Sanctions (MIS) system for improving teacher quality.

### **General Accountability Requirements for HQTs**

During the 2002-03 school year, LEAs developed their LEA Plan for utilizing federal NCLB funds and for integrating federal and state programs, where allowable, to achieve NCLB goals. To meet Goal 3 of the LEA plan, districts and county offices were required to complete a needs assessment of their teachers and to develop plans for ensuring that all teachers would be highly qualified by the end of the 2005-06 school year. Also, LEAs were required to describe how they would provide high quality professional development and support for teachers to meet NCLB teacher requirements. Title II, Part A funds are available to support all school sites in an LEA service area to meet goal 3.

The State Board of Education (SBE) in the State Consolidated Application for NCLB funding established the following performance indicators for Goal 3, HQTs:

- An annual increase in the percent of core academic subject courses taught by NCLB compliant teachers in the aggregate (e.g., state, LEA, and school) and for schools in the highest quartile of poverty and those in the lowest quartile
- An annual increase in the percent of teachers receiving high quality professional development, and
- An annual increase in the percent of paraprofessionals assisting in instruction in Title I programs who are qualified.

The SBE-adopted Annual Measurable Objectives (AMO) for each LEA and school that include, at a minimum: (A) an annual increase in the percent of classes in the core academic subject that are taught by NCLB compliant teachers at each LEA and school, to ensure that all core academic classes are taught by NCLB compliant teachers no

later than the end of the 2005-06 school year; (B) an annual increase in the percentage of teachers who are receiving high quality professional development to enable such teachers to become highly qualified and successful classroom teachers; and (C) an annual increase in the number of instructional paraprofessionals working in Title I supported programs who fully meet the paraprofessional requirements, to ensure that they meet these requirements by not later than January 2006.

### **Monitoring progress on AMOs: Year One and beyond.**

The CDE must ensure the completeness and accuracy of HQT data reported to the State by LEAs specifically related to: (a) how LEAs report to parents and the public on classes taught by non-highly qualified teachers, (b) steps taken to ensure that core academic subjects are being taught by Highly Qualified teachers in at least the same proportion in low income schools as in high income schools in each LEA, and (c) hiring only highly qualified teachers in Title II Class Size Reduction and Title I programs. Additionally, the CDE must ensure that all LEAs are collecting the data necessary to report annually on these performance indicators for each. All schools and districts, irrespective of funding sources, must report annually on their progress toward achieving the federal goals on the Consolidated Application for Categorical Funds (Con App). If necessary, LEAs must modify their plans to achieve this goal. Detailed information about teacher and paraprofessional qualifications is available in the *California NCLB Teacher Requirements Resource Guide* at <http://www.cde.ca.gov/nclb/sr/tq>.

LEAs reported the number of core academic classes offered in October 2003, at each school and the number of these classes taught by NCLB compliant teachers on the ConApp Part I in spring 2004. This report established the LEA baseline percent of core academic subject courses taught by NCLB compliant teachers in October 2003, at each school. For the purposes of establishing this baseline, LEAs were to consider teachers NCLB compliant if the teachers completed their *NCLB Teacher Requirements: Certificate of Compliance* based solely on their prior education and/or testing results. The LEAs did not have sufficient time to include classes taught by teachers who are or will be NCLB compliant upon completion of the High Objective Uniform State Standard of Evaluation (HOUSSE) process. The LEAs' AMOs were established at one-third of the difference between 100 percent and their baseline percent. For LEAs that failed to report on ConApp Part I, their baselines were set at zero and the AMOs at 33.3 percent. When reporting their Year One progress on the NCLB Teacher Requirement page of the ConApp Part II in fall 2004, LEAs included the classes taught by teachers who were compliant based on the completion of the California HOUSSE process. The ConApp reporting process provided immediate feedback to the LEAs if their AMOs for Year One had been achieved.

To monitor each school's progress toward achieving their AMOs, LEAs must develop mechanisms to record the NCLB compliance status of their teachers annually by core subject area classes. The objective is to move all teachers into the "Compliant Teacher"

column in every core academic subject area through careful recruitment and hiring of highly qualified teachers and the application of appropriate staff development efforts. Annually, the compiled information should be used as a mechanism to develop a professional development plan which will offer opportunities for teachers to move into the “Compliant Teacher” column and for teacher recruitment efforts.

Furthermore, the CDE has created the HQT Monitoring, Intervention, and Sanctions (MIS) Team to rigorously monitor LEAs implementation of the HQT requirements. The HQT MIS plan implements a process that identifies, using carefully selected criteria, schools which are struggling to meet their AMOs. The plan outlines a series of steps the team will take, with escalating sanctions to ensure all LEAs comply with the HQT requirements. Additionally, the MIS team will coordinate with existing CDE monitoring and technical assistance efforts, including Categorical Program Monitoring, School Assistance and Intervention Teams, District Assistance and Intervention Teams, and the Statewide System of School Support (S4). The team also coordinates with the California Subject Matter Projects, which provide the professional development for supporting HQT in the state. The plan includes timelines and specific activities to collect HQT data, monitor LEA implementation, and impose sanctions where appropriate, to ensure statewide compliance with the HQT provisions of NCLB Section 2141(c).

### **LEA Non-compliance under HQT MIS Program-Level I**

If an LEA has not met its AMOs or does not achieve a satisfactory finding during the HQT MIS process the LEA must submit a current MIS Monitoring Form to the CDE for each school that failed the MIS monitoring process and for the LEA as a whole.

- Submit a NCLB MIS Improvement Plan, using step 1 through step 3, which outlines:
  - a. LEA’s plan to move all of non-compliant teachers to the compliant teacher column
  - b. LEA’s plan to address how parents and the public are notified of classes taught by non-HQT for over four consecutive weeks
  - c. LEA’s plan to ensure that experienced and qualified teachers are equitably distributed among classrooms with poor and minority children as those with their peers
  - d. LEA’s plan to ensure only HQTs are hired to teach in Title II Class Size Reduction and Title I programs
  - e. LEA’s plan to increase teacher recruitment efforts in affected core areas

The MIS Improvement Plan must include the following:

- Timeline of activities designed to provide solutions
- Benchmarks for progress
- Funding sources and amount to be used

## **Directions for Developing LEA MIS Plan**

### **STEP 1**

The LEA should compile information about the NCLB compliance of all of their teachers by assigned core academic subject areas. (Review the *NCLB Teacher Requirements Resource Guide* and the school and district ConApp data.) The LEA should know which teachers have not completed a *NCLB Teacher Requirements: Certificate of Compliance* for the core academic subject areas to which they are assigned. Also, projected hiring needs over the next three years should be included in the review of data.

### **STEP 2**

The LEA analyzes the data to determine the specific issues that have prevented the LEA and specific school sites from identifying individual teachers' needs to become NCLB compliant. The LEA should analyze major differences among schools overall, within specific subject area and for high and low poverty schools in terms of equitable distribution of HQTs, as well as including an analysis to show how the LEA will re-allocate and recruit the necessary qualified teachers to fill gaps in current staffing by core content areas. Analyze the process for reporting to parents and the public on classes taught by non-highly qualified teachers. Analyze the data on hiring practices in Class Size Reduction and Title I programs.

### **STEP 3**

The LEA will develop a plan that specifically addresses the issues that have prevented each school within the LEA and/or the LEA from meeting NCLB teacher requirements. LEAs must target solutions to these issues by providing teacher and/or site support. The solutions should ensure that qualified teachers are equitably distributed across all school sites within the LEA and that all core academic subject classes are taught by highly qualified teachers.

Possible recruitment solutions:

- Provide scholarships, signing bonuses, or other financial incentives, such as differential pay, for teachers to teach:
  - a. In academic subjects in which there exists a shortage of HQTs within a school or within the LEA; and

- b. In schools in which there exists a shortage of HQTs.
- Incentives, including financial incentives, to promote transfer of NCLB compliant teachers to sites within the LEA which have a large number of teachers not yet NCLB compliant.
  - California Subject Exam Test (CSET) preparation and reimbursement.

Possible retention and stability solutions:

- California Subject Exam Test (CSET) preparation and reimbursement.
- Innovative professional development programs (which may be provided through partnerships with Institutions of Higher Education, including credential programs).
- Development and use of proven, effective strategies for the implementation of professional development activities, such as through the use of technology and distance learning.
- AB 466/AB 75 training.
- Site, content or learner specific professional development.
- Beginning Teacher Support and Assessment/Induction program.

### **LEA Non-compliance under HQT MIS Program-Level II**

If an LEA has failed to meet the conditions set-forth in the MIS plan after one year, the LEA must enter into an agreement with the CDE. This agreement will ensure that the LEA will meet all NCLB teacher requirements and conditions by the end of the school year.

### **Memorandum of Understanding**

If the CDE determines that an LEA has failed to meet the requirements set-forth in the MIS plan, the LEA shall enter into a Memorandum of Understanding (MOU) with the CDE. The MOU must include the following:

- A new corrective action plan developed by the CDE staff, in collaboration with the LEA which will provide a detailed description of all staffing, recruitment, and retention strategies the LEA will use to meet its goals.

- The Corrective Action Plan must be reviewed and approved by:
  - a. The LEA school board members,
  - b. The Superintendent, and
  - c. All relevant site administrators.
- Funding sources and projected budgets specific to each participating school site must be included with the plan.
- Assurances that the LEA will not use Title I, Part A funds to fund any new paraprofessionals, except where specified in the MOU.
- Evidence that the Title II, Part A funds are directed to specific schools that have not met their goals.

### **LEA Non-compliance under HQT MIS Program-Level III**

A Level III for persistent noncompliant districts would most likely require withholding of funds. Further details on this process are currently under development. The following section from *The Education Department General Administrative Regulation (EDGAR)* Part 80.43 states as follows:

- Remedies for noncompliance. If a grantee or subgrantee materially fails to comply with any term of an award, whether stated in a Federal statute or regulation, an assurance, in a State plan or application, a notice of award, or elsewhere, the awarding agency may take one or more of the following actions, as appropriate in the circumstances:
  - a. Temporarily withhold cash payments pending correction of the deficiency by the grantee or subgrantee or more severe enforcement action by the awarding agency,
  - b. Disallow (that is, deny both use of funds and matching credit for) all or part of the cost of the activity or action not in compliance,
  - c. Wholly or partly suspend or terminate the current award for the grantee's or subgrantee's program,
  - d. Withhold further awards for the program, or
  - e. Take other remedies that may be legally available

State of California

Department of Education

# LAST MINUTE MEMORANDUM

**DATE:** July 7, 2006

**TO:** **MEMBERS, STATE BOARD OF EDUCATION**

**FROM:** Sue Stickel, Deputy Superintendent  
Curriculum and Instruction Branch

**RE:** Item No. 8

**SUBJECT:** No Child Left Behind Act of 2001, Title II, Part A: Proposed Plan of Detailed Activities to Meet the Highly Qualified Teacher Requirements by the End of the One Year Extension, June 30, 2007

Attached is the State Plan of Activities detailing specific new short term actions to assist local educational agencies in reaching the highly qualified teacher requirements goal in the 2006-07 school year. The State Plan of Activities also outlines a long term cohesive set of specific activities to ensure that experienced and qualified teachers are distributed equitably among classrooms with poor and minority children by 2014. This plan is to be sent to the U.S. Department of Education in electronic format only.

Attachment 1: State Plan of Activities (24 pages)

June 27, 2006

## **California Department of Education Plan of Activities to Meet NCLB Teacher Quality Requirements**

A key goal of the federal reauthorization of the Elementary and Secondary Education Act (ESEA), commonly known as the No Child Left Behind (NCLB) Act of 2001, is that all students will be taught by Highly Qualified Teachers (HQT) by the end of the 2005-06 school year. To achieve this goal, each local educational agency (LEA) must ensure that all elementary, middle, and high school teachers assigned to teach core academic subjects meet NCLB teacher requirements by June 2006.

In April 2006, the California Department of Education (CDE) submitted data to the U.S. Department of Education (ED) relating to California's progress in meeting the HQT requirements (see Chart 1: Consolidated State Performance Report, Attachment 1). Based on the April 2006 review, the ED has granted California a one-year extension to reach this goal, but has requested that the CDE submit a State Plan of Activities detailing specific new short-term actions to assist LEAs in reaching the HQT goal in the 2006-07 school year.

The State Plan of Activities addresses how the CDE and the State Board of Education (SBE) plan to continue the use of the High Objective Uniform State Standard of Evaluation (HOUSSE) until June 30, 2007, and proposes modifications to HOUSSE after that date. (See Attachment 3)

Additionally and importantly, in keeping with NCLB requirements that all students reach proficiency by 2014, the State Plan of Activities outlines a long-term, cohesive set of specific activities to ensure that experienced and qualified teachers are distributed equitably among classrooms with poor and minority children. (See Attachment 4)

The CDE and the SBE are committed to ensuring that every student in California is taught by a highly qualified teacher. Working both in cross-cutting actions and directly with sub-grantees and stakeholders, it is the intent of the SBE and the CDE to reach our mutual goals of having an equitable distribution of HQTs by June 30, 2007.

If you have any questions regarding the State Plan of Activities, please contact Lynda Nichols, NCLB Consultant, Professional Development and Curriculum Support Division, at (916) 323-5822 or by e-mail at [lnichols@cde.ca.gov](mailto:lnichols@cde.ca.gov).

**Requirement 1: Reviewing Revised State Plans Protocol:** The revised plan must provide a detailed analysis of the core academic subject classes in the State that are currently *not* being taught by highly qualified teachers. The analysis must, in particular, address schools that are not making adequate yearly progress and whether or not these schools have more acute needs than do other schools in attracting highly qualified teachers. The analysis must also identify the districts and schools around the State where significant numbers of teachers do not meet HQT standards, and examine whether or not particular hard-to-staff courses are frequently taught by non-highly qualified teachers.

**Response:** California's preliminary Highly Qualified Teacher data for 2005-06 for the 2007 Consolidated State Performance Report (CSPR) indicates an overall compliance rate of 85 percent. There are 662,663 Core Academic Classes reported in the state, of those 566,053 are taught by HQTs.

At the elementary level there are 182,682 elementary Core Academic Classes in the state, of those 160,493 or 88 percent are taught by HQTs. At our high-poverty elementary schools there are 50,226 elementary Core Academic Classes reported in the state, of those 42,893 or 85 percent are taught by HQTs. At our low-poverty elementary schools there are 42,461 elementary Core Academic Classes reported in the state, of those 37,382 or 88 percent are taught by HQTs.

At the secondary level there are 461,761 Core Academic Classes in the state, of those 337,215 or 84 percent are taught by HQTs. At our high-poverty secondary schools there are 98,037 Core Academic Classes reported in the state, of those 78,075 or 80 percent are taught by HQTs. At our low-poverty secondary schools there are 119,654 Core Academic Classes reported in the state, of those 106,294 or 89 percent are taught by HQTs.

Currently the CDE does not collect student level data in relationship to highly qualified teacher data so it is not clear if English Learner (EL) students are taught by non-HQTs in greater numbers than other students.

The careful analysis of the data collected as part of the Compliance Monitoring, Intervention, and Sanctions (CMIS) program has in part lead to the creation of this plan. To prepare for the writing of this plan CDE staff looked closely at the *Planning Tool to Provide Evidence of Progress Toward Equitable Teacher Distribution* and the *Reviewing Revised State Plan protocol* for guidance. Schools who have failed to make adequate yearly progress have been placed in a monitoring process. Programs in special or alternative schools, such as continuation schools, by their very design, which have an inherently difficult time complying with NCLB Teacher Quality Requirements, will be monitored separately and a new, rigorous process for verification of subject matter competence will be created and implemented. Additionally, to address shortages, particularly in hard to staff schools and programs, we have compiled a cohesive long-term set of activities we feel will ensure the equitable distribution of HQTs throughout our state.

## **Teacher and Pupil Data Systems Overview**

The CDE has been collecting and reporting NCLB teacher compliance information aggregated at the school level through its Consolidated State Application (ConApp) over the last three years. At the same time, changes were implemented on the California Basic Education Data System (CBEDS). The Professional Assignment Information Form (PAIF) via CBEDS collects personnel information about California public schools. In October 2006, this form will collect NCLB compliance information for all core academic subject classes in California. When the 2006, CBEDS PAIF information becomes available next summer, California will know the NCLB compliance status by school site, school type, and course assignment code reflecting the subject area taught, and the NCLB compliance status of the teacher of that class. This information will greatly assist the CDE in targeting monitoring efforts and directing LEAs to appropriate professional learning opportunities for those teachers who are not yet NCLB compliant in all of their assignments.

## **Improvements in Collecting Teacher Qualifications Data**

California currently has a variety of data systems that are used for federal and state reporting requirements related to teacher qualifications. The state has had limited capacity to link individual teacher subject authorizations with teacher assignment for a particular year. California has been grappling with this problem for many years, but NCLB has provided the impetus and incentive to yield some meaningful progress in improving and refining education data systems. In March 2006, the CDE completed and submitted to the Department of Finance (DOF) a Feasibility Study Report (FSR), for a California Teacher Data System. The FSR was approved and the DOF added resources to the 2006-07 Budget Act to begin implementation of this system, identified as the California Longitudinal Teacher Integrated Data Educational System (CALTIDES).

When enacted, the Budget Act will authorize the CDE, in cooperation with the California Commission on Teacher Credentialing (CCTC), to develop a system of unique teacher identifiers to be developed and maintained by the CCTC. All public education agencies, including LEAs and the CDE, would use these identifiers on all teacher records. This system is expected to be developed in the 2006-07 fiscal year.

Another activity the CCTC will undertake in 2006-07 is to acquire more specific, individual teacher information from LEAs on the subject areas in which each teacher has been certified to teach. This activity will measure compliance with the NCLB requirements. The CCTC will then add this information to its online Application and Credential Search function (<https://teachercred.ctc.ca.gov/teachers/index.jsp>). This functionality will allow LEAs in California or other states, along with the general public, to view information on the credentials a teacher holds and in the subject areas that teacher is NCLB compliant.

The ability to connect teacher information currently housed in different state and local agencies will greatly enhance the opportunities to understand teacher supply and demand, mobility patterns, and areas of shortage. In this way, late resources can be more effectively directed. This process will also greatly improve the monitoring of teacher assignments to ensure that teachers are appropriately authorized to teach the subject they are assigned to teach.

In addition to these improvements in teacher information, California has begun implementation of a comprehensive longitudinal student information system, identified as California Longitudinal Pupil Achievement Data System (CALPADS). In 2005-06, all public school students were assigned a unique student identifier. This system is intended to facilitate the efficient and accurate transfer of student information between school districts. Also, longitudinal student assessment records will facilitate more meaningful evaluation of students' educational progress and investment over time, ensure an efficient, flexible, and secure means of maintaining student data to promote student achievement and effective management of educational resources, and support efficient and accurate state and federal reporting.

The CALPADS system currently includes the capability of linking to the CALTIDES system. The establishment of these new data systems will provide a basis for validating the professional qualifications and certifications of teachers, assignment, and distribution of teachers. Implementation of CALPADS is expected to be complete by December 2008, and implementation of CALTIDES by 2009.

***Requirement 5: Reviewing Revised State Plans Protocol:*** The revised plan must explain how and when the State Educational Agency (SEA) will complete the HOUSSE process for teachers not new to the profession who were hired prior to the end of the 2005-06 school year, and how the SEA will limit the use of the HOUSSE procedures for teachers hired after the end of the 2005-06 school year to multiple-subject secondary teachers in rural schools eligible for additional flexibility, and multiple-subject special education teachers who are highly qualified in language arts, mathematics, or science at the time of hire.

#### **Response: The California HOUSSE Process: Present and Future Procedures**

California's HOUSSE was designed in such a manner to be self-limiting over time. Many states allow teachers to be hired as "new to the profession," but after they have been employed for a certain length of time, their status can change to "not new." After more than a year of extensive collaboration with the various stakeholders in our state on this issue, California set one point in time, directly related to NCLB requirements, that would establish every teacher's status. Any teacher that was credentialed after July 1, 2002, would forever and always be considered "new to the profession." Any teacher who had received their credential before that date would be considered "not new." This was done purposefully in order to prevent any misuse of the HOUSSE.

Most teachers that can use the HOUSSE to establish subject matter competency have done so by this time. It may still be useful, however, to “not new” teachers who take on some of the more challenging assignments, such as multiple subject self-contained classrooms at the secondary level. These teachers may very well have prior experience, course work, or professional development that would help them establish subject matter competency in core subjects they have not recently taught.

We want to provide ample time for our stakeholders to review proposed changes with their constituencies and opportunity for LEAs to prepare for hiring. Because it would not be appropriate to make changes to the HOUSSE mid-way during a school year, we plan to implement these changes before any hiring takes place for the 2007-08 school year, but not later than June 30, 2007.

The CCTC is authorized to license teachers in the state of California. The licensing of teachers in California is a complex system with many avenues and alternatives for licensure. The CDE oversees the NCLB Highly Qualified Teacher Requirements process, which includes the California HOUSSE process; an invaluable tool in allowing teachers not new to the profession to apply years of experience, college units, and professional development to verify subject matter competency. California’s HOUSSE process was created in collaboration with a diverse group of stakeholders, and designed to ensure that our teachers have a strong background in the subject they teach. Additionally, like many other states, California suffers from a chronic teacher shortage in certain subject areas.

Currently "Not New" teachers may demonstrate core academic subject-matter competence in multiple ways through a combination of:

#### HOUSSE Part 1

- Prior experience in the core academic content area (A maximum of five years and 50 points may be counted; out of state experience may be counted, and non-consecutive years may be counted).
- Course work in the core academic content area (Coursework must be non-remedial coursework, C- or better for subject area). Standards-aligned professional development in the core academic content area (NCLB law requires that the HOUSSE process must be available to the public upon request. LEAs will need to develop a list of acceptable NCLB professional development activities, assign points for completed activities, utilize the list uniformly throughout the LEA (district, charter school, and/or county), and make the list available to the public upon request. Because standards were not in place in California until 1997, only professional development offered after that date is acceptable).

- Leadership and service to the profession in the core academic content area (NCLB law requires that the HOUSSE process must be available to the public upon request. LEAs will need to develop a list of acceptable leadership and service activities, utilize the list uniformly throughout the LEA (district, charter school, and/or county), and make the list available to the public upon request.

## HOUSSE Part 2

If a “Not New” teacher has not accumulated 100 points on HOUSSE-PART 1 then the teacher may use the California HOUSSE-PART 2, observation or portfolio requirement to demonstrate core academic subject matter competence by using classroom-based evidence. Assessment of evidence should indicate that California Standards for the Teaching Profession Standards 3 and 5.1 and elements have been met with sufficient documentation to ensure that the teacher has demonstrated competence in the core academic area(s) assessed.

The CDE is considering the following changes to the HOUSSE process but will need to continue the consultation process with stakeholders and follow the required state regulatory process before changes are implemented. Thus, projected changes and dates as delineated below are subject to change

As of July 1, 2007, HOUSSE Part 1:

- HOUSSE–Part 1 will continue to be part of California’s certification process for “not new” teachers.
  - Remove Leadership and Service to the Profession section.

As of July 1, 2007, HOUSSE Part 2:

- Will no longer be available as part of California’s certification process, except for secondary multiple subject teachers who teach in Small Rural School Achievement schools, secondary multiple subject special education teachers, and secondary teachers who teach multiple subjects in alternative programs
- Will no longer contain a portfolio assessment option
- Cannot count for more than 40 of the 100 points needed

Note: A complete description of California’s rules and processes related to HQT is found in *NCLB Requirements Resource Guide* and it may be accessed at <http://www.cde.ca.gov/nclb/sr/tq/documents/nclbresguide.doc>. [Note Update 07-Apr-2009, this Web address has been changed to <http://www.cde.ca.gov/nclb/sr/tq/tiresources.asp> which provides the 2007 NCLB Resource Guide.]



**Requirement 2: Reviewing Revised State Plans Protocol:** The revised plan must provide information on HQT status in each LEA and the Steps the SEA will take to ensure that each LEA has plans in place to assist teachers who are not highly qualified to attain HQT status as quickly as possible;

**Requirement 3: Reviewing Revised State Plans Protocol:** The revised plan must include information on the technical assistance, programs, and services that the SEA will offer to assist LEAs in successfully completing their HQT plans, particularly where large groups of teachers are not highly qualified, and the resources the LEAs will use to meet their HQT goals; and

**Requirement 4: Reviewing Revised State Plans Protocol:** The Revised plan must describe how the SEA will work with the LEAs that fail to reach the 100 percent HQT goal by the end of the 2006-07 school year.

**Response:** In order to comply with federal mandates for oversight of the No Child Left Behind Act, the CDE has begun the implementation of an LEA monitoring process for HQT. Specifically, a federal review of CDE administration of NCLB resulted in a “finding,” to wit, that CDE was not monitoring the accuracy of LEA reporting of NCLB teacher compliance as being “Highly Qualified.” Subsequently, CDE staff prepared a protocol for such monitoring. In January 2006, the protocol, the Compliance Monitoring, Intervention, and Sanctions (CMIS) program, was approved by the SBE and thereafter forwarded to the ED from whom we have received positive feedback.

The CMIS program staff has carefully analyzed available HQT percentages, adequate yearly progress (AYP) scores, poverty data, and type of program to develop a picture of each school within our state. Using this data the CMIS staff will target assistance to those schools with the most significant deficiencies. The CMIS data collection has made it possible to better identify schools who are already receiving some type of monitored assistance.

To ensure that all schools have complied with NCLB requirements by June 2007, the CDE will use the CMIS program to closely monitor the 1,368 schools, representing 217 districts that failed to achieve their AMOs for NCLB Teacher Quality for two consecutive years. CDE staff will provide monitored technical assistance through the CMIS program. Because of the large number of schools involved, the above set of schools will be divided into three subgroups as follows: (a) schools with an HQT percentage of 85 percent or better (404 schools); (b) Schools with an HQT percentage between 70 percent and 85 percent (301 schools); and (c) Schools with an HQT percentage below 70 percent (663 schools).

For schools that are reporting 85 percent compliance and higher the LEA will be required to submit a list of non-HQTs and a realistic plan for ensuring that the teacher will be highly qualified no later than June 2007. The plan must include how the district has used and will use Title II, Part A and Title I, Part A funds to assist teachers in becoming HQ. A CDE consultant will be assigned to monitor the district's implementation of their submitted plan via e-mail. In reviewing the data for the schools in this category of the monitoring process CDE staff is confident that these schools will make the HQT goal for June 2007. However, should concerns arise during the 2006-07 school year a CDE consultant will meet with LEA administrators to revise the plan or assist in implementation.

For schools that are reporting percentages between 84 percent and 70 percent, the LEA will be required to submit a list of non-HQTs and a realistic plan for ensuring that the teacher will be highly qualified no later than June 2007. The plan must include how the district has used and will use Title II, Part A and Title I, Part A funds to assist teachers in becoming HQ. Additionally, the LEA will develop a plan that specifically addresses the issues that have prevented each targeted school within the LEA from meeting NCLB teacher requirement goals. LEAs must target solutions to these issues by providing teacher and/or site support. The solutions should ensure long term compliance with HQT goals. A CDE consultant will be assigned to monitor the district's implementation of their submitted plan via phone contact and e-mail. In reviewing the data for the schools in this category of the monitoring process CDE staff is confident that these schools will make the HQT goal for June 2007 with selected technical assistance from the CDE. Should concerns arise the CDE consultant will meet with LEA administrators to revise the plan.

For schools that are reporting HQT percentages of less than 69 percent CMIS staff will conduct site monitoring and technical assistance visits to review required documents and assist the LEA in creating a plan that analyzes the specific issues that have prevented the specific school site from meeting the HQT compliance goals. The site plan will include specific strategies for assisting all non-HQTs in becoming highly qualified by June 2007. To insure long term compliance the site plan will include an analysis of how the school will recruit the necessary new, qualified teachers to fill gaps in current staffing by core content areas.

To insure long term compliance with NCLB Teacher Quality requirements the CMIS process will develop a system of ongoing monitoring to ensure that all LEAs have sufficient plans in place to sustain their compliance.

While HQT numbers have risen significantly statewide since 2002-03, there remains areas where compliance is difficult (see Chart 2: Special Programs, Attachment 2).

Areas that remain a concern are Secondary Alternative programs (64 percent compliant), Community Day programs (65 percent compliant), Secondary Opportunity programs (67 percent complaint), Secondary Special Education (49 percent compliant) and necessary small secondary schools (58 percent compliant). In these programs teachers teach multiple subjects to a diverse group of students. One teacher will be required to verify subject matter competency in as many as five NCLB core academic subjects. Additionally, our reporting process counts these classes in a similar fashion as traditional elementary multiple subject classrooms. A teacher who has verified NCLB compliance in two or three subjects is still reported as non-compliant.

To ensure that secondary teachers of multiple subjects are correctly identified the CDE will conduct a one-time data collection on these teachers. During the fall of 2006 each of these programs will be contacted and asked to submit data on each teacher's HQT status for each NCLB Core Academic Subject they teach. In this way our monitoring process can target assistance to those programs most in need.

As a long term solution to the problems faced by these teachers, CDE staff from the Professional Development and Curriculum Support Division, Special Education Division, Secondary, Post Secondary and Adult Leadership Division, and the Charter Schools Division will collaborate on a new verification process for secondary teachers of multiple subjects. This verification process will encompass coursework, content specific professional development, and relevant experience. The CDE anticipates the rollout of this new process by March 2007.

**Requirement 6: Reviewing Revised State Plans Protocol:** The revised plan must include a copy of the State's written "equity plan" for ensuring that poor or minority children are not taught by inexperienced, unqualified, or out-of-field teachers at higher rates than are other children.

**Response:** Recent analysis of NCLB HQT data indicates that California does not have a significant problem with the equitable distribution of HQTs within districts, but instead, there is an imbalance between districts. It is not uncommon to see a district with very low HQT percentages adjacent to a district with very high HQT numbers.

Legislation is a principal method of bringing change to existing programs in order to meet the Equitable Distribution of HQT requirements by 2014. Working closely with the Legislative Analyst Office (LAO), DOF, and the SBE, the CDE has been making inroads on meeting these requirements. It is imperative that the CDE play a leading role in ensuring that new legislation and modifications to existing legislation be implemented as soon as possible in order to abide by NCLB requirements by the end of fiscal year (FY) 2006-07, along with the equitable distribution of HQTs by 2014.

NCLB has resulted in a more coordinated effort among state and federal programs throughout the CDE as well as among LEAs. An articulated and cohesive plan of

activities among current programs will be useful to evaluate the effectiveness of each program in increasing the number of HQTs with regard to the overall impact of professional development programs and other initiatives connected to teacher quality. Over the next year the Title II, Part A State Coordinator and CDE staff will develop policy and procedures, and follow up on legislative actions to enhance the implementation of these programs with regard to the equitable distribution of highly qualified and effective teachers in California. An additional bonus of these reviews will be the ability of staff to modify programs in a more timely and ongoing basis. The CDE has been involved in a sustained effort to improve the quality of information available for monitoring and analyzing changes in teacher information, particularly as it relates to its NCLB compliance status. This long-term plan of coordinated programs will enhance our efforts to ensure that all California students have access to a high quality teacher by 2014.

### **Teacher Credentialing Reform**

In 1998, California restructured its teacher credentialing process under Senate Bill (SB) 2042 (Alpert/Mazzoni, Chapter 548, Statutes of 1998). This legislation provided increased flexibility for becoming a credentialed teacher in California through a variety of alternative routes including district and university pre-intern, intern, and partnership programs that allow participants to be employed as teachers while completing a credential program and college and university blended programs that allow teacher candidates to complete their teaching preparation in conjunction with their undergraduate course work.

Until the individual teacher data system is fully operational, the CMIS monitoring will be the primary vehicle to ensure equitable distribution of HQTs. When the individual data system is fully operational CMIS monitoring will continue and be expanded. In the interim period, the CDE will plan and coordinate with the following programs and provide additional efforts to ensure equitable distribution of HQTs.

### **California Teacher Internship Programs**

Alternative teacher credentialing internship programs provide opportunities for teacher candidates to become highly qualified through a state-approved alternative teacher credential program while working as classroom teachers. These programs enhance the ability of districts to provide HQTs in many more classrooms throughout the state.

All alternative teacher credential programs are aligned to the state's teacher preparation standards and to state-adopted kindergarten through grade twelve academic content standards. Alternative credential programs meet the same standards as traditional credential programs and are accredited by the CCTC. As with traditional credential programs, all alternative program candidates complete a two-year induction program of support and formative assessment during the first two years of their teaching career to obtain professional clear credentials.

## **California Assumption Program of Loans for Education**

The Assumption Program of Loans for Education (APLE), administered by the Student Aid Commission, provides a loan assumption agreement to teacher credential candidates enrolled in an eligible institution of postsecondary education. The program also provides a loan assumption agreement to applicants agreeing to obtain teaching credentials in a subject area that is designated as a current or projected shortage area, or who agrees to teach in a school that serves a large population of pupils from low-income families.

The proposed new legislation would require that eligible applicants for this program fall into one of the following categories: (a) complete training or coursework prior to becoming fully credentialed; (b) agree to obtain credentials; (c) hold a valid credential and pursue a single-subject credential to teach science or mathematics; (d) pursue specialist teaching credential in special education or a service credential utilized in special education; (e) agree to teach or provide services in a designated subject matter shortage area or in a school that, at the time the teacher or specialist is hired, meets prescribed criteria.

The new APLE provides additional incentives for the distribution of well-prepared, HQTs with subject-matter expertise in science, mathematics and special education to work at low performing schools throughout the state.

## **National Board For Professional Teaching Standards Program**

The National Board for Professional Teaching Standards (NBPTS) provides a rigorous measure for experienced teachers through sets of teaching standards that describe the accomplished level of teaching. Over the course of a school year candidates for national certification must create a portfolio of their teaching and be assessed on their content knowledge. National Board certification is available in over 24 certificate areas, defined by a student age range and the content taught. Teachers seeking National Board Certified Teacher (NBCT) status often create small learning communities as they develop their portfolios. The National Board certification process requires teachers to examine their practices and to address apparent weaknesses. The process can take up to three years for teachers who discover a weakness that must be addressed. National

Board certification is the epitome of long-term, meaningful professional development. Approximately 1 percent of all California teachers are NBCTs.

National Board certification is one measure of “highly qualified teacher” status necessary for NCLB compliance. To encourage teachers in California to take the challenge of national certification, the CDE administers two programs. The federally-funded Candidate Subsidy Program (CSP) provides 50 percent of the candidate fees

and the state-funded NBPTS Incentive Award Program provides a \$20,000 incentive award for NBCTs who work in high priority schools. The 2006 Budget Act proposes additional state funding to increase the candidate fee support to 90 percent. With approximately 50 percent of California NBCTs teaching in the bottom half of all California schools (determined by the Academic Performance Index [API]), California is the national exception in regard to the equitable distribution of NBCTs.

### **California Teacher Leadership Program**

Proposed legislation for the California Teacher Leadership Program (SB 1433) would provide funding to LEAs for training experienced teachers to become teacher leaders (instructional coaches) and provide professional development in core academic subject areas on instructional strategies to assist teachers in becoming highly qualified.

The California Teacher Leadership Program will provide incentives for the distribution of experienced teachers throughout the state trained to serve as teacher leaders (instructional coaches) in low performing schools with API rankings in deciles 1-3.

### **Troops to Teachers**

The Troops to Teachers (TTT) program was established in 1994 as a Department of Defense program. The National Defense Authorization Act for FY 2000 transferred the responsibility for program oversight and funding to the ED but continued operation by the Department of Defense. The NCLB provides for the continuation of TTT through FY 2006. Reflecting the focus of the NCLB, the primary objective of TTT is to help recruit quality teachers for schools that serve students from low-income families throughout America. TTT helps relieve teacher shortages, especially in math, science, special education, and other critical subject areas, and assists military personnel in making successful transitions to second careers in teaching.

The purpose of TTT is to assist eligible military personnel to transition to a new career as public school teachers in targeted schools. A network of State TTT Offices has been established to provide participants with counseling and assistance regarding certification requirements, routes to state certification, and employment leads. The TTT homepage provides information and resource links, including a job referral system to allow participants to search for job vacancies as well as links to state Departments of Education, state certification offices, model resumes, and other job listing sites in public education.

Pending availability of funds, financial assistance may be provided to eligible individuals as stipends up to \$5,000 to help pay for teacher certification costs or as bonuses of \$10,000 to teach in schools serving a high percentage of students from low-income families. Participants who accept the stipend or bonus must agree to teach for three years in targeted schools in accordance with the authorizing legislation.

## **Related Teacher Quality Improvement Efforts**

During the 2006-07 year, the CDE, California County Superintendents Educational Services Association (CCSESA), California Subject Matter Projects (CSMP), special education and alternative school experts, along with other stakeholders, will develop a special program for teachers in secondary settings or classes (special education, alternative schools, rural and small schools) who are assigned to teach in several core areas. The program will enable these teachers to become NCLB compliant. Resources and programs will be developed and identified and information disseminated that will provide a rigorous pathway for teachers in unique secondary situations to meet the NCLB requirements.

## **Equitably Distributing HQTs for English Learners**

In California, state and federal regulations, local policies, student population, and the content of a course being taught will determine what authorizations a teacher is required to possess. A teacher assigned to ELs will need an authorization for instruction to ELs in addition to authorization in the content area of instruction to be considered highly qualified. Teachers assigned to providing primary language instruction are required to have a Bilingual Cross-cultural Language and Academic Development Authorization (BCLAD). The CCTC is the authorizing agency for teachers in California. The CDE administers and oversees state and federal programs and regulations to support schools, including programs for ELs.

Through monitoring reviews, the CDE specifically monitors teachers assigned to core academic subjects such as courses specified as required for graduation and promotion. The CDE also monitors whether EL students are succeeding in English coursework as compared to their English-speaking peers. The CCTC monitors credential assignments, including subject matter, grade-level, special education, and EL authorization.

As of July 1, 2002, EL authorization is a component of the credentialing process for new teachers and is an integral part of the credential programs offered by colleges, universities, and district intern programs. All teachers graduating after this date will have an EL authorization. Teachers who hold a credential without the EL authorization can receive training and support to obtain this authorization through the Bilingual Teacher Training Program (BTTP).

The California Legislature established the BTTP in response to the dramatic need for teachers authorized to provide English language development, academic instruction and primary language instruction to ELs. The need for authorization continues to climb as the number of ELs grows, and more ELs receive English Language Development and Specialized Academic Instruction in English in mainstream English classes. BTTP funding was continued for FY 2006-07 to address this ongoing need. The state-funded

BTTP provides training through 14 centers. This summer an additional \$475,000 of Title II funds were added to the annual allocation of \$1.9 million as a strategy to increase the number of EL authorized teachers and BCLAD teachers.

Once CALPAD is in place, the CDE will be able to track which districts are more highly impacted by ELs and identify whether students are being served by EL authorized teachers. Legislative language can be proposed to increase incentives for EL authorized teachers in those districts which may include one or more of the following: (a) differentiated pay for the EL authorization, (b) no cost trainings leading to the authorization, (c) reimbursement of test fees, and (d) a stipend for teachers' participation in the training.

The fact that this year many districts have chosen to require all teachers to be EL authorized as a requirement for employment will also have an impact on the equitable distribution of EL authorized teachers.

## **Additional Coordinated Efforts and Programs to Increase and Equitably Distribute HQTs**

### **California County Offices of Education**

California *Education Code (EC)* Section 44258.9 requires county offices of education (COEs) to monitor that districts are complying with credentialing laws in the placement of certificated staff. Currently each county superintendent of schools is required to monitor and review school district certificated employee assignment practices in accordance with the following: (a) annually monitor and review schools and school districts that are likely to have problems with teacher misassignments and teacher vacancies, based on past experience or other available information; (b) annually monitor and review schools ranked in deciles 1 to 3, inclusive, of the 2003 base API, if those schools are not currently under review through a state or federal intervention program; (c) one fourth of all other schools on a four-year cycle.

Additionally, the county superintendents of schools are required to submit an annual report to the CCTC and the CDE summarizing the results of all assignment monitoring and reviews. These reports include, but need not be limited to, the following: (a) the numbers of teachers assigned and types of assignments made by the governing board of a school district under the authority of *EC* sections 44256, 44258.2, and 44263; (b) information on actions taken by local committees on assignment, including the number of assignments authorized, subject areas into which committee-authorized teachers are assigned, and evidence of any departures from the implementation plans presented to the county superintendent by school districts; (c) information on each school district reviewed regarding misassignments of certificated personnel, including efforts to eliminate these misassignments.

The Title II, Part A State Coordinator, CDE staff, and others as appropriate will meet with representatives from CCSESA to plan activities to enhance COE involvement with HQT compliance and monitoring.

### **California Subject Matter Projects**

The California Subject Matter Projects (CSMPs), administered by the University of California Office of the President (UCOP), assist new, under-prepared, and veteran teachers to develop and master core academic content and implement instructional practices. The content and practices are aligned to adopted California content standards, SBE-adopted instructional materials and curriculum frameworks, and supplementary materials for ELs and other special needs students.

The CSMPs are organized in a regional configuration, in alignment with the California County Superintendents Educational Services Association (CCSESA) to support articulated, coordinated efforts with state, regional, and local providers of professional development. The 15 regional councils of the CSMPs will coordinate with COEs and CDE monitors. Collaborative planning among the county office regions, the CDE monitors, and the CSMPs will yield options for services that may be offered to each district that has not made sufficient progress toward meeting its AMOs. Council liaisons (executive directors) and site directors will offer technical assistance to districts needing support to meet their LEA Plan goals and AMO targets in consultation with other state, regional, and local providers of professional development.

### **Mathematics and Reading Professional Development Program**

Assembly Bill (AB) 466 (Chapter 737, Statutes of 2001) established state funding for the Mathematics and Reading Professional Development Program (AB 466). This reimbursement program provides funding for 120 hours of professional development in mathematics and reading/language arts to kindergarten through grade 12 classroom teachers. This program authorizes 40 hours of institute training and 80 hours of Follow-up Practicum. Also, the regulations authorize 20 hours of initial training and 20 hours of Follow-up Practicum for instructional aides or paraprofessionals.

AB 466, under Article 3 for LEAs, connects approved professional development delivered by SBE approved training providers on state or local board approved instructional materials, aligned with state content standards and curriculum frameworks. This program is due to sunset July 1, 2006. Reauthorization legislation, Senate Bill (SB) 472, is pending. If signed into law, the Mathematics and Reading Professional Development Program will continue through June 2012. Additional legislation is pending, SB 1190, which, if signed into law, would authorize 120 hours of professional development in science and would be similar in structure to the Mathematics and Reading Professional Development Program.

This professional development program will be a major component for secondary special education teachers and teachers who qualify for rural flexibility as stipulated in Title 5, regulations 6111 and 6113, County Office programs. AB 466 and its reauthorizing legislation, SB 472, prioritize participation in the program. The intent of the Legislature allows LEAs to give highest priority to training teachers who are new to the teaching profession, who are assigned to high-priority schools, and who are assigned to schools that are under state sanctions. This intention supports the equitable distribution of HQTs by ensuring that priority funding be given to districts for the purpose of providing professional development in mathematics and reading for teachers in highest need schools.

### **California Mathematics and Science Partnership Program**

Through the use of NCLB Title II Part B funds, the CDE has established the California Mathematics and Science Partnership Grant Program (CaMSP). This professional development program is focused on increasing the academic achievement of students in mathematics (grades five through Algebra I) and science (grades four through eight) by enhancing the content knowledge and teaching skills of classroom teachers. The CaMSP program engages local districts to partner with local institutes of higher education (IHE) to provide cohorts of teachers long-term, sustained professional learning activities to develop strong mathematics and science content knowledge and related pedagogical strategies. Program activities ensure that educators develop the necessary knowledge and skills to effectively teach challenging courses utilizing SBE-adopted instructional materials. Professional learning opportunities must adhere to the following requirements:

- Improve teachers' subject-matter knowledge
- Directly relate to the curriculum and academic areas in which the teacher provides instruction
- Enhance the ability of the teacher to understand and use the challenging California academic content standards for mathematics and science
- Provide instruction and practice in the effective use of content-specific pedagogical strategies
- Provide instruction in the use of data and assessments to inform classroom practice

Additionally, the CaMSP program partnerships are between a high-need LEA and an engineering, mathematics, or science department of an IHE. The term "high-need LEA" refers to an LEA that serves a student population where at least 40 percent of the

students qualify for the National School Lunch Program. Therefore, funding is directed throughout the state to high-need educational agencies which historically employ new and under prepared teachers. The CaMSP program indirectly addresses the equitable distribution of HQTs in California by providing an opportunity to teachers in these schools to improve their content knowledge and instructional strategies.

### **California State University Mathematics and Science Teacher Initiative**

The California State University (CSU) began the Mathematics and Science Teacher Initiative (MSTI) this past year through a planning process involving all of its 23 campuses. The CSU seven-part action plan that derived from that process is focused on meeting one goal through diverse pathways. Each campus is committing to a specific plan with a numerical goal in increased credential production and a strategy for how it will be reached. Campus plans include a broad range of promising approaches built from campus strengths and regional needs and characteristics.

### **One Thousand Teachers, One Million Minds Initiative - University of California**

In May 2004, a compact was developed and signed between the higher education community and the California Governor focused on improving both the supply and quality of science and mathematics teachers in California. The goal of the program is to certify 1,000 mathematics and science teachers per year upon full implementation of the program. The program will provide all undergraduates the opportunity to complete a major in the fields of science or mathematics while completing the coursework that will prepare them to be highly qualified science or mathematics secondary teachers in four academic years. This program has been in existence for two years at the University of California. The Math Science Leadership Office at the CDE continues to build on the collaboration and provide advice on this project.

### **Professional Development Web Site Improvements**

The CDE Web site is a critical vehicle for disseminating information about practices and activities related to state and federal programs. We are in the process of adding an even more robust capacity that will assist the field in supporting teachers to reach highly qualified status. This will be accomplished by offering links to the field and other stakeholders of CDE and COE professional development opportunities, state-mandated programs and related funding resources. When fully operational this Web site will include a searchable database which will allow the field and stakeholders to search for professional development opportunities by subject matter, county region, and zip code. The product of the search will be a subject matter- and regionally-based Web page listing all the professional development with links to descriptions of the programs, funding and registration information. The Professional Development Web site will help LEAs and their stakeholders effectively and quickly discover professional development opportunities that will aid their teachers and paraprofessionals meet the goals of NCLB.

The CDE Professional Development Web site will support equitable distribution of teachers by providing LEAs and their stakeholders professional development opportunities targeted to the needs of high-need school sites, which often have the largest number of non-HQT teachers employed in an LEA. The LEA will effectively build a professional development system for the high-need school by quickly and effectively targeting State-mandated programs, support providers and other local professional development opportunities within a reasonable distance from the school site. Additionally, building an excellent professional development program through the use of this tool will entice HQTs to transfer to the high-need school site, thereby assisting in solving the LEA's equitable distribution issues.

Attachment 1

**2002-03 data (from 2004 CSPR):**

Chart 1: Consolidated State Performance Report (CSPR)

School Type	Total Number of Core Academic Classes	Number of Core Academic Classes Taught by HQTs	Percentage of Core Academic Classes Taught by HQTs
All Schools in State			48%
All Elementary Schools			60%
All Secondary Schools			44%
High-Poverty Schools			35%
Low-Poverty Schools			53%

**2003-04 data (from 2005 CSPR):**

School Type	Total Number of Core Academic Classes	Number of Core Academic Classes Taught by HQTs	Percentage of Core Academic Classes Taught by HQTs
All Schools in State	630,647	327,267	52%
All Elementary Schools	162,164	79,324	49%
All Secondary Schools	468,483	247,943	53%
High-Poverty Schools	153,922	61,652	40%
Low-Poverty Schools	165,591	99,745	60%

**2004-05 data (from 2006 CSPR):**

School Type	Total Number of Core Academic Classes	Number of Core Academic Classes Taught by HQTs	Percentage of Core Academic Classes Taught by HQTs
All Schools in State	635,484	472,482	74%
Elementary Level			
High-Poverty Schools	48,977	36,880	75%
Low-Poverty Schools	34,341	27,807	81%
All Elementary Schools	173,723	135,266	78%
Secondary Level			
High-Poverty Schools	102,721	62,565	61%
Low-Poverty Schools	119,361	96,323	81%
All Secondary Schools	461,761	337,215	73%

Attachment 1

**2005-06 data (preliminary data for 2007 CSPR) as of October 2005 (Data defined as in 2006 CSPR):**

<b>School Type</b>	<b>Total Number of Core Academic Classes</b>	<b>Number of Core Academic Classes Taught by HQTs</b>	<b>Percentage of Core Academic Classes Taught by HQTs</b>
<b>All Schools in State</b>	<b>662,663</b>	<b>566,053</b>	<b>85%</b>
<b>Elementary Level</b>			
<b>High-Poverty Schools</b>	<b>50,226</b>	<b>42,893</b>	<b>85%</b>
<b>Low-Poverty Schools</b>	<b>42,461</b>	<b>37,382</b>	<b>88%</b>
<b>All Elementary Schools</b>	<b>182,682</b>	<b>160,493</b>	<b>88%</b>
<b>Secondary Level</b>			
<b>High-Poverty Schools</b>	<b>98,037</b>	<b>78,075</b>	<b>80%</b>
<b>Low-Poverty Schools</b>	<b>119,654</b>	<b>106,294</b>	<b>89%</b>
<b>All Secondary Schools</b>	<b>461,761</b>	<b>337,215</b>	<b>84%</b>

Attachment 2

Chart 2: Special Programs

**Preliminary HQT Compliance Percentages for October 2005 by School Level and Type as of April 3, 2006**

School Type	Elementary Core	Elementary NCLB	Percent Compliant	Percent of All Elem.	Secondary Core	Secondary NCLB	Percent Compliant	Percent of All Secondary	All Core	All NCLB	Percent Compliant
Alternative	4747	2746	57.8%	2.599%	5269	3669	69.6%	1.098%	10016	6415	64.0%
County Community	649	345	53.2%	0.355%	2764	2269	82.1%	0.576%	3413	2614	76.6%
Community Day	494	340	68.8%	0.270%	2215	1420	64.1%	0.461%	2709	1760	65.0%
Continuation	2479	2061	83.1%	1.357%	14693	10695	72.8%	3.061%	17172	12756	74.3%
Elementary	156744	142692	91.0%	85.802 %	224	187	83.5%	0.047%	156968	142879	91.0%
High School	1368	1190	87.0%	0.749%	282537	242883	86.0%	58.864 %	283905	244073	86.0%
Junior High					3492	2757	79.0%	0.728%	3492	2757	79.0%
Juvenile Hall	1299	1078	83.0%	0.711%	1081	734	67.9%	0.225%	2380	1812	76.1%
K-12	5120	2976	58.1%	2.803%	176	143	81.3%	0.037%	5296	3119	58.9%
Middle	6736	5566	82.6%	3.687%	166866	140410	84.1%	34.765 %	173602	145976	84.1%
Opportunity	9	8	88.9%	0.005%	221	147	66.5%	0.046%	230	155	67.4%
Special Ed	3037	1491	49.1%	1.662%	443	246	55.5%	0.092%	3480	1737	49.9%
All Schools	182682	160493	87.9%		479981	405560	84.5%		662663	566053	85.4%

School level is defined by ED in CSPR instructions. School type is defined by CDE on PUBLSCHL file.

Attachment 3

**Short -Term Activities to Support NCLB Highly Qualified Teacher Goal of June 2007**

Activities	Action	Timeline
Notify field of proposed HOUSSE changes for 2007-08	<ul style="list-style-type: none"> <li>• CDE will issue a letter to all superintendents of proposed HOUSSE changes after final State Board of Education (SBE) Approval.</li> <li>• Posted on SBE and Superintendents' web pages</li> </ul>	June – July 2006
Title 5 revision process to HOUSSE procedure	<ul style="list-style-type: none"> <li>• SBE receives revised HOUSSE documents for information, beginning the regulation process</li> </ul>	September 2006 – May 2007
Implementation of revised HOUSSE procedures	<ul style="list-style-type: none"> <li>• New Certificate of Compliance released</li> <li>• Revised NCLB Teacher Resource Guide released</li> </ul>	Effective July 1, 2007
Notification of schools placed in Compliance Monitoring, Intervention and Sanctions (CMIS) Program	<ul style="list-style-type: none"> <li>• CDE will notify LEAs by mail and e-mail</li> </ul>	July 2006
Training workshop for schools in CMIS	<ul style="list-style-type: none"> <li>• Workshops will be held in various regions throughout the state</li> <li>• CDE will reimburse participants for travel (pending legislative approval of budget)</li> </ul>	August – September 2006
CMIS site visits	<ul style="list-style-type: none"> <li>• Teams of two will visit schools as determined by the CMIS process</li> <li>• Follow-up monitoring by phone, e-mail and site visit as indicated by plan</li> </ul>	October 2006 – May 2007
Final data collection for NCLB HQT compliance	California Basic Educational Data System (CBEDS) via Professional Assignment Information Form (PAIF)	October 2007

Attachment 4

**Coordinated Long-Term Coordinated Activities and Programs to Increase and Equitably Distribute HQTs**

Program	2006-07 Activities	
California County Superintendents Educational Services Association (CCSESA)	<ul style="list-style-type: none"> <li>Title II, Part A State Coordinator and CDE staff will meet with representatives from CCSESA to plan activities to enhance COE involvement with HQT compliance and monitoring.</li> </ul>	<ul style="list-style-type: none"> <li>CDE staff and CCSESA staff will develop a system which utilizes required existing monitoring processes to meet federal requirements for LEA monitoring</li> </ul>
California Subject Matter Projects (CSMP)	<ul style="list-style-type: none"> <li>CSMP's 15 regional councils will contact each district that has not made sufficient progress toward meeting their AMOs.</li> <li>Council liaisons (Executive Directors) and Site Directors will provide technical assistance to districts needing support to meet their LEA Plan goals and AMO targets.</li> </ul>	<ul style="list-style-type: none"> <li>CSMP Regional councils will meet regularly to understand district and county issues, solve problems and report progress toward meeting HQT goals in the region.</li> <li>The new Web site and electronic newsletter will share information and support the statewide assistance effort</li> </ul>
Mathematics and Reading Professional Development Program	<ul style="list-style-type: none"> <li>This program is due to sunset July 1, 2006. Reauthorization legislation (SB 472) is pending.</li> <li>Additional legislation is pending (SB 1190) which, if signed into law, would authorize 120 hours of professional development in science and would be similar in structure to the Mathematics and Reading Professional Development Program.</li> </ul>	<ul style="list-style-type: none"> <li>Develop policy and procedures, and follow-up on legislative actions for program implementation. Monitor effectiveness of programs with regard to equitable distribution of HQTs in California.</li> </ul>
The California Mathematics and Science Partnership Program	<ul style="list-style-type: none"> <li>CDE will conduct an informal audit of this program to determine level of participation at low performing, high poverty schools</li> <li>Program refocus will occur during the 2006-07 school year, if indicated.</li> </ul>	<ul style="list-style-type: none"> <li>Develop policy and procedures for program implementation. Monitor effectiveness of programs with regard to equitable distribution of HQTs in California</li> </ul>

**Coordinated Long-Term Coordinated Activities and Programs to Increase and Equitably Distribute HQTs**

<b>Program</b>	<b>2006-2007 Activities</b>	
The California State University Mathematics and Science Teacher Initiative	<ul style="list-style-type: none"> <li>• CDE will conduct an informal audit of this program to determine level of participation at low performing, high poverty schools.</li> <li>• Program refocus will occur during the 2006-07 school year if indicated.</li> </ul>	<ul style="list-style-type: none"> <li>• Develop policy and procedures for program implementation. Monitor effectiveness of programs with regard to equitable distribution of HQTs in California.</li> </ul>
One Thousand Teachers, One Million Minds Initiative - University of California	<ul style="list-style-type: none"> <li>• CDE will conduct an informal audit of this program to determine level of participation at low performing, high poverty schools.</li> <li>• Program refocus will occur during the 2006-07 school year if indicated.</li> </ul>	<ul style="list-style-type: none"> <li>• Develop policy and procedures for program implementation. Monitor effectiveness of programs with regard to equitable distribution of HQTs in California.</li> </ul>
California Assumption Program of Loans for Education (APLE)	<ul style="list-style-type: none"> <li>• CDE staff will work with the Student Aid Commission to improve awareness of the program.</li> <li>• CDE staff will work with LEAs to improve awareness of the program as an incentive for employment.</li> </ul>	<ul style="list-style-type: none"> <li>• Develop policy and procedures for program implementation. Monitor effectiveness of programs with regard to equitable distribution of HQTs in California.</li> </ul>
The California Teacher Leadership Program	<ul style="list-style-type: none"> <li>• Equitable Distribution and retention at low performing, high poverty schools will be a focus during the development of this program.</li> </ul>	<ul style="list-style-type: none"> <li>• Develop policy and procedures for program implementation. Monitor effectiveness of programs with regard to equitable distribution of HQTs in California.</li> </ul>



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
School Accountability Report Card: Approve Proposed Template and Data Definitions for the 2006-07 School Year	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### RECOMMENDATION

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The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the proposed School Accountability Report Card (SARC) template and data definitions for report cards to be published in the 2006-07 school year, and that the SBE direct CDE staff to make the documents available to local educational agencies (LEAs) on the CDE Web site.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

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The SBE annually approves the SARC template and associated data definitions in accordance with the requirements of state and federal laws. In May 2005, the SBE approved a SARC template and data definitions that were used for report cards published during the 2005-06 school year.

In May 2006, CDE staff provided the SBE with information about various SARC improvement efforts that were launched by the State Superintendent of Public Instruction (SSPI) Jack O'Connell in his 2006 State of Education address. Specifically, SSPI O'Connell made improving the readability of the SARC a top priority.

### SUMMARY OF KEY ISSUES

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Each year, the CDE prepares for SBE approval a model template containing all the SARC reporting elements that are required by state and federal laws. LEAs may use the model template or may design their own report cards as long as all legally required information is included.

The CDE makes the template available on the Internet in both a blank format (without data) and in a format that can be downloaded with data for those reporting elements for which the CDE has data available (such as standardized test results). Although some information for the report card must be gathered locally, the CDE provides a majority of the data needed.

## **SUMMARY OF KEY ISSUES (Cont.)**

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Based on the collaborative efforts of several stakeholder working groups, the following items are being presented to the SBE for approval:

1. A new, optional executive summary comprised of about 20 SARC reporting elements designed to provide parents and community members with a quick snapshot of school accountability. The executive summary will be provided to LEAs as part of a SARC template package.
2. A simpler and more readable SARC template that is nearly 25 percent shorter than the existing template. The changes are summarized below.
3. A revised set of data definitions to support the SARC template and provide technical guidance to LEAs and schools.

With respect to the proposed SARC template for report cards to be published in the 2006-07 school year, the only substantive content changes are the reporting elements that have been either added or modified in response to the enactment of Senate Bill 687 (Chapter 368, Statutes of 2005). This measure added new reporting elements for teacher salaries and modified existing reporting elements relating to expenditures per pupil, career technical education, and availability of sufficient textbooks and instructional materials (by adding the percent of pupils who lack these items). These reporting elements may be found on pages 5, 6, and 11 of Attachment 2 (the SARC template); and pages 24-25, 26-27, and 46-48 of Attachment 3 (the SARC data definitions).

The SARC template has also been modified as follows:

1. The reporting elements have been re-ordered and in some cases re-titled to provide a more useful and understandable organizational format for the report card.
2. Many of the reporting elements have been reduced in scope so that they are more accurately aligned with state or federal requirements. Multi-year and multi-level comparisons that are not required by law have been retained only where needed to provide appropriate context for accountability purposes.
3. Several related reporting elements have been combined into a single reporting element. Examples include the reporting elements for school facilities, teacher misassignments and vacant teacher positions, and textbook and instructional materials.
4. Some of the reporting elements have been re-designed to improve their readability and usefulness. Examples include the reporting elements for California Standards Tests, Norm-Referenced Test, Academic Performance Index, and Adequate Yearly Progress.

5. The introductory descriptions for all the reporting elements have been shortened and re-written so that they provide simpler and clearer statements about the purpose and context of each reporting element.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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If approved by the SBE, the recommended action will result in ongoing costs for the CDE to prepare and publish a SARC template and data definitions for report cards published in the 2006-07 school year. These costs are funded in the CDE's annual budget. LEAs and schools will also likely incur ongoing costs related to preparing and publishing the annual report cards as required by law, although no new or additional costs would be imposed on LEAs and schools.

### **ATTACHMENT(S)**

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Attachment 1: SARC, Suggested Format for Optional Executive Summary, School Year 2006-07 (2 Pages)

Attachment 2: SARC Reported for School Year 2005-06, Published During 2006-07 (13 Pages)

Attachment 3: SARC, Data Element Definitions and Sources, 2005-06 (57 Pages)

## Executive Summary School Accountability Report Card, 2006-2007

### *For Alexander Elementary School*

**Address:** 123 Munroe Street, Fresno, CA 95143

**Phone:** 530-123-4567

**Principal:** Mr. Alex Alexander

**Grade Span:** K-6

This executive summary of the School Accountability Report Card (SARC) is intended to provide parents and community members with a quick snapshot of school accountability. The data presented in this report is reported for the 2005-06 school year, except the School Finances and School Completion data which are for 2004-05. For additional information about the school, parents, and community members should review the entire SARC or contact the school principal or the district office.

#### About This School

*Narrative to be provided by LEA*

#### Student Enrollment

Group	Enrollment
Number of students	
African American	%
American Indian or Alaska Native	%
Asian	%
Filipino	%
Hispanic or Latino	%
Pacific Islander	%
White (not Hispanic)	%
Multiple or No Response	%
Socioeconomically Disadvantaged	%
English Learners	%
Students with Disabilities	%

#### Teachers

Indicator	Teachers
Teachers with full credential	
Teachers without full credential	
Teachers Teaching Outside Subject Area of Competence	
Misassignments of Teachers of English Learners	
Total Teacher Misassignments	

#### School Facilities

##### Summary of Most Recent Site Inspection

*Narrative to be provided by LEA*

##### Repairs Needed

*Narrative to be provided by LEA*

##### Corrective Actions Taken or Planned

*Narrative to be provided by LEA*

## Curriculum and Instructional Materials

Core Curriculum Areas	Pupils Who Lack Textbooks and Instructional Materials
Reading/Language Arts	%
Mathematics	%
Science	%
History-Social Science	%
Foreign Language	%
Health	%
Science Laboratory Equipment (grades 9-12)	%

## School Finances

Level	Expenditures Per Pupil (Unrestricted Sources Only)
School Site	\$
District	\$
State	\$

## Student Performance

Subject	Students Proficient and Above on California Standards Tests
English-Language Arts	%
Mathematics	%
Science	%
History-Social Science	%

## Academic Progress

Indicator	Result
2006 API Growth Score (from 2005 API Growth Report)	
Statewide Rank (from 2005 API Base Report)	
2006-07 Program Improvement Status	

## School Completion

Indicator	Result
Graduation Rate	

## Postsecondary Preparation

Measures	Percent of Graduates
Completed a Career Technical Education Program	%
Completed All Courses Required for University of California or California State University Admission	%

# School Accountability Report Card Reported for School Year 2005-06

*Published During 2006-07*

The School Accountability Report Card (SARC), which is required by law to be published annually, contains information about the condition and performance of each California public school. More information about SARC requirements is available at the California Department of Education (CDE) Web site at <http://www.cde.ca.gov/ta/ac/sa/>. For additional information about the school, parents and community members should contact the school principal or the district office. *DataQuest*, an online data tool at <http://data1.cde.ca.gov/dataquest/>, contains additional information about this school and comparisons of the school to the district, the county, and the state.

## I. About This School

### Contact Information

This section provides the school's contact information.

School Information		District Information	
School Name		District Name	
Street		Phone Number	
City, State, Zip		Web Site	
Phone Number	<i>To be provided by local educational agency (LEA)</i>	Superintendent	<i>To be provided by LEA</i>
Principal		E-mail Address	
E-mail Address			

### School Description and Mission Statement

This section provides information about the school's goals and programs.

*Narrative to be provided by LEA*

### Opportunities for Parental Involvement

This section provides information about opportunities for parents to become involved with school activities.

*Narrative to be provided by LEA*

### Student Enrollment by Grade Level

This table displays the number of students enrolled in each grade level at the school.

Grade Level	Number of Students	Grade Level	Number of Students
Kindergarten		Grade 8	
Grade 1		Ungraded Elementary	
Grade 2		Grade 9	
Grade 3		Grade 10	
Grade 4		Grade 11	
Grade 5		Grade 12	
Grade 6		Ungraded Secondary	
Grade 7		Total Enrollment	

### Student Enrollment by Group

This table displays the percent of students enrolled at the school who are identified as being in a particular group.

Group	Percent of Total Enrollment	Group	Percent of Total Enrollment
African American		White (not Hispanic)	
American Indian or Alaska Native		Multiple or No Response	
Asian			
Filipino		Socioeconomically Disadvantaged	
Hispanic or Latino		English Learners	
Pacific Islander		Students with Disabilities	

### Average Class Size and Class Size Distribution (Elementary)

This table displays by grade level the average class size and the number of classrooms that fall into each size category (a range of total students per classroom).

Grade Level	2003-04				2004-05				2005-06			
	Avg. Class Size	Number of Classrooms			Avg. Class Size	Number of Classrooms			Avg. Class Size	Number of Classrooms		
		1-20	21-32	33+		1-20	21-32	33+		1-20	21-32	33+
K												
1												
2												
3												
4												
5												
6												
K-3												
3-4												
4-8												
Other												

### Average Class Size and Class Size Distribution (Secondary)

This table displays by subject area the average class size and the number of classrooms that fall into each size category (a range of total students per classroom).

Subject	2003-04				2004-05				2005-06			
	Avg. Class Size	Number of Classrooms			Avg. Class Size	Number of Classrooms			Avg. Class Size	Number of Classrooms		
		1-22	23-32	33+		1-22	23-32	33+		1-22	23-32	33+
English												
Mathematics												
Science												
Social Science												

### Participation in the Class Size Reduction Program

This table displays the percent of students in kindergarten through grade 3 who were assigned to a classroom that participated in the Class Size Reduction Program.

Grade Level	Percent of Students Participating		
	2003-04	2004-05	2005-06
K			
1	<i>To be provided by LEA</i>		
2			
3			

## II. School Climate

### School Safety Plan

This section provides information about the school's comprehensive safety plan.

*Narrative to be provided by LEA*

### School Discipline Practices

This section provides information about the school's efforts to create and maintain a positive learning environment, including the school's use of disciplinary strategies.

*Narrative to be provided by LEA*

### Suspensions and Expulsions

This table displays the rate of suspensions and expulsions (the total number of incidents divided by the school's total enrollment) for the most recent three-year period.

	2003-04	2004-05	2005-06
Rate of Suspensions	<i>To be provided by LEA</i>		
Rate of Expulsions			

## III. School Facilities

### School Facility Conditions, Planned Improvements, and Needed Repairs

This section includes information about the condition of the school's grounds, buildings, and restrooms; a description of any planned facility improvements; and the results of the most recently completed school site inspection to determine the school facility's good repair status.

Facility Conditions and Planned Improvements			
<i>Narrative to be provided by LEA</i>			
Item Inspected	Facility in Good Repair		Repair Needed and Action Taken or Planned
	Yes	No	
Gas Leaks			
Mechanical Systems			
Windows/Doors/Gates (interior and exterior)			
Interior Surfaces (walls, floors, and ceilings)			
Hazardous Materials (interior and exterior)			
Structural Damage			
Fire Safety			<i>To be provided by LEA</i>
Electrical (interior and exterior)			
Pest/Vermin Infestation			
Drinking Fountains (inside and outside)			
Restrooms			
Sewer			
Playground/School Grounds			
Other			

## IV. Teachers

### Teacher Credentials

This table displays the number of teachers assigned to the school with a full credential, without a full credential, and those teaching outside of their subject area of competence.

Teachers	School			District
	2003-04	2004-05	2005-06	2005-06
With Full Credential				
Without Full Credential				
Teaching Outside Subject Area of Competence	<i>To be provided by LEA</i>			---

### Teacher Misassignments and Vacant Teacher Positions

This table displays the number of teacher misassignments (teachers assigned without proper legal authorization) and the number of vacant teacher positions (not filled by a teacher with a full credential at the beginning of the school year or semester). *Note: Total Teacher Misassignments includes the number of Misassignments of Teachers of English Learners.*

	2004-05	2005-06	2006-07
Misassignments of Teachers of English Learners			
Total Teacher Misassignments	<i>To be provided by LEA</i>		
Vacant Teacher Positions			

### Core Academic Courses Taught by No Child Left Behind Compliant Teachers

This table displays the percent of classes in core academic subjects taught by No Child Left Behind (NCLB) compliant and non-NCLB compliant teachers in the school, in all schools in the district, in high-poverty schools in the district, and in low-poverty schools in the district. More information on teacher qualifications required under NCLB can be found at the CDE Web site at <http://www.cde.ca.gov/nclb/sr/tq/>.

	Percent of Classes In Core Academic Subjects	
	Taught by NCLB Compliant Teachers	Taught by Non-NCLB Compliant Teachers
This School		
All Schools in District		
High-Poverty Schools in District		
Low-Poverty Schools in District		

### Substitute Teacher Availability

This section provides information about the availability of qualified substitute teachers and the impact of any difficulties in this area on the instructional program at the school.

*Narrative to be provided by LEA*

### Teacher Evaluation Process

This section provides information about the procedures and the criteria used for teacher evaluations.

*Narrative to be provided by LEA*

## V. Support Staff

### Academic Counselors and Other Support Staff

This table displays, in units of full-time equivalents (FTE), the number of academic counselors and other support staff who are assigned to the school and the average number of students per academic counselor. One FTE equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time.

Title	Number of FTE Assigned to School	Average Number of Students per Academic Counselor
Academic Counselor		
Library Media Teacher (Librarian)		---
Library Media Services Staff (paraprofessional)		---
Psychologist		---
Social Worker		---
Nurse		---
Speech/Language/Hearing Specialist		---
Resource Specialist (non-teaching)		---
Other		---

## VI. Curriculum and Instructional Materials

### Quality, Currency, and Availability of Textbooks and Instructional Materials

This table displays information about the quality, currency, and availability of the standards-aligned textbooks and other instructional materials used at the school, and information about the school's use of any supplemental curriculum or non-adopted textbooks or instructional materials.

Core Curriculum Areas	Quality, Currency, and Availability of Textbooks and Instructional Materials	Percent of Pupils Who Lack Textbooks and Instructional Materials
Reading/Language Arts		
Mathematics		
Science		
History-Social Science		
Foreign Language		
Health		
Science Laboratory Equipment (grades 9-12)		

*To be provided by LEA*

## VII. School Finances

### Expenditures Per Pupil and School Site Teacher Salaries (Fiscal Year 2004-05)

These tables display a comparison of the school's per pupil expenditures from unrestricted (basic) sources with other schools in the district and throughout the state, and a comparison of the average teacher salary at the school site with average teacher salaries at the district and state levels. Detailed information regarding school expenditures and teacher salaries can be found at the CDE Web site at <http://www.cde.ca.gov/ds/fd/ec/> and <http://www.cde.ca.gov/ds/fd/cs/>.

	Expenditures Per Pupil
School Site, Unrestricted (Basic) Sources	
School Site, Restricted (Supplemental) Sources	<i>To be provided by LEA</i>
Total	

	Expenditures Per Pupil (Unrestricted Sources Only)	Average Teacher Salary
School site	<i>To be provided by LEA</i>	<i>To be provided by LEA</i>
District		
Percent Difference – School Site and District		<i>To be provided by LEA</i>
State		
Percent Difference – School Site and State	<i>To be provided by LEA</i>	<i>To be provided by LEA</i>

### Types of Services Funded

This section provides information about the programs and supplemental services that are provided at the school through either categorical funds or other sources.

*Narrative to be provided by LEA*

### Teacher and Administrative Salaries (Fiscal Year 2004-05)

This table displays district salaries for teachers, principals, and superintendents, and compares these figures to the state averages for districts of the same type and size. The table also displays teacher and administrative salaries as a percent of a district's budget, and compares these figures to the state averages for districts of the same type and size. Detailed information regarding salaries may be found at the CDE Web site at <http://www.cde.ca.gov/ds/fd/cs/> and <http://www.cde.ca.gov/ta/ac/sa/salaries0405.asp>.

Category	District Amount	State Average For Districts In Same Category
Beginning Teacher Salary		
Mid-Range Teacher Salary		
Highest Teacher Salary		
Average Principal Salary (Elementary)		
Average Principal Salary (Middle)		
Average Principal Salary (High)		
Superintendent Salary		
Percent of Budget for Teacher Salaries		
Percent of Budget for Administrative Salaries		

## VIII. Student Performance

### California Standards Tests

The California Standards Tests (CSTs) show how well students are doing in relation to the state content standards. The CSTs include English-language arts and mathematics in grades 2 through 11; science in grades 5, 8, 9, 10, and 11; and history-social science in grades 8, 10, and 11. Student scores are reported as performance levels. Detailed information regarding CST results for each grade and performance level, including the percent of students not tested, can be found at the CDE Web site at <http://star.cde.ca.gov>. *Note: To protect student privacy, scores are not shown when the number of students tested is 10 or less.*



### NRT Results by Student Group – Most Recent Year

This table displays the percent of students, by student group, scoring at or above the national average (the 50th percentile) in reading and mathematics for the most recent testing period.

Group	Percent of Students Scoring at or Above the National Average	
	Reading	Mathematics
African American		
American Indian or Alaska Native		
Asian		
Filipino		
Hispanic or Latino		
Pacific Islander		
White (not Hispanic)		
Male		
Female		
Economically Disadvantaged		
English Learners		
Students with Disabilities		
Students Receiving Migrant Education Services		

### Local Assessment Results

Districts may choose to administer their own academic assessments in reading, writing, and mathematics. In such cases, this table displays the percent of students, by grade and subject area, meeting or exceeding the district standard.

Grade Level	Reading			Writing			Mathematics		
	2004	2005	2006	2004	2005	2006	2004	2005	2006
K									
1									
2									
3									
4									
5									
6	<i>To be provided by LEA</i>			<i>To be provided by LEA</i>			<i>To be provided by LEA</i>		
7									
8									
9									
10									
11									
12									

### California Physical Fitness Test Results

The California Physical Fitness Test is administered to students in grades 5, 7, and 9 only. This table displays by grade level the percent of students meeting fitness standards (scoring in the healthy fitness zone on all six fitness standards) for the most recent testing period. Detailed information regarding this test, and comparisons of a school's test results to the district and state levels, may be found at the CDE Web site at <http://www.cde.ca.gov/ta/tg/pf/>. *Note: To protect student privacy, scores are not shown when the number of students tested is 10 or less.*

Grade Level	Percent of Students Meeting Fitness Standards
5	
7	
9	

## IX. Accountability

### Academic Performance Index

The Academic Performance Index (API) is an annual measure of the academic performance and progress of schools in California. API scores range from 200 to 1,000, with a statewide target of 800. Detailed information about the API can be found at the CDE Web site at <http://www.cde.ca.gov/ta/ac/ap/>.

### API Ranks – Three-Year Comparison

This table displays the school's statewide and similar schools API ranks. The statewide API rank ranges from 1 to 10. A statewide rank of 1 mean that the school has an API score in the lowest 10 percent of all schools in the state, while a statewide rank of 10 means that the school has an API score in the highest 10 percent of all schools in the state. The similar schools API rank reflects how a school compares to 100 statistically matched "similar schools." A similar schools rank of 1 means that the school's academic performance is comparable to the lowest performing 10 schools of the 100 similar schools, while a similar schools rank of 10 means that the school's academic performance is better than at least 90 of the 100 similar schools.

	2003-04	2004-05	2005-06
<b>Statewide API Rank</b>			
<b>Similar Schools API Rank</b>			

### API Growth by Student Group – Three-Year Comparison

This table displays by student group the actual API growth for the past three years and the most recent API growth score.

*Note: "N/A" means that the student group is not numerically significant.*

Group	Actual API Growth			2006 API Growth Score
	2003-04	2004-05	2005-06	
<b>All Students at the School</b>				
<b>African American</b>				
<b>American Indian or Alaska Native</b>				
<b>Asian</b>				
<b>Filipino</b>				
<b>Hispanic or Latino</b>				
<b>Pacific Islander</b>				
<b>White (not Hispanic)</b>				
<b>Socioeconomically Disadvantaged</b>				
<b>English Learners</b>	---	---		
<b>Students with Disabilities</b>	---	---		

### State Award and Intervention Programs

*This report will contain information about the school's participation in various state intervention and award programs only to the extent these programs were funded for the period addressed by this report.*

### Adequate Yearly Progress

The federal NCLB Act requires that all schools and districts meet the following Adequate Yearly Progress (AYP) requirements:

- Participation rate on the state's standards-based assessments in English-language arts (ELA) and mathematics
- Percent proficient on the state's standards-based assessments in ELA and mathematics
- API as an additional indicator
- Graduation rate (for secondary schools)

Detailed information about AYP, including participation rates and percent proficient results by student group, can be found at the CDE Web site at <http://www.cde.ca.gov/ta/ac/ay/>.

### AYP Overall and by Criteria

This table displays an indication of whether the school and the district made AYP overall and whether the school and the district met each of the AYP criteria.

	School		District	
<b>Made AYP Overall</b>				
<b>Met AYP Criteria</b>	<b>English- Language Arts</b>	<b>Mathematics</b>	<b>English- Language Arts</b>	<b>Mathematics</b>
<b>Participation Rate</b>				
<b>Percent Proficient</b>				
<b>API</b>				
<b>Graduation Rate</b>				

### Federal Intervention Program

Schools and districts receiving federal Title I funding enter Program Improvement (PI) if they do not make AYP for two consecutive years in the same content area (English-language arts or mathematics) or on the same indicator (API or graduation rate). After entering PI, schools and districts advance to the next level of intervention with each additional year that they do not make AYP. Detailed information about PI identification can be found at the CDE Web site at <http://www.cde.ca.gov/ta/ac/ay/>.

	School	District
<b>Program Improvement Status</b>		
<b>First Year of Program Improvement</b>		
<b>Year in Program Improvement</b>		
<b>Number of Schools Currently in Program Improvement</b>	---	
<b>Percent of Schools Currently in Program Improvement</b>	---	

## X. School Completion and Postsecondary Preparation

### Dropout Rate and Graduation Rate

This table displays the school's one-year dropout and graduation rates for the most recent three-year period. Detailed information about dropout rates and graduation rates, and comparisons of these rates to district and state levels, can be found at the CDE Web site at <http://dq.cde.ca.gov/dataquest/>.

	2002-03	2003-04	2004-05
<b>Dropout Rate (1-year)</b>			
<b>Graduation Rate</b>			

## Completion of High School Graduation Requirements

Beginning with the graduating class of 2006, students in California public schools must pass both the English-language arts and mathematics portions of the California High School Exit Examination (CAHSEE) to receive a high school diploma. For students who began the 2005-06 school year in the 12<sup>th</sup> grade, this table displays by student group the percent who met all state and local graduation requirements for grade 12 completion, including having passed both portions of the CAHSEE or received a local waiver or state exemption. Detailed information about the CAHSEE can be found at the CDE Web site at <http://www.cde.ca.gov/ta/tg/hs/>. Note: "N/A" means that the student group is not numerically significant.

Group	Graduating Class of 2006		
	School	District	State
All Students			
African American			
American Indian or Alaska Native			
Asian			
Filipino			
Hispanic or Latino	<i>To be provided by LEA</i>		
Pacific Islander			
White (not Hispanic)			
Socioeconomically Disadvantaged			
English Learners			
Students with Disabilities			

## Career Technical Education Programs

This section provides information about the degree to which pupils are prepared to enter the workforce, including a list of career technical education (CTE) programs offered at the school.

<i>Narrative to be provided by LEA</i>
--

## Career Technical Education Participation

This table displays questions and answers about participation in the school's CTE programs.

Questions	Answers
How many of the school's pupils participate in CTE?	
What percent of the school's pupils complete a CTE program and earn a high school diploma?	<i>To be provided by LEA</i>
What percent of the school's CTE courses are sequenced or articulated between the school and institutions of postsecondary education?	

## Courses for University of California and/or California State University Admission

This table displays for the most recent year two measures related to the school's courses that are required for University of California (UC) and/or California State University (CSU) admission.

UC/CSU Course Measure	Percent
Student Enrollment in Courses Required for UC/CSU Admission	
Graduates Who Completed All Courses Required for UC/CSU Admission	

## Advanced Placement Courses

This table displays the number of Advanced Placement (AP) courses offered by subject.

Subject	Number of AP Courses Offered	Subject	Number of AP Courses Offered
Computer Science		Mathematics	
English		Science	
Fine and Performing Arts		Social Science	
Foreign Language			

## College Admission Test Preparation Course Program

This section provides information about the school's college admission test preparation course program.

*Narrative to be provided by LEA*

## SAT Reasoning Test

This table displays the percent of the school's 12<sup>th</sup> grade students who voluntarily take the SAT Reasoning Test for college entrance, and the average verbal, math, and writing scores of those students. Detailed information regarding SAT results, and comparisons of these average scores to the district and state levels, can be found at the CDE Web site at <http://www.cde.ca.gov/ds/sp/ai/>. Note: To protect student privacy, scores are not shown when the number of students tested is 10 or less.

	2004	2005	2006
Percent of Grade 12 Students Taking the Test			
Average Verbal Score			
Average Math Score			
Average Writing Score	--	--	

## XI. Instructional Planning and Scheduling

### School Instruction and Leadership

This section provides information about the structure of the school's instructional program and the experience of the school's leadership team.

*Narrative to be provided by LEA*

### Professional Development

This section provides information about the program for training the school's teachers and other professional staff.

*Narrative to be provided by LEA*

### Instructional Minutes

This table displays a comparison of the number of instructional minutes offered at the school to the state requirement for each grade level.

Grade Level	Instructional Minutes	
	Offered	State Requirement
K		36,000
1		50,400
2		50,400
3		50,400
4	<i>To be provided by LEA</i>	54,000
5		54,000
6		54,000
7		54,000
8		54,000
9		64,800
10		64,800
11		64,800
12		64,800

### Continuation School Instructional Days

This table displays a comparison of the number of instructional days offered at the continuation school to the state requirement for each grade level.

Grade Level	Instructional Days With At Least 180 Instructional Minutes	
	Offered	State Requirement
9		180 days
10	<i>To be provided by LEA</i>	180 days
11		180 days
12		180 days

### Minimum Days in School Year

The section provides information about the total number of days in the most recent school year that students attended school on a shortened day schedule and the reasons for the shortened day schedule.

*Narrative to be provided by LEA*

# **School Accountability Report Card**

## **Data Element Definitions and Sources 2005-06**

California Department of Education  
Policy and Evaluation Division  
Proposed July 2006

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## **Contact Information**

### ***Specific Requirements***

There is no legal requirement for this section; it is provided in the template as a courtesy.

### ***Definitions***

School name, address, phone number, principal, and e-mail address.

District name, phone number, Web site, superintendent, and e-mail address.

### ***Guidelines and Data Sources***

School, district, principal, and superintendent names and addresses are provided by the California Department of Education (CDE) from the Public School Directory database, which is available at <http://www.cde.ca.gov/re/sd/>. The remaining contact information is to be provided by the local educational agency (LEA)/school.

LEAs should review the contact information provided by the CDE to verify that it is current. Any necessary revisions should be reported to the CDE using the update form found at <http://www.cde.ca.gov/re/sd/>.

Data provided by the LEA and the CDE

## **School Description and Mission Statement**

### ***Specific Requirements***

There is no legal requirement for this section; it is provided in the template as a courtesy.

### ***Definitions***

Background information about the school, its programs, and its goals.

### ***Guidelines and Data Sources***

Narrative is developed by the LEA/school. Questions that may be answered include:

- What makes the school unique?
- What are the school's goals as expressed in the single school plan?
- What are the school's progress indicators?
- How often are the progress indicators monitored?
- What school wide programs exist at the school?

Data provided by the LEA

## **Opportunities for Parental Involvement**

### ***Specific Requirements***

Contact information pertaining to any organized opportunities for parental involvement.

*Education Code Section 33126 (b)(22)*

### ***Definitions***

Description of organized opportunities for parental involvement.

Contact person name.

Contact person phone number.

### ***Guidelines and Data Sources***

Information and narrative are developed by the LEA/school.

Data provided by the LEA

## **Student Enrollment by Grade Level**

### ***Specific Requirements***

There is no legal requirement for this section; it is provided in the template as a courtesy.

### ***Definitions***

The number of students at the school in each grade level.

### ***Guidelines and Data Sources***

Data are derived from the California Basic Educational Data System (CBEDS).

A report can be generated at <http://data1.cde.ca.gov/dataquest/>.

Data provided by the CDE

## **Student Enrollment by Group**

### ***Specific Requirements***

There is no legal requirement for this section; it is provided in the template as a courtesy.

### ***Definitions***

The percent of students at the school by racial/ethnic subgroup, and the percent of students at the school who are identified as socioeconomically disadvantaged, English learners, and disabled.

### ***Guidelines and Data Sources***

Data are derived from CBEDS.

A report can be generated at <http://data1.cde.ca.gov/dataquest/>.

Data provided by the CDE

## **Average Class Size and Class Size Distribution (Elementary)**

### ***Specific Requirements***

Progress toward reducing class sizes and teaching loads, including the distribution of class sizes at the school site by grade level and the average class size by grade level.

*Education Code Section 33126 (b)(4)*

### ***Definitions***

For the most recent three-year period, as defined by CBEDS:

- Distribution of class sizes at the school site by grade level
- Average class size by grade level

### ***Guidelines and Data Sources***

For schools/grades organized into self-contained classrooms (e.g., kindergarten and grades one through six in elementary schools), data are reported as the average class size and the number of classrooms within each of the following class sizes: 1-20, 21-32, and 33 or more.

The CBEDS calculations of the average class size by grade level and the class size distribution by grade level exclude classrooms of 50 or more students.

Data provided by the CDE

## **Average Class Size and Class Size Distribution (Secondary)**

### ***Specific Requirements***

Progress toward reducing teaching loads, including the distribution of class sizes at the school site and the average class size.

*Education Code Section 33126 (b)(4)*

### ***Definitions***

For the most recent three-year period, as defined by CBEDS:

- Distribution of class sizes at the school site by subject taught
- Average class size by subject taught

### ***Guidelines and Data Sources***

For secondary schools with departmentalized programs, data are reported by subject area (English, mathematics, science, and social science) as the average class size and the number of classrooms within each of the following class sizes: 1-22, 23-32, and 33 or more.

The CBEDS calculations of the average class size by subject taught and the class size distribution by subject taught exclude classrooms of 50 or more students.

Data provided by the CDE

## **Participation in the Class Size Reduction Program**

### ***Specific Requirements***

The percentage of pupils in kindergarten and grades one through three, inclusive, participating in the Class Size Reduction Program for the most recent three-year period.

*Education Code* Section 33126 (b)(4)

### ***Definitions***

For the most recent three-year period, the percent of students in kindergarten and grades one through three participating in the Class Size Reduction Program.

### ***Guidelines and Data Sources***

Data provided by the LEA

## **School Safety Plan**

### ***Specific Requirements***

Each school shall adopt its comprehensive school safety plan by March 1, 2000, and shall review and update its plan by March 1, every year thereafter. Commencing in July 2000, and every July thereafter, each school shall report on the status of its school safety plan, including a description of its key elements, in the annual school accountability report card prepared pursuant to Sections 33126 and 35256.

*Education Code Section 32286*

### ***Definitions***

The dates on which the school safety plan was last reviewed, updated, and discussed with school faculty, as well as a brief description of the key elements included in the plan.

### ***Guidelines and Data Sources***

Safe Schools: A Planning Guide for Action, 2002 Edition provides a two-component model and step-by-step guidance for schools to develop a comprehensive safe school plan. It also reviews the legal requirements and the benefits of safety planning to help schools annually revise and amend their safe school plan. This document is available for ordering from CDE Press at <http://www.cde.ca.gov/re/pn/rc/>. Other resources related to school safety planning are available at <http://www.cde.ca.gov/ls/ss/vp/>.

Data provided by the LEA

## **School Discipline Practices**

### ***Specific Requirements***

Classroom discipline and climate for learning.

*Education Code* Section 33126 (b)(11)

### ***Definitions***

List of school programs and practices that promote a positive learning environment.

### ***Guidelines and Data Sources***

Narrative is developed by the LEA/school. School programs and practices that promote a positive learning environment may include:

- School discipline policy
- Peer counseling
- School/home communication
- Tutoring availability and after-school activities

Data provided by the LEA

## **Suspensions and Expulsions**

### ***Specific Requirements***

Suspension and expulsion rates for the most recent three-year period.

*Education Code* Section 33126 (b)(11)

### ***Definitions***

For the most recent three-year period:

The rate of suspensions and of expulsions (by comparison against enrollment) reported per 100 students.

### ***Guidelines and Data Sources***

The rate of suspensions and expulsions is the total number of incidents divided by the school's CBEDS total enrollment for the given year.

Data provided by the LEA

## **School Facility Conditions, Planned Improvements, and Needed Repairs**

### ***Specific Requirements***

Safety, cleanliness, and adequacy of school facilities, including any needed maintenance to ensure good repair.

*Education Code* Section 33126 (b)(9)

*Education Code* sections 17002 (d), 17014, 17032.5, 17070.75 (a), 17089 (b)

### ***Definitions***

Description of the safety, cleanliness and adequacy of the school facility.

Description of any planned facility improvements.

Description of any needed maintenance to ensure good repair as specified in statute. "Good repair" means the facility is maintained in a manner that assures that it is clean, safe, and functional as determined pursuant to an Interim Evaluation Instrument developed by the State of California Office of Public School Construction. The instrument shall not require capital enhancements beyond the standards to which the facility was designed and constructed.

Descriptions should use the most recent available data collected by the district. The year and month in which the data were collected should also be identified.

### ***Guidelines and Data Sources***

Narrative is developed by the LEA/school. Questions that may be answered include:

- Are students safe on school grounds before, during, and after school?
- Does the school facility have sufficient classroom, playground, and staff spaces to support teaching and learning?
- What is the general condition of the school and is it cleaned on a regular basis?

Examples of unacceptable summary statements on the condition of school facilities are as follows:

The district has ensured that this school has facilities that are safe, clean, and adequate, and that any needed maintenance to ensure good repair has been or will soon be completed.

For more information about the condition of this school's facilities, contact the school principal.

Examples of acceptable summary statements on the condition of school facilities are as follows:

### **General**

The district takes great efforts to ensure that all schools are clean, safe, and functional. To assist in this effort, the district uses a facility survey instrument developed by the State of California Office of Public School Construction. The results of this survey are available at the school office, at the district office, or on the Internet at [Web site address].

Below is more specific information on the condition of the school and the efforts made to ensure that students are provided with a clean, safe, and functional learning environment.

### **Age of School Buildings**

This school has 20 classrooms, a multipurpose room, a library, and an administration building. The main campus was built in 1965. Additions were constructed in 1968 and 1972. Two portable classrooms were constructed in 1997 for class size reduction.

The school opened in 1990 with all portable buildings. In 1995, permanent classrooms were built. The multipurpose room was built in 1997.

### **Maintenance and Repair**

District maintenance staff ensures that the repairs necessary to keep the school in good repair and working order are completed in a timely manner. A work order process is used to ensure efficient service and that emergency repairs are given the highest priority.

### **Cleaning Process and Schedule**

The district governing board has adopted cleaning standards for all schools in the district. A summary of these standards is available at the school office, at the district office, or on the Internet at [Web site address]. The principal works daily with the custodial staff to develop cleaning schedules to ensure a clean and safe school.

### **Deferred Maintenance Budget**

The district participates in the State School Deferred Maintenance Program, which provides state matching funds on a dollar-for-dollar basis, to assist school districts with expenditures for major repair or replacement of existing school building components. Typically, this includes roofing, plumbing, heating, air conditioning, electrical systems, interior or exterior painting, and floor systems. For the 2004-05 school year, the district has budgeted \$[ ] for the deferred maintenance program. This represents [ ] percent of the district's general fund budget.

**Deferred Maintenance Projects (if applicable)**

For the [ ] school year, the district's governing board has approved deferred maintenance projects for this school that will result in the replacement of the roof on the multipurpose room and the installation of a new fire alarm system for all classrooms. The district's complete deferred maintenance plan is available at the district office or on the Internet at [Web site address].

**Modernization Projects (if applicable)**

During the [ ] school year, local bond funds [Measure \_\_\_\_ ], and state matching funds will be used to install new air conditioning in all classrooms, provide wiring for technology, and provide for an upgraded electrical service. The work on this project is scheduled to begin in [ ] and be completed prior to the start of the [ ] school year.

**New School Construction Projects (if applicable)**

Architectural planning for replacing five portable classrooms with permanent classrooms will begin during the [ ] school year. State and local bond funds will be used. The new classrooms are scheduled to be occupied by students in the [ ] school year.

For reporting the results of the most recent site inspection, provide information about the determination of good repair as documented in a completed Interim Evaluation Instrument or its equivalent. For any item inspected and found not to be in good repair, describe the deficiency and the remedial action already taken or planned. Note the school site inspection date, the completion date of the Interim Evaluation Instrument or its equivalent, and the date of any remedial action taken or planned.

Data provided by the LEA

## Teacher Credentials

### ***Specific Requirements***

The total number of the school's fully credentialed teachers, the number of teachers relying upon emergency credentials, the number of teachers working without credentials, and any assignment of teachers outside their subject areas of competence, for the most recent three-year period.

The professional qualifications of teachers in the local educational agency and the school and the percentage of such teachers teaching with emergency or provisional credentials.

*Education Code* Section 33126 (b)(5)  
Public Law 107-110 Section 1111 (h)(1)(C)(viii)  
Public Law 107-110 Section 1111 (h)(2)(B)

### ***Definitions***

For the most recent three-year period at the school level, the number of teachers:

- With full credential
- Without full credential (includes district and university internships, pre-internships, emergency or other permits, and waivers)
- Teaching outside subject area of competence (with full credential)

For the most recent year at the district level, the number of teachers:

- With full credential
- Without full credential (includes district and university internships, pre-internships, emergency or other permits, and waivers)

### ***Guidelines and Data Sources***

All but data regarding the assignment of teachers outside their subject areas of competence are derived from the CBEDS Professional Assignment Information Form. Teacher counts include both full-time and part-time teachers. A report can be generated at <http://data1.cde.ca.gov/dataquest/>.

Teaching outside subject area data should be available in the LEA's personnel office. In most instances, teaching outside subject area is a subset of total teacher misassignments (see data definition for Teacher Misassignments).

Teaching outside subject area data provided by the LEA

All other data provided by the CDE

## **Teacher Misassignments and Vacant Teacher Positions**

### ***Specific Requirements***

The total number of teacher misassignments, including misassignments of teachers of English learners, and the total number of the vacant teacher positions, for the most recent three-year period.

*Education Code Section 33126 (b)(5)*

### ***Definitions***

For the two most recent years and for the current school year, if available, the total number of the school's teacher misassignments, including misassignments of teachers of English learners (the number of placements of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold). The number of misassignments of teachers of English learners is to be reported as both a subtotal and as part of total teacher misassignments.

In addition to misassignments of teachers of English learners, total misassignments to be reported include the assignment of employees to services positions for which the employee does not hold the required certificate, credential, or other statutory authorization. These services areas, for which the California Commission on Teacher Credentialing issues credentials, include Administrative Services, Pupil Personnel Services, Clinical/Rehabilitative Services, Library Media Services, and School Nurse or Other Health Services.

For the two most recent years and for the current school year, if available, the total number of the school's vacant teacher positions (the number of positions to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester).

Beginning of the year or semester means the first day classes necessary to serve all the students enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day students attend classes for that semester.

### ***Guidelines and Data Sources***

Misassignment and vacant teacher position data should be available in the LEA's personnel office.

Data provided by the LEA

## **Core Academic Courses Taught by No Child Left Behind Compliant Teachers**

### ***Specific Requirements***

The percentage of classes in the state not taught by highly qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools (schools in the top and bottom quartiles of poverty in the state).

Public Law 107-110 Section 1111 (h)(1)(C)(viii)  
Public Law 107-110 Section 1111 (h)(2)(B)

### ***Definitions***

For the school and the LEA, the percent of classes in core academic subjects taught by No Child Left Behind (NCLB) compliant teachers and by non-NCLB compliant teachers. For the LEA, the percent of classes in core academic subject areas (as defined by NCLB) taught by NCLB compliant teachers and by non-NCLB compliant teachers, disaggregated by high-poverty schools compared to low-poverty schools.

NCLB defines core academic subject areas as English, reading/language arts, mathematics, science, foreign languages, civics/government, economics, arts, history, and geography. Elementary school teachers must demonstrate competence in reading, writing, mathematics, and other core academic subject areas of the elementary school curriculum.

### ***Guidelines and Data Sources***

NCLB requires that all teachers teaching in core academic subjects be "highly qualified" not later than the end of the 2005-06 school year. In general, NCLB requires that to be designated as highly qualified; a teacher must meet the following three criteria:

- Possession of a bachelor's degree
- Possession of an appropriate California teaching credential
- Demonstrated core academic subject area competence by means of exam, coursework, advanced certification, or completion of the California High Objective Uniform State Standard of Evaluation (HOUSSE) in the subject area being taught

Additional information about NCLB teacher requirements is available at <http://www.cde.ca.gov/nclb/sr/tq/>.

Data are reported on the Consolidated Application at <http://www.cde.ca.gov/fq/aa/co/>.

Data provided by the CDE

## **Substitute Teacher Availability**

### ***Specific Requirements***

Availability of qualified substitute teachers.

*Education Code Section 33126 (b)(8)*

### ***Definitions***

Statement regarding whether the school has had any difficulties in securing qualified substitute teachers and if so, a statement regarding whether the lack of available qualified substitute teachers has had an impact on the instructional program.

### ***Guidelines and Data Sources***

Narrative is developed by the LEA/school.

Data provided by the LEA

## **Teacher Evaluation Process**

### ***Specific Requirements***

Adequacy of teacher evaluations.

*Education Code* Section 33126 (b)(10)

### ***Definitions***

Description of the procedures and criteria for teacher evaluations.

### ***Guidelines and Data Sources***

Through what process are teacher evaluation procedures and criteria defined?

What are the evaluation criteria? Are there differences in evaluation criteria between among tenured, probationary, and emergency-permit teachers?

How often are teachers evaluated? Are there differences in evaluation scheduling between tenured, probationary, and emergency-permit teachers?

Who gets the results of teacher evaluations? How are the results communicated in terms of ratings? Are the results confidential?

Data provided by the LEA

## **Academic Counselors and Other Support Staff**

### ***Specific Requirements***

The availability of qualified personnel to provide counseling and other pupil support services, including the ratio of academic counselors per pupil.

*Education Code* Section 33126 (b)(7)

### ***Definitions***

The number of full-time equivalent (FTE) academic counselors and other support personnel who are assigned to the school, and the average number of students per academic counselor.

### ***Guidelines and Data Sources***

Data are derived from the CBEDS Professional Assignment Information Form.

A report can be generated at <http://data1.cde.ca.gov/dataquest/>.

Data provided by the CDE

## **Quality, Currency, and Availability of Textbooks and Instructional Materials**

### ***Specific Requirements***

Quality and currency of textbooks and other instructional materials, including whether textbooks and other materials meet state standards and are adopted by the State Board of Education (SBE) for kindergarten and grades 1 to 8, inclusive, and adopted by the governing boards of school districts for grades 9 to 12, inclusive, and the ratio of textbooks per pupil and the year the textbooks were adopted.

The availability of sufficient textbooks and other instructional materials, as defined in Section 60119, for each pupil, including English learners, in each of areas enumerated in clauses (i) to (iii), inclusive. If the governing board determines, pursuant to Section 60119 that there are insufficient textbooks or instructional materials, or both, it shall include information for each school in which an insufficiency exists, identifying the percentage of pupils who lack sufficient standards-aligned textbooks or instructional materials in each subject area. The subject areas to be included are all of the following:

- (i) The core curriculum areas of reading/language arts, mathematics, science, and history/social science.
- (ii) Foreign language and health.
- (iii) Science laboratory equipment for grades 9 to 12, inclusive, as appropriate.

*Education Code Section 33126 (b)(6)(A)*

*Education Code Section 33126 (b)(6)(B)*

*Education Code Section 60119 (c)*

### ***Definitions***

List of all textbooks and instructional materials used in the school in the core subjects (English-language arts, mathematics, science, and history-social science), including:

- The year in which they were adopted.
- Whether they were selected from the most recent list of standards-based materials adopted by the SBE (kindergarten and grades one through eight) or the local governing board (grades nine through twelve), and which are consistent with the content and cycles of the curriculum frameworks adopted by the State Board of Education.
- For kindergarten and grades one through eight the list of textbooks and instructional materials should also include any supplemental curriculum adopted by the local governing board.

If schools with kindergarten and grades one through eight are using textbooks and instructional materials that are not from the most recent state-approved list, provide an

explanation of why non-adopted materials are being used and how they are aligned with state standards.

If an insufficiency exists, the description must identify the percent of pupils who lack sufficient textbooks and instructional materials.

The description should use the most recent available data collected by the LEA. The year and month in which the data were collected should also be identified.

### ***Guidelines and Data Sources***

Local governing board resolutions concerning the adoption and availability of sufficient textbooks and instructional materials should contain much of the information needed for this reporting element. In addition, LEA curriculum departments should have records of the ordering and distribution of adopted textbooks and instructional materials.

Data provided by the LEA

## **Expenditures Per Pupil and School Site Teacher Salaries**

### ***Specific Requirements***

The assessment of estimated expenditures per pupil shall reflect the actual salaries of personnel assigned to the school site. The assessment of estimated expenditures per pupil shall be reported in total, shall be reported in subtotal by restricted and unrestricted source, and shall include a reporting of the average of actual salaries paid to certificated instructional personnel at that school site.

A comparison of the actual unrestricted funding per pupil allocated for the specific benefit of the school or for the benefit of all schools in the district equally, compared to the district wide average and to the state average of the same computation. The comparison shall include the percentage by which the school is above or below the district wide average and the state average.

A field for reporting the actual restricted funding, per pupil, allocated for the specific benefit of the school or for the benefit of all schools in the district equally.

A reporting of the average of actual salaries paid to certificated instructional personnel at the school site.

A comparison of the average of actual salaries paid to certificated instructional personnel at the school site, compared to the district wide average and to the state average of the same computation. The comparison shall also include the percentage by which the school is above or below the district wide average and the state average.

*Education Code Section 33126 (b)(3)*

*Education Code Section 33126.15 (b)*

*Education Code Section 33126.15 (c)*

*Education Code Section 33126.15 (d)*

### ***Definitions***

Restricted source means money whose use is restricted by legal requirement or by the donor. Examples include, but are not limited to, instructional materials, economic impact aid, and teacher and principal training funds.

Unrestricted source means money that can be used for any lawful purpose, whose use is not restricted by legal requirement or by the donor. Examples include, but are not limited to, class size reduction, state lottery (not instructional materials portion), and undesignated local parcel tax funds.

For more information about classifying revenues and expenditures, see Procedure 310 in the *California School Accounting Manual* at <http://www.cde.ca.gov/fg/ac/sa>.

### **Guidelines and Data Sources**

LEAs should use a consistent methodology for calculating estimated per pupil expenditures at the school site and district levels. For pupil counts, LEAs should use the annual Average Daily Attendance (ADA) figure for the school site. LEAs should note on the report card the year from which the estimated expenditures per pupil data were collected.

The CDE will begin calculating state average expenditures per pupil from an unrestricted source, using 2004-05 data, for report cards published in the 2006-07 school year. For pupil counts, the CDE will use the statewide ADA from the annual reporting period. The CDE's calculation will be based on *Education Code* Section 41372 definitions (see <http://www.cde.ca.gov/ds/fd/ec/>), modified to include only unrestricted sources in the calculation.

In calculating the average actual teacher salary at each school site, LEAs should use a consistent methodology. Teachers include all certificated instructional personnel measured on a FTE basis. To calculate the average teacher salary at the school site, LEAs should divide the total actual salaries paid to certificated instructional personnel at the school site by the FTE of certificated instructional personnel at the school site. LEAs should note on the report card the year from which the teacher salary data were collected.

The CDE will begin calculating district and state average teacher salaries, using 2004-05 data, for report cards published in the 2006-07 school year. Average teacher salaries at the district and state levels are derived from information collected on CDE Form J-90. These averages, which reflect only those salaries in school districts that submitted Form J-90, are calculated by dividing the salaries paid on the certificated salary schedule by the total number of FTE employees included on that schedule. For more information, see <http://www.cde.ca.gov/ds/fd/cs/>.

Data provided by the LEA and the CDE

## **Types of Services Funded**

### ***Specific Requirements***

Types of services funded.

*Education Code* Section 33126 (b)(3)

### ***Definitions***

Description of the programs and supplemental services that are provided at the school either through categorical funds or other sources.

### ***Guidelines and Data Sources***

Narrative should be developed by the LEA/school that provides specific information about the types of programs and services available at the school that support and assist students. For example, this narrative may include information about supplemental educational services related to the school's federal Program Improvement status.

Data provided by the LEA

## Teacher and Administrative Salaries

### ***Specific Requirements***

Each school district, except for school districts maintaining a single school to serve kindergarten or any of grades one through twelve, shall include all of the following:

- The beginning, median, and highest salary paid to teachers in the district, as reflected in the district's salary scale
- The average salary for school site principals in the district, by school type
- The statewide average salary for the appropriate size and type of district for the beginning, midrange, and highest salary paid to teachers
- The statewide average salary for the appropriate size and type of district for school site principals
- The salary of the district superintendent
- The statewide average salary for the appropriate size and type of district for district superintendents
- The percentage allocated under the district's corresponding fiscal year expenditures for the salaries of teachers
- The statewide average of the percentage of school district expenditures allocated for the salaries of teachers for the appropriate size and type of district for the most recent fiscal year
- The percentage allocated under the district's corresponding fiscal year expenditures for the salaries of administrative personnel
- The statewide average of the percentage of school district expenditures allocated for the salaries of administrative personnel for the appropriate size and type of district for the most recent fiscal year

*Education Code Section 41409.3 (a)*

*Education Code Section 41409.3 (b)*

*Education Code Section 41409.3 (c)*

*Education Code Section 41409.3 (d)(1)*

*Education Code Section 41409.3 (d)(2)*

*Education Code Section 41409.3 (d)(3)*

*Education Code Section 41409.3 (e)*

*Education Code Section 41409.3 (f)*

*Education Code Section 41409.3 (g)*

*Education Code Section 41409.3 (h)*

### ***Definitions***

The beginning, median, and highest salary paid to teachers in the district, as reflected in the district's salary scale. Average salary data are based on salaries actually paid to administrators.

The average annualized salary for school site principals is reported on CDE Form J-90.

The district superintendent's annualized salary is reported on CDE Form J-90.

Statewide salary figures for teachers, principals, and superintendents are derived from information collected on CDE Form J-90. The figures reflect only those salaries in school districts that submitted CDE Form J-90. A weighting methodology was used to determine average paid salaries.

The percentage of a district budget for teacher salaries is California School Accounting Manual Object of Expenditure Account 1100 divided by total general fund accounts 1000 through 7999.

The statewide average for a district's percent of budget for teacher salaries is defined in object of expenditure classification 1100 of the California School Accounting Manual.

The percentage of the district budget for administrative salaries is the sum of California Accounting Manual Object of Expenditure Accounts 1200, 1300, 1700, 1800, and 2200 divided by total general fund accounts 1000 through 7999.

The statewide average for a district's percent of budget for administrative salaries is defined in object of expenditure classifications 1200, 1300, 1700, 1800, and 2200 (Objects 1300 and 2300 using the standardized account code structure coding) of the California School Accounting Manual.

Definitions and information provided by the CDE and reported to county offices of education and school districts by means of an annual management bulletin from the CDE's fiscal branch.

### ***Guidelines and Data Sources***

State certification/release dates for fiscal data occur in middle to late spring, precluding the inclusion of 2005-06 data in most cases. Therefore, 2004-05 data are used for report cards prepared during 2006-07.

Since these data are older than those of other elements of the report, a brief narrative to explain resulting anomalies may be added, if appropriate.

Additional information regarding the calculation of average salary data may be obtained at <http://www.cde.ca.gov/ta/ac/sa/salaries0405.asp> and <http://www.cde.ca.gov/ds/fd/cs>.

Data provided by the CDE

## California Standards Test Results for All Students – Three-Year Comparison

### ***Specific Requirements***

Pupil achievement by grade level, as measured by the Standardized Testing and Reporting (STAR) Program.

Information, in the aggregate, on student achievement at each proficiency level on the state academic assessments.

The most recent two-year trend in student achievement in each subject area and for each grade level.

In the case of a school, information that shows how the students' achievement on the statewide academic assessments and other indicators of adequate yearly progress compared to students in the local educational agency and the state as a whole.

In the case of a local educational agency, information that shows how students served by the local educational agency achieved on the statewide academic assessment compared to students in the state as a whole.

The percentage of students not tested.

*Education Code* Section 33126 (b)(1)(A)  
Public Law 107-110 Section 1111 (h)(1)(C)  
Public Law 107-110 Section 1111 (h)(2)(B)

### ***Definitions***

For the most recent three-year period:

Data are provided for each content area for which the SBE has established performance levels. Data are reported as the percentage of students achieving at the Proficient or Advanced level.

In lieu of providing grade level data and the percent of students not tested, a link to the STAR Web site may be provided in the report card.

### ***Guidelines and Data Sources***

Subject areas and grade levels for which California Standards Test (CST) data will be available and required to be included in reports prepared in the 2006-07 school year include:

- English-language arts in grades two through eleven for 2003-04, 2004-05, and 2005-06
- Mathematics in grades two through eleven for 2003-04, 2004-05, and 2005-06
- Science in grades five, eight, and nine through eleven for 2003-04, 2004-05, and 2005-06
- History-social science in grades eight and ten through eleven for 2003-04, 2004-05, and 2005-06

Data are reported from the STAR Program and may be obtained at <http://star.cde.ca.gov/>.

Data provided by the CDE

## California Standards Test Results by Student Group – Most Recent Year

### ***Specific Requirements***

Information on student achievement at each proficiency level on the state academic assessments disaggregated by race and ethnicity, and disaggregated by gender, disability status, migrant status, English proficiency, and status as economically disadvantaged.

Pupil achievement by grade level, as measured by the Standardized Testing and Reporting (STAR) Program.

The most recent two-year trend in student achievement in each subject area and for each grade level.

The percentage of students not tested.

*Education Code* Section 33126 (b)(1)(A)  
Public Law 107-110 Section 1111 (h)(1)(C)  
Public Law 107-110 Section 1111 (h)(2)(B)

### ***Definitions***

For the most recent testing period:

Data are provided for each content area for which the State Board of Education has established performance levels. Data are reported as the percentage of students achieving at the proficient or advanced level.

Data are disaggregated for specific subgroups (if they are numerically significant at the school level). These subgroups are: gender, race/ethnicity, English learner, economically disadvantaged status, students with disabilities, and participation in migrant education programs.

In lieu of providing grade level data and the percent of students not tested, a link to the STAR Web site may be provided in the report card.

### ***Guidelines and Data Sources***

Subject areas and grade levels for which California Standards Test data will be available and required to be included in reports prepared in the 2006-07 school year include:

- English-language arts in grades two through eleven for 2003-04, 2004-05, and 2005-06

- Mathematics in grades two through eleven for 2003-04, 2004-05, and 2005-06
- Science in grades five, eight, and nine through eleven for 2003-04, 2004-05, and 2005-06
- History-social science in grades eight and ten through eleven for 2003-04, 2004-05, and 2005-06

Data are reported from STAR and may be obtained at <http://star.cde.ca.gov/>.

Data provided by the CDE

## **Norm-Referenced Test Results for All Students – Three-Year Comparison**

### ***Specific Requirements***

Pupil achievement by grade level, as measured by the Standardized Testing and Reporting (STAR) Program.

*Education Code Section 33126 (b)(1)(A)*

### ***Definitions***

For the most recent three-year period:

Data are provided for reading and mathematics for each grade level as the percentage of students taking the state-approved norm-referenced test that scored at or above the 50th percentile.

### ***Guidelines and Data Sources***

Reading and mathematics results are from the norm-referenced test adopted by the State Board of Education in 2003 (the California Achievement Test, Sixth Edition). The results are reported as the percent of tested students scoring at or above the 50th percentile (the national average). School results are compared to results at the district and state levels.

In lieu of providing grade level data, a link to the STAR Web site may be provided in the report card.

Data are reported from STAR and may be obtained at <http://star.cde.ca.gov/>.

Data provided by the CDE

## **Norm-Referenced Test Results by Student Group – Most Recent Year**

### ***Specific Requirements***

Pupil achievement by grade level, as measured by the Standardized Testing and Reporting (STAR) Program.

*Education Code Section 33126 (b)(1)(A)*

### ***Definitions***

For the most recent testing period:

Data are provided for reading and mathematics, disaggregated for racial and ethnic subgroups (if they are numerically significant at the school level), as the percentage of students taking the state-approved norm-referenced test that scored at or above the 50th percentile. The data are also disaggregated by the following: gender, English learner, economically disadvantaged status, students with disabilities status, and participation in migrant education.

In lieu of providing grade level data, a link to the STAR Web site may be provided in the report card.

### ***Guidelines and Data Sources***

Data are reported from STAR and may be obtained at <http://star.cde.ca.gov/>.

Data provided by the CDE

## **Local Assessment Results**

### ***Specific Requirements***

Pupil achievement in and progress toward meeting reading, writing, arithmetic, and other academic goals, including results by grade level from the assessment tool used by the school district, using percentiles when available for the most recent three-year period.

*Education Code Section 33126 (b)(1)(B)*

### ***Definitions***

For the most recent three-year period:

Data are to be provided by grade level for local assessment results in reading, writing, and mathematics, as the percent of students achieving at the proficient level (either meeting or exceeding the district standard).

### ***Guidelines and Data Sources***

If the school is using a local assessment tool, the results of the assessment should be reported for any grade levels for which there are data. A brief description of the assessment tool should also be included in the report card.

Data provided by the LEA

## California Physical Fitness Test Results

### ***Specific Requirements***

Pupil achievement on a statewide physical fitness assessment, by grade level.

*Education Code* Section 33126 (b)(1)(C)

### ***Definitions***

For the most recent year reported:

The percentage of students scoring in the healthy fitness zone on all six fitness standards.

Data are to be reported at the school level by grade.

### ***Guidelines and Data Sources***

*Education Code* Section 60800 refers to a requirement that schools with grades five, seven, and nine shall administer to each pupil in those grades the physical performance test designated by the State Board of Education.

Detailed information regarding this test, and comparisons of a school's test results to the district and state levels, may be found at the CDE Web site at <http://www.cde.ca.gov/ta/tg/pf/>.

Data provided by the CDE

## **Academic Performance Index Ranks – Three-Year Comparison**

### ***Specific Requirements***

The Academic Performance Index (API), including the disaggregation of subgroups, the decile rankings, and a comparison of schools.

Aggregate information on any other indicators used by the state to determine the adequate yearly progress of students in achieving state academic achievement standards.

*Education Code Section 33126 (b)(18)*

*Education Code Section 52056 (a)*

*Public Law 107-110 Section 1111 (h)(1)(C)(v)*

*Public Law 107-110 Section 1111 (h)(2)(B)(i)(I)*

### ***Definitions***

For the most recent three-year period, the school's:

- Statewide API rank (range: 1-10)
- Similar schools rank (range: 1-10)

### ***Guidelines and Data Sources***

This item is a requirement of both state law and NCLB. For federal accountability purposes, California uses the API to meet the Adequate Yearly Progress (AYP) requirement for an additional indicator.

Data are reported from the API Base Reports and may be obtained at <http://www.cde.ca.gov/ta/ac/ap/>.

Data provided by the CDE

## **Academic Performance Index Growth by Student Group – Three-Year Comparison**

### ***Specific Requirements***

The Academic Performance Index (API), including the disaggregation of subgroups, the decile rankings, and a comparison of schools.

Aggregate information on any other indicators used by the state to determine the adequate yearly progress of students in achieving state academic achievement standards.

*Education Code Section 33126 (b)(18)*

*Education Code Section 52056 (a)*

*Public Law 107-110 Section 1111 (h)(1)(C)(v)*

*Public Law 107-110 Section 1111 (h)(2)(B)(i)(I)*

### ***Definitions***

For all students at the school as well as for all subgroups for which numerically significant data are reported by the CDE:

- Actual API growth for the most recent three years of testing
- The most recently published API growth score

### ***Guidelines and Data Sources***

This item is a requirement of both state law and NCLB. For federal accountability purposes, California uses the API to meet the Adequate Yearly Progress requirement for an additional indicator.

API scores and growth targets for English learners and students with disabilities were first reported in the 2005-06 API cycle.

Data are reported from the API and may be obtained at <http://www.cde.ca.gov/ta/ac/ap/>.

Data provided by the CDE

## **State Award and Intervention Programs**

### ***Specific Requirements***

Whether the school qualified for the Immediate Intervention Underperforming Schools Program (II/USP) pursuant to *Education Code* Section 52053 and whether the school applied for and received a grant pursuant to that program.

Whether the school qualifies for the Governor's Performance Award Program.

*Education Code* Section 33126 (b)(19)

*Education Code* Section 33126 (b)(20)

### ***Definitions***

Indication of whether the school qualified for the II/USP pursuant to *Education Code* Section 52053, whether the school applied for and received a grant pursuant to that program, and whether the school qualifies for the Governor's Performance Award Program.

### ***Guidelines and Data Sources***

Schools subject to state intervention under the II/USP are identified at <http://www.cde.ca.gov/ta/lp/iu/stmonschs.asp>.

For the Governor's Performance Award Program, data are reported from the API and may be obtained at: <http://www.cde.ca.gov/ta/sr/gp/>.

Data provided by the CDE

## **Adequate Yearly Progress Overall and by Criteria**

### ***Specific Requirements***

Information on the performance of local educational agencies in the state regarding making adequate yearly progress (AYP).

Public Law 107-110 Section 1111 (h)(1)(C)(vii)  
Public Law 107-110 Section 1111 (h)(2)(B)(i)(I)

### ***Definitions***

For the most recent year, indication of whether the school and the district:

- Made AYP overall (met all criteria, met exception or “safe harbor” criteria, or received an approved appeal)
- Met each of the four AYP criteria (participation rate, percent proficient, API, and graduation rate)

AYP criteria for participation rate and percent proficient each include the content areas of English-language arts and mathematics.

### ***Guidelines and Data Sources***

NCLB requires that all students perform at or above the proficient level on the state's standards-based assessment by 2014. Prior to 2014, to achieve this goal and meet annual requirements for improved performance, schools and districts must improve each year according to set requirements. To make AYP, schools and districts are required each year to meet or exceed specific criteria in each of the following:

- Participation rate on the state's standards-based assessments in English-language arts (ELA) and mathematics
- Percent proficient on the state's standards-based assessments in ELA and mathematics
- API as an additional indicator
- Graduation rate (for secondary schools)

Requirements 1 and 2 apply at the school, district, and subgroup levels. Requirements 3 and 4 apply only at the school and district levels, unless exception or “safe harbor” criteria are used.

Data, including subgroup results, may be obtained at the AYP Web site at <http://www.cde.ca.gov/ta/ac/ay/>.

Data provided by the CDE

## **Federal Intervention Program**

### ***Specific Requirements***

In the case of a school, whether the school has been identified for school improvement. In the case of a local educational agency, the number and percentage of schools identified for school improvement and how long the schools have been so identified.

Public Law 107-110 Section 1111 (h)(2)(B)(i)(I)

Public Law 107-110 Section 1111 (h)(2)(B)(ii)(I)

### ***Definitions***

Indication of whether the school has been identified for Title I Program Improvement (PI) and if so, the first year of implementing PI requirements and the year in PI.

Indication of whether the district has been identified for PI and if so, the first year of implementing PI requirements and the year in PI.

Indication of the number and percent of the district's schools currently in PI.

### ***Guidelines and Data Sources***

LEAs were first identified for PI in 2004-05 based on AYP determinations for 2003-04. Only schools and districts receiving Title I funding are eligible for PI identification and interventions.

The percent of a district's schools in PI is based on the number schools in PI divided by the total number of Title I schools in the district. Direct-funded charter schools are not included in the district figures.

Additional information and data regarding PI may be obtained at <http://www.cde.ca.gov/ta/ac/ay/>.

Data provided by the CDE

## Dropout Rate and Graduation Rate

### ***Specific Requirements***

Progress toward reducing dropout rates, including the one-year dropout rate listed in the CBEDS or any successor data system for the school site, over the most recent three-year period, and the graduation rate, as defined by the State Board of Education, over the most recent three-year period.

*Education Code* Section 33126 (b)(2)  
Public Law 107-110 Section 1111 (h)(1)(C)(vi)  
Public Law 107-110 Section 1111 (h)(2)(B)

### ***Definitions***

For the most recent three-year period the one-year dropout rate pursuant to the following CBEDS formula: (grades 9-12 dropouts) divided by (grades 9-12 enrollment) x 100.

Until statewide student-level longitudinal data are available, data reported regarding graduation rates will be reported in accordance with the formula negotiated with and approved by the U.S. Department of Education pursuant to NCLB. This formula, which represents a four-year high school completion rate, is calculated by dividing the number of high school graduates by the sum of dropouts for grades 9 through 12, respectively, in consecutive years, plus the number of high school graduates. The rate incorporates four years of data and thus is an estimated cohort rate. Put simply, this rate asks, "Of those students who have left school, what proportion have done so as graduates?" If a hypothetical graduating class began as ninth graders in Year 1, this four-year "graduation" rate would look like the following:

$$\frac{\text{(High school graduates Year 4)}}{\{\text{dropouts (grade 9 Year 1 + grade 10 Year 2 + grade 11 Year 3 + grade 12 Year 4) + high school graduates Year 4}\}}$$

### ***Guidelines and Data Sources***

State certification/release dates for dropout data occur too late for inclusion of 2005-06 data with other data from that year. Therefore, 2004-05 data are used for report cards prepared during 2006-07.

Since these data are older than those of other elements of the report, a brief narrative to explain resulting anomalies may be added, if appropriate.

Data provided by the CDE

## **Completion of High School Graduation Requirements**

### ***Specific Requirements***

The percentage of pupils, including the disaggregation of subgroups, completing grade 12 who successfully pass the high school exit examination as compared to the percentage of pupils in the district and statewide completing grade twelve who successfully pass the examination.

*Education Code Section 33126 (b)(21)*

### ***Definitions***

The percent of the school's most recent graduating class that met all state and local graduation requirements for grade 12 completion, including having passed both portions of the California High School Exit Examination (CAHSEE) or received a local waiver or state exemption. Data are provided at the school, district, and state levels for all students and for those subgroups for which numerically significant data are reported by the CDE.

### ***Guidelines and Data Sources***

Beginning with the graduating class of 2006, students in California public schools must pass both the English-language arts and mathematics portions of the CAHSEE to receive a high school diploma. Detailed information about the CAHSEE can be found at the CDE Web site at <http://www.cde.ca.gov/ta/tg/hs/>.

Data reported at the school and district levels are to come from local sources. Until statewide student-level longitudinal data are available, data reported at the state level represent estimates.

Data provided by the LEA and the CDE

## **Career Technical Education Programs**

### ***Specific Requirements***

The degree to which pupils are prepared to enter the workforce.

Career technical education (CTE) measures, including a list of CTE programs offered by the district that pupils at the school may participate in and that are aligned to the applicable model curriculum standards; a list of CTE program sequences offered by the district; an identification of courses conducted by a regional occupational center or program, and those conducted directly by the district; and a listing of the primary representative of the district's career technical advisory committee and the industries represented.

*Education Code Section 33126 (b)(14)*

*Education Code Section 33126 (b)(25)(A)*

*Education Code Section 33126 (b)(25)(B)*

### ***Definitions***

Description of:

- Programs and classes offered by the school that are specifically focused on career preparation and/or preparation for work
- How these programs and classes are integrated with academic courses and how they support academic achievement
- How the school addresses the needs of all students in career preparation and/or preparation for work, including needs unique to defined special populations of students
- The measurable outcomes of these programs and classes, and how they are evaluated for effectiveness in attaining those outcomes

### ***Guidelines and Data Sources***

Description of the size and scope of the CTE programs and courses offered:

- Directly at the school
- Through Regional Occupational Centers and Programs (ROCPs)
- In partnership academies and career academies
- In Specialized Secondary Programs, etc.

Description of how these programs and classes support academic achievement as evidenced by:

- Courses that have been revised to incorporate state-adopted academic standards
- Courses that satisfy the district's graduation requirements
- Courses that satisfy the A-G entrance requirements for the UC and CSU systems

Description of steps the school takes to assure equitable access and successful outcomes for all students in career technical programs and courses by:

- Counseling and guidance
- Professional development
- Additional support services such as child care, transportation, etc.
- Collaborating with youth development and economic development systems in the region

Description of the outcomes or criteria utilized by the school to measure the effectiveness of these programs and courses, such as:

- Mastery of "employment readiness standards," both basic and industry-specific
- Results of career technical skills assessments
- Business, labor, and other community stakeholder support
- Participation in career technical student organizations
- Placement of program completers in employment, postsecondary education, or the military

Additional guidance for reporting on this data element may be obtained at <http://www.cde.ca.gov/ci/ct/pk/>.

Data provided by the LEA

## **Career Technical Education Participation**

### ***Specific Requirements***

Career technical education (CTE) measures, including the number of pupils participating in CTE; the percentage of pupils that complete a CTE program and earn a high school diploma; and the percentage of CTE courses that are sequenced or articulated between a school and institutions of postsecondary education.

*Education Code Section 33126 (b)(25)(C)*

*Education Code Section 33126 (b)(25)(D)*

*Education Code Section 33126 (b)(25)(E)*

### ***Definitions***

Data provided include:

- The number of pupils participating in CTE
- The percentage of pupils that complete a CTE program and earn a high school diploma
- The percentage of CTE courses that are sequenced or articulated between a school and institutions of postsecondary education

### ***Guidelines and Data Sources***

Statistical data may be found in the annual *Report of Career-Technical Education Enrollment and Program Completion*.

This element may report duplicated counts as a result of pupils participating in more than one CTE program.

Other data available on outcomes of the school's CTE programs, including data from related programs, such as the Workforce Investment Act, may also be provided.

Additional CTE program information is available at <http://www.cde.ca.gov/ci/ct/pk/>.

Data provided by the LEA

## **Courses for University of California and/or California State University Admission**

### ***Specific Requirements***

For secondary schools, the percentage of graduates who have passed course requirements for entrance to the University of California (UC) and the California State University (CSU) and the percentage of students enrolled in those courses.

*Education Code Section 33126 (b)(23)*

### ***Definitions***

The percentage of student enrollment in courses required for UC/CSU admission is equal to the total student enrollment in courses required for UC and/or CSU admission divided by the total student enrollment in all courses for the most recent year.

Note: Each student is counted in each course in which the student is enrolled. As a result of these duplicated counts, the number of students enrolled in all courses will, and the number students enrolled in courses required for UC and/or CSU admission may, exceed the actual student enrollment figure for the school.

The percentage of graduates who completed all courses required for UC/CSU admission is equal to the number of graduates who have passed course requirements for UC/CSU admission divided by the school's CBEDS total graduates for the most recent year.

### ***Guidelines and Data Sources***

Data are reported from CBEDS.

A report may be generated at <http://data1.cde.ca.gov/dataquest/>.

Data provided by the CDE

## **Advanced Placement Courses**

### ***Specific Requirements***

The number of Advanced Placement (AP) courses offered, by subject.

*Education Code* Section 33126 (b)(17)

### ***Definitions***

The number of AP courses offered, by subject.

### ***Guidelines and Data Sources***

Data are reported from CBEDS.

A report may be generated at <http://data1.cde.ca.gov/dataquest/>.

Data provided by the CDE

## **College Admission Test Preparation Course Program**

### ***Specific Requirements***

Whether the school has a college admission test preparation course program.

*Education Code Section 33126 (b)(24)*

### ***Definitions***

Indicate whether the school has a college admission test preparation course program, and if so, describe the program.

### ***Guidelines and Data Sources***

Narrative is developed by the LEA/school.

Data provided by the LEA

## SAT Reasoning Test

### ***Specific Requirements***

Secondary schools with high school seniors shall list both the average verbal and math Scholastic Assessment Test scores to the extent provided to the school and the percentage of seniors taking that exam for the most recent three-year period.

*Education Code Section 33126 (b)(1)(D)*

### ***Definitions***

For the most recent three-year period:

Percent of the school's grade 12 enrollment who voluntarily take the SAT Reasoning Test, and the average verbal, math, and writing scores of those students.

Note: Students may take the test more than once, but only the most recent score is reported at the year of graduation.

Beginning in 2005-06, the data reported should also include the average writing score.

### ***Guidelines and Data Sources***

Some schools may wish to report American College Test (ACT) results in addition to those from the SAT Reasoning Test.

SAT Reasoning Test results may be found at <http://www.cde.ca.gov/ds/sp/ai/>.

ACT results may be found at <http://www.cde.ca.gov/ds/sp/ai/>.

Data provided by the CDE

## **School Instruction and Leadership**

### ***Specific Requirements***

Quality of school instruction and leadership.

*Education Code Section 33126 (b)(13)*

### ***Definitions***

School instruction: Description of the instructional program for all students, the support and services available for students with special needs, and the process for monitoring student progress toward standards.

Leadership: Description of the experience and tenure of the school principal. If the school has a designated leadership team, description of its membership, roles, and purpose.

### ***Guidelines and Data Sources***

Narrative is developed by the LEA/school. Questions that may be answered include:

- What are the experience and tenure of the principal?
- How does the administrator involve parents and staff in decision-making?
- Does the school have a "recognized" leadership team? If yes, describe its purpose, members, roles, and responsibilities.
- What is the instructional program for all students? Is there a school wide instructional focus? How is standards-based instruction delivered?
- What support and services are available for students with special needs, including GATE students, at-risk students, English learners, and students with disabilities? Are after-school and tutoring programs offered?
- What processes are available for monitoring student performance and progress? How is student progress reported to students, parents, staff, and the school community?

Data provided by the LEA

## Professional Development

### ***Specific Requirements***

Teacher and staff training, and curriculum improvement programs.

*Education Code Section 33126 (b)(12)*

### ***Definitions***

Description of how teachers and staff are trained for instructional improvement.

The number of days provided for professional development and continuous professional growth.

### ***Guidelines and Data Sources***

Narrative is developed by the LEA/school.

How do the following teachers and staff participate in staff development to help them improve instruction:

- All classroom teachers
- New teachers (e.g., BTSA)
- Non-classroom teachers
- National Board Certified Teachers
- Teachers experiencing difficulty/in need of improvement (e.g., Peer Assistance and Review)
- Paraprofessionals (e.g., instructional aides, teacher assistants)
- Non-instructional support staff (e.g., clerical, custodial)

Questions that may be answered include:

- What are the primary/major areas of focus of staff development and specifically how were they selected? For example, were student achievement data used to determine the need for professional development in reading instruction?
- What are the methods by which professional development is delivered (e.g., after-school workshops, conference attendance, and individual mentoring)?
- How are teachers supported during implementation (e.g., through in-class coaching, teacher-principal meetings, and student performance data reporting)?

Data provided by the LEA

## **Instructional Minutes**

### ***Specific Requirements***

The total number of instructional minutes offered in the school year, separately stated for each grade level, as compared to the total number of the instructional minutes per school year that are required by state law, separately stated for each grade level.

*Education Code Section 33126 (b)(15)*

### ***Definitions***

List of the total number of overall instructional minutes by grade level in comparison to 36,000 minutes for kindergarten; 50,400 minutes for grades one through three; 54,000 minutes for grades four through eight; and 64,800 minutes for grades nine through twelve.

### ***Guidelines and Data Sources***

Instructional minutes requirements are governed by *Education Code Section 46201*.

The total number of instructional minutes includes actual passing time between classes, not to exceed 10 minutes for any one passing.

Data provided by the LEA

## **Continuation School Instructional Days**

### ***Specific Requirements***

The total number of instructional minutes offered in the school year, separately stated for each grade level, as compared to the total number of the instructional minutes per school year that are required by state law, separately stated for each grade level.

*Education Code* Section 33126 (b)(15)

### ***Definitions***

For a continuation school, list of the total number of instructional days offered per school year, by grade level for grades nine through twelve, with each instructional day containing at least 180 instructional minutes.

### ***Guidelines and Data Sources***

The statute governing instructional minutes at a continuation school is *Education Code* Section 46170.

Data provided by the LEA

## Minimum Days in School Year

### ***Specific Requirements***

The total number of minimum days in the school year.

*Education Code* Section 33126 (b)(16)

### ***Definitions***

Statement regarding the total number of days in the most recent school year that students attended school on a shortened day schedule (less than a regular school day).

Description of the reasons for the shortened day schedule.

### ***Guidelines and Data Sources***

Information and narrative are developed by the LEA/school.

Data provided by the LEA



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
Update on issues related to California's implementation of No Child Left Behind and other federal programs – Including, but not limited to, an update on approval from the U.S. Department of Education (ED) of amendments to California's Accountability Workbook.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### RECOMMENDATION

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The Board will hear an update on No Child Left Behind (NCLB) activities and other federal programs and take action as deemed necessary and appropriate.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

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This standing item allows the California Department of Education (CDE) to brief the State Board of Education (SBE) on timely topics related to NCLB and other federal programs.

### SUMMARY OF KEY ISSUES

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At its March 2006 meeting, the SBE approved six proposed changes to California's Consolidated State Application Accountability Workbook. Those proposed changes were sent to ED on March 29, 2006. On June 5, 2006, CDE held a conference call with ED regarding the changes and received preliminary decisions with ED accepting three of the six proposed changes.

#### 1. Safe Harbor

Preliminary action taken by the ED: Not approved. Safe Harbor does not apply to grade span analysis for LEA PI identification.

Proposed change: Safe harbor will apply to grade span analysis for district Program Improvement (PI) identification.

Currently, the Accountability Workbook provides:

“For those districts that missed the AMOs [Annual Measurable Objectives] in the same content area for two consecutive years, California will apply a second criterion: did any grade span within the district (elementary, middle, and high school) meet the grade span AMO in either of the two years in

## **SUMMARY OF KEY ISSUES (Cont.)**

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question? If yes, the district will not be identified for PI.” [Critical Element 3.2, page 25]

The proposed change would have clarified that in determining whether or not a grade span met the AMOs, the CDE will employ safe harbor as part of its analysis.

### 2. Targeted Assistance Schools

Preliminary action taken by the ED: Approved.

Approved change: California will end the distinction in PI identification for Targeted Assistance Schools (TAS) and School Wide Program (SWP) schools. In TAS, Title I funds benefit only Title I eligible students, while in SWP schools, the funds benefit all students.

Currently, the Accountability Workbook provides:

“In identifying a Title I Targeted Assistance School (TAS) for PI, the CDE will consider the progress of the socio-economically disadvantaged (SED) student subgroup only.” [Critical Element 3.2, page 25]

Federal law permits a state to consider only the progress of Title I eligible students in determining whether or not to identify a TAS for PI. California has consistently followed this practice as part of its PI identification procedures, using the SED student subgroup as a proxy for Title I eligible students. However, in September 2004 a federal monitoring visit found that in applying this procedure, California must go further by disaggregating assessment results by all required numerically significant subgroups within the SED, i.e., ethnic subgroups, English learners, Students with Disabilities.

The requirement to disaggregate results for SED students by numerically significant subgroups has virtually eliminated any benefit to TAS in terms of PI identification. In 2005 only 23 schools were advantaged by the separate identification procedure for TAS. Eliminating the procedure would greatly simplify PI identification and end perceived inconsistencies in the treatment of TAS and SWP schools.

### 3. Extension of the transitional flexibility for Students with Disabilities (SWD) for 2005-2006 Adequate Yearly Progress (AYP)

Preliminary action taken by the ED: Approved.

Approved change: California will continue to apply transitional Option number one from the flexibility granted by the ED on May 10, 2005 for SWD. This option

## **SUMMARY OF KEY ISSUES (Cont.)**

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enabled the CDE to adjust SWD proficiency levels by 20% in 2005 when determining AYP for districts or schools. It applied only to Local Educational Agencies (LEAs) and schools that did not make AYP solely because of assessment results for the SWD subgroup.

4. Tenth grade students with disabilities who use a calculator on the mathematics part of the CAHSEE will be required to attain higher cut scores to be considered proficient or advanced for purposes of NCLB. This is in order to compensate for the calculator sensitive items on the CAHSEE. Students who fall into this category will be considered as participants in the high school mathematics assessment for purposes of NCLB.

Preliminary action taken by the ED: Pending. In the view of the ED, this is not an accountability issue but an assessment issue. California must submit this change as part of the assessment peer review process not as an accountability workbook amendment.

Proposed change: Currently, the Accountability Workbook makes no distinction in terms of participation between SWD who take NCLB assessments with modifications and SWD who take the assessments without modifications. [Critical Element 5.3, page 36]

This amendment addresses the proposed federal regulations that would classify SWD who test with modifications as non-participants in an assessment. Districts and schools are required to test 95% of their students on NCLB assessments in order to make AYP.

5. English learners

Preliminary action taken by the ED: Not approved. Regulations that deal with this issue have not been issued.

Proposed change: In accord with state law, California will continue to test English learners during the first two years of enrollment in United States (US) schools; however, California proposes to exclude the test results of these students from the calculations for the percentages of students who are proficient or above.

Currently, the Accountability Workbook provides:

“In accord with state law, California will continue to test English learners during their first year of enrollment in United States schools; however, consistent with the flexibility offered by Secretary [Rod] Paige’s communication of February 19, 2004, California elects to exclude the test results of these students from the AMO calculation.” [Critical Element 5.4, page 39]

## **SUMMARY OF KEY ISSUES (Cont.)**

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It is widely anticipated that the ED in final regulations on English learners will extend the allowable exclusion to two years. This proposed change to the Workbook is a placeholder anticipating this step.

### 6. Graduation rate

For traditional comprehensive high schools without a graduating class because of small size, start-up date, or grade-span served, a proxy graduation rate will be computed using available drop-out data and California Basic Educational Data System (CBEDS) enrollment.

Preliminary action taken by the ED: Approved.

Proposed change: Currently, the Accountability Workbook provides:

“The following rules will be applied for high schools without a graduation rate or high schools with a primary mission of returning students to a regular classroom environment in a comprehensive high school:

- For high schools administered by an LEA, the CDE will assign them the value of the LEA graduation rate.
- For direct-funded charter high schools, the CDE will assign the graduation rate of the charter authorizer. In cases where the charter authorizer does not have a graduation rate, the countywide graduation rate of the county in which the school is located will be assigned.
- For high schools administered by county offices of education, the CDE will assign the countywide graduation rate. “ [Critical Element 7.1, page 47]

In discussions with California, the ED has insisted that all high schools must have a graduation rate, even those without a graduating class. This amendment would provide additional flexibility in determining whether these schools meet the criteria for AYP. It would pertain to traditional comprehensive high schools only and would not change current procedures for schools with a primary mission of returning students to a traditional classroom environment, e.g. some continuation and alternative high schools. The ED has already indicated that it is willing to consider this amendment.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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Any State or LEA that does not abide by the mandates and provisions of NCLB is at risk of losing federal funding.

**ATTACHMENT(S)**

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None.

State of California

Department of Education

## LAST MINUTE MEMORANDUM

**DATE:** July 2006

**TO:** **MEMBERS, STATE BOARD OF EDUCATION**

**FROM:** William L. Padia, Deputy Superintendent  
Assessment and Accountability Branch

**RE:** Item No. 10

**SUBJECT:** Update on issues related to California's implementation of No Child Left Behind and other federal programs – Including, but not limited to, an update on approval from the U.S. Department of Education (ED) of amendments to California's Accountability Workbook.

The Federal No Child Left Behind (NCLB) Act of 2001, reformed Federal educational programs to support State efforts to establish challenging standards, to develop aligned assessments, and to build accountability systems for districts and schools. The United States Department of Education (ED) is using a peer review process to determine whether States have met NCLB standards and assessment requirements. The peer review process examines evidence submitted by each state that is intended to show that its assessment system meets NCLB requirements.

ED revised the approval categories and possible consequences of the review process in April 2006. Depending on the outcome of the peer review, a state's system would receive one of the following:

1. "Full Approval" is granted if the system meets all statutory and regulatory requirements (same as before)
2. "Full Approval with Recommendations" is granted if the system meets all requirements, but some components could be improved (same as before)
3. "Approval Expected" is granted when the evidence to date suggests that the system is fully compliant with statutory and regulatory requirements. There may be some elements that may not be complete by July 1, 2006. The State must provide complete documentation needed to satisfy the remaining requirements before administering its assessments in 2006-07. Possible consequences include:
  - a) Conditions on grant awards
  - b) Restrictions on NCLB flexibility agreements

4. "Approval Pending" is granted if the system has one or a few fundamental components that are missing or do not meet the statutory and regulatory requirements. The possible consequences include:
  - a) Mandatory oversight status
  - b) Withholding of State Title I, Part A Administrative Funds
  - c) Significant limitations on the approval of flexibility requests
  
5. A "Non-Approved" system is missing many fundamental components or does not meet statutory or regulatory requirements. Possible consequences include:
  - a) Compliance agreement
  - b) Withholding of State Title I, Part A Administrative Funds
  - c) Significant limitations on the approval of flexibility requests

The Standards and Assessment Division, California Department of Education (CDE), assembled the required evidence and submitted it for a peer review that took place May 10-12, 2006. ED notified CDE and SBE staff of the results in late June. According to ED, additional evidence is necessary for California to meet the statutory and regulatory requirements. The current status of the California Standards and Assessment System is Approval Pending – a) mandatory oversight status. As of July 1, 10 states received Full Approval or Full Approval with Recommendations. Of the remaining states, 36 are in Approval Pending and two are Non-Approved.

ED identified outstanding concerns with the alignment of the California Standards Tests (CSTs) and the California Alternate Performance Assessment (CAPA) to grade level academic content and achievement standards, and with the lack of performance level descriptors for mathematics, English-language arts, and science for the CSTs and the California High School Exit Examination.

With the approval of the SBE, CDE intends to appeal ED's decision. CDE believes that additional evidence can be provided to improve its rating to minimally, Approval Expected.

Attachment 1: Letter dated June 28, 2006, from Henry L. Johnson, Assistant Secretary, United States Department of Education to the Honorable Glee Johnson, President, California State Board of Education and the Honorable Jack O'Connell, California Superintendent of Public Instruction (3 pages)

## California Assessment Letter

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June 28, 2006

The Honorable Glee Johnson  
President  
California State Board of Education  
1430 N Street, Suite 5111  
Sacramento, California 95814

The Honorable Jack O'Connell  
Superintendent of Public Instruction  
California Department of Education  
1430 N Street, Suite 5602  
Sacramento, CA 95814

Dear President Johnson and Superintendent O'Connell:

Thank you for your participation in the U.S. Department of Education's (Department) standards and assessment peer review process under Title I of the *Elementary and Secondary Education Act of 1965*(ESEA), as amended by the *No Child Left Behind Act of 2001* (NCLB). I appreciate the efforts required to prepare for the peer review. As you know, with the implementation of NCLB's accountability provisions, each school, district, and State is held accountable for making adequate yearly progress (AYP) towards having all students proficient by 2013–14. An assessment system that produces valid and reliable results is fundamental to a State's accountability system.

I am writing to follow up on the peer review of California's standards and assessments, which occurred May 10-12, 2006. The results of this peer review process indicated that additional evidence was necessary for California to meet the statutory and regulatory requirements of Section 1111(b)(1) and (3) of the ESEA. At this time, the need for that evidence remains.

As you will recall, the Department laid out new approval categories in the letter to the Chief State School Officers on April 24, 2006. These categories better reflect where States collectively are in the process of meeting the statutory standards and assessment requirements and where each State individually stands. Based on these new categories, the current status of the California standards and assessment system is *Approval Pending*. This status indicates that California's standards and assessment system administered in the 2005–06 school year has at least two fundamental components that are missing or that do not meet the statutory and regulatory requirements, in addition to other outstanding issues that can be addressed more immediately. These deficiencies must be resolved in a timely manner so that the standards and assessment system administered next year meets all requirements. The Department believes that California can address the outstanding issues by the next administration of its assessment system, that is, by the end of the 2006–07 school year.

California's system has at least two fundamental components that warrant the designation of *Approval Pending*. Specifically, the Department cannot approve California's standards and assessment system due to outstanding concerns with the alignment of the California Standards Tests (CSTs) and the California Alternate Performance Assessment (CAPA) to grade level academic content and achievement standards and the lack of performance level descriptors that differentiate between three levels of proficiency for mathematics, English language arts and science. Please refer to the enclosure for a detailed list of the evidence California must submit to meet the requirements for an approved standards and assessment system.

Accordingly, California is placed under *Mandatory Oversight*, pursuant to 34 C.F.R. §80.12. Under this status, there will be specific conditions placed on California's fiscal year 2006 Title I, Part A grant award. California must provide, not later than 25 business days from receipt of this letter, a plan and detailed timeline for how it will meet the remaining requirements to come into full compliance by the end of the 2006–07 school year. Beginning in September 2006, California must also provide bi-monthly reports on its progress implementing the plan. If, at any time, California does not meet the timeline set forth in its plan, the Department will initiate proceedings, pursuant to Section 1111(g)(2) of the ESEA, to withhold 15 percent of California's fiscal year 2006 Title I, Part A administrative funds, which will then revert to local educational agencies in California.

I know you are anxious to receive full approval of your standards and assessment system and we are committed to helping you get there. Toward that end, let me reiterate my earlier offer of technical assistance. We remain available to assist you however necessary to ensure you administer a fully approved standards and assessment system. We will schedule an additional peer review when you have evidence available to further evaluate your system. If you have any questions or would like to request reconsideration of the conditions, please do not hesitate to call Carlos Martínez (202-260-2493) or Catherine Freeman (202-401-3058) of my staff.

Sincerely,  
Henry L. Johnson

Enclosure

cc: Governor Arnold Schwarzenegger  
Bill Padia

## **SUMMARY OF ADDITIONAL EVIDENCE THAT CALIFORNIA MUST SUBMIT TO MEET ESEA REQUIREMENTS FOR THE CALIFORNIA ASSESSMENT SYSTEM**

### **2.0 – ACADEMIC ACHIEVEMENT STANDARDS**

1. Performance level descriptors that differentiate among three levels of proficiency for mathematics, English language arts and science.
2. Official State Board of Education adoption of achievement standards for the CAHSEE.

### **5.0 - ALIGNMENT**

1. An external, impartial alignment study of the CST and the CAPA to academic content and achievement standards.
  2. A plan that addresses the gaps identified by the alignment study (including the External Evaluation of the CAHSEE).
  3. Procedure to review and maintain alignment of the assessment system
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# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
High Priority Schools Grant Program (HPSGP): Amend Definition of Significant Growth and Criteria to Determine Academic Growth for HPSGP Schools Without a Valid Academic Performance Index: Approve Regulations	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE):

- Approve the proposed amendments to the regulations; and
- If no substantive objections to the amendments were received during the 45-day public comment period, take action to adopt the regulations, and direct CDE staff to submit the adopted regulations to the Office of Administrative Law.
- If substantive objections to the amendments were received during the 45-day public comment period:
  - (a) Direct that the proposed amendments be circulated for a 15-day public comment period in accordance with the Administrative Procedure Act;
  - (b) If no substantive objections to the amendments are received during the 15-day public comment period, the CDE shall complete the rulemaking package and submit the amended regulations to the Office of Administrative Law for approval.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE at the May 2006 meeting approved the commencement of the rulemaking process for the proposed regulations. Staff was directed to provide a 45-day public comment period and conduct a public hearing on July 5, 2006, at 9:00 a.m.

## **SUMMARY OF KEY ISSUES**

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The Academic Performance Index (API) is the key measure of a school's progress, and generally, a school's performance on the API is the best measure to determine whether the school has made progress. However, for a variety of reasons, a school may be missing an API in one or more years of program participation which means that an alternative measure of school academic performance is needed to determine its progress.

Because of this need for an alternative measure, in May 2005, the SBE approved regulations specific to the High Priority Schools Grant Program (HPSGP) to clarify the definition of significant growth and establish criteria to demonstrate significant growth for schools without valid APIs. For schools without a valid API in all years, these regulations defined significant growth using California Standards Tests (CSTs). In this case, a school must show a 2 percent increase in percent proficient on the CSTs over a three-year period. Importantly, the application of this second method excludes **all** APIs generated by the school during program participation. As a result, any improvement in academic performance shown through changes in the school's API is disregarded.

One of the unintended consequences of the existing regulations is that a school that could use its available API might meet the significant growth requirement while at the same time failing the alternative growth definition, and vice versa. Because of this problem, the CDE proposes to give schools the opportunity to more fairly recognize improved performance of schools that are missing APIs. This requires the SBE to have a way to determine "positive API growth" for schools missing an API in any year of the program.

The CDE proposes to add a new step to the process, *California Code Regulations (CCR)*, Title 5, Section 1030.7(b), that defines how "positive API growth" can be used when a school is missing an API. In this step "positive API growth" helps determine "significant growth." This new step states that for a school missing an API, it must show at least **1 percent** increase in student proficiency on the CSTs for English/language arts and mathematics for that year. This one-year alternative step is equally as stringent as the typical manner to determine significant growth using the API in all years, per *CCR*, Title 5, Section 1030.7(a).

This proposed regulation, *CCR*, Title 5, Section 1030.7(b), establishes that the API is still the preferred measure of growth and should be used first before considering a measure that does not include the API. It also establishes that when the preferred measure cannot apply, an alternative method is available.

### **Effect of Proposed Amendments**

If a school cannot show significant growth using *CCR*, Title 5, Section 1030.7, it can show academic growth equivalent to significant growth using *CCR*, Title 5, Section

## **SUMMARY OF KEY ISSUES (Cont. )**

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1030.8. A school's API will be included whenever possible in determining "significant growth."

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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The Economic and Fiscal Impact Analysis completed by the Fiscal and Administrative Services Division pertaining to these regulations concludes that there is no fiscal impact. The analysis was included in Item 28 at the May 2006 SBE meeting.

## **ATTACHMENT(S)**

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Attachment 1: Title 5. Education, Division 1. California Department of Education, Chapter 2. Pupils, Subchapter 4. Statewide Testing of Pupils and Evaluation Procedures, Article 1.6. Immediate Intervention/Underperforming Schools Program (II/USP) and High Priority Schools Grant Program (HPSGP): Definition of Significant Growth and Criteria to Determine Academic Growth for II/USP and HPSGP Schools Without Valid API's (2 Pages)

A Final Statement of Reasons including a summary of the comments received from the public will be submitted as a last minute memorandum.

1 **Title 5. EDUCATION**

2 **Division 1. California Department of Education**

3 **Chapter 2. Pupils**

4 **Subchapter 4. Statewide Testing of Pupils and Evaluation Procedures**

5  
6 **Article 1.6. Immediate Intervention/Underperforming Schools Program (II/USP)**  
7 **and High Priority Schools Grant Program (HPSGP): Definition of Significant**  
8 **Growth and Criteria to Determine Academic Growth for II/USP and HPSGP**  
9 **Schools Without Valid API's**

10  
11 **§ 1030.7. Definition of Significant Growth for HPSGP Schools.**

12 (a) A school participating in the High Priority Schools Grant Program (HPSGP) of  
13 Education Code sections 52055.600 through 52055.662 achieves “significant growth”  
14 as that term is used in Education Code section 52055.650 when its combined growth is  
15 equal to or greater than ten Academic Performance Index (API) points on the API over  
16 the last three years it participates in the program and also achieves positive API growth  
17 in two of the last three years.

18 (b) A school without a valid API score pursuant to Education Code section 52055(f)  
19 in any year of participation in the program demonstrates positive API growth for that  
20 year when the school's weighted average percent proficient increases by at least one  
21 percentage point from the prior year across all California Standards Tests in (a)  
22 English/language arts, and (b) mathematics. For purposes of this calculation, there  
23 shall be no rounding (e.g. 0.99 does not round up to 1.00).

24 NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 52052,  
25 52055.600, 52055.640, 52055.645, and 52055.650, Education Code.

26  
27 **§ 1030.8. Criteria to Demonstrate Academic Growth Equivalent to Significant**  
28 **Growth for HPSGP Schools Without Valid APIs.**

29 A school without a valid API in at least one year that does not demonstrate  
30 significant growth as defined in section 1030.7, Schools participating in the HPSGP  
31 without a valid API score pursuant to Education Code section 52052(f) in at least one

1 ~~out of three years~~ demonstrates academic growth equivalent to significant growth for  
2 purposes of Education Code section 52055.650 when the school's weighted average  
3 percent proficient across all California Standards Tests in (a) English/language arts and  
4 (b) mathematics increased by at least two percentage points over the prior three year  
5 period. For purposes of this calculation, there shall be no rounding (e.g., 0.99 does not  
6 round up to 1.00).

7 NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 52052,  
8 52055.600, 52055.640, 52055.645, and 52055.650, Education Code.

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State of California

Department of Education

# LAST MINUTE MEMORANDUM

**DATE:** July 6, 2006

**TO:** MEMBERS, STATE BOARD OF EDUCATION

**FROM:** Sue Stickel, Deputy Superintendent  
Curriculum and Instruction Branch

**RE:** Item No. 11

**SUBJECT:** High Priority Schools Grant Program (HPSGP): Amend Definition of Significant Growth and Criteria to Determine Academic Growth for HPSGP Schools Without a Valid Academic Performance Index: Approve Regulations to Commence with Rulemaking Process

At the May 2006 State Board of Education meeting, staff was directed to provide a 45-day public comment period and conduct a public hearing on July 5, 2006. No comments were received during the 45-day public comment period, and there were no presenters to testify at the public hearing.

## Attachments

Attachment 2: Final Statement of Reasons: Definition of Significant Growth and Criteria to Determine Academic Growth for II/USP and HPSGP Schools Without Valid API's (1 Page)

## **FINAL STATEMENT OF REASONS**

Definition of Significant Growth and Criteria to Determine Academic  
Growth for II/USP and HPSGP Schools Without Valid API's

### **UPDATE OF INITIAL STATEMENT OF REASONS**

No changes.

### **SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE INITIAL NOTICE PERIOD OF MAY 19, 2006 THROUGH JULY 5, 2006**

The text was made available to the public from May 19, 2006 through July 5, 2006. No comments were received in response to the proposed regulations.

### **COMMENTS RECEIVED DURING THE PERIOD THE 15-DAY NOTICE AND PROPOSED REGULATION TEXT WAS AVAILABLE TO THE PUBLIC**

N/A

### **ALTERNATIVES DETERMINATION**

The State Board of Education has determined that no alternative would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed regulations.

### **LOCAL MANDATE DETERMINATION**

The proposed regulations do not impose any mandate on local agencies or school districts.

### **REGULATIONS TO BECOME EFFECTIVE UPON FILING**



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
Nonpublic School and Agency Certification: Commencement of the Rule-Making Process for Title 5 of the <i>California Code of Regulations</i> , Part 30 of <i>Education Code</i> Sections 56365 Through 56366.12	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### RECOMMENDATION

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The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the proposed regulations, the Initial Statement of Reasons, and the Notice of Proposed Rulemaking, the Economic and Fiscal Impact Statement, and direct staff to commence the rulemaking process.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

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Although the SBE had dealt with regulations governing nonpublic schools, this is the first occasion in which the SBE will hear issues surrounding regulations related to *Education Code (EC)* sections 56365 through 56366.12.

### SUMMARY OF KEY ISSUES

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Requirements for certification of California nonpublic schools and agencies are referenced in Part 30 of *EC* sections 56365 through 56366.12. Implementing regulations to clarify requirements for certification of California nonpublic schools and agencies are referenced in Title 5 of the *California Code of Regulations* Section 3001 et seq.

The intent of proposed regulations is to make technical changes to existing regulation language and to add new regulations implementing sections in Part 30 of the *EC* added by Assembly Bill (AB) 1858 (Chapter 914, Statutes of 2004). New provisions added to the *EC* by AB 1858 increase monitoring of nonpublic schools and agencies, require that nonpublic students have access to the same educational materials, services, and programs to the extent available at the local educational agency in which the nonpublic school is located, and align nonpublic schools and agency requirements for certification to the public school standards of instructional materials and qualified personnel.

These proposed regulations delineate procedures and criteria in the administration of California's nonpublic school and agency certification program to ensure affected public and private agencies and interested persons are informed of their rights and responsibilities in the certification process.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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The proposed amendments to the regulations impose no additional costs upon state and local government.

## **ATTACHMENT(S)**

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Attachment 1: Title 5, California Code of Regulations  
Division 1, State Department of Education  
Chapter 3. Handicapped Children  
Subchapter 1. Special Education Nonpublic Schools and Agencies  
(28 pages)

Attachment 2: Initial Statement of Reasons, Nonpublic Schools (11 pages)

Attachment 3: Notice of Proposed Rulemaking (4 pages)

Attachment 4: Economic and Fiscal impact Statement (5 pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board of Education office.)

1                                   **Title 5, California Code of Regulations**  
2                                   **Division 1, State Department of Education**  
3                                   **Chapter 3. Handicapped Children**

4                   **Subchapter 1. Special Education Nonpublic Schools and Agencies**

5  
6   **§ 3001. Definitions.**

7           In addition to those found in Education Code sections 56020-56033, Public Law 94-  
8   142 as amended (20 USC 1401 et seq.), and Title 34, Code of Federal Regulations,  
9   Part 300 and 301, the following definitions are provided:

10       (a) "Access" means that the nonpublic, nonsectarian school must provide the same  
11   standards-based core curriculum and the same instructional materials used by the local  
12   school district in which the nonpublic school is located, unless otherwise stated in the  
13   student's individualized education program (IEP).

14       (1) Each student will have a copy of textbooks and other instructional materials used  
15   to implement the standards-based core curriculum in each subject area.

16       (2) Photocopies of portions of textbooks or instructional materials, or photocopies of  
17   entire textbooks or instructional materials used by the local education agency (LEA) to  
18   implement standards-based core curriculum is not sufficient access.

19       ~~(a)~~(b) "Applicant" means an individual, firm, partnership, association, or corporation  
20   who has made application for certification as a nonpublic, nonsectarian school, or  
21   agency.

22       ~~(b)~~(c) "Assessment and development of the individualized education program IEP"  
23   ~~(IEP)~~ means services described in Education Code sections 56320 et seq. and 56340 et  
24   seq.

25       ~~(e)~~(d) "Behavioral emergency" is the demonstration of a serious behavior problem:

26       (1) which has not previously been observed and for which a behavioral intervention  
27   plan has not been developed; or

28       (2) for which a previously designed behavioral intervention is not effective. Approved  
29   behavioral emergency procedures must be outlined in the special education local  
30   planning area (SELPA) local plan.

31       ~~(d)~~(e) "Behavioral intervention" means the systematic implementation of procedures  
32   that result in lasting positive changes in the individual's behavior. "Behavioral

1 intervention” means the design, implementation, and evaluation of individual or group  
2 instructional and environmental modifications, including programs of behavioral  
3 instruction, to produce significant improvements in human behavior through skill  
4 acquisition and the reduction of problematic behavior. “Behavioral interventions” are  
5 designed to provide the individual with greater access to a variety of community  
6 settings, social contacts and public events; and ensure the individual’s right to  
7 placement in the least restrictive educational environment as outlined in the individual’s  
8 IEP. “Behavioral interventions” do not include procedures which cause pain or trauma.  
9 “Behavioral interventions” respect the individual’s human dignity and personal privacy.”  
10 Such interventions shall assure the individual’s physical freedom, social interaction, and  
11 individual choice.

12 ~~(e)~~(f) “Behavioral intervention case manager” means a designated certificated  
13 school/district/county/nonpublic school or agency staff member(s) or other qualified  
14 personnel pursuant to subsection (ac) contracted by the school district or county office  
15 or nonpublic school or agency who has been trained in behavioral analysis with an  
16 emphasis on positive behavioral interventions. The “behavioral intervention case  
17 manager” is not intended to be a new staffing requirement and does not create any new  
18 credentialing or degree requirements. The duties of the “behavioral intervention case  
19 manager” may be performed by any existing staff member trained in behavioral analysis  
20 with an emphasis on positive behavioral interventions, including, but not limited to, a  
21 teacher, resource specialist, school psychologist, or program specialist.

22 ~~(f)~~(g) “Behavioral intervention plan” is a written document which is developed when  
23 the individual exhibits a serious behavior problem that significantly interferes with the  
24 implementation of the goals and objectives of the individual’s IEP. The “behavioral  
25 intervention plan” shall become part of the IEP. The plan shall describe the frequency of  
26 the consultation to be provided by the behavioral intervention case manager to the staff  
27 members and parents who are responsible for implementing the plan. A copy of  
28 the plan shall be provided to the person or agency responsible for implementation in  
29 noneducational settings. The plan shall include the following:

30 (1) a summary of relevant and determinative information gathered from a functional  
31 analysis assessment;

32 (2) an objective and measurable description of the targeted maladaptive behavior(s)

1 and replacement positive behavior(s);

2 (3) the individual's goals and objectives specific to the behavioral intervention plan;

3 (4) a detailed description of the behavioral interventions to be used and the

4 circumstances for their use;

5 (5) specific schedules for recording the frequency of the use of the interventions and

6 the frequency of the targeted and replacement behaviors; including specific criteria for

7 discontinuing the use of the intervention for lack of effectiveness or replacing it with an

8 identified and specified alternative;

9 (6) criteria by which the procedure will be faded or phased-out, or less

10 intense/frequent restrictive behavioral intervention schedules or techniques will be

11 used;

12 (7) those behavioral interventions which will be used in the home, residential facility,

13 work site or other noneducational settings; and

14 (8) specific dates for periodic review by the IEP team of the efficacy of the program.

15 ~~(g)~~(h) "Board" means the California State Board of Education.

16 ~~(h)~~(i) "Certification" means authorization by the California State Superintendent of

17 Public Instruction (Superintendent) for a nonpublic school or nonpublic agency to

18 service individuals with exceptional needs under a contract pursuant to the provisions of

19 Education Code section 56366~~(e)~~(d).

20 ~~(i)~~(j) "Contracting education agency," means a school district, a ~~special education~~

21 ~~local plan area~~ SELPA, a charter school participating as a member of a special

22 education local plan area, or a county office of education.

23 ~~(j)~~(k) "Credential" means any valid credential, life diploma, ~~permit~~, or document in

24 special education or pupil personnel services issued by, or under the jurisdiction of, the

25 California State Board of Education prior to 1970 or the California Commission on

26 Teacher Credentialing, which entitles the holder thereof to perform services for which

27 certification qualifications are required.

28 ~~(k)~~(l) "Department" means the California Department of Education.

29 ~~(l)~~(m) "Department of Consumer Affairs" means the California Department of

30 Consumer Affairs.

31 ~~(m)~~(n) "Dual enrollment" means the concurrent attendance of the individual in a

32 public education agency and a nonpublic school and/or a non public agency.

1       ~~(n)~~(o) "Feasible" as used in Education Code section 56363(a) means the  
2 individualized education program IEP team:

3       (1) has determined the regular class teacher, special class teacher, and/or resource  
4 specialist possess the necessary competencies and credentials/certificates to provide  
5 the designated instruction and service specified in the ~~individualized education program~~  
6 IEP, and

7       (2) has considered the time and activities required to prepare for and provide the  
8 designated instruction and service by the regular class teacher, special class teacher,  
9 and/or resource specialist.

10       ~~(e)~~(p) "Free appropriate public education" means special education and related  
11 services that:

12       (1) have been provided at public expense, under public supervision and direction  
13 and without charge;

14       (2) meets any of the standards established by state or federal law;

15       (3) include an appropriate preschool, elementary, or secondary school education in  
16 California; and

17       (4) are provided in conformity with the individualized education program required  
18 under state and federal law.

19       ~~(p)~~(q) "Individual Services Agreement" means a document, prepared by the ~~local~~  
20 ~~education agency~~ LEA, that specifies the length of time for which special education and  
21 designated instruction and services are to be provided, by nonpublic schools and/or  
22 nonpublic agencies, to individuals with exceptional needs.

23       ~~(q)~~(r) "Instructional day" shall be the same period of time as constitutes the regular  
24 school day for that chronological peer group unless otherwise specified in the  
25 ~~individualized education program~~ IEP.

26       ~~(r)~~(s) "License" means a valid nonexpired document issued by a licensing agency  
27 within the California Department of Consumer Affairs or other state licensing office  
28 authorized to grant licenses and authorizing the bearer of the document to provide  
29 certain professional services or refer to themselves using a specified professional title. If  
30 a license is not available through an appropriate state licensing agency, a certificate of  
31 registration with the appropriate professional organization at the national or state level  
32 which has standards established for the certificate that are equivalent to a license shall

1 be deemed to be a license.

2 ~~(s)~~(t) “Linguistically appropriate goals, objectives, and programs” means:

3 (1)(A) ~~Those~~ activities which lead to the development of English language  
4 proficiency; and

5 (B) ~~Those~~ instructional systems either at the elementary or secondary level which  
6 meets the language development needs of the English language learner.

7 (2) For individuals whose primary language is other than English, and whose  
8 potential for learning a second language, as determined by the ~~individualized education~~  
9 ~~program~~ IEP team, is severely limited, nothing in this section shall preclude the  
10 individualized education program team from determining that instruction may be  
11 provided through an alternative program pursuant to a waiver under Education Code  
12 section 311~~(c)~~, including a program ~~provided in the individual’s primary language,~~  
13 provided that the ~~individualized education program~~ IEP team periodically, but not less  
14 than annually, reconsiders the individual’s ability to receive instruction in the English  
15 language.

16 ~~(t)~~(u) “Local education agency” means a ~~public board of education or other public~~  
17 ~~authority legally constituted in California for either administrative control or direction of,~~  
18 ~~or to perform a service function for, public elementary or secondary schools in a city,~~  
19 ~~county, township, school district, or other political subdivision of California, or such~~  
20 ~~combination of school districts or counties as are recognized in California as an~~  
21 ~~administrative agency for its public elementary or secondary schools~~ district, a county  
22 office of education, a charter school participating as a member of a special education  
23 local plan area, or a special education local plan area.

24 ~~(u)~~(v) “Local governing board” means either district, charter school, or county board  
25 of education.

26 ~~(v)~~(w) “Master contract” means the legal document that binds the public education  
27 agency and the nonpublic school or nonpublic agency.

28 ~~(w)~~(x) “Nonsectarian” means a private, nonpublic school or agency that is not  
29 owned, operated, controlled by, or formally affiliated with a religious group or sect,  
30 whatever might be the actual character of the educational program or the primary  
31 purpose of the facility and whose articles of incorporation and/or by-laws stipulate that  
32 the assets of such agency or corporation will not inure to the benefit of a religious group.

1       ~~(x)~~(y) “Primary language” means the language other than English, or other mode of  
2 communication, the person first learned, or the language which is spoken in the  
3 person’s home.

4       ~~(y)~~(z) “Qualified” means that a person has met federal and state certification,  
5 licensing, registration, or other comparable requirements which apply to the area in  
6 which he or she is providing special education or related services, or, in the absence of  
7 such requirements, the state-education-agency-approved or recognized requirements,  
8 and adheres to the standards of professional practice established in federal and state  
9 law or regulation, including the standards contained in the California Business and  
10 Professions Code. Nothing in this definition shall be construed as restricting the  
11 activities in services of a graduate needing direct hours leading to licensure, or of a  
12 student teacher or intern leading to a graduate degree at an accredited or approved  
13 college or university, as authorized by state laws or regulations.

14       ~~(z)~~(aa) “Related Services” means transportation, and such developmental,  
15 corrective, and other supportive services (including speech pathology and audiology,  
16 psychological services, physical and occupational therapy, recreation, including  
17 therapeutic recreation, social work services, counseling services, including rehabilitation  
18 counseling, and medical services, except that such medical services shall be for  
19 diagnostic and evaluation purposes only) as required to assist an individual with  
20 exceptional needs to benefit from special education, and includes the early identification  
21 and assessment of disabling conditions in children. Related services include, but are not  
22 limited to, Designated Instruction and Services. The list of related services is not  
23 exhaustive and may include other developmental, corrective, or supportive services if  
24 they are required to assist a child with a disability to benefit from special education.  
25 Each related service defined under this part may include appropriate administrative and  
26 supervisory activities that are necessary for program planning, management, and  
27 evaluation.

28       ~~(aa)~~(ab) “Serious behavior problems” means the individual’s behaviors which are  
29 self-injurious, assaultive, or cause serious property damage and other severe behavior  
30 problems that are pervasive and maladaptive for which instructional/behavioral  
31 approaches specified in the student’s IEP are found to be ineffective.

32       ~~(ab)~~(ac) “Special education” means specially designed instruction, at no cost to the

1 parents, to meet the unique needs of individuals with exceptional needs whose  
2 educational needs cannot be met with modification of the regular instruction program,  
3 and related services, at no cost to the parent, that may be needed to assist these  
4 individuals to benefit from specially designed instruction.

5 (ad) "Specialized physical health care services" means those health services  
6 prescribed by the individual's licensed physician and surgeon requiring medically related  
7 training for the individual who performs the services and which are necessary during the  
8 school day to enable the individual to attend school.

9 ~~(ab)~~(ae) "Specified education placement" means that unique combination of  
10 facilities, personnel, location or equipment necessary to provide instructional services to  
11 an individual with exceptional needs, as specified in the IEP, in any one or combination  
12 of public, private, home and hospital, or residential setting. The IEP team shall  
13 document its rationale for placement in other than the pupil's school and classroom in  
14 which the pupil would otherwise attend if the pupil were not disabled. The  
15 documentation shall indicate why the pupil's disability prevents his or her needs from  
16 being met in a less restrictive environment even with the use of supplementary aids and  
17 services.

18 ~~(ae)~~(af) "Superintendent" means the California State Superintendent of Public  
19 Instruction.

20 ~~(af)~~(ag) "Temporary physical disability" means a disability incurred while an  
21 individual was in a regular education class and which at the termination of the temporary  
22 physical disability, the individual can, without special intervention, reasonably be  
23 expected to return to his or her regular education class.

24 NOTE: Authority cited: Sections 56100 and 56523(a), Education Code.

25 Reference: Sections 33000, 33126, 33300, 49423.5, 56026, 56026.3, 56034, 56320,  
26 56361, 56366, 56520 and 56523, Education Code; Section 2, Article IX, Constitution of  
27 the State of California; 20 USC Sections 1401(8) and (17), ~~United States Code, Title 20;~~  
28 and 34 CFR Sections 300.4 and 300.12, ~~Code of Federal Regulations, Title 34.~~

29

## 30 **Article 5. Implementation (Program Components)**

### 31 **§ 3051. Standards for ~~Designated Instruction and~~ Related Services (DIS).**

32 (a) General Provisions.

1 (1) ~~Designated instruction and~~ Related services may be provided to individuals or to  
2 small groups in a specialized area of educational need, and throughout the full  
3 continuum of educational settings.

4 (2) ~~Designated instruction and~~ Related services, when needed as determined by the  
5 ~~individualized education program IEP~~, shall ~~including~~ include the frequency and duration  
6 of services.

7 (3) All entities and individuals providing ~~designated instruction and~~ related services  
8 shall be qualified.

9 (4) All entities and individuals providing ~~designated instruction and~~ related services  
10 shall be either:

11 (A) Employees of the school district or county office, or

12 (B) Employed under contract pursuant to Education Code sections 56365-56366.7

13 Such persons shall be certified by the Department pursuant to ~~§~~sections 3060-3064-

14 3065 of this ~~T~~title, or

15 (C) Employees, vendors or contractors of the State Departments of Health Services  
16 or Mental Health, or any designated local public health or mental agency.

17 NOTE: Authority cited: Sections 33031, 56100(a) and (i) and 56366.1(l)(5), Education  
18 Code. Reference: Sections 56363 and 56365-56366.7, Education Code; and 34 CFR  
19 ~~Section 300.12, Code of Federal Regulations, Title 34.~~

## 21 **Article 6. Nonpublic, Nonsectarian School and Agency Services**

### 22 **§ 3060. Application for Certification.**

23 (a) Any school, person or agency desiring to obtain certification as a nonpublic  
24 school or nonpublic agency shall file an application with the Superintendent on forms  
25 developed and provided by the Department.

26 (b) Applications to be certified as a nonpublic school or nonpublic agency shall be  
27 filed at the time allowed by Education Code section 56366.1(b) and (h).

28 (c) Each nonpublic school or nonpublic agency application shall include all  
29 information required by the Department's application pursuant to Education Code  
30 section 56366.1(a) and (b):

31 (1) the name and address of the nonpublic school or nonpublic agency;

32 (2) the name of the administrator and contact person;

- 1 (3) the telephone and FAX numbers and e-mail address;
- 2 (4) for nonpublic schools, the name of the teacher(s) with a credential authorizing
- 3 service in special education;
- 4 (5) the types of disabling conditions served;
- 5 (6) the age, gender and grade levels served;
- 6 (7) the total student capacity of the program;
- 7 (8) a brief description of the program including entrance criteria and exit criteria for
- 8 transition back to the public school setting, and specific services designed to address
- 9 student needs;
- 10 (9) standards-based core-curriculum and instructional materials;
- 11 ~~(9)~~(10) per hour, per day or monthly fees for services provided;
- 12 ~~(10)~~(11) written directions and a street map describing the location of the nonpublic
- 13 school from the major freeways, roads, streets, thoroughfares and closest major airport;
- 14 (12) annual operating budget, including projected costs and revenues for each
- 15 agency and school program, providing documentation that justifies each service fee.
- 16 (13) Commencing July 1, 2006, an entity-wide audit in accordance with generally
- 17 accepted accounting and auditing principles including each entity's costs and revenues.
- 18 (14) A list of all qualified staff, including subcontractors identifying their assignment
- 19 and qualifications in providing services to pupils.
- 20 ~~(11)~~(15) tuberculosis ~~expiration~~ clearance dates for all staff;
- 21 ~~(12)~~(16) criminal record summary or criminal history clearance dates for all staff,
- 22 including subcontractors, who may have contact with pupils;
- 23 ~~(13)~~(17) a list of ~~school districts, county offices of education and special education~~
- 24 ~~local plan areas~~ contracting local education agencies for whom the applicant has a
- 25 contract to provide school and/or related services;
- 26 ~~(14)~~(18) for out-of-state applicants, a copy of the current certification or license by
- 27 the state education agency to provide education services to individuals with exceptional
- 28 needs under the Individuals with Disabilities Education Act;
- 29 ~~(15)~~(19) for in-state private schools currently providing educational services to six ~~(6)~~
- 30 or more students, a copy of the Private School Affidavit which has been filed with ~~their~~
- 31 ~~county superintendent of schools~~ the Department;
- 32 ~~(16)~~(20) a copy of the current school year calendar ; and weekly class schedule, and

1 daily schedule with number of instructional minutes by each grade level served;

2 ~~(17)~~(21) a fire inspection clearance completed within the past twelve months;

3 (22) a copy of a business license (if applicable);

4 (23) a written disaster and mass casualty plan of action;

5 (24) a building safety inspection clearance; and

6 (25) a health inspection clearance.

7 ~~(d)~~(26) In addition to the requirements set forth section 3060.2, For each nonpublic  
8 school with a residential component the application shall include, ~~as part of the~~  
9 ~~application for certification:~~

10 ~~(1)~~(A) the name of the residential program attached to the nonpublic school;

11 ~~(2)~~(B) a copy of the current residential care license;

12 ~~(3)~~(C) the proprietary status of the residential program;

13 ~~(4)~~(D) a list of all residential facilities affiliated with the nonpublic school;

14 ~~(5)~~(E) the total capacity of all the residential facilities affiliated with the nonpublic  
15 school;

16 ~~(6)~~(F) the per day or monthly fee for the residential component; and

17 ~~(7)~~(G) the rate of care level (California schools only) for each residential facility  
18 affiliated with the nonpublic school.

19 ~~(e)~~(d) The applicant shall file affidavits, assurances and clearances that verify  
20 compliance with:

21 (1) Fair Employment Act;

22 (2) Drug Free Workplace Act of 1988;

23 (3) Section 504 of the Rehabilitation Act of 1973;

24 (4) Individuals with Disabilities Education Act;

25 (5) Civil Rights Act of 1964, as amended;

26 ~~(6) Education Code Section 33190 (Private School Affidavit);~~

27 ~~(7)~~(6) Nonsectarian status;

28 (7) Positive Behavior Interventions pursuant to Education Code section 49001 and  
29 California Code of Regulations, title 5, section 3052;

30 (8) OSHA Bloodborne Pathogens Standards;

31 (9) all local, county, or state ordinances and/or statutes relating to fire, health,  
32 sanitation, and building safety;

1 (10) use permit, conditional permit or zoning; and

2 (11) other assurances as required by state or federal law set forth in the Assurance  
3 Statement in the nonpublic school or nonpublic agency application for certification.

4 ~~(f)~~(e) The applicant shall submit, with the application, a fee in accordance with  
5 Education Code ~~S~~section 56366.1~~(k)~~(m).

6 ~~(g)~~(f) No fee shall be refunded to the applicant if the application is withdrawn or if the  
7 Superintendent denies the application.

8 ~~(h)~~(g) Applicants shall submit a separate application for each nonpublic school or  
9 non public agency site pursuant to Education Code section 56366.1(c).

10 ~~(i) A nonpublic school or agency shall be certified for a period of two years,~~  
11 ~~terminating on December 31 of the second year. An annual renewal application shall be~~  
12 ~~required. The renewal application shall require the nonpublic school or agency to~~  
13 ~~update information that has changed since the submission of its previous application~~  
14 ~~including, but not limited to, a copy of the current school year calendar and if the~~  
15 ~~nonpublic school has a residential component, a copy of the current residential care~~  
16 ~~license.~~

17 ~~(j) To allow transition of separate cycles between nonpublic schools and nonpublic~~  
18 ~~agencies, beginning January 2000, nonpublic schools shall receive a one-time three~~  
19 ~~year certification that requires annual updates. Beginning January 2000, nonpublic~~  
20 ~~agencies shall begin a two-year period of certification that requires annual updates.~~  
21 ~~When nonpublic school certifications expire on December 31, 2003, the two-year period~~  
22 ~~of certification shall become effective thereafter.~~

23 NOTE: Authority cited: Sections 33031, 56100, and 56366(e) and 56366.10, Education  
24 Code. Reference: Section 56366.1, Education Code.

25  
26 **§ 3061. Service Fees, Finance and Maintenance of Records.**

27 All certified nonpublic schools and agencies shall:

28 ~~(a) provide the Superintendent with specified cost data, pursuant to Education Code~~  
29 ~~Section 56366.7 for providing education and designated instruction and services to~~  
30 ~~individuals with exceptional needs,~~

31 ~~(b)~~(a) maintain cost data in sufficient detail to verify the annual operating budget in  
32 providing education and designated instruction and services to individuals with

1 disabilities for each nonpublic school and/or nonpublic agency site. Fiscal records shall  
2 be maintained for a minimum of five years from the date of origination or until audit  
3 findings have been resolved, whichever is longer;

4 ~~(e)~~(b) make available any books and records associated with the delivery of  
5 education and designated instruction and services to individuals with exceptional needs  
6 for audit inspection or reproduction by the Superintendent or the Superintendent's  
7 authorized representatives. These records shall include those management records  
8 associated with the delivery of education and designated instruction and services, costs  
9 of providing services and personnel records necessary to ensure that staff qualifications  
10 comply with the requirements contained in Article 6 of these regulations; and

11 ~~(d)~~(c) not charge parents for services covered in the master contract with the public  
12 education agency.

13 NOTE: Authority cited: Sections 33031, 56100, ~~and 56366(e)~~, Education Code.

14 Reference: Section 56366.7, Education Code.

15

16 **§ 3062. Contracts and Agreements.**

17 (a) A master contract shall be used by a ~~local education agency~~ LEA for entering  
18 into formal agreements with certified nonpublic schools or nonpublic agencies. The term  
19 of the contract shall not exceed one year. The contract shall specify the administrative  
20 and financial agreements between the ~~local education agency~~ LEA and the nonpublic  
21 school or nonpublic agency.

22 (b) No master contract with the ~~local education agency~~ LEA shall be contingent upon  
23 nonpublic school or nonpublic agency individual contracts or agreements with parents.

24 (c) The master contract shall, at a minimum, include:

25 (1) general provisions relating to modifications and amendments, notices, waivers,  
26 disputes, contractor's status, conflicts of interest, termination, inspection and audits,  
27 compliance with applicable state and federal laws and regulations, attendance, record-  
28 keeping, and reporting requirements;

29 (2) payment schedules to include, but not limited to, payment amounts, payment  
30 demand, right to withhold, and audit exceptions;

31 (3) indemnification and reasonable insurance requirements; and

32 (4) procedures and responsibilities for attendance and unexcused absences.

1 (d) All master contracts shall be re-negotiated prior to June 30.

2 (e) Services may be provided through dual enrollment in public and nonpublic school  
3 or nonpublic agency programs to meet the educational requirements specified in the  
4 ~~individualized education program IEP~~. The master contract or individual service  
5 agreement shall specify the provider of each service. The individual with exceptional  
6 needs shall be formally enrolled in both nonpublic and public school programs. The  
7 nonpublic school or nonpublic agency shall be reimbursed by the local educational  
8 agency for services as agreed upon in the contract.

9 (f) Substitute teachers shall be used consistent with the provisions of Education  
10 Code ~~§~~section 56061.

11 (g) Nonpublic schools and nonpublic agencies shall provide contracting local  
12 Education agencies with copies of current valid California credentials and licenses for  
13 staff providing services to individuals with exceptional needs.

14 (h) Nonpublic schools and agencies shall notify the Superintendent and contracting  
15 local education agencies in writing within ~~forty-five (45)~~ days of any change in credential  
16 or licensed personnel changes, and registered staff, including but not limited to persons  
17 who provide direct services to students. Failure to provide properly qualified personnel  
18 to provide services as specified in the ~~individualized education program IEP~~ shall be  
19 cause for the termination of all contracts between the ~~local education agency LEA~~ and  
20 the nonpublic school or nonpublic agency.

21 NOTE: Authority cited: Sections 33031, 56100 and 56366(e), Education Code.

22 Reference: Sections 56366 and 56366.1, Education Code.

23  
24 **§ 3063. Program Reviews**

25 (a) The Superintendent shall conduct a validation review of the nonpublic school  
26 prior to an initial conditional certification. An on-site review shall be conducted within 90  
27 days of the initial conditional certification and student enrollment. On-site reviews shall  
28 be scheduled at least once every ~~four~~ three years thereafter.

29 (b) The nonpublic school, the contracting ~~education agency LEA~~, and the special  
30 education local plan area shall be given a minimum of ~~thirty (30)~~ days prior notice before  
31 an on-site review.

32 (c) The person serving as the lead of the review team shall confer with the school

1 administrator at least 48 hours prior to the on-site review to discuss the procedures and  
2 the number of days required for the review. The lead of the review team shall identify  
3 those persons who are to participate in the on-site review.

4 (d) Nonpublic schools and nonpublic agencies may be visited at any time without  
5 prior notice when there is substantial reason to believe that there is an immediate  
6 danger to the health, safety, or welfare of a child or group of children. The  
7 Superintendent shall document the concern and submit it to the nonpublic school or  
8 nonpublic agency at the time of the on-site monitoring.

9 (e) On-site reviews shall include the following procedures:

10 (1) an entrance meeting to acquaint the on-site review team with the nonpublic  
11 school or nonpublic agency staff and site to discuss the purpose and objectives of the  
12 review;

13 (2) a review and examination of files and documents, classroom observations, and  
14 interviews with the site administrator, teachers, students, volunteers, and parents to  
15 determine compliance with all applicable state and federal laws and regulations; and

16 (3) an exit meeting to provide the nonpublic school or nonpublic agency with a  
17 preliminary preview of the on-site review findings, verify compliance, and offer technical  
18 assistance including how to resolve issues of noncompliance.

19 (f) The Superintendent shall provide the nonpublic school or nonpublic agency, the  
20 contracting educational agency, and the ~~special education local plan area~~ SELPA with a  
21 written report within 60 days of the on-site review.

22 (g) The Superintendent shall request a written response, within a timeframe to be  
23 determined by the Superintendent, but in no case to exceed 180 days, to any  
24 noncompliance finding that resulted from the on-site review.

25 (h) The Superintendent shall provide a written notification, within 30 days of receipt,  
26 to the nonpublic school or nonpublic agency regarding their response to each  
27 noncompliance finding.

28 (i) On-site reviews shall be conducted only by personnel who have been trained by  
29 Department staff to perform such administrative and program examinations.

30 NOTE: Authority cited: Sections 33031, 56100, 56366.9, 56366.10 and 56366(e),  
31 Education Code. Reference: Sections 56366.1 and 56366.8, Education Code.

32

1 **§ 3064. Staff Qualifications-Special Education Instruction**

2 (a) The nonpublic school or ~~nonpublic agency~~ shall deliver instruction utilizing  
3 personnel who possess a credential authorizing the holder to deliver special education  
4 instruction according to the age range and disabling conditions of individuals with  
5 exceptional needs enrolled in the nonpublic school.

6 (b) Instruction shall be directed and delivered pursuant to the IEP, the master  
7 contract, and the individual service agreement.

8 (c) To provide special education instruction for individuals with exceptional needs  
9 younger than three years of age, as described in Education Code, ~~P~~part 30, ~~C~~chapter  
10 4.4, the nonpublic school shall comply with the provisions of Education Code ~~S~~section  
11 56425 et seq., and Education Code ~~S~~section 56426.2(e) regarding adult to child ratios.

12 (d) To provide special education instruction for individuals with exceptional needs  
13 between the ages of three and five years, inclusive, as described in Education Code,  
14 ~~P~~part 30, ~~C~~chapter 4.45, the nonpublic school shall comply with the provisions of  
15 Education Code ~~S~~section 56440 et seq., and Education Code ~~S~~section 56441.5  
16 regarding appropriate instructional adult to child ratios.

17 (e) Nonpublic schools and nonpublic agencies shall comply with the personnel  
18 standards and qualifications pursuant to Education Code ~~S~~section 45340 et seq., and  
19 Education Code ~~S~~section 45350 et seq., regarding instructional aids and teacher  
20 assistants, respectively.

21 (f) Nonpublic schools and nonpublic agencies shall comply with all of the laws and  
22 regulations governing the licensed professions, in particular the provisions with respect  
23 to supervision. Nonpublic schools and nonpublic agencies may use assistants to the  
24 extent authorized by state and federal law.

25 NOTE: Authority cited: Sections 33031, 56100 and 56366~~(e)~~, Education Code.

26 Reference: Sections 45340, 45350, 56366.1 and 56425, Education Code.

27

28 **§ 3065. Staff Qualification-Related Services including ~~Designated Instruction and~~**  
29 **~~Services.~~**

30 To be eligible for certification to provide ~~designated instruction and services~~ Related  
31 Services ~~for~~ individuals with exceptional needs, nonpublic schools and agencies shall  
32 meet the following requirements

1 (a)(1) "Adapted physical education" means:

2 (A) a modified general physical education program, or a specially designed physical  
3 education program in a special class; or

4 (B) consultative services provided to pupils, parents, teachers, or other school  
5 personnel for the purpose of identifying supplementary aids and services or  
6 modifications necessary for successful participation in the general physical education  
7 program or specially designed physical education programs.

8 (2) Adapted physical education shall be provided only by personnel who possess a  
9 credential issued by the California Commission on Teacher Credentialing that  
10 authorizes service in adapted physical education.

11 (b)(1) "Assistive technology service" means any service that directly assists an  
12 individual with exceptional needs in the selection or use of an assistive technology  
13 device that is educationally necessary. The term includes the evaluation of the needs of  
14 an individual with exceptional needs including a functional evaluation of the individual in  
15 the individual's customary environment; coordinating and using other therapies,  
16 interventions, or services with assistive technology devices, such as those associated  
17 with existing education programs and rehabilitation plans and programs; training or  
18 technical assistance for an individual with exceptional needs or, where appropriate, the  
19 family of an individual with exceptional needs or, if appropriate, that individual's family;  
20 and training or technical assistance for professionals (including individuals providing  
21 education and rehabilitation services), employers or other individuals who provide  
22 services to, employ, or are otherwise substantially involved in the major life functions of  
23 individuals with exceptional needs.

24 (2) Assistive technology services shall be provided only by personnel who possess  
25 a:

26 (A) license in Physical Therapy issued by a licensing agency within the Department  
27 of Consumer Affairs, where the utilization of assistive technology services falls within  
28 the scope of practice of physical therapy as defined in Business and Professions Code  
29 section 2620 and implementing regulations; or;

30 ~~(B) certificate of registration as an Occupational Therapist pursuant to Business and~~  
31 ~~Professions Code section 2570 et seq., where the utilization of assistive technology~~  
32 ~~services falls within the scope of practice of occupational therapy; or license in~~

1 Occupational Therapy issued by a licensing agency within the Department of Consumer  
2 Affairs; or

3 (C) license in Speech-Language Pathology issued by a licensing agency within the  
4 Department of Consumer Affairs or a valid document, issued by the California  
5 Commission on Teacher Credentialing, where the function of the assistive technology  
6 service is augmentative communication; or

7 (D) baccalaureate degree in engineering, with emphasis in assistive technology; or

8 (E) baccalaureate degree in a related field of engineering with a graduate certificate  
9 in rehabilitation technology or assistive technology; or

10 (F) certification from the Rehabilitation Engineering and Assistive Technology  
11 Society of North America and Assistive Technology Provider (RESNA/ATP); or

12 (G) a certificate in assistive technology applications issued by a regionally accredited  
13 post-secondary institution; or

14 (H) a credential that authorizes special education of physically handicapped,  
15 orthopedically handicapped, or severely handicapped pupils.

16 (c)(1) "Audiological services" means aural rehabilitation (auditory training, speech  
17 reading, language habilitation, and speech conversation) and habilitation with individual  
18 pupils in the general classroom; monitoring hearing levels, auditory behavior, and  
19 amplification for all pupils requiring personal or group amplification in the instructional  
20 setting; planning, organizing, and implementing an audiology program for individuals  
21 with auditory dysfunctions, as specified in the ~~individualized education program~~ IEP; or  
22 consultative services regarding test finding, amplification needs and equipment,  
23 otological referrals, home training programs, acoustic treatment of rooms, and  
24 coordination of educational services to hearing-impaired individuals.

25 (2) Audiological services shall be provided only by personnel who possess:

26 (A) a license in Audiology issued by a licensing agency within the Department of  
27 Consumer Affairs; or

28 (B) a credential authorizing audiology services.

29 (d) Behavior intervention shall be designed or planned only by personnel who have:

30 (1) pupil personnel services credential that authorized school counseling or school  
31 psychology; or

32 (2) credential authorizing the holder to deliver special education instruction; or

1 (3) license as a Marriage, ~~and Family, and Child Counselor~~ Therapist issued by a  
2 licensing agency within the Department of Consumer Affairs; or

3 (4) license as a Clinical Social Worker issued by a licensing agency within the  
4 Department of Consumer Affairs; or

5 (5) license as an Educational Psychologist issued by a licensing agency within the  
6 Department of Consumer Affairs; or

7 (6) license as a Psychologist issued by a licensing agency within the Department of  
8 Consumer Affairs; or

9 (7) master's degree issued by a regionally accredited post-secondary institution in  
10 education, psychology, counseling, behavior analyst, behavior science, human  
11 development, social work, rehabilitation, or in a related field.

12 (e) To be eligible for certification to provide behavior intervention, including  
13 implementation of behavior modification plans, but not including development or  
14 modification of behavior intervention plans, a nonpublic school or agency shall deliver  
15 those services utilizing personnel who:

16 (1) possess the qualifications under subdivision (d); or

17 (2)(A) are under the supervision of personnel qualified under subdivision (d);

18 (B) possess a high school diploma or its equivalent; and

19 (C) receive the specific level of supervision required in the pupil's IEP.

20 (f)(1) "Counseling and guidance" means educational counseling in which the pupil is  
21 assisted in planning and implementing his or her immediate and long-range educational  
22 program; career counseling in which the pupil is assisted in assessing his or her  
23 aptitudes, abilities, and interests in order to make realistic career decisions; personal  
24 counseling in which the pupil is helped to develop his or her ability to function with social  
25 and personal responsibility; or counseling with parents and staff members on learning  
26 problems and guidance programs for pupils.

27 (2) Counseling and guidance shall be provided only by personnel who possess a:

28 (A) license as a Marriage, ~~and Family, and Child Counselor~~ Therapist issued by a  
29 licensing agency within the Department of Consumer Affairs; or

30 (B) license in Clinical Social Work issued by a licensing agency within the  
31 Department of Consumer Affairs; or

32 (C) license as an Educational Psychologist issued by a licensing agency within the

1 Department of Consumer Affairs; or

2 (D) license as a Psychologist issued by a licensing agency within the Department of  
3 Consumer Affairs; or

4 (E) pupil personnel services credential, which authorized school counseling or  
5 school psychology.

6 (g)(1) "Early education programs for children with disabilities" means the program  
7 and services specified by Education Code, Part 30, section 56425 et seq.

8 (2) Early education programs for children with disabilities shall be provided only by  
9 personnel who meet the appropriate personnel qualifications set forth in this Article and  
10 comply with all other requirements of Education Code, Chapter 4.4 commencing with  
11 Section 56425.

12 (h)(1) "Health and nursing services" means:

13 (A) managing the child's health problems on the school site;

14 (B) consulting with pupils, parents, teachers, and other personnel;

15 (C) group and individual counseling with parents and pupils regarding health  
16 problems;

17 (D) maintaining communication with health agencies providing care to individuals  
18 with disabilities; or

19 (E) providing services by qualified personnel.

20 (2) Health and nursing services shall be provided only by personnel who possess:

21 (A) a license as a Registered Nurse, issued by a licensing agency within the  
22 Department of Consumer Affairs; or

23 (B) a license as a Vocational Nurse, issued by a licensing agency within the  
24 Department of Consumer Affairs, under the supervision of a licensed Registered  
25 Nurse; or

26 (C) a school nurse credential; or

27 (D) demonstrated competence in cardio-pulmonary resuscitation, current knowledge  
28 of community emergency medical resources, and skill in the use of equipment and  
29 performance of techniques necessary to provide specialized physical health care  
30 services for individuals with exceptional needs. In addition, possession of training in  
31 these procedures to a level of competence and safety that meet the objectives of the  
32 training as provided by the school nurse, public health nurse, licensed physician and

1 surgeon, or other training programs. “Demonstrated competence in cardio-pulmonary  
2 resuscitation” means possession of a current valid certificate from an approved  
3 program; or

4 (E) a valid license, certificate, or registration appropriate to the health service to be  
5 designated, issued by the California agency authorized by law to license, certificate, or  
6 register persons to practice health service in California.

7 (i)(1) “Home and hospital services” means instruction delivered to children with  
8 disabilities, individually, in small groups, or by teleclass, whose medical condition such  
9 as those related to surgery, accidents, short-term illness or medical treatment for a  
10 chronic illness prevents the individual from attending school.

11 (2) Home or hospital instruction shall be provided only by personnel who possess a  
12 valid teaching credential issued by the California Commission on Teacher Credentialing  
13 authorizing the holder to deliver special education instruction according to age range  
14 and disabling condition of the individual(s).

15 (j)(1) “Language and speech development and remediation” means screening,  
16 assessment, ~~individualized education program~~ IEP development, and direct speech and  
17 language services delivered to children with disabilities who demonstrate difficulty  
18 understanding or using spoken language to such an extent that it adversely affects their  
19 educational performance and cannot be corrected without special education and related  
20 services.

21 (2) Language and speech development and remediation shall be provided only by  
22 personnel who possess:

23 (A) a license in Speech-Language Pathology issued by a licensing agency within the  
24 Department of Consumer Affairs; or

25 (B) a credential authorizing language or speech services.

26 (k)(1) “Occupational therapy” means the use of various treatment modalities  
27 including self-help skills, language and educational techniques, as well as sensory  
28 motor integration, physical restoration methods, and pre-vocation exploration to  
29 facilitate physical and psychosocial growth and development.

30 (2) Occupational therapy shall be provided only by personnel who ~~have certification~~  
31 ~~in good standing with the National Board for Certification in Occupational Therapy, Inc.~~  
32 ~~as a registered occupational therapist (OTR) or certified occupational therapy assistant~~

1 ~~(COTA)~~ possess a license in occupational therapy issued by a licensing agency within  
2 the Department of Consumer Affairs.

3 (l)(1) "Orientation and mobility instruction" means specialized instruction for  
4 individuals in orientation and mobility techniques, or consultative services to other  
5 educators and parents regarding instructional planning and implementation of the  
6 ~~individualized education program IEP~~ relative to the development of orientation and  
7 mobility skills and independent living skills.

8 (2) Orientation and mobility instruction shall be provided only by personnel who  
9 possess a credential that authorizes services in orientation and mobility instruction.

10 (m)(1) "Parent counseling and training" means assisting parents in understanding  
11 the special needs of their child and providing parents with information about child  
12 development.

13 (2) Parent counseling and training shall be provided only by personnel who possess  
14 a:

15 (A) credential that authorizes special education instruction; or

16 (C) license as a Marriage, ~~and Family, and Child Counselor Therapist~~, issued by a  
17 licensing agency within the Department of Consumer Affairs; or

18 (D) license as a Clinical Social Worker, issued by a licensing agency within the  
19 Department of Consumer Affairs; or

20 (E) license as an Educational Psychologist, issued by a licensing agency within the  
21 Department of Consumer Affairs; or

22 (F) license as a Psychologist, issued by a licensing agency within the Department of  
23 Consumer Affairs; or

24 (G) pupil personnel services credential that authorizes school counseling or school  
25 psychology or school social work.

26 (n)(1) "Physical therapy" means the:

27 (A) administration of active, passive, and resistive therapeutic exercises and local or  
28 general massage, muscle training and corrective exercises and coordination work;

29 (B) administration of hydrotherapy treatments;

30 (C) assistance in administering various types of electrotherapy including ultraviolet,  
31 infrared, diathermy and inductothermy;

32 (D) teaching of parents of hospitalized pupils exercises which are to be continued at

1 home and interpret to them the significance of physical therapy services; and

2 (E) instruction in walking, standing, balance, use of crutches, cane, or walker and in  
3 the care of braces and artificial limbs.

4 (2) Physical therapy shall be provided only by personnel who possess a valid license  
5 in Physical Therapy issued by a licensing agency within the Department of Consumer  
6 Affairs.

7 (o)(1) "Psychological services" means:

8 (A) psychological counseling provided to children with disabilities;

9 (B) consultative services to parents, pupils, teacher, and other school personnel; or

10 (C) planning and implementing a program of psychological counseling for children  
11 with disabilities and parents by a credentialed or licensed psychological or other  
12 qualified personnel.

13 (D) This term does not include assessment services and the development of an  
14 ~~individualized education program~~ IEP.

15 (2) Psychological services, other than assessment and development of the  
16 ~~individualized education program~~ IEP, shall be provided only by personnel who possess  
17 a:

18 (A) license as a Marriage, ~~and~~ Family, ~~and~~ Child Counselor Therapist, issued by a  
19 licensing agency within the Department of Consumer Affairs; or

20 (B) license as a Clinical Social Worker, issued by a licensing agency within the  
21 Department of Consumer Affairs; or

22 (C) license as an Educational Psychologist, issued by a licensing agency within the  
23 Department of Consumer Affairs; or

24 (D) license in Psychology, issued by a licensing agency within the Department of  
25 Consumer Affairs; or

26 (E) pupil personnel services credential that authorizes school psychology.

27 (p)(1) "Recreation services" means:

28 (A) therapeutic recreation and specialized instructional programs designed to assist  
29 pupils to become as independent as possible in leisure activities, and when possible  
30 and appropriate, facilitate the pupil's integration into general recreation programs;

31 (B) recreation programs in schools and the community which are those programs  
32 that emphasize the use of leisure activity in the teaching of academic, social, and daily

1 living skills, the provision of nonacademic and extracurricular leisure activities, and the  
2 utilization of community recreation programs and facilities; or

3 (C) leisure education programs which are those specific programs designed to  
4 prepare the pupil for optimum independent participation in appropriate leisure activities,  
5 and develop awareness of personal and community leisure resources.

6 (2) Recreation services shall be provided only by personnel who possess a:

7 (A) certificate, issued by the California Board of Recreation and Park Certification; or

8 (B) certificate issued by the National Council for Therapeutic Recreation; or

9 (C) the National Recreation and Park Association, authorizing services in recreation  
10 or therapeutic recreation.

11 (q)(1) "Social worker services" means:

12 (A) individual and group counseling with the individual and his or her immediate  
13 family;

14 (B) consultation with pupils, parents, teachers, and other personnel regarding the  
15 effects of family and other social factors on the learning and developmental  
16 requirements of children with disabilities; or

17 (C) developing a network of community resources, making appropriate referral and  
18 maintaining liaison relationships among the school, the pupil, the family, and the various  
19 agencies providing social income maintenance, employment development, mental  
20 health, or other developmental services.

21 (2) Social worker services shall be provided only by personnel who possess a:

22 (A) license in Clinical Social Work, issued by a licensing agency within the  
23 Department of Consumer Affairs, or;

24 (B) license as a Marriage, ~~and~~ Family, ~~and~~ Child Counselor Therapist, issued by a  
25 licensing agency within the Department of Consumer Affairs; or

26 (C) credential authorizing school social work.

27 (r)(1) "Specialized driver training instruction" means instruction to children with  
28 disabilities to supplement the general driver-training program.

29 (2) Specialized driver education and driver training shall be provided only by  
30 personnel who possess a credential that authorizes service in driver education and  
31 driver training.

32 (s)(1) "Specially designed vocational education and career development" means:

1 (A) providing prevocational programs and assessing work-related skills, interests,  
2 aptitudes, and attitudes;

3 (B) coordinating and modifying the general vocational education program;

4 (C) assisting pupils in developing attitudes, self-confidence, and vocational  
5 competencies to locate, secure, and retain employment in the community or shelter  
6 environment, and to enable such individuals to become participating members of the  
7 community;

8 (D) establishing work training programs within the school and community;

9 (E) assisting in job placement;

10 (F) instructing job trainers and employers as to the unique needs of the individuals;

11 (G) maintaining regularly scheduled contact with all work stations and job-site  
12 trainers; or

13 (H) coordinating services with the Department of Rehabilitation, the Employment  
14 Development Department, and other agencies as designated in the individualized  
15 education program IEP.

16 (2) Specially designed vocation education and career development shall be provided  
17 only ~~be~~ by personnel who possess a:

18 (A) adult education credential with a career development authorization; or

19 (B) credential that authorizes instruction in special education or vocational  
20 education; or

21 (C) pupil personnel services credential that authorizes school counseling.

22 (t) Specialized interpreting or transcribing services for pupils with low incidence  
23 disabilities shall be provided only by the following personnel:

24 (1) Interpreters for deaf and hard of hearing pupils shall possess certification issued  
25 by the Registry of Interpreters for the Deaf or equivalent, or if providing cued speech  
26 services, by any certifying body recognized by the National Cued Speech Association;  
27 and

28 (2) Transcribers for visually impaired pupils shall have a certificate issued by the  
29 Library of Congress as a Braille Transcriber.

30 (u)(1) "Specialized services for low-incidence disabilities" means:

31 (A) specially designed instruction related to the unique needs of pupils with low-  
32 incidence disabilities; or

1 (B) specialized services related to the unique needs of individuals with low-incidence  
2 disabilities.

3 (2) Specialized services for pupils with low-incidence disabilities shall be provided  
4 only by personnel who possess a credential that authorizes services in special  
5 education or clinical or rehabilitation services in the appropriate area of disability.

6 (v)(1) "Vision services" means:

7 (A) adaptations in curriculum, media, and the environment, as well as instruction in  
8 special skills; or

9 (B) consultative services to pupils, parents, teachers, and other school personnel.

10 (2) Vision services shall be provided only by personnel who possess:

11 (A) a license as an Optometrist, Ophthalmologist, Physician or Surgeon, issued by a  
12 licensing agency within the Department of Consumer Affairs and authorizing the  
13 licensee to provide the service rendered; or

14 (B) a valid credential authorizing vision instruction or services.

15 (w) Other designated instruction and services not identified in this section shall only  
16 be provided by staff who possess a:

17 (1) license issued by a licensing agency by an entity within the Department of  
18 Consumer Affairs authorizing the licensee to provide the specific service or another  
19 state licensing office; or

20 (2) possess a credential by the California Commission on Teacher Credentialing  
21 credential authorizing the service or is qualified to provide the service.

22 NOTE: Authority cited: Sections 33031, 56100 and 56366(e), Education Code.

23 Reference: Sections 2620 and 17505.2, Business and Professions Code; Section  
24 56366.1, Education Code; 20 USC 1401(1); and 34 CFR 300.136 and 300.23 Sections  
25 300.136 and 300.23, Title 34, Code of Federal Regulations.

26

### 27 **§ 3066. Out-of-State Nonpublic Schools/Agencies.**

28 For purposes of determining eligibility for certification for a nonpublic school or  
29 nonpublic agency located in a state other than California, the Department may accept a  
30 valid certificate, credential, license, or registration issued by another state for the  
31 requirements set forth in Sections 3064 and 3065.

32 NOTE: Authority cited: Sections 33031, 56100 and 56366(e), Education Code.

1 Reference: Section 56366.1, Education Code.

2

3 **§ 3067. Certification Status.**

4 (a) Certification shall become effective on the date when the nonpublic school or  
5 nonpublic agency meets all the application requirements and is approved by the  
6 Superintendent except as specified in ~~§~~subdivision 3067(d)(1).

7 (b) Certification may be retroactive, provided the nonpublic school or nonpublic  
8 agency met all the requirements for certification on the date the retroactive certification  
9 is effective.

10 (c) The certification status of a nonpublic school or nonpublic agency shall be one of  
11 the following:

12 (1) approved certification with no conditions or limitations;

13 (2) conditional certification for a limited period of time. A conditional certification  
14 indicates that the nonpublic school or nonpublic agency has not met all the certification  
15 requirements

16 (3) suspended certification for a defined period of time pursuant to the provisions of  
17 Education Code ~~§~~section 56366.4. Nonpublic schools or nonpublic agencies with a  
18 suspended certification cannot accept new pupils.

19 (d) Any ~~local education agency~~ LEA that contracts with a certified nonpublic school  
20 or nonpublic agency may request the Superintendent to review the status of the  
21 nonpublic school or nonpublic agency. Such requests shall be in writing and a copy  
22 shall be sent to the nonpublic school or nonpublic agency.

23 NOTE: Authority cited: Sections 33031, 56100 and 56366(e), Education Code.

24 Reference: Sections 56366.1 and 56366.4, Education Code.

25

26 **§ 3068. Appeals and Waivers.**

27 (a) Within ~~twenty (20)~~ working days of receipt of notice, nonpublic schools or  
28 nonpublic agencies (appellant) may file a written petition (appeal), on forms provided by  
29 the Superintendent, to request a review of the decision to deny, suspend, or revoke  
30 certification pursuant to Education Code ~~§~~section 56366.6

31 (b) All appeals shall be mailed to the Office of Administrative Hearings, Department  
32 of General Services.

1 (c) There shall be three options for appealing the denial, suspension, or revocation  
2 of certification. The nonpublic school or nonpublic agency may request:

3 (1) a written review of the decision to deny, suspend, or revoke certification. The  
4 Office of Administrative Hearings shall analyze the documentation provided by the  
5 appellant and materials provided by the Department and render a decision;

6 (2) a written review with an oral argument. The Office of Administrative Hearings  
7 shall analyze the documentation provided by the appellant and materials provided by  
8 the Department. The appellant shall also appear before a hearing officer, on a date  
9 scheduled by the Office of Administrative Hearings, to provide oral testimony in support  
10 of the appeal. The Department shall also attend the hearing and present testimony to  
11 support the decision to deny, suspend, or revoke certification. The hearing officer may  
12 ask questions of either party. All testimony shall be tape-recorded; or

13 (3) an oral hearing. The appellant shall appear before a hearing officer, on a date  
14 scheduled by the Office of Administrative Hearings, to provide oral testimony in support  
15 of the appeal. The Department shall also attend the hearing and present testimony to  
16 support the decision to deny, suspend, or revoke certification. The hearing officer shall  
17 provide the opportunity for both parties to review evidence, call witnesses, and cross-  
18 examine witnesses. If the appellant fails to appear at the hearing, the petitioner waives  
19 the right to a future hearing, unless the hearing officer agrees to reschedule the hearing  
20 because of extenuating circumstances.

21 (d) The Office of Administrative Hearings shall issue the decision, in writing,  
22 simultaneously to the appellant and to the Department within ~~thirty~~ (30) working days  
23 after receipt of all materials and evidence. This shall be the final administrative decision.

24 (e) Local education agencies and nonpublic school and agencies may request the  
25 Superintendent to waive Education Code sections 56365, 56366, 56366.3, and 56366.6  
26 ~~and 56366.7~~. Such petitions shall be made in accordance with the provisions of  
27 Education Code section 56366.2 and shall be necessary in order to provide services to  
28 individuals with exceptional needs consistent with their ~~individualized education~~  
29 ~~program~~ IEP.

30 NOTE: Authority cited: Sections 33031, 56100 and 56366(e), Education Code.

31 Reference: Sections 56101, 56366.2 and 56366.6, Education Code.

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**§ 3069. Annual Review of Individualized Education Program (IEP)**

Review of the pupil's individualized education program IEP shall be conducted at least annually by the public education agency. The public education agency shall ensure that review schedules are specified in the individualized education program IEP and contract for the pupil. An elementary school district shall notify a high school district of all pupils placed in a nonpublic school or agency programs prior to the annual review of the individualized education program IEP for each pupil who may transfer to the high school district.

NOTE: Authority cited: Sections 56100(a), (i) and (j), Education Code; 20 U.S.C. 1414(c)(2)(B); and 34 C.F.R. 300.600. Reference: Sections 56345, 56365-56366.5, Education Code; and 34 C.F.R. 300.4, 300.302, 300.317, 300.343-348 and 300.400-403.

**§ 3070. Graduation**

When an individual with exceptional needs meets public education agency requirements for completion of the prescribed course of study and adopted differential proficiency standards as designated in the pupil's individualized education program IEP, the public education agency which developed the individualized education program IEP shall award the diploma.

NOTE: Authority cited: Sections 56100(a), (i) and (j), Education Code; 20 U.S.C. 1414(c)(2)(B); and 34 C.F.R. 300.600. Reference: Sections 56345, 56365-56366.5, Education Code; and 34 C.F.R. 300.4, 300.302, 300.317, 300.343-348 and 300.400-403.

## **INITIAL STATEMENT OF REASONS** **Nonpublic Schools**

- SECTION 3001. Definitions.**
- SECTION 3051. Standards for Designated Instruction and Services.**
- SECTION 3060. Application for Certification.**
- SECTION 3061. Service Fees, Finance and Maintenance of Records.**
- SECTION 3062. Contracts and Agreements.**
- SECTION 3063. Program Reviews.**
- SECTION 3064. Staff Qualifications – Special Education Instruction.**
- SECTION 3065. Staff Qualifications-Designated Instruction and Services.**
- SECTION 3067. Certification Status.**
- SECTION 3068. Appeals and Waivers.**
- SECTION 3070. Graduation.**

### **SPECIFIC PURPOSE OF THE REGULATIONS**

The intent of these proposed regulations is to assure conformity with the federal Individuals with Disabilities Education Act or IDEA (20 USC sections 1400 et seq.), its implementing regulations (section 300.1 et seq. of Title 34 of the Code of Federal Regulations), Part 30 of the Education Code and its implementing regulations (section 3001 et seq. of title 5 of the California Code of Regulations [CCR]). These proposed regulations are supplemental to, and in the context of, federal and state laws and regulations relating to the provisions of special education and related services by private schools and agencies.

### **NECESSITY/RATIONALE**

Current statute addresses, in part, the requirements for nonpublic school and agency certification. These proposed regulations are necessary to clarify consistent procedures and criteria in the administration of the nonpublic school and agency certification program to insure that effected public and private agencies and interested persons are informed of these requirements.

The proposed regulations reflect changes in California statute affecting Part 30 of the Education Code pursuant to: Chapter 1213, Statutes of 1992; Chapter 939, Statutes of 1993; Chapter 146, Statutes of 1994; Chapter 661, Statutes of 1994; Chapter 1172, Statutes of 1994; Chapter 976, Statutes of 1995; Chapter 233, Statutes of 1996; Chapter 944, Statutes of 1996; Chapter 854, Statutes of 1997; Chapter 89, Statutes of 1998; Chapter 311, Statutes of 1998; Chapter 691, Statutes of 1998; Chapter 840, Statutes of 1998; Chapter 1058, Statutes of 1998, and Chapter 914, Statutes of 2004.

### **Article 1. General Provisions**

#### **Section 3001. Definitions.**

The provisions of this section establish definitions for the terms used by the California Department of Education (CDE). This section currently exists as part of title 5, division 1, chapter 3, of the CCR. However, existing definitions have been amended or deleted

and new definitions have been added. These changes are necessary to ensure that the terminology in the proposed regulations is consistent and will be understandable to private schools and agencies, local education agencies, special education pupils and their parents concerning the nonpublic school and agency certification program.

**Subdivision (a)** - clarifies the meaning of the term “access”. This definition has been amended to comply with the meaning of this term as mandated in the reauthorization of the Individuals with Disabilities Education Act (IDEA) of 2004 [20 U.S.C section 1400(c) (5)(A)], “the education of children with disabilities can be made more effective by having high expectations for such children ensuring their access to the general education curriculum in the regular classroom, to the maximum extent possible.” Assembly Bill (AB) 1858 adds the following to Education Code section 56366.10, “Pupils have access to the following educational materials, services, and programs to the extent available at the local education agency in which the non public school is located. . . “. Therefore, pursuant to IDEA 2004 and AB 1858, the definition of “access” means that the nonpublic school must provide the same standards-based core curriculum and the same instructional materials used by the district in which the nonpublic school is located, unless otherwise specified by the student’s individualized education program. Students will have individual copies of textbooks and other instructional materials used to implement the standards-based core curriculum in each subject area as required by the Education Code for that particular grade. Further, subdivision (a)(2) clarifies that photocopies of textbooks and instructional materials are not acceptable access pursuant to Education Code section 60119(c)(1)-(2).

**Subdivision (h)** - adds the word “California” to State Board of Education to make it clear to local education agencies, private schools and agencies and the public that the State Board of Education means the California State Board of Education.

**Subdivision (i)** - adds the word “California” to identify for local education agencies, private schools and agencies and the public that the State Superintendent of Public Instruction means the California State Superintendent of Public Instruction. Subdivision (i) is also revised to define “certification” for nonpublic schools and agencies.

**Subdivision (j)** - adds the phrase “a charter school participating as a member of a special education local plan area” as an additional educational agency contracting with an NPS. The change is necessary since this provision has been added to Education Code section 56026.3.

**Subdivision (k)** - omits “permit” as an acceptable document issued by the California Commission on Teacher Credentialing. In order to meet the requirements of No Child Left Behind (NCLB) and IDEA teachers must meet the standards of “highly qualified”. Emergency permits do not meet this requirement.

**Subdivision (s)** - adds the word “California” to identify for local education agencies, private schools and agencies and the public that the State Department of Consumer Affairs means the California Department of Consumer Affairs.

**Subdivision (t)** - deletes the reference to Education Code section 311(c) to clarify that section 311 may apply under additional circumstances.

**Subdivision (u)** - clarifies the term “local education agency”. This term has been amended to include a charter school and a special education local plan area in the definition of local education agency as a result of Education Code section 56026.3.

**Subdivision (aa)** - clarifies that current Education Code section 56363(a) identifies Designated Instruction and Services to mean Related Services and establishes consistent terminology to be used throughout the regulations.

### **Article 5. Implementation (Program Components)**

#### **Section 3051. Standards for Designated Instruction and Services.**

AB 1662 signed into law on October 7, 2005 and chaptered as 653, Statutes of 2005, amended the Education Code to align California’s terminology “Designated Instruction and Services” with the federal equivalent terminology “Related Services”. Therefore, section 3051 was amended to replace “DESIGNATED INSTRUCTION AND SERVICES” with “RELATED SERVICES”, consistent with current Education Code.

**Subdivision 4(B)** - adds the word “either” to clearly identify categories as independent options and deletes the reference to Education Code section 56366.7 as this section has been repealed from the Education Code.

**Subdivision 4(B)** - adds section 3065 since this section defines staff qualifications for individuals providing designated instruction and services.

### **Article 6. Nonpublic, Nonsectarian School and Agency Services**

#### **Section 3060. Application for Certification.**

Education Code section 56366.1(a) requires that any private school or agency that seeks to be certified by the CDE as a nonpublic school or nonpublic agency “shall file an application with the superintendent on forms provided by the department” with: (1) a description of the services to be provided; (2) a list of staff with copies of appropriate documents that display each person’s qualifications to provide special education and related services including individual criminal record summaries of staff having contact with minor children; (3) a budget; and (4) affidavits and assurances to comply with all applicable federal, state and local laws and regulations.

**Subdivision (c)** - clarifies the specific information that must be included with the application for nonpublic school or agency certification. The changes to this subdivision are as follows:

**Subdivision (c)(3)** - adds the e-mail address to the required information to be included in the application. Due to new technology, the application will be available through the internet and an e-mail address is now necessary to apply on-line.

**Subdivision (c)(7)** - adds the word “student” to clarify the program capacity information required for the application.

**Subdivision (c)(8)** - adds the words “including entrance and exit criteria and specific services designed to address student needs” to the required description of the program. Applicants must include a statement of the type of disabling conditions served, the services provided, and program entrance criteria and exit criteria for transition back to public school setting pursuant to Education Code section 56366.1(a)(2) and section 56345(b)(4).

**Subdivision (c)(9)** - adds the phrase “standards-based core-curriculum and instructional materials” to the application. Applicants are required to identify the curriculum and instructional materials it is using to meet the requirements of IDEA 2004 and AB 1858, Education Code sections 56366.10(b)(1) and 60117-60119.

**Subdivision (c)(12)** - adds the phrase “annual operating budget...” to the application for certification as required by Education Code section 56366.1(a)(4) and (l)(B) to clarify that documentation required upon submission of the annual budget is necessary to determine reasonability of costs and revenues.

**Subdivision (c)(13)** - adds the phrase “Commencing July 1, 2006, an entity-wide audit in accordance with generally accepted accounting and auditing principles” to the application for certification as required by Education Code section 56366.1(l)(C).

**Subdivision (c)(14)** - adds the phrase “A list of qualified staff including subcontractors identifying their assignment and qualifications”, to the application. This is a new requirement per Education Code section 56366.1(a)(3).

**Subdivision (c)(15)** - deletes the word “expiration” and adds the word “clearance” to clarify the date when the tuberculosis test was read by a physician.

**Subdivision (c)(17)** - deletes a list of “school districts, county offices of education and special education local plan areas” and adds “contracting local education agencies” with whom the applicant has a contract to provide services. The definition of “contracting local education agencies” was modified to comply with the definition of local education agency as a result of AB 1858 and required by Education Code section 56026.3.

**Subdivision (c)(19)** - deletes “county superintendent of schools” and adds “the California Department of Education” to identify the Department as the agency the applicant files the Private School Affidavit document for certification. This regulation is necessary to provide guidance to nonpublic schools and agencies and is required by Education Code section 33190.

**Subdivision (c)(20)** - adds to the application requirements a copy of the school’s “weekly class schedule and daily schedule with number of instructional minutes by each grade level served” as mandated in Education Code sections 41420, 4611-46113, 46117, 46118(g), 46141 and 46146.

**Subdivision (c)(22)** - adds “A copy of a business license (if applicable)” to the application requirements to comply with local laws and regulations. This regulation is necessary to provide guidance to nonpublic schools and agencies that respective documents are necessary to satisfy the written assurances required in Education Code section 56366.1(o).

**Subdivision (c)(23)** - adds “A written disaster and mass casualty plan of action” to clarify the written assurances required for the application for certification. This regulation is necessary to provide guidance to nonpublic schools and agencies that respective documents are necessary to satisfy the written assurances required by Education Code section 56366.1(o).

**Subdivision (c)(24)** - adds “A building safety inspection clearance” to clarify the written assurances required for the application for certification. This regulation is necessary to provide guidance to nonpublic schools and agencies and is required by Education Code section 56366.1(o).

**Subdivision (c)(25)** - adds “A health inspection clearance” to clarify the written assurances required for the application for certification. This regulation is necessary to provide guidance to nonpublic schools and agencies that respective documents are necessary to satisfy the written assurances required by Education Code section 56366.1(o).

**Subdivision (c)(26)** - is revised to clarify additional information that nonpublic schools with a residential component must submit with an application for certification.

**Subdivision (c)(26)(g)** - adds “California schools only” to clarify that this requirement applies only to California schools. Out-of-state schools are not governed by California statutes in this regard.

**Subdivision (d)** - clarifies assurances and clearances requirements in Department regulations at 5 CCR sections 3060(e)(I)-(II), that a nonpublic school or agency must submit with their application for certification. This information is necessary to ensure that the applicant provides services in a safe environment consistent with all local, county or state requirements. Further, this information is required to alert the applicant about the necessity to comply with all state and federal laws regarding equal employment opportunities and the provision of services in a non-discriminatory manner.

**Subdivision (d)(2)** deletes the year “of 1988” to allow for updates in the Drug Free Workplace Act.

**Subdivision (d)(3)** - deletes the year “of 1973” to allow for updates in the Rehabilitation Act.

**Subdivision (d)(5)** - deletes the term “of 1964, as amended” to allow for updates in the Civil Rights Act.

**Subdivision (d)(6)** - deletes the requirement “Education Code section 33190 (Private School Affidavit)” as the Private School Affidavit is already required in section 3060(c)(15).

**Subdivision (d)(11)** - adds “Positive Behavioral Interventions Regulations” as an additional assurance requirement that a nonpublic school or agency must submit with their application for certification. This assurance was added to comply with 5 CCR 3052 which requires all nonpublic schools and agencies to comply with positive behavioral interventions.

**Subdivision (e)** - clarifies that the nonpublic school or agency applicant must submit a fee for certification as required by Education Code section 56366.1(m). This subdivision was amended due to the enactment of AB 1858, Chapter 914, Statutes of 2004.

**Subdivision (g)** is revised to (f).

**Subdivision (h)** is revised to (g).

**Subdivision (g)** - adds “pursuant to Education Code section 56366.1(c)”.

**Subdivisions (i) and (j)** - deleted to reflect changes made in AB 1858, Chapter 914, Statutes of 2004, regarding the length for which nonpublic schools and agencies can be certified.

### **Section 3061. Service Fees, Finance and Maintenance of Records.**

**Subdivision (a)** - deleted since Education Code section 56366.7 has been repealed.

**Subdivision (b)** - is now (a) due to the repeal of Education Code section 56366.7 and adds “for each nonpublic and/or nonpublic agency site” to clarify the requirements in Education Code section 56366.1(l). “Ever” is added to “which” for clarification.

**Subdivision (c)** - is now (b).

**Subdivision (d)** - is now (c).

### **Section 3062. Contracts and Agreements.**

**Subdivision (h)** - amended to clarify the various personal changes that must be reported to CDE in order for CDE to verify that new personnel meet the standards and qualifications of certification. The current wording did not include staff who provide direct services to students but do not need a credential or license such as instructional aides.

### **Section 3063. Program Reviews.**

Education Code section 56366.1(e) requires the CDE to “conduct an onsite review of the facility and program for which the applicant seeks certification.” This section also requires the CDE to “conduct an additional onsite review of the facility and program.

**Subdivision (a)** - revises the number of years required for the CDE to conduct an on-site review from “four” to “three” years. Education Code section 56366.1 (e) was amended as a result of the passage of AB 1858, Charter 914, Statutes of 2004.

**Subdivision (b)** - clarifies that the contracting education agency is the contracting “local” education agency.

#### **Section 3064. Staff Qualifications – Special Education Instruction.**

Federal regulations require that the State set minimum personnel qualification standards for individuals delivering services to pupils with disabilities (34 CFR 300.15) and that these personnel qualifications be consistent with other state professional standards and establish suitable qualifications for individuals delivering special education and related services (34 CFR 300.153). Title 34, Code of Federal Regulations, section 300.153 requires that the personnel qualification standards be the highest standards set by the State applicable to recognized professions or disciplines and that the standards set for special education be coordinated with “any State approved or recognized certification, licensing, registration, or other comparable requirements that apply to the profession or discipline in which a person is providing special education or related services.” In California, other state agencies authorized to establish professional standards for persons providing special education or related services are the California Commission on Teacher Credentialing and the California Department of Consumer Affairs.

**Subdivision (a)** - deletes “or nonpublic agency” as an entity that can deliver instructional services to students. Pursuant to Education Code section 56035, a non public agency means an entity that provides related services to individuals with exceptional needs.

**Subdivision (b)** - adds the term “the individualized education program” as a student specific document nonpublic schools and agencies are required to follow in addition to the master contract and the individual services agreement.

#### **Section 3065. Staff Qualifications-Designated Instruction and Services.**

Federal regulations require that the State set minimum personnel qualification standards for individuals delivering services to pupils with disabilities (34 CFR 300.15) and that these personnel qualifications be consistent with other state professional standards and establish suitable qualifications for individuals delivering special education and related services (34 CFR 300.153). Title 34, Code of Federal Regulations, section 300.153 requires that the personnel qualification standards be the highest standards set by the State applicable to recognized professions or disciplines and that the standards set for special education be coordinated with “any State approved or recognized certification, licensing, registration, or other comparable requirements that apply to the profession or discipline in which a person is providing special education or related services.” In California, other state agencies authorized to establish professional standards for persons providing special education or related

services are the California Commission on Teacher Credentialing (CTC) and the California Department of Consumer Affairs (DCA).

Federal and state law also specifies many of the services that must be provided to pupils with disabilities, depending on the needs of the child as determined by the IEP team. In federal law, the list of related services is contained in 20 USC 1401 (22). In state law, the list of related services, formerly referred to as “designated instruction and services,” is contained in Education Code section 56363(a) and 5 CCR 3051. Neither the federal nor the state list is considered to be exhaustive.

**Section 3065** - deletes Designated Instruction and Services from the title consistent with current Education Code section 56363(a) and clarifies that the nonpublic school or nonpublic agency, as a condition of certification, must employ DIS staff who meet specific qualifications contained in the following subdivision in the service area. This regulation is necessary to specify the special categories of service that are subject to certification. This regulation provides defines each DIS and the qualifications that staff must have to provide that service for purposes of nonpublic school and agency certification.

**Subdivision (a)(2)** - adds “California Commission on Teacher Credentialing” to identify the appropriate issuing agency.

**Subdivision (b)(2)(B)** - is revised by adding, “license in Occupational Therapy issued by a licensing agency within the Department of Consumer Affairs” to clarify that the licensing agency for the occupational therapy license is the California Department of Consumer Affairs. Previously Business and Professions Code section 2570 et seq., allowed occupational therapists to practice in California upon receiving a certificate of registration from the National Board of Certification in Occupational Therapy. This regulation is necessary to provide guidance to nonpublic schools and agencies relative to the staff requirements to provide occupational therapy services, as a DIS, to individuals with exceptional needs. This regulation is required by Education Code section 56366.1(n) (2).

**Subdivision (d)(3)** – revises the term “Marriage and Family Child Counselor” to “Marriage and Family Therapist”. The source of the revision is found with the California Department of Consumer Affairs the licensing agency that issues licenses for various professions that offer counseling and guidance in California. This regulation is necessary to provide guidance to nonpublic schools and agencies relative to the staff requirements to provide behavior intervention services, as a DIS, to individuals with exceptional needs. This regulation is required by Education Code section 56366.1(n)(2).

**Subdivision (f)(2)** - revises the term “Marriage and Family Child Counselor” to “Marriage and Family Therapist”. The source of the revision is found with the California Department of Consumer Affairs, the licensing agency that issues licenses for various professions that offer counseling and guidance in California. This regulation is necessary to provide guidance to nonpublic schools and agencies relative to the staff requirements to provide counseling services, as a DIS, to individuals with exceptional needs. This regulation is required by Education Code section 56366.1(n)(2).

**Subdivision (i)(2)** - clarifies the staff qualifications for personnel providing home and hospital services to individuals with exceptional needs. The source of the requirements found in this regulation is from the California Commission on Teacher Credentialing. The CTC is the state agency that issues teaching credentials to teachers in California. All special education teachers must meet the teacher requirements pursuant to Education Code section 56366.1(n)(2).

**Subdivision (k)(2)** - clarifies the staff qualifications for personnel providing occupational therapy as a DIS to individuals with exceptional needs. The source of the requirements found in this regulation is from the California Department of Consumer Affairs. The DCA is the state agency that issues licenses to practice occupational therapy services in California. Previously Business and Professions Code section 2570 et seq., allowed occupational therapists to practice in California upon receiving a certificate of registration from the National Board of Certification in Occupational Therapy. This regulation is necessary to provide guidance to nonpublic schools and agencies and is required by Education Code section 56366.1(n)(2).

**Subdivision (m)(1)(C)** - revises the term “Marriage and Family Child Counselor” to “Marriage and Family Therapist”. The name of the license has been changed by the California Department of Consumer Affairs, the licensing agency that issues licenses for various professions that offer counseling and guidance in California. This regulation is necessary to provide guidance to nonpublic schools and agencies is required by Education Code Section 56366.1(n)(2).

**Subdivision (o)(2)(A)** - revises the term “Marriage and Family Child Counselor” to “Marriage and Family Therapist”. The name of the license has been changed by the California Department of Consumer Affairs, the licensing agency that issues licenses to practice psychology in California. This regulation is necessary to provide guidance to nonpublic schools and agencies is required by Education Code Section 56366.1(n)(2).

**Subdivision (q)(2)(B)** - revises the term “Marriage and Family Child Counselor” to “Marriage and Family Therapist”. The name of the license has been changed by the California Department of Consumer Affairs, the licensing agency that issues licenses to practice social work services in California. This regulation is necessary to provide guidance to nonpublic schools and agencies is required by Education Code Section 56366.1(n)(2).

**Subdivision (w)** - deletes the phrase “or is qualified to provide the service” and clarifies that staff providing other designated instruction and services must either have (1) a license with the California Department of Consumer Affairs or other state licensing office; or (2) possess a teaching credential authorized by the California Commission on Teacher Credentialing. This proposed change is necessary since the California Commission on Teacher Credentialing and the California Department of Consumer Affairs are recognized as establishing standards for professional services in California and provide additional guidance to nonpublic schools and agencies as required by Education Code Section 56366.1(n)(2).

**Section 3066. Out of State Nonpublic Schools/Agencies.**

Change made for consistency.

**Section 3067. Certification Status.**

Education Code section 56366.1(f) requires the CDE to make a determination on an application for certification within 120 days of receipt of the application. This section also specifies the options that the CDE may consider regarding the disposition of the application for certification.

**Section 3068. Appeals and Waivers.**

This section specifies the: (1) time in which the nonpublic school or agency must file an appeal regarding a certification decision made by the CDE; (2) the type of appeal that may be forwarded to the CDE; and (3) time frame that a decision must be rendered regarding appeals filed by nonpublic schools or agencies.

**Subdivision (e)** - deletes the reference of Education Code section 56366.7 as this section has been repealed.

**Section 3069. Annual Review of Individualized Education Program (IEP)**

Changed for consistency.

**Section 3070. Graduation.**

This section deletes the phrase “and adopted differential proficiency standards” as a requirement for high school graduation for individuals with exceptional needs as these standards were generally set below a high school level and were not consistent with the state’s content standards. Students graduating from high school must now pass the California High School Exit Exam by demonstrating a proficiency in state adopted content standards in language arts and mathematics. This regulation is necessary to provide guidance to nonpublic schools and agencies is required by Education Code sections 60850 and 60605.

**TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDIES, REPORTS, OR DOCUMENTS**

The State Board did not rely upon any technical, theoretical, or empirical studies, reports or documents in proposing the adoption of these regulations.

**REASONABLE ALTERNATIVES TO THE REGULATIONS AND THE AGENCY’S REASONS FOR REJECTING THOSE ALTERNATIVES**

No other alternatives were presented to or considered by the State Board.

**REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION  
THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS**

The State Board has not identified any alternatives that would lessen any adverse impact on small business.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC  
IMPACT ON ANY BUSINESS**

The proposed regulations would not have a significant adverse economic impact on any business because they relate only to public charter schools and not to small business practice.

# CALIFORNIA STATE BOARD OF EDUCATION

1430 N Street, Room 5111  
Sacramento, CA 95814



## **NOTICE OF PROPOSED RULEMAKING AMENDMENT TO TITLE 5, CALIFORNIA CODE OF REGULATIONS REGARDING NONPUBLIC SCHOOLS**

[Notice published July 21, 2006]

**NOTICE IS HEREBY GIVEN** that the State Board of Education (State Board) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

### **PUBLIC HEARING**

California Department of Education staff, on behalf of the State Board, will hold a public hearing beginning at **9:00 a.m. on September 5, 2006**, at 1430 N Street, Room 1101, Sacramento. The room is wheelchair accessible. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The State Board requests that any person desiring to present statements or arguments orally notify the Regulations Coordinator of such intent. The State Board requests, but does not require, that persons who make oral comments at the hearing also submit a written summary of their statements. No oral statements will be accepted subsequent to this public hearing.

### **WRITTEN COMMENT PERIOD**

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to:

Debra Strain, Regulations Coordinator  
LEGAL DIVISION  
California Department of Education  
1430 N Street, Room 5319  
Sacramento, California 95814

Comments may also be submitted by facsimile (FAX) at (916) 319-0155 or by e-mail to [regulations@cde.ca.gov](mailto:regulations@cde.ca.gov). Comments must be received by the Regulations Coordinator prior to **5:00 p.m. on September 5, 2006**.

### **AVAILABILITY OF CHANGED OR MODIFIED TEXT**

Following the public hearing and considering all timely and relevant comments received, the State Board may adopt the proposed regulations substantially as described in this Notice or may modify the proposed regulations if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified regulation will be available for 15 days prior to its adoption from the Regulations Coordinator and will be mailed to those persons who submit written comments related to this regulation, or who provide oral testimony if a public hearing is held, or who have requested notification of any changes to the proposal.

### **AUTHORITY AND REFERENCE**

Authority: Section 33031, 47612.5(b), 47634.2, Education Code.

Reference: Sections 47604.3, 47605, 47612.5(b), 47632, 47634.2, 51745.6, 51747.3, 60640-60643, Education Code.

### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

Requirements for certification of California nonpublic schools and agencies are referenced in Part 30 of Education Code sections 56365 through 56366.12. Implementing regulations to clarify requirements for certification of California nonpublic schools and agencies are referenced in title 5, California Code of Regulations, sections 3001 et seq. The intent of these proposed regulations is to make technical changes to existing regulation language and to add new regulations implementing sections in Part 30 of the Education Code added by Assembly Bill 1858 (AB 1858), Chapter 914, Statutes of 2004. New provisions added to the Education Code by AB 1858 increase monitoring of nonpublic schools and agencies, and align nonpublic schools and agency requirements for certification to the public school standards of instructional materials and qualified personnel. These proposed regulations are necessary to clarify consistent procedures and criteria in the administration of California's nonpublic school and agency certification program to ensure that affected public and private agencies and interested persons are informed of their rights and responsibilities in the certification process.

### **DISCLOSURES REGARDING THE PROPOSED REGULATION**

*The State Board has made the following initial determinations:*

Mandate on local agencies or school districts: TBD

Cost or savings to state agencies: TBD

Costs to any local agencies or school districts for which reimbursement would be required pursuant to Part 7 (commencing with section 17500) of division 4 of the Government Code: TBD

Other non-discretionary cost or savings imposed on local educational agencies: TBD

Cost or savings in federal funding to the state: TBD

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: TBD

Cost impacts on a representative private person or businesses: The State Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Adoption of these regulations will not 1) create or eliminate jobs within California; 2) create new businesses or eliminate existing businesses within California; or 3) affect the expansion of businesses currently doing business within California.

Effect on housing costs: TBD

Effect on small businesses: The proposed regulations would not have a significant adverse economic impact on any business because they relate only to public charter schools and not to small business practices.

### **CONSIDERATION OF ALTERNATIVES**

The State Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the State Board, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

The State Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

### **CONTACT PERSONS**

Inquiries concerning the content of this regulation may be directed to:

Sharon Crosswell, Special Education Consultant  
Special Education Division  
California Department of Education  
1430 N Street, Room 2401  
Sacramento, CA 95814  
Telephone: (916) 327-3546

### **INITIAL STATEMENT OF REASONS AND INFORMATION**

The State Board has prepared an initial statement of reasons for the proposed regulation and has available all the information upon which the proposal is based.

### **TEXT OF PROPOSED REGULATION AND CORRESPONDING DOCUMENTS**

Copies of the exact language of the proposed regulation and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Regulations Coordinator. These documents may also be viewed and downloaded from the Department of Education's web site at <http://www.cde.ca.gov/re/lr/rr>.

### **AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE**

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the Regulations Coordinator.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the Regulations Coordinator.

### **REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY**

Pursuant to the *Rehabilitation Act of 1973*, the *Americans with Disabilities Act of 1990*, and the *Unruh Civil Rights Act*, any individual with a disability who requires reasonable accommodation to attend or participate in a public hearing on proposed regulations, may request assistance by contacting Sharon Crosswell, Special Education Division, 1430 N Street, Sacramento, CA, 95814; telephone, (916) 327-3546; fax, (916) 327-3516. It is recommended that assistance be requested at least two weeks prior to the hearing.



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
Appeal of Approval by the Merced County and Stanislaus County Committees on School District Organization of a Transfer of Territory from the Turlock Unified School District to the Delhi Unified School District	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### RECOMMENDATION

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The California Department of Education (CDE) recommends that the State Board of Education (SBE) adopt the proposed resolution denying the appeal of the Turlock Unified School District (USD), thereby ratifying the action of the Merced County and Stanislaus County Committees on School District Organization (SDO) to approve the petition to transfer territory from the Turlock USD in Stanislaus County to the Delhi USD in Merced County.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

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The SBE has not heard this item previously.

### SUMMARY OF KEY ISSUES

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Sixteen of the twenty-four registered voters of the affected area submitted a petition to the Merced County and Stanislaus County Superintendents of Schools requesting the transfer of approximately 340 acres of primarily agricultural land from the Turlock USD (mostly in Stanislaus County) to the Delhi USD in Merced County. The petition area, which is within the southern boundary of the Turlock USD, is also within the northern boundary of the community of Delhi in Merced County.

When the petition was submitted, Merced County was in the process of updating the Delhi Community Plan. The community plan proposes up to 1,100 new homes in 10 to 15 years with projections of 2,000 residents and 600 to 1,200 students. Both districts claim to have sufficient facilities to accommodate enrollment growth driven by development, and each district disputes the other district's estimates of projected students and sufficient school facilities. However, Delhi USD indicated it would prefer to negotiate with developers to build a neighborhood kindergarten through eighth grade school, in part to keep its schools small. Both districts would educate the high school students in existing facilities. Turlock USD stated it would bus all the students from the transfer area to schools in the City of Turlock. Currently, Turlock USD has nine students residing in this area of its district, and owns no property in the territory transfer area.

The petitioners want the community of Delhi to be in one school district, where all the children can attend neighborhood schools and participate in after-school activities. The Delhi USD, Merced County Office of Education, and Stanislaus County Office of Education support the transfer of territory; the Turlock USD (appellant) opposes the transfer.

After four public hearings and consideration of an independent study and other information, the county committees on SDO unanimously found all nine conditions of *Education Code (EC) Section 35753(a)* are substantially met and voted 12 to 1 to approve the transfer of territory. As the basis for its appeal, Turlock USD uses the anticipated growth it projects will occur over a 10 to 15 year period (rather than the 9 students currently residing in the area) in alleging that reorganization will substantially increase school facilities costs (Condition 7) and negatively affect its fiscal management and status (Condition 9).

### **Developer Fees**

In addition to requesting that the territory transfer be denied, the appeal requests that the SBE allocate to Turlock USD: (1) one-third of the anticipated developer fees if the SBE approves the appeal; or (2) all of the developer fees if it disapproves the appeal. The Turlock USD made the same request of the county committees on SDO, but the administrative record contains no evidence of action taken by the county committees on the district's request for allocation of potential developer fees. **Nonetheless, allocation of anticipated developer fees is not an appropriate issue of appeal pursuant to EC 35710.5, and it is not a county committee action that "the board may reverse or modify . . . in any manner consistent with law."** *EC 35710.5* explicitly references the appropriate issues that may be appealed, and *EC* sections 35730–35738 limit the SBE's authority to amend proposals to certain items that relate generally to governing board membership, area of election, and division of assets.

CDE staff concurs with the county committees' findings that conditions 7 and 9 of *EC 35753(a)* are substantially met. Although enrollment growth may ultimately require changes to accommodate new students in either district, this transfer of territory, in and of itself, will not significantly affect the districts. The extent of development and enrollment growth it may generate in 10 to 15 years is speculative and not a consequence of the proposed transfer of territory. Therefore, staff recommends that the SBE affirm the actions of the Merced County and Stanislaus County Committees on SDO by denying the appeal. Staff's analysis is provided as Attachment 1. A proposed resolution denying the appeal is provided as Attachment 2 for the SBE's consideration.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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According to the appeal, Turlock USD received unrestricted revenues of \$4,970 per student this year. Thus, for the nine students that would become Delhi USD students if the territory is transferred, Turlock would lose \$44,730 ( $\$4,970 \times 9$ ), and Delhi USD would gain a comparable amount of revenue and assume responsibility for educating those students. This amount is negligible for districts the size of Turlock USD and Delhi USD, 13,982 students and 2,636 students, respectively.

The Turlock USD decrease in assessed valuation and tax rate increase for Turlock property owners would be negligible—0.1 percent (1/10<sup>th</sup> of 1 percent) reduction in assessed valuation and less than a 5-cent increase in the tax levy per \$100,000 of assessed valuation.

No significant effects on state costs were identified.

## **ATTACHMENT(S)**

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- Attachment 1: Analysis of Issues of Appeal (14 pages)
- Attachment 2: Proposed Resolution (1 page)
- Attachment 3: “Review of Appeal of Approval of Territory Transfer, Turlock Unified (Stanislaus County) to Delhi Unified (Merced County),” prepared by CDE School Facilities Planning Division (1 page)
- Attachment 4: Study of “Findings and Recommendations Involving the Petition to Transfer Territory from Turlock to Delhi,” prepared by the law firm of Girard & Vinson for the County Committees on SDO (39 pages, including information provided by both districts) (This attachment is not available for Web viewing. A printed copy is available for viewing in the SBE Office.)
- Attachment 5: Minutes of the May 18, 2005, joint meeting of the Merced County and Stanislaus County Committees on SDO (5 pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the SBE Office.)
- Attachment 6: Minutes of the June 8, 2005, joint meeting of the Merced County and Stanislaus County Committees on SDO (7 pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the SBE Office.)
- Attachment 7: Minutes of the November 7, 2005, joint meeting of the Merced County and Stanislaus County Committees on SDO (4 pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the SBE Office.)
- Attachment 8: The Appeal: “Turlock Unified School District’s Statement of Reasons and Factual Evidence in Opposition to Transfer of Territory” (14 pages)
- Attachment 9: Response to the Appeal: “Delhi Unified School District and the Merced County Office of Education Statement of Comments and Factual Evidence in Support of the Territory Transfer” (26 pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the SBE Office.)

Attachment 10: Response to the Appeal: "Transfer of Territory Appeal from Turlock USD to Delhi USD," letter from the Stanislaus County Superintendent of Schools (1 page)

Attachment 11: Maps of the Proposed Transfer Area (3 pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the SBE Office.)

Attachment 12: Alternative Proposed Resolution (1 page)

# **TERRITORY TRANSFER APPEAL TURLOCK UNIFIED SCHOOL DISTRICT TO DELHI UNIFIED SCHOOL DISTRICT**

## **ANALYSIS OF ISSUES OF APPEAL**

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### **1.0 RECOMMENDATION**

CDE staff recommends that the State Board of Education (SBE) adopt the proposed resolution denying the appeal, thereby ratifying the action of the Merced County and Stanislaus County Committees on School District Organization (SDO) to approve a petition to transfer territory from the Turlock Unified School District (USD) to the Delhi USD. (Attachment 2)

### **2.0 BACKGROUND**

A petition, signed by over 25 percent of the registered voters in the affected territory, proposes to transfer territory from the Turlock USD (most of which is in Stanislaus County) to the Delhi USD in Merced County. The petition area, on the southern boundary of the Turlock USD, is in Merced County and includes approximately 340 acres of land, 16 homes, and 24 registered voters (16 of whom signed the petition). When the petition was submitted, nine of Turlock USD's students were residing in the territory transfer area.

Also, at the time of petition, the territory transfer area, along with other sections of Delhi that are totally within the Delhi USD, was the subject of proposed residential and commercial development as part of an update to the Delhi community plan by Merced County. Attachment 11 contains a map of the area. For the territory transfer area, the update of the community plan projects an additional 1,100 homes, 2,000 residents, and 600 to 1,200 students.

Subsequent to four public hearings, on November 7, 2005, the Merced County and Stanislaus County Committees on SDO approved the petition to transfer the territory by a vote of 12 to 1 after unanimously finding that the petition substantially meets all the conditions of *Education Code (EC) Section 35753(a)*.

The Turlock USD submitted this appeal on December 20, 2005, requesting a reversal of the county committees' approval of the transfer and a share of potential developer fees from proposed development in the territory transfer area.

### **3.0 REASONS FOR THE APPEAL**

The Turlock USD alleges that the evidence presented before the county committees on SDO does not support a finding that the following conditions of EC 35753(a) are substantially met: (Attachment 8)

**Condition 7: Any increase in school facilities costs as a result of the proposed reorganization will be insignificant and otherwise incidental to the reorganization.**

**Condition 9: The proposed reorganization will continue to promote sound fiscal management and not cause a substantial negative effect on the fiscal status of the proposed district or any existing district affected by the proposed reorganization.**

### **4.0 POSITIONS OF SCHOOL DISTRICTS AND COUNTY OFFICES OF EDUCATION**

#### **4.1 Turlock USD**

The Turlock USD is opposed to the transfer. By filing this appeal, the district “renews its objections to the approval of the petition and presents and updates previous arguments in support of its position” that: (1) conditions 7 and 9 of EC 35753(a) are not substantially met; and (2) the Turlock USD should receive developer fees from anticipated construction in the transfer area.

#### **4.2 Delhi USD**

Community representatives of Delhi asked the district to support the transfer, and the “Delhi School District agrees that this territory transfer would be good for the community of Delhi,” and gave the following reasons for its support:

- Students will be able to attend a neighborhood school within the Delhi community, participate to a greater extent in extracurricular activities, and have a sense of community with other Delhi students and families.
- The territory is part of the community of Delhi, not Turlock.
- The territory of the proposed boundary change is within Merced County, not Stanislaus County.
- The children would have to endure a long bus commute to attend school in the City of Turlock if the territory is not transferred.

#### **4.3 Stanislaus County Office of Education (Attachment 10)**

The Stanislaus County Superintendent of Schools submitted a letter disclosing that: (1) he attended the meetings that culminated in the approval of the proposed territory transfer and agrees with the actions and decision of the Stanislaus County Committee in this matter; (2) concurs with the “Statement of Comments and Factual Evidence In Support of Territory Transfer” submitted by the Merced County Office of Education and Delhi USD (Attachment 9); and (3) “at all times the Stanislaus County Committee on SDO has placed the highest priority on carrying out its legal duties and making the right decisions” (even when under pressure because the opposing district is in its county).

#### **4.4 Merced County Office of Education (Attachment 9)**

The Merced County Office of Education (COE) supports the transfer and joins Delhi USD in a statement supporting the proposed territory transfer and requesting that SBE deny the appeal.

### **5.0 EDUCATION CODE SECTION 35710.5 PROVISIONS**

*EC 35710.5* limits appeals of an action by the county committee approving or disapproving a petition to transfer territory to issues of noncompliance with the provisions of sections 35705, 35706, 35709, 35710, and by references in sections 35709 and 35710 to the conditions prescribed in *EC 35753(a)*. *EC 35710* stipulates in pertinent part:

For all other petitions (petitions without consent of all affected districts), if the county committee finds that the conditions enumerated in paragraphs (1) to (10), inclusive, of subdivision (a) of Section 35753 are substantially met, the county committee may approve the petition and, if approved, shall notify the county superintendent of schools who shall call an election in the territory of the districts as determined by the county committee . . . .

In evaluating Turlock USD’s (the appellant) arguments, CDE staff reviewed the full administrative record provided by the Merced County Office of Education. Staff finds, contrary to Turlock USD’s allegations, that the administrative record does contain support for the county committees’ decisions, and concludes that the county committees’ actions were in compliance with the relevant *EC* sections. Staff findings are consistent with the findings and recommendations of the county committees’ independent study, and staff agrees with the Merced County and Stanislaus County Committees’ decision to approve the transfer of territory. Staff’s analysis is limited to the issues raised on appeal pursuant to *EC 35710.5*, that is, whether the county committees’ votes that Condition 7 and Condition 9 of *EC 35753(a)* are substantially met comply with the controlling statutes:

**Condition 7: Any increase in school facilities costs as a result of the proposed reorganization will be insignificant and otherwise incidental to the reorganization.**

**County Committee Evaluation/Vote**

The county committees' study found that Turlock USD failed to submit any information that shows the potential impacts of the proposed transfer of territory would significantly affect school facilities costs. In reaching a recommendation that Condition 7 is substantially met, the study provides an analysis of data from the districts and others on: (1) facility needs; (2) outstanding bonded indebtedness; (3) potential developer fees; and (4) state construction funds eligibility.

1. Turlock USD asserts that it would not incur additional housing costs because every student from the affected area could be housed in its existing facilities or those under design. The nine students currently residing in the transfer area are served by the five schools listed on the left side of the chart below. The Turlock USD anticipates that proposed development in the territory transfer area would generate 627 students who would also be served by these five schools in the City of Turlock.

Turlock USD Facility Capacity Available or Under Construction\*

Grade Levels	Schools Serving Transfer Area			Non Transfer Area Schools		
	Schools Serving and to Continue Serving Area*	Miles to Area	Cost in Millions	New Construction Projects	Miles to Area	Cost in Millions
K-6	Cunningham Elementary	3		Sandra Tovar Medeiros (year round, recently opened)	10	\$18.0
K-6 (year round)	Julien Elementary	4		Walnut Elementary (In design, 54 classrooms)	10	26.4
7-8	Turlock Junior High					
7-8	<b>Dutcher Middle</b> (In design, conversion of 16 classrooms)		<b>\$2.7</b>			
9-12	Turlock High	4		John H. Pitman High (Under construction, 12 classrooms)	10	4.1
	<b>Total</b>		<b>\$2.7</b>	<b>Total</b>		<b>\$48.5</b>

\*Sources: "Findings and Recommendations Involving the Petition to Transfer Territory from Turlock to Delhi" (Attachment 4, pp. 19-20) and Appeal Statement (Attachment 8, p. 4)

Of Turlock USD's \$51.2 million in projects "under construction" or "in design," \$48.5 million is committed for projects in northern Turlock, and \$2.7 million is allocated for one of the schools that would serve students from the transfer area, as displayed in the chart above.

Delhi USD also indicated that it could house all the additional students from the transfer territory area in its existing facilities, but would rather strike a deal with the developers to build one kindergarten through grade eight school.

Each district would house the potential 176 high school students from the transfer area in their existing high schools, incurring negligible, if any, facility cost increases for high school students.

Thus, the study concludes it would be reasonable to believe that any ensuing increase in school housing costs would not be significant.

2. As a factor that would increase facilities costs, Turlock USD presented difficulties it alleges the district will encounter in repaying its bonds if the territory is transferred. The analysis of Turlock's consultant, Government Financial Strategies, Inc. (GFS), "indicates that the change in the 2004-05 tax rates would have been too far to the right of the decimal place to have made a noticeable difference." With the loss of the transfer area, the tax levies per \$100,000 of assessed value for the bonds would have been less than 5 cents, "de minimis," according to the analysis. GFS also expects any changes in future tax rates to be similarly "de minimis". (Attachment 4, pp. 12-15)

With respect to Turlock USD's future bonding capacity, GFS explains that the transfer would affect less than 0.1 percent (1/10th of 1 percent) of Turlock USD's assessed valuation. (Attachment 4, p. 12) Further, the county committees' study found that "regardless of the potential impacts to either district on the long-term financing of facilities if the proposed transfer is approved, there appears to be no linkage between any such potential impacts and a significant increase in school housing costs." (Attachment 4, p. 8)

The county study agrees with the GFS analysis that the impact of the proposed territory transfer would be "de minimis" on Turlock USD's capability to make payments on its bonds and certificates of participation (COPs). In the event that Turlock USD is now depending on a potential increase in valuation of the transfer area property for payment of the debt (but had not been when the bonds were originally sold or refinanced), the study finds it is still reasonable to conclude that the impact of the proposed territory transfer would be "de minimis" on Turlock's capability to make payments on its existing bonds and COPs as well as on its capability to issue new bonds or COPs.

3. Turlock USD stated that it would lose \$4.6 million in developer fees if the territory is transferred. The study explains that a connection or "nexus" has to be established between the levying of developer fees and construction of facilities to serve students generated by new construction. Since

Turlock USD appears to have completed the planning and financing of schools for students from the transfer area before interest in developing the transfer area began, the study questions whether a fee justification study could make the nexus needed for Turlock USD to collect developer fees. Regardless, the study points out that the transfer of undeveloped land and the potential loss of developer fees coincide with the loss of responsibility to provide facilities for the students.

In addition, Turlock USD disclosed at the public hearings that the request for one-third of the developer fees was based on the ratio of students from feeder schools currently attending Turlock High School, and \$1.2 million or one-third of the estimated developer fees would cover new students anticipated from interdistrict transfers to Turlock USD. (Attachment 6, pp. 6-7)

“Like the impact on the repayment of its bonds, Turlock has not provided information which would support that the potential loss of \$4.6 million in developer fees from the transfer area would result in significantly higher facility costs,” the study concludes.

4. Turlock USD maintains that, along with developer fees, it will lose eligibility to apply for state construction bonds without the students generated by development in the territory transfer area. “However, Turlock did not provide information to support how losing state eligibility would result in a significant increase in school housing costs. Moreover, Turlock cannot lose state eligibility that it never gained.” (Attachment 4, p. 9)

“Much like the collection of developer fees, eligibility for state funding is based on the number of unhoused students a district predicts it will have to accommodate in new or modernized facilities,” and neither district could have acquired eligibility for facilities before a local government agency approved tentative subdivision maps, according to the county study.

Concurring with the findings, conclusions, and recommendations of the study, the county committees unanimously found that Condition 7 is substantially met.

### **Appellants’ Statement (Attachment 8)**

As stated in the December 20, 2005, appeal:

Turlock USD is currently constructing Sandra Tovar Medeiros Elementary School with 40 classrooms, adding 12 classrooms to John H. Pitman High School, and designing the Walnut Elementary Education Center with 54 classrooms and the Dutcher Middle School Modernization will convert 16 first through sixth grade classrooms to seventh and eighth grade classrooms. In short, Turlock USD has the capacity to house the students

generated by the development for all grade levels, kindergarten through twelfth grade. (Attachment 8, p. 4)

Conversely, the Turlock USD alleges that “Delhi concedes that its present capacity is not sufficient to take on an additional 627 students;” will need to construct an elementary school and a middle school, and uses Turlock USD’s estimate of 627 students instead of its own potential 1,000 to 1,200 students to substantiate needing only one additional school. (Delhi USD responded that it did not concede it lacks sufficient capacity for students from the transfer area. “Delhi USD has consistently estimated the number of students generated to be 1,000 to 1,200 and relies upon that number in planning its one new school.”) (Attachment 9)

Thus, according to the appeal, Condition 7 is not substantially met because Turlock USD would: (1) have underutilized facilities; (2) lose a substantial component of its housing market on which it relies to repay bond debts; (3) lose over \$9.4 million in developer fees and state construction grant funds and \$3.1 million in unrestricted revenue annually; and (4) Delhi USD would have to buy land and build new schools at a substantial cost.

### **Staff Findings/Conclusion**

After consideration of testimony at four public hearings and the findings and recommendations of its independent study of the conditions in *EC 35753(a)*, both county committees unanimously found Condition 7 is substantially met. For the following reasons, staff concurs with the county committees’ finding:

1. The CDE’s School Facilities Planning Division (SFPD) provides support to the CDE review of reorganization proposals. The SFPD reviewed the appeal and documents submitted by the county committees and districts and concludes the reorganization will not lead to significant housing costs. (Attachment 3)
2. Turlock USD’s ability to repay its bonded indebtedness would not be significantly affected by the transfer of territory. As previously noted, the potential loss of assessed valuation would be “de minimis” (less than 1/10<sup>th</sup> of 1 percent or 0.1 percent), resulting in a percentage change in the tax rates “too far to the right of the decimal point to be noticeable.” (Attachment 4, page 12)
3. Turlock USD’s bonded indebtedness as a percentage of its assessed valuation after the proposed transfer would be in compliance with *EC 35572*, which permits the transfer of territory if the bonded indebtedness after reorganization does not exceed 5 percent of the assessed valuation in the district from which territory was removed.

4. The extent of enrollment growth is speculative and not an immediate consequence of the proposed transfer of territory, an area in which only nine public school-age children reside.

**Condition 9: The proposed reorganization will continue to promote sound fiscal management and not cause a substantial negative effect on the fiscal status of the proposed district or any existing district affected by the proposed reorganization.**

### **County Committee Evaluation/Vote**

At the June 8, 2005, public hearing, Delhi USD's legal counsel noted that few students are now in the proposed area and if the transfer were approved, Turlock USD would not lose students since those new students are not now there. Delhi's legal counsel also informed the committee that without the transfer of territory, Turlock USD could need up to 8 new 80-passenger buses, at a cost of about \$1 million plus annual operating costs of \$345,000, to bus students from the proposed development.

Turlock USD indicated that, based on its 2004-05 revenue limit, it will lose \$3.1 million annually in unrestricted revenue in addition to a projected loss of over \$4.6 million in developer fees. The county committee study notes that the district's adopted 2005-06 budget was above the required statutory reserve, and its budgets for 2006-07 and 2007-08 reflect solvency and the ability for Turlock USD to meet its financial obligations for the next three years. "In addition, no information was provided to show that the adopted budget or long-range financing plans, except developer fee studies, included revenues or expenditures projected for students to be generated as a result of the implementation of the Delhi Community Plan."

Likewise, the county committee study notes that Delhi USD's adopted 2005-06 budget was above the statutory reserve requirement as were its projected budgets for the next two fiscal years. "Thus, Delhi appears fiscally poised to provide the educational services for students in the territory area, whereas Turlock appears fiscally prepared to continue providing educational services to its students without receiving the revenue or making the expenditures necessary to educate the students projected to live in the territory transfer area," according to the study.

The county committee study found no evidence that the reorganization will cause a substantial negative effect on the fiscal management or fiscal status of either district.

## Appellants' Statement

The appeal alleges that Turlock USD's fiscal management and status will be negatively affected as follows if the transfer of territory is approved:

1. Loss of \$3.1 million annually in unrestricted revenue.
2. Underutilization of district facilities and negative effect on long-range facility financing plans.
3. Unfair allocation of debt to property owners remaining in district.
4. Difficulty repaying bond and COP debts and loss of developer fees and state construction grants.

Turlock USD again requests allocation of developer fees: "If the Board is inclined to grant the petition, Turlock USD urges the Board to exercise its statutory authority and in fairness, award Turlock USD at least one-third of the developer fees," since Turlock USD chose to expand its facilities rather than limiting or abandoning its "open door" policy regarding interdistrict transfers students from Delhi USD (87 students unrelated to the transfer issue).

## Staff Findings/Conclusion

For the following reasons, staff concurs with the county committees' finding that Condition 9 is substantially met:

1. As a direct result of the transfer, Turlock USD would **not** lose \$3.1 million annually in unrestricted revenue (\$4,970 x 627 potential students). Instead, using the \$4,970 per student provided in the appeal, Turlock USD would lose \$44,730 (\$4,970 x 9 students in the affected area) and responsibility for educating students from the territory transfer area.
2. Turlock USD, as a growing district that is meeting (and projected to continue meeting) its statutory budget reserve requirements, should experience no undue difficulty in adjusting to the loss of the proposed transfer territory area and its nine students.
3. Any increase in the allocation of bond debt to property owners remaining in Turlock USD after the transfer, as previously noted, would be "de minimis," with the change in the tax rate so far to the right of the decimal point as to be almost unnoticeable. Moreover, the change complies with the provisions of Education Code Section 35572, which, in pertinent part, states that outstanding bonded indebtedness after district reorganizations must not exceed 5 percent of the assessed valuation remaining in the district from which the territory was transferred. Turlock USD's percentage of outstanding bonded indebtedness to assessed

valuation after the proposed transfer of territory would be nearly the same as before the transfer and well below the 5 percent threshold.

## **6.0 County Committee EC 35709 and 35710 Requirements**

*EC 35709* permits county committees to: (1) approve territory transfer petitions if all the conditions of *EC 35753(a)* are substantially met; and (2) order the petition granted if all the affected school districts have consented to the transfer and the territory is uninhabited or less than 10 percent of the assessed valuation of the district from which the territory is being transferred. (The territory to be transferred from Turlock USD is less than 10 percent [less than 1/10<sup>th</sup> of 1 percent] of the district's assessed valuation, but Turlock objects to the transfer.) Otherwise, *EC 35710* requires county committees to call an election after finding that the conditions of *EC 35753(a)* are substantially met and approving a petition.

The Merced County and the Stanislaus County Committees determined by unanimous vote that the nine conditions of *EC 35753(a)* are substantially met based on the information provided at public hearings and findings and recommendations of its independent study on the conditions. Accordingly, the county committees, acting jointly, approved the petition to transfer territory from the Turlock USD to the Delhi USD.

## **7.0 STAFF RECOMMENDATIONS REGARDING PETITION AMENDMENTS**

The SBE or county committee may add to the petition any of the appropriate provisions specified in Article 3 of the *EC* (commencing with Section 35730) or amend any such provisions which were included. This section discusses CDE staff recommendations for additions and amendments.

### **7.1 Developer Fees**

Although Article 3 includes provisions for the division of bonded indebtedness and the division of property, those provisions do not authorize the allocation of property that the district does not possess or has not yet earned, including prospective developer fees. Developer fees are not bond debt; and "property," as used in *EC 35736* of Article 3, includes funds, cash on hand, and moneys due but uncollected on the date reorganization becomes effective for all purposes, and state apportionments based on average daily attendance earned in the year immediately preceding the date reorganization becomes effective for all purposes. Therefore, potential developer fees cannot be included in plans and recommendations for the division of property.

Accordingly, staff recommends that the SBE not include in plans and recommendations Turlock USD's request to apportion one-third of anticipated developer fees to Turlock USD if it approves the petition or all the developer fees to Turlock USD if it denies the petition. However, if the appeal is denied, staff recommends that the SBE include in its plans and recommendations the requirement that disputes regarding the division of property, funds, or obligations will be resolved by the affected districts and the county superintendents of schools through a board of arbitrators pursuant to *EC 35565*.

## **7.2 Area of Election**

Under Article 3, *EC 35732*, the SBE may add to or amend the election area in plans and recommendations. Further, *EC 35710.5(c)* states that the SBE must determine the territory in which the election is to be held if the petition is to be sent to election.

As the territory proposed for reorganization is the territory transfer area, the "default" election area is also the proposed territory transfer area. (*EC 35732*) However, if the SBE approves the petition, it may alter the "default" election area, but the alterations must comply with the area of election legal principles below.

In this case, there are three distinct groups of voters whose interest must be determined for purposes of the election area: (1) voters in the territory proposed for transfer from the Turlock USD to the Delhi USD; (2) voters in the Delhi USD, which would receive the territory; and (3) voters in the Turlock USD who live outside the territory proposed for transfer.

### **Area of Election Legal Principles**

The Local Agency Formation Commission (LAFCO)<sup>1</sup> court decision provides the most current legal interpretations to be followed in deciding the area of school district reorganization elections. This decision upheld a limited area of election on a proposal to create a new city, citing the "rational basis test." The rational basis test may be used to determine whether the area of election should be less than the total area of the district affected by the proposed reorganization unless there is a declared public interest underlying the determination that has a real and appreciable impact upon the equality, fairness, and integrity of the electoral process, or racial issues. If so, a broader area of election is necessary.

In applying the rational basis test, a determination must be made as to whether:

- a. There is a genuine difference in the relevant interests of the groups, in which case an enhancement of the minority voting strength is permissible.

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<sup>1</sup> *Board of Supervisors of Sacramento County, et al., v. Local Agency Formation Commission* (3 Cal. 4<sup>th</sup> 903, 1992)

- b. The reduced voting area has a fair relationship to a legitimate public purpose. The fair relationship to a legitimate public purpose is found in Government Code Section 56001, which expresses the legislative intent "to encourage orderly growth and development," such as promoting orderly school district reorganization statewide that allows for planned, orderly community-based school systems that adequately address transportation, curriculum, faculty, and administration. This concept includes both:
1. Avoiding the risk that residents of the area to be transferred, annexed, or unified might be unable to obtain the benefits of the proposed reorganization if it is unattractive to the residents of the remaining district; and
  2. Avoiding islands of unwanted, remote, or poorly served school communities within large districts.

However, even under the rational basis test, a determination to reduce the area of election would, according to LAFCO, be held invalid if the determination constituted an invidious discrimination in violation of the constitutional Equal Protection Clause (e.g., involving a racial impact of some degree).

### **CDE Staff Recommendations for Area of Election**

If the SBE approves the petition to transfer territory from the Turlock USD to the Delhi USD, staff recommends that the SBE establish the territory proposed for transfer as the area of election for the following reasons:

- The voters residing in the territory proposed for transfer have genuinely relevant different interests from the other groups. The petitioners are directly and substantially affected by the outcome of an election that will determine which school district will educate their children, the distances their children will travel to school, and whether their children will attend a school in their community. The petition area residents of the community of Delhi should have the opportunity to obtain the benefits of the proposed reorganization.
- Voters in the Delhi USD support the transfer of territory, and there is no evidence to suggest that the transfer would adversely affect them or have a substantial negative effect on the district.
- Voters in the Turlock USD who live outside the territory proposed for transfer do not have a substantial interest in the outcome of the election since they would not be significantly affected by the reorganization. The Turlock USD's interest primarily appears to be in increasing its funding base. Turlock USD would lose nine currently enrolled students and approximately 340 acres of land. Its schools, employees, educational

programs, facilities costs, finances, bonded indebtedness, assessed valuation, bonding capacity, and racial/ethnic balance would not be significantly affected by the proposed transfer of territory.

- A fair relationship exists between limiting the area of election to the area under petition and the legitimate public purpose of promoting orderly school district reorganization that allow for planned, orderly community-based school systems.
- The proposed transfer of territory does not promote segregation or discrimination.
- Restricting the vote to the area under petition meets the LAFCO court decision's rational basis test.

## **8.0 STATE BOARD OF EDUCATION OPTIONS**

*EC* 35710.5(c) and 35753 outline the SBE's options:

- a. The SBE may summarily deny review of the appeal (thus ratifying the county committee's decision), *or*
- b. The SBE may review the appeal for noncompliance by the county committees with the provisions of the specified *EC* sections, either on the administrative record or in conjunction with a public hearing. If the SBE elects to review the appeal, the SBE, following the review, must:
  1. affirm or reverse the action of the county committee, and
  2. If the petition will be sent to election, determine the area of election. As previously discussed, staff recommends the SBE establish the territory proposed for transfer as the area of election if the SBE should choose to approve the petition.

The SBE may approve the proposal if it determines all the conditions in *EC* 35753(a) have been substantially met. Also, the SBE may approve the proposal pursuant to *EC* 35753(b) if it determines that it is not practical or possible to apply the conditions literally, and that the circumstances with respect to the proposal provide an exceptional situation sufficient to justify approval of the proposal. However, *EC* 35753 is permissive, providing minimum standards, and does not preclude the SBE from rejecting proposals for other concerns.

## 9.0 RECOMMENDED ACTION

Staff recommends that the SBE review the appeal solely on the administrative record and deny the appeal, thereby affirming the action of the Merced County and Stanislaus County Committees on SDO by adopting the proposed resolution provided as Attachment 2 for the following reasons:

1. The Merced and Stanislaus County Committees on SDO approved the transfer of territory after conducting all the required public hearings and studies and finding that the petition substantially meets all the conditions of *EC* Section 35753(a).
2. Staff finds no evidence in the administrative record to support the Turlock USD's allegation that the conditions of *EC* Section 35753(a) are not substantially met, and, accordingly, agrees with the Merced County and Stanislaus County Committees' determination that the conditions are substantially met.

If the SBE reverses the action of the county committees by approving the transfer of territory, an alternative proposed resolution that rescinds the action of the County Committees on SDO is provided as Attachment 12.

CALIFORNIA STATE BOARD OF EDUCATION  
July 2006

PROPOSED RESOLUTION  
(Denial of Appeal)

Appeal of the Action of the Merced County Committee on School District Organization and the Stanislaus County Committee on School District Organization Approving a Transfer of Territory from the Turlock Unified School District to the Delhi Unified School District

WHEREAS, in accordance with *Education Code* Section 35710.5, the Turlock Unified School District submitted an appeal on or about December 20, 2005, to the State Board of Education regarding the November 7, 2005, action of the Merced County Committee on School District Organization and the Stanislaus County Committee on School District Organization approving a transfer of territory from the Turlock Unified School District in Stanislaus County to the Delhi Unified School District in Merced County; and

WHEREAS, pursuant to *Education Code* Section 35710.5, the State Board of Education finds that the Merced County Committee on School District Organization and the Stanislaus County Committee on School District Organization acted appropriately and exercised their legal authority to approve the petition; therefore, be it

RESOLVED, that the State Board of Education, pursuant to *Education Code* Section 35710.5 denies the appeal and affirms the action of the Merced County Committee on School District Organization and the Stanislaus County Committee on School District Organization; and be it

RESOLVED further, that any disputes arising from the division of property, funds, or obligations shall be resolved through arbitration pursuant to *Education Code* Section 35565 in cases of impasse or if any district requests it at the beginning of negotiations; and be it

RESOLVED further, that the State Board of Education determines that the territory in which the election regarding the proposed transfer is to be held shall be the area under petition only; and be it

RESOLVED further, that the Executive Director of the State Board of Education shall notify, on behalf of said Board, the Merced County Committee on School District Organization, the Stanislaus County Committee on School District Organization, and the affected school districts of the action taken by the State Board of Education.

**California Department of Education**

**M e m o r a n d u m**

**Date:** June 1, 2006

**To:** Scott Hannan, Director  
School Fiscal Services Division

**From:** Kathleen J. Moore, Director  
School Facilities Planning Division

**Subject:** Review of Appeal of Approval of Territory Transfer  
Turlock Unified (Stanislaus County) to Delhi Unified (Merced County)

The School Facilities Planning Division (SFPD) has reviewed the Appeal of Approval of Territory Transfer from Turlock Unified School District (TUSD) in Stanislaus County to Delhi Unified School District (DUSD) in Merced County and concludes that the reorganization will not lead to significant school housing costs.

The 340-acre territory proposed for transfer from the TUSD to the DUSD is sparsely populated, relatively small, does not include property or facilities owned by TUSD, nor does TUSD plan to construct schools within the territory. The proposed transfer area is the subject of community planning and future re-zoning by the County of Merced. The growth projection is for 1,100 homes resulting in between 600 to 1,200 students.

The TUSD states that if the area remains in the TUSD boundaries, the student growth in the transfer area will be served in its existing schools and has no plans to construct a school in the transfer area.

The DUSD states that it has capacity in its existing schools to house the students that will eventually live in the transfer area. However, the district prefers to construct a new Kindergarten-eighth grade school in the transfer area. High school students will attend the existing Delhi High School.

Based upon the review of documents submitted by the county committees and districts, the SFPD concludes that the school facility costs of the reorganization are insignificant since the DUSD has sufficient existing school capacity to serve the future students that will live in the transfer area. However, if the DUSD were to construct a new K-8 school in the transfer area, significant costs would be incurred.

CALIFORNIA STATE BOARD OF EDUCATION  
July 2006

ALTERNATIVE PROPOSED RESOLUTION  
(Approval of Appeal)

Appeal of the Action of the Merced County Committee on School District Organization and the Stanislaus County Committee on School District Organization Approving a Transfer of Territory from the Turlock Unified School District to the Delhi Unified School District

RESOLVED, that under the authority of *Education Code* Section 35710.5, the appeal, filed on or about December 20, 2005, by the Turlock Unified School District from the November 7, 2005, action of the Merced County Committee on School District Organization and the Stanislaus County Committee on School District Organization approving a transfer of territory from the Turlock Unified School District in Stanislaus County to the Delhi Unified School District in Merced County is hereby granted; and be it

RESOLVED further, that the Executive Director of the State Board of Education shall notify, on behalf of said Board, the Merced County Committee on School District Organization, the Stanislaus County Committee on School District Organization, and the affected school districts of the action taken by the State Board of Education.



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
Appeal from a decision of the Orange County Committee on School District Organization to deny a petition to transfer territory from the ABC Unified School District in Los Angeles County to the Los Alamitos Unified School District in Orange County.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### RECOMMENDATION

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Because the appellant no longer has standing to appeal, the California Department of Education (CDE) recommends that the State Board of Education (SBE) ratify the decision of the Orange County Committee on School District Organization (Orange County Committee) to deny a petition to transfer territory from the ABC Unified School District (USD) in Los Angeles County to the Los Alamitos USD in Orange County by summarily denying review of an appeal of the Orange County Committee action.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

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The SBE has not received information on this item previously.

### SUMMARY OF KEY ISSUES

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On June 4, 2004, the Orange County Committee denied a citizen's petition to transfer 192 homes from the ABC USD in Los Angeles County to the Los Alamitos USD in Orange County. The governing boards of both the ABC USD and the Los Alamitos USD previously adopted resolutions opposing the transfer. The Los Angeles County Committee voted to approve the transfer.

The California *Education Code (EC)* allows up to three petitioners to be named "chief petitioner" for purposes of receiving notification of actions related to the petition and to appeal decisions of a county committee to the SBE. For this particular petition, only one petitioner was designated "chief petitioner." That individual appealed the Orange County Committee decision to the SBE.

The "chief petitioner" (now the appellant) no longer lives within the territory proposed for transfer. According to the CDE legal counsel, the appeal is now moot since the appellant no longer has standing to appeal the decision of the Orange County Committee. Therefore, the CDE recommends that the SBE ratify the Orange County Committee decision by summarily denying review of the appeal. [EC 35710.5(c)]

### FISCAL ANALYSIS (AS APPROPRIATE)

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There are no fiscal implications related to SBE denial of the appeal.

**ATTACHMENT(S)**

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None



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
Appeal from a decision of the Santa Clara County Committee on School District Organization to deny a petition to transfer territory from the Morgan Hill Unified School District to the San Jose Unified School District in Santa Clara County.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### RECOMMENDATION

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Because the appellant no longer has standing to appeal, the California Department of Education (CDE) recommends that the State Board of Education (SBE) ratify the decision of the Santa Clara County Committee on School District Organization (County Committee) to deny a petition to transfer territory from the Morgan Hill Unified School District (USD) to the San Jose USD by summarily denying review of an appeal of the Santa Clara County Committee action.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

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The SBE has not received information on this item previously.

### SUMMARY OF KEY ISSUES

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On March 3, 2004, the County Committee denied a petition to transfer a single residence from the Morgan Hill USD to the San Jose USD in Santa Clara County. The governing board of the Morgan Hill USD previously had adopted a resolution opposing the transfer. The governing board of the San Jose USD had voted to approve the transfer.

The California *Education Code (EC)* allows up to three petitioners to be named "chief petitioner" for purposes of receiving notification of actions related to the petition and to appeal decisions of a county committee to the SBE. For this particular petition, since there was only one home affected, only one petitioner was designated "chief petitioner." That individual appealed the County Committee decision to the SBE.

The "chief petitioner" (now the appellant) no longer lives within the territory proposed for transfer. According to the CDE legal counsel, the appeal is now moot since the appellant no longer has standing to appeal the decision of the County Committee. Therefore, the CDE recommends that the SBE ratify the County Committee decision by summarily denying review of the appeal. [EC 35710.5(c)]

### FISCAL ANALYSIS (AS APPROPRIATE)

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There are no fiscal implications related to SBE denial of the appeal.

**ATTACHMENT(S)**

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None



# CALIFORNIA STATE BOARD OF EDUCATION

## July 2006 AGENDA

SUBJECT	
Chief Business Officer Training Program – Approve Training Provider	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### **RECOMMENDATION**

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The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the California State University at Bakersfield as a state-qualified training provider for the Chief Business Officer (CBO) Training Program.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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In March 2006, the SBE approved criteria and an application process for selecting training providers. In May 2006, the SBE approved five state-qualified training providers for the CBO Training Program (Senate Bill 352, Chapter 356, Statutes of 2005). This program, administered by the State Superintendent of Public Instruction with the approval of the SBE, provides incentive funding for school districts, county offices of education, and charter schools to send candidates to CBO training by these approved providers.

### **SUMMARY OF KEY ISSUES**

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Prospective training providers must submit an online application to be state-qualified providers of the CBO Training Program. The SBE has approved five providers to date; a sixth application was received since the last SBE meeting and is recommended for approval.

The sixth applicant, the California State University at Bakersfield, was evaluated to ensure that the curriculum offered is consistent with the SBE-approved curriculum, including the minimum number of hours for each category; that the training setting and mode of delivery is appropriate; that the entity has background and experience in providing professional school business training, or demonstrated its potential for providing such training; and that all necessary assurances were signed.

**FISCAL ANALYSIS (AS APPROPRIATE)**

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Three thousand dollars (\$3,000) per eligible training candidate have been allocated for this purpose, with 50 percent of the funding allocated after approval of the LEA application, and the remaining 50 percent allocated upon completion of the CBO training. The Budget Act of 2005 appropriated \$1.05 million for this purpose, to provide funds for up to 350 candidates, and the intent to continue the program for three years for a total of about \$3 million.

**ATTACHMENT(S)**

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None



# CALIFORNIA STATE BOARD OF EDUCATION

## July 2006 AGENDA

SUBJECT	
Chief Business Officer Training Program – Approve Training Candidates	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve candidates nominated by their local educational agencies (LEA) for the Chief Business Officer (CBO) Training Program.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In May 2006, the SBE approved the first five training providers for the CBO Training Program (Senate Bill 352, Chapter 356, Statutes of 2005). This program, administered by the State Superintendent of Public Instruction with the approval of the SBE, provides incentive funding for school districts, county offices of education, and charter schools to send candidates to CBO training by state-qualified providers.

### SUMMARY OF KEY ISSUES

Following the SBE's approval of the training providers, LEAs were informed they could apply for funding on behalf of their CBO candidates. Applications will come before the SBE on a flow basis as received by the CDE.

An LEA recommended for approval has given its signed assurance that:

- The nominated training candidate has committed to provide no less than two years of continuous service to a state public school following completion of the training;
- It understands the CDE will withhold the amount of funds received from its next principal apportionment if the nominated candidate does not participate in or complete the training; and

### **SUMMARY OF KEY ISSUES (Cont.)**

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- It will provide information about its fiscal certification status, the candidate's employment and retention status, and any other data requests made by the CDE to fulfill reporting requirements.

Once the SBE approves the training candidates, initial funding will be allocated to the LEAs upon confirmation of the candidate's enrollment in the selected program. The remaining funds will be allocated upon the candidate's completion of the program.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

---

Three thousand dollars (\$3,000) per eligible training candidate have been allocated for this purpose, with 50 percent of the funding allocated after approval of the LEA application, and the remaining 50 percent allocated upon completion of the CBO training. The Budget Act of 2005 appropriated \$1.05 million for this purpose, to provide funds for up to 350 candidates, and the intent to continue the program for three years for a total of about \$3 million.

### **ATTACHMENT(S)**

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Attachment 1: CBO Training Candidates Recommended for Approval (9 Pages)

**CBO Training Candidates Recommended for Approval**

<b>County</b>	<b>Local Educational Agency</b>	<b>Candidates Nominated</b>	<b>Selected Training Provider</b>	<b>Troubled District</b>
Alameda	Eden Area ROP	1	CASBO	
Alameda	Alameda Unified School District	1	CASBO	Y
Alameda	Albany Unified School District	1	CASBO	Y
Alameda	Emery Unified School District	1	USC, Rossier	Y
Alameda	Hayward Unified School District	1	USC, Rossier	Y
Alameda	New Haven Unified School District	1	USC, Rossier	
Alameda	Oakland Unified School District	8	CASBO	Y
Alameda	San Leandro Unified School District	1	CASBO	
Alameda	San Lorenzo Unified School District	1	CASBO	
Alameda	Sunol Glen Unified School District	1	CASBO	
Butte	Blue Oak Charter School	1	CSDC	
Butte	Durham Unified School District	1	CASBO	
Butte	Achieve Charter School of Paradise, Inc.	1	CSDC	
Colusa	Colusa County Office of Education	1	CASBO	
Contra Costa	John Swett Unified School District	1	UC, Riverside	Y
Contra Costa	West Contra Costa Unified School District	1	CASBO	Y
Del Norte	Del Norte County Office of Education/ Unified School District	1	CASBO	
El Dorado	Camino Union Elementary School District	1	CASBO	
Fresno	Clay Joint Elementary School District	1	CASBO	
Fresno	Clovis Unified School District	1	CASBO	
Fresno	KIPP Academy Fresno	1	USC, Rossier	

<b>County</b>	<b>Local Educational Agency</b>	<b>Candidates Nominated</b>	<b>Selected Training Provider</b>	<b>Troubled District</b>
Fresno	West Fresno School District	1	USC, Rossier	Y
Fresno	Pacific Union School District	1	CASBO	
Fresno	Firebaugh-Las Deltas Unified School District	1	CASBO	
Fresno	Kerman Unified School District	1	CASBO	
Glenn	Hamilton Union High School District	1	CASBO	
Glenn	Stony Creek Joint Unified School District	1	USC, Rossier	
Humboldt	Klamath-Trinity Joint Unified School District	1	CASBO	
Imperial	Heber Elementary School District	1	CASBO	
Imperial	San Pasqual Valley Unified School District	2	CASBO	
Inyo	Inyo County Office of Education	1	CASBO	
Inyo	Bishop Union Elementary School District	1	CASBO	
Kern	Pond Union School District	1	CASBO	Y
Kern	Standard School District	1	USC, Rossier	
Kings	Lemoore Union High School District	1	CASBO	
Lake	Lake County Office of Education	1	USC, Rossier	
Los Angeles	ABC Unified School District	1	CASBO	
Los Angeles	Burbank Unified School District	1	CASBO	
Los Angeles	Media Arts Academy	1	USC, Rossier	
Los Angeles	Culver City Unified School District	1	USC, Rossier	
Los Angeles	El Rancho Unified School District	1	CASBO	Y
Los Angeles	Glendale Unified School District	1	USC, Rossier	
Los Angeles	Gorman Learning Center	1	CSDC	

<b>County</b>	<b>Local Educational Agency</b>	<b>Candidates Nominated</b>	<b>Selected Training Provider</b>	<b>Troubled District</b>
Los Angeles	Inglewood Unified School District	1	USC, Rossier	
Los Angeles	Lawndale Elementary School District	1	USC, Rossier	
Los Angeles	Los Angeles Unified School District	4	USC, Rossier	Y
Los Angeles	New Designs Charter School	1	USC, Rossier	
Los Angeles	Montebello Unified School District	1	UC, Riverside	
Los Angeles	Palmdale School District	1	CASBO	Y
Los Angeles	Pomona Unified School District	1	UC, Riverside	
Los Angeles	Torrance Unified School District	1	CASBO	Y
Los Angeles	Westside Union School District	1	UC, Riverside	Y
Los Angeles	Hacienda La Puente Unified School District, Adult Education	1	USC, Rossier	
Los Angeles	Rowland Unified School District	1	USC, Rossier	
Los Angeles	Redondo Beach Unified School District	1	UC, Riverside	
Los Angeles	New West Charter Middle School	1	USC, Rossier	Y
Los Angeles	Alhambra Unified School District	1	USC, Rossier	
Madera	Coarsegold Union School District	1	CASBO	Y
Madera	Madera Unified School District	1	USC, Rossier	
Marin	Shoreline Unified School District	1	CASBO	
Mendocino	Anderson Valley Unified School District	1	CASBO	
Mendocino	Arena Union Elementary School District	1	CASBO	
Mendocino	Round Valley Unified School District	3	CASBO	
Merced	Merced County Office of Education	2	CASBO	
Merced	Winton School District	1	CASBO	

<b>County</b>	<b>Local Educational Agency</b>	<b>Candidates Nominated</b>	<b>Selected Training Provider</b>	<b>Troubled District</b>
Merced	Merced River Union Elementary School District	1	CASBO	
Monterey	International School of Monterey	1	CSDC	
Monterey	San Lucas Union School District	1	CASBO	
Napa	Napa Valley Unified School District	1	USC, Rossier	
Nevada	Chicago Park Elementary School District	1	CASBO	
Nevada	Pleasant Ridge Unified School District	1	CASBO	
Nevada	Union Hill Elementary School District	1	CASBO	
Nevada	Twin Ridges Elementary School District	1	CSDC	
Orange	Orange County Office of Education	1	USC, Rossier	
Orange	Capistrano Unified School District	2	CASBO	
Orange	Fullerton School District	1	USC, Rossier	
Orange	Garden Grove Unified School District	2	CSU, Fullerton	
Orange	Ocean View School District	1	USC, Rossier	
Orange	Orange Unified School District	1	CASBO	
Orange	Orange Unified School District	1	USC, Rossier	
Orange	Placentia-Yorba Linda Unified School District	1	CSU, Fullerton	
Orange	Westminster School District	2	CASBO	
Placer	Tahoe Truckee Unified School District	1	CASBO	
Placer	Rocklin Academy	1	CSDC	
Riverside	Beaumont Unified School District	1	UC, Riverside	
Riverside	Temecula Valley Unified School District	1	USC, Rossier	
Riverside	Murrieta Valley Unified School District	1	UC, Riverside	

<b>County</b>	<b>Local Educational Agency</b>	<b>Candidates Nominated</b>	<b>Selected Training Provider</b>	<b>Troubled District</b>
Sacramento	Elk Grove Unified School District	1	CASBO	
Sacramento	Rio Linda Union School District	2	USC, Rossier	
Sacramento	Heritage Peak Charter School	1	CSDC	
Sacramento	Sacramento City Unified School District	1	CASBO	
Sacramento	Sacramento Charter High School	1	CSDC	
Sacramento	Natomas Charter School	1	UC, Riverside	
San Benito	North County Joint Union School District	1	CASBO	
San Bernardino	Alta Loma School District	1	USC, Rossier	
San Bernardino	Bear Valley Unified School District	1	CASBO	
San Bernardino	Redlands Unified School District	1	CASBO	
San Bernardino	Rialto Unified School District	1	CASBO	
San Bernardino	Rim of the World Unified School District	1	USC, Rossier	Y
San Bernardino	High Desert Academy of Applied Arts & Sciences	1	UC, Riverside	
San Bernardino	Baker Valley Unified School District	1	USC, Rossier	Y
San Diego	San Diego County Office of Education	2	CASBO	
San Diego	Literacy First Charter School	1	CASBO	
San Diego	Warner Unified School District	1	CASBO	
San Diego	Cajon Valley Union School District	1	CASBO	
San Diego	Chula Vista Elementary School District	1	CASBO	
San Diego	Coronado Unified School District	1	CASBO	
San Diego	Dehesa Charter School	1	CSDC	
San Diego	Del Mar Union School District	1	CASBO	

<b>County</b>	<b>Local Educational Agency</b>	<b>Candidates Nominated</b>	<b>Selected Training Provider</b>	<b>Troubled District</b>
San Diego	Fallbrook Union Elementary School District	1	CASBO	
San Diego	Grossmont Union High School District	1	CASBO	
San Diego	Poway Unified School District	1	CASBO	
San Diego	San Diego Unified School District	1	CASBO	
San Diego	Preuss School UCSD	1	CASBO	
San Diego	Darnall E-Charter School	1	CASBO	
San Diego	San Dieguito Union High School District	1	USC, Rossier	
San Diego	Santee School District	1	CASBO	
San Diego	South Bay Union School District	2	CASBO	
San Diego	Sweetwater Union High School District	1	CASBO	
San Diego	Vista Unified School District	1	CASBO	
San Diego	SIATech	1	USC, Rossier	
San Francisco	Leadership High School	1	CASBO	
San Joaquin	Escalon Unified School District	1	CASBO	
San Joaquin	Jefferson Elementary School District	1	UC, Riverside	
San Joaquin	Ripon Unified School District	1	CASBO	Y
San Joaquin	Stockton Unified School District	1	USC, Rossier	
San Luis Obispo	Paso Robles Joint Unified School District	2	USC, Rossier	
San Luis Obispo	Coast Unified School District	1	USC, Rossier	
Santa Barbara	Santa Maria Joint Union High School District	1	CASBO	
Santa Clara	Metropolitan Education District	1	CASBO	
Santa Clara	Alum Rock Union Elementary School District	1	UC, Riverside	Y

<b>County</b>	<b>Local Educational Agency</b>	<b>Candidates Nominated</b>	<b>Selected Training Provider</b>	<b>Troubled District</b>
Santa Clara	East Side Union High School District	3	CASBO	Y
Santa Clara	Oak Grove Elementary	1	CASBO	
Santa Clara	Orchard School District	1	USC, Rossier	Y
Santa Cruz	Santa Cruz County Office of Education	2	CASBO	
Santa Cruz	Bonny Doon Union Elementary School District	1	CASBO	
Shasta	Bella Vista Elementary School District	1	USC, Rossier	
Shasta	Black Butte Union Elementary School District	1	UC, Riverside	
Shasta	Cascade Union Elementary School District	1	USC, Rossier	
Shasta	Happy Valley Union School District	1	CASBO	Y
Shasta	Shasta Union High School District	1	CASBO	
Shasta	Shasta Union High School District	1	USC, Rossier	
Shasta	Gateway Unified School District	1	CASBO	Y
Sierra	Sierra-Plumas Joint Unified School District	1	CASBO	Y
Siskiyou	Siskiyou Union High School District	2	CASBO	
Siskiyou	Dunsmuir Joint Union High School District	1	CASBO	Y
Siskiyou	Etna Union High School District	1	USC, Rossier	
Solano	Travis Unified School District	2	USC, Rossier	
Solano	Vallejo City Unified School District	1	USC, Rossier	Y
Sonoma	Mark West Union School District	1	USC, Rossier	
Sonoma	Wright Elementary School District	1	USC, Rossier	
Sonoma	Windsor Unified School District	1	CASBO	
Stanislaus	Stanislaus County Office of Education	1	UC, Riverside	

<b>County</b>	<b>Local Educational Agency</b>	<b>Candidates Nominated</b>	<b>Selected Training Provider</b>	<b>Troubled District</b>
Stanislaus	Riverbank Unified School District	1	USC, Rossier	
Sutter	Sutter County Office of Education	3	CASBO	
Sutter	East Nicolaus Joint Union High School District	1	CASBO	
Sutter	Marcum-Illinois Union Elementary School District	1	CASBO	
Sutter	Yuba City Unified School District	4	CASBO	
Sutter	Yuba City Charter High School	1	CASBO	
Sutter	Yuba City Charter School	1	CASBO	
Tehama	Sacramento River Discovery Charter School	1	CSDC	
Tehama	Red Bluff Joint Union High School District	1	USC, Rossier	
Tulare	Ducor Union Elementary School District	1	CASBO	
Tulare	Hot Springs School District	1	CASBO	
Tulare	Monson-Sultana Joint Union Elementary	1	CASBO	
Tulare	Woodlake Union School District	1	CASBO	
Tulare	Farmersville Unified School District	1	CASBO	
Tuolumne	Gold Rush Charter School	1	CSDC	
Tuolumne	Tuolumne County Office of Education	1	CASBO	
Ventura	University Preparation School at CSU Channel Islands	1	USC, Rossier	
Ventura	Ventura County Office of Education	1	UC, Riverside	
Ventura	Ocean View School District	1	CASBO	
Ventura	Ventura Unified School District	1	USC, Rossier	
Ventura	Conejo Valley Unified School District	1	USC, Rossier	
Yolo	Esparto Unified School District	1	CASBO	

<b>County</b>	<b>Local Educational Agency</b>	<b>Candidates Nominated</b>	<b>Selected Training Provider</b>	<b>Troubled District</b>
Yolo	Woodland Joint Unified School District	1	UC, Riverside	
Yuba	Plumas Elementary School District	1	CASBO	
	<b>Total Training Candidates</b>	<b>208</b>		

State of California

Department of Education

## LAST MINUTE MEMORANDUM

**DATE:** July 6, 2006

**TO:** **MEMBERS, STATE BOARD OF EDUCATION**

**FROM:** Susan Lange, Deputy Superintendent  
Finance, Technology, and Administration Branch

**RE:** Item No. 17

**SUBJECT:** Chief Business Officer Training Program (CBO) – Approve Training Candidates

The Etna Union High School District in Siskiyou County has requested the approval of two training candidates to attend the University of Southern California, Rossier School of Education. The agenda item only reflects a request of one training candidate. This correction brings the total number of candidates for approval by the State Board of Education to 209.



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
No Child Left Behind Act of 2001: Approve Local Educational Agency Plans, Title 1, Section 1112	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### RECOMMENDATION

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The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the Local Educational Agency (LEA) Plans for the LEAs listed on Attachment 1. These plans have met the requirements for full approval.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

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As of the May 2006 meeting, the SBE has approved a total of 1,276 LEA Plans.

### SUMMARY OF KEY ISSUES

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The purpose of the LEA Plan is to develop an integrated, coordinated plan that describes educational services for all students and can be used to guide program implementation and resource allocation. LEA Plans from seven direct-funded charter schools are being recommended for full approval (see attachment). This approval allows the schools to access federal and state categorical funding.

### FISCAL ANALYSIS (AS APPROPRIATE)

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There is no fiscal impact to state operations.

### ATTACHMENT(S)

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Attachment 1: Local Educational Agency Plans for Direct-Funded Charter Schools Recommended for Full State Board of Education Approval, July 2006 (1 Page)

Local Educational Agency Plans for Direct-Funded Charter Schools  
Recommended for Full State Board of Education Approval  
July 2006

<b>CoDistCode</b>	<b>SchCode</b>	<b>Direct-Funded Charter Schools</b>
1010108	6085112	Edison-Bethune Charter Academy
0161259	0100065	Oakland Unity High School
0161259	0108803	Millsmont Academy
1764055	0108340	Lake County International Charter School
1964733	0108878	CHAMPS Charter High School
4369583	6118541	Charter School of Morgan Hill
5171464	0107318	Twin Rivers Charter School

State of California

Department of Education

# LAST MINUTE MEMORANDUM

**DATE:** July 6, 2006

**TO:** **MEMBERS, STATE BOARD OF EDUCATION**

**FROM:** William L. Padia, Deputy Superintendent  
Assessment and Accountability Branch

**RE:** Item No. 18

**SUBJECT:** No Child Left Behind Act of 2001: Approve Local Educational Agency Plans, Title 1, Section 1112

Listed below for State Board of Education approval is **one** additional local educational agency (LEA) Plan. These Plans are required under No Child Left Behind so that LEAs may receive federal categorical funding for educational programs.

Seven LEA Plans were previously submitted with the original CDE State Board Agenda Item. With the Board's approval of this additional Plan, a total of **1,284** LEAs will have fully approved Plans.

The following LEA needs approval:

CoDistCode	SchCode	Direct-Funded Charter Schools
3768338	018969	Children's Conservation Academy



# CALIFORNIA STATE BOARD OF EDUCATION

## MAY-JULY 2006 AGENDA

SUBJECT	
Consolidated Applications 2005-06: Approval	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the 2005-06 Consolidated Applications (ConApps) submitted by local educational agencies (LEAs) in Attachment 1.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Each year the CDE, in compliance with California *Code of Regulations* Title 5, Section 3920, recommends that the SBE approve applications for funding Consolidated Categorical Aid Programs submitted by LEAs. To date, the SBE has approved ConApps for 1, ~~245-286~~ LEAs [for the 2005-06 school year](#).

Approximately \$3.2 billion [of state and federal funding](#) is distributed annually through the ConApp process. ~~Assembly Bill 825 has incorporated three of the fund sources that were formerly in the ConApp (School Improvement Program, California Public School Library Act, and Tenth Grade Counseling) into the Categorical Programs Block Grant (what's the official name of the program?). A new fund source, California School Age Families Education (Cal-SAFE) has been added to the ConApp.~~ There are 14 state and federal programs that LEAs may apply for in the ConApp. The state funding sources include: Cal-SAFE; Economic Impact Aid (which is used for State Compensatory Education and/or English learners); Peer Assistance Review; School Safety (AB 1113); and Tobacco Use Prevention Education. The federal funding sources include Title I, Part A Basic Grant (Low Income); Title I, Part A (Neglected); Title I, Part D, (Delinquent); Title II, Part A (Teacher Quality); Title II, Part D (Technology); Title III, Part A ([Limited English Proficient \(LEP\) Students](#)); Title IV, Part A ([Safe and Drug-Free Schools and Communities SDFSC](#)); and Title V, Part A (Innovative); and Title VI, Part B (Rural, Low-Income).

The CDE provides the SBE with two types of approval recommendations. Regular approval is recommended when an LEA has submitted a correct and complete ConApp, Part I, and has no serious noncompliant issues over 365 days. Conditional approval is recommended when an LEA has submitted a correct and complete ConApp, Part I, but has one or more serious noncompliant issues over 365 days. Conditional approval

provides authority to the LEA to spend its categorical funds under the condition that it resolves or makes significant progress toward resolving noncompliant issues. In extreme cases, conditional approval may include the withholding of funds.

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#### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION -- (Cont.)**

~~provides authority to the LEA to spend its categorical funds on under the condition that it resolves or makes significant progress toward resolving noncompliant issues. In extreme cases, conditional approval may include the withholding of funds.~~

The attachments include ConApp entitlement figures and the Student Testing and Reporting (STAR) data from school year 2004-05. If fiscal data are absent, it indicates that the LEA is new or is applying for direct funding for the first time. If achievement data are absent, it indicates the LEA is new, the scores were attributed to their sponsoring LEA (in the case of charter schools), or there were an insufficient number of student results to report. (We'd like to revisit the addition of STAR data. I remember when the Board started doing it, but we're not sure it serves any purposes. Leave them for now, but we'd like to chat with Bill and Keric about this. Thanks.)

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#### **SUMMARY OF KEY ISSUES**

The CDE recommends regular approval of the ConApp for 40-2 LEAs (see Attachment 1 for the list of LEAs).

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#### **FISCAL ANALYSIS (AS APPROPRIATE)**

There is minimal CDE cost to track the SBE approval status of the ConApp for approximately 1,300 LEAs.

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#### **ATTACHMENT(S)**

Attachment 1: ConApp List, (2005-06) Regular Approvals (3-1 Pages)



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
The Principal Training Program, Assembly Bill 75 (Chapter 697, Statutes of 2001): Approval of Applications for Funding from Local Educational Agencies and Consortia	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### **RECOMMENDATION**

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The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the attached lists of local educational agencies (LEAs) and consortia that have submitted applications for funding under The Principal Training Program (PTP), Assembly Bill (AB) 75 (Chapter 697, Statutes of 2001).

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The SBE approved criteria and requirements for PTP applications at the February 2002 meeting.

With the passage of AB 430, CDE staff convened a focus group of a cross-section of various stakeholders throughout the state to amend the criteria and guidelines. In January 2006, the SBE approved the new statutory language added to the existing criteria and guidelines.

### **SUMMARY OF KEY ISSUES**

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Effective July 1, 2006, the current PTP will be reauthorized as the Administrator Training Program (AB 430 [Chapter 364, Statutes of 2005]). Previously approved training providers have submitted amended training curriculum that are currently being reviewed by CDE staff to ensure that all new requirements are included.

The PTP requires the SBE to approve all LEA applicants for funding by name only. Initial funding is dispersed once the LEA enters the participant name into the Management System for Principal Training (MSPT). Subsequent payments are dispersed once the training provider records the completed hours into the MSPT.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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Actual LEA reimbursements are dependent upon further information to be provided by LEAs and training providers, such as names of administrator participants and number of hours in actual training. LEAs receive a payment of \$1,200 per participant, once the participant name is entered into the MSPT. A second payment of \$900 is dispersed once the first 80 hours of training is recorded into the MSPT. A final payment of \$900 is dispersed once the participant completes 160 hours of training. It is feasible that initial award requests will be amended throughout the funding period. Estimated State expenditures resulting from this action: \$57,000.

## **ATTACHMENT(S)**

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Attachment 1: Principal Training Program, Local Educational Agencies Recommended for State Board of Education Approval July 2006 (1 Page)

Attachment 2: Principal Training Program, Consortia Members Recommended for State Board of Education Approval July 2006 (1 Page)

Attachment 3: Principal Training Program, Program Summary July 2006 (1 Page)

**PRINCIPAL TRAINING PROGRAM**  
**Local Educational Agencies Recommended**  
**For State Board of Education Approval**  
**July 2006**

*Applications received during the months of April and May 2006*

<b>LOCAL EDUCATIONAL AGENCIES</b>	<b>Total Number of Site Administrators</b>	<b>Total Amount of State Funding Requested</b>
<b>SAN DIEGO</b> Warner Unified	4	\$12,000
<b>STANISLAUS</b> Gratton Elementary	1	\$3,000
<b>TOTAL</b>	<b>5</b>	<b>\$15,000</b> (5 x \$3,000)

**PRINCIPAL TRAINING PROGRAM**  
**Consortia Members Recommended**  
**For State Board of Education Approval**  
**July 2006**

*Applications received during the months of April and May 2006*

<b>CONSORTIA with recommended Membership</b>	<b>Total Number of Site Administrators</b>	<b>Total Amount of State Funding Requested</b>
<b>SAN DIEGO</b>		
Fallbrook	6	\$18,000
San Dieguito	8	\$24,000
<b>TOTAL</b>	<b>14</b>	<b>\$42,000</b> (14 x \$3,000)

**PRINCIPAL TRAINING PROGRAM  
Program Summary  
July 2006**

**CURRENT REQUEST SUMMARY**

**Applications received in April and May 2006**

Total number of LEAs recommended for July Approval.....	2
Total number of administrators.....	5
Total state funds requested by Single LEAs for July approval: (5 x \$3,000).....	\$15,000
Total number of new Consortia recommended for July approval.....	None
(New participants added: 14) (14 x \$3,000).....	\$42,000
<b>Total State Funds Requested.....</b>	<b>\$57,000</b>
(5 LEAs and 14 new Consortium participant(s) x \$3,000)	

**SUMMARY TO DATE**

Total number of participating LEAs (435 Single LEAs plus 270 LEAs included in 20 SBE-approved Consortia.....	706
Total number of administrators anticipated for program participation.....	11,123

Note: The numbers in the SUMMARY TO DATE have changed due to LEAs withdrawing from the program.



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

<b>SUBJECT</b>  Mathematics and Reading Professional Development Program, Assembly Bill 466 (Chapter 737, Statutes of 2001): Approve Reimbursement Requests from Local Educational Agencies	<input checked="" type="checkbox"/> Action  <input checked="" type="checkbox"/> Information  <input type="checkbox"/> Public Hearing
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### **RECOMMENDATION**

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The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve reimbursement requests on the attached lists of local educational agencies (LEAs) that have complied with required assurances for the Mathematics and Reading Professional Development Program, Assembly Bill (AB) 466 (Chapter 737, Statutes of 2001).

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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*Education Code (EC)* Section 99234(g), established by AB 466, stipulates that funding may not be provided to an LEA until the SBE approves the agency's certified assurances. During 2002-03, the SBE approved AB 466 applications **prior to** a participating LEA commencing training. This process caused a time delay before an LEA could begin training. To avoid this delay in 2003-04 and subsequent years, the SBE Executive Director and the CDE Deputy Superintendent for Curriculum and Instruction agreed that LEA compliance with required assurances would be approved by the SBE when LEAs submit a Request for Reimbursement form, which occurs after training is completed. At the July 2004 and July 2005 meetings of the SBE, the CDE also submitted, and the SBE approved, a list of LEAs that had filed an application but had not yet submitted a Request for Reimbursement form. This action enabled the CDE to reimburse LEAs for teachers attending training in late June.

### **SUMMARY OF KEY ISSUES**

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As a condition of the receipt of funds, *EC* Section 99237(a) requires that an LEA submit to the SBE a statement of assurance certified by the appropriate agency official and approved in a public session by the governing body of the agency. LEAs participating in the AB 466 program provide this proof of compliance with assurances by submitting a signed application. LEAs submitting a Request for Reimbursement Form additionally provide summary information regarding credentials held by each teacher who has successfully completed training.

## **SUMMARY OF KEY ISSUES (Cont.)**

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The specific amount for each LEA will be determined by the CDE staff in accordance with law, regulation, and the established practice for this program.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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The legislature appropriated \$31.7 million (General Fund) for the AB 466 program for fiscal year (FY) 2004-05. To date the CDE has issued \$30,358,750 in payments from FY 2004-05; therefore, sufficient funding remains to pay the claims shown on Attachment 1.

The legislature also appropriated \$31.7 million (General Fund) for the AB 466 program for FY 2005-06. To date the CDE has received \$17,151,250 in FY 2005-06 claims and has issued \$6,390,000 in FY 2005-06 payments. LEAs on Attachment 2 will be reimbursed from the current fiscal year's appropriation.

## **ATTACHMENT(S)**

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Attachment 1: List of LEAs submitting certification of assurance via a signed **Request for Reimbursement Form**: Fiscal Years Prior to 2005-06 (July 2006)  
(1 Page)

Attachment 2: List of LEAs submitting certification of assurance via a signed **Request for Reimbursement Form**: Fiscal Year 2005-06 (July 2006)  
(4 Pages)

Attachment 3: **Application Form**: Fiscal Year 2005-06 (July 2006) (2 Pages)

List of LEAs submitting certification of assurance via a signed **Request for Reimbursement Form:**  
Fiscal Years Prior to 2005-06 (July 2006)

COUNTY	LEA NAME	NUMBER OF TEACHERS				PROVIDER	MATERIALS
		Reading 40 Hours	Reading 80 Hours	Mathematics 40 Hours	Mathematics 80 Hours		
Fresno	Fowler Unified	7				Calabash	Houghton Mifflin, <i>A Legacy of Literacy</i>
Stanislaus	Empire Union	1				RIC, San Joaquin COE	Houghton Mifflin, <i>A Legacy of Literacy</i>
	<b>TOTAL</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>		

List of LEAs submitting certification of assurance via a signed **Request for Reimbursement Form:**  
Fiscal Year 2005-06 (July 2006)

COUNTY	LEA NAME	NUMBER OF TEACHERS				PROVIDER	MATERIALS
		Reading 40 Hours	Reading 80 Hours	Mathematics 40 Hours	Mathematics 80 Hours		
Butte	Butte County Office of Education	5				Sacramento COE	McDougal Littell, <i>Reading and Language Arts</i>
Fresno	Central Unified	2				RIC, San Joaquin COE	Houghton Mifflin, A <i>Legacy of Literacy</i>
Fresno	Fowler Unified	5				RIC, San Joaquin COE	Houghton Mifflin, A <i>Legacy of Literacy</i>
Imperial	Imperial County Office of Education			3		Sacramento COE	Saxon Publisher, <i>Saxon Math 65, 76</i>
Kern	Bakersfield City Elementary	39				Sacramento COE	Holt, Rhinehart, and Winston, <i>Literature and Language Arts</i>
Kern	Kern Union High			36		Sacramento COE	McDougal Littell, <i>Concepts and Skills, Algebra</i>
Kern	McFarland Unified			58		Sacramento COE	Scott Foresmen, <i>California Mathematics</i>
Kern	Vineland Elementary	2				Sacramento COE	Hampton Brown, <i>High Point</i>
Kings	Reef- Sunset Unified	2				Sacramento COE	Hampton Brown, <i>High Point</i>

COUNTY	LEA NAME	NUMBER OF TEACHERS				PROVIDER	MATERIALS
		Reading 40 Hours	Reading 80 Hours	Mathematics 40 Hours	Mathematics 80 Hours		
Lassen	Westwood Unified	6				RIC, Butte COE	Houghton Mifflin, <i>A Legacy of Literacy</i>
Mendocino	Mendocino Unified	2				RIC, Butte COE	Houghton Mifflin, <i>A Legacy of Literacy</i>
Mendocino	Round Valley Unified	3				RIC, Butte COE	Houghton Mifflin, <i>A Legacy of Literacy</i>
Mendocino	Willits Unified	4				Sacramento COE	Holt, Rhinehart, and Winston, <i>Literature and Language Arts</i>
Merced	Los Banos Unified	19				RIC, Butte COE	Houghton Mifflin, <i>A Legacy of Literacy</i>
Monterey	King City Union Elementary	1				Center for Applied Research	SRA/McGraw -Hill, <i>REACH</i>
Nevada	Pleasant Ridge Union Elementary	4				RIC, Sacramento COE	SRA/McGraw -Hill, <i>Open Court 2000</i>
Riverside	Murrieta Valley Unified	35				San Diego COE	SRA/McGraw -Hill, <i>Foro Abierto</i>
Sacramento	Folsom- Cordova Unified		3			District	Houghton Mifflin, <i>A Legacy of Literacy</i>
San Bernardino	Alta Loma Elementary				1	Etiwanda School District	Prentice Hall, <i>Algebra I, California Edition</i>

COUNTY	LEA NAME	NUMBER OF TEACHERS				PROVIDER	MATERIALS
		Reading 40 Hours	Reading 80 Hours	Mathematics 40 Hours	Mathematics 80 Hours		
San Bernardino	Etiwanda Elementary	10				Etiwanda School District	Houghton Mifflin, <i>A Legacy of Literacy</i>
San Bernardino	Fontana Unified	90				RIC, Sacramento COE	SRA/McGraw-Hill, <i>Open Court 2002</i>
San Diego	La Mesa-Spring Valley	4				RIC, San Diego COE	Houghton Mifflin, <i>A Legacy of Literacy</i>
San Diego	National Elementary			10		Sacramento COE	McGraw-Hill, <i>Mathematics</i>
San Joaquin	Tracy Joint Unified	73				RIC, San Joaquin COE	SRA/McGraw-Hill, <i>Open Court 2002</i>
Santa Barbara	Santa Barbara Elementary			17		Stanislaus COE	McDougal Littell, <i>Concepts and Skills, Algebra 1</i>
Siskiyou	Grenada Elementary				1	Tehama COE	Prentice Hall, <i>Algebra I, California Edition</i>
Sonoma	Petaluma Joint Union High	26				Sopris West	Sopris West, <i>LANGUAGE!</i>
Sonoma	Santa Rosa High	5				Sacramento COE	Holt, Rhinehart, and Winston, <i>Literature and Language Arts</i>
Stanislaus	Empire Union Elementary	2				RIC, San Joaquin COE	Houghton Mifflin, <i>A Legacy of Literacy</i>

COUNTY	LEA NAME	NUMBER OF TEACHERS				PROVIDER	MATERIALS
		Reading 40 Hours	Reading 80 Hours	Mathematics 40 Hours	Mathematics 80 Hours		
Stanislaus	Modesto City Elementary	54				RIC, San Joaquin COE	Houghton Mifflin, <i>A Legacy of Literacy</i>
Ventura	Mupu Elementary			3		Ventura COE	Harcourt Publisher, <i>Harcourt Math</i>
Ventura	Ocean View Elementary	5				RIC, Los Angeles COE	Houghton Mifflin, <i>A Legacy of Literacy</i>
Ventura	Somis Union			2		Stanislaus COE	McDougal Littell, <i>Concepts and Skills, Course 2, Algebra</i>
<b>TOTAL</b>		<b>398</b>	<b>3</b>	<b>129</b>	<b>2</b>		

**Application Form**  
Fiscal Year 2005-06 (July 2006)

The following local educational agencies have submitted certification of assurance via a signed Application:

<b>COUNTY</b>	<b>NAME OF LEA</b>
Alameda	Alameda County Office of Education
Alameda	New Haven Unified
Butte	Biggs Unified
Butte	Manzanita Elementary
Butte	Pioneer Union Elementary
Butte	Thermalito Union Elementary
Colusa	Williams Unified
Contra Costa	Antioch Unified
Fresno	Caruthers Unified
Fresno	Fresno Unified
Fresno	Parlier Unified
Fresno	Riverdale Joint Unified
Inyo	Lone Pine Unified
Kern	Delano Union Elementary
Kern	Di Giorgio Elementary
Kern	Edison Elementary
Kern	Richland Union Elementary
Kern	Taft City Elementary
Kern	Wasco Union Elementary
Kings	Kit Carson Union Elementary
Lake	Konocti Unified
Los Angeles	Compton Unified
Los Angeles	Covina-Valley Unified
Los Angeles	El Monte City Elementary

<b>COUNTY</b>	<b>NAME OF LEA</b>
Los Angeles	Pomona Unified
Los Angeles	Wilsona Elementary
Mendocino	Anderson Valley Unified
Merced	Livingston Union Elementary
Merced	Merced County Office of Education
Monterey	Alisal Union Elementary
Monterey	Carmel Unified
Monterey	Chualar Union Elementary
Monterey	Greenfield Union Elementary
Monterey	King City Joint Union High
Monterey	North Monterey County Unified
Monterey	Pacific Grove Unified
Monterey	Salinas City Elementary
Monterey	Salinas Union High
Monterey	Santa Rita Union Elementary
Monterey	Soledad Unified
Monterey	Washington Union Elementary
Nevada	Nevada Joint Union High
Orange	Anaheim City
Orange	Capistrano Unified
Orange	Orange County Department of Education
Orange	Santa Ana Unified
Placer	Roseville Joint Union High
Riverside	Alvord Unified

COUNTY	NAME OF LEA
Riverside	Corona-Norco Unified
Riverside	Moreno Valley Unified
Riverside	Nuview Union Elementary
Riverside	San Jacinto Unified
Sacramento	Del Paso Heights Elementary
Sacramento	Elverta Joint Elementary
Sacramento	Grant Joint Union High
Sacramento	River Delta Joint Unified
San Bernardino	Adelanto Elementary
San Bernardino	Barstow Unified
San Bernardino	Morongo Unified
San Bernardino	Ontario-Montclair Elementary
San Bernardino	Redlands Unified
San Bernardino	San Bernardino County Office of Education
San Bernardino	Victor Valley Union High
San Diego	Chula Vista Elementary
San Diego	Encinitas Union Elementary
San Diego	Escondido Union Elementary
San Diego	San Diego Unified
San Diego	Santee Elementary
San Diego	San Ysidro Elementary
San Diego	South Bay Union Elementary
San Joaquin	Banta Elementary
San Joaquin	Stockton City Unified
San Mateo	Jefferson Elementary
Santa Barbara	Goleta Union Elementary

COUNTY	NAME OF LEA
Santa Barbara	Santa Barbara High
Santa Barbara	Santa Maria-Bonita Elementary
Santa Clara	Franklin-McKinley Elementary
Santa Clara	Mt. Pleasant Elementary
Santa Clara	Oak Grove Elementary
Shasta	Bella Vista Elementary
Shasta	Columbia Elementary
Shasta	Junction Elementary
Shasta	Oak Run Elementary
Siskiyou	Fort Jones Union Elementary
Solano	Travis Unified
Sonoma	Bellevue Union Elementary
Sonoma	Geyserville Unified
Sonoma	Petaluma City Elementary
Sonoma	Sonoma Valley Unified
Stanislaus	Modesto City High
Stanislaus	Stanislaus County Office of Education
Stanislaus	Sylvan Union Elementary
Sutter	Live Oak Unified
Tehama	Los Molinos Unified
Tulare	Burton Elementary
Tulare	Liberty Elementary
Tulare	Tulare City Elementary
Tuolumne	Sonora Union High
Ventura	Oxnard Elementary
Yolo	Winters Joint Unified



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

<b>SUBJECT</b>	
Child Nutrition Advisory Council: Approve Amendments to bylaws	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### **RECOMMENDATION**

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The California Department of Education (CDE) recommends that the State Board of Education approve revisions to the Child Nutrition Advisory Council (CNAC) bylaws.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The SBE approved the original CNAC bylaws in November 1989 and approved amendments in May 1995 and July 2005.

### **SUMMARY OF KEY ISSUES**

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*Education Code* Section 49533 established the Child Nutrition Advisory Council (CNAC), the members of which are appointed by the State Board of Education (SBE). The mission of the CNAC is to provide proactive leadership for the enhancement of health and nutrition education for California's youth.

The Child Nutrition Advisory Council has proposed amendments to its bylaws to 1) add a section pertaining to attendance, and 2) strike the requirement that all changes to the bylaws must be approved by the SBE.

The CNAC bylaws currently state that amendments to the bylaws adopted by the Council do not go into effect until approved by the SBE. The Council's understanding is that these changes bring their bylaws into conformity with those of other SBE advisory boards. For example, the bylaws of the SBE's Advisory Commission on Special Education do not require SBE approval of any changes.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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No fiscal impact.

### **ATTACHMENT(S)**

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Attachment 1: Proposed changes to CNAC Bylaws (4 pages)

Proposed changes to CNAC Bylaws

## **Article I. Child Nutrition Advisory Council**

### **Section I. Status**

The Child Nutrition Advisory Council exists under the authority of *Education Code*, Title 2, Division 4, Part 27, Chapter 9, Article 10, Section 49533.

### **Section 2. Membership**

The members of the Council shall be appointed by the State Board of Education and shall include one member of the Department of Education; one school administrator; one school board member; one school food service director; one school food service supervisor or manager; one classroom teacher; one curriculum coordinator; one nutrition education specialist; one layperson; one child care food program sponsor; one secondary high school student; one qualified consultant specializing in nutrition, education, or health and welfare; one representative from a locally recognized parent-teacher organization; and one child care food program representative.

### **Section 3. Tenure**

Council members are appointed for a three-year term with the exception of the student member, who serves a one-year term. Council members shall be reimbursed for authorized travel costs according to established Department of Education Procedures.

The Council secretary will notify the president of the State Board of Education of anticipated vacancies four months before the vacancies are to occur. When an unexpected vacancy occurs, such as resignation or removal, the Council secretary will make prompt notification of the vacancy and related circumstances.

### **Section 4. Charge**

*Education Code.* As provided by *Education Code* Section 49533, the Child Nutrition Advisory Council shall recommend plans and guidelines for child nutrition and nutrition education programs.

In fulfilling its responsibility to inform and advise the State Board of Education, the Council will be concerned with but not limited to the following:

1. Effective food service management techniques and practices which will ensure the quality of child nutrition programs, including:
  - a. Food production
  - b. Nutrition expertise

- c. Communication systems
  - d. Policies
  - e. Human resources
  - f. Computers
  - g. Facilities
2. Effective nutrition education programs, including:
- a. Curriculum
  - b. Framework and guidelines
  - c. Policies
  - d. Techniques and practices
  - e. Assessment and evaluation
3. Effective communication with the State Board of Education, including:
- a. Annual report
  - b. Minutes of meetings
  - c. Special reports as appropriate

## **Article II. Officers**

### **Section 1. Chairperson**

At the last regular meeting in each calendar year, the members of the Council shall elect a chairperson from the membership who shall serve one year for the coming calendar year or until a successor is elected. The chairperson shall preside over the meetings, determine the agenda with appropriate consultation with the Department of Education's representative, and shall perform such other functions as are necessary and proper for the conduct of the Council's business.

### **Section 2. Vice-Chairperson**

At the last regular meeting in each calendar year, the members of the Council shall elect a vice-chairperson who shall serve one year for the coming calendar year or until a successor is elected. The vice-chairperson shall perform the duties of the chairperson in his or her absence.

### **Section 3. Council Executive Secretary**

The Superintendent of Public Instruction is executive secretary to the Council. The Department of Education representative shall serve as the Superintendent's

representative and secretary to the Council. The secretary shall prepare and process agendas, process communications to the Council, keep the minutes of the proceedings of the Council and other appropriate records, make arrangements for the meetings, and provide Council members minutes, guidance, and other appropriate information so that the Council may function effectively.

#### **Section 4. Executive Committee**

The chairperson, vice-chairperson, and secretary shall serve as an executive committee. This body may be authorized by the Council to perform specified functions between regular meetings when the assembly of the full Council is neither reasonable nor necessary. Powers of this group shall be limited to those authorized by the Council.

### **Article III. Meetings**

#### **Section 1. Open Meetings**

All regular and special meetings of the Council and all committees of the Council shall be open to the public in accordance with provisions of Government Code Section 1120, et seq.

#### **Section 2. Attendance**

A member of the Council, having accepted the appointment, shall attend all meetings. Expenses of members of the Council to attend Council and/or committee meetings shall be paid pursuant to state law and regulations, including extraordinary costs as approved by the Council Chair and the Council Executive Secretary.

If a member cannot attend a meeting, he or she will notify the Council Chair or Council Executive Secretary, in writing or by phone, at least 24 hours in advance of the meeting. If a member is absent three meetings during one Council calendar year, the Council Chair shall notify the member's appointing power.

#### **Section 2 3. Regular Meeting Dates**

The Council shall set a regular schedule of meetings at times and places to be determined by the chairperson on consultation with the secretary.

#### **Section 3 4. Special Meetings**

Special meetings may be called by the chairperson and shall be called on the request of the executive committee.

## **Section 4 5. Quorum**

A majority of the voting members of the Council shall constitute a quorum. A Council member cannot be represented by an alternate for the purpose of constituting a quorum, nor can an alternate cast a vote for another member of a commission. Action of the Council shall be decided by a majority vote of the membership.

## **Section 5 6. Notice of Meetings**

A notice of meeting with the agenda shall be sent to each Council member, State Board of Education member, and to others who request such notices ten days in advance of the meeting.

## **Article IV. Committees**

### **Section 1. Appointment to Committees**

The chairperson of the Council shall appoint members of the Council to any committee formed. The chairperson and vice-chairperson shall be ex-officio members of all committees.

## **Article V. Procedures**

### **Section 1. Parliamentary Procedures**

In matters of parliamentary procedures not covered by these bylaws, the provisions of the newest revision of Robert's Rules of Order shall prevail.

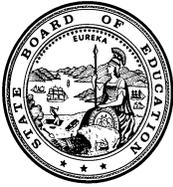
### **Section 2. Amendments to Bylaws**

Recommendations to amend these bylaws may be made at any regular meeting of the Council by a majority of the entire voting membership, provided a written notice of such amendment, including the proposed text of the amendment, has been submitted in writing at least two weeks in advance. ~~Amendments are not in effect until approved by the State Board of Education.~~

Adopted by the State Board of Education, November 1989.

Amendments adopted by the State Board of Education, May 1995.

Amendments adopted by the State Board of Education, July 2005.



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
Standardized Testing and Reporting Program: Approval of the revisions to the California Alternate Performance Assessment English-language arts Blueprint for Level 1	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### **RECOMMENDATION**

---

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the revisions to the California Alternate Performance Assessment (CAPA) English-language Arts (ELA) Blueprint for Level 1.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The CAPA was initially developed by the CDE's Special Education Division as required by the Individuals with Disabilities Education Act (IDEA). The No Child Left Behind (NCLB) Act of 2001 allowed states to develop an assessment based on alternate achievement standards for students with significant cognitive disabilities. A federal requirement for the alternate assessment is that the alternate achievement standards must link to grade-level content standards. The CAPA Assessment Review Panel (ARP) reviewed and revised the CAPA blueprints in order to meet this requirement.

In March 2006, the SBE approved the revised blueprints for CAPA. Level 1, which is ungraded for students with a cognitive ability of up to 24 months, had very minor revisions. The revised blueprints for Levels 2–5, which cover grades 2-11, provide access to grade level curriculum through alternate achievement standards linked to grade-level content standards.

### **SUMMARY OF KEY ISSUES**

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Subsequent to the adoption of the revised CAPA blueprints, it was discovered that some of the upper grade-level alternate achievement standards had been inadvertently left on the CAPA ELA Blueprint for Level 1. The CDE has attached the revised CAPA ELA Blueprint for Level 1, showing what has been deleted, for the SBE's approval.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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Funding for this activity was approved by the SBE in the Educational Testing Service 2006 Scope of Work.

**ATTACHMENT(S)**

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Attachment 1: California Alternate Performance Assessment  
English-Language Arts Blueprint Revised Level 1 (3 Pages).

**California Alternate Performance Assessment**  
**English-Language Arts Blueprint**  
**Revised Level I**  
 (Blueprint adopted by the State Board of Education 3/06)

<b>CALIFORNIA CONTENT STANDARDS</b>	
<b>Reading</b>	<b>Number of Tasks: 4</b> <b>Percentage of Test: 50%</b>
<b>Kindergarten</b>	
<b>1.0</b>	<b>WORD ANALYSIS, FLUENCY, AND SYSTEMATIC VOCABULARY DEVELOPMENT:</b> Students know about letters, words, and sounds. They apply this knowledge to read simple sentences.
<b>1.3</b>	<b>Concepts About Print: Understand that printed materials provide information.</b> <ul style="list-style-type: none"> <li>✓ Identify environmental symbols/signs/cues.</li> <li>✓ Match symbol or cue to activity or function.</li> <li><del>✓ Follow a list/schedule of activities</del></li> <li>✓ Use printed materials to provide/obtain information</li> </ul>
<b>Grade 1</b>	
<b>1.0</b>	<b>WORD ANALYSIS, FLUENCY, AND SYSTEMATIC VOCABULARY DEVELOPMENT:</b> Students understand the basic features of reading. They select letter patterns and know how to translate them into spoken language by using phonics, syllabication, and word parts. They apply this knowledge to achieve fluent oral and silent reading.
<b>1.17</b>	<b>Vocabulary and Concept Development:</b> Classify grade-appropriate categories of words (e.g., concrete collections of animals, foods, toys). <ul style="list-style-type: none"> <li>✓ Identify object by function.</li> <li>✓ Sort objects by function/use.</li> <li>✓ Identify picture by function.</li> <li><del>✓ Sort pictures by function/use</del></li> <li><del>✓ Match letter/written words to picture</del></li> <li><del>✓ Classify objects by category</del></li> <li>✓ Classify words by category</li> </ul>
<b>2.0</b>	<b>READING COMPREHENSION:</b> Students read and understand grade-level-appropriate material. They draw upon a variety of comprehension strategies as needed (e.g., generating and responding to essential questions, making predictions, comparing information from several sources). The selections in <i>Recommended Readings in Literature, Kindergarten Through Grade Eight</i> illustrate the quality and complexity of the materials to be read by students. In addition to their regular school reading, by grade four, students read one-half million words annually, including a good representation of grade-level-appropriate narrative and expository text (e.g., classic and contemporary literature, magazines, newspapers, online information). In grade one, students begin to make progress toward this goal.
<b>2.3</b>	<b>Comprehension and Analysis of Grade-Level-Appropriate Text:</b> Follow one-step written instructions. <ul style="list-style-type: none"> <li>✓ Identify a picture/object/word cue.</li> <li><del>✓ Follow schedules</del></li> <li><del>✓ Follow community symbol directions</del></li> <li><del>✓ Read and demonstrate single action words</del></li> <li>✓ Follow written or pictorial recipe</li> </ul>

**California Alternate Performance Assessment**  
**English-Language Arts Blueprint**  
**Revised Level I**  
 (Blueprint adopted by the State Board of Education 3/06)

<b>Writing</b>	<b>Number of Tasks: 1</b>
	<b>Percentage of Test: 12.5%</b>
<b>Kindergarten</b>	
<b>1.0</b>	<b>WRITING STRATEGIES: Students write words and brief sentences that are legible.</b>
1.3	<b>Organization and Focus:</b> Write by moving from left to right and from top to bottom. <ul style="list-style-type: none"> <li>✓ Demonstrate left to right/top to bottom sequencing in a variety of activities.</li> <li>✓ Hold writing implement.</li> <li>✓ Make marks on paper.</li> <li>✓ Trace/copy purposeful marks on paper.</li> <li>✓ Produce shapes, letters, numerals</li> <li>✓ Link symbols in a meaningful sequence (i.e., pictures, letters, words)</li> <li>✓ Produce name</li> </ul>
<b>Grade 4</b>	
<del>1.0</del>	<del><b>WRITING STRATEGIES: Students write clear, coherent sentences and paragraphs that develop a central idea. Their writing shows they consider the audience and purpose. Students progress through the stages of the writing process (e.g., prewriting, drafting, revising, editing successive versions).</b></del>
<del>1.9</del>	<del><b>Research and Technology:</b> Demonstrate basic keyboarding skills and familiarity with computer terminology (e.g., cursor, software, memory, disk drive, hard drive).</del> <ul style="list-style-type: none"> <li>✓ Indicate awareness of computer</li> <li>✓ Use an input device for cause and effect</li> <li>✓ Make choices using single/multiple input device(s)</li> <li>✓ Utilize keyboarding/device to access software</li> <li>✓ Utilize keyboard/device for writing functions</li> </ul>

**California Alternate Performance Assessment**  
**English-Language Arts Blueprint**  
**Revised Level I**  
 (Blueprint adopted by the State Board of Education 3/06)

<b>Listening and Speaking</b>	<b>Number of Tasks: 3</b>	
	<b>Percentage of Test: 37.5%</b>	
<b>Kindergarten</b>		
<b>1.0</b>	<b>LISTENING AND SPEAKING STRATEGIES: Students listen and respond to oral communication. They speak in clear and coherent sentences.</b>	
1.1	<b>Comprehension:</b> Understand and follow one-and-two-step oral directions. ✓ Orient in direction of speaker. ✓ Respond to voice by stopping activity or going to source of sound. ✓ Attend to speaker for duration of activity. ✓ Follow simple directions (i.e., verbal, gestural, signed, pictures, etc.) ✓ Perform action to comply with one- or two-step direction(s)	
1.2	<b>Comprehension:</b> Share information and ideas, speaking audibly in complete, coherent sentences. ✓ Communicate wants/needs using a gesture, action, voice output device or vocalization. ✓ Communicate choice using a gesture, action, voice output device or vocalization. ✓ Communicate information using single word using gesture, action, voice output device or vocalization ✓ Communicate information using two- or three-word phrases using gestures, actions, voice output device or vocalizations ✓ Communicate information using a complete sentence using gestures, actions, voice output device or vocalizations	
<b>Grade 1</b>		
<b>1.0</b>	<b>LISTENING AND SPEAKING STRATEGIES: Students listen critically and respond appropriately to oral communication. They speak in manner that guides the listener to understand important ideas by using proper phrasing, pitch, and modulation.</b>	
1.1	<b>Comprehension:</b> Listen attentively. ✓ Orient in direction of speaker. ✓ Respond to voice by stopping activity or going to source of sound. ✓ Attend to speaker for duration of activity. <del>✓ Follow simple directions (i.e., verbal, gestural, signed, pictures, etc.)</del> <del>✓ Perform action to comply with one- or two-step directions.</del>	
<b>Total Level I Tasks:</b>	<b>Total Number of Tasks: 8</b>	<b>Percentage of Test: 100%</b>



# CALIFORNIA STATE BOARD OF EDUCATION

## July 2005 AGENDA

SUBJECT	
Advisory Commission on Special Education: Appointment of two commissioners	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### **RECOMMENDATION**

---

The Screening Committee of the State Board of Education (SBE) recommends that the two individuals identified in the Last Minute Memorandum be appointed as members of the Advisory Commission on Special Education to terms that end on December 31, 2009.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The State Board of Education is the appointing authority for five of the 15 statutorily defined positions.

### **SUMMARY OF KEY ISSUES**

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The Advisory Commission consists of appointed members from the Speaker of the Assembly, Senate Committee on Rules, Governor, and the State Board of Education. The membership consists of parents, persons with disabilities, persons knowledgeable about the administration of special education, teachers, and legislative representation from the Assembly and Senate.

The Commission provides recommendations and advice to the State Board of Education, the Superintendent of Public Instruction, the Legislature, and the Governor in new or continuing areas of research, program development and evaluation in California special education.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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There is no fiscal impact.

### **ATTACHMENT(S)**

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Names and brief biographies of individuals recommended for appointment by the Screening Committee will be provided as a Last Minute Memorandum.

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**CALIFORNIA STATE BOARD OF EDUCATION**

1430 N Street, Suite 5111  
Sacramento, CA 95814  
Phone: (916) 319-0827  
Fax: (916) 319-0175



To: State Board of Education (SBE)

From: SBE Screening Committee (Ken Noonan, Ruth Green, Joe Nuñez)

Date: July 12, 2006

Subject: Item 24 – Advisory Commission on Special Education: Appointment of Two Members

Following the conduct of a formal application, screening and interview process, the Screening Committee of the California State Board of Education makes the following recommendation to the full Board for appointment of members to the Board's Advisory Commission for Special Education:

Judith Holsinger

Stacy Begin



# CALIFORNIA STATE BOARD OF EDUCATION

## July 2006 AGENDA

SUBJECT	
Assignment of Numbers for Charter School Petitions	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### **RECOMMENDATION**

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The California Department of Education (CDE) recommends that the State Board of Education (SBE) assign charter numbers to the charter schools identified on the attached list.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The SBE is responsible for assigning a number to each approved charter petition. On the advice of legal counsel, CDE staff presents this routine request for assignment of charter numbers as a standard action item.

Since the charter school law was enacted in 1992, the SBE has assigned numbers to 795 charter schools, including some approved by the SBE after denial by the local educational agencies, and eight all-charter districts. Of the 795 schools numbered, approximately 570 were operating in the 2005-06 school year.

### **SUMMARY OF KEY ISSUES**

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The law allows for the establishment of charter schools. A charter school typically is approved by a local school district or county office of education. The entity that approves a charter is also responsible for ongoing oversight. A charter school must comply with all the provisions of its charter, but is exempt from many statutes and regulations governing school districts.

*Education Code* Section 47602 requires the SBE to assign a number to each charter school that has been approved by a local entity in the chronological order in which it was received. This numbering ensures that the state is within the cap on the total number of charter schools authorized to operate. As of July 1, 2006, the number of charter schools that may be authorized to operate in the state is 1,050. This cap may not be waived. This item proposes assignment of a number to twenty-three additional charter schools. These charter schools were recently approved by local boards of education as noted. Copies of the charter petitions are on file in the Charter Schools Division.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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There is essentially no fiscal impact directly resulting from the assignment of numbers to recently authorized charter schools. To the extent numbered schools serve students, they report average daily attendance and receive funding from certain federal, state, and local sources.

## **ATTACHMENT(S)**

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Attachment 1: Assignment of Numbers for Charter School Petitions (3 pages)

**July 2006 STATE BOARD OF EDUCATION MEETING**

**Assignment of Numbers for Charter School Petitions**

<b>Number</b>	<b>Charter Name</b>	<b>Charter School County</b>	<b>Authorizing Entity</b>	<b>Charter School Contact</b>
796	Smythe Academy of Arts and Sciences	Sacramento	North Sacramento School District	Kirk Fujikawa 2781 Northgate Blvd. Sacramento, CA 95815 916-263-8463
797	Triumph Academy	Los Angeles	Los Angeles Unified School District	Ref Rodriguez 919 8 <sup>th</sup> St. San Fernando, CA 91340 818-559-7699
798	Excel Academy	Los Angeles	Los Angeles Unified School District	Ref Rodriguez 2635 Pasadena Ave. Los Angeles, CA 90031 818-559-7699
799	Monterey Bay Charter School	Monterey	Monterey County Office of Education	David Hill 1004-B David Ave. Pacific Grove, CA 93950 831-655-4638
800	Hiddenbrooke Community School	Solano	Solano COE	Elizabeth Weinberg 2894 Dominion Way Vallejo, CA 94591 707-642-6346
801	Pathways to College	San Bernardino	Hesperia Unified School District	Debra Tarver 9144 Third Ave. Hesperia, CA 92345 760-963-1861
802	California Virtual Academy @ San Mateo	San Mateo	Jefferson School District	James Konantz 2360 Shasta Way, Unit B Simi Valley, CA 93065 805-581-0202
803	Paradise Charter School	Stanislaus	Paradise School District	Ron Flenner 2937 Moore Ave. Eureka, CA 95501 707-269-9490

804	Central California Connections Academy	Tulare	Alpaugh Unified School District	Bernie Hanlon 524 East Grangeville Blvd., #705 Hanford, CA 93230 559-696-1490
805	School of Arts and Global Education	Ventura	Ventura County Office of Education	Mary Galvin P.O. Box 392 Ventura, CA 93002 805-901-0158
806	Alpaugh Achievement Academy Charter School	Tulare	Alpaugh Unified School District	Bernie Hanlon 524 East Grangeville Blvd., #705 Hanford, CA 93230 559-696-1490
807	Gold Rush Charter School	Tuolumne	Summerville Union High School District	James Gallno 14673 Mono Way, Tuolumne, CA 95379 209-533-8644
808	Crescendo Charter Academy	Los Angeles	Los Angeles Unified School District	John Allen 4126 Arlington Ave., Los Angeles, CA 90008 323-945-3906
809	Century Academy for Excellence	Los Angeles	Lennox Elementary School District	Dr. Giselle Edman 1000 Corporate Pointe, Ste. 200 Culver City, CA 90230 310-642-2057
810	Athens Academy Charter School	Siskiyou	Butte Valley Unified School District	Jane Coover P.O.Box 394 Montague, CA 96064 530-475-0621
811	Arts & Technology High School of Oakland	Alameda	Alameda County Office of Education	John Oubre 1008 Pleasant Valley Dr. Pleasant Hill, CA 94523 510-302-9199
812	Summit Charter Academy	San Joaquin	Ceres Unified School District	Jessica Stinson 426 17 <sup>th</sup> St., Suite 200 Oakland, CA 94612 510-251-1660

813	Charter Academy Middle School	Los Angeles	Los Angeles Unified School District	Michael D. Piscal L.A. Council 3710 West 54 <sup>th</sup> Street Los Angeles, CA 90043 323-295-2684
814	Frederick Douglas Academy	Los Angeles	Los Angeles Unified School District	Michael D. Piscal L.A. Council 3710 West 54 <sup>th</sup> Street Los Angeles, CA 90043 323-295-2684
815	UC Online Academy, Imperial	Imperial	Imperial County Office of Education	Lynda M. Rogers UCCP Hdq., 3004 Mission St., Ste. 200 Santa Cruz, CA 95060 831-459-7168
816	Los Angeles Conservation Corps Charter School	Nevada	Nevada County Office of Education	Noel Trout 2824 S. Main St. Los Angeles, CA 90007 213-749-3601
817	Village School	Santa Clara	Campbell Union Elementary School District	Katie Middlebrook 825 West Parr Ave. Campbell, CA 95008 408-341-7042
818	TIP Academy	San Diego	Encinitas Union School District	Deborah Hazelton 611 San Mario Dr. Solana Beach, CA 92075 858-205-2902

Note: To date, the State Board of Education has issued 795 charter numbers. Approximately 630 charter schools are currently authorized to operate (as well as eight all-charter districts); about 570 charter schools were actually in operation in 2005-06. The difference (between the number of charter schools currently authorized and the number actually in operation) generally reflects schools that will open in 2006-07.

State of California

Department of Education

## LAST MINUTE MEMORANDUM

**DATE:** July 6, 2006

**TO:** **MEMBERS, STATE BOARD OF EDUCATION**

**FROM:** William J. Ellerbee, Jr., Deputy Superintendent  
School and District Operations Branch

**RE:** Item No. 25

**SUBJECT:** Assignment of Numbers for Charter School Petitions

The California Department of Education (CDE) recommends that the State Board of Education (SBE) assign charter numbers to the charter schools identified on the attached list. This list adds fourteen charter schools to those included in the original agenda item.

In addition, the CDE recommends that the SBE **not** assign charter number 810 as presented in the original agenda item. The CDE was recently notified that the Board of Trustees of the Butte Valley Unified School District rescinded its approval of the Athens Academy Charter School and, instead, denied the charter. Rather than change the numbers proposed for assignment to other charter schools in the original agenda item and continuing into this supplement, CDE staff believe the practical way of proceeding on this matter is to simply leave charter number 810 as **unassigned**. An appropriate note to that effect will be maintained in the official records of charter number assignment and posted on the CDE Web site. Reflecting charter number 810 as unassigned will have no effect on the state cap on the total number of charter schools.

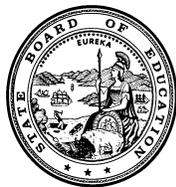
Attachment 1: Assignment of Numbers for Charter School Petitions (2 Pages)

**JULY 2006 STATE BOARD OF EDUCATION MEETING**

Assignment of Numbers for Charter School Petitions

<b>Number</b>	<b>Charter Name</b>	<b>Charter School County</b>	<b>Authorizing Entity</b>	<b>Charter School Contact</b>
820	La Grange Charter Academy	Stanislaus	La Grange Elementary School District	Joseph Magnu 30237 Floto St. La Grange, CA 95329 209-853-2132
821	Crescendo Charter Conservatory	Los Angeles	Los Angeles Unified School District	John Allen 10936 S. Normandie Ave. Los Angeles, CA 90044 323-945-3906
822	La Vida Charter School	Mendocino	Willits Unified School District	Ann Kelly 16200 North Highway 101 Willits, CA 95490 707-459-6344
823	Natomas Pacific Pathways Prep	Sacramento	Natomas Unified School District	Tom Rutten 1901 Arena Blvd. Sacramento, CA 95834 916-739-7270
824	Junior Space Exploration Academy	Alameda	Oakland Unified School District	Camron Gorguinpour 2666 Virginia St., Ste. B Berkeley, CA 94709 510-649-9314
825	Space Exploration Academy	Alameda	Oakland Unified School District	Camron Gorguinpour 2666 Virginia St., Ste. B Berkeley, CA 94709 510-649-9314
826	Wooden Secondary Charter Academy	Los Angeles	Los Angeles Unified School District	Jeff Hilger 2636 S. Mansfield Ave. Los Angeles, CA 90016 323-954-9957

<b>Number</b>	<b>Charter Name</b>	<b>Charter School County</b>	<b>Authorizing Entity</b>	<b>Charter School Contact</b>
827	Los Feliz Charter School for the Arts	Los Angeles	Los Angeles Unified School District	George Abrams 5000 Hollywood Blvd. Los Angeles, CA 90028 323-662-0561
828	Nuevo Sol Charter School	Los Angeles	Los Angeles Unified School District	Ronald Palacios 1218 4 <sup>th</sup> St. San Fernando, CA 91340 213-446-6488
829	Garr Academy of Mathematics and Entrepreneurial Studies	Los Angeles	Los Angeles Unified School District	Ranza Trotter 5101 S. Western Ave. Los Angeles, CA 90062 323-298-0961
830	Acorns to Oaks	Shasta	Cascade School District	Debra Clark 21132 Ronald St. Anderson, CA 96007 530-365-1055
831	Sequoia Charter School	Los Angeles	William S. Hart Union High School District	Lori Andrews 21445 Centre Pointe Parkway Santa Clarita, CA 91350 661-259-0033
832	Charter Academy High School	Los Angeles	Los Angeles Unified School District	Michael Piscal 2941 W. 70th St. Los Angeles, CA 90047 323-295-2684
833	Frederick Douglass Academy High School	Los Angeles	Los Angeles Unified School District	Michael Piscal 2009 W. Martin Luther King, Jr. Blvd. Los Angeles, CA 90047 323-295-2684



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
Charter Schools: Determination of Funding Requests for 2005-06 (and beyond) for Nonclassroom-based Charter Schools	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve eight 2005-06 (and beyond) determination of funding requests and deny one 2005-06 (and beyond) request pursuant to *Education Code (EC)* 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 (ACCS) as presented in Attachment 1.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Senate Bill (SB) 740 (Chapter 892, Statutes of 2001) provided for a system of “determinations of funding” for charter schools that offer nonclassroom-based instruction. Nonclassroom-based instruction occurs when a charter school does not require attendance of its pupils at the school site under the direct supervision and control of a qualified teaching employee of the school for at least 80 percent of the required instructional time. A charter school is prohibited from receiving any funding for nonclassroom-based instruction unless the SBE approves a determination of funding for the school. For 2003-04 and each fiscal year thereafter, the statute requires that determinations of funding must be at the 70 percent level, unless the SBE determines that a greater or lesser percentage is appropriate for a particular charter school.

SB 740 also provided for establishment of the ACCS to develop the criteria for the evaluation of funding determination requests. The responsibilities of the ACCS additionally encompass development of recommendations to the SBE on appropriate funding determination levels for nonclassroom-based charter schools and on other aspects of the SBE’s duties under the *Charter Schools Act of 1992*.

## **SUMMARY OF KEY ISSUES**

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The ACCS made recommendations on nine funding determination requests at its meeting on May 22, 2006.

The ACCS recommendations reflect revised Title 5 regulations that became operative on December 6, 2005. The regulations specify the criteria that nonclassroom-based charter schools must meet to receive recommendations for various determination of funding levels. For example, to receive a recommendation for a determination of funding at the 100 percent level, the criteria state that at least 40 percent of the school's public revenues must be spent on certificated employee salaries and benefits, at least 80 percent of all revenues must be spent on instruction and related services, and the student-to-teacher ratio must not exceed 25 to 1 or the student-to-teacher ratio of the largest unified school district in the county or counties in which the charter school operates. Unless a charter school spends at least 35 percent of its public revenues on certificated employee salaries and benefits, or at least 60 percent of all revenues on instruction and related services, the criteria call for a recommendation to deny the determination of funding request and, thus, provide no funding to the school. Pursuant to the regulations, the SBE may approve a higher or lower funding level than the criteria would prescribe if there is a "reasonable basis" to do so.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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A determination of funding request approved at less than the 100 percent level would likely result in reduced apportionment claims to the state. The reductions in claims would result in a proportionate reduction in expenditure demands for Proposition 98 funds. All Proposition 98 funds, by law, must be expended each fiscal year. Thus, a reduction in apportionment claims may be more accurately characterized as an expenditure shift than as absolute savings under typical circumstances. In 2002-03, funding determination requests approved by the SBE at less than 100 percent resulted in over \$30 million in reduced apportionment claims (expenditure shifts). In 2003-04 and again in 2004-05, apportionment claims were reduced (expenditures shifted) by approximately \$25 million.

## **ATTACHMENT(S)**

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Attachment 1: 2005-06 (and beyond) Funding Determination Requests (4 Pages)

**2005-06 (and beyond) Funding Determination Requests  
July 2006**

**The following determination of funding request is recommended for approval by the SBE for two years (2005-06 and 2006-07) at the 100 percent level, replacing an existing one-year determination of funding (2005-06) at the 100 percent level that was approved under prior regulations.** The reasons justifying a level higher than 70 percent in 2005-06 and beyond are that (1) the school met the minimum criteria specified in regulation for the 100 percent level, and (2) the school presented sufficient evidence (taking the totality of the request into account along with any other credible information that may have been available) that the 100 percent funding determination level is necessary for the school to maintain nonclassroom-based instruction that is conducted for the instructional benefit of the student and is substantially dedicated to that function. Note that this is a newly established charter school, whose expenditures met the criteria for 100 percent funding. This determination of funding request replaces an existing one-year determination of funding (2005-06) for this school that was approved by the SBE in March 2006 based upon prior regulations.

<b>Charter Number</b>	<b>CDS Code</b>	<b>Charter Name</b>	<b>2005-06</b>	<b>2006-07</b>
#730	33-67116-0109843	Santa Rosa Academy	100%	100%

**The following determination of funding requests are recommended for approval by the SBE for two years (2005-06 and 2006-07) at the 100 percent level.** The reasons justifying a level higher than 70 percent in 2005-06 and beyond are that (1) the schools met the minimum criteria specified in regulation for the 100 percent level, and (2) the schools presented sufficient evidence (taking the totality of the request into account along with any other credible information that may have been available) that the 100 percent funding determination level is necessary for the school to maintain nonclassroom-based instruction that is conducted for the instructional benefit of the student and is substantially dedicated to that function (*CCR*, Title 5, Section 11963.4(a)(3)). These are continuing schools whose expenditures met the criteria for 100 percent funding.

<b>Charter Number</b>	<b>CDS Code</b>	<b>Charter Name</b>	<b>2005-06</b>	<b>2006-07</b>
#155	04-61531-0430132	Paradise Charter Network	100%	100%
#528	50-10504-0101501	Archway Academy	100%	100%
#620	33-67215-0106526	Riverside Gateway to College	100%	100%
#650	34-67330-0108757	Folsom Cordova Community Charter School	100%	100%

**With respect to the determination of funding request from Antelope View Charter School (#344), the CDE and the Advisory Commission on Charter Schools (ACCS) recommend that the SBE approve all of the following:**

- (1) Pending the completion of the actions described in subdivisions (2) and (3), and unless or until automatically and retroactively superseded pursuant to subdivision (4), approve a 100 percent determination of funding for two years (2005-06 and 2006-07), determining that a level greater than 70 percent is appropriate within the meaning of *Education Code* Section 47634.2(a)(4), because the 100 percent level is consistent with the criteria specified in the regulations pertaining to determinations of funding as contained in *California Code of Regulations*, Title 5, Section 11963 et seq. with facilities costs being cited as a mitigating factor.
- (2) Direct that the school submit a determination of funding request reflecting its 2005-06 revenues and expenditures on or before December 31, 2006.
- (3) Using the information supplied in the determination of funding request submitted pursuant to subdivision (2), direct that CDE staff reduce the ending balance from the prior fiscal year and the expenditures for instruction and related services by an amount that (had it been spent for instruction and related services in 2004-05) would have brought the school's 2004-05 expenditures for instruction and related services to the level of 80 percent of total revenues. Then, direct that CDE staff determine whether the remaining 2005-06 expenditures for instruction and related services are sufficient to reach the level of 80 percent of total revenues.
- (4) If either of the following occurs:
  - The school fails to submit a determination of funding request as specified in subdivision (2), or
  - The remaining 2005-06 expenditures for instruction and related services as specified in subdivision (3) are determined by CDE staff to be lower than the level of 80 percent of total revenues,

Then, with the consent of the school as expressed to the ACCS, direct that the actions specified in subdivision (1) be automatically and retroactively superseded so as to approve an 85 percent determination of funding for the school for two years (2005-06 and 2006-07), determining that a level greater than 70 percent is appropriate within the meaning of *EC* Section 47634.2(a)(4), and that the requested level of 100 percent is inappropriate, because the 85 percent level is consistent with the criteria specified in the regulations pertaining to determinations of funding as contained in *CCR*, Title 5, Section 11963 et seq.

Charter Number	CDS Code	Charter Name	2005-06	2006-07
#344	34-73973-3430816	Antelope View Charter School	100%*	100%*

\*Or 85 percent, as provided in subdivision (4) of the recommendation.

**The following determination of funding requests are recommended for approval by the SBE for two years (2005-06 and 2006-07) at the 85 percent level.** The reasons justifying this level in 2005-06 and 2006-07 revolve around the schools only having met the criteria specified in regulation for the 85 percent funding level. Specifically, the percentage of the schools' total expenditures calculated for Instruction and Related Services did not equal or exceed 80 percent of total revenues (*CCR*, Title 5, Section 11963.4(a)(2)). "If the percentage calculated pursuant to paragraph (1) of subdivision (c) of Section 11963.3 equals or exceeds 40 percent on certificated staff compensation, **and** the percentage calculated pursuant to paragraph (2) of subdivision (c) of Section 11963.3 equals at least 70 percent but less than 80 percent on instruction and related services, the [ACCS] shall recommend to the [SBE] approval of the request at 85 percent, unless there is a reasonable basis to recommend otherwise." The schools spent less than 80 percent on Instruction and Related Services in 2004-05, resulting in an 85 percent recommended funding determination level. These charter schools can address this problem in future funding determinations by increasing the school's total expenditures calculated for instruction and related services to 80 percent or more of total revenues.

Charter Number	CDS Code	Charter Name	2005-06	2006-07
#362	27-66092-2730240	Learning for Life Charter School	85%	85%
#591	36-75044-0102160	Oasis Charter Academy	85%	85%

**The following determination of funding request is recommended for denial by the SBE.** The reason justifying denial is that the school did not meet the criteria specified in regulation for approval at any level. *CCR*, Title 5, Section 11963.4(a)(4) specifies, "If the percentage calculated pursuant to paragraph (1) of subdivision (c) of Section 11963.3 is less than 35 percent, or the percentage calculated pursuant to paragraph (2) of subdivision (c) of section 11963.3 is less than 60 percent, then the charter school's nonclassroom-based instruction is not substantially dedicated to the instructional benefit of the students, and the [ACCS] shall recommend that the [SBE] deny the request, unless there is a reasonable basis to recommend otherwise."

The recommendation to deny the request is based upon incomplete school financial data and failure to provide an audit report for 2004-05. The school had significant audit exceptions in 2003-04, e.g., a negative ending fund balance of over \$1.4 million, a tax liability of \$412,000, internal control findings – missing documentation for expenditures.

The West Fresno Performing Arts Academy charter was revoked in April 2006, and the school is to close on or before June 30, 2006.

The CDE and the ACCS are unable to recommend any funding for the nonclassroom-based average daily attendance in this school. Therefore, the school's determination of funding request is recommended for denial.

<b>Charter Number</b>	<b>CDS Code</b>	<b>Charter Name</b>	<b>2005-06</b>	<b>2006-07</b>
#381	10-62174-1030857	West Fresno Performing Arts Academy	<b>Denial – No Funding</b>	

State of California

Department of Education

## LAST MINUTE MEMORANDUM

**DATE:** July 6, 2006

**TO:** MEMBERS, STATE BOARD OF EDUCATION

**FROM:** William J. Ellerbee, Jr., Deputy Superintendent  
School and District Operations Branch

**RE:** Item No. 26

**SUBJECT:** Charter Schools: Determination of Funding Requests for 2005-06 (and beyond) for Nonclassroom-based Charter Schools

Within this item, the California Department of Education (CDE) and the Advisory Commission on Charter Schools (ACCS) recommend that the State Board of Education (SBE) deny the determination of funding request submitted by the West Fresno Performing Arts Academy (#381), which is commonly known as PACE. As noted in the agenda item, PACE's charter was revoked, and the school is now closed.

Under the provisions of *California Code of Regulations (CCR)*, Title 5, Section 11963.4(d), a charter school may request reconsideration of an ACCS recommendation prior to the recommendation being presented to the SBE. A PACE representative requested reconsideration of the ACCS recommendation in this case.

A special meeting of the ACCS was held by telephone conference call on June 27, 2006. The opportunity was given to submit new information either orally or in writing. On the Friday before the special ACCS meeting, the school's representative requested a continuance, given that his attorney could not appear on June 27. CDE staff explained that there was no provision for a continuance and again encouraged the representative to present new information either orally or in writing. He chose to do neither.

At the June 27 ACCS meeting, CDE staff explained all of the circumstances outlined above. CDE staff also reiterated that:

- (1) The unaudited financial information submitted by PACE (and discussed at the May 2006 ACCS meeting) clearly shows the school's 2004-05 expenditures for teacher salaries to be substantially below the level needed to qualify for a 2005-06 determination of funding under *CCR*, Title 5, Section 11963.4(a)(4).
- (2) The school did not prepare a 2004-05 final audit, as required by law. Thus, the school's 2004-05 revenues, expenditures, and reserve cannot be verified.

By unanimous vote of the participating members, the ACCS confirmed its recommendation to deny PACE's determination of funding request, and CDE staff were directed to present the ACCS recommendation at the July 2006 SBE meeting.



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
Petition by Green Dot Public Schools to establish a Statewide Benefit Charter School under the oversight of the State Board of Education: Hold Public Hearing, Make Finding, and Approve	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input checked="" type="checkbox"/> Public Hearing

### RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE) hold a public hearing on the Green Dot Public Schools (Green Dot) petition to establish a statewide benefit charter. Following the public hearing, the CDE recommends that the SBE take the following actions:

1. Pursuant to *Education Code (EC)* Section 47605.8(b), make a finding that the proposed charter school will provide instructional services of statewide benefit that cannot be provided by a charter school operating in only one school district, or only in one county.
2. Approve the Green Dot petition to establish a statewide benefit charter for a five-year period from July 1, 2007, to June 30, 2012, subject to the conditions for school opening and operation as set forth in Attachment 1, and incorporating the additions and changes to the petition that are proposed by the CDE and the Advisory Commission on Charter Schools (ACCS).
3. Assign the Green Dot petition charter number 819.
4. Direct that, if the first two schools authorized under the petition do not open on or before September 30, 2007, approval of the Green Dot statewide benefit charter is terminated on October 1, 2007.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Assembly Bill (AB) 1994 (Chapter 1058, Statutes of 2002) added *EC* Section 47605.8 providing for the creation of statewide benefit charter schools to operate at multiple sites throughout the state. Statewide benefit charter petitions are submitted directly to the SBE, in contrast to individual charter petitions that come to the SBE on appeal from time to time because the petitions have been denied (for initial approval or renewal) at the local level.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION (cont)**

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In November 2004, the SBE adopted the Title 5 regulations called for in AB 1994 to implement *EC* Section 47605.8, and the regulations took effect (following approval by the Office of Administrative Law) in June 2005.

In January 2006, the SBE approved a statewide benefit charter petition submitted by High Tech High. The first two schools operated under that petition are scheduled to open on or before September 30, 2007.

## **SUMMARY OF KEY ISSUES**

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Green Dot is the nonprofit public benefit corporation established to develop and operate charter schools. Green Dot currently operates five high schools most of which are chartered by local educational agencies. They are all located in Los Angeles County, three being chartered by the Los Angeles Unified School District, and one by the Lennox Elementary School District. The fifth currently-operating Green Dot school is Animo Inglewood, which is chartered by the SBE. Green Dot is scheduled to open seven locally-chartered high schools in Los Angeles Unified School District in September 2006, six of those being small high schools that constitute a reformation of the district's Thomas Jefferson Senior High School.

Green Dot submitted its final statewide benefit petition in early May 2006, reflecting some of the suggestions made by CDE staff in response to an initial draft submitted in late February 2006. The petition was reviewed by the Advisory Commission on Charter Schools (ACCS) on May 22, 2006. The CDE staff review of the petition found the petition reasonably comprehensive, though concerns were raised on several matters. The staff review is included as Attachment 2.

The ACCS considered the Green Dot petition and the record that the existing Green Dot schools have compiled. By a vote of six affirmative and one against, the ACCS recommended that the SBE take the following actions:

- Make the statutorily required finding that the petition presents a statewide benefit that cannot be provided by a charter school operating in only one school district, or only in one county.
- Approve the Green Dot statewide benefit petition, subject to certain conditions with respect to opening and operation as presented in Attachment 1.
- Direct that the charter be modified to incorporate the changes the petition proposed by CDE staff and expanded and refined during the discussion before the ACCS. The Green Dot petitioners have agreed to modify the petition accordingly.

The petition states that the statewide benefit is a combination of five factors, including (1) dramatic improvement in the academic achievement of students; (2) narrowing the academic achievement gap among students from historically underserved populations;

## **SUMMARY OF KEY ISSUES**

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(3) model union contracts that empower teachers to be strong advocates for children; (4) a funding model that is sustainable (after start-up) based exclusively upon revenues earned from average daily attendance; and (5) engagement of the community, including parents, teachers, students, school district officials, and other community leaders in a process to transform the existing public school systems. In addition, a member of the ACCS also identified a statewide benefit in the “catalyst for change” that the proposal embodies, which is targeted at geographic areas where improvement in student academic achievement is greatly needed. Another ACCS member identified Green Dot’s proposed “governance model, low overhead, site and organization-wide accountability” as statewide benefits. The ACCS member who voted against the recommendation expressed the view that the SBE-adopted regulations pertaining to statewide benefit charters should be narrowly construed, and that the Green Dot petition clearly did not satisfy all of the regulatory tests.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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Approval of a statewide benefit charter per se has little (if any) effect on the total amount of state local assistance funding to public schools. To the extent students attend schools operated under the proposed statewide benefit charter, the funding to support those schools is merely redirected from other public schools. State costs overall are essentially the same.

There are currently two CDE staff positions assigned to oversee the SBE-approved charter schools, including the one statewide benefit charter school, and the eight all-charter districts (which are jointly approved by the SBE and the State Superintendent of Public Instruction), as well as to provide some essential business functions that support these schools and districts. The Charter Schools Division (CSD) has recently converted one of its Education Programs Consultant positions to an Education Fiscal Services Assistant position. One of the areas of responsibility of this new position will be to review and advise the CSD Director on issues relevant to fiscal solvency of SBE-approved charter schools.

## **ATTACHMENT(S)**

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Attachment 1: Green Dot Public Schools Statewide Benefit Charter: Proposed Conditions Prior to Opening and Operation (4 pages)

Attachment 2: Green Dot Public Schools: Statewide Benefit Charter School Petition Review Form 2005-06 (30 pages)

Attachment 3: Green Dot Public Schools Statewide Benefit Charter School Petition (63 pages)

Attachment 4: Five-Year Financial Model for Green Dot Public Schools Statewide Benefit Charter (18 Pages)

**ATTACHMENT(S) (cont)**

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Attachment 5: Year 1 Cash Flow Statement: Green Dot Public Schools Statewide Benefit Charter (6 pages)

Attachment 6: Year 2 Cash Flow Statement: Green Dot Public Schools Statewide Benefit Charter (6 pages)

Attachment 7: Year 3 Cash Flow Statement: Green Dot Public Schools Statewide Benefit Charter (6 pages)

## **Green Dot Public Schools Statewide Benefit Charter: Proposed Conditions Prior to Opening and Operation**

California Department of Education (CDE) staff and the Advisory Commission on Charter Schools (ACCS) recommend approval of Green Dot Public Schools (Green Dot) statewide benefit charter petition with the following conditions prior to the opening and operation of schools. These conditions are to be incorporated in a memorandum of understanding (MOU) between Green Dot and the CDE. Specifically, the proposed conditions are:

1. The CDE be provided information by Green Dot sufficient to update the State Board of Education (SBE) periodically (and prior to the opening of any schools under the charter) on the organization's progress in implementing the charter and the MOU. It is the intent of the CDE, unless circumstances otherwise dictate, to include this information in the standing item for updates on SBE-chartered schools.
2. As a condition for the opening of additional schools, each of the first two schools opened under the statewide benefit petition shall demonstrate student academic achievement on the Academic Performance Index (API) of either:
  - A statewide API ranking of 7 or better and a similar schools ranking of 6 or better; or
  - A statewide API ranking of 6 or better and a similar schools ranking of 7 or better.
3. Green Dot shall present a specific plan for the opening of the first two school sites in Delano and East Los Angeles, respectively. The plan shall be considered part of the statewide benefit charter, and any material revision of it shall require the SBE's approval. The plan shall have the following elements:
  - The first two sites shall be located in areas where neighboring public schools serving the same grade levels are in Program Improvement.
  - After the first two sites have operated for two years, and provided the first two sites achieve at least the API rankings specified above, no more than two sites may be opened each year. Each additional site shall be located in areas where neighboring public schools serving the same grade levels are in Program Improvement and shall be opened only with prior approval of the CDE, which shall notify the SBE of the location of the additional site(s). In addition, each existing Green Dot statewide benefit school must meet or exceed its API growth targets both schoolwide and for all subgroups and maintain:

**Green Dot Public Schools Statewide Benefit Charter:  
Proposed Conditions Prior to Opening and Operation**

- A statewide API ranking of 7 or better and a similar schools ranking of 6 or better; or
  - A statewide API ranking of 6 or better and a similar schools ranking of 7 or better.
  - Each site shall initially open between July 1 and September 30.
  - The specific location of each site shall be identified to the CDE in the January immediately preceding its opening.
4. Through legal review, the CDE and SBE staff shall ensure that the first two Green Dot schools to be opened under the statewide benefit charter are not currently authorized by a school district or county office of education.
  5. All CDE final findings and recommendations must be addressed in the specified time lines and to the satisfaction of the CDE and SBE before Green Dot is authorized by the CDE to open any individual school under the statewide benefit charter.
  6. Prior to the opening of any schools, a memorandum of understanding (MOU) shall be developed between Green Dot and the CDE that covers essential elements of the schools' operation that are pertinent to effective state oversight and that are not incorporated in the charter itself.
  7. In the annual report Green Dot submits to the SBE on the statewide benefit charter, Green Dot will provide detailed information regarding student achievement at each school site, with particular emphasis on core subjects, as may be specified by the CDE and SBE staff.
  8. The SBE may assign a SBE member or designee to the Green Dot governing board.
  9. The MOU between Green Dot and the CDE shall address at a minimum:
    - Insurance Coverage. Not later than [DATE TO BE DETERMINED (TBD)] (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.
    - Oversight Agreement. Not later than TBD, either (a) accept an agreement with the SBE, administered through the CDE, to be the direct oversight entity for the school, specifying the scope of oversight and reporting activities, including, but not limited to,

### **Green Dot Public Schools Statewide Benefit Charter: Proposed Conditions Prior to Opening and Operation**

adequacy and safety of facilities; or (b) enter into an appropriate agreement between the charter school, the SBE (as represented by the Executive Director of the SBE), and an oversight entity, pursuant to *Education Code (EC)* Section 47605(k)(1), regarding the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities.

- **SELPA Membership.** Not later than TBD, submit written verification of having applied to a special education local plan area (SELPA) for membership as a local educational agency and, not later than TBD, 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 between a SELPA, a school district that is a member of the SELPA, and the school that describes the roles and responsibilities of each party and that explicitly states that the SELPA and the district consider the school's students to be students of the school district in which the school is physically located for purposes of special education programs and services (which is the equivalent of participation in the SELPA). Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff based on a review of either the school's written plan for membership in the SELPA, including any proposed contracts with service providers or the agreement between a SELPA, a school district, and the school, including any proposed contracts with service providers.
- **Educational Program.** Not later than TBD, submit a description of the curriculum development process the school will use and the scope and sequence for the grades envisioned by the school; and, not later than TBD, 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. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff.
- **Student Attendance Accounting.** Not later than TBD, 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 SBE based primarily on the advice of the Director of the School Fiscal Services Division.
- **Facilities Agreements.** Not later than TBD, present written agreements (e.g., a lease or similar document) indicating the school's right to use the principal school sites and

### **Green Dot Public Schools Statewide Benefit Charter: Proposed Conditions Prior to Opening and Operation**

any ancillary facilities identified by the petitioners for at least the first year of each school's operation and evidence that the facilities will be adequate for the school's needs. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities Planning Division.

- **Zoning and Occupancy.** Not less than 30 days prior to the school's opening, present evidence that each school's 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 SBE 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 SBE based primarily on the advice of the Director of the School Facilities Planning Division.
- **Final Charter.** Not later than TBD, present a final charter that includes all provisions and/or modifications of provisions that reflect appropriately the SBE as the chartering authority and otherwise address all concerns identified by CDE 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 SBE based primarily on the advice of the Charter Schools Division staff.
- **Legal Issues.** In the final charter, resolve any legal issues that may be identified by the SBE's Chief Counsel or the CDE's General Counsel.
- **Processing of Employment 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).
- **Operational Date.** If any deadline specified in these conditions is not met, approval of the charter is terminated, unless the SBE deletes or extends the deadline not met. If the school is not in operation within one year of the charter petition's approval by the SBE, approval of the charter is terminated.

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**Green Dot Public Schools**

This form is specialized tool to evaluate a statewide benefit charter school petition. It is designed to ensure that the charter petition meets the requirements of statute and regulation.

Evaluator

Greg Geeting

**OVERALL CALIFORNIA DEPARTMENT OF EDUCATION (CDE) EVALUATION**

Green Dot's five schools have strong track records of 9 or 10 on the API similar schools rankings, although one will likely have a 2005 similar schools rank of 7. In addition, statewide API rankings are higher than surrounding high schools. Green Dot is a good candidate for approval as a statewide benefit charter.

Some modifications of the charter language would help strengthen the tie to standards-based instruction. Also, some modifications are needed to address technical and legal concerns. Finally, a firm agreement needs to be made with respect to the degree of flexibility Green Dot would have to "adjust" proposed locations, sequencing, and timelines without returning for a material revision of the charter.

CDE staff recommend approval of Green Dot's statewide benefit charter petition with the changes discussed herein and with a similar set of "conditions prior to opening" that were attached to the SBE's approval of the High Tech High statewide benefit charter, to be encompassed in a memorandum of understanding (MOU) between Green Dot and the CDE. Specifically:

- The CDE be provided information by Green Dot sufficient to update the SBE periodically (and prior to the opening of any schools under the charter) on the organization's progress in implementing the charter and the MOU. It is the intent of the CDE, unless circumstances otherwise dictate, to include this information in the standing item for updates on SBE-chartered schools.
- As a condition for the opening of additional schools, each of the first two schools opened under the statewide benefit petition shall demonstrate student academic achievement on the Academic Performance Index (API) of either:
  - A statewide API ranking of 7 or better and a similar schools ranking of 6 or better; or
  - A statewide API ranking of 6 or better and a similar schools ranking of 7 or better.
- Green Dot shall present a specific plan for the opening of the first two school sites in Delano and East Los Angeles, respectively. The plan shall be considered part of the statewide benefit charter, and any material revision of it shall require the SBE's approval. The plan shall have the following elements:

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- The first two sites shall be located in areas where neighboring public schools serving the same grade levels are in Program Improvement.
- After the first two sites have operated for two years, and provided the first two sites achieve at least the API rankings specified above, no more than two sites may be opened each year. Each additional site shall be located in areas where neighboring public schools serving the same grade levels are in Program Improvement and shall be opened only with prior approval of the CDE, which shall notify the SBE of the location of the additional site(s). In addition, each existing Green Dot statewide benefit school must meet or exceed its API growth targets both schoolwide and for all subgroups and maintain:
  - A statewide API ranking of 7 or better and a similar schools ranking of 6 or better; or
  - A statewide API ranking of 6 or better and a similar schools ranking of 7 or better.
- Each site shall initially open between July 1 and September 30.
- The specific location of each site shall be identified to the CDE in the January immediately preceding its opening.
- Through legal review, the CDE and SBE staff shall ensure that the first two Green Dot schools to be opened under the statewide benefit charter are not currently authorized by a school district or county office of education.
- All CDE final findings and recommendations must be addressed in the specified time lines and to the satisfaction of the CDE and SBE before Green Dot is authorized by the CDE to open any individual school under the statewide benefit charter.
- Prior to the opening of any schools, a memorandum of understanding (MOU) shall be developed between Green Dot and the CDE that covers essential elements of the schools' operation that are pertinent to effective state oversight and that are not incorporated in the charter itself.
- In the annual report Green Dot submits to the SBE on the statewide benefit charter, Green Dot will provide detailed information regarding student achievement at each school site, with particular emphasis on core subjects, as may be specified by the CDE and SBE staff.
- The SBE may assign a SBE member or designee to the Green Dot governing board.

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- The MOU between Green Dot and the CDE shall address at a minimum:
  - Insurance Coverage. Not later than [DATE TO BE DETERMINED (TBD)] (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.
  - Oversight Agreement. Not later than TBD, either (a) accept an agreement with the SBE, administered through the CDE, 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 SBE (as represented by the Executive Director of the SBE), and an oversight entity, pursuant to *Education Code (EC)* Section 47605(k)(1), regarding the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities.
  - SELPA Membership. Not later than TBD, submit written verification of having applied to a special education local plan area (SELPA) for membership as a local educational agency and, not later than TBD, 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 between a SELPA, a school district that is a member of the SELPA, and the school that describes the roles and responsibilities of each party and that explicitly states that the SELPA and the district consider the school's students to be students of the school district in which the school is physically located for purposes of special education programs and services (which is the equivalent of participation in the SELPA). Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff based on a review of either the school's written plan for membership in the SELPA, including any proposed contracts with service providers or the agreement between a SELPA, a school district, and the school, including any proposed contracts with service providers.
  - Educational Program. Not later than TBD, submit a description of the curriculum development process the school will use and the scope and sequence for the grades envisioned by the school; and, not later than TBD, 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. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff.
  - Student Attendance Accounting. Not later than TBD, submit for approval the specific means to be used for student attendance

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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 SBE based primarily on the advice of the Director of the School Fiscal Services Division.

- Facilities Agreements. Not later than TBD, present written agreements (e.g., a lease or similar document) indicating the school's right to use the principal school sites and any ancillary facilities identified by the petitioners for at least the first year of each school's operation and evidence that the facilities will be adequate for the school's needs. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities Planning Division.
- Zoning and Occupancy. Not less than 30 days prior to the school's opening, present evidence that each school's 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 SBE 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 SBE based primarily on the advice of the Director of the School Facilities Planning Division.
- Final Charter. Not later than TBD, present a final charter that includes all provisions and/or modifications of provisions that reflect appropriately the SBE as the chartering authority and otherwise address all concerns identified by CDE 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 SBE based primarily on the advice of the Charter Schools Division staff.
- Legal Issues. In the final charter, resolve any legal issues that may be identified by the SBE's Chief Counsel or the CDE's General Counsel.
- Processing of Employment 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).
- Operational Date. If any deadline specified in these conditions is not met, approval of the charter is terminated, unless the SBE deletes or extends the deadline not met. If the school is not in operation within one year of the charter petition's approval by the SBE, approval of the charter is terminated.

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**SPECIFIC CRITERIA RELATED TO STATEWIDE BENEFIT CHARTER PETITIONS**

<b>COMPLIANCE WITH ALL STATUTORY REQUIREMENTS</b>	<b>EC Section 47605.8 CCR, Title 5, Section 11967.6(a)(1)</b>
<b>Evaluation Criteria</b> A petition to establish a statewide benefit charter school...shall...comply with all statutory requirements otherwise applicable to charter schools, except those relating to geographic and site limitations.	
<b>Does the petition comply with all statutory requirements?</b>	<b>Generally</b>
<b>Comments:</b> Some specific provisions may need additional documentation to ensure compliance.	
<b>INDEPENDENT STUDY</b>	<b>EC Section 47605.8 CCR, Title 5, Section 11967.6(a)(2)</b>
<b>Evaluation Criteria</b> A petition to establish a statewide benefit charter school...shall...comply with all requirements of law relative to the provision of independent study (if applicable). A charter that does not expressly provide for independent study shall not be interpreted as allowing independent study beyond that which is incidental and required to address the temporary needs of particular students.	
<b>Does the petition comply with independent study requirements?</b>	<b>N/A</b>
<b>Comments:</b> Green Dot does not propose to use independent study which is more than incidental and required to address the temporary needs of particular students.	
<b>ANNUAL AUDIT</b>	<b>EC Section 47605.8 CCR, Title 5, Section 11967.6(a)(3)</b>
<b>Evaluation Criteria</b> A petition to establish a statewide benefit charter school...shall...describe how an annual independent audit...will be conducted in keeping with applicable statute and regulation and indicate how the individual school sites will be appropriately included in the audit process.	

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<b>ANNUAL AUDIT</b>	<b>EC Section 47605.8 CCR, Title 5, Section 11967.6(a)(3)</b>
<b>Does the petition satisfy this requirement?</b>	<b>Yes. Technical changes needed.</b>
<b>Comments:</b> The petition provides for the annual audit and indicates that each site will be separately audited (see pp. 48-49). Several minor, technical amendments are needed in this section.	

<b>INITIAL COMMENCEMENT OF INSTRUCTION</b>	<b>EC Section 47605.8 CCR, Title 5, Section 11967.6(a)(4)</b>
<b>Evaluation Criteria</b> A petition to establish a statewide benefit charter school...shall...incorporate a plan for initial commencement of instruction in at least two schools...in at least two different school districts or two different counties.	
<b>Does the petition incorporate the required plan for initial commencement of instruction in at least two schools?</b>	<b>Yes. Recommend clarification.</b>
<b>Comments:</b> The petition identifies the first two sites as being in the Delano Joint Union High School District and the Los Angeles Unified School District (see p. 53). However, footnotes indicate that Green Dot reserves the right to adjust proposed locations and the sequence and time line of school openings. Recommend clarification that Green Dot make a firm commitment to the initial two sites.	

<b>INSTRUCTIONAL SERVICES OF A STATEWIDE BENEFIT</b>	<b>EC Section 47605.8 CCR, Title 5, Section 11967.6(a)(4) CCR, Title 5, Section 11967.6(b)</b>
<b>Evaluation Criteria</b> A petition to establish a statewide benefit charter school...shall describe how the instructional services will provide a statewide benefit...that cannot be provided by a charter school operating in only one school district, or only in one county. Existing charter schools previously approved by a charter authorizer may not be included in a petition to establish a statewide benefit charter school.	

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<b>INSTRUCTIONAL SERVICES OF A STATEWIDE BENEFIT</b>	<b>EC Section 47605.8</b> <b>CCR, Title 5, Section 11967.6(a)(4)</b> <b>CCR, Title 5, Section 11967.6(b)</b>
<p>The SBE may not approve a petition for the operation of a statewide benefit charter school unless the SBE finds that the proposed statewide benefit charter school will provide instructional services of statewide benefit that cannot be provided by a charter school operating in only one school district, or only one county. Instructional services of a statewide benefit include, but are not limited to:</p> <p>(1) Unique factors and circumstances related to the statewide benefit charter school's educational program that can only be accomplished as a statewide benefit charter and not as a single district- or single county-authorized charter, including specific benefits to the following:</p> <ul style="list-style-type: none"> <li>(A) The pupils who would attend the statewide benefit charter school.</li> <li>(B) The communities (including the school districts and the counties) in which the individual schools would be located.</li> <li>(C) The state, to the extent applicable.</li> <li>(D) The statewide benefit charter school itself.</li> </ul> <p>(2) Neither an administrative benefit to a charter operator, nor a desire by a charter operator to provide services in more than one district and county, shall be considered sufficient in and of itself to constitute a statewide benefit.</p>	
<b>Does the petition present instructional services of a statewide benefit?</b>	<b>Yes</b>
<p><b>Comments:</b></p> <p>Green Dot asserts that this statewide benefit charter presents a unique combination of factors that will enable the organization "to be a change agent for California." The combination of factors includes:</p> <ul style="list-style-type: none"> <li>o Dramatic improvement in the academic achievement of students.</li> <li>o Narrowing the academic achievement gap among students from historically underserved populations.</li> <li>o Model union contracts that empower teachers to be strong advocates for children.</li> <li>o A funding model that is sustainable (after start-up) based exclusively upon revenues earned from average daily attendance.</li> <li>o Engagement of the community, including parents, teachers, students, school district officials, and other community leaders in a process to transform the existing public school systems.</li> </ul> <p>Green Dot presents evidence of both success in reaching these objectives and the organizational strength to replicate its success in the context of a statewide benefit charter. While arguably the individual factors presented may not meet the high threshold of uniqueness contemplated in statute and regulation, the combination of the factors does meet that threshold in staff's view.</p>	

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<b>SCHOOLS ESSENTIALLY SIMILAR</b>	<b>EC Section 47605.8 CCR, Title 5, Section 11967.6(a)(5)</b>
<b>Evaluation Criteria</b> A petition to establish a statewide benefit charter school...shall...include an assurance that the instructional services for similar student populations described in the charter will be essentially similar at each school and, thus, that each pupil's educational experience will be reasonably the same...	
<b>Does the petition provide assurance that the schools will be essentially similar?</b>	<b>Implied. Recommend clarification.</b>
<b>Comments:</b> Assurance is implied that instructional services will be essentially similar at each school and that each pupil's educational experience will be reasonably the same, although several references (e.g., pp. 15 and 44) indicate that individual sites may choose curricular departures. Recommend that an explicit assurance to that effect be included on the assurances page and that modifications to the text make clear that any site-chosen departures from Green Dot's recommended curriculum will nonetheless result in "essentially similar" instructional services.	

<b>SELPA PARTICIPATION</b>	<b>EC Section 47605.8 CCR, Title 5, Section 11967.6(a)(6)</b>
<b>Evaluation Criteria</b> A petition to establish a statewide benefit charter school...shall...describe how the...school will participate as a member of a special education local plan area, and ensure a coordinated structure for the provision of necessary programs and services specific to students with IEPs.	
<b>Does the petition describe SELPA participation and ensure that disabled students are provided programs and services?</b>	<b>Generally. Recommend clarification.</b>
<b>Comments:</b> A detailed plan for special education is set forth on pp. 19-23, and the assurances page (pg. 52) indicates that Green Dot will comply with various federal laws governing programs and services for students with disabilities. The text describes participation of the schools operated under the statewide benefit charter in the Southwest SELPA. However, it appears that acceptance of the statewide benefit schools into the Southwest SELPA is still under negotiation. Recommend that the charter be modified appropriately when the matter of participation in the Southwest SELPA is resolved. Recommend that Green Dot submit evidence of participation in a SELPA as a condition of opening. In addition, several recommended changes have been proposed by the Special Education Division and will be included in the charter if the petition is approved by the SBE.	

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<b>DEMONSTRATED SUCCESS OF PETITIONERS</b>	<b>EC Section 47605.8 CCR, Title 5, Section 11967.6(a)(7)</b>
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**Evaluation Criteria**  
A petition to establish a statewide benefit charter school...shall...demonstrate success in operating charter schools previously approved in California... Data that shall be considered...include, but are not limited to, a statewide or similar schools ranking of 8 or higher on the API...

<b>Does the petition provide evidence of demonstrated success?</b>	<b>Yes</b>
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**Comments:**  
Green Dot's petition includes evidence (based on the 2004 API) of the organization's success in operating charter schools (see pp. 3-5). Similar school rankings in 2004 for the organization's three schools were 9, 9, and 10, although statewide ranks for these schools were 3, 3, and 7. With regard to the 2005 API, only statewide ranks are available as to the time this analysis is being prepared; similar schools ranks are still in the process of review. Green Dot's five schools have 2005 statewide ranks of 3, 3, 5, 5, and 6. It seems likely that these schools' 2005 similar schools ranks will be at least 8, except for Animo Leadership which is likely to be below that level.

<b>COMMUNITY INPUT</b>	<b>EC Section 47605.8 CCR, Title 5, Section 11967.6(a)(8)</b>
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**Evaluation Criteria**  
A petition to establish a statewide benefit charter school...shall...describe how local community input for each school included in the plan was solicited (or will be solicited). Satisfaction of this paragraph shall involve the holding of at least one publicly noticed meeting for each school, with a summary of the input received at the meeting(s) being provided.

<b>Does the petition provide evidence of required community input?</b>	<b>Yes</b>
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**Comments:**  
The petition indicates that community meetings (as envisioned in the statute) will be held in the future, if the petition is approved. Summaries of the community input will be posted on Green Dot's Web site. (See pp. 55-56.)

<b>REQUIRED SIGNATURES</b>	<b>EC Section 47605.8 CCR, Title 5, Section 11967.6(a)(9)</b>
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**Evaluation Criteria**  
A petition to establish a statewide benefit charter school...shall...contain sufficient signatures either of parents...or of teachers in keeping with EC section 47605(a)(1) for each school proposed in the first year.

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<b>REQUIRED SIGNATURES</b>	<i>EC Section 47605.8 CCR, Title 5, Section 11967.6(a)(9)</i>
<b>Does the petition include the required signatures?</b>	<b>No</b>
<b>Comments:</b> Green Dot representatives have indicated that the required signatures will be provided prior to the petition's approval.	

<b>LOCAL NOTIFICATIONS PRIOR TO OPENING</b>	<i>EC Section 47605.8 CCR, Title 5, Section 11967.6(a)(10)</i>
<b>Evaluation Criteria</b> A petition to establish a statewide benefit charter school...shall...include an assurance that the school district and county office of education where each school will be located will be notified at least 120 days period to commencement of instruction.	
<b>Does the petition include assurance that the required local notifications will be made?</b>	<b>Yes</b>
<b>Comments:</b> The site descriptions included in the petition individually include assurance that the required local notifications will be made (see pp. 55-59).	

<b>ADDRESS ALL CHARTER ELEMENTS</b>	<i>EC Section 47605.8 CCR, Title 5, Section 11967.6(a)(11)</i>
<b>Evaluation Criteria</b> A petition to establish a statewide benefit charter school...shall...address all charter elements in <i>EC Section 47605</i> adapted appropriately for application at the statewide level.	
<b>Does the petition meet this requirement?</b>	<b>Generally</b>
<b>Comments:</b> Please see below for an element-by-element analysis.	

<b>SBE-REQUIRED CONDITIONS</b>	<i>EC Section 47605.8 CCR, Title 5, Section 11967.6(a)(12)</i>
<b>Evaluation Criteria</b> A petition to establish a statewide benefit charter school...shall...contain or address any provisions or conditions specified by the SBE at the time of charter approval.	

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<b>SBE-REQUIRED CONDITIONS</b>	<b>EC Section 47605.8 CCR, Title 5, Section 11967.6(a)(12)</b>
<b>Does the petition meet this requirement?</b>	<b>N/A</b>
<b>Comments:</b> This is a future requirement. Presumably the petitioners are willing to incorporate or address any provisions or conditions specified by the SBE at the time of charter approval.	

<b>OPERATIONS AND STAFFING</b>	<b>EC Section 47605.8 CCR, Title 5, Section 11967.6(a)(13)</b>
<b>Evaluation Criteria</b> A petition to establish a statewide benefit charter school...shall...contain a plan for operations...that describes the distinction between centralized and individual school level responsibilities and includes a staffing plan to implement the activities at the designated level. The plan shall address...academic program; facilities and school operations; legal and programmatic compliance; financial administration; governance; and decision-making authority.	
<b>Does the petition contain the required operational and staffing plans?</b>	<b>Yes</b>
<b>Comments:</b> The petition includes a clear plan that differentiates centralized (“home office”) responsibilities from school site responsibilities (see pp. 42-46).	

<b>LIST OF SCHOOLS</b>	<b>EC Section 47605.8 CCR, Title 5, Section 11967.6(a)(14)</b>
<b>Evaluation Criteria</b> A petition to establish a statewide benefit charter school...shall...provide a list of each school to be operated...that includes: <ul style="list-style-type: none"> <li>• A time line for commencement of instruction at each school.</li> <li>• The general location of each school (including the district and county).</li> <li>• A description of the potential facilities.</li> <li>• The approximate number of pupils that can safely be accommodated.</li> </ul>	

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<b>LIST OF SCHOOLS</b>	<b>EC Section 47605.8 CCR, Title 5, Section 11967.6(a)(14)</b>
<b>Does the petition provide the required list?</b>	<b>Yes</b>
<b>Comments:</b> The list and general descriptive information about the proposed sites are provided (see pp. 53-59). Footnotes reserve to Green Dot the right to “adjust” location, sequence, and timeline. Recommend clarification as to the extent of adjustments that may be made by Green Dot without the changes constituting a material revision of the charter.	

**GENERAL REQUIREMENTS FOR SBE-AUTHORIZED CHARTER SCHOOLS, PURSUANT TO EC SECTION 47605,  
ADAPTED FOR STATEWIDE BENEFIT CHARTER PETITIONS**

<b>SOUND EDUCATIONAL PRACTICE</b>	<b>EC Section 47605(b) CCR, Title 5, Section 11967.5.1(a)</b>
<b>Evaluation Criteria</b> For purposes of EC Section 47605(b), a charter petition shall be “consistent with sound educational practice” if, in the SBE’s judgment, it is likely to be of educational benefit to pupils who attend. A charter school need not be designed or intended to meet the educational needs of every student who might possibly seek to enroll in order for the charter to be granted by the SBE.	
<b>Is the charter petition “consistent with sound educational practice”?</b>	<b>Yes</b>
<b>Comments:</b> The students at Green Dot’s individual schools have produced a record of academic achievement that exceeds neighboring high schools (see pg. 4). Therefore, it appears that the schools operated under the statewide benefit charter would definitely “be of educational benefit” to most pupils who enroll. However, it should be noted that among Green Dot schools, a total of six API growth cycles have been completed: Animo Leadership (2002-03, 2003-04, and 2004-05), Animo Inglewood (2003-04 and 2004-05), and Oscar De La Hoya Animo (2004-05). In four of these six cycles, the Green Dot schools have substantially exceeded their API growth targets. In the other two cycles, though, the Green Dot schools declined in achievement (i.e., negative API growth). The results of the 2005-06 API growth cycle for the five existing Green Dot schools will be released in August 2006.	

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<b>UNSOUND EDUCATIONAL PRACTICE</b>	<b>EC Section 47605(b)(1) CCR, Title 5, Section 11967.5.1(b)</b>
<b>Evaluation Criteria</b> For purposes of EC Section 47605(b)(1), a charter petition shall be “an unsound educational program” if it is either of the following: (1) A program that involves activities that the SBE determines would present the likelihood of physical, educational, or psychological harm to the affected pupils. (2) A program that the SBE determines not to be likely to be of educational benefit to the pupils who attend.	
<b>Does the charter petition present “an unsound educational program”?</b>	<b>No</b>
<b>Comments:</b> Green Dot’s educational program does not appear to meet either of the definitions of an unsound educational program as set forth in regulation. Certain specific comments related to the educational program are noted below.	

<b>DEMONSTRABLY UNLIKELY TO IMPLEMENT THE PROGRAM</b>	<b>EC Section 47605(b)(2) CCR, Title 5, Section 11967.5.1(c)</b>
<b>Evaluation Criteria</b> For purposes of EC Section 47605(b)(2), the SBE shall take the following factors into consideration in determining whether charter petitioners are "demonstrably unlikely to successfully implement the program." (1) If the petitioners have a past history of involvement in charter schools or other education agencies (public or private), the history is one that the SBE regards as unsuccessful, e.g., the petitioners have been associated with a charter school of which the charter has been revoked or a private school that has ceased operation for reasons within the petitioners’ control. (2) The petitioners are unfamiliar in the SBE’s judgment with the content of the petition or the requirements of law that would apply to the proposed charter school. (3) The petitioners have presented an unrealistic financial and operational plan for the proposed charter school (as specified). (4) The petitioners personally lack the necessary background in the following areas critical to the charter school’s success, and the petitioners do not have plan to secure the services of individuals who have the necessary background in curriculum, instruction, assessment, and finance and business management.	
<b>Are the petitioners "demonstrably unlikely to successfully implement the program"?</b>	<b>No</b>

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<b>DEMONSTRABLY UNLIKELY TO IMPLEMENT THE PROGRAM</b>	<b>EC Section 47605(b)(2) CCR, Title 5, Section 11967.5.1(c)</b>
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**Comments:**  
The Green Dot petitioners appear to have a good grasp of the requirements of the law and have a solid background in the educational, financial, organizational, and legal aspects of operating charter schools, as exemplified by Green Dot's history of operating successful individual charter high schools.

<b>REQUIRED NUMBER OF SIGNATURES</b>	<b>EC Section 47605(b)(3) CCR, Title 5, Section 11967.5.1(d)</b>
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**Evaluation Criteria**  
For purposes of EC Section 47605(b)(3), a charter petition that "does not contain the number of signatures required by [law]"...shall be a petition that did not contain the requisite number of signatures at the time of its submission...

<b>Did the petition contain the required number of signatures at the time of its submission?</b>	<b>No</b>
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**Comments:**  
Green Dot representatives have indicated that the signatures will be presented prior to the petition's consideration.

<b>AFFIRMATION OF SPECIFIED CONDITIONS</b>	<b>EC Section 47605(b)(4) EC Section 47605(d) CCR, Title 5, Section 11967.5.1(e)</b>
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**Evaluation Criteria**  
For purposes of EC Section 47605(b)(4), a charter petition that "does not contain an affirmation of each of the conditions described in [EC Section 47605(d)]" ...shall be a petition that fails to include a clear, unequivocal affirmation of each such condition. Neither the charter nor any of the supporting documents shall include any evidence that the charter will fail to comply with the conditions described in EC Section 47605(d).

(1) ...[A] charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of ethnicity, national origin, gender, or disability. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or guardian, within this state, except that any existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.

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<b>AFFIRMATION OF SPECIFIED CONDITIONS</b>	<b>EC Section 47605(b)(4) EC Section 47605(d) CCR, Title 5, Section 11967.5.1(e)</b>
<p>(2) (A) A charter school shall admit all pupils who wish to attend the school.</p> <p>(B) However, if the number of pupils who wish to attend the charter school exceeds the school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the district except as provided for in Section 47614.5. Other preferences may be permitted by the chartering authority on an individual school basis and only if consistent with the law.</p> <p>(C) In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and, in no event, shall take any action to impede the charter school from expanding enrollment to meet pupil demand.</p> <p>(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information. This paragraph applies only to pupils subject to compulsory full-time education pursuant to [EC] Section 48200.</p>	
<b>Does the charter petition contain the required affirmation?</b>	<b>Mostly. Recommend modification.</b>
<p><b>Comments:</b> The petition contains an affirmation of some of the key conditions set forth in EC Section 47605(d), but not all (see pg. 52). In order to comply with the regulation, each condition in EC Section 47605(d) needs to be included in the affirmation.</p>	

**THE SIXTEEN CHARTER ELEMENTS**

<b>1. DESCRIPTION OF EDUCATIONAL PROGRAM</b>	<b>EC Section 47605(b)(5)(A) CCR, Title 5, Section 11967.5.1(f)(1)</b>
<p><b>Evaluation Criteria</b> The description of the educational program..., as required by EC Section 47605(b)(5)(A), at a minimum:</p>	

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<b>1. DESCRIPTION OF EDUCATIONAL PROGRAM</b>	<b>EC Section 47605(b)(5)(A) CCR, Title 5, Section 11967.5.1(f)(1)</b>
(A) Indicates the proposed charter school's target student population, including, at a minimum, grade levels, approximate numbers of pupils, and specific educational interests, backgrounds, or challenges.	Yes
(B) Specifies a clear, concise school mission statement with which all elements and programs of the school are in alignment and which conveys the petitioners' definition of an "educated person" in the 21 <sup>st</sup> century, belief of how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners.	Yes
(C) Includes a framework for instructional design that is aligned with the needs of the pupils that the charter school has identified as its target student population.	Yes
(D) Indicates the basic learning environment or environments (e.g., site-based matriculation, independent study, community-based education, technology-based education).	Yes
(E) Indicates the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods (or a process for developing the curriculum and teaching methods) that will enable the school's pupils to master the content standards for the four core curriculum areas adopted by the SBE pursuant to EC Section 60605 and to achieve the objectives specified in the charter.	No
(F) Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.	Yes
(G) Indicates how the charter school will meet the needs of students with disabilities, English learners, students achieving substantially above or below grade level expectations, and other special student populations	Yes
(H) Specifies the charter school's special education plan, including, but not limited to, the means by which the charter school will comply with the provisions of EC Section 47641, the process to be used to identify students who qualify for special education programs and services, how the school will provide or access special education programs and services, the school's understanding of its responsibilities under law for special education pupils, and how the school intends to meet those responsibilities.	Generally
If serving high school students, describes how district/charter school informs parents about: transferability of courses to other public high schools; and eligibility of courses to meet college entrance requirements (Courses that are accredited by the Western Association of Schools and Colleges (WASC) may be considered transferable, and courses meeting the UC/CSU "a-g" admissions criteria may be considered to meet college entrance requirements.)	Yes
<b>Does the petition overall present a reasonably comprehensive description of the educational program?</b>	<b>Generally</b>

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<b>1. DESCRIPTION OF EDUCATIONAL PROGRAM</b>	<b>EC Section 47605(b)(5)(A) CCR, Title 5, Section 11967.5.1(f)(1)</b>
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**Comments (on educational program as a whole):**  
 The CDE’s Curriculum Leadership Office found the petition’s presentation on curriculum and instruction (see pp. 15-18) to be weak. It has limited discussion of the state’s rigorous academic content standards and does not explicitly focus on standards “mastery.” There is no mention of state frameworks. Rather, the presentation is primarily about the Green Dot Home Office’s “recommended practices,” from which individual sites may deviate. The discussion of textbooks is vague. The chart (pg. 16) is helpful, but does not incorporate physical education. Charter schools are obligated to administer the Physical Fitness Test in grade nine (which this petition provides for). The PFT may be administered to students in grades 10 through 12 until they “pass.” For students in noncharter schools, passage of the PFT is required in order to be exempt from up to two years of physical education in high school. It is doubtful that Green Dot students will “pass” the PFT with no instruction in physical education. Should Green Dot include physical education in its curriculum to the same extent required for noncharter students?

The petition has an extensive write-up regarding special education (see pp. 19-23). However, it needs to be amended when specific information is available concerning participation in the Southwest SELPA. In addition, the CDE’s Special Education Division has recommended some technical revisions.

<b>2. MEASURABLE PUPIL OUTCOMES</b>	<b>EC Section 47605(b)(5)(B) CCR, Title 5, Section 11967.5.1(f)(2)</b>
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<b>Evaluation Criteria</b>	
Measurable pupil outcomes, as required by EC Section 47605(b)(5)(B), at a minimum:	
(A) Specify skills, knowledge, and attitudes that reflect the school’s educational objectives and can be assessed, at a minimum, by objective means that are frequent and sufficiently detailed enough to determine whether pupils are making satisfactory progress. It is intended that the frequency of objective means of measuring pupil outcomes vary according to such factors as grade level, subject matter, the outcome of previous objective measurements, and information that may be collected from anecdotal sources. To be sufficiently detailed, objective means of measuring pupil outcomes must be capable of being used readily to evaluate the effectiveness of and to modify instruction for individual students and for groups of students.	Yes
(B) Include the school’s Academic Performance Index growth target, if applicable.	Yes
<b>Does the petition present a reasonably comprehensive description of measurable pupil outcomes?</b>	<b>Yes</b>

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<b>2. MEASURABLE PUPIL OUTCOMES</b>	<b>EC Section 47605(b)(5)(B) CCR, Title 5, Section 11967.5.1(f)(2)</b>
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**Comments:**  
The petition presents a number of meaningful student outcomes. As for API growth targets, there is discussion above of the record of Green Dot schools in meeting API growth targets.

<b>3. METHOD FOR MEASURING PUPIL PROGRESS</b>	<b>EC Section 47605(b)(5)(C) CCR, Title 5, Section 11967.5.1(f)(3)</b>
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**Evaluation Criteria**  
The method for measuring pupil progress, as required by EC Section 47605(b)(5)(C), at a minimum:

(A) Utilizes a variety of assessment tools that are appropriate to the skills, knowledge, or attitudes being assessed, including, at minimum, tools that employ objective means of assessment consistent with the measurable pupil outcomes.	Yes
(B) Includes the annual assessment results from the Statewide Testing and Reporting (STAR) program.	Yes
(C) Outlines a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and to pupils' parents and guardians, and for utilizing the data continuously to monitor and improve the charter school's educational program.	Yes
<b>Does the petition present a reasonably comprehensive description of the method for measuring pupil progress?</b>	<b>Yes</b>

**Comments:**  
The petition presents a solid description of its processes for measuring pupil progress (see pp. 25-28).

<b>4. GOVERNANCE STRUCTURE</b>	<b>EC Section 47605(b)(5)(D) CCR, Title 5, Section 11967.5.1(f)(4)</b>
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**Evaluation Criteria**  
The governance structure of the school, including, but not limited to, the process...to ensure parental involvement..., as required by EC Section 47605(b)(5)(D), at a minimum:

(A) Includes evidence of the charter school's incorporation as a non-profit public benefit corporation, if applicable.	Yes
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<b>4. GOVERNANCE STRUCTURE</b>	<b>EC Section 47605(b)(5)(D) CCR, Title 5, Section 11967.5.1(f)(4)</b>
(B) Includes evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that:: <ol style="list-style-type: none"> <li>1. The charter school will become and remain a viable enterprise.</li> <li>2. There will be active and effective representation of interested parties, including, but not limited to parents (guardians).</li> <li>3. The educational program will be successful.</li> </ol>	Yes
<b>Does the petition present a reasonably comprehensive description of the school's governance structure?</b>	<b>Yes</b>
<b>Comments:</b> The petition proposes that the statewide benefit charter will be under the same governance structure as other Green Dot schools (see pp. 29-30). It may be preferable to have the statewide benefit charter schools organized under a separate nonprofit public benefit corporation.	
<b>5. EMPLOYEE QUALIFICATIONS</b>	<b>EC Section 47605(b)(5)(E) CCR, Title 5, Section 11967.5.1(f)(5)</b>
<b>Evaluation Criteria</b> The qualifications [of the school's employees], as required by <i>EC</i> Section 47605(b)(5)(E), at a minimum:	
(A) Identify general qualifications for the various categories of employees the school anticipates (e.g., administrative, instructional, instructional support, non-instructional support). The qualifications shall be sufficient to ensure the health, and safety of the school's faculty, staff, and pupils.	Yes
(B) Identify those positions that the charter school regards as key in each category and specify the additional qualifications expected of individuals assigned to those positions.	Yes
(C) Specify that all requirements for employment set forth in applicable provisions of law will be met, including, but not limited to credentials as necessary.	No
<b>Does the petition present a reasonably comprehensive description of employee qualifications?</b>	<b>Generally. Recommend modifications.</b>

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<b>5. EMPLOYEE QUALIFICATIONS</b>	<b>EC Section 47605(b)(5)(E) CCR, Title 5, Section 11967.5.1(f)(5)</b>
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**Comments:**  
The petition addresses employee qualifications on pp. 31-32. The CDE’s Curriculum Leadership Office found the section “very weak.” The petition states that the schools will comply with provisions of NCLB, but it is not explicit in acknowledging what the requirements are, particularly regarding demonstration of subject matter competence. In fact, all teachers teaching core-subject classes must be NCLB compliant by June 2006. In fact the paragraph beginning "Should a candidate not..." provides an out where none in fact exists. The discussion is focused more on recruitment than on the substance of teacher qualifications, integrated sequential instruction, etc.

<b>6. HEALTH AND SAFETY PROCEDURES</b>	<b>EC Section 47605(b)(5)(F) CCR, Title 5, Section 11967.5.1(f)(6)</b>
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<b>Evaluation Criteria</b>	
The procedures...to ensure the health and safety of pupils and staff, as required by <i>EC</i> Section 47605(b)(5)(F), at a minimum:	
(A) Require that each employee of the school furnish the school with a criminal record summary as described in <i>EC</i> Section 44237.	Yes
(B) Include the examination of faculty and staff for tuberculosis as described in <i>EC</i> Section 49406.	No
(C) Require immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school.	No
(D) Provide for the screening of pupils’ vision and hearing and the screening of pupils for scoliosis to the same extent as would be required if the pupils attended a non-charter public school.	N/A
<b>Does the petition present a reasonably comprehensive description of health and safety procedures?</b>	<b>No</b>

**Comments:**  
Certain of the required health and safety provisions specified in regulation do not appear to be included in the petition. The petition needs to be modified to include these provisions.

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<b>7. RACIAL AND ETHNIC BALANCE</b>	<b>EC Section 47605(b)(5)(G) CCR, Title 5, Section 11967.5.1(f)(7)</b>
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**Evaluation Criteria**  
Recognizing the limitations on admissions to charter schools imposed by *EC* Section 47605(d), the means by which the school(s) will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district..., as required by *EC* Section 47605(b)(5)(G), shall be presumed to have been met, absent specific information to the contrary.

<b>Does the petition present a reasonably comprehensive description of means for achieving racial and ethnic balance?</b>	<b>Yes</b>
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**Comments:**  
The petition outlines a variety of means for reaching out to the communities surrounding each school, including community meetings, mailings, personal phone calls, and “possibly” newspaper advertisements. Most Green Dot schools have a substantial waiting list (see pg. 37).

<b>8. ADMISSION REQUIREMENTS, IF APPLICABLE</b>	<b>EC Section 47605(b)(5)(H) CCR, Title 5, Section 11967.5.1(f)(8)</b>
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**Evaluation Criteria**  
To the extent admission requirements are included in keeping with *EC* Section 47605(b)(5)(H), the requirements shall be in compliance with the requirements of *EC* Section 47605(d) and any other applicable provision of law.

<b>Does the petition present a reasonably comprehensive description of admission requirements?</b>	<b>Unclear</b>
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**Comments:**  
The petition indicates that interested parents must complete a “preliminary” application and later a “secondary” application. Copies are to have been provided as an appendix (see pg. 37), but they are not included. Without examining these applications, it is unclear whether they represent a substantial hurdle to interested parents. Presumably all information is provided in languages other than English. An explicit provision to that effect might be considered. This section indicates that the school will have a “preference” for siblings of students “already enrolled.” By law, currently enrolled students are also extended preference, as well as “students of the district.” This section also indicates that preference will be extended to students who attend feeder middle schools to the nearest high school.

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<b>9. ANNUAL INDEPENDENT FINANCIAL AUDITS</b>	<b>EC Section 47605(b)(5)(I) CCR, Title 5, Section 11967.5.1(f)(9)</b>
<b>Evaluation Criteria</b> The manner in which annual independent financial audits shall be conducted using generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the SBE's satisfaction, as required by EC Section 47605(b)(5)(I), at a minimum:	
(A) Specify who is responsible for contracting and overseeing the independent audit.	Yes
(B) Specify that the auditor will have experience in education finance.	Yes
(C) Outline the process of providing audit reports to the State Board of Education, California Department of Education, or other agency as the State Board of Education may direct, and specifying the timeline in which audit exceptions will typically be addressed.	Yes
(D) Indicate the process that the charter school(s) will follow to address any audit findings and/or resolve any audit exceptions.	Yes
<b>Does the petition present a reasonably comprehensive description of annual independent financial audits?</b>	<b>Yes. Recommend clarification.</b>
<b>Comments:</b> This matter is covered on pp. 48-49. Also, the provisions of the State Audit Guide now apply. The School Fiscal Services Division recommends some technical modifications to reflect that fact.	

<b>10. SUSPENSION AND EXPULSION PROCEDURES</b>	<b>EC Section 47605(b)(5)(J) CCR, Title 5, Section 11967.5.1(f)(10)</b>
<b>Evaluation Criteria</b> The procedures by which pupils can be suspended or expelled, as required by EC Section 47605(b)(5)(J), at a minimum:	
(A) Identify a preliminary list, subject to later revision pursuant to subparagraph (E), of the offenses for which students in the charter school must (where non-discretionary) and may (where discretionary) be suspended and, separately, the offenses for which students in the charter school must (where non-discretionary) or may (where discretionary) be expelled, providing evidence that the petitioners' reviewed the offenses for which students must or may be suspended or expelled in non-charter public schools.	Yes
(B) Identify the procedures by which pupils can be suspended or expelled.	Yes

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<b>10. SUSPENSION AND EXPULSION PROCEDURES</b>	<b>EC Section 47605(b)(5)(J) CCR, Title 5, Section 11967.5.1(f)(10)</b>
(C) Identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion.	Unclear
(D) Provide evidence that in preparing the lists of offenses specified in subparagraph (A) and the procedures specified in subparagraphs (B) and (C), the petitioners reviewed the lists of offenses and procedures that apply to students attending non-charter public schools, and provide evidence that the charter petitioners believe their proposed lists of offenses and procedures provide adequate safety for students, staff, and visitors to the school and serve the best interests the school's pupils and their parents (guardians).	Yes
(E) If not otherwise covered under subparagraphs (A), (B), (C), and (D): 1. Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in regard to suspension and expulsion. 2. Outline how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion.	Yes
<b>Does the petition present a reasonably comprehensive description of suspension and expulsion procedures?</b>	<b>Generally</b>
<b>Comments:</b> In effect, the petition indicates that offenses for which suspension or expulsion may occur are the same as in EC sections 48900-48926. It's not completely clear how parents will be notified of the reasons for suspension or expulsion and of their due process rights.	

<b>11. STRS, PERS, AND SOCIAL SECURITY COVERAGE</b>	<b>EC Section 47605(b)(5)(K) CCR, Title 5, Section 11967.5.1(f)(11)</b>
<b>Evaluation Criteria</b> The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security, as required by EC Section 47605(b)(5)(K), at a minimum, specifies the positions to be covered under each system and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made.	
<b>Does the petition present a reasonably comprehensive description of STRS, PERS, and social security coverage?</b>	<b>Yes</b>

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<b>11. STRS, PERS, AND SOCIAL SECURITY COVERAGE</b>	<b>EC Section 47605(b)(5)(K) CCR, Title 5, Section 11967.5.1(f)(11)</b>
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**Comments:**  
This matter is covered on pg. 33.

<b>12. PUBLIC SCHOOL ATTENDANCE ALTERNATIVES</b>	<b>EC Section 47605(b)(5)(L) CCR, Title 5, Section 11967.5.1(f)(12)</b>
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**Evaluation Criteria**  
The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools, as required by EC Section 47605(b)(5)(L), at a minimum, specify that the parent or guardian of each pupil enrolled in the charter school shall be informed that the pupil has no right to admission in a particular school of any local education agency (or program of any local education agency) as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the local education agency.

<b>Does the petition present a reasonably comprehensive description of public school attendance alternatives?</b>	<b>Yes</b>
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**Comments:**  
Students are not required to attend Green Dot schools. Those students who choose not to attend have all public school alternatives that would otherwise be available to them (see pp. 37-38).

<b>13. POST-EMPLOYMENT RIGHTS OF EMPLOYEES</b>	<b>EC Section 47605(b)(5)(M) CCR, Title 5, Section 11967.5.1(f)(13)</b>
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**Evaluation Criteria**  
The description of the rights of any employees of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school, as required by EC Section 47605(b)(5)(M), at a minimum, specifies that an employee of the charter school shall have the following rights:

(A) Any rights upon leaving the employment of a local education agency to work in the charter school that the local education agency may specify.	Yes
(B) Any rights of return to employment in a local education agency after employment in the charter school as the local education agency may specify.	Yes

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<b>13. POST-EMPLOYMENT RIGHTS OF EMPLOYEES</b>	<b>EC Section 47605(b)(5)(M) CCR, Title 5, Section 11967.5.1(f)(13)</b>
(C) Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working in the charter school that the SBE determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school.	Yes
<b>Does the petition present a reasonably comprehensive description of post-employment rights of employees?</b>	<b>Yes</b>
<b>Comments:</b> This matter is covered on pg. 33. Essentially, Green Dot employees would have only a right of return to another educational employer to the extent authorized by that other employer.	

<b>14. DISPUTE RESOLUTION PROCEDURES</b>	<b>EC Section 47605(b)(5)(N) CCR, Title 5, Section 11967.5.1(f)(14)</b>
<b>Evaluation Criteria</b> The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to the provisions of the charter, as required by <i>EC Section 47605(b)(5)(N)</i> , at a minimum:	
(A) Include any specific provisions relating to dispute resolution that the SBE determines necessary and appropriate in recognition of the fact that the SBE is not a local education agency.	Yes
(B) Describe how the costs of the dispute resolution process, if needed, would be funded.	Yes
(C) Recognize that, because it is not a local education agency, the State Board of Education may choose resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, provided that if the State Board of Education intends to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter.	Yes
(D) Recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with <i>EC Section 47604.5</i> , the matter will be addressed at the State Board of Education's discretion in accordance with that provision of law and any regulations pertaining thereto.	Yes

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<b>14. DISPUTE RESOLUTION PROCEDURES</b>	<b>EC Section 47605(b)(5)(N) CCR, Title 5, Section 11967.5.1(f)(14)</b>
<p><b>Does the petition present a reasonably comprehensive description of dispute resolution procedures?</b></p>	
<p><b>Yes. Recommend clarification.</b></p>	
<p><b>Comments:</b> This matter is covered on pp. 34-36. One sentence (bottom of pg. 35) suggests that disputes related to revocation must be submitted to dispute resolution procedures, which is slightly at odds with the recognition that the SBE may choose to resolve disputes directly. A technical clarification may be in order.</p>	

<b>15. EXCLUSIVE PUBLIC SCHOOL EMPLOYER</b>	<b>EC Section 47605(b)(5)(O) CCR, Title 5, Section 11967.5.1(f)(15)</b>
<p><b>Evaluation Criteria</b> The declaration of whether or not the district shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the <i>Government Code</i>), as required by <i>EC Section 47605(b)(5)(O)</i>, recognizes that the SBE is not an exclusive public school employer and that, therefore, the charter school must be the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act.</p>	
<p><b>Does the petition include the necessary declaration?</b></p>	
<p><b>Yes</b></p>	
<p><b>Comments:</b> This matter is covered on pg 33, and on the assurances page (pg. 52).</p>	

<b>16. CLOSURE PROCEDURES</b>	<b>EC Section 47605(b)(5)(P)</b>
<p><b>Evaluation Criteria</b> A description of the procedures to be used if the charter school closes, in keeping with <i>EC Section 47605(b)(5)(P)</i>. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.</p>	
<p><b>Does the petition include a reasonably comprehensive description of closure procedures?</b></p>	
<p><b>Generally</b></p>	

California Department of Education  
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Petitioner <b>Green Dot Public Schools</b>
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<b>16. CLOSURE PROCEDURES</b>	<b>EC Section 47605(b)(5)(P)</b>
<p><b>Comments:</b> The closure procedures (see pg. 50) are somewhat general. They do not, for example, specifically provide for funding the costs of closure. Reference is made to providing parents copies of students' records, but it is not clear where permanent student and personnel records would be transferred. The petition indicates that any net unrestricted assets (i.e., assets remaining after all liabilities have been resolved) would be transferred to Green Dot Public Schools. It may be preferable to have the net assets be transferred to the state.</p>	

**ADDITIONAL REQUIREMENTS UNDER EC SECTION 47605**

<b>STANDARDS, ASSESSMENTS, AND PARENT CONSULTATION</b>	<b>EC Section 47605(c)</b>
<p><b>Evaluation Criteria</b> Evidence is provided that:</p>	
(1) The school shall meet all statewide standards and conduct the pupil assessments required pursuant to EC sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.	Yes
(2) The school shall, on a regular basis, consult with their parents and teachers regarding the school's educational programs.	Yes
<b>Does the petition provide evidence addressing the requirements regarding standards, assessments, and parent consultation?</b>	<b>Yes</b>
<p><b>Comments:</b> The standards and testing requirements are addressed on the assurances page (pg. 52), as well as in the discussion of the assessment process (see pp. 25-26). Parent consultation is covered within the governance structure discussion (see pg. 30).</p>	

<b>EMPLOYMENT IS VOLUNTARY</b>	<b>EC Section 47605(e)</b>
<p><b>Evaluation Criteria</b> The governing board...shall not require any employee...to be employed in a charter school.</p>	
<b>Does the petition meet this criterion?</b>	<b>Yes</b>

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<b>EMPLOYMENT IS VOLUNTARY</b>	<b>EC Section 47605(e)</b>
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**Comments:**  
It is clear that employment at Green Dot is voluntary on the part of the employee (see discussion at pp. 31-32).

<b>PUPIL ATTENDANCE IS VOLUNTARY</b>	<b>EC Section 47605(f)</b>
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**Evaluation Criteria**  
The governing board...shall not require any pupil...to attend a charter school.

<b>Does the petition meet this criterion?</b>	<b>Yes</b>
---	------------

**Comments:**  
It is clear that attendance at a Green Dot school is voluntary (see discussion at pp. 37-38).

<b>EFFECT ON AUTHORIZER AND FINANCIAL PROJECTIONS</b>	<b>EC Section 47605(g)</b>
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**Evaluation Criteria**  
...[T]he petitioners [shall] provide information regarding the proposed operation and potential effects of the school, including, but not limited to:

The facilities to be utilized by the school. The description of the facilities to be used by the charter school shall specify where the school intends to locate.	Generally
The manner in which administrative services of the school are to be provided.	Yes
Potential civil liability effects, if any upon the school and the SBE.	Yes

The petitioners shall also provide financial statements that include a proposed first-year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation.

<b>Does the petition provide the required information and financial projections?</b>	<b>Generally</b>
--	------------------

**Comments:**  
The impact on the SBE is discussed at pg. 51. Some technical amendments may be in order. Financial projections are included as appendices and appear generally realistic. However, the review by the School Fiscal Services Division suggests certain areas that need additional review and/or modification. The following are examples:

California Department of Education  
**STATEWIDE BENEFIT CHARTER SCHOOL PETITION REVIEW FORM 2005-06**

Petitioner <p style="text-align: center;"><b>Green Dot Public Schools</b></p>
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<b>EFFECT ON AUTHORIZER AND FINANCIAL PROJECTIONS</b>	<b>EC Section 47605(g)</b>
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With respect to revenues:

- (1) General purpose entitlements may be slightly understated;
- (2) The budgeting of summer school revenue may need modification;
- (3) The expected flow-through of special education funding may be problematic;
- (4) The categorical block grant rate may be somewhat understated;
- (5) Lottery revenue should not be budgeted with a COLA;
- (6) Student body revenues (fundraising) appear to be included in the total for general operating expenses; and
- (7) COLA assumptions in future years are somewhat higher than many analysts project, particularly with respect to federal funds.

With respect to expenditures:

- (1) Counselor is not budgeted until year 3;
- (2) Salary for the principal may be somewhat understated;
- (2) Textbook expenditures do not appear to take replacement materials and new adoptions into account; and
- (3) "Services and Other Operating Expenditures" is not increased consistently over time.

Regarding the income statement:

- (1) Summer school revenue does not allow for enrollment growth;
- (2) Federal grant funds may be overstated (only about 25 percent of grant applications are funded);
- (3) Reserves do not meet recommended levels in years 2 through 5.

<b>ACADEMICALLY LOW ACHIEVING PUPILS</b>	<b>EC Section 47605(h)</b>
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**Evaluation Criteria**  
In reviewing petitions, the charter authorizer shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioners as academically low achieving...

<b>Does the petition merit preference by the SBE under this criterion?</b>	<b>Yes</b>
--	------------

**Comments:**  
Green Dot focuses on serving "the highest need student population" where its schools are located (see discussion at pg. 5).

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<b>TEACHER CREDENTIALING</b>	<b>EC Section 47605(l)</b>
<b>Evaluation Criteria</b> Teachers in charter schools shall be required to hold a CCTC certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold...It is the intent of the Legislature that charter schools be given flexibility with regard to noncore, noncollege preparatory courses.	
<b>Does the petition meet this requirement?</b>	<b>Yes</b>
<b>Comments:</b> This requirement is addressed on pg. 31.	

<b>TRANSMISSION OF AUDIT REPORT</b>	<b>EC Section 47605(m)</b>
<b>Evaluation Criteria</b> A charter school shall transmit a copy of its annual independent financial audit report for the preceding fiscal year...to the chartering entity, the Controller, the county superintendent of schools of the county in which the charter is sited..., and the CDE by December 15 of each year.	
<b>Does the petition address this requirement?</b>	<b>Yes</b>
<b>Comments:</b> This requirement is referenced on pg. 49.	



**APPLICATION TO OPERATE  
A STATEWIDE BENEFIT  
CHARTER SCHOOL**

**May 1, 2006**

**For Presentation to the  
California State Board of Education**

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## **INTRODUCTION TO STATEWIDE BENEFIT CHARTER APPLICATION**

### **Overview**

Green Dot Public Schools is the leading public schools operator in Los Angeles County and an important catalyst for education reform in the State of California. Its mission is to transform public education in California so that all young adults receive the education they deserve and are prepared for college leadership and life.

Green Dot's work is directly focused on engaging all stakeholders in creating and sustaining small, community-based schools that send our graduates on to a college or university. Parents, students, and other community partners all participate in creating and governing our schools. Teachers also have a strong voice in school creation and governance. Their leadership within our organization is officially represented by our teacher's union, Association de Maestros Unidos (AMU). Affiliated with the California Teacher's Association and the National Education Association, this union is the first of its kind for charter schools in California.

Green Dot has already opened five successful charter high schools in some of the highest need areas of Los Angeles County. In doing so, we have demonstrated that public schools can do a far better job of educating students if they are operated more effectively. All five Green Dot schools have been opened using the same school model, which is based on Green Dot's Six Tenets:

- Small, safe, personalized schools
- High expectations
- Local control
- Parent participation
- Get every dollar into the classroom
- Keep schools open later

### **School Results**

Green Dot's schools consistently perform well above comparable schools on all academic performance metrics. Green Dot is achieving these phenomenal results while serving student populations that are similar to the lowest performing schools in Los Angeles County and without fundraising to pay for ongoing school operations.

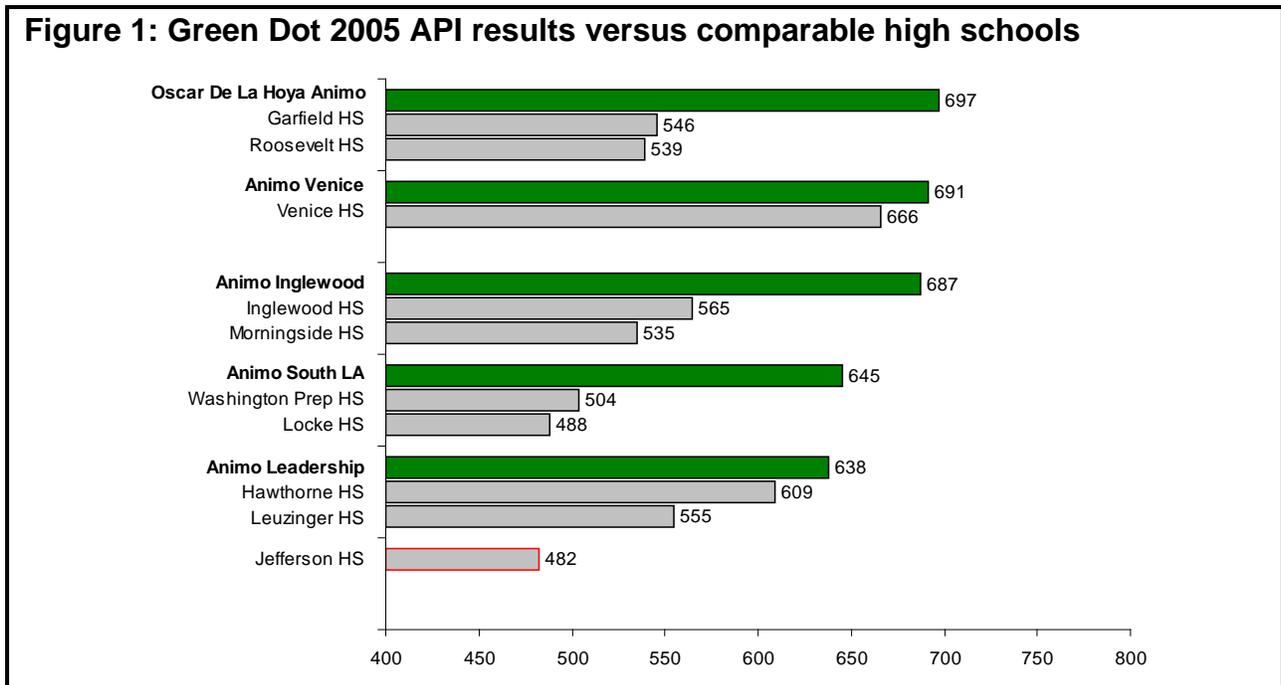
Figure 1 compares Green Dot's 2005 Academic Performance Index (API)<sup>1</sup> results against the comparable traditional high schools that Green Dot students would have attended. On average, Green Dot schools scored 113 points higher than comparable schools.

State Similar Schools Rank and graduation and college placement data also demonstrate that Green Dot substantially outperforms comparable school districts

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<sup>1</sup> CDE API measures the academic performance and growth of schools. It is a numeric index (or scale) with a low of 200 and a high of 1000. The statewide API performance target is 800.

across the most significant student achievement metrics (Figure 2). Additionally, far more Green Dot students are passing the California High School Exit Exam (CAHSEE) than at comparable districts.



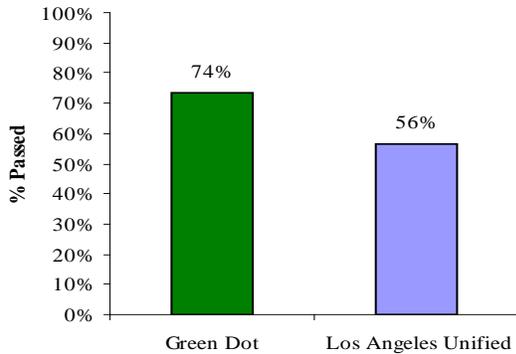
**Figure 2: Green Dot versus comparable districts<sup>2 3</sup>**

Comparative Measures of School Performance	Green Dot	Los Angeles Unified (High Schools Only)	Inglewood Unified (High Schools Only)	Centinela Valley Union HSD
Avg. API Score (2005)	672	598	550	623
Avg. State Similar Schools Rank (2004)	9	4	4	NA
Graduation %	80%	47%	56%	60%
% of Class Graduating with UC/CSU Required Courses	80%	17%	15%	17%
% of Seniors Accepted to 4-Year Colleges	55%	NA	NA	NA

<sup>2</sup> CDE Similar Schools Rank (“SSR”) based on a 1 to 10 scale (10 is highest), 2005 SSR not yet available.

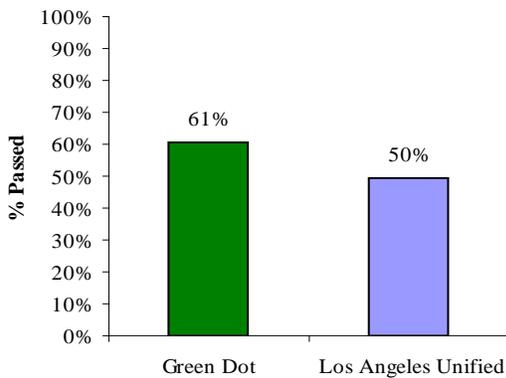
<sup>3</sup> Graduation % and % of Class with UC/CSU Courses compares # of 9<sup>th</sup> grade enrollees vs. total # of 12<sup>th</sup> grade graduates 4 years later. Blended 2004 – 2005 % shown for Green Dot graduation and college metrics (2005 data not available for comparable districts). LAUSD graduation %, as calculated by Green Dot, differs slightly (+2%) from the statistics from Harvard study used elsewhere in this document.

**2005 ELA CAHSEE Pass Rate**



In 2005, Green Dot's overall ELA pass rate was 74% compared to:  
56% for the Los Angeles Unified School District  
51% for the Centinela Valley Unified School District  
47% for the Inglewood Unified School District

**2005 Math CAHSEE Pass Rate**



In 2005, Green Dot's overall Mathematics pass rate was 61% compared to:  
50% for the Los Angeles Unified School District  
47% for the Centinela Valley Unified School District  
37% for the Inglewood Unified School District

Green Dot is achieving these results while serving the highest need student population in Los Angeles County. Based on socio-economic data, parent education levels, and the percentage of the school population designated as English Language Learners (ELL), Green Dot schools educate the same student demographic as comparable urban districts. (See Figure 3.)

In addition to achieving successful student results, Green Dot schools have excelled at keeping all stakeholders happy. School site employees, parents, and students are quite pleased with their schools. Parents and school site staff ranked their schools a 4.0 or higher on a 5.0 scale in the stakeholder surveys that were completed at the end of the 2004 - 2005 school year.

The number of applications received and the size of the wait lists for Green Dot's schools also demonstrate the schools' successes and are clear indications of the demand from citizens for high quality public education. Figure 4 shows the results from the most recent student recruiting cycle at all Green Dot schools (incoming fall 2005 freshmen).

**Figure 3: 2005 School Population Comparisons**<sup>4 5 6</sup>

<b>Student Population Indicators</b>	<b>Green Dot</b>	<b>Los Angeles Unified (High Schools Only)</b>	<b>Inglewood Unified (High Schools Only)</b>	<b>Centinela Valley Union HSD</b>
Total Enrollment	2,022	170,454	3,617	7,556
- % Latino	77%	72%	54%	65%
- % African American	20%	12%	44%	23%
- % Other	3%	16%	1%	12%
% Free & Reduced Lunch	83%	66%	39%	60%
Avg. Parent Education Level	2.08	2.25	2.18	2.22
% English Language Learners	35%	29%	25%	28%

**Figure 4: Total Student Enrollment Applications and Wait List Size**

<b>School</b>	<b># total applications received</b>	<b># students enrolled</b>	<b># students on waitlist</b>	<b>% over subscribed</b>
Animo Leadership	390	140	250	179%
Animo Inglewood	343	150	193	129%
Oscar De La Hoya Animo	332	145	187	129%
Animo South LA	197	150	47	31%
Animo Venice	160	150	10	7%

Based on the success of our Los Angeles County schools, we believe that Green Dot schools represent an effective small school model that can be replicated throughout the State of California. The contract between our teacher’s union, AMU, and the Green Dot Home Office provides a model for empowering teachers to be full partners in educational reform. Additionally, our community engagement around the creation of new schools and the governance of existing schools highlights best practices in terms of giving all stakeholders a voice in their schools.

The most effective way for Green Dot to be a change agent for California is by establishing a Statewide Benefit Charter School. Under this charter petition, we will open two sites per year for the next five years, each growing to serve approximately 525 students in grades 9-12. By opening these sites in different districts throughout the State of California, we will provide solid educational options to traditionally underserved students. More importantly, we will provide models of change for many school districts, who eventually will become leaders of school transformation in their own right.

<sup>4</sup> All school population indicators based on 2004 – 2005 data except Green Dot enrollment and ethnicity data, which is based on 2005-2006 data.

<sup>5</sup> Source: CDE Website. The % of students who receive federal school meal assistance (% Free & Reduced Lunch), the % of students designated as English Language Learners (“ELL”), and the education level of parents are the three most powerful indicators used by the CDE to form its Similar Schools Rank.

<sup>6</sup> Average Parent Education is a 1 to 5 scale: 1= Not a high school graduate; 2= High school graduate; 3= Some college; 4 = College graduate; and 5 = Graduate school.

### **The Benefit of Chartering at the Statewide Level**

Green Dot is already creating dramatic improvement within public education throughout Los Angeles County. Undoubtedly, this will help drive increased student achievement throughout the State of California as other districts will adopt the effective practices of the State's most populous region. By creating a Statewide Benefit Charter School, Green Dot can use its unique strategies of bridging the achievement gap, collaborating with teacher unions, independently sustaining small schools based on Average Daily Attendance funds, and working directly with communities to be a catalyst for statewide change.

***Bridging the Achievement Gap:*** Green Dot creates new schools in neighborhoods whose populations are historically underserved by the public education system. We then invest significant financial and human resources in student recruiting in order to make sure that each of our schools serves a student population very similar to the student populations of the traditional public schools in the area. The students currently served by Green Dot are comparable to the students attending traditional public schools in the area in terms of academic proficiency when entering the 9<sup>th</sup> grade, socio-economic status, ethnicity, and parent education level. It is critical that our students are essentially the "same kids" as those served at neighboring district high schools because it prevents critics from claiming that we achieve our API rankings by "skimming" the best students. Communities throughout California can benefit from our ability to create high-performing schools in high-need areas.

***Unionize Teachers:*** Green Dot encouraged its teachers to organize in order to give teachers a strong voice in our organization as a whole, as well as their individual school sites. We believe that beyond parents, there is no stronger advocate for a child than an empowered teacher. Today, our reform union contract is a model for labor relations in public education. Our teachers are paid, on average about 10 percent more than their LAUSD counterparts. They do not have tenure, but they do have a "just cause" clause in the contract that ensures due process for all teachers. In conjunction with their school principals, Green Dot teachers are key decision-makers in terms of selecting curriculum and planning professional development. Higher pay, due process, and a voice in teaching and learning are key issues for teacher's unions throughout California. By replicating the Green Dot model throughout the state, we can promote the kind of labor-management relations that allow teachers and administrators to work together to improve student achievement.

***Fundraise only for Start-up Costs:*** Unlike most stand-alone successful charter schools, Green Dot's schools have been developed to be sustainable on Average Daily Attendance and do not require private funding to operate. Fundraising for the schools is only required to pay for start-up costs related to opening new schools. Although Green Dot could likely raise more money to operate its schools, it chooses not to in order to make a stronger case to the public that it is possible to have much better schools with the resources currently available to all public schools.

**Community Engagement:** From the beginning, Green Dot’s vision has been to be a collaborative organization that embraces working with parents, teachers, students, community leaders, and school districts to transform the existing public school systems. Our ultimate goal is to “take our organization out of business” because we will be so successful at empowering communities that there will be less of a need for “non-district” public school operators in the future. To that end, Green Dot was a founding member of the Small Schools Alliance (SSA). This coalition of education, community, business, and political leaders in Los Angeles is dedicated to transforming the Los Angeles Unified School District (LAUSD) into the best public school system in the nation within the next 10 years. By organizing teachers, parents, students, and community leaders throughout Los Angeles, we are creating new schools and developing governance policies for existing schools in which all stakeholders have a voice. The process of creating and leveraging local SSA chapters to engage all stakeholders in school creation and governance will benefit high-need communities throughout California.

## **GREEN DOT PUBLIC SCHOOLS OVERVIEW**

### **Mission**

Green Dot Public Schools is a 501(c)(3) non-profit public school management organization that is transforming public education in California so that all young adults receive an education that prepares them for college, leadership, and life. Green Dot currently operates five small, stand-alone charter high schools in the highest need areas of Los Angeles County, and will begin transforming existing failing public schools into groups of small successful schools as a leader of “school transformation” projects. Green Dot is founded on the core value of an unwavering belief in all students’ potential and a commitment to ensuring access to a high quality public school education for every child in California. Our organization’s work is directly focused on influencing school districts to transform their failing high schools into clusters of small successful schools and helping these districts reinvent themselves as some of the best in the country.

### **Background**

Green Dot Public Schools was founded in 1999 by Steve Barr in direct response to the terrible state of public high schools in Los Angeles County. Most high schools in the County were not graduating more than 50 percent of their students; those students who were making it through high school were rarely prepared for college. The vast majority of the students falling out of the system were children from low income families. Mr. Barr started Green Dot with a vision of leveraging charter schools as a tool in order to show the school district and the public at large that there are more effective ways to provide public education to young adults. He believed that opening small successful charter schools in which low income, high risk youth were succeeding would not only provide a quality education to the students those schools served, but would also influence school districts to adopt the successful small schools model for all of their schools.

Green Dot’s first four-and-one-half years of operations were focused almost exclusively on opening and managing new stand-alone charter schools and developing a model organization for supporting a high quality system of schools. All schools follow Green Dot’s Six Tenets:

- Small, safe, personalized schools
- High expectations
- Local control
- Parent participation
- Get every dollar into the classroom
- Keep schools open later

It was critical to first create successful schools based on the Six Tenets before Green Dot could begin substantively influencing public education in Los Angeles County.

Green Dot opened its first charter school, Animo Leadership, in fall 2000. Since that time it has opened four additional schools in the Los Angeles area. All five of Green Dot’s schools are high schools serving low income populations in some of the highest

need areas of Los Angeles County (Los Angeles, Lennox and Inglewood). Approximately 83 percent of the students served by Green Dot schools are low income (meaning that they qualify for the federal free and reduced lunch program) and approximately 97 percent of Green Dot students are Latino and African American. The Green Dot schools all carry the brand *Animo* which means “courage, valor and overcoming odds” in Spanish – a fitting message for the students we serve.

**Current Status**

Green Dot’s five schools currently serve more than 2,000 students and are substantially outperforming their comparable schools in terms of student performance. Our system of schools is supported by the Green Dot Home Office, which consists of 15 full-time employees. The Home Office is a lean organization that provides high quality services and support to existing schools and new schools, and enables principals and teachers to have the time and resources they need to effectively serve kids. The Home Office is efficient and focused solely on supporting its schools and maximizing student achievement. It is the model of an effective organization managing a system of schools.

## **EDUCATIONAL MISSION AND VISION**

The mission of all Green Dot Public Schools is to prepare students for college, leadership and life by providing a small, college preparatory high school where all stakeholders (administrators, teachers, parents, community) actively engage in the education process. We will create a student centered environment that unifies the efforts of family, community and school to foster life-long learning, cross cultural competency, social responsibility and academic excellence. Our underlying belief is that **all** students can and may go to college.

Our vision is to create “agents of change” who will positively impact our communities. Our graduates are self-confident, self-disciplined, successful pro-active leaders who will excel in college and beyond.

Green Dot’s mission and vision statements align with current research and education practices. Our underlying philosophy is based on the belief that all students can learn and will learn when they feel part of a community. Students are more likely to experience success when their home cultures are valued. To this end, our vision Green Dot schools consider parents full partners with faculty in creating and sustaining schools where all students can and will learn. Parents comprise the bulk of membership in our community engagement organization, the Small Schools Alliance. They spearhead recruitment efforts for new schools, and they are seen on campus as hall monitors, cafeteria volunteers, carpoolers, and chaperones.

Green Dot schools are designed to empower an economically and ethnically diverse group of students with the above qualities to improve their academic performance and attain high reaching educational and career goals. We aim to achieve this mission by offering significant personal attention and support, a rigorous curriculum, ample educational technology, and a comprehensive high school leadership program that was the first of its kind in Southern California.

Most students learn best in a nurturing, supportive environment where they are known and treated as individuals, and where their background is honored. Accordingly, personal attention to individual students and sensitivity to their backgrounds will be a cornerstone of the school. Students will not fall through the cracks at Green Dot schools. Through our union contract, teachers are empowered to make decisions about curriculum and instruction that are in the best interest of each individual student they serve.

## **EDUCATIONAL PHILOSOPHY**

All schools that Green Dot opens and operates will be based on the school model that Green Dot developed over the past six years. Green Dot's school model has been created to ensure that Green Dot can consistently open high quality schools in which students are being prepared for college, leadership and life. We have organized this school model into six core principles that we call our "Six Tenets":

- **Small, Safe, Personalized Schools**

All Green Dot schools are small (approximately 500 - 525 students when fully developed), giving each student the best chance of success. Small schools help ensure that no students fall through the cracks and allow students to receive the personalized attention they need to learn effectively. Students can be held accountable for all of their actions, and the administrators and teachers can develop personal relationships with each student and their families. Smaller high schools are safer and decrease the security risks inherent in urban schools as potential problems can be recognized earlier and mitigated.

Classes are also kept as small as possible. A 22:1 student to teacher ratio is targeted to provide individual attention to students and help teachers instruct effectively in classes that typically have students at varying proficiency levels. Average class size is 27. The small class size and the school-wide focus on personalization ensure that historically underserved student populations excel much more at Green Dot schools than they do at neighboring comprehensive high schools.

## **2. High Expectations for All Students**

Green Dot schools are centered on high expectations for all students and every student takes a rigorous college preparatory curriculum. All students are enrolled in classes meeting the University of California (UC)/California State University (CSU) A-G requirements, and courses are aligned with California State Content Standards. Green Dot believes that all students should be prepared to attend a four-year university after high school if they so choose. Every student that graduates from a Green Dot school will have taken the necessary courses to attend a UC or CSU.

In order to help students master a challenging college preparatory curriculum, all Green Dot schools offer extensive student intervention and support programs. The majority of the students entering Green Dot schools are 2 – 4 grades below 9<sup>th</sup> grade proficiency in core subjects. Thus, it is critical to focus on support programs that can provide students with the help they need to be successful in their college-prep classes. Our data demonstrates that student populations who are historically low-achieving can excel academically and matriculate into four-year colleges and universities, provided that their schools and teachers hold high expectations for them.

### **3. Local Control with Extensive Professional Development and Accountability**

Principals and teachers are the key decision makers in Green Dot's system of schools and own all critical decisions at the school site related to budgeting, hiring, and curriculum. Teachers are ensured decision-making responsibilities in all of these areas via our union contract. The Green Dot Home Office provides Recommended Practices to each of the school sites; still, the principals and teachers have ultimate autonomy to decide whether to follow the Recommended Practices or take different approaches.

Principals and teachers are prepared to make effective decisions related to instruction and school site management because they all participate in a rigorous professional development program. Green Dot schools invest far more time and money into quality professional development than traditional public schools. The core principles of Green Dot's professional development program are collaboration, reflection, and continuous improvement. Again, our union contract ensures that teachers have a strong voice in developing this professional development.

Local control works in Green Dot's school model because schools and all of their stakeholders are held accountable for student results. If students in a particular school or in a certain classroom are consistently not performing up to expectations, then local control over key decisions may be taken away from that particular school or teacher.

Students also are empowered at Green Dot schools and are included in certain important school site decisions. Empowering students to give meaningful input into their schools allows them to develop a greater sense of responsibility for their education and a heightened excitement for learning. At all Green Dot schools, students choose the school mascot, decide what clubs and sports teams they will have, and participate in the hiring of new teachers.

### **4. Parent Participation**

All Green Dot schools invite and expect parents to participate in their children's education experience. Family involvement in a student's education is one of the most important ingredients to student success, and Green Dot is committed to actively integrating parents/guardians into all aspects of their students' education experiences. In particular, the Small Schools Alliance trains and empowers parents in the communities we serve to advocate for, recruit for, and share decision-making responsibilities at Green Dot Schools in their neighborhoods.

### **5. Get Dollars into the Classroom**

Green Dot's organization is centered on getting more money into the classroom, because this enables principals and teachers to effectively serve students. Green Dot's Home Office incorporates best practices from the private and public sectors in order maximize efficiency and drive dollars toward activities that directly impact

students. Each school receives \$0.94 for every \$1 it is allocated in public funds. In turn, schools are required to use that money in ways that maximize the amount spent on students.

**6. Keep Schools Open Later**

Facilities of Green Dot schools are kept open until at least 5:00 p.m. daily to provide students with safe, enriching after school programs and to allow community groups offering quality services to the neighborhood to use the facilities. A variety of after school programs such as clubs, sports, teacher office hours, and homework clubs are provided to help with students' educational development and to give them a safe-haven after school when their neighborhoods can be particularly dangerous. Keeping schools open later also accommodates the schedules of working families because parents know where their children are until they get off work. Allowing community groups to use schools facilities helps ensure that the local neighborhood takes ownership and responsibility for the school.

## **EDUCATIONAL PROGRAM**

### **Students To Be Served**

Green Dot schools are high schools that serve approximately 525 students in grades 9-12 (approximately 125 students per grade level). All of our currently existing schools serve a population of students that represents the racial, ethnic, and socioeconomic diversity of the local community. The composition of Green Dot schools established under the Statewide Benefit Charter will also closely reflect community demographics. Additionally, we will maintain our commitment to recruiting a population of students that academically mirrors the nearest high school in terms of Special Education status, English Language Learner status, and academic achievement as measured by standardized test scores.

### **Curriculum and Instructional Design**

Green Dot's Home Office provides all Green Dot schools with Recommended Practices in order to ensure a consistent level of quality. Practices are provided in the areas of curriculum, student intervention, professional development, parent participation and school operations to help principals and teachers make the most informed decisions for their schools. Principals and teachers review the Recommended Practices and determine how much of the practices they will incorporate in their schools. There is a significant amount of consistency across Green Dot's schools as the majority of the Recommended Practices are implemented at all schools.

If a school site chooses not to follow a Recommended Practice, the site must provide a plan that describes why it is not following that practice, lays out the new practice the school site will employ, and outlines the research that supports the new practice. School sites always will have the right not to follow the Home Office's Recommended Practices unless the school sites are not meeting their performance metrics. Green Dot's Recommended Practices are living practices, and the Home Office is continually updating them based on successful innovations from within the Green Dot network and best practices being developed by other school operators.

The core component of our Recommended Practices is the curriculum that the Home Office provides to all Green Dot schools to help ensure that each school offers a balanced, comprehensive curriculum. Included in the recommended curriculum are course offerings, textbooks, curriculum maps, pacing guides, sample lesson plans, teaching strategies and assessments that have been successful at Green Dot schools.

It is required that all Green Dot students be enrolled in classes meeting the UC/CSU A-G requirements, and all courses are aligned with State Content Standards. Thus, the credits of a Green Dot student are transferable to traditional public high schools and recognized by colleges and universities. Our current schools are either accredited by the Western Association of Schools and Colleges or, in the case of our newer schools, in the process of obtaining accreditation status. We routinely inform prospective parents

of this and other information regarding our educational program in public meetings and school publications. Additionally, upon request from parents, Green Dot Schools will provide written information about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements.

In order to graduate from a Green Dot school, all students are required to successfully complete 190 core curriculum credits. Our graduation requirements emphasize the traditional subjects of Math, Science, English, Social Studies, and Foreign Language. These subjects are presented in ways that make use of current research regarding how people learn in general, as well as how to engage urban students and help them succeed academically.

Below is an outline of the current curriculum offered at Green Dot schools. Some adjustments may be made in certain courses as the principals and teachers of new Green Dot schools adapt to the specific needs of students in any given community.

<b>Courses</b>	<b>9<sup>th</sup> Grade</b>	<b>10<sup>th</sup> Grade</b>	<b>11<sup>th</sup> Grade</b>	<b>12<sup>th</sup> Grade</b>
<b>Core courses for all students</b>	English Algebra or Geometry History of the Americas Foundation s of Science Spanish 1 or Spanish 2 Study Skills/ Technology	English Geometry or Alg. 2 World History or AP World History Biology Span. 2 or 3 College Readiness	English or English Honors Alg. 2 or Pre-Cal. US History Chemistry AP Spanish or Sp. 3	English or AP English Pre-Calc, Calc, or Personal Finance Govt/Econ or AP Govt AP Spanish Lit or Span. Poetry Physics or elective
<b>Electives</b>			Film Drama Leadership Technology	Art Drama Leadership Technology Music Film
<b>Intervention</b>	Reading & Math Special Needs	Math Special Needs	Math Special Needs	

**Emphasis on Leadership:** Green Dot schools are strongly encouraged to incorporate leadership into their curriculums. Our leadership program includes a variety of classes, clubs, and special projects over the course of a student’s four-year education. As a result of the program, students often will engage in activities such as “Get Out the Vote” precinct walking and voter registration campaigns. The culmination of the leadership program is a legacy project that must be completed by the graduating class of each

Green Dot school. At Animo Leadership, the seniors decided to establish a tutoring program with elementary school students as their legacy project. This program was developed entirely by the students for their community.

There are numerous other opportunities at Green Dot schools to grow and learn as leaders. Students are encouraged to help design and assist in the administration of many school programs, including our disciplinary process, student recruiting, all-school meetings, and our school newspapers. Additional leadership programs and experiences may include:

1. California legislature one-year simulation
2. A People of Color In Leadership speaker series
3. A Women In Leadership speaker series
4. Outdoor education programs such as Outward Bound and ropes courses to develop self-reliance, teamwork, and an appreciation of nature
5. Model United Nations, Junior Statesmen, and a debating team
6. YMCA Youth and Government

Green Dot's curriculum also incorporates service learning. Service learning is a vital element of our program, designed to instill a sense of individual and civic responsibility. Coordinated with our leadership endeavors, it enables students to use newly gained skills to solve community challenges. Specifics of the program are determined by community needs and interaction with community leaders.

We encourage all students, staff members, parents, and community members to assist us in our leadership adventure. True leadership is much more than formulating a vision and implementing it. It means encouraging people to take control of their own lives and helping them to find their own solutions, rather than attempting to provide them with answers. We believe all individuals can create positive change in many ways, contexts, and places. Our schools are training grounds for the change agents of tomorrow.

***Emphasis on Study Skills:*** Green Dot schools also incorporate programs designed to help students prepare for college. These programs are particularly important for the student population Green Dot serves, as many of our students have had little exposure to rigorous academic programs and are not familiar with what it takes to get into college.

1. ***Study Skills:*** The curriculum in this program focuses on the individual as a learner. In this class students are taught study skills, test taking strategies, and communication tools that will enable them to succeed in their academic careers.
2. ***College Readiness:*** In this program, students learn about different post-graduation options. By encouraging students to think beyond high school, teachers help them realize that the tools they gain today are beneficial in the in their endeavor to master a challenging college preparatory curriculum.

**Emphasis on Technology:** All Green Dot schools use technology to drive higher levels of achievement and prepare students for the information driven economy of the 21<sup>st</sup> century. We also use technology as a critical tool for gathering data for school management. At each of its schools, Green Dot invests in technology in the following areas:

1. All Green Dots schools are networked and laptops are made available to students to use at school or at home.
2. Each teacher is provided with a laptop and given training on effectively using technology in the classroom.
3. Courses often include Web-based research projects and assignments.
4. A 9<sup>th</sup> grade technology class is included in recommended curriculum to train students on computers and different software programs.
5. A Web-based student information and school management system (PowerSchool) is implemented at Green Dot and is used by all schools.
6. Phones and/or walkie-talkies are provided to all employees to ensure greater accessibility for parents and rapid responses to incidents on campus.

**Textbooks and other Teaching Materials:** The books utilized for each course at a Green Dot school will be chosen through a collaborative effort between the school principal, its founding teachers and Green Dot's corporate organization. Green Dot's education team will provide a list of recommended textbooks and teaching strategies for different courses at Green Dot schools. The principal and teachers at individual Green Dot schools will determine which textbooks and strategies from that recommended list are most relevant for their school.

### **Academic Support and Intervention**

Green Dot has developed a number of strategies to address the needs of students with a wide range of prior experience and achievement.

*Summer Bridge Program:* Typically a two-and-a-half week mandatory summer session held for incoming ninth graders. Students receive standards-based instruction in math and English and are acclimated to the culture and expectations of a Green Dot school.

*Reading and Math Intervention Programs:* Read 180 and Riverdeep, standards-aligned, computer-based programs for reading and math respectively, are provided to students that test low in reading and/or math. Typically these courses are given to 9<sup>th</sup> graders through an elective class or during a Curriculum Skills class.

*Curriculum Skills:* A short "7<sup>th</sup> period" study skills class for 9<sup>th</sup> graders focused on helping students develop the skills critical for academic success.

*Advisory Groups:* Typically meet once a week to discuss issues related to the pressures of being a young adult in high school. Students remain in the same advisory groups with the same teacher for all four years to maintain a tighter sense of community.

*Guided Study:* All students who do not complete their homework or struggle with it are required to attend Guided Study at lunch. The supervising teacher helps them with their work. All assignments must be turned in the following day.

*Homework Club:* Students who are struggling with a particular class or simply want more support in a subject can attend Homework Club, which is offered for an hour every day after school and run by a credentialed teacher and/or college interns.

*Office Hours:* Teachers hold office hours twice a week after school to provide students with additional support.

### **Plan for Students Who Are High Achieving**

At Green Dot schools, we personalize education for all learners. Through Advanced Placement and Honors courses, we provide opportunities for students to excel and be challenged in content areas for which they have shown particular aptitude and motivation. Our schools also build partnerships with nearby community colleges, adult schools, and regional occupational centers to enrich the course offerings available to our students.

### **Plan for English Language Learners**

In order to accommodate for English Language Learners, Green Dot schools administer the CELDT exam to ELL students along with the other placement exams given to all incoming students. From the results on these exams, teachers are informed about the language level of their students and will work collaboratively to develop lessons that support English language development along with the California State Content Standards.

To begin the school year, students are heterogeneously mixed in their classes and at the quarter mark teachers will meet to discuss student progress. Students who continue to struggle with the English language will be assigned a Study Skills class where the teacher will focus on improving the students' English skills. All teachers will be trained in SDAIE techniques. Also, to support student achievement other models may be considered, including building an additional class in the schedule for support in English, after-school study hall, and summer school.

### **Plan for Special Education**

Green Dot adheres to the provisions of the Individuals with Disabilities Education Act (IDEA) and State Special Education Regulations. Green Dot also adheres to all terms and conditions of any other court orders and/or consent decrees imposed upon school districts pertaining to special education. Green Dot schools participate in the quality assurance process for special education including verification reviews, coordinated compliance self-reviews, complaints, and the local plan. Furthermore, Green Dot schools comply with appropriate Southwest SELPA<sup>7</sup> guidelines and intend to be treated as "public schools" of within Southwest SELPA for purposes of special education.

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<sup>7</sup> Green Dot's Animo Leadership and Animo Inglewood Charter High Schools currently are members of the Southwest SELPA. Pending the acceptance of this application for a Statewide Benefit Charter, Green

Green Dot is committed to the full inclusion of all students and will modify curricula to allow for the individual needs of students while ensuring that all coursework meets both the state standards and each school's Expected Schoolwide Learning Results. Teachers are dedicated to create a rigorous and supportive environment, striving for academic success for all their students at all costs. All students with disabilities attending Green Dot schools receive a high quality public education and will be integrated into the normal program of the school. Green Dot ensures that any student with a disability attending the school will be identified.

Green Dot schools are responsible for providing its own special education services and instruction to the students they serve, in accordance with the provisions of the IDEA. Green Dot shall ensure the participation of a Southwest SELPA Special Education representative at any IEP meeting when it is anticipated that special education service options other than those at the Green Dot school may be considered within least restrictive environments.

Green Dot schools receive their allocated share of AB602 special education funds. The allocated amount will be calculated using a funding model based on pupil population (average daily attendance). Green Dot anticipates requiring specific services from the Southwest SELPA on a fee basis and realizes that such services will be granted subject to availability. Green Dot schools will work closely and cooperatively with the Southwest SELPA.

Southwest SELPA will be entitled to collect an encroachment from Green Dot schools. This encroachment will equal the percentage of general funds encroached by the Southwest SELPA to support the Special Education Program of any other particular school. The annual encroachment percentage collected from the Green Dot school may vary from year to year depending on the internal encroachment of the Southwest SELPA. The calculation of the Southwest SELPA encroachment contribution will be based upon a formula designed by the Southwest SELPA.

Green Dot schools adhere to all terms and conditions of any court orders and/or consent decrees imposed upon Southwest SELPA as they pertain to special education. If Southwest SELPA, a court of law, or a federal or state agency determines that a Green Dot school has failed to comply with the terms and conditions of any court order and/or consent decree, the school is solely responsible for all costs, attorney's fees or other remedies associated therewith.

New Green Dot schools will follow a similar program for Special Education that is followed at Green Dot's first three schools, Animo Leadership, Animo Inglewood, and Oscar De La Hoya Animo. A Student Study Team consisting of (at a minimum) the Principal, Lead Teacher and a Special Education Resource Specialist will be created to help identify special education students, develop support programs for students who

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Dot Public Schools would like to expand its relationship with Southwest SELPA to include schools created under this charter.

may only need extra support, and refer students for Special Education assessment testing if necessary.

Green Dot schools are responsible for identifying enrolled students who may require referral for assessment for special education eligibility and services. The process shall include a Student Study Team meeting to review prior interventions, accommodations, and modifications and to recommend further interventions as appropriate.

All staff at Green Dot schools will be trained to identify “red flags” in a students' schoolwork to help determine if a student may be a candidate for special education. Teachers will refer potential special education students to the Student Study Team and a meeting will be held to determine if a referral for special education testing is necessary. The Student Study Team most likely will recommend a more personalized support program for each student before referring the student for assessment. The program will consist of more one-on-one learning time for the student with teachers, as well as teaching assistants and participation in intervention programs that are regularly held during lunch and after school. Parents of the student will be brought in to work with the Student Study Team to help the struggling student. If the personalized support program is unsuccessful for a particular student, then the Student Study Team will refer the student for assessment.

The referral process is a formal, ongoing review of information related to students who are suspected of having disabilities and show potential signs of needing special education and related services. Green Dot's assessment process will include examining student screening information and making a decision about whether or not to conduct a formal educational assessment. The parent of any student suspected of needing or qualifying for special education services may also make a referral for evaluation. Any such referrals will be responded to in writing by the Special Education Manager or Principal within 15 days. Parents will be informed via the Special Education Resource or Principal that special education and related services are provided at no cost to them.

If a Green Dot school concludes that an assessment is appropriate, the parent will receive an Assessment Plan. Assessments will be done only upon receipt of written parent permission. Green Dot students will not be administered any tests without the written consent of a parent or guardian. Students will be tested in all areas that the Student Study team believes are related to his/her disability, and multiple assessments will be administered in the student's primary language. The types of assessments that may be used for determining eligibility for specialized instruction and services will include individual testing, observations, interviews, review of school records, reports, work samples, and parent input.

Parents or guardians of any student referred must give their written consent for the school to administer the assessment. Evaluation in all areas related to the suspected disability will be conducted. Multiple assessments will be delivered, and assessments will be delivered without cultural, racial or gender bias. All assessments will be adapted as necessary for students with impaired sensory, physical or speaking skills.

Additionally, a multi-disciplinary team will be assembled to assess the student, including a teacher knowledgeable in the disability.

Green Dot schools are responsible for developing the Assessment Plan and providing the assessment. Green Dot Schools may try to contract with a district and/or SELPA in order to carry out the assessment testing and IEP development; however, schools will only receive services from the district and/or SELPA as they are available. The Special Education Resource Specialist will manage the entire testing process.

Upon completion of assessment, an Individualized Educational Program (IEP) will be created for each student designated with special education needs. The student's parent, principal, lead teacher, Special Education Resource Specialist, and other necessary experts (school physiologist, etc.) will have an initial IEP meeting within 50 days from the receipt of parent's signed assessment plan to discuss the assessment data. These adults will make up the ongoing IEP team. The IEP typically will describe why the student was designated as eligible for special education services, what services are available to the student, and clear goals for the student to achieve moving forward. Green Dot IEP teams also will develop Individualized Transition Plans (ITPs) for transition services that help students (ages 14 and older) with disabilities meet goals for a successful transition to adult living. The IEP team shall ensure participation of a Southwest SELPA special education representative at any IEP team meeting when it is anticipated that special education service options will be considered within least restrictive environments other than those of the Green Dot school.

The IEP team will meet formally once a year and informally on a quarterly basis in order to review the student's progress against his/her IEP. In accordance with IDEA, the team also will conduct a formal review after three years to reassess the student and reevaluate his/her progress.

Parents must give consent for an initial evaluation and initial placement, be notified of any change in placement that may occur, and be invited, along with teachers, to conferences and meetings to develop individual education programs. Parents have the right to initiate a due process hearing to challenge a decision regarding the identification, evaluation, or educational placement of their child. If this occurs, the Southwest SELPA and the Green Dot school shall be named respondents and shall work together to defend the case. Parents have the right to file a complaint if they believe that the school has violated federal or state laws or regulations governing special education. If this occurs, the Southwest SELPA shall address and respond to the complaint under its Uniform Complaint procedures. Teachers and other persons who provide services to a student with disabilities shall be knowledgeable of the content of the student's IEP a copy of which shall be maintained at the school site.

Like existing Green Dot schools, new Green Dot schools will focus on small group instruction in order to serve students with special education needs. The Resource Specialist coordinates with the general education teachers and works closely with the students in the student's traditional classes. This allows special education students to

continue to attend their core classes and get the expertise and attention they need. Green Dot schools ensure that their general program of instruction for students with disabilities is responsive to the required sequence of courses and related curricular activities provided for all students in the school. Additionally, special education students receive additional support from the Resource Specialist (often one-on-one support) during certain electives, at lunch and before and after school. Specialist (speech pathologists, psychologists, etc.) are contracted in order to give more specialized service when required.

Student discipline and procedures for suspension and expulsion will be in compliance with discipline procedures set forth in the IDEA and consistent with federal and state law. Discipline procedures will include positive behavioral interventions. Green Dot Schools are responsible for keeping daily attendance for each student by reporting and certifying attendance monthly on Southwest SELPA forms, and filing them with the Southwest SELPA.

Green Dot intends to partner with the Southwest SELPA in order to serve the special education needs of its student body. Each school plans to make written requests for specific services from and the Southwest SELPA on a fee basis and such services will be granted subject only to availability. Areas where a school may make written requests to the Southwest SELPA include assessment and specialized services for psychologists, speech therapists, etc. Green Dot special education personnel shall be credentialed and/or licensed consistent with California laws and regulations and in accordance to NCLB regulations. New Green Dot Schools intend to contract with a part time (in its first two years) and eventually a full time (beginning in its third year of operation and depending on actual need) Special Education Resource Specialist from outside of the Southwest SELPA. The school staff shall also attend and/or conduct professional development activities to support access for students with disabilities to general education programs. Additionally, Green Dot Schools may contract with a third party, such as Total Education Solutions, in order to provide the services.

Green Dot Schools will maintain and report all of the necessary information on disabled students that is required by the IDEA. All information related to special education students will be kept confidential and locked on campus. Principals have ultimate responsibility for the confidentiality of all records.

Green Dot's special education personnel shall be credentialed and/or licensed consistent with California laws and regulations. Additionally, Green Dot school staff shall attend and/or conduct professional development activities that support access by students with disabilities to general education programs.

## USING DATA TO MEASURE STUDENT SUCCESS

### **Measurable Student Outcomes**

All future Green Dot schools will be created using the same model as Green Dot's other five charter high schools, all of which are performing above comparable public schools on all key performance metrics. Green Dot students are held to the same Expected School-wide Learning Results:

#### *College-Directed Learners*

Able to think critically and analytically in order to understand complex concepts across the curriculum

Familiar with the college application process that will enable students to independently access college opportunities

Eligible for college by completing required coursework

Knowledgeable regarding career field choices and educational pathways

#### *Cultural Learners*

Aware of cultural differences, unique group histories and diverse perspectives

Bi-literate in English and Spanish

Able to understand the dynamics of language and culture

Able to communicate with sensitivity within and across diverse communities

#### *Innovative Leaders*

Models of ethical behavior through their involvement in school functions, clubs, and committees

Able to contribute to the success of individuals and their community through voluntary service

Effective oral communicators in distinct situations

Informed participants in the democratic process

#### *Life-Long Learners*

Responsible, mature decision-makers

Goal-oriented in their personal pursuits

Able to successfully integrate multiple uses of technology

Adaptive to a wide array of professional and cultural settings through exposure to events outside the immediate community

In order for our students to be able to matriculate to the universities of their choice upon graduation, Green Dot holds high standards for their academic achievement. We hope for the following long-term outcomes for Green Dot schools:

85% of entering 9<sup>th</sup> grade students at a Green Dot school will graduate and 65% will be accepted to a 4-year college.

50% of students will score proficient on the CST test in all core subjects.

Green Dot schools will receive at least an 8 out of 10 Similar Schools Rank API and at least a 4 out of 10 State Rank API.

Upon graduation, all students will have met Green Dot's Expected School-wide Learning Results.

In the shorter term (over the next five years), Green Dot expects to achieve the following outcome goals:

- Each Green Dot school will exceed the average performance levels of comparable public schools in its attendance area of on the Academic Performance Index.

- Each Green Dot school's truancy and drop-out rates will be below comparable public schools in its attendance area.

- Each Green Dot school's attendance rates will be above comparable public schools in its attendance area.

- Students at each Green Dot schools will outperform comparable public schools in their attendance area average on STAR Tests and the California High School Exit Exam.

Additionally, students must complete a capstone senior project. This is designed to be an open-ended project which students are given flexibility in their choice of activities for the capstone project, and we envision that students will complete this assignment with creativity and enthusiasm. Each project should demonstrate proficiency in the following goals we have set for students:

- Ability to show leadership in the community setting

- Demonstration of problem-solving skills

- The showing of respect for difference among people and cultures

- Self-confidence in academic ability and interpersonal relations

- Evidence of working cooperatively and negotiating effectively with others

Finally, by the end of their senior year, students must present a portfolio documenting their learning growth and acquisition of skills such as:

- Reading, writing, and mathematical competency

- Academic rigor of synthesis, analysis, and evaluation

- Technological acumen

- The ability to work in a team setting

- Initiative, perseverance, and motivation

### **Outcome Measurement Process**

Aligned with its firm belief in accountability, Green Dot schools have rigorous assessment and goal-setting programs to measure students' proficiency levels and ensure that each student is making progress toward becoming a responsible, well-educated adult. Students are assessed regularly from the time they enter the school through graduation and teachers monitor their progress closely. The following assessments are currently used at Green Dot's existing schools:

*Placement exams:* All freshman and new students are given the UCLA Algebra Readiness exam and the Scholastic Reading placement exam in order to determine

proficiency levels in math and reading. Comparable tests are given at the end of the year to measure progress.

*The CELDT exam* is administered at the beginning of the year to determine English language proficiency for those whose first language is not English. CEDLT is administered annually until students are designated English fluent.

*State Required Tests:* All state-required tests are given and analyzed closely (STAR, CAHSEE, etc.). Eighth grade scores for incoming freshman are gathered so that growth can be compared between Green Dot schools and neighboring public schools.

*Ninth Grade Physical Fitness Test:* All Green Dot 9<sup>th</sup> graders will take the physical education test required by the state of California.

*Other Standardized Tests:* The PSAT annually beginning in 9<sup>th</sup> grade. Seniors take the SAT, and students take Advanced Placement tests when appropriate.

*Traditional Classroom Assessments:* Quizzes, essays, projects, and exams are regularly assigned in individual classes.

*Other measurements:* Students are also measured regularly in non-curriculum areas such as class attendance and discipline.

Scores from all student assessments are compiled in Green Dot's information management system (PowerSchool) so that students' progress within particular subjects and across all subjects can be monitored at any given time. Teachers critically analyze student data, identify students' strengths and opportunity areas, and develop individualized learning plans and goals for their students. Goals and student progress towards those goals are clearly communicated to students and parents on a regular basis. Regular assessments and analysis help administrators manage their schools more effectively, as they can clearly identify problem areas for certain students or subjects and allocate resources to fix those areas.

Students also are assessed in non-curriculum areas such as class attendance and discipline to ensure that they are meeting their commitments to be positive influences at school. For example, Green Dot actively tracks each student's attendance numbers as well as the number of discipline actions against them (tardies, detentions, suspensions, etc.). Non-curriculum areas often are overlooked at urban high schools when it comes to assessment, but Green Dot believes that students develop more quickly when they are held accountable for both performance and conduct.

The philosophy of Green Dot schools, Green Dot's board members, and our community stakeholders is that we will work together to set specific and measurable goals to ensure that all of our schools meet their obligations in terms of student performance and school operations to create a powerful tool for ongoing learning and improvement. Goals and objectives for academic performance involve five steps:

*Setting measurable standards and goals:* The staff identifies what students should know (content standards) and what they should be able to do (performance standards) in all learning areas at critical points in their education. Steps in this process include reviewing the school's mission, purpose, and expectations, reviewing state and district

standards, developing exit outcomes and graduation standards, and listing specific academic outcomes that students will demonstrate in each subject area, grade, or skill level.

*Linking standards to curriculum and assessment:* Standards, curricula, and assessment are aligned among each other, with state content standards, and with the school's educational goals. Professional development includes training in the use of data-driven decision making, and educators review the alignment of assessment and curriculum with the state content standards at least twice a year.

*Determining assessments that will actually measure if curriculum has been learned and monitoring progress toward goals:* This includes a combination of digital portfolios, projects, exhibitions, performances, and criterion-referenced assessments. Instruments used appropriately measure important student objectives, reflect the vision of the school, but do not adversely affect the learner. Progress is objectively measured by the annual statewide assessments for each grade (STAR, etc.), by other adopted statewide assessments (CELDT, etc.), and by Advanced Placement exam results. Classroom teachers also may measure achievement in a traditional manner, such as through quizzes, essays, tests, and exams. Progress is discussed on a regular basis with parents and students no less than twice a year. Additionally, report cards are issued quarterly. Teachers use technology in assessment to monitor student computer skills and help them achieve academic goals. Staff development emphasizes advanced training in use of classroom management applications (e.g., SASI, e-mail and classroom spreadsheets) including the ability to use electronic work saved and networked by students to assess student progress toward project benchmarks. To evaluate multi-media presentations and ensure technology-based student work is leading to student academic achievement goals, Animo staff has designed standardized rubrics.

*Using the data to identify strengths and areas of improvement:* The staff sets baseline expectations for incoming students (e.g., information from previous assessments); recommend additional support if needed; administer all assessments, including school, district, and state-required testing (e.g., STAR, SAT, proficiency tests, HSEE); develop evaluative comparisons with similar populations using disaggregated data; set priorities for professional development; and assist with the allocation of resources.

*Reporting Data:* Staff will decide how they will report student progress to: (1) students and parents, (2) the chartering agency, (3) the broader public, and (4) teachers and school board members. Options for reporting data include grades and report cards, portfolios, narratives, student-involved conferences, annual reports, informational brochures, the school website and annual stakeholder meetings.

Green Dot schools will use a performance scorecard that is currently being developed by Green Dot in order to measure the performance of all stakeholders in the school.

	<b>Measure</b>	<b>Analyze</b>	<b>Develop action plan &amp; set goals</b>
Students	Graduation Rate State Tests (STAR, CASHEE, etc.) Classroom projects and grades Attendance Retention Rate Disciplinary Actions	Compare with similar schools and to all California schools Identify root causes of performance increases or decreases in each area	Create plan for improvement in low performing areas Set targets for next academic year Improvement required annually (after first three years of school)
Teachers	Teacher Performance Evaluations Student performance in individual classes Teacher Satisfaction surveys from students Teacher Retention	Identify strengths & opportunity areas for each teacher Compare previous scorecards Analyze "life cycle of teachers" to identify breakdowns (recruiting, staff development, etc.)	Create plan for improvement in low performing areas Set targets for next academic year
Parents	Completion of Volunteer Hours Attendance at PTA Meetings	Compare with previous years and across Green Dot Identify internal and external forces effecting performance	Create plan for improvement in low performing areas Set targets for next academic year
Principal / Administration	Student performance Teacher performance Fiscal management Parent Satisfaction	Compare with previous years, across Green Dot & similar schools	Create plan for improvement in low performing areas Set targets for next academic year
Green Dot Management	Performance at individual schools Employee Retention New schools opened Fiscal Management District / Systematic change influenced	Compare with previous years and targets set by Board	Create plan for improvement in low performing areas Set targets with Board for next academic year

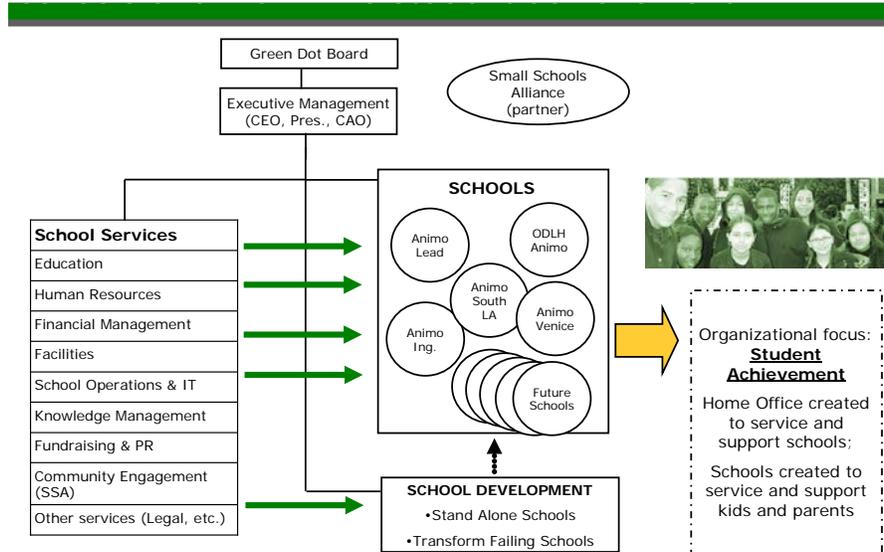
## GOVERNANCE STRUCTURE

Green Dot schools will be governed by Green Dot Public Schools, a 501 (c)(3) non-profit benefit California Corporation. Ultimate responsibility for the governance of Green Dot will rest with Green Dot's Board of Directors while Green Dot's management team will be responsible for the majority of the policy setting decisions including the following:

7. Set general policies of the school
8. Approve and monitor the school's annual budget
9. Ensure operation of the school in accordance with the charter and the law
10. Hiring the school's principal

Green Dot's Board of Directors will be the ultimate governing body for Green Dot and will be responsible for major strategic and policy decisions related to the schools and will also need to ensure Green Dot's financial sustainability.

The Principal is responsible for the daily administrative operation of the school and is accountable first to Green Dot management and ultimately to the Green Dot Public Schools' Board. Additionally an Advisory team made up of the Principal, lead teachers and community members will be set up in order to help with the day to day decisions occurring on the school site level. Below is a diagram of the Green Dot governing structure:



Since Green Dot Public Schools is a non-profit corporation, it can be sued as an independent entity and would be responsible for any debts incurred by the school. If this charter is found to be invalid or contrary to law by the California Department of Education, a court of law, or other appropriate jurisdictional agency, at that point, this charter petition shall be revoked and the SBE shall be held harmless for having initially approved the request.

Green Dot's Board of Directors shall permit SBE to appoint one voting representative to participate on the Board of Directors of Green Dot Public Schools, should the SBE choose to do so. An SBE member shall also be permitted to participate on the Advisory Board of individual Green Dot schools as a non-voting representative.

Green Dot shall be solely responsible for the legal obligations of the charter school. Green Dot's Board of Directors agrees to adhere to all state and federal laws or regulations governing non-profit corporations.

There will be numerous opportunities for students and parents to participate in the implementation and growth of the school and learn about leadership. Students will be encouraged to help design and assist in the administration of many school programs, including the disciplinary process, student recruiting, all-school meetings, and the school newspaper.

Parents will be treated by staff members as collaborators in the educational process. The school's Advisory Board, represented by parents, the private sector, teachers, staff, students, collaborating agencies, community representatives, and public agencies will also recommend policy to Green Dot management. The Advisory Board will meet monthly.

Parental views and expertise will be sought in developing policies and solving school-wide problems through representatives serving on the Advisory Board and various committees. Communication with parents about school policies, programs, and their own children will be frequent, clear, and two-way.

The entire Green Dot Board of Directors meets on a quarterly basis. Within the Board there is an Executive Committee that meets monthly to discuss key issues in a timely manner.

The Green Dot Management Team meets on a weekly basis to focus on key issues dealing with our schools. The Management Team meets with the Principals formerly on a monthly basis to discuss academic success, school operations such as financial management, attendance, reporting and more to ensure the schools are hitting their targets and are continually improving. School performance and data will be relied on heavily for decision-making.

## **HUMAN RESOURCES**

### **Qualifications of School Employees**

Green Dot schools will hire a diverse faculty composed of the best teachers available. We will achieve this goal by continuing our national search to hire the finest teachers. This includes contacting the top graduate and education programs in the country and publicizing Green Dot job opportunities to experienced teachers.

Green Dot shall not discriminate against any potential employee on the basis of ethnicity, national origin, gender, sex, religion, race or disability.

Green Dot will comply with the provisions of No Child Left Behind as they apply to highly-qualified certificated personnel and paraprofessional employees of charter schools. Credentials will be monitored by the director of human resources at the Green Dot office. Green Dot will ensure that teacher credentials for all core subject instructors (English language arts, math, social studies, science, fine arts, and special education) will comply with all NCLB regulations.

Teachers at Green Dot Schools shall be required to hold a Commission on Teacher Credentialing (CTC) certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. As CDE and CTE provide interpretations for the requirements for non-core subjects, those interpretations will be followed.

Should a qualified candidate not hold a California teaching credential, that employee must have, at the minimum, 18 semester units or 27 quarter units in the subject they wish to teach and have passed subject matter examinations in their subject area they wish to teach. If hired, the candidate will apply for an intern credential and must enroll in a credentialing program and must meet all qualifications of highly qualified in compliance with NCLB.

Teaching applicants must welcome being treated as critical stakeholders as they are expected to assume significant administrative, governance and advisory group responsibilities. Technological experience is an advantage, although an enthusiastic willingness to learn may suffice, as there will be ample professional development opportunities.

As noted in the section regarding Ed Code 47605 (b) (5) (E), all teachers shall hold the training and credentials appropriate to their placement and will be hired based on their capacity to deliver the instructional and curricular program.

Beyond the principal and teachers, an office manager will be hired. We will also hire a full time security guard depending on the need. Green Dot schools will try to hire its administrative staff from the community, particularly its office manager. It is critical that the office manager and all of the staff develop close relationships to the community members they are serving. The principal of each Green Dot school has the discretion to

hire other classified personal as needed. The principal will be in charge of reviewing each classified staff member yearly and their salary will be competitive. The administrative staff shall possess experience and expertise appropriate for their position within the school as outlined in their job description.

Green Dot schools have a rigorous national recruitment process. We advertise or plan to advertise in publications such as major newspapers, newsletters for Association of California School Administrators, journals for the National Association of Secondary Principals, *Education Week*, and the *Chronicle of Higher Education*. We also employ Internet resources such as Ed-Join and MonsterTrak.

Green Dot will select a staff while complying with State and Federal regulations. Each member shall be a full-time employee. The selection process for certificated and classified personnel will include:

- Research and establish job qualifications, including a list of position-specific criteria to be given to qualified applicants.

- Announce opening(s).

- Recruit applicant(s) from a broad pool of applicants.

- Request an application, resume, references, records of experiences, credentials, licenses, etc.

- Verify previous employment and check references of interview candidate(s).

- Final teacher candidates will teach a demonstration lesson that must be student-driven and exhibit a strong command of the subject area.

- The Principal is responsible for the ultimate hiring decision and yearly review.

The principal is the main person running the school once open, and Green Dot takes extensive care to select the most qualified and dedicated principal. The principal will go through the selection process above as well as formal interviews with the Green Dot home office team. Green Dot will use its extensive relationships with a number of universities and other channels for attaining high quality principals who possess a Tier I administrative credential. Green Dot has had a pool of 40 candidates applying for the Green Dot principal positions in the past and it is confident that it will have a similar pool of candidates from which to hire the leader of all new Green Dot schools. Additionally, Green Dot is developing leaders within its own organization (counselors and assistant principals) for future Green Dot Principal positions.

### **Compensation and Benefits**

Certificated employees at Green Dot schools will be paid according to the pay scale that has been agreed upon between Green Dot and AMU. Compensation is discussed explicitly in Article XXIX of the contract. Additionally, a break out of the agreed upon number of work days annually and the length of the professional workday are broken out in the contract as well (Article VI).

Salaries for classified employees have been developed by analyzing the average salaries in comparable school districts for classified employees. Green Dot's classified

salaries typically fall in the middle of the comparable range. Full-time classified employees are typically expected to work 183 days annually and are given one sick day each month.

Green Dot teachers and administrators shall be a part of the State Teachers' Retirement System, (STRS). Other employees shall be covered by the Public Employees' Retirement System, (PERS), or Social Security as appropriate.

### **Employee Representation**

Green Dot employees will have full collective bargaining rights, as defined by the Educational Employees Relations Act (EERA). For the purposes of EERA, Green Dot Public Schools is the exclusive public school employer.

Certificated employees at Green Dot schools have organized as the Asociación de Maestros Unidos (AMU), an affiliate of the CTA. Green Dot's first comprehensive agreement with the AMU was signed and completed in spring 2003. Green Dot anticipates that certificated employees of any new Green Dot Schools will join the AMU.

Non-certificated employees have not organized at any of Green Dot's current schools; however, they have the right to if they so wish.

### **Rights of School District Employees**

The right to leave a district and take employment at a Green Dot School, as well as the right to return to the district for Green Dot employees who were previously district employees, will be as specified in district policies, procedures, or collective bargaining agreements addressing this issue with respect to charter schools operated as nonprofit public benefit corporations under Education Code 47604.

### **Health and Safety**

All Green Dot school sites will comply with all applicable safety laws. Sites will require that each employee of the school furnish the school with a criminal record summary as described in Section 44237 of the Education Code, including the requirement that, as a condition of employment, each new employee must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary.

Each site will develop further health, safety, and risk management policies in consultation with its insurance carriers and risk management experts. Green Dot will assess its school buildings for structural safety, using the existing state, county, and city standards for independent and parochial schools. Green Dot, at its own cost and expense, will be responsible for obtaining appropriate permits from the local public entity with jurisdiction over the issuance of such permits, including building permits,

occupancy permits, fire/life safety inspections and conditional use permits, all as may be required to ensure a safe school and facilities for staff and students.

### **Dispute Resolution**

The dispute resolution process for Green Dot certificated employees is defined in detail in Article XIV of the AMU agreement.

Any controversy, claim, or dispute between Green Dot and the SBE in relation to this charter shall be handled first through an informal process in accordance with the procedures set forth below.

Any controversy, claim, or dispute arising out of or relating to the charter agreement, or the breach thereof, must be submitted in writing (“Written Notification”). The Written Notification must identify the nature of the dispute. The Written Notification may be tendered by personal delivery, by facsimile, or by certified mail. The Written Notification shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 PM, or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the US Mail.

A written response shall be tendered to the other party within twenty (20) business days from the date of receipt of the Written Notification. The parties agree to schedule a conference to discuss and resolve the controversy, claim, or dispute at issue (“Issue Conference”). The Issue Conference shall take place within fifteen (15) business days from the date the Written Response is received from the other party. The Written Response may be tendered by personal delivery, by facsimile, or by certified mail. The Written Response shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 PM, or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the US Mail.

If the controversy, claim, or dispute cannot be resolved by mutual agreement at the Issue Conference, then either party may request that the matter be resolved by mediation. Each party shall bear its own costs and expenses associated with the mediation. The mediator’s fees and the administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall commence within 120 days from the date of the Issues Conference. The parties shall mutually agree upon the selection of a mediator to resolve the controversy or claim at dispute. The mediator may be selected from the approved list of mediators prepared by the American Arbitration Association. Mediation proceedings must be administered in accordance with the mediation rules or guidelines of the American Arbitration Association.

If mediation is not successful, then the parties agree to settle the controversy, claim, or dispute by arbitration conducted by a single arbitrator in accordance with the rules or guidelines of the American Arbitration Association. The arbitrator must be an active member of the California State Bar or a retired judge of the state or federal judiciary of California. Each party shall bear its own costs and expenses associated with the arbitration. The arbitrator's fees and the administrative fees of the arbitration shall be shared equally among the parties.

Any party who fails or refuses to submit to arbitration shall bear all costs and expenses incurred by such other party in compelling arbitration of any controversy, claim, or dispute.

Green Dot recognizes that, because the SBE is not a local education agency, the State Board of Education may choose resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, provided that if the State Board of Education intends to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter. Green Dot also recognizes that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with Education Code section 47604.5, the matter will be addressed at the State Board of Education's discretion in accordance with that provision of law and any regulations pertaining thereto.

***Revocation and Renewal:*** The SBE may revoke the charter of Green Dot Public Schools if Green Dot commits a breach of any terms of its charter. Further, the SBE may revoke the charter if Green Dot commits a breach of any provisions set forth by the SBE and/or any provisions set forth in the Charter School Act of 1992. Specifically, the District may revoke the charter of Green Dot on any of the following grounds:

Green Dot committed a material violation of any of the conditions, standards, or procedures set forth in the charter.

Green Dot failed to meet or pursue any of the pupil outcomes identified in the charter.

Green Dot failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.

Green Dot violated any provisions of law.

Prior to revocation, the SBE will notify Green Dot in writing of the specific violation. The SBE will give Green Dot a reasonable opportunity to cure the violation. Depending on the nature of the violation, the SBE will determine the amount of time needed to cure the violation. In the case of disputes, the parties agree to adhere to the dispute resolution procedures identified in the charter.

The SBE shall retain the right to revoke the charter immediately if Green Dot is engaging or has engaged in activities that constitute a severe and imminent threat to the health and safety of the students. Under these circumstances, the dispute resolution procedures will be inapplicable.

## **STUDENT ADMISSION, ATTENDANCE, AND SUSPENSION/EXPULSION POLICIES**

### **Student Admission**

Every effort will be made to reach out to all eighth graders in areas where Green Dot Schools are accepting freshmen classes. Letters will be sent out to all families of eighth grade students who would typically attend the local high school to ensure that all students in the area have an opportunity to attend a Green Dot School. Families will be notified through community meetings, mailings, personal phone calls and possibly newspaper advertisements. At open houses throughout the communities in which we have schools, Green Dot will share information about our schools and our alternative setting for families and their children, how the application process will work and the random public lottery which would be held if the applications exceed capacity. These methods have proved very successful at Green Dot's three schools, all of which have received more applicants than available seats in every year of operation.

Each family showing interest will be sent an application packet. Parents are responsible for completing a preliminary application and secondary application, copies of which can be found in the appendix. Preference shall be given to those students with students with siblings already enrolled at the Green Dot school, as well as to those students who attend middle schools that feed into the nearest high school.

Should we receive more than 140 applications before the specified deadline, a random lottery will be held. Each applicant's name will be assigned a number. Each number will be put on a card. Each card will be equal in size and shape. The card will then be put into a pool. A random drawing will occur, and the first 140 numbers chosen are accepted to the school. Once the student list has been set, a waiting list will be developed for those students still wishing to enroll should space become available. During the school year if vacancies should arise, the school will pull from the wait list

Each Green Dot school shall maintain an accurate accounting of the ethnic and racial balance of students enrolled, along with documentation of the efforts the school has made to achieve racial and ethnic balance in accordance with the charter petition and standards of charter legislation. Each of our schools currently uses the PowerSchool software program to track demographic information on each individual student.

It is the policy of Green Dot Public Schools to be nonsectarian in programs, curriculum, admission policies, employment practices, and all other operations. Green Dot schools shall not charge tuition, and shall not discriminate against any pupil on the basis of ethnicity, national origin, gender, sex, religion, race or disability.

### **Public School Attendance Alternatives**

Green Dot Schools will be sites of choice. No student is required to attend. Students choosing not to attend a Green Dot School may attend other public schools within their home school district. Green Dot Schools will work cooperatively with appropriate county offices of education, with local school districts, and with other local charter schools as necessary to expeditiously provide and receive student information as may be necessary when students transfer between a Green Dot School and another public school alternative.

### **Suspension/Expulsion Procedures**

Students shall not be suspended or expelled from a Green Dot School for academic failure. Students shall only be suspended or expelled for actions for which they could be suspended or expelled from the school district, as defined by Education Code Sections 48900 to 48926.

Teachers are responsible for the day-to-day discipline in their classrooms within the understanding that teachers have many different roles beyond just disciplinarian. Teachers work with their students to meet their individual needs of their students and work together to find a common ground in the classroom, to ensure that learning can take place. Disciplinary options available to the teachers include: warning, detention, parent-teacher communication, counseling referral, written assignment, and discipline referral to the Principal.

**Suspension** is intended to remove the student from peers and the class environment. This separation provides the student time to reflect on his or her behavior and a possible pattern of behavior that will be more positive.

A student serving on-campus suspension reports to school at the regular time in full uniform. Each teacher will give the student written assignments that he or she must complete under the direct supervision of the Principal or designee. The student will not attend any classes or go out for break. The student will eat lunch in the assigned room.

A student may be suspended for any of the following acts:

- Theft, destruction, or defacement of school or personal property during school hours or during school-sponsored events. Parents will be held financially responsible.

- Defiance, disrespect, or abuse of school authority

- Harassment

- Hazing

- Fighting

- Profanity or vulgarity in word or gesture

- Narcotics possession or use (marijuana, dangerous drugs, or other harmful substances)

- Smoking or possessing tobacco products on campus or at school-sponsored events

Being under the influence of, or possessing, alcohol or any controlled substance at school or any school-sponsored event

Writing on, tagging, or defacing school property

Any infraction not listed but considered sufficiently serious by the Principal

***Expulsion – Dismissal from School:*** A student may be dismissed from a Green Dot School for any of the following major violations or for repeating any violation listed under suspension Length of expulsion is determined by the Discipline Board and at the time of the act in question. It is a federal mandate that a school expel, for a period of not less than one year (except on a case-by-case basis), any student who is determined to have brought a firearm to school (E.C. 48915 (c) (1):

Brandishing a knife at another person, or possession or use of any weapons or firearms on school premises or at school sponsored events (E.C. 48915 (c) (2) )

Possession of an explosive (as defined in section 921 of Title 18 of the U.S. Code) (E.C. 48915 (c) (5) )

Unlawfully selling a controlled substance including providing or selling narcotics of any kind (immediate expulsion) (E.C. 48915 (c) (3) )

Inflicting or causing bodily harm to any person on campus

Committing or attempting to commit a sexual assault or committing a sexual battery (Section 48900[n])

Assault or battery, or any threat of force or violence directed toward anyone

Fighting

Theft of, tampering with, or unauthorized handling of a teacher's grade book, textbook, handbook, keys, briefcase, or other personal items

Tampering with fire alarms or extinguishers

Any infraction considered sufficiently serious by the Principal (multiple suspensions, consistent defiance, etc.)

A student may not be suspended or expelled for any misconduct unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent or occurring within any other school district and that act occurs at any time, including, but not limited to 1) while on school grounds, 2) while going to or coming from school, 3) during the lunch period whether on or off the campus, or during or while going to or coming from a school-sponsored activity.

Parents have the right to appeal expulsions and suspensions to Green Dot Public Schools' management and eventually to the Green Dot Board of Directors. A parent must submit an appeal within 30 days of being informed of the expulsion or suspension to Green Dot Management at which time Green Dot Management will meet with the Principal, the Discipline Board, comprised of administrator(s) and teachers, and potentially the student. If Green Dot Management supports the decision of the school site, that decision can be appealed to the Green Dot Board of Directors. Additionally, parents can appeal a suspension or expulsion prior to the suspension or expulsion by immediately informing the Principal of their desire to appeal the suspension or expulsion. A meeting will occur as soon as practically possible between the principal,

the parent and the appropriate representatives from Green Dot management. The suspension or expulsion will not occur until the appeal has been heard and ruled upon by the appropriate representatives of Green Dot Management. If for some reason Green Dot Management believes a member of the committee to be biased, that person will not participate in that particular appeal hearing. Instead a member of the community or a parent will be appointed to the committee by Green Dot Management.

Green Dot Schools will collect suspension and expulsion data, which will be available for public review.

Students who are suspended and are waiting to see if they will be expelled will be provided a home teacher who meets with the school's principal to monitor student work. If the student is expelled, the Green Dot School will contact the local district to work to find a school and/or continuation school that will meet the student's needs.

In the case of a special education student, or a student who receives 504 accommodations, Green Dot will ensure that it makes the appropriate adjustment as necessary to comply with the mandates of IDEA and Special Education laws.

Pupils who are expelled from Green Dot Schools shall be given a rehabilitation plan upon expulsion as developed by the school's governance council at the time of the expulsion order which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one year from the date of expulsion when the pupil may reapply to the Green Dot School for admission. The amount of time is determined by the Discipline Board and will be adhered to.

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the charter school's governance and the pupil and guardian or representative, to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The pupil's readmission is also contingent upon the capacity of Animo at the time the pupil seeks readmission.

## **FINANCIAL PLANNING, REPORTING, AND ACCOUNTABILITY**

### **Budgets**

Over the last five years, Green Dot has performed very well financially. It has been able to open five successful small schools while accessing a relatively small amount of private philanthropy. Green Dot's strong financial performance has been driven by its efficient school and organizational model and its effectiveness at accessing state, federal and local public funds to pay for school start-up costs. Green Dot has created more than 2,000 high performing public school seats and has raised less than \$7 million in private fundraising to do it. At less than \$3,500 of private philanthropy per new seat created to date, Green Dot has proven that it leverages private fundraising as effectively as any organization in the country.

Green Dot schools are self-sustaining on public funds (Federal, State and Local) after their start-up costs have been funded. Once they are in their fifth year and in an affordable facility, Green Dot schools will be self-sustaining on the public dollar forever. The key factors that enable Green Dot schools to operate effectively on the public dollar are: a) high student attendance rates, b) lower number of classified employees per student than a traditional district school, c) greater utilization of all employees and d) low non-classroom based operating expenses due to increased efficiencies.

Today, Green Dot operates five high schools serving over 2,000 students and has a projected FY 2006 operating budget of close to \$20 million. Green Dot's budget will grow rapidly over the next five years as it opens new schools through school transformation projects. This budget is projected to grow to close to \$90 million within five years assuming that Green Dot opens 6 new schools annually.

### **Financial Reporting**

All Green Dot schools will prepare and file with the state on or before September 15 an annual statement of receipts and expenditures for the preceding fiscal year. Additionally, Green Dot schools will prepare and file with the state a preliminary budget on or before July 1, an interim financial report on or before December 15, a second interim financial report on or before March 15, and a final unedited report for the full prior year on or before September 15 (as per Education Code Section 47604.33).

### **Insurance**

No coverage shall be provided to Green Dot schools by the SBE. Green Dot schools shall secure and maintain, as a minimum, insurance as set forth below with insurance companies acceptable to the SBE to protect each school from claims which may arise from its operations. The following insurance policies will be followed by each Green Dot school:

Worker's Compensation Insurance in accordance with provisions of the California Labor Code, adequate to protect the Charter School from claims under Worker's Compensation Acts which may arise from its operations.

Comprehensive Bodily Injury and Property Damage Liability (including property, fire, theft) for combined single limit coverage of not less than \$5,000,000 for each occurrence from an A-rated insurance company. The policy shall be endorsed to name the SBE and shall provide specifically that any insurance carried by the SBE which may be applicable to any claims or loss shall be deemed excess and Green Dot's insurance primary despite any conflicting provisions in the school's policy. Coverage shall be maintained with no self-insured retention.

Fidelity Bond coverage shall be maintained by Green Dot schools to cover all of their employees who handle, process, or otherwise have responsibility for school funds, supplies, equipment or other assets. Minimum amount of coverage shall be \$50,000 per occurrence, with no self-insured retention.

Green Dot shall furnish to the SBE certificates of such insurance signed by an authorized representative of the insurance carrier. Certificates shall be endorsed as follows:

The insurance afforded by this policy shall not be suspended, cancelled, reduced in coverage or limits or non-renewed except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the SBE.

The SBE reserves the right to require complete certified copies of the required insurance policies.

Should Green Dot schools deem it prudent and/or desirable to have insurance coverage for damage or theft to school, employee or student property, for student accident, or any other type of insurance coverage not listed above, such insurance shall not be provided by the SBE and its purchase shall be the responsibility of Green Dot.

### **Home Office Responsibilities**

Green Dot Public Schools has developed and is continually growing a lean corporate organization with expertise in curriculum, professional development, finance, facilities, operations, politics, fundraising and other key areas relevant to operating successful high schools and driving reform. Green Dot will provide a number of services to its new school sites that will help ensure the school's success. Green Dot provides similar services to its first three schools.

**Recruiting:** Green Dot prioritizes recruiting and the corporate organization focuses on it year round. Green Dot engages in the following activities to ensure it has access to the largest pool of great principal and teacher candidates:

*Information Sessions and Formal Recruiting:* Information sessions, events and formal recruiting at top graduate schools.

*Work Study Programs:* Work-study students used as teaching assistants to generate interest in Green Dot and have an extended "interview" period.

*Advertising:* At graduate schools, in periodicals such as Education Week, with unions and other trade organizations, on job boards, etc.

*Partnerships:* Green Dot plans to develop partnerships with organizations that place talented educators (Teach for America, New Leaders for New Schools, etc).

New Green Dot Schools will have access to Green Dot's talent pool at all times in order to ensure that it can continually hire the best candidates.

During the months of November, January, and February Green Dot's Director of Human Resources conducts outreach to recruit new teachers. The Director will set up informational sessions, purchase ads, reach out to recruits to have a qualified pool of teacher applicants. All this outreach is centralized at Green Dot, and once compiled, the principal and teachers engage in the interviewing process.

***Facilities:*** Green Dot is responsible for securing facilities for each of its schools and for all major renovation projects. Green Dot has developed a facilities model that will allow it to most effectively overcome the difficult challenges related to securing facilities for new high schools in Los Angeles.

Given current legislation and financing options, Green Dot schools typically use temporary facilities for their first year in operation and may use them for up to three years. The goal is for each Green Dot school to only move once in its lifetime, but some schools are likely to have to move two or three times. Temporary facilities will typically be shared facilities (with Universities or Junior Colleges, etc.); buildings that require minimal tenant improvements such as churches with classrooms, old private schools, and commercial buildings; or portable classrooms. Green Dot will use this model for Green Dot .

Green Dot will begin looking for a permanent facility for each school in its first year of operation and will look to move its schools into a permanent site when a school has at least 50% of its projected total student population and/or has secured the appropriate financing.

Green Dot's Vice President of Real Estate Development will work with the principal, teachers, and parents to understand the facility needs before the school opens. He will meet with brokers and real estate agents and on a monthly basis with the facility committee to further define the needs for the long-term facility.

***Facilities Financing:*** Financing for purchasing facilities will be managed through Green Dot Corporate. Green Dot is developing a financing strategy centered on exploring all of the financing options available to charter schools and taking advantage of any favorable legislation.

Green Dot has gained deep expertise in all of the financing sources available to public schools as well as all of the relevant legislation in order to find the optimal mix of different financing mechanisms to use to pay for its schools permanent facilities.

***Curriculum Development:*** As discussed above, Green Dot's Education team has developed a menu of curriculum options to be used by each new Green Dot school. The

recommended curriculum will include a variety of options for courses (particularly electives), textbooks, and teaching strategies that Green Dot believes will deliver the best student results. The education team will work with principals and lead teachers before the start of each new school to determine the most appropriate curriculum for each school. The education team will also meet with principals regularly to further refine their curriculum and ensure that the curriculum is being delivered effectively.

New Green Dot Schools can learn from the experiences of each of Green Dot's schools in order to improve its results. Additionally, it can learn from Green Dot's knowledge about leading research and best practices utilized outside of Green Dot's network.

When school is in session, Green Dot's Chief Academic Officer will meet on a monthly basis with the principal and lead teachers to analyze student progress and performance, determine effectiveness of the curriculum, improve instruction, and set future target goals.

**Professional Development:** Professional development for Green Dot principals will be managed out of Green Dot Corporate. Professional development for teachers will be managed collaboratively by Green Dot Corporate and Green Dot (led by the principal).

The Green Dot Professional Development Plan will be developed during the summer. During the school year, 50% of the professional development will be led by the principal and lead teachers and managed at the school site; the other 50% will be delivered by Green Dot whether through conferences, speakers, or meetings. There will be at least quarterly professional development programs.

**Fundraising:** All major fundraising campaigns will be managed through Green Dot Corporate. Individual schools will be encouraged to engage in smaller, more local fundraising efforts.

Green Dot's Development Manager will conduct major fundraising at the start and end of the school year. Green Dot will have about 3-4 smaller fundraisers ranging from candy sales to walkathons. The principal can also place requests for individual grants and the Development Manager will write the grant and work in conjunction with the principal to obtain all necessary information.

**Budgeting:** Green Dot Corporate will develop the annual budget for its schools with substantial input from the schools principal. The principal will have the best visibility into where resources are needed most at their schools and provide critical guidance to Green Dot in the budget creation process. During the school year, the principal will be given lots of flexibility to make certain trade-offs between line items in his/her budget, but is not allowed to increase the overall size of his/her budgets without authorization from Green Dot Corporate. Additionally, any significant purchases that were not originally budgeted for cannot be made without Green Dot authorization.

The budget is an ongoing process. During the summer the budget will be developed for the following fiscal year by the Chief Operating Officer in conjunction with the principal.

The final budget will be presented and approved by the Board no later than mid-August. Final number decisions will lie with the Green Dot management team; however, once the total amount of the budget is set, the principal may reallocate money during the year. All necessary budget information will be forwarded to the SBE.

On a monthly basis, principals will be met with to review budget versus actual. At the end of each quarter, the budget will be adjusted with major increases needing to be approved by the Green Dot Board.

**Purchasing:** Purchasing will be centralized at Green Dot Corporate to ensure that Green Dot receives competitive prices and great service. This provides Green Dot schools with significant advantages as it does not run into the complexities and delays associated with establishing credit.

**Back Office Management:** All back office functions such as payroll, taxes and compliance will be centralized at Green Dot Corporate. Green Dot currently contracts with a third party organization to manage the majority of its back office functions but is expected to bring several of these functions in house by the 2004-2005 school year.

For **payroll**, Green Dot contracts with Charter School Management Corporation Inc (CSMCI). All employees will be set up with CSMCI and will be paid twice a month. Green Dot and CSMCI will make sure all payroll accounting is executed. All **accounting** and tax related tasks will be carried out at Green Dot. All **purchase orders** and invoices for the school will be executed by Green Dot. The principal can request Purchase Orders. Green Dot's Account Payable will then work with the office manager to make sure the PO matches the invoice and product is shipped appropriately.

**Governance of Schools:** Green Dot Corporate and the Green Dot Board of Directors will act as the governing body for Green Dot.

## **School-Site Responsibilities**

### **Teacher Responsibilities**

- Provide a quality, enriched and integrated curriculum
- Provide a continual assessment of student progress and maintain records
- Evaluate classroom performance continually to meet the changing needs of students
- Adjust teaching strategies and materials to meet the diagnosed needs of students
- Provide an effective room environment that reflects and facilitates the academic program
- Provide peer assistance to fellow teachers
- Continue to work on professional growth
- Strive for continuous and open communication with parents
- Participate in ongoing peer evaluations
- Regular, punctual attendance

### **Principal Responsibilities**

Provides assistance, guidance, and supervision in instructional practices and curriculum development specific to the language, social, and academic needs of the student populations, including bilingual, Special Education, and Gifted and Talented Students

Provides leadership for and facilitate collaboration with all stakeholders on identifying goals for student achievement and standards for assessing the outcome of these goals

Prepares school budgets and is responsible for and monitors the expenditures of all school funds in accordance with Federal and State guidelines

Develops partnerships among students, parents, community members, teachers and support staff that will create a learning community at Green Dot with high expectations and achievement for all students

Work with Green Dot to develop and operate the school and maintain collaborative relationships with other formal or informal educational and other institutions

Educates all students and demonstrates improved student achievement with standards-based instruction focused learning opportunities, and appropriate use of all resources

Evaluates the performance of certificated and classified personnel assigned to the school site

Maintains a school climate that ensures the safety, health, and welfare of students and personnel; organized and implements an “Emergency Operation Plan;” and complies with mandated child abuse reporting procedures

Provides staff development and training for all stakeholders to improve student achievement

### ***Classified and Other Personnel***

Office personnel will perform daily school business

Run the school’s front office

Ensure quality service to community members, students, and certificated staff

Other personnel will perform duties as described by the administrative team

## Facilities

Green Dot secures facilities for all of the school sites it opens and operates. These facilities meet all applicable codes for educational occupancy in cities or counties in which the schools operate. Green Dot ensures that each school facility will be approved comply with Uniform Building Codes, federal American With Disabilities Act (ADA) access requirements, Asbestos Hazard Emergency Response Act (AHERA) regulations, and any other applicable fire, health, and structural safety requirements. A Certificate of Occupancy and all other records will be kept on file by Green Dot for their school properties. Green Dot will provide a copy of the Certificate of Occupancy to the SBE prior to the date its schools are scheduled to open.

Green Dot's facilities strategy is based on its incubation model for opening new schools and the competitive urban real estate markets where Green Dot schools are located. Each Green Dot school needs approximately 40,000 – 60,000 square feet in order to house a comprehensive 9-12 high school of 500 – 530 students. Since each Green Dot school starts with a single 9<sup>th</sup> grade class of 140 students, each school needs only 10,000 square feet or enough space for 6 classrooms, offices, some assembly space and adequate toilet facilities in its first year. From a planning perspective, Green Dot schools need additional 10,000 square feet for every year of a new school's growth. Because of this incubation model, Green Dot schools typically move at least once during their first year of operation (for example a school will typically occupy a temporary facility for its first year of operation and move to a permanent facility once the school enrolls enough students to support a larger facilities cost). To provide athletic and recreation space for its students, Green Dot often partners with local organizations for joint-use opportunities. Green Dot also works collaboratively with the local districts in order to fulfill its long term facility needs. This collaboration may include discussions related to Prop. 39, state bonds and/or bonds recently passed by the local district.

Green Dot has successfully located and secured excellent education facilities for all of its schools to date. In addition, the organization has been awarded over \$72 million in bond funding for the acquisition and construction of permanent school sites. Green Dot anticipates that it will be able to continue leverage state and local bond funding to provide facilities for its students. Green Dot's first school (Animo Leadership) leases a large facility that was once occupied by the West Los Angeles Law School. Its second school, Animo Inglewood, is located in a converted Kaiser hospital (over 60,000 square feet), which Green Dot owns and has renovated through a partnership with the Low Income Investment Fund. Oscar De La Hoya Animo has shared space with a Boys & Girls Club and will soon be moving to its permanent location on land donated by the Oscar De La Hoya Foundation. Animo Venice is located on a LAUSD elementary school, Broadway Elementary and Animo South Los Angeles occupies a 2 acre property acquired for its use through a partnership with Pacific Charter Development Corporation. Green Dot is currently in the process of using its Prop 55 funding for its Venice, South Los Angles, and Oscar De La Hoya schools.

An appropriate safety plan will be developed as soon as the school site facility is finalized. All Amino schools are required to have active safety plans on file as required

by California Ed Code. Green Dot will hire its own contractors and the appropriate resources necessary in order to perform the maintenance and operations functions required at its facility. As far as contracted maintenance, the school will contract for electric work that require permits or licensed electricians, heating ventilation or air condition work, licensed/general contractors for construction or remodeling, life safety maintaining alarms, smoke detectors needed to be maintained by contractors. The school will address internal maintenance work such as fluorescent light relamping, minor repairs to locks/doors/plumbing, minor carpenter work, general maintenance of equipment such as changing the filters, oiling and lubricating the pumps, janitorial services, fire extinguisher maintenance, and general repairs. Routine maintenance, building equipment operations, major or deferred maintenance, alterations and improvements, pest management, utilities and preventative maintenance are all services provided by Green Dot Public Schools as part of the school's management fee to the organization. Green Dot's facilities group maintains staff and relationships with vendor to provide all of the services listed above. The facilities group conducts regular inspections of the property to determine major, deferred and preventative maintenance needs. Any school site stakeholder may also contact Green Dot's facilities group directly with service requests. Green Dot's facilities services group maintains a work-order and request tracking system to ensure that all facilities maintenance needs are met. Custodial services and utilities relationships are also managed by the Green Dot facilities group for the school site. Gardening, landscaping, and tree-trimming services are managed at the school site level by school administration. Typically, school site administrators contract with local vendors to provide these services.

Green Dot, through its partner Pacific Charter School Development and through its own network of brokers is actively pursuing numerous facilities in communities where we plan to open new schools. New schools will obtain property insurance coverage for the site. Green Dot closely investigates all key issues related to site viability including zoning, use, accessibility, building codes, regulatory and legislative issues.

### **Transportation**

Green Dot typically does not allow students to drive themselves to school. All students must use school-provided transportation, local public transportation or have parents/guardians drop off and pick up students. All Green Dot schools provide transportation services to ensure that students have adequate transportation to and from school.

### **Audits**

Green Dot Public Schools' management shall annually oversee the selection of a reputable independent auditor and the completion of an annual audit of each school's financial books and records, including attendance. This audit will be conducted in accordance with the applicable Generally Accepted Accounting Principles, and will verify the accuracy of Green Dot Public Schools' and each individual school's financial statements (including their Balance Sheets, Income Statements and Cash Flow Statements), attendance and enrollment accounting practices, and review internal controls. To the extent required by law, the scope of this audit will be expanded to

include any relevant items or processes identified by the Office Management and Budget.

Currently, Green Dot is seeking to contract with a new audit firm. The Home Office will ensure that the firm with which we contract is on the State Controller's list of approved auditors, as well as that the firm has experience in education finance.

It is anticipated that annual audits will be completed within four months of the close of each school year, and a copy of the auditor's findings will then be forwarded to the SBE. All financial statements will be submitted to the SBE within 4 months following the close of the fiscal year. The Audit Committee, which is made up of Green Dot Management, Green Dot Board members and a representative from the Charter School Management Corporation ("CSMC") will review any audit exceptions or deficiencies and report recommendations to Green Dot's full Board as to how these have been, or will be, resolved. Green Dot will act upon these recommendations, and report its actions to the SBE. Exceptions and deficiencies will be resolved to the satisfaction of the SBE and its staff.

Consistent with AB 1994, each Green Dot School will provide an annual financial report to the SBE in a format developed by the Superintendent of Public Instruction. Each school also will submit its annual audit to the State Controller, COE, and the CDE.

Administrative/business operations will be performed by Green Dot Public Schools' home office and some are outsourced to CSMC. Green Dot provides the following services to its first three schools and will likely provide similar services to Green Dot:

- all budget preparation
- application for revolving loan
- setup of fiscal control policies and procedures
- setup and assistance for administration of human resources – including payroll interface when necessary with district, county, and state in matters relating to fiscal affairs, reporting, audits, accountability
- attendance accounting and reporting controls
- all accounting services – including establishing chart or accounts (SACS)
- setup of banking relationships
- preparation for annual audit

Additional services provided by Green Dot Public Schools' home office are detailed later in the charter.

Green Dot Schools shall promptly respond to all reasonable inquiries, including but not limited to, inquiries regarding financial records, from the SBE and shall consult with the SBE regarding any inquiries.

**Closure Protocol**

The decision to close the school shall be documented by an official action of the governing board of the SBE as well as the Green Dot Public Schools' Board of Directors. This action will identify the reason for the school's closure; whether the charter was revoked, not renewed, or closed voluntarily; and the effective date of closure.

If at all feasible, the charter school closure will occur at the end of an academic year. The authorizing chartering agency will send a notice of the school closure to the Charter Schools Unit at the California Department of Education, to the appropriate County Office of Education, and to the local school district in which the Green Dot School resides.

Parents and students of the school will be notified in writing as soon as possible of the closure. Notification will include information on assistance in transferring the students to another appropriate school and a process for the transfer of student records.

Parents will also be provided with a certified packet of student information that may include the closure notice, grade reports, discipline records, immunization records, completed coursework and credits that meet graduation requirements, etc.

An independent audit for the charter school will be completed within six months of the closure of the school to determine the net assets or net liabilities of the charter school. The assessment will include an accounting of all charter school assets, including cash and accounts receivable, which may include: reduction in apportionments as a result of audit findings or other investigations; loans; and unpaid staff compensation. The audit will also assess the disposition of any restricted funds received by or due to the charter school.

The charter school will submit any required year-end financial reports to the CDE and the SBE. These reports will be submitted as soon as possible after the closure action and no later than the required deadlines for reporting for the fiscal year.

Upon completion of the closeout audit, Green Dot will develop a plan for the repayment of any of the school's liabilities, or the disbursement of any remaining assets of the individual school. Any assets will be liquidated to pay off any outstanding liabilities. Any remaining restricted assets, such as grant funds and restricted categorical funds, will be returned to their source. Net assets of the school will be transferred to Green Dot Public Schools.

## **IMPACT ON THE CHARTER AUTHORIZER**

**Authorizer Liability:** Green Dot shall hold harmless, defend and indemnify the SBE, its officers and employees, from every liability, claim or demand which may be made by reason of: (a) any injury to person or property sustained by School, its officers, employees or authorized volunteers; and (b) any injury to person or property sustained by any person, firm or corporation caused by any act, neglect, default, or omission of School, its officers, employees or agents. In cases of such liabilities, claims or demands, the Green Dot Statewide Charter School at its own expense and risk shall defend all legal proceedings which may be brought against the SBE, its officers and employees, and satisfy any resulting judgments up to the required amounts that may be rendered against any of them.

**Charter Term:** The petitioners request the State Board of Education approve a term of this charter that shall begin for a five-year period on July 1, 2006 and end June 30, 2011. The School justifies this five-year term based on the increased difficulty of securing staff and facilities financing with a shorter term and on the successful record of the School's educational design.

**Charter Revisions:** *Material revisions to the charter must be approved by the SBE. However, any proposed revisions to the charter will be presented to the SBE for a determination as to whether it is a material revision that must be approved by the SBE.*

**Severability:** The terms of this charter are severable. In the event that any of the provisions are determined to be unenforceable or invalid for any reason, the remainder of the charter shall remain in effect, unless mutually agreed otherwise by the SBE and Green Dot Statewide Benefit Charter School. The SBE and Green Dot Statewide Benefit Charter School agree to meet to discuss and resolve any issue or differences relating to invalidated provisions in a timely and proactive fashion.

**Information Exchange:** Green Dot agrees to permit the SBE and/or its designees to inspect and receive copies of all records relating to the operation of the Green Dot Statewide Charter School, including financial, personnel, and pupil records. Green Dot shall promptly comply with all reasonable written requests for information pertaining to the operations of the School and shall provide the SBE regular access to all sites operated under this Statewide Benefit Charter School.

## ASSURANCES

As the authorized representative of the applicant, I hereby certify that the information submitted in this application for a Statewide Benefit Charter School for Green Dot Public Schools to be located in communities identified in this charter application is true to the best of my knowledge and belief; I also certify that this application does not constitute the conversion of a private school to the status of a public charter school. Additionally, I understand that Green Dot will be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Act (Chapter 10.7 (commencing with 3540) of Division 4 of Title 4 of Title 1 of the Government Code. Further I understand that if awarded a charter, each of the sites of the Green Dot Statewide Charter School:

Will meet all statewide standards and conduct the student assessments required, pursuant to Education Code 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non charter public schools. Will be nonsectarian in its programs, admissions, policies, employment practices, and all other operations.

Will not charge tuition.

Will admit all students who wish to attend the school, and who submit a timely application, unless the school receives a greater number of applications than there are spaces for students, in which case each applicant will be given equal chance of admission through a random lottery process.

Will not discriminate against any student on the basis of ethnic background, national origin, gender, or disability.

Will adhere to all provisions of federal law relating to students with disabilities, including the IDEA, Section 504 of the Rehabilitation Act of 1974, and Title II of the Americans with Disabilities Act of 1990, that are applicable to it.

Will meet all requirements for employment set forth in applicable provisions of law, including but not limited to credentials, as necessary.

Will ensure that teachers in the school hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which teachers in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers.

Will at all times maintain all necessary and appropriate insurance coverage.

Will follow any and all other federal, state, and local laws and regulations that pertain to the applicant or the operation of the charter school.

Will provide an annual report to the SBE reflecting student achievement data, performance benchmarks, and other pertinent data supporting state charter goals.

Will notify the CDE within 60 days of proposed commencement of instruction of each site

\_\_\_\_\_ (Authorized Signature)

\_\_\_\_\_ (Date)

**LIST OF SITES TO BE OPERATED UNDER THE GREEN DOT STATEWIDE  
BENEFIT CHARTER**

School*	Location**	Proposed Opening***
Animo Delano #1	Delano Joint Union High School District	2007
Animo Roosevelt #1	Los Angeles Unified School District	2007
Animo Delano #2	Delano Joint Union High School District	2009
Animo Roosevelt #2	Los Angeles Unified School District	2009
Animo Lennox	Lennox School District	2010
Animo Hamilton #1	Los Angeles Unified School District	2010
Animo Hamilton #2	Los Angeles Unified School District	2011
Animo Inglewood #2	Inglewood Unified School District	2011

\* Green Dot reserves the right to adjust the name of affiliate sites based upon input from local communities.

\*\*Green Dot reserves the right to adjust the proposed locations based on availability of facilities. Any changes will be made by January of the year in which a school is scheduled to be opened.

\*\*\*Green Dot reserves the right to adjust the sequence and timeline of school openings as necessary to respond to circumstances at a local level, including the availability of suitable facilities.

**DEMOGRAPHICS OF LOCATIONS FOR GREEN DOT STATEWIDE BENEFIT  
CHARTER SITES\***

	Los Angeles Unified School District	Inglewood Unified School District	Centinela Valley Union High School District**	Delano Joint Union School District
American Indian	0.3%	0.0%	01%	0.1%
Asian	3.8%	0.2%	3.5%	1.4%
Pacific Islander	0.3%	0.4%	1.6%	0.0%
Filipino	2.2%	0.2%	1.6%	14.5%
Hispanic	72.8%	57.2%	63.9%	80.2%
African American	11.6%	41.4%	24.4%	1.2%
White	9.0%	0.5%	4.1%	2.5%
Multiple/No Response	0.0%	0.1%	0.7%	0.2%
% F/R Lunch	75.1%	60.9%	56.6%	73.7%
% EL	42.6%	31.6%	27.3%	46.0%

\*Demographic data is from Ed-Data ([www.ed-data.k12.ca.us](http://www.ed-data.k12.ca.us)).

\*\*Centinela Valley Union High School District is the school district in which Lennox School District students attend high school.

## **SITE DESCRIPTION: ANIMO DELANO #1 & #2**

### ***Location***

Delano Joint Union High School District

### ***Timeline***

Animo Delano #1 will be open in September 2007. Pending API rankings for the 2007-2008 school year, Animo Delano #2 will open in September 2009. Each school will serve approximately 140 9<sup>th</sup> graders. Each will grow to serve approximately 525 students in grades 9-12 by their fourth year of operations.

### ***School Background***

Delano Joint Union High School District has been designated as low performing. Green Dot will use its proven model for opening schools in underserved areas to create a successful, college preparatory high school for the community of Delano. Green Dot plans to achieve the same strong results at Animo Delano that it is achieving at its existing Animo sites.

### ***Plan for Community Input and Notification***

In collaboration with the United Farm Workers, Green Dot will engage the Delano community. Outreach to the community will include open meetings as well as door-to-door canvassing of the neighborhood. Current Delano Joint Union High School District students and parents, as well as alumni, will help to spearhead these community organizing efforts.

As per state guidelines, Green Dot will hold a minimum of one publicly noticed meeting for this school with a summary of the input received at the meeting posted on the school's website. Additionally, Green Dot will inform the local school district and county superintendents of the location of the proposed school at least 120 days prior to the commencement of instruction.

### ***Potential Facilities***

Green Dot, through its partner Pacific Charter School Development as well as its own network of brokers, will begin pursuing facilities in the Delano area within the next fiscal year.

## **SITE DESCRIPTION: ANIMO ROOSEVELT #1 & #2**

### ***Location***

East Los Angeles (Los Angeles Unified School District)

### ***Timeline***

Animo Roosevelt #1 will open in September 2007. Pending its API rankings for the 2007-2008 school year, Animo Roosevelt #2 will open in September 2009. Each school will serve approximately 140 9<sup>th</sup> graders. They will grow to serve approximately 525 students in grades 9-12 by their fourth year of operations.

### ***School Background***

Roosevelt High School has been designated as low performing and overcrowded. Green Dot will use its proven model for opening schools in underserved areas to create four successful, college preparatory high schools for the community of East Los Angeles. Green Dot plans to achieve the same strong results at its Animo Roosevelt sites that it is achieving at Oscar De La Hoya Animo, its first school serving the students and families of East Los Angeles.

### ***Plan for Community Input and Notification***

In collaboration with the Small Schools Alliance, Green Dot will engage the Roosevelt community. Outreach to the community will include open meetings as well as door-to-door canvassing of the neighborhood. Current Roosevelt students and parents, as well as Roosevelt alumni, will help to spearhead these community organizing efforts.

As per state guidelines, Green Dot will hold a minimum of one publicly noticed meeting for this school with a summary of the input received at the meeting posted on the school's website. Additionally, Green Dot will inform the local school district and county superintendents of the location of the proposed school at least 120 days prior to the commencement of instruction.

### ***Potential Facilities***

Green Dot currently controls properties for 2 incubator schools in East Los Angeles, which will be used for the Animo Roosevelt schools.

## **SITE DESCRIPTION: ANIMO LENNOX**

### ***Location***

Lennox School District (serving students who would otherwise attend high school in the Centinela Valley Union High School District)

### ***Timeline***

Animo Lennox will open in September 2010. The school will serve approximately 140 9<sup>th</sup> graders. It will grow to serve approximately 525 students in grades 9-12 by its fourth year of operations.

### ***School Background***

Both the Lennox School District and the Centinela Valley Union High School District have been designated as low performing. Green Dot will use its proven model for opening schools in underserved areas to create a second successful, college preparatory high school for the community of Lennox. Green Dot plans to achieve the same strong results at Animo Lennox that it is achieving at its first site in Lennox, Animo Leadership.

### ***Plan for Community Input and Notification***

In collaboration with the Small Schools Alliance, Green Dot will engage the Lennox community. Outreach to the community will include open meetings as well as door-to-door canvassing of the neighborhood. Current Animo Leadership students, parents, and staff will help to spearhead these community organizing efforts.

As per state guidelines, Green Dot will hold a minimum of one publicly noticed meeting for this school with a summary of the input received at the meeting posted on the school's website. Additionally, Green Dot will inform the local school district and county superintendents of the location of the proposed school at least 120 days prior to the commencement of instruction.

### ***Potential Facilities***

Green Dot's current Animo Leadership school property can support Animo Lennox for its first two years of operation. During these two years, Green Dot will secure a permanent facility for Animo Lennox. Green Dot, through its partner Pacific Charter School Development and through its own network of brokers, is actively pursuing numerous facilities in the Lennox area. In addition, the organization has extensive relationships within the Lennox community, which it will leverage to secure a permanent facility.

## **SITE DESCRIPTION: ANIMO HAMILTON #1 & #2**

### ***Location***

West Los Angeles (Los Angeles Unified School District)

### ***Timeline***

Animo Hamilton #1 will open in September 2010, and Animo Hamilton #2 will open in September 2011. Each school will serve approximately 140 9<sup>th</sup> graders. They will grow to serve approximately 525 students in grades 9-12 by their fourth year of operations.

### ***School Background***

Even in middle class neighborhoods such as West Los Angeles, an achievement gap exists between White and Asian students and their African-American and Latino counterparts. Green Dot will use its proven model for opening to create four successful, college preparatory high schools for the community of West Los Angeles. Green Dot plans to achieve the same strong results for students of all ethnic and socio-economic backgrounds at its Animo Hamilton sites that it is achieving at its other Green Dot schools.

### ***Plan for Community Input and Notification***

In collaboration with the Small Schools Alliance, Green Dot will engage the Hamilton community. Outreach to the community has included open meetings as well as door-to-door canvassing of the neighborhood. Current Hamilton students and parents, as well as Hamilton alumni, will help to spearhead these community organizing efforts.

As per state guidelines, Green Dot will hold a minimum of one publicly noticed meeting for this school with a summary of the input received at the meeting posted on the school's website. Additionally, Green Dot will inform the local school district and county superintendents of the location of the proposed school at least 120 days prior to the commencement of instruction.

This Charter Petition contains the necessary signatures of prospective teachers for the site.

### ***Potential Facilities***

Green Dot, through its partner Pacific Charter School Development and through its own network of brokers, will begin pursuing facilities in the West Los Angeles area within the next fiscal year.

## **SITE DESCRIPTION: ANIMO INGLEWOOD #2**

### ***Location***

Inglewood Unified School District

### ***Timeline***

Animo Inglewood #2 will open in September 2011. The school will serve approximately 140 9<sup>th</sup> graders. It will grow to serve approximately 525 students in grades 9-12 by its fourth year of operations.

### ***School Background***

Inglewood Unified School District has been designated as low performing. Green Dot will use its proven model for opening schools in underserved areas to create a second successful, college preparatory high school for the community of Inglewood. Green Dot plans to achieve the same strong results at Animo Inglewood #2 that it is achieving at its first Animo Inglewood site.

### ***Plan for Community Input and Notification***

In collaboration with the Small Schools Alliance, Green Dot will engage the Inglewood community. Outreach to the community will include open meetings as well as door-to-door canvassing of the neighborhood. Current Animo Inglewood students, parents, and staff will help to spearhead these community organizing efforts.

As per state guidelines, Green Dot will hold a minimum of one publicly noticed meeting for this school with a summary of the input received at the meeting posted on the school's website. Additionally, Green Dot will inform the local school district and county superintendents of the location of the proposed school at least 120 days prior to the commencement of instruction.

This Charter Petition contains the necessary signatures of prospective teachers for the site.

### ***Potential Facilities***

Green Dot's current Animo Inglewood school property can support Animo Inglewood #2 for its first year of operation. During this year, Green Dot will secure a permanent facility for Animo Inglewood #2. Green Dot, through its partner Pacific Charter School Development and through its own network of brokers, is actively pursuing numerous facilities in the Inglewood area. The organization has extensive relationships within the Inglewood community, which it will leverage to secure a permanent facility.

## **GREEN DOT'S RECOMMENDED PRACTICES**

The Home Office provides all Green Dot schools with Recommended Practices in order to ensure a consistent level of quality. Practices are provided in the areas of curriculum, student intervention, professional development, parent participation and school operations to help principals and teachers make the most informed decisions for their schools. Principals and teachers review the Recommended Practices and determine how much of the practices they will incorporate in their schools. There is a significant amount of consistency across Green Dot's schools because the majority of the Recommended Practices are implemented at all schools.

If a school site chooses not to follow a Recommended Practice, they are required to provide a plan that describes why they are not following that practice and lay out the new practice the school site will employ and what it is based on (research, best practices, a new innovation, etc). School sites will always have the right not to follow the Home Office's Recommended Practices unless the school sites are not meeting their performance metrics. Green Dot's Recommended Practices are living practices and the Home Office is continually updating them based on successful innovations from within the Green Dot network and best practices being developed by other school operators.

### ***Curriculum***

A recommended curriculum is provided to all Green Dot schools to help ensure that each school offers a balanced, comprehensive curriculum. Included in the recommended curriculum are course offerings, textbooks, curriculum maps, pacing guides, sample lesson plans, teaching strategies and assessments that have been successful at Green Dot schools.

### ***Student Intervention***

The following are some of the intervention and support programs built into Green Dot's recommended school model:

*Summer Bridge Program:* Typically a two and a half week mandatory summer session held for incoming ninth graders. Students receive standards-based instruction in Math and English and are acclimated to the culture and expectations of a Green Dot school.

*Reading and Math Intervention Programs:* Read 180 and Riverdeep, standards aligned computer based programs for reading and math respectively, are provided to students that test low in reading and/or math. Typically these courses are given to 9<sup>th</sup> graders through an elective class or during curriculum skills.

*Curriculum Skills:* A short "7<sup>th</sup> period" study skills class for 9<sup>th</sup> graders focused on helping students develop the skills critical for academic success.

*Advisory Groups:* Meet once a week to discuss issues related to the pressures of being a young adult in high school. Students remain in the same advisory groups with the same teacher for all four years to maintain a tighter sense of community.

*Guided Study:* All students who do not complete their homework or struggle with it are required to attend Guided Study at lunch where a teacher helps them with their work. All assignments must be turned in the following day.

*Homework Club:* Students who are struggling with a particular class or simply want more support in a subject can attend homework club, which is offered for an hour every day after school and run by a credentialed teacher and/or college interns.

*Office Hours:* Teachers hold office hours twice a week after school to provide students with additional support.

### ***Professional Development***

Green Dot has developed a comprehensive and rigorous professional development program that is led by the Principals and lead teachers. The Principals are the instructional leaders of each school and the focal point for professional development. Below are the key components of the program:

*Seven Day Summer Training for all Teachers (9 days for New Teachers):* Begins with a two day staff retreat and is focused on developing culture, reviewing data from the previous year, developing strategic plan, and helping teachers develop curriculum.

*Three pupil-free staff development days during the year:* topics are usually determined based on teacher input and student needs during the year. Teachers fill out a “Pulse Check” twice per year to give the Principal guidance on the focus of development.

*Late-start days on Wednesday:* Used to provide development to all teachers. Broken into whole staff development, grade level collaboration, and department collaboration. Each month has a focus (classroom management, clear expectations, etc.).

*Two-year New Teacher Program:* Mirrors the BTSA program and consists of new teachers meeting once a month for two years. Focused on helping new teachers plan lessons, establish a positive learning environment, prioritize workloads, etc.

*Observations from Administrators at least once per month and from department chairs at least once per semester:* Observations are carried out to provide teachers with specific feedback on instruction.

*Teacher Buddy system:* Teachers are partnered with a buddy each month and asked to observe their buddy one time during a prep period and give feedback.

*Videotaped lessons:* Teachers have the opportunity to be videotaped once a quarter so they can view their lessons.

*Two sub days annually for Teachers and Principals on site or off site:* Teachers and Principals are encouraged to observe successful proven educators within the Green Dot system or at other schools.

*Opportunities for teachers to attend conferences:* Teachers have the opportunity to attend conferences each year. Teachers are required to present key learnings to the entire staff.

### ***Parent Participation***

Green Dot is developing an extensive parent participation program that includes best practices for educating parents, creating parent resource centers, developing successful

PTAs and providing the most effective and diverse opportunities for parents to fulfill their service hours. This program will be rolled out to the schools sites during the 2005-2006 school year to supplement the programs the schools are already using for parent participation.

### ***School Operations***

Green Dot has developed Recommended Practices for operating a school so that all school site employees are working efficiently and time and money are focused on activities related to kids. The school operations model includes, suggested number of classified staff; target teacher to student ratio; proposed budget; teacher hiring process; and processes for managing student transportation, foodservice, janitorial services, communications and other key operational areas. It is rare for Green Dot schools not to follow the school operations recommendations.

### ***Emphasis on Leadership***

Schools are strongly encouraged to incorporate leadership into their curriculums. A leadership program has been developed which includes a variety of classes, clubs and special projects over four-years. As a result of the program, students will often engage in activities such as “Get Out the Vote” precinct walking and voter registration campaigns. The culmination of the leadership program is a legacy project that must be completed by the graduating class of each Green Dot school. At Animo Leadership, the seniors decided to establish a tutoring program with elementary school students as their legacy project. This program was developed entirely by the students for their community.

### ***Technology Focus***

Technology is widely used at all Green Dot schools to drive higher levels of achievement and prepare students for the information driven economy of the 21<sup>st</sup> Century. It is also used as a critical tool for gathering data for school management. At each of its schools, Green Dot invests in technology in the following areas:

7. All Green Dots schools are networked and laptops are made available to students to use at school or at home.
8. Each teacher is provided with a laptop and given training on effectively using technology in the classroom.
9. Courses often include Web-based research projects and assignments.
10. A 9<sup>th</sup> grade technology class is included in recommended curriculum to train students on computers and different software programs.
11. A Web-based student information and school management system (PowerSchool) is implemented at Green Dot and is used by all schools.
12. Phones / walkie-talkies are provided to all employees to provide greater accessibility for parents and to ensure rapid responses to incidents on campus.

## **CURRENT SELPA PLAN**

### **Southwest SELPA**

Animo Inglewood and Animo Leadership are treated as “public schools” of the Southwest SELPA for purposes of special education. Animo Inglewood will receive its allocated share of AB602 special education funds. The allocated amount will be calculated using a funding model based on pupil population (average daily attendance). Animo Inglewood anticipates requiring specific services from the District on a fee basis and realizes that such services will be granted subject to availability.

The Southwest SELPA is entitled to collect encroachment from Animo Inglewood and Animo Leadership. Animo’s encroachment will equal the percentage of general funds encroached by the appropriate District to support the Special Education Program. The annual encroachment percentage collected from the charter school may vary from year to year depending on the appropriate District’s internal encroachment. The calculation of the Animo encroachment contribution will be based upon a formula designed by the appropriate District’s Budget Services Office.

**GREEN DOT BOARD OF DIRECTORS**

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### Five-Year Financial Model for Green Dot Public Schools Statewide Benefit Charter

CATEGORY	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
<b>INCOME STATEMENT</b>						
Revenue						
<b>General Purpose Entitlement</b>						
Charter Schools General Purpose Entitlement State Aid	\$0	\$646,955	\$1,334,021	\$2,010,036	\$2,651,042	\$2,730,573
Charter Schools Funding In Lieu of Property Taxes	0	180,881	372,976	561,982	741,199	763,435
Summer School	0	0	65,114	67,002	69,012	71,083
<b>Total GP Entitlement &amp; In Lieu of Prop. Taxes</b>	<b>\$0</b>	<b>\$827,836</b>	<b>\$1,772,111</b>	<b>\$2,639,020</b>	<b>\$3,461,253</b>	<b>\$3,565,091</b>
<b>Special Education Entitlement</b>	0	59,160	121,988	183,805	242,420	249,693
<b>Federal Revenue</b>						
Federal Child Nutrition Programs	\$0	\$40,420	\$83,346	\$125,581	\$165,629	\$170,598
All Other Federal Revenue	0	0	0	0	0	0
Title 1 Federal Revenue	0	55,218	113,860	171,559	226,269	233,057
Federal Implementation/Start up Grant Revenue	0	0	0	0	0	0
<b>Total Federal Revenue</b>	<b>\$0</b>	<b>\$95,638</b>	<b>\$197,206</b>	<b>\$297,139</b>	<b>\$391,898</b>	<b>\$403,655</b>
<b>Other State Revenue</b>						
Other State Apportionments	\$0	\$0	\$0	\$0	\$0	\$0
Charter School Categorical Block Grant	0	38,573	79,537	119,843	158,061	162,802
State Child Nutrition Program	0	1,814	3,740	5,635	7,432	7,655
State Lottery Revenue	0	18,950	39,076	58,877	77,653	79,983

### Five-Year Financial Model for Green Dot Public Schools Statewide Benefit Charter

CATEGORY	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
In Lieu of Economic Aid	0	14,111	29,098	43,843	57,824	59,559
<b>Total Other State Revenue</b>	<b>\$0</b>	<b>\$73,448</b>	<b>\$151,450</b>	<b>\$228,197</b>	<b>\$300,970</b>	<b>\$309,999</b>
<b>Local Revenue</b>						
Interest	\$0	\$0	\$0	\$0	\$0	\$0
All Other Transfers / Apportionments from County Offices	0	0	0	0	0	0
All Transfers from Other Green Dot Locations	0	0	0	0	0	0
Student Lunch Revenue	0	2,822	5,820	8,769	11,565	11,912
Green Dot Contribution and Other Fundraising	20,000	350,000	0	0	0	0
State Startup Grants	5,000	200,000	200,000	0	0	0
Miscellaneous	0	0	0	0	0	0
Student Body (ASB Fundraising)	0	4,973	10,254	15,450	20,377	20,988
School Site Fundraising	0	7,526	15,519	23,384	30,841	31,766
<b>Total Local Revenue</b>	<b>\$25,000</b>	<b>\$565,322</b>	<b>\$231,593</b>	<b>\$47,603</b>	<b>\$62,784</b>	<b>\$64,667</b>
<b>TOTAL REVENUE</b>	<b>\$25,000</b>	<b>\$1,621,403</b>	<b>\$2,474,347</b>	<b>\$3,395,765</b>	<b>\$4,459,325</b>	<b>\$4,593,105</b>

#### EXPENDITURES

	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Certificated Salaries</b>						
Teachers Salaries	\$0	\$347,913	\$731,267	\$1,068,845	\$1,535,394	\$1,581,456
Substitute Expense	0	8,325	15,940	23,973	35,089	36,142

### Five-Year Financial Model for Green Dot Public Schools Statewide Benefit Charter

CATEGORY	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
Pupil Support Salaries	0	0	10,000	67,917	69,954	72,053
Certificated Supervisors	0	150,000	154,650	159,135	163,909	168,826
<b>Total Certificated Salaries</b>	<b>\$0</b>	<b>\$506,238</b>	<b>\$911,857</b>	<b>\$1,319,870</b>	<b>\$1,804,346</b>	<b>\$1,858,477</b>
<b>Classified Salaries</b>						
Classified Support Salaries	\$0	\$52,121	\$53,737	\$55,295	\$56,954	\$58,663
Other Classified Salaries	0	19,389	19,990	20,570	21,187	21,822
Stipends	0	13,659	23,685	34,252	46,134	47,519
Overtime- Classified Support	0	2,606	2,687	2,765	2,848	2,933
Overtime - Other Classified	0	969	1,000	1,028	1,059	1,091
<b>Total Classified Salaries</b>	<b>\$0</b>	<b>\$88,745</b>	<b>\$101,098</b>	<b>\$113,910</b>	<b>\$128,182</b>	<b>\$132,028</b>
<b>Employee Benefits</b>						
	<b>Year 0</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>
STRS	\$0	\$41,078	\$75,354	\$112,522	\$158,543	\$168,198
PERS	0	6,845	7,276	7,704	8,173	8,671
OASDI/Medicare-Cert	0	7,220	13,394	19,935	28,033	29,740
OASDI/Medicare-Class	0	6,789	7,974	9,245	10,715	11,368
Unemployment - Cert	0	6,172	11,449	17,041	23,964	25,423
Unemployment - Class	0	2,029	2,383	2,763	3,202	3,398
Health and Welfare Benefits - Cert	0	51,297	95,163	141,640	199,178	211,308
Health and Welfare Benefits - Class	0	12,658	14,867	17,237	19,979	21,195
Worker's Comp - Cert	0	39,285	72,879	108,473	152,538	161,828

### Five-Year Financial Model for Green Dot Public Schools Statewide Benefit Charter

CATEGORY	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
Worker's Comp - Class	0	18,743	22,014	25,523	29,582	31,384
Other Employee Benefits	0	0	0	0	0	0
<b>Total Employee Benefits</b>	<b>\$0</b>	<b>\$192,116</b>	<b>\$322,752</b>	<b>\$462,082</b>	<b>\$633,908</b>	<b>\$672,513</b>
 <b>Books and Supplies</b>						
<i>Books &amp; School Supplies</i>						
Approved Textbooks Core Curriculum	\$0	\$65,000	\$65,000	\$65,600	\$78,750	\$65,625
Books / Other Reference Materials	0	2,600	2,750	3,020	3,094	2,861
Testing / Exam Supplies	0	2,000	4,124	6,214	8,195	8,441
Classroom Materials / Supplies	0	10,075	20,775	31,303	41,286	42,524
Materials and Supplies	0	6,600	13,609	20,506	27,045	27,856
Postage	0	350	722	1,087	1,434	1,477
Printing & Copying Expense	0	4,938	10,181	15,340	20,233	20,839
Messenger	0	0	0	0	0	0
Noncapitalized Equipment	0	17,000	18,000	18,087	20,604	7,647
Non Educational Software	0	0	0	0	0	0
Educational Software	0	35,000	35,000	0	0	0
Computer Hardware	0	24,000	10,000	10,012	10,016	10,016
<i>Total Books &amp; School Supplies</i>	<b>\$0</b>	<b>\$167,563</b>	<b>\$180,162</b>	<b>\$171,169</b>	<b>\$210,656</b>	<b>\$187,287</b>
 <i>Student Activities and Events</i>						
Student Band Equipment	0	\$0	\$0	\$0	\$0	\$0

### Five-Year Financial Model for Green Dot Public Schools Statewide Benefit Charter

CATEGORY	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
Student Athletic Equipment	0	3,275	6,753	10,175	13,420	13,823
General Student Supplies	0	4,125	8,506	12,816	16,903	17,410
Student Events	0	3,275	6,753	25,175	25,175	25,930
<i>Total Student Activities and Events</i>	\$0	\$10,675	\$22,012	\$48,167	\$55,499	\$57,164
 <i>Student Food</i>						
Food	0	\$42,593	\$87,827	\$132,334	\$174,535	\$179,771
Non-District Food	0	6,286	12,961	19,529	25,756	26,529
<i>Total Student Food</i>	\$0	\$48,879	\$100,788	\$151,862	\$200,292	\$206,300
 <b>Total Books and Supplies</b>	 <b>\$0</b>	 <b>\$227,117</b>	 <b>\$302,962</b>	 <b>\$371,198</b>	 <b>\$466,446</b>	 <b>\$450,751</b>
 <b>Services and Other Operating Expenditures</b>						
<i>Employee Development and Educational Support</i>						
Travel and Conferences	\$0	\$1,929	\$3,931	\$5,865	\$7,653	\$7,798
Auto Mileage	\$0	109	222	331	432	440
Parking	\$0	50	102	152	198	202
Training and Development	0	6,750	13,757	20,526	26,783	27,292
Dues and Membership	0	1,350	2,751	4,105	5,357	5,458
Educational Publications	0	150	306	456	595	606
<i>Total Employee Development and Educational Support</i>	\$0	\$10,338	\$21,068	\$31,435	\$41,018	\$41,797

### Five-Year Financial Model for Green Dot Public Schools Statewide Benefit Charter

CATEGORY	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
<i>Insurance</i>	0	\$10,852	\$22,117	\$33,001	\$43,060	\$43,878
<i>Facilities, Facilities Related Expenses and Insurance</i>						
Operation / Housekeeping	0	36,000	50,904	59,630	77,120	77,891
Utilities	0	40,000	64,380	75,417	97,536	98,511
Drinking Water	0	275	560	836	1,091	1,112
Security Services	0	1,125	2,293	3,421	4,464	4,549
Space Rental / Lease (interest on mortgage)	0	162,140	247,435	339,576	445,933	459,310
Building Maintenance	0	16,000	18,100	21,248	23,198	23,430
<i>Total Facilities and Facilities Related Expenses</i>	\$0	\$255,540	\$383,672	\$500,129	\$649,341	\$664,803
<i>Student Transportation</i>						
Student Transportation	\$0	\$60,000	\$60,000	\$120,000	\$120,000	\$120,000
Transportation Repair	0	0	0	0	0	0
<i>Total Student Transportation</i>	\$0	\$60,000	\$60,000	\$120,000	\$120,000	\$120,000
<i>Other Services and Operating Expenditures</i>						
Equipment Rental / Lease	\$0	\$3,025	\$6,165	\$9,199	\$12,003	\$12,231
Equipment Repair	0	125	255	380	496	505
Professional / Consulting Services	0	3,500	3,535	4,141	4,242	4,242
Work Study Expense	0	0	0	0	0	0
Legal Services	0	0	0	0	0	0

### Five-Year Financial Model for Green Dot Public Schools Statewide Benefit Charter

CATEGORY	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
Educational Consultants	0	18,000	36,684	54,736	71,421	72,778
Communications	0	6,500	13,247	19,766	25,791	26,281
<i>Total Other Services and Operating Expenditures</i>	\$0	\$31,150	\$59,886	\$88,222	\$113,953	\$116,037
<b>Total Services and Other Operating Expenditures</b>	<b>0</b>	<b>367,880</b>	<b>546,742</b>	<b>772,787</b>	<b>967,371</b>	<b>986,515</b>
<b>Capital Outlay</b>						
Books / Media Library	\$0	\$0	\$0	\$0	\$0	\$0
Depreciation (on direct with school)	0	0	0	0	0	0
Equipment	0	35,035	35,035	35,035	35,035	35,035
Furniture	0	0	0	0	0	0
<b>Total Capital Outlay</b>	<b>\$0</b>	<b>\$35,035</b>	<b>\$35,035</b>	<b>\$35,035</b>	<b>\$35,035</b>	<b>\$35,035</b>
<b>Other Outgo</b>						
Miscellaneous	\$10,000	\$1,975	\$4,072	\$6,136	\$8,093	\$8,336
Recruitment Expense	10,000	188	387	583	768	791
Fundraising Expense	0	1,500	3,093	4,660	6,147	6,331
Transfers to Other Locations (depr. From Home Office)	0	0	0	0	0	0
Debt Service - Interest	0	5,600	6,807	9,967	12,763	12,763
District Oversight Fee	0	16,214	24,743	33,958	44,593	45,931
Management Fee	0	97,284	148,461	203,746	267,560	275,586
<b>Total Other Outgo</b>	<b>\$20,000</b>	<b>\$122,761</b>	<b>\$187,563</b>	<b>\$259,050</b>	<b>\$339,923</b>	<b>\$349,738</b>

### Five-Year Financial Model for Green Dot Public Schools Statewide Benefit Charter

CATEGORY	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Transfers of Indirect / Direct Support Costs</b>						
Transfers of Indirect / Direct Support Costs #1	\$0	\$0	\$0	\$0	\$0	\$0
Transfers of Indirect / Direct Support Costs #2	0	0	0	0	0	0
<b>Total Transfers of Indirect / Direct Support Costs</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>TOTAL EXPENDITURES</b>	<b>\$20,000</b>	<b>\$1,539,891</b>	<b>\$2,408,009</b>	<b>\$3,333,931</b>	<b>\$4,375,213</b>	<b>\$4,485,057</b>
<hr/>						
<b>Sub net income - pre reserve</b>	<b>5,000</b>	<b>81,513</b>	<b>66,338</b>	<b>61,833</b>	<b>84,112</b>	<b>108,048</b>
<hr/>						
Reserve for Economic Uncertainty		<b>81,070</b>	<b>42,647</b>	<b>46,071</b>	<b>53,178</b>	<b>6,689</b>
<i>% Cash Reserve Required</i>		5.0%	5.0%	5.0%	5.0%	5.0%
<i>Required Reserve</i>		81,070	123,717	169,788	222,966	229,655
<b>Net Income - Post reserve</b>	<b>5,000</b>	<b>443</b>	<b>23,691</b>	<b>15,763</b>	<b>30,934</b>	<b>101,359</b>
<b>Cash Balance after reserve (incl. accruals)</b>		<b>5,443</b>	<b>29,133</b>	<b>44,896</b>	<b>75,830</b>	<b>177,189</b>

**REVENUE ASSUMPTIONS**

**OPERATING ASSUMPTIONS**

**Total Students**

### Five-Year Financial Model for Green Dot Public Schools Statewide Benefit Charter

CATEGORY	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
	<b>Year 0</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>
9th Grade	0	140	140	140	140	140
10th Grade		0	140	140	136	136
11th Grade				130	130	130
12th Grade					119	119
Total Students	0	140	280	410	525	525
<b>Average Daily Attendance</b>						
Average Daily Attendance %		96.0%	96.0%	96.0%	96.0%	96.0%
Average Daily Attendance Students		134	269	394	504	504
<b>Free &amp; Reduced Lunch &amp; ELL</b>						
% Free & Reduced Lunch Students		91.3%	91.3%	91.3%	91.3%	91.3%
% of English Language Learners		25.0%	25.0%	25.0%	25.0%	25.0%
% of FFR Students not eating meals		20.0%	20.0%	20.0%	20.0%	20.0%
Student school days per year		183	183	183	183	183
<b>Rates (all rates per student or per ADA unless noted)</b>						
	<b>Year 0</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>
<u>GP Entitlement Rates</u>						
Charter Schools General Purpose Entitlement State Aid		\$6,159	\$6,350	\$6,535	\$6,731	\$6,933

### Five-Year Financial Model for Green Dot Public Schools Statewide Benefit Charter

CATEGORY	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
In Lieu of Property Taxes as a % of Gen. Apportionment		21.8%	21.8%	21.8%	21.8%	21.8%
GD Additional Allocation for Summer School (number)		0	65,114	67,002	69,012	71,083
Total GP Entitlement Rates per ADA (inc. summer school)		6,159	6,593	6,705	6,868	7,074
Special Education Entitlement (per student)		423	436	448	462	476
<u>Federal Rates</u>						
Federal Child Nutrition Programs		\$2.25	\$2.32	\$2.39	\$2.46	\$2.53
All Other Federal Revenue		0	0	0	0	0
Title 1 Federal Revenue		450	464	477	492	506
Federal Implementation/Start up Grant Revenue		0	0	0	0	0
Total Federal Revenue per ADA		712	734	755	778	801
<u>Other State Rates</u>						
Other State Apportionments		0	0	0	0	0
Charter School Categorical Block Grant		287	296	304	314	323
State Child Nutrition Program		13	14	14	15	15
State Lottery Revenue		141	145	150	154	159
In Lieu of Economic Aid		115	119	122	126	129
Total State Revenue per ADA		546	563	580	597	615
<u>Local Revenue Rates</u>						

### Five-Year Financial Model for Green Dot Public Schools Statewide Benefit Charter

CATEGORY	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
Interest		0	0	0	0	0
All Other Transfers / Apportionments from County Offices		0	0	0	0	0
All Other Transfers from Other GD Locations (number)		0	0	0	0	0
Student Lunch Revenue		21	22	22	23	24
Unrestricted Contributions		0	0	0	0	0
Foundation Grants		0	0	0	0	0
Miscellaneous		0	0	0	0	0
Student Body (ASB Fundraising)		37	38	39	40	42
School Site Fundraising		56	58	59	61	63
Total Local Revenue per ADA		4,206	862	121	125	128
 <u>COLAs</u>						
COLA for GP Entitlement		3.8%	3.1%	2.9%	3.0%	3.0%
COLA for Special Education		3.8%	3.1%	2.9%	3.0%	3.0%
COLA for Federal Rates		0.0%	3.1%	2.9%	3.0%	3.0%
COLA for State Rates		3.8%	3.1%	2.9%	3.0%	3.0%
COLA for Local Rates		0.0%	3.1%	2.9%	3.0%	3.0%
 Total Revenue per ADA		12,064	9,205	8,627	8,848	9,113
Total Revenue per Student		11,581	8,837	8,282	8,494	8,749

### Five-Year Financial Model for Green Dot Public Schools Statewide Benefit Charter

CATEGORY	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
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#### EXPENDITURE ASSUMPTIONS

Operating Statistics	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
Number of Teachers		7.0	13.0	19.0	27.0	27.0
Number of Pupil Support Employees		0.0	0.5	1.5	1.5	1.5
Number of Certificated Supervisors		2.0	2.0	2.0	2.0	2.0
Number of Classified Support Salaries		1.0	2.0	2.5	2.5	2.5
Number of Other Classified Salaries		1.0	1.0	1.0	1.0	1.0
Total School Site Employees		11.0	18.5	26.0	34.0	34.0
Certificated Employees COLA (excl. Admin)			3.1%	2.9%	3.0%	3.0%
Admin COLA			3.1%	2.9%	3.0%	3.0%
Classified COLA			3.1%	2.9%	3.0%	3.0%
Stipends COLA			3.1%	2.9%	3.0%	3.0%
Benefits Rate Increase (excluding healthcare)			3.1%	2.9%	3.0%	3.0%
Health and Welfare Benefits COLA			3.1%	2.9%	3.0%	3.0%
Books and Supplies COLA			3.1%	2.9%	3.0%	3.0%
Services and Other Operating Expenditures COLA			1.9%	1.9%	1.9%	1.9%
Capital Outlay COLA			3.1%	2.9%	3.0%	3.0%
Other COLA			3.1%	2.9%	3.0%	3.0%

#### Certificated Salaries

Average Teacher Salary		\$49,702	\$51,243	\$52,729	\$54,310	\$55,940
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### Five-Year Financial Model for Green Dot Public Schools Statewide Benefit Charter

CATEGORY	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
Allocation for Summer School - Teachers Salary		0	65,114	67,002	69,012	71,083
Substitute Expense per FT Teacher		1,189	1,226	1,262	1,300	1,339
Counselor Salary		0	0	57,627	59,355	61,136
Special Education Assistant Salary		0	10,000	10,290	10,599	10,917
Other Pupil Support Costs		0	0	0	0	0
Total Pupil Support Salary		\$0	\$10,000	\$67,917	\$69,954	\$72,053
Principal Salary		82,000	84,542	86,994	89,604	92,292
AP Salary		68,000	70,108	72,141	74,305	76,535
Certificated Supervisors		\$150,000	\$154,650	\$159,135	\$163,909	\$168,826
<b>Classified Salaries</b>						
Office Manager Salary		\$30,187	\$31,122	\$32,025	\$32,986	\$33,975
Parent Coordinator Salary		21,935	22,614	23,270	23,968	24,687
Office Assistant Salary #1		0	0	0	0	0
Office Assistant Salary #2		0	0	0	0	0
Total Classified Support Salaries		\$52,121	\$53,737	\$55,295	\$56,954	\$58,663
Other Classified Salaries #1 (Security)		19,389	19,990	20,570	21,187	21,822
Other Classified Salaries #2		0	0	0	0	0
Total Other Classified		\$19,389	\$19,990	\$20,570	\$21,187	\$21,822
Stipends per employees		1,242	\$1,280	\$1,317	\$1,357	\$1,398
Overtime - Classified Support as a % of Salary		5.0%	5.0%	5.0%	5.0%	5.0%
Overtime- Other Classified as a % of Salary		5.0%	5.0%	5.0%	5.0%	5.0%

### Five-Year Financial Model for Green Dot Public Schools Statewide Benefit Charter

CATEGORY	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Employee Benefits</b> <i>(per relevant employee salary)</i>						
STRS Rate		8.25%	8.51%	8.75%	9.01%	9.29%
PERS rate		9.12%	9.40%	9.67%	9.96%	10.26%
OASDI/Medicare-Cert		1.45%	1.49%	1.54%	1.58%	1.63%
OASDI/Medicare-Class		7.65%	7.89%	8.12%	8.36%	8.61%
Unemployment - Cert		1.24%	1.28%	1.32%	1.35%	1.40%
Unemployment - Class		2.29%	2.36%	2.43%	2.50%	2.57%
Health and Welfare Benefits - Cert		10.30%	10.62%	10.93%	11.26%	11.60%
Health and Welfare Benefits - Class		14.26%	14.71%	15.13%	15.59%	16.05%
Worker's Comp - Cert		7.89%	8.13%	8.37%	8.62%	8.88%
Worker's Comp - Class		21.12%	21.77%	22.41%	23.08%	23.77%
Other Employee Benefits		0.00%	0.00%	0.00%	0.00%	0.00%
<b>Total Employee Benefits</b>		1,372	1,153	1,127	1,207	1,281
<b>Books and Supplies</b>						
<i>Books &amp; School Supplies (per student)</i>						
Approved Textbooks Core Curriculum		464	232	160	150	125
Books / Other Reference Materials		19	10	7	6	5
Testing / Exam Supplies		14	15	15	16	16
Classroom Materials / Supplies		72	74	76	79	81
Materials and Supplies		47	49	50	52	53

### Five-Year Financial Model for Green Dot Public Schools Statewide Benefit Charter

CATEGORY	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
Postage		3	3	3	3	3
Printing & Copying Expense		35	36	37	39	40
Messenger		0	0	0	0	0
Noncapitalized Equipment		121	64	44	39	15
Non Educational Software		0	0	0	0	0
Educational Software		250	125	0	0	0
Computer Hardware		171	36	24	19	19
<i>Total Books &amp; School Supplies</i>		1,197	643	417	401	357
 <i>Student Activities and Events (per student)</i>						
Student Band Equipment		0	0	0	0	0
Student Athletic Equipment		23	24	25	26	26
General Student Supplies		29	30	31	32	33
Student Events		23	24	61	48	49
<i>Total Student Activities and Events</i>		76	79	117	106	109
 <i>Student Food (per student)</i>						
Food		304	314	323	332	342
Non-District Food		45	46	48	49	51
<i>Total Student Food</i>		349	360	370	382	393
 <b>Total Books and Supplies</b>		 1,622	 1,082	 905	 888	 859

### Five-Year Financial Model for Green Dot Public Schools Statewide Benefit Charter

CATEGORY	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Services and Other Operating Expenditures</b>						
<i>Employee Development and Educational Support (per student)</i>						
Travel and Conferences		14	14	14	15	15
Auto Mileage		1	1	1	1	1
Parking		0	0	0	0	0
Training and Development		48	49	50	51	52
Dues and Membership		10	10	10	10	10
Educational Publications		1	1	1	1	1
<i>Total Employee Development and Educational Support</i>		74	75	77	78	80
Insurance		78	79	80	82	84
<i>Facilities, Facilities Related Expenses and Insurance</i>						
Operation / Housekeeping		257	182	145	147	148
Utilities		286	230	184	186	188
Drinking Water		2	2	2	2	2
Security Services		8	8	8	9	9
Space Rental / Lease (actual number, not per student)		\$162,140	\$247,435	\$339,576	\$445,933	\$459,310
Building Maintenance		114	65	52	44	45
<i>Total Facilities and Facilities Related Expenses</i>		1,825	1,370	1,220	1,237	1,266

### Five-Year Financial Model for Green Dot Public Schools Statewide Benefit Charter

CATEGORY	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
<i>Student Transportation (per student)</i>						
Student Transportation		429	214	293	229	229
Transportation Repair		0	0	0	0	0
<i>Total Student Transportation</i>		429	214	293	229	229
<i>Other Services and Operating Expenditures (per student)</i>						
Equipment Rental / Lease		22	22	22	23	23
Equipment Repair		1	1	1	1	1
Professional / Consulting Services		25	13	10	8	8
Work Study Expense		0	0	0	0	0
Legal Services		0	0	0	0	0
Educational Consultants		129	131	134	136	139
Communications		46	47	48	49	50
<i>Total Other Services and Operating Expenditures</i>		223	214	215	217	221
<b>Total Services and Other Operating Expenditures</b>		2,628	1,953	1,885	1,843	1,879
<b>Capital Outlay (per student)</b>						
Books / Media Library		0	0	0	0	0
Depreciation (number)		0	0	0	0	0
Equipment		250	125	85	67	67
Furniture		0	0	0	0	0

### Five-Year Financial Model for Green Dot Public Schools Statewide Benefit Charter

CATEGORY	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Total Capital Outlay</b>		250	125	85	67	67
<b>Other Outgo</b> <i>(per student unless noted)</i>						
Miscellaneous		14	15	15	15	16
Recruitment Expense		1	1	1	1	2
Fundraising Expense		11	11	11	12	12
Transfers to Other Locations (number)		0	0	0	0	0
Debt Service - Interest		40	24	24	24	24
District Oversight Fee as a % of revenue		1.0%	1.0%	1.0%	1.0%	1.0%
Management Fee (as a % of revenue)		6.0%	6.0%	6.0%	6.0%	6.0%
<b>Total Other Outgo</b>		877	670	632	647	666
<b>Transfers of Indirect / Direct Support Costs</b> <i>(per student)</i>						
Transfers of Indirect / Direct Support Costs #1		0	0	0	0	0
Transfers of Indirect / Direct Support Costs #2		0	0	0	0	0
<b>Total Transfers of Indirect / Direct Support Costs</b>		0	0	0	0	0

### Year 1 Cash Flow Statement: Green Dot Public Schools Statewide Benefit Charter

Category	Year 1	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Accrued	Total Cash
<b>Revenue</b>															
<b>General Purpose Entitlement</b>															
Charter Schools General Purpose Entitlement State Aid	\$646,955	0	219,965	0	0	51,756	51,756	51,756	90,574	45,287	45,287	45,287	45,287	\$0	\$646,955
Charter Schools Funding In Lieu of Property Taxes	180,881	0	61,499	0	0	14,470	14,470	14,470	25,323	12,662	12,662	12,662	12,662	\$0	\$180,881
Summer School	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
<b>Total GP Entitlement &amp; In Lieu of Prop. Taxes</b>	<b>\$827,836</b>	<b>\$0</b>	<b>\$281,464</b>	<b>\$0</b>	<b>\$0</b>	<b>\$66,227</b>	<b>\$66,227</b>	<b>\$66,227</b>	<b>\$115,897</b>	<b>\$57,949</b>	<b>\$57,949</b>	<b>\$57,949</b>	<b>\$57,949</b>	<b>\$0</b>	<b>\$827,836</b>
<b>Special Education Entitlement</b>	59,160	0	0	0	20,114	4,733	4,733	4,733	8,282	4,141	4,141	4,141	4,141	\$0	\$59,160
<b>Federal Revenue</b>															
Federal Child Nutrition Programs	\$40,420	0	0	0	4,042	4,042	4,042	4,042	4,042	4,042	4,042	4,042	4,042	\$4,042	\$36,378
All Other Federal Revenue	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Title 1 Federal Revenue	55,218	0	0	0	0	0	0	0	0	0	22,087	0	11,044	\$22,087	\$33,131
Federal Implementation/Start up Grant Revenue	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
<b>Total Federal Revenue</b>	<b>\$95,638</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$4,042</b>	<b>\$4,042</b>	<b>\$4,042</b>	<b>\$4,042</b>	<b>\$4,042</b>	<b>\$4,042</b>	<b>\$26,129</b>	<b>\$4,042</b>	<b>\$15,086</b>	<b>\$26,129</b>	<b>\$69,509</b>
<b>Other State Revenue</b>															
Other State Apportionments	\$0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Charter School Categorical Block Grant	38,573	0	13,115	0	0	3,086	3,086	3,086	5,400	2,700	2,700	2,700	2,700	\$0	\$38,573
State Child Nutrition Program	1,814	0	0	0	181	181	181	181	181	181	181	181	181	\$181	\$1,632
State Lottery Revenue	18,950	0	0	0	0	0	4,738	0	0	4,738	0	0	0	\$9,475	\$9,475
All Other State Revenues	14,111	1,176	1,176	1,176	1,176	1,176	1,176	1,176	1,176	1,176	1,176	1,176	1,176	\$0	\$14,111
<b>Total Other State Revenue</b>	<b>\$73,448</b>	<b>\$1,176</b>	<b>\$14,291</b>	<b>\$1,176</b>	<b>\$1,357</b>	<b>\$4,443</b>	<b>\$9,181</b>	<b>\$4,443</b>	<b>\$6,757</b>	<b>\$8,795</b>	<b>\$4,057</b>	<b>\$4,057</b>	<b>\$4,057</b>	<b>\$9,657</b>	<b>\$63,792</b>
<b>Local Revenue</b>															
Interest	\$0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
All Other Transfers / Apportionments from County Offices	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
All Transfers from Other Green Dot Locations	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Student Lunch Revenue	2,822	0	0	282	282	282	282	282	282	282	282	282	282	\$0	\$2,822
Green Dot Startup Contribution	350,000	50,000	0	75,000	75,000	50,000	0	0	0	0	50,000	50,000	0	\$0	\$350,000

### Year 1 Cash Flow Statement: Green Dot Public Schools Statewide Benefit Charter

Category	Year 1	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Accrued	Total Cash	
State Startup Grants	200,000	5,000	0	0	0	0	200,000	0	0	0	0	0	0	(\$5,000)	\$205,000	
Miscellaneous	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0	
Student Body (ASB Fundraising)	4,973	0	452	452	452	452	452	452	452	452	452	452	452	\$0	\$4,973	
School Site Fundraising	7,526	0	684	684	684	684	684	684	684	684	684	684	684	\$0	\$7,526	
<b>Total Local Revenue</b>	<b>\$565,322</b>	<b>\$55,000</b>	<b>\$1,136</b>	<b>\$76,419</b>	<b>\$76,419</b>	<b>\$51,419</b>	<b>\$201,419</b>	<b>\$1,419</b>	<b>\$1,419</b>	<b>\$1,419</b>	<b>\$51,419</b>	<b>\$51,419</b>	<b>\$1,419</b>	<b>(\$5,000)</b>	<b>\$570,322</b>	
<b>TOTAL REVENUE</b>	<b>\$1,621,403</b>	<b>\$56,176</b>	<b>\$296,891</b>	<b>\$77,594</b>	<b>\$101,932</b>	<b>\$130,863</b>	<b>\$285,601</b>	<b>\$80,863</b>	<b>\$136,397</b>	<b>\$76,345</b>	<b>\$143,695</b>	<b>\$121,608</b>	<b>\$82,651</b>	<b>\$30,786</b>	<b>\$1,590,617</b>	
<b>EXPENDITURES</b>																
	<b>Year 1</b>															
<b>Certificated Salaries</b>																
Teachers Salaries	\$347,913	0	15,814	31,628	31,628	31,628	31,628	31,628	31,628	31,628	31,628	31,628	31,628	31,628	\$15,814	\$332,098
Substitute Expense	8,325	0	757	757	757	757	757	757	757	757	757	757	757	\$0	\$8,325	
Pupil Support Salaries	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0	
Certificated Supervisors	150,000	12,500	12,500	12,500	12,500	12,500	12,500	12,500	12,500	12,500	12,500	12,500	12,500	\$0	\$150,000	
<b>Total Certificated Salaries</b>	<b>\$506,238</b>	<b>\$12,500</b>	<b>\$29,071</b>	<b>\$44,885</b>	<b>\$44,885</b>	<b>\$44,885</b>	<b>\$44,885</b>	<b>\$44,885</b>	<b>\$44,885</b>	<b>\$44,885</b>	<b>\$44,885</b>	<b>\$44,885</b>	<b>\$44,885</b>	<b>\$15,814</b>	<b>\$490,424</b>	
<b>Classified Salaries</b>																
Classified Support Salaries	\$52,121	0	4,738	4,738	4,738	4,738	4,738	4,738	4,738	4,738	4,738	4,738	4,738	\$0	\$52,121	
Other Classified Salaries	19,389	0	1,763	1,763	1,763	1,763	1,763	1,763	1,763	1,763	1,763	1,763	1,763	\$0	\$19,389	
Stipends	13,659	0	0	3,415	0	0	0	3,415	0	0	0	0	6,830	\$0	\$13,659	
Overtime- Classified Support	2,606	0	237	237	237	237	237	237	237	237	237	237	237	\$0	\$2,606	
Overtime - Other Classified	969	0	88	88	88	88	88	88	88	88	88	88	88	\$0	\$969	
<b>Total Classified Salaries</b>	<b>\$88,745</b>	<b>\$0</b>	<b>\$6,826</b>	<b>\$10,241</b>	<b>\$6,826</b>	<b>\$6,826</b>	<b>\$6,826</b>	<b>\$10,241</b>	<b>\$6,826</b>	<b>\$6,826</b>	<b>\$6,826</b>	<b>\$6,826</b>	<b>\$13,656</b>	<b>\$0</b>	<b>\$88,745</b>	
<b>Employee Benefits</b>	<b>Year 1</b>															
STRS	\$41,078	0	3,734	3,734	3,734	3,734	3,734	3,734	3,734	3,734	3,734	3,734	3,734	\$0	\$41,078	
PERS	6,845	0	622	622	622	622	622	622	622	622	622	622	622	\$0	\$6,845	
OASDI/Medicare-Cert	7,220	0	656	656	656	656	656	656	656	656	656	656	656	\$0	\$7,220	

### Year 1 Cash Flow Statement: Green Dot Public Schools Statewide Benefit Charter

Category	Year 1	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Accrued	Total Cash
OASDI/Medicare-Class	6,789	0	617	617	617	617	617	617	617	617	617	617	617	\$0	\$6,789
Unemployment - Cert	6,172	0	561	561	561	561	561	561	561	561	561	561	561	\$0	\$6,172
Unemployment - Class	2,029	0	184	184	184	184	184	184	184	184	184	184	184	\$0	\$2,029
Health and Welfare Benefits - Cert	51,297	0	4,663	4,663	4,663	4,663	4,663	4,663	4,663	4,663	4,663	4,663	4,663	\$0	\$51,297
Health and Welfare Benefits - Class	12,658	0	1,151	1,151	1,151	1,151	1,151	1,151	1,151	1,151	1,151	1,151	1,151	\$0	\$12,658
Worker's Comp - Cert	39,285	0	3,571	3,571	3,571	3,571	3,571	3,571	3,571	3,571	3,571	3,571	3,571	\$0	\$39,285
Worker's Comp - Class	18,743	0	1,704	1,704	1,704	1,704	1,704	1,704	1,704	1,704	1,704	1,704	1,704	\$0	\$18,743
Other Employee Benefits	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
<b>Total Employee Benefits</b>	<b>\$192,116</b>	<b>\$0</b>	<b>\$17,465</b>	<b>\$0</b>	<b>\$192,116</b>										
<b>Books and Supplies</b>															
<i>Books &amp; School Supplies</i>															
Approved Textbooks Core Curriculum	\$65,000	0	0	6,500	6,500	6,500	6,500	6,500	6,500	6,500	6,500	6,500	6,500	\$0	\$65,000
Books / Other Reference Materials	2,600	0	2,600	0	0	0	0	0	0	0	0	0	0	\$0	\$2,600
Testing / Exam Supplies	2,000	0	0	0	0	250	250	250	250	250	250	250	250	\$0	\$2,000
Classroom Materials / Supplies	10,075	0	0	1,008	1,008	1,008	1,008	1,008	1,008	1,008	1,008	1,008	1,008	\$0	\$10,075
Materials and Supplies	6,600	0	0	660	660	660	660	660	660	660	660	660	660	\$0	\$6,600
Postage	350	0	32	32	32	32	32	32	32	32	32	32	32	\$0	\$350
Printing & Copying Expense	4,938	0	449	449	449	449	449	449	449	449	449	449	449	\$0	\$4,938
Messenger	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Noncapitalized Equipment	17,000	0	0	1,700	1,700	1,700	1,700	1,700	1,700	1,700	1,700	1,700	1,700	\$0	\$17,000
Non Educational Software	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Educational Software	35,000	0	35,000	0	0	0	0	0	0	0	0	0	0	\$0	\$35,000
Computer Hardware	24,000	0	0	2,400	2,400	2,400	2,400	2,400	2,400	2,400	2,400	2,400	2,400	\$0	\$24,000
<i>Total Books &amp; School Supplies</i>	<b>\$167,563</b>	<b>\$0</b>	<b>\$38,081</b>	<b>\$12,748</b>	<b>\$12,748</b>	<b>\$12,998</b>	<b>\$0</b>	<b>\$167,563</b>							
<i>Student Activities and Events</i>															
Student Band Equipment	\$0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Student Athletic Equipment	3,275	0	0	328	328	328	328	328	328	328	328	328	328	\$0	\$3,275
General Student Supplies	4,125	0	0	413	413	413	413	413	413	413	413	413	413	\$0	\$4,125

### Year 1 Cash Flow Statement: Green Dot Public Schools Statewide Benefit Charter

Category	Year 1	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Accrued	Total Cash
Student Events	3,275	0	0	328	328	328	328	328	328	328	328	328	328	\$0	\$3,275
<i>Total Student Activities and Events</i>	\$10,675	\$0	\$0	\$1,068	\$1,068	\$1,068	\$1,068	\$1,068	\$1,068	\$1,068	\$1,068	\$1,068	\$1,068	\$0	\$10,675
<i>Student Food</i>															
Food	\$42,593	0	0	4,259	4,259	4,259	4,259	4,259	4,259	4,259	4,259	4,259	4,259	\$0	\$42,593
Non-District Food	6,286	0	0	629	629	629	629	629	629	629	629	629	629	\$0	\$6,286
<i>Total Student Food</i>	\$48,879	\$0	\$0	\$4,888	\$4,888	\$4,888	\$4,888	\$4,888	\$4,888	\$4,888	\$4,888	\$4,888	\$4,888	\$0	\$48,879
<b>Total Books and Supplies</b>	<b>\$227,117</b>	<b>\$0</b>	<b>\$38,081</b>	<b>\$18,704</b>	<b>\$18,704</b>	<b>\$18,954</b>	<b>\$0</b>	<b>\$227,117</b>							
<b>Services and Other Operating Expenditures</b>															
<i>Employee Development and Educational Support</i>															
Travel and Conferences	\$1,929	0	0	193	193	193	193	193	193	193	193	193	193	\$0	\$1,929
Auto Mileage	109	0	0	11	11	11	11	11	11	11	11	11	11	\$0	\$109
Parking	50	0	0	5	5	5	5	5	5	5	5	5	5	\$0	\$50
Training and Development	6,750	0	0	675	675	675	675	675	675	675	675	675	675	\$0	\$6,750
Dues and Membership	1,350	0	0	135	135	135	135	135	135	135	135	135	135	\$0	\$1,350
Educational Publications	150	0	0	15	15	15	15	15	15	15	15	15	15	\$0	\$150
<i>Total Employee Development and Educational Support</i>	\$10,338	\$0	\$0	\$1,034	\$1,034	\$1,034	\$1,034	\$1,034	\$1,034	\$1,034	\$1,034	\$1,034	\$1,034	\$0	\$10,338
<i>Insurance</i>	\$10,852	904	904	904	904	904	904	904	904	904	904	904	904	\$0	\$10,852
<i>Facilities, Facilities Related Expenses and Insurance</i>															
Operation / Housekeeping	36,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	\$0	\$36,000
Utilities	40,000	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	\$0	\$40,000
Drinking Water	275	23	23	23	23	23	23	23	23	23	23	23	23	\$0	\$275
Security Services	1,125	94	94	94	94	94	94	94	94	94	94	94	94	\$0	\$1,125
Space Rental / Lease (interest on mortgage)	162,140	13,512	13,512	13,512	13,512	13,512	13,512	13,512	13,512	13,512	13,512	13,512	13,512	\$0	\$162,140
Building Maintenance	16,000	1,333	1,333	1,333	1,333	1,333	1,333	1,333	1,333	1,333	1,333	1,333	1,333	\$0	\$16,000
<i>Total Facilities and Facilities Related Expenses</i>	\$255,540	\$21,295	\$21,295	\$21,295	\$21,295	\$21,295	\$21,295	\$21,295	\$21,295	\$21,295	\$21,295	\$21,295	\$21,295	\$0	\$255,540



### Year 1 Cash Flow Statement: Green Dot Public Schools Statewide Benefit Charter

Category	Year 1	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Accrued	Total Cash
Debt Service - Interest	5,600	467	467	467	467	467	467	467	467	467	467	467	467	\$0	\$5,600
District Oversight Fee	16,214	1,351	1,351	1,351	1,351	1,351	1,351	1,351	1,351	1,351	1,351	1,351	1,351	\$0	\$16,214
Management Fee	97,284	8,107	8,107	8,107	8,107	8,107	8,107	8,107	8,107	8,107	8,107	8,107	8,107	\$0	\$97,284
<b>Total Other Outgo</b>	<b>\$122,761</b>	<b>\$10,277</b>	<b>\$10,277</b>	<b>\$10,277</b>	<b>\$10,214</b>	<b>\$0</b>	<b>\$122,761</b>								
<b>Transfers of Indirect / Direct Support Costs</b>															
Transfers of Indirect / Direct Support Costs #1	\$0	-	-	-	-	-	-	-	-	-	-	-	-	\$0	\$0
Transfers of Indirect / Direct Support Costs #2	0	-	-	-	-	-	-	-	-	-	-	-	-	\$0	\$0
<b>Total Transfers of Indirect / Direct Support Costs</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>TOTAL EXPENDITURES</b>	<b>\$1,539,891</b>	<b>\$50,810</b>	<b>\$129,752</b>	<b>\$136,257</b>	<b>\$132,779</b>	<b>\$133,029</b>	<b>\$133,029</b>	<b>\$136,444</b>	<b>\$133,029</b>	<b>\$133,029</b>	<b>\$133,029</b>	<b>\$133,029</b>	<b>\$139,859</b>	<b>\$15,814</b>	<b>\$1,524,076</b>
<b>Sub net income - pre reserve</b>	<b>81,513</b>	<b>5,366</b>	<b>167,139</b>	<b>(58,662)</b>	<b>(30,847)</b>	<b>(2,166)</b>	<b>152,572</b>	<b>(55,581)</b>	<b>3,368</b>	<b>(56,684)</b>	<b>10,666</b>	<b>(11,422)</b>	<b>(57,208)</b>	<b>14,972</b>	<b>66,541</b>
Reserve for Economic Uncertainty	81,070	0	7,370	7,370	7,370	7,370	7,370	7,370	7,370	7,370	7,370	7,370	7,370	\$0	\$81,070
<b>Net Income - Post reserve</b>	<b>443</b>	<b>5,366</b>	<b>159,769</b>	<b>(66,032)</b>	<b>(38,217)</b>	<b>(9,536)</b>	<b>145,202</b>	<b>(62,951)</b>	<b>(4,002)</b>	<b>(64,054)</b>	<b>3,296</b>	<b>(18,792)</b>	<b>(64,578)</b>	<b>14,972</b>	<b>(14,529)</b>
<b>Monthly Cash Balance</b>		<b>10,366</b>	<b>170,135</b>	<b>104,103</b>	<b>65,886</b>	<b>56,350</b>	<b>201,551</b>	<b>138,601</b>	<b>134,599</b>	<b>70,545</b>	<b>73,840</b>	<b>55,049</b>	<b>(9,529)</b>		<b>(9,529)</b>
<b>Beginning Cash Balance</b>	<b>5,000</b>														
<b>Cash Flow Loan from Green Dot/CCSA or Other (payback)</b>		0	0	0	0	0	0	0	0	0	0	0	25,000		25,000
<b>Adjusted Cash Balance</b>		<b>10,366</b>	<b>170,135</b>	<b>104,103</b>	<b>65,886</b>	<b>56,350</b>	<b>201,551</b>	<b>138,601</b>	<b>134,599</b>	<b>70,545</b>	<b>73,840</b>	<b>55,049</b>	<b>15,471</b>		<b>15,471</b>

### Year 2 Cash Flow Statement: Green Dot Public Schools Statewide Benefit Charter

Category	Year 2	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Accrued	Total Cash
<b>Revenue</b>															
<b>General Purpose Entitlement</b>															
Charter Schools General Purpose Entitlement State Aid	\$1,334,021	38,817	77,635	51,756	51,756	51,756	51,756	51,756	319,596	159,798	159,798	159,798	159,798	\$0	\$1,334,021
Charter Schools Funding In Lieu of Property Taxes	372,976	10,853	21,706	14,470	14,470	14,470	14,470	14,470	89,355	44,678	44,678	44,678	44,678	\$0	\$372,976
Summer School	65,114	0	0	0	32,557	32,557	0	0	0	0	0	0	0	\$0	\$65,114
<b>Total GP Entitlement &amp; In Lieu of Prop. Taxes</b>	<b>\$1,772,111</b>	<b>\$49,670</b>	<b>\$99,340</b>	<b>\$66,227</b>	<b>\$98,784</b>	<b>\$98,784</b>	<b>\$66,227</b>	<b>\$66,227</b>	<b>\$408,951</b>	<b>\$204,475</b>	<b>\$204,475</b>	<b>\$204,475</b>	<b>\$204,475</b>	<b>\$0</b>	<b>\$1,772,111</b>
<b>Special Education Entitlement</b>	121,988	0	0	0	41,476	9,759	9,759	9,759	17,078	8,539	8,539	8,539	8,539	\$0	\$121,988
<b>Federal Revenue</b>															
Federal Child Nutrition Programs	\$83,346	4,042	0	0	8,335	8,335	8,335	8,335	8,335	8,335	8,335	8,335	8,335	\$8,335	\$79,053
All Other Federal Revenue	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Title 1 Federal Revenue	113,860	0	0	22,087	0	0	28,465	0	0	56,930	0	0	0	\$28,465	\$107,482
Federal Implementation/Start up Grant Revenue	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
<b>Total Federal Revenue</b>	<b>\$197,206</b>	<b>\$4,042</b>	<b>\$0</b>	<b>\$22,087</b>	<b>\$8,335</b>	<b>\$8,335</b>	<b>\$36,800</b>	<b>\$8,335</b>	<b>\$8,335</b>	<b>\$65,265</b>	<b>\$8,335</b>	<b>\$8,335</b>	<b>\$8,335</b>	<b>\$36,800</b>	<b>\$186,535</b>
<b>Other State Revenue</b>															
Other State Apportionments	\$0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Charter School Categorical Block Grant	79,537	2,314	4,629	3,086	3,086	3,086	3,086	3,086	19,055	9,527	9,527	9,527	9,527	\$0	\$79,537
State Child Nutrition Program	3,740	181	0	0	374	374	374	374	374	374	374	374	374	\$374	\$3,547
State Lottery Revenue	39,076	4,738	0	0	4,738	0	9,769	0	0	9,769	0	0	0	\$19,538	\$29,013
All Other State Revenues	29,098	2,425	2,425	2,425	2,425	2,425	2,425	2,425	2,425	2,425	2,425	2,425	2,425	\$0	\$29,098
<b>Total Other State Revenue</b>	<b>\$151,450</b>	<b>\$9,658</b>	<b>\$7,054</b>	<b>\$5,511</b>	<b>\$10,622</b>	<b>\$5,885</b>	<b>\$15,654</b>	<b>\$5,885</b>	<b>\$21,854</b>	<b>\$22,095</b>	<b>\$12,326</b>	<b>\$12,326</b>	<b>\$12,326</b>	<b>\$19,912</b>	<b>\$141,195</b>
<b>Local Revenue</b>															
Interest	\$0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
All Other Transfers / Apportionments from County Offices	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
All Transfers from Other Green Dot Locations	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Student Lunch Revenue	5,820	0	0	582	582	582	582	582	582	582	582	582	582	\$0	\$5,820
Green Dot Startup Contribution	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0

### Year 2 Cash Flow Statement: Green Dot Public Schools Statewide Benefit Charter

Category	Year 2	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Accrued	Total Cash
State Startup Grants	200,000	0	0	0	0	0	200,000	0	0	0	0	0	0	\$0	\$200,000
Miscellaneous	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Student Body (ASB Fundraising)	10,254	0	932	932	932	932	932	932	932	932	932	932	932	\$0	\$10,254
School Site Fundraising	15,519	0	1,411	1,411	1,411	1,411	1,411	1,411	1,411	1,411	1,411	1,411	1,411	\$0	\$15,519
<b>Total Local Revenue</b>	<b>\$231,593</b>	<b>\$0</b>	<b>\$2,343</b>	<b>\$2,925</b>	<b>\$2,925</b>	<b>\$2,925</b>	<b>\$202,925</b>	<b>\$2,925</b>	<b>\$2,925</b>	<b>\$2,925</b>	<b>\$2,925</b>	<b>\$2,925</b>	<b>\$2,925</b>	<b>\$0</b>	<b>\$231,593</b>
<b>TOTAL REVENUE</b>	<b>\$2,474,347</b>	<b>\$63,370</b>	<b>\$108,737</b>	<b>\$96,750</b>	<b>\$162,141</b>	<b>\$125,687</b>	<b>\$331,364</b>	<b>\$93,130</b>	<b>\$459,142</b>	<b>\$303,299</b>	<b>\$236,600</b>	<b>\$236,600</b>	<b>\$236,600</b>	<b>\$56,711</b>	<b>\$2,453,422</b>
<b>EXPENDITURES</b>															
	<b>Year 2</b>														
<b>Certificated Salaries</b>															
Teachers Salaries	\$731,267	15,814	33,239	66,479	66,479	66,479	66,479	66,479	66,479	66,479	66,479	66,479	66,479	\$33,239	\$713,842
Substitute Expense	15,940	0	1,449	1,449	1,449	1,449	1,449	1,449	1,449	1,449	1,449	1,449	1,449	\$0	\$15,940
Pupil Support Salaries	10,000	833	833	833	833	833	833	833	833	833	833	833	833	\$0	\$10,000
Certificated Supervisors	154,650	12,888	12,888	12,888	12,888	12,888	12,888	12,888	12,888	12,888	12,888	12,888	12,888	\$0	\$154,650
<b>Total Certificated Salaries</b>	<b>\$911,857</b>	<b>\$29,535</b>	<b>\$48,409</b>	<b>\$81,649</b>	<b>\$81,649</b>	<b>\$81,649</b>	<b>\$81,649</b>	<b>\$81,649</b>	<b>\$81,649</b>	<b>\$81,649</b>	<b>\$81,649</b>	<b>\$81,649</b>	<b>\$81,649</b>	<b>\$33,239</b>	<b>\$894,432</b>
<b>Classified Salaries</b>															
Classified Support Salaries	\$53,737	0	4,885	4,885	4,885	4,885	4,885	4,885	4,885	4,885	4,885	4,885	4,885	\$0	\$53,737
Other Classified Salaries	19,990	0	1,817	1,817	1,817	1,817	1,817	1,817	1,817	1,817	1,817	1,817	1,817	\$0	\$19,990
Stipends	23,685	0	0	5,921	0	0	0	5,921	0	0	0	0	11,842	\$0	\$23,685
Overtime- Classified Support	2,687	0	244	244	244	244	244	244	244	244	244	244	244	\$0	\$2,687
Overtime - Other Classified	1,000	0	91	91	91	91	91	91	91	91	91	91	91	\$0	\$1,000
<b>Total Classified Salaries</b>	<b>\$101,098</b>	<b>\$0</b>	<b>\$7,038</b>	<b>\$12,959</b>	<b>\$7,038</b>	<b>\$7,038</b>	<b>\$7,038</b>	<b>\$12,959</b>	<b>\$7,038</b>	<b>\$7,038</b>	<b>\$7,038</b>	<b>\$7,038</b>	<b>\$18,880</b>	<b>\$0</b>	<b>\$101,098</b>
<b>Employee Benefits</b>															
	<b>Year 2</b>														
STRS	\$75,354	0	6,850	6,850	6,850	6,850	6,850	6,850	6,850	6,850	6,850	6,850	6,850	\$0	\$75,354
PERS	7,276	0	661	661	661	661	661	661	661	661	661	661	661	\$0	\$7,276
OASDI/Medicare-Cert	13,394	0	1,218	1,218	1,218	1,218	1,218	1,218	1,218	1,218	1,218	1,218	1,218	\$0	\$13,394

### Year 2 Cash Flow Statement: Green Dot Public Schools Statewide Benefit Charter

Category	Year 2	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Accrued	Total Cash
OASDI/Medicare-Class	7,974	0	725	725	725	725	725	725	725	725	725	725	725	\$0	\$7,974
Unemployment - Cert	11,449	0	1,041	1,041	1,041	1,041	1,041	1,041	1,041	1,041	1,041	1,041	1,041	\$0	\$11,449
Unemployment - Class	2,383	0	217	217	217	217	217	217	217	217	217	217	217	\$0	\$2,383
Health and Welfare Benefits - Cert	95,163	0	8,651	8,651	8,651	8,651	8,651	8,651	8,651	8,651	8,651	8,651	8,651	\$0	\$95,163
Health and Welfare Benefits - Class	14,867	0	1,352	1,352	1,352	1,352	1,352	1,352	1,352	1,352	1,352	1,352	1,352	\$0	\$14,867
Worker's Comp - Cert	72,879	0	6,625	6,625	6,625	6,625	6,625	6,625	6,625	6,625	6,625	6,625	6,625	\$0	\$72,879
Worker's Comp - Class	22,014	0	2,001	2,001	2,001	2,001	2,001	2,001	2,001	2,001	2,001	2,001	2,001	\$0	\$22,014
Other Employee Benefits	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
<b>Total Employee Benefits</b>	<b>\$322,752</b>	<b>\$0</b>	<b>\$29,341</b>	<b>\$0</b>	<b>\$322,752</b>										
<b>Books and Supplies</b>															
<i>Books &amp; School Supplies</i>															
Approved Textbooks Core Curriculum	\$65,000	0	0	6,500	6,500	6,500	6,500	6,500	6,500	6,500	6,500	6,500	6,500	\$0	\$65,000
Books / Other Reference Materials	2,750	0	2,750	0	0	0	0	0	0	0	0	0	0	\$0	\$2,750
Testing / Exam Supplies	4,124	0	0	0	0	516	516	516	516	516	516	516	516	\$0	\$4,124
Classroom Materials / Supplies	20,775	0	0	2,078	2,078	2,078	2,078	2,078	2,078	2,078	2,078	2,078	2,078	\$0	\$20,775
Materials and Supplies	13,609	0	0	1,361	1,361	1,361	1,361	1,361	1,361	1,361	1,361	1,361	1,361	\$0	\$13,609
Postage	722	0	66	66	66	66	66	66	66	66	66	66	66	\$0	\$722
Printing & Copying Expense	10,181	0	926	926	926	926	926	926	926	926	926	926	926	\$0	\$10,181
Messenger	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Noncapitalized Equipment	18,000	0	0	1,800	1,800	1,800	1,800	1,800	1,800	1,800	1,800	1,800	1,800	\$0	\$18,000
Non Educational Software	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Educational Software	35,000	0	35,000	0	0	0	0	0	0	0	0	0	0	\$0	\$35,000
Computer Hardware	10,000	0	0	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	\$0	\$10,000
<i>Total Books &amp; School Supplies</i>	<b>\$180,162</b>	<b>\$0</b>	<b>\$38,741</b>	<b>\$13,730</b>	<b>\$13,730</b>	<b>\$14,245</b>	<b>\$0</b>	<b>\$180,162</b>							
<i>Student Activities and Events</i>															
Student Band Equipment	\$0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Student Athletic Equipment	6,753	0	0	675	675	675	675	675	675	675	675	675	675	\$0	\$6,753
General Student Supplies	8,506	0	0	851	851	851	851	851	851	851	851	851	851	\$0	\$8,506

### Year 2 Cash Flow Statement: Green Dot Public Schools Statewide Benefit Charter

Category	Year 2	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Accrued	Total Cash
Student Events	6,753	0	0	675	675	675	675	675	675	675	675	675	675	\$0	\$6,753
<i>Total Student Activities and Events</i>	\$22,012	\$0	\$0	\$2,201	\$2,201	\$2,201	\$2,201	\$2,201	\$2,201	\$2,201	\$2,201	\$2,201	\$2,201	\$0	\$22,012
<i>Student Food</i>															
Food	\$87,827	0	0	8,783	8,783	8,783	8,783	8,783	8,783	8,783	8,783	8,783	8,783	\$0	\$87,827
Non-District Food	12,961	0	0	1,296	1,296	1,296	1,296	1,296	1,296	1,296	1,296	1,296	1,296	\$0	\$12,961
<i>Total Student Food</i>	\$100,788	\$0	\$0	\$10,079	\$10,079	\$10,079	\$10,079	\$10,079	\$10,079	\$10,079	\$10,079	\$10,079	\$10,079	\$0	\$100,788
<b>Total Books and Supplies</b>	<b>\$302,962</b>	<b>\$0</b>	<b>\$38,741</b>	<b>\$26,010</b>	<b>\$26,010</b>	<b>\$26,525</b>	<b>\$0</b>	<b>\$302,962</b>							
<b>Services and Other Operating Expenditures</b>															
<i>Employee Development and Educational Support</i>															
Travel and Conferences	\$3,931	0	0	393	393	393	393	393	393	393	393	393	393	\$0	\$3,931
Auto Mileage	222	0	0	22	22	22	22	22	22	22	22	22	22	\$0	\$222
Parking	102	0	0	10	10	10	10	10	10	10	10	10	10	\$0	\$102
Training and Development	13,757	0	0	1,376	1,376	1,376	1,376	1,376	1,376	1,376	1,376	1,376	1,376	\$0	\$13,757
Dues and Membership	2,751	0	0	275	275	275	275	275	275	275	275	275	275	\$0	\$2,751
Educational Publications	306	0	0	31	31	31	31	31	31	31	31	31	31	\$0	\$306
<i>Total Employee Development and Educational Support</i>	\$21,068	\$0	\$0	\$2,107	\$2,107	\$2,107	\$2,107	\$2,107	\$2,107	\$2,107	\$2,107	\$2,107	\$2,107	\$0	\$21,068
<i>Insurance</i>	\$22,117	1,843	1,843	1,843	1,843	1,843	1,843	1,843	1,843	1,843	1,843	1,843	1,843	\$0	\$22,117
<i>Facilities, Facilities Related Expenses and Insurance</i>															
Operation / Housekeeping	50,904	4,242	4,242	4,242	4,242	4,242	4,242	4,242	4,242	4,242	4,242	4,242	4,242	\$0	\$50,904
Utilities	64,380	5,365	5,365	5,365	5,365	5,365	5,365	5,365	5,365	5,365	5,365	5,365	5,365	\$0	\$64,380
Drinking Water	560	47	47	47	47	47	47	47	47	47	47	47	47	\$0	\$560
Security Services	2,293	191	191	191	191	191	191	191	191	191	191	191	191	\$0	\$2,293
Space Rental / Lease (interest on mortgage)	247,435	20,620	20,620	20,620	20,620	20,620	20,620	20,620	20,620	20,620	20,620	20,620	20,620	\$0	\$247,435
Building Maintenance	18,100	1,508	1,508	1,508	1,508	1,508	1,508	1,508	1,508	1,508	1,508	1,508	1,508	\$0	\$18,100
<i>Total Facilities and Facilities Related Expenses</i>	\$383,672	\$31,973	\$31,973	\$31,973	\$31,973	\$31,973	\$31,973	\$31,973	\$31,973	\$31,973	\$31,973	\$31,973	\$31,973	\$0	\$383,672



### Year 2 Cash Flow Statement: Green Dot Public Schools Statewide Benefit Charter

Category	Year 2	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Accrued	Total Cash
Debt Service - Interest	6,807	567	567	567	567	567	567	567	567	567	567	567	567	\$0	\$6,807
District Oversight Fee	24,743	2,062	2,062	2,062	2,062	2,062	2,062	2,062	2,062	2,062	2,062	2,062	2,062	\$0	\$24,743
Management Fee	148,461	12,372	12,372	12,372	12,372	12,372	12,372	12,372	12,372	12,372	12,372	12,372	12,372	\$0	\$148,461
<b>Total Other Outgo</b>	<b>\$187,563</b>	<b>\$15,727</b>	<b>\$15,727</b>	<b>\$15,727</b>	<b>\$15,598</b>	<b>\$0</b>	<b>\$187,563</b>								
<b>Transfers of Indirect / Direct Support Costs</b>															
Transfers of Indirect / Direct Support Costs #1	\$0	-	-	-	-	-	-	-	-	-	-	-	-	\$0	\$0
Transfers of Indirect / Direct Support Costs #2	0	-	-	-	-	-	-	-	-	-	-	-	-	\$0	\$0
<b>Total Transfers of Indirect / Direct Support Costs</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>TOTAL EXPENDITURES</b>	<b>\$2,408,009</b>	<b>\$85,476</b>	<b>\$179,470</b>	<b>\$215,820</b>	<b>\$209,770</b>	<b>\$210,286</b>	<b>\$210,286</b>	<b>\$216,207</b>	<b>\$210,286</b>	<b>\$210,286</b>	<b>\$210,286</b>	<b>\$210,286</b>	<b>\$222,128</b>	<b>\$33,239</b>	<b>\$2,390,584</b>
<b>Sub net income - pre reserve</b>	<b>66,338</b>	<b>(22,106)</b>	<b>(70,733)</b>	<b>(119,070)</b>	<b>(47,629)</b>	<b>(84,599)</b>	<b>121,078</b>	<b>(123,077)</b>	<b>248,857</b>	<b>93,014</b>	<b>26,315</b>	<b>26,315</b>	<b>14,473</b>	<b>23,472</b>	<b>62,838</b>
Reserve for Economic Uncertainty	\$42,647	3,554	3,554	3,554	3,554	3,554	3,554	3,554	3,554	3,554	3,554	3,554	3,554	\$0	\$42,647
<b>Net Income - Post reserve</b>	<b>23,691</b>	<b>(25,660)</b>	<b>(74,287)</b>	<b>(122,624)</b>	<b>(51,183)</b>	<b>(88,153)</b>	<b>117,524</b>	<b>(126,631)</b>	<b>245,303</b>	<b>89,460</b>	<b>22,761</b>	<b>22,761</b>	<b>10,919</b>	<b>23,472</b>	<b>20,190</b>
<b>Monthly Cash Balance</b>		<b>(10,189)</b>	<b>(84,476)</b>	<b>(207,101)</b>	<b>(258,283)</b>	<b>(346,436)</b>	<b>(228,911)</b>	<b>(355,542)</b>	<b>(110,239)</b>	<b>(20,779)</b>	<b>1,982</b>	<b>24,743</b>	<b>35,661</b>		<b>35,661</b>
<b>Beginning Cash Balance</b>	<b>15,471</b>														
<b>Cash Flow Loan from Green Dot/CCSA or Other (payback)</b>		50,000	50,000	100,000	50,000	75,000	0	0	(25,000)	(100,000)	(100,000)	(100,000)	(25,000)		(25,000)
<b>Adjusted Cash Balance</b>		<b>39,811</b>	<b>15,524</b>	<b>(7,101)</b>	<b>(8,283)</b>	<b>(21,436)</b>	<b>96,089</b>	<b>(30,542)</b>	<b>189,761</b>	<b>179,221</b>	<b>101,982</b>	<b>24,743</b>	<b>10,661</b>		<b>10,661</b>

### Year 3 Cash Flow Statement: Green Dot Public Schools Statewide Benefit Charter

Category	Year 3	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Accrued	Total Cash
<b>Revenue</b>															
<b>General Purpose Entitlement</b>															
Charter Schools General Purpose Entitlement State Aid	\$2,010,036	80,041	160,083	106,722	106,722	106,722	106,722	106,722	412,101	206,051	206,051	206,051	206,051	\$0	\$2,010,036
Charter Schools Funding In Lieu of Property Taxes	561,982	22,379	44,757	29,838	29,838	29,838	29,838	29,838	115,219	57,609	57,609	57,609	57,609	\$0	\$561,982
Summer School	67,002	0	0	0	33,501	33,501	0	0	0	0	0	0	0	\$0	\$67,002
<b>Total GP Entitlement &amp; In Lieu of Prop. Taxes</b>	<b>\$2,639,020</b>	<b>\$102,420</b>	<b>\$204,840</b>	<b>\$136,560</b>	<b>\$170,061</b>	<b>\$170,061</b>	<b>\$136,560</b>	<b>\$136,560</b>	<b>\$527,320</b>	<b>\$263,660</b>	<b>\$263,660</b>	<b>\$263,660</b>	<b>\$263,660</b>	<b>\$0</b>	<b>\$2,639,020</b>
<b>Special Education Entitlement</b>	183,805	0	0	0	62,494	14,704	14,704	14,704	25,733	12,866	12,866	12,866	12,866	\$0	\$183,805
<b>Federal Revenue</b>															
Federal Child Nutrition Programs	\$125,581	8,335	0	0	12,558	12,558	12,558	12,558	12,558	12,558	12,558	12,558	12,558	\$12,558	\$121,357
All Other Federal Revenue	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Title 1 Federal Revenue	171,559	0	0	28,465	0	0	42,890	0	0	85,779	0	0	0	\$42,890	\$157,134
Federal Implementation/Start up Grant Revenue	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
<b>Total Federal Revenue</b>	<b>\$297,139</b>	<b>\$8,335</b>	<b>\$0</b>	<b>\$28,465</b>	<b>\$12,558</b>	<b>\$12,558</b>	<b>\$55,448</b>	<b>\$12,558</b>	<b>\$12,558</b>	<b>\$98,337</b>	<b>\$12,558</b>	<b>\$12,558</b>	<b>\$12,558</b>	<b>\$55,448</b>	<b>\$278,491</b>
<b>Other State Revenue</b>															
Other State Apportionments	\$0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Charter School Categorical Block Grant	119,843	4,772	9,544	6,363	6,363	6,363	6,363	6,363	24,570	12,285	12,285	12,285	12,285	\$0	\$119,843
State Child Nutrition Program	5,635	374	0	0	563	563	563	563	563	563	563	563	563	\$563	\$5,445
State Lottery Revenue	58,877	9,769	0	0	9,769	0	14,719	0	0	14,719	0	0	0	\$29,439	\$48,977
All Other State Revenues	43,843	3,654	3,654	3,654	3,654	3,654	3,654	3,654	3,654	3,654	3,654	3,654	3,654	\$0	\$43,843
<b>Total Other State Revenue</b>	<b>\$228,197</b>	<b>\$18,569</b>	<b>\$13,198</b>	<b>\$10,017</b>	<b>\$20,349</b>	<b>\$10,580</b>	<b>\$25,299</b>	<b>\$10,580</b>	<b>\$28,787</b>	<b>\$31,222</b>	<b>\$16,502</b>	<b>\$16,502</b>	<b>\$16,502</b>	<b>\$30,002</b>	<b>\$218,107</b>
<b>Local Revenue</b>															
Interest	\$0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
All Other Transfers / Apportionments from County Offices	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
All Transfers from Other Green Dot Locations	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Student Lunch Revenue	8,769	0	0	877	877	877	877	877	877	877	877	877	877	\$0	\$8,769

### Year 3 Cash Flow Statement: Green Dot Public Schools Statewide Benefit Charter

Category	Year 3	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Accrued	Total Cash
Green Dot Startup Contribution	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
State Startup Grants	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Miscellaneous	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Student Body (ASB Fundraising)	15,450	0	1,405	1,405	1,405	1,405	1,405	1,405	1,405	1,405	1,405	1,405	1,405	\$0	\$15,450
School Site Fundraising	23,384	0	2,126	2,126	2,126	2,126	2,126	2,126	2,126	2,126	2,126	2,126	2,126	\$0	\$23,384
<b>Total Local Revenue</b>	<b>\$47,603</b>	<b>\$0</b>	<b>\$3,530</b>	<b>\$4,407</b>	<b>\$0</b>	<b>\$47,603</b>									
<b>TOTAL REVENUE</b>	<b>\$3,395,765</b>	<b>\$129,323</b>	<b>\$221,568</b>	<b>\$179,449</b>	<b>\$269,869</b>	<b>\$212,311</b>	<b>\$236,418</b>	<b>\$178,810</b>	<b>\$598,805</b>	<b>\$410,492</b>	<b>\$309,994</b>	<b>\$309,994</b>	<b>\$309,994</b>	<b>\$85,450</b>	<b>\$3,367,026</b>
<b>EXPENDITURES</b>															
	<b>Year 3</b>														
<b>Certificated Salaries</b>															
Teachers Salaries	\$1,068,845	33,239	48,584	97,168	97,168	97,168	97,168	97,168	97,168	97,168	97,168	97,168	97,168	\$48,584	\$1,053,501
Substitute Expense	23,973	0	2,179	2,179	2,179	2,179	2,179	2,179	2,179	2,179	2,179	2,179	2,179	\$0	\$23,973
Pupil Support Salaries	67,917	5,660	5,660	5,660	5,660	5,660	5,660	5,660	5,660	5,660	5,660	5,660	5,660	\$0	\$67,917
Certificated Supervisors	159,135	13,261	13,261	13,261	13,261	13,261	13,261	13,261	13,261	13,261	13,261	13,261	13,261	\$0	\$159,135
<b>Total Certificated Salaries</b>	<b>\$1,319,870</b>	<b>\$52,160</b>	<b>\$69,684</b>	<b>\$118,268</b>	<b>\$48,584</b>	<b>\$1,304,525</b>									
<b>Classified Salaries</b>															
Classified Support Salaries	\$55,295	0	5,027	5,027	5,027	5,027	5,027	5,027	5,027	5,027	5,027	5,027	5,027	\$0	\$55,295
Other Classified Salaries	20,570	0	1,870	1,870	1,870	1,870	1,870	1,870	1,870	1,870	1,870	1,870	1,870	\$0	\$20,570
Stipends	34,252	0	0	8,563	0	0	0	8,563	0	0	0	0	17,126	\$0	\$34,252
Overtime- Classified Support	2,765	0	251	251	251	251	251	251	251	251	251	251	251	\$0	\$2,765
Overtime - Other Classified	1,028	0	93	93	93	93	93	93	93	93	93	93	93	\$0	\$1,028
<b>Total Classified Salaries</b>	<b>\$113,910</b>	<b>\$0</b>	<b>\$7,242</b>	<b>\$15,805</b>	<b>\$7,242</b>	<b>\$7,242</b>	<b>\$7,242</b>	<b>\$15,805</b>	<b>\$7,242</b>	<b>\$7,242</b>	<b>\$7,242</b>	<b>\$7,242</b>	<b>\$24,368</b>	<b>\$0</b>	<b>\$113,910</b>
<b>Employee Benefits</b>															
	<b>Year 3</b>														
STRS	\$112,522	0	10,229	10,229	10,229	10,229	10,229	10,229	10,229	10,229	10,229	10,229	10,229	\$0	\$112,522
PERS	7,704	0	700	700	700	700	700	700	700	700	700	700	700	\$0	\$7,704

### Year 3 Cash Flow Statement: Green Dot Public Schools Statewide Benefit Charter

Category	Year 3	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Accrued	Total Cash
OASDI/Medicare-Cert	19,935	0	1,812	1,812	1,812	1,812	1,812	1,812	1,812	1,812	1,812	1,812	1,812	\$0	\$19,935
OASDI/Medicare-Class	9,245	0	840	840	840	840	840	840	840	840	840	840	840	\$0	\$9,245
Unemployment - Cert	17,041	0	1,549	1,549	1,549	1,549	1,549	1,549	1,549	1,549	1,549	1,549	1,549	\$0	\$17,041
Unemployment - Class	2,763	0	251	251	251	251	251	251	251	251	251	251	251	\$0	\$2,763
Health and Welfare Benefits - Cert	141,640	0	12,876	12,876	12,876	12,876	12,876	12,876	12,876	12,876	12,876	12,876	12,876	\$0	\$141,640
Health and Welfare Benefits - Class	17,237	0	1,567	1,567	1,567	1,567	1,567	1,567	1,567	1,567	1,567	1,567	1,567	\$0	\$17,237
Worker's Comp - Cert	108,473	0	9,861	9,861	9,861	9,861	9,861	9,861	9,861	9,861	9,861	9,861	9,861	\$0	\$108,473
Worker's Comp - Class	25,523	0	2,320	2,320	2,320	2,320	2,320	2,320	2,320	2,320	2,320	2,320	2,320	\$0	\$25,523
Other Employee Benefits	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
<b>Total Employee Benefits</b>	<b>\$462,082</b>	<b>\$0</b>	<b>\$42,007</b>	<b>\$0</b>	<b>\$462,082</b>										
<b>Books and Supplies</b>															
<i>Books &amp; School Supplies</i>															
Approved Textbooks Core Curriculum	\$65,600	0	0	6,560	6,560	6,560	6,560	6,560	6,560	6,560	6,560	6,560	6,560	\$0	\$65,600
Books / Other Reference Materials	3,020	0	3,020	0	0	0	0	0	0	0	0	0	0	\$0	\$3,020
Testing / Exam Supplies	6,214	0	0	0	0	777	777	777	777	777	777	777	777	\$0	\$6,214
Classroom Materials / Supplies	31,303	0	0	3,130	3,130	3,130	3,130	3,130	3,130	3,130	3,130	3,130	3,130	\$0	\$31,303
Materials and Supplies	20,506	0	0	2,051	2,051	2,051	2,051	2,051	2,051	2,051	2,051	2,051	2,051	\$0	\$20,506
Postage	1,087	0	99	99	99	99	99	99	99	99	99	99	99	\$0	\$1,087
Printing & Copying Expense	15,340	0	1,395	1,395	1,395	1,395	1,395	1,395	1,395	1,395	1,395	1,395	1,395	\$0	\$15,340
Messenger	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Noncapitalized Equipment	18,087	0	0	1,809	1,809	1,809	1,809	1,809	1,809	1,809	1,809	1,809	1,809	\$0	\$18,087
Non Educational Software	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Educational Software	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Computer Hardware	10,012	0	0	1,001	1,001	1,001	1,001	1,001	1,001	1,001	1,001	1,001	1,001	\$0	\$10,012
<i>Total Books &amp; School Supplies</i>	<i>\$171,169</i>	<i>\$0</i>	<i>\$4,514</i>	<i>\$16,044</i>	<i>\$16,044</i>	<i>\$16,821</i>	<i>\$0</i>	<i>\$171,169</i>							
<i>Student Activities and Events</i>															
Student Band Equipment	\$0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Student Athletic Equipment	10,175	0	0	1,018	1,018	1,018	1,018	1,018	1,018	1,018	1,018	1,018	1,018	\$0	\$10,175

### Year 3 Cash Flow Statement: Green Dot Public Schools Statewide Benefit Charter

Category	Year 3	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Accrued	Total Cash
General Student Supplies	12,816	0	0	1,282	1,282	1,282	1,282	1,282	1,282	1,282	1,282	1,282	1,282	\$0	\$12,816
Student Events	25,175	0	0	2,518	2,518	2,518	2,518	2,518	2,518	2,518	2,518	2,518	2,518	\$0	\$25,175
<i>Total Student Activities and Events</i>	\$48,167	\$0	\$0	\$4,817	\$4,817	\$4,817	\$4,817	\$4,817	\$4,817	\$4,817	\$4,817	\$4,817	\$4,817	\$0	\$48,167
<i>Student Food</i>															
Food	\$132,334	0	0	13,233	13,233	13,233	13,233	13,233	13,233	13,233	13,233	13,233	13,233	\$0	\$132,334
Non-District Food	19,529	0	0	1,953	1,953	1,953	1,953	1,953	1,953	1,953	1,953	1,953	1,953	\$0	\$19,529
<i>Total Student Food</i>	\$151,862	\$0	\$0	\$15,186	\$15,186	\$15,186	\$15,186	\$15,186	\$15,186	\$15,186	\$15,186	\$15,186	\$15,186	\$0	\$151,862
<b>Total Books and Supplies</b>	<b>\$371,198</b>	<b>\$0</b>	<b>\$4,514</b>	<b>\$36,047</b>	<b>\$36,047</b>	<b>\$36,824</b>	<b>\$0</b>	<b>\$371,198</b>							
<b>Services and Other Operating Expenditures</b>															
<i>Employee Development and Educational Support</i>															
Travel and Conferences	\$5,865	0	0	587	587	587	587	587	587	587	587	587	587	\$0	\$5,865
Auto Mileage	331	0	0	33	33	33	33	33	33	33	33	33	33	\$0	\$331
Parking	152	0	0	15	15	15	15	15	15	15	15	15	15	\$0	\$152
Training and Development	20,526	0	0	2,053	2,053	2,053	2,053	2,053	2,053	2,053	2,053	2,053	2,053	\$0	\$20,526
Dues and Membership	4,105	0	0	411	411	411	411	411	411	411	411	411	411	\$0	\$4,105
Educational Publications	456	0	0	46	46	46	46	46	46	46	46	46	46	\$0	\$456
<i>Total Employee Development and Educational Support</i>	\$31,435	\$0	\$0	\$3,144	\$3,144	\$3,144	\$3,144	\$3,144	\$3,144	\$3,144	\$3,144	\$3,144	\$3,144	\$0	\$31,435
<i>Insurance</i>	\$33,001	2,750	2,750	2,750	2,750	2,750	2,750	2,750	2,750	2,750	2,750	2,750	2,750	\$0	\$33,001
<i>Facilities, Facilities Related Expenses and Insurance</i>															
Operation / Housekeeping	59,630	4,969	4,969	4,969	4,969	4,969	4,969	4,969	4,969	4,969	4,969	4,969	4,969	\$0	\$59,630
Utilities	75,417	6,285	6,285	6,285	6,285	6,285	6,285	6,285	6,285	6,285	6,285	6,285	6,285	\$0	\$75,417
Drinking Water	836	70	70	70	70	70	70	70	70	70	70	70	70	\$0	\$836
Security Services	3,421	285	285	285	285	285	285	285	285	285	285	285	285	\$0	\$3,421
Space Rental / Lease (interest on mortgage)	339,576	28,298	28,298	28,298	28,298	28,298	28,298	28,298	28,298	28,298	28,298	28,298	28,298	\$0	\$339,576

### Year 3 Cash Flow Statement: Green Dot Public Schools Statewide Benefit Charter

Category	Year 3	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Accrued	Total Cash
Building Maintenance	21,248	1,771	1,771	1,771	1,771	1,771	1,771	1,771	1,771	1,771	1,771	1,771	1,771	\$0	\$21,248
<i>Total Facilities and Facilities Related Expenses</i>	\$500,129	\$41,677	\$41,677	\$41,677	\$41,677	\$41,677	\$41,677	\$41,677	\$41,677	\$41,677	\$41,677	\$41,677	\$41,677	\$0	\$500,129
<i>Student Transportation</i>															
Student Transportation	\$120,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	\$0	\$120,000
Transportation Repair	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
<i>Total Student Transportation</i>	\$120,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$0	\$120,000
<i>Other Services and Operating Expenditures</i>															
Equipment Rental / Lease	\$9,199	0	0	920	920	920	920	920	920	920	920	920	920	\$0	\$9,199
Equipment Repair	380	0	0	38	38	38	38	38	38	38	38	38	38	\$0	\$380
Professional / Consulting Services	4,141	345	345	345	345	345	345	345	345	345	345	345	345	\$0	\$4,141
Work Study Expense	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Legal Services	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Educational Consultants	54,736	0	0	5,474	5,474	5,474	5,474	5,474	5,474	5,474	5,474	5,474	5,474	\$0	\$54,736
Communications	19,766	1,647	1,647	1,647	1,647	1,647	1,647	1,647	1,647	1,647	1,647	1,647	1,647	\$0	\$19,766
<i>Total Other Services and Operating Expenditures</i>	\$88,222	\$1,992	\$1,992	\$8,424	\$8,424	\$8,424	\$8,424	\$8,424	\$8,424	\$8,424	\$8,424	\$8,424	\$8,424	\$0	\$88,222
<b>Total Services and Other Operating Expenditures</b>	<b>772,787</b>	<b>56,420</b>	<b>56,420</b>	<b>65,995</b>	<b>0</b>	<b>772,787</b>									
<b>Capital Outlay</b>															
Books / Media Library	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Depreciation (on direct with school)	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
Equipment	35,035	0	0	3,504	3,504	3,504	3,504	3,504	3,504	3,504	3,504	3,504	3,504	\$0	\$35,035
Furniture	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0
<b>Total Capital Outlay</b>	<b>\$35,035</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,504</b>	<b>\$0</b>	<b>\$35,035</b>									
<b>Other Outgo</b>															
Miscellaneous	\$6,136	511	511	511	511	511	511	511	511	511	511	511	511	\$0	\$6,136

### Year 3 Cash Flow Statement: Green Dot Public Schools Statewide Benefit Charter

Category	Year 3	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Accrued	Total Cash
Recruitment Expense	583	194	194	194	-	-	-	-	-	-	-	-	-	\$0	\$583
Fundraising Expense	4,660	388	388	388	388	388	388	388	388	388	388	388	388	\$0	\$4,660
Transfers to Other Locations (depr. From Home Office)	0	-	-	-	-	-	-	-	-	-	-	-	-	\$0	\$0
Debt Service - Interest	9,967	831	831	831	831	831	831	831	831	831	831	831	831	\$0	\$9,967
District Oversight Fee	33,958	2,830	2,830	2,830	2,830	2,830	2,830	2,830	2,830	2,830	2,830	2,830	2,830	\$0	\$33,958
Management Fee	203,746	16,979	16,979	16,979	16,979	16,979	16,979	16,979	16,979	16,979	16,979	16,979	16,979	\$0	\$203,746
<b>Total Other Outgo</b>	<b>\$259,050</b>	<b>\$21,733</b>	<b>\$21,733</b>	<b>\$21,733</b>	<b>\$21,539</b>	<b>\$0</b>	<b>\$259,050</b>								
<b>Transfers of Indirect / Direct Support Costs</b>															
Transfers of Indirect / Direct Support Costs #1	\$0	-	-	-	-	-	-	-	-	-	-	-	-	\$0	\$0
Transfers of Indirect / Direct Support Costs #2	0	-	-	-	-	-	-	-	-	-	-	-	-	\$0	\$0
<b>Total Transfers of Indirect / Direct Support Costs</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>TOTAL EXPENDITURES</b>	<b>\$3,333,931</b>	<b>\$130,313</b>	<b>\$201,600</b>	<b>\$303,359</b>	<b>\$294,601</b>	<b>\$295,378</b>	<b>\$295,378</b>	<b>\$303,941</b>	<b>\$295,378</b>	<b>\$295,378</b>	<b>\$295,378</b>	<b>\$295,378</b>	<b>\$312,504</b>	<b>\$48,584</b>	<b>\$3,318,587</b>
<b>Sub net income - pre reserve</b>	<b>61,833</b>	<b>(990)</b>	<b>19,968</b>	<b>(123,910)</b>	<b>(24,733)</b>	<b>(83,068)</b>	<b>(58,960)</b>	<b>(125,132)</b>	<b>303,427</b>	<b>115,114</b>	<b>14,616</b>	<b>14,616</b>	<b>(2,510)</b>	<b>36,866</b>	<b>48,439</b>
Reserve for Economic Uncertainty	\$46,071	3,839	3,839	3,839	3,839	3,839	3,839	3,839	3,839	3,839	3,839	3,839	3,839	\$0	\$46,071
<b>Net Income - Post reserve</b>	<b>15,763</b>	<b>(4,829)</b>	<b>16,129</b>	<b>(127,749)</b>	<b>(28,572)</b>	<b>(86,907)</b>	<b>(62,799)</b>	<b>(128,971)</b>	<b>299,588</b>	<b>111,275</b>	<b>10,776</b>	<b>10,776</b>	<b>(6,349)</b>	<b>36,866</b>	<b>2,368</b>
<b>Monthly Cash Balance</b>		<b>5,832</b>	<b>21,961</b>	<b>(105,788)</b>	<b>(134,360)</b>	<b>(221,267)</b>	<b>(284,066)</b>	<b>(413,037)</b>	<b>(113,449)</b>	<b>(2,174)</b>	<b>8,603</b>	<b>19,379</b>	<b>13,030</b>		<b>13,030</b>
<b>Beginning Cash Balance</b>	<b>10,661</b>														
<b>Cash Flow Loan from Green Dot/CCSA or Other (payback)</b>		0	50,000	50,000	50,000	50,000	50,000	100,000	0	(50,000)	(100,000)	(100,000)	(100,000)		0
<b>Adjusted Cash Balance</b>		<b>5,832</b>	<b>71,961</b>	<b>(5,788)</b>	<b>15,640</b>	<b>(21,267)</b>	<b>(34,066)</b>	<b>(63,037)</b>	<b>236,551</b>	<b>297,826</b>	<b>208,603</b>	<b>119,379</b>	<b>13,030</b>		<b>13,030</b>



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

<b>SUBJECT</b>	<input checked="" type="checkbox"/> Action
State Board of Education-Approved Charter Schools: Update	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

### RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE) receive the regular update on SBE-approved charter schools and take action as deemed necessary and appropriate.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Since January 1999, the SBE has approved 12 charter school petitions that had been initially denied (or denied at renewal) at the local level. Of these, nine are currently operating under CDE oversight; one now operates under the authorization of a local educational agency; one is shifting to a local authorizer on July 1, 2006; and one was voluntarily surrendered.

Charter School Name	Approval Date	Opening Date	Renewal Date
Oakland Military Institute <sup>1</sup>	Dec 2000	Sep 2001	N/A
Ridgecrest Charter School (Kern County)	Dec 2000	Sep 2001	Mar 2009
Edison Charter Academy (San Francisco) <sup>2</sup>	Jul 2001	Aug 2001	Jun 2011
New West Charter Middle School (Los Angeles) <sup>3</sup>	Dec 2001	Sep 2003	Jun 2007
Animo Inglewood Charter High School	Dec 2001	Sep 2002	Jun 2010
School of Arts and Enterprise (Pomona)	Sep 2002	Sep 2003	Jun 2011
Knowledge is Power Program (San Lorenzo) <sup>4</sup>	Feb 2003	Aug 2003	N/A
Academy of Culture and Technology (Pomona)	Nov 2003	Sep 2005	Jun 2008
Leadership Public Schools-San Rafael <sup>5</sup>	Nov 2003	N/A	N/A
Livermore Valley Charter School	Nov 2004	Sep 2005	Jun 2008
Leadership Public Schools-Hayward	Mar 2005	Sep 2005	Mar 2008
High Tech High-Bayshore <sup>6</sup>	Jan 2006	Sep 2005	Jun 2011

**SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION (Cont.)**

- <sup>1</sup> Approved by the SBE, but renewed by the Oakland Unified School District.
- <sup>2</sup> Approved by the San Francisco Unified School District, but the SBE became the authorizer at the time of first renewal.
- <sup>3</sup> Initially scheduled to open in September 2002, but granted two one-year extensions.
- <sup>4</sup> Approved by SBE, but has been renewed by the San Lorenzo Unified School District which assumes oversight effective July 1, 2006.
- <sup>5</sup> Charter surrendered in June 2005.
- <sup>6</sup> Approved by San Mateo County Office of Education for one year only. The SBE has renewed the charter and assumes oversight effective July 1, 2006.

Since January 1994, the SBE and the State Superintendent of Public Instruction have jointly approved eight all-charter districts that include a total of 15 schools. All-charter districts became operative in the year approved.

District Name (County)	Approval Date	Renewal Date
Pioneer Union Elementary School District (Kings)	Jan 1994	May 2009
Kingsburg Union Elementary School District (Fresno)	May 1996	Jun 2011
Delta View Joint Union Elementary School District (Kings)	Jun 1999	May 2009
Hickman Community Charter District (Stanislaus)	Jul 1994	Jan 2010
Alvina Elementary Charter School District (Fresno)	Jul 2000	May 2010
Island Union Elementary School District (Kings)	Oct 2000	May 2010
Kings River-Hardwick School District (Kings)	May 2001	May 2009
Jacoby Creek Charter School District (Humboldt)	Jun 2002	Jan 2009

In January 2006, the SBE approved the first statewide benefit charter school which plans to begin operating two schools in 2007 and may include as many as ten schools by 2012.

Charter School Name	Approval Date	Opening Date	Renewal Date
High Tech High	Jan 2006	Sep 2007	Jun 2012

**SUMMARY OF KEY ISSUES**

Pursuant to *Education Code (EC)* Section 47605(j), as of January 1, 1999, a charter school petition that had been denied approval by a local educational agency (LEA) could be presented directly to the SBE on appeal. As of January 1, 2003, a charter school petition (in most cases) must first be denied by both a local school district and a county office of education before it may be presented to the SBE on appeal.

*EC* Section 47605.8 allows a charter school petitioner to submit a petition directly to the SBE for the operation of a statewide benefit charter school that may operate at multiple sites throughout the state. The SBE may not approve the petition for a statewide benefit charter school unless it finds that the charter school will provide instructional services of statewide benefit that cannot be provided by a charter school operating in only one school district or only one county.

## **SUMMARY OF KEY ISSUES (Cont.)**

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As the charter authorizer, the SBE has monitoring responsibilities for its charter schools. The CDE Charter Schools Division staff monitors the charter schools on the SBE's behalf and provides periodic reports on the charter schools. As a result of the passage of Assembly Bill (AB) 1137 (Chapter 892, Statutes of 2003), the oversight responsibilities of authorizing entities, including the SBE, have been more clearly defined (*EC* Section 47604.32). All authorizing entities are required to identify a contact person, visit the charter school annually, ensure compliance with all reporting requirements, monitor the fiscal condition, and provide notification regarding renewal, revocation, or ceasing of operations. AB 1137 also amended *EC* Section 47607 pertaining to the renewal or revocation of charters including the addition of performance criteria to be met prior to receiving a charter renewal. The law provides that the cost of performing these duties shall be funded with supervisory oversight fees collected pursuant to *EC* Section 47613 (an amount not to exceed one percent of the school's general purpose and categorical program revenue in most cases).

There are currently two staff in the Charter Schools Division assigned to oversee the nine currently operating SBE-approved charter schools, the eight all-charter districts, and the one statewide benefit charter. Assigned staff make periodic site visits to the SBE-authorized charter schools and all-charter districts.

For charter schools authorized by the SBE on appeal, *EC* Section 47605(k)(1) currently provides that the SBE may, by mutual agreement, designate its supervisory and oversight responsibilities to any local educational agency in the county in which the charter school is located or to the governing board of the school district that first denied the petition (although this has never been done). Similarly, for statewide benefit charters, *EC* Section 47605.8(c) provides, as a condition of approval, that the SBE may enter into an agreement with a third party, at the expense of the charter school, to oversee, monitor, and report on the operations of the charter school.

With regard to all-charter districts (which are established by joint approval of the SBE and the State Superintendent of Public Instruction), county offices of education currently provide a significant amount of assistance and oversight under AB 1200 (Chapter 1213, Statutes of 1991). Unlike the two types of SBE-approved charters, there is no specific provision for contracting or designating by agreement the oversight responsibility for all-charter districts.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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There is no specific action requested under this item, so no fiscal impact can be identified.

## **ATTACHMENT(S)**

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None



# CALIFORNIA STATE BOARD OF EDUCATION

## July 2006 AGENDA

SUBJECT	
Academy of Culture and Technology: Revocation Pursuant to <i>Education Code</i> Section 47607(d) and Direction to Proceed with Closure	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### RECOMMENDATION

The California Department of Education (CDE) recommends the State Board of Education (SBE) revoke the charter of the Academy of Culture and Technology (ACT), effective June 30, 2006, based upon findings that the ACT committed material violations of conditions set forth in the charter and violated provisions of law within the meaning of *Education Code (EC)* Section 47607(c).

The CDE further recommends that the SBE direct the CDE to proceed with oversight of closure activities regarding the ACT, including, but not limited to, transfer of pupil records, filing of remaining reports for 2005-06 pursuant to *EC* Section 47604.33, the 2005-06 audit pursuant to *EC* Section 41020 and a final audit, collection of funds owed the state and/or federal government as the result of 2005-06 audit exceptions, and dispersal of any remaining net assets in keeping with the ACT charter.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE approved the ACT charter petition in November 2003. However, the school struggled with operational issues and did not operate during 2004-05. The school was granted provisional status to open in September 2005, pending resolution of a number of operational issues related to the educational program, staff, and facility. The CDE staff visited the school on a number of occasions, and copies of follow-up letters to the school have been provided to SBE members and staff. In addition, the SBE has received periodic oral updates regarding the school.

Pursuant to *EC* Section 47607(d), the SBE approved a Notice to Cure at its May 2006 meeting, anticipating the potential of revoking the ACT charter at the July 2006 meeting. The Notice to Cure was provided to the school on or about May 12, 2006. In pertinent part, the document said:

In summary, then, the SBE directs the ACT to provide satisfactory evidence of the following on or before the close of business on **Monday, June 12, 2006**:

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

- That work has been completed on the school site's alarm system for emergencies during school hours, and that the system is fully operational.
- That all of ACT's teachers have been properly credentialed consistent with *EC* Section 47605(l) and qualified consistent with *California Code of Regulations*, Title 5, Sections 6100-6126 during the entire 2005-06 school year and that, therefore, the school does not face an audit exception related to improper credentialing or qualification for 2005-06.
- That at least 140 students have committed to enroll in the school during the 2006-07 school year as evidenced by completion of an enrollment application.
- That ACT either (1) does not plan to expand to the tenth grade in 2006-07 or (2) is able to secure the approval of the CDE to expand to serve tenth grade students in 2006-07, providing faculty, instructional resources, and facilities sufficient to offer an appropriate array of college-preparatory courses for students at that grade level.
- That the ACT site is completely operational and that the ACT has resolved all ongoing problems related to the reporting of financial-related information to the CDE.

The State Board of Education voted unanimously in support of the Notice to Cure and to reiterate that failure to resolve all outstanding issues noted above will result in the California Department of Education recommending to the SBE that it revoke the Academy of Culture and Technology charter school at its July meeting.

With the approval of the SBE president, a limited scope "risk assessment" of the ACT was conducted by the CDE's Audits and Investigations Division during June 2006 (hereafter referred to as "CDE risk assessment").

## **SUMMARY OF KEY ISSUES**

On Monday, June 12, 2006 (at approximately 4:05 p.m.), the ACT responded to the Notice to Cure with a two-page letter and 19 pages of attachments (by fax). The ACT had earlier delivered (by mail) copies of teacher credentials and credential-related information. All of this information is included in Attachment 1. Since the ACT's response incorporates confidential information about the teachers, Attachment 1 is being provided in hardcopy only to the members of the SBE. The results of the CDE risk assessment are provided in Attachment 2.

## **SUMMARY OF KEY ISSUES - continued**

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Pursuant to *EC* Section 47607(c), four reasons justify revocation of a charter. They are:

- (1) Material violation of any of the conditions, standards, or procedures set forth in the charter.
- (2) Failure to meet or pursue any of the pupil outcomes identified in the charter.
- (3) Failure to meet generally accepted accounting principles, or engaging in fiscal mismanagement.
- (4) Violation of any provision of law.

Prior to revocation of a charter, *EC* Section 47607(d) requires that the charter authorizer present the school with a Notice to Cure, i.e., a document that outlines one or more issues (violations) that would form the basis for the revocation, and then provide the school a reasonable opportunity to address the issues to the authorizer's satisfaction. As noted above, the SBE approved and sent a Notice to Cure to the ACT in May 2006.

The following paragraphs provide detailed information regarding the ACT response to each issue in the Notice to Cure, along with CDE staff comments.

**Notice to Cure Issue #1.** Provide satisfactory evidence that work has been completed on the school site's alarm system for emergencies during school hours, and that the system is fully operational.

**ACT Response (Issue #1).** We have spent an enormous amount of time and effort attempting to reactivate the existing fire alarm system in our building. The system was activated last week, and we contacted Kent Van Gelder (Inspector/School Facilities Division) in order to arrange an inspection of our system. In the meantime, the contractor working on the system damaged a voltage rectifier to the system and parts are extremely difficult to find. We need an additional ten days to have the system completely functioning. We request that you grant us this additional time, and we will make arrangements with Mr. Van Gelder to do a final inspection to the system on June 22, 2006.

**CDE Staff Comments (Issue #1).** By its own terms, the ACT's statement in regard to Notice to Cure Issue #1 is non-responsive. The work was not completed by the specified deadline. The CDE risk assessment review team confirmed that the fire alarm system was not operational during their visit, despite the fact that the alarm system has been an issue with the ACT throughout 2005-06. Moreover, Mr. Van Gelder re-inspected the premises on Monday, June 19, 2006, and found the alarm system inoperable. Continuing inspection related to the alarm system appeared fruitless.

By not completely satisfying the Notice to Cure, the ACT materially violated its charter, in which the school pledged to maintain facilities that meet the requirements of the Uniform Building Code, South Coast Air Quality Management District, and the Health Department.

## **SUMMARY OF KEY ISSUES - continued**

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**Notice to Cure Issue #2.** Provide satisfactory evidence that all of ACT's teachers have been properly credentialed consistent with *EC* Section 47605(l) and qualified consistent with *California Code of Regulations*, Title 5, Sections 6100-6126 during the entire 2005-06 school year and that, therefore, the school does not face an audit exception related to improper credentialing or qualification for 2005-06.

**ACT Response (Issue #2).** We have sent you copies by express mail of credentials for our entire teaching staff, along with an organization chart and a list of all teachers employed by ACT. We have labored to make sure that all of our teachers have appropriate credentials for each of the subjects taught at ACT and we believe that all of our staff are complaint in this regard.

**CDE Staff Comments (Issue #2).** The documents supplied by the ACT, combined with the findings of the CDE risk assessment, confirm that not all of the ACT's teachers were appropriately credentialed during the "entire 2005-06 school year" as specified in the Notice to Cure. This evidence leads to the inevitable conclusion that the ACT will have a major audit exception for 2005-06. For example, the ACT had at least two teachers with emergency 30-day substitute permits during 2005-06. Beyond these teachers' first 30 days of instruction, all of the instructional time they provided should be disallowed in the audit process. This audit exception alone would be a devastating blow to the school's financial situation midway through 2006-07. The ACT was notified multiple times before and during 2005-06 regarding teacher credentialing and highly qualified teacher requirements for core academic courses.

In addition, it should be noted that:

- A properly credentialed science teacher apparently left during 2005-06 and was replaced by an improperly credentialed teacher. No notification was given to the CDE.
- An individual who was not properly credentialed, and about whom CDE staff had expressed concern because of the individual's criminal record, was employed as a teacher of English sometime during 2005-06. No notification was given to the CDE.

By not satisfying the Notice to Cure, the ACT materially violated its charter, in which it pledged to have teachers of core subjects who would have, at a minimum, "single subject certification" issued by the Commission on Teacher Credentialing (CTC). The ACT also violated the provisions of *EC* Section 47605(l), which require that teachers of core subjects hold CTC certification required of teachers in other public schools.

**Notice to Cure Issue #3.** Provide satisfactory evidence that at least 140 students have committed to enroll in the school during the 2006-07 school year as evidenced by completion of an enrollment application.

## **SUMMARY OF KEY ISSUES - continued**

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**ACT Response (Issue #3).** The ACT began its school year with approximately ninety-three students and we will close out the year with seventy six. We are sending you ACT financial statements for the first quarter, first six months, and current fiscal year in order to demonstrate that ACT is in relatively good financial condition based upon an ADA that we anticipate will increase to about 110 to 115 students next year, which will greatly enhance the school's overall financial operations.

The CDE requirement that ACT show "that at least 140 students have committed to enroll in the school during the 2006-07 school year as evidenced by completion of an enrollment application," we feel, should be reconsidered for the following reasons:

- 1). Without a tenth grade, 140 students would actually be too large of a school for us next year. We would still prefer to have about 25 to 28 students per grade level, which means about 110 to 115 students.
- 2). Given the uncertain circumstances that we find ourselves in, ACT can not in good faith launch a major school recruitment effort until we are sure that we will be able to remain open. In addition, there remains almost three weeks in our school calendar and recruitment will tend to lag at this time. There is no possible way that such recruitment goals can be achieve at this time.

We would request that, at the very least, CDE revise its enrollment targets and provide the ACT with an entire summer period in order to conduct an appropriate recruitment effort.

**CDE Staff Comments (Issue #3).** The ACT's response makes it clear that the school has made no effort to recruit students during the period provided in the Notice to Cure. Accordingly, the SBE has no assurance that the school could actually recruit either the 110 to 115 students mentioned in the ACT's response, or the 140 students mentioned in the Notice to Cure. If the "entire summer period" is provided for the ACT to recruit students, then a commitment is implied that the school will operate in 2006-07. This is not a responsible course of action.

The financial statements provided by the ACT (which are unaudited) do not provide reliable information. CDE staff have noted the following inconsistencies in the documents:

- In the statements for the periods ending December 31, 2005 (see Attachment 1, the sheets identified as pages 7 and 8 in the lower right corner), and March 31, 2006 (see Attachment 1, the sheets identified as pages 10 and 11 in the lower right corner), the figures in the "current month" column are identical to the figures as the "year to date" column. However, in the statement for the period ending June 30, 2006 (see Attachment 1, the sheets identified as pages 13 and 14 in the lower right corner), the "current month" and "year to date" columns are different.
- In a second set of statements for the period ending June 30, 2006 (see Attachment 1, the sheets identified as pages 16 and 17 in the lower right corner), different figures are provided for the "current month" column, such that the column actually totals more than the "year to date" column.

## **SUMMARY OF KEY ISSUES - continued**

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- Looking at the “year-to-date” figures for the 12 months ending June 30, 2006 (see Attachment 1, the sheets identified as pages 16 and 17 in the lower right corner), revenues totaled slightly more than \$525,000, and expenditures totaled about \$460,000. However, total revenues include more than \$157,000 in grant income. Absent the grant income, the ACT would have had a serious deficit.

By not satisfying the Notice to Cure, the ACT materially violated its charter, in which it pledged to maintain financial viability and have accurate financial records.

**Notice to Cure Issue #4.** Provide satisfactory evidence that ACT either (1) does not plan to expand to the tenth grade in 2006-07 or (2) is able to secure the approval of the CDE to expand to serve tenth grade students in 2006-07, providing faculty, instructional resources, and facilities sufficient to offer an appropriate array of college-preparatory courses for students at that grade level.

**ACT Response (Issue #4).** The ACT will not provide a tenth grade level next year. We agree with the CDE concerns expressed that we may not be ready to provide a tenth grade this upcoming year. In hindsight, it would have been much better for ACT to offer a sixth through eight grade program, and then advancing to the ninth grade in the second year, as we plan to do now. We are working with our current ninth graders to inform them of various academic options that they have to access educational programs that can meet their particular needs.

**CDE Staff Comments (Issue #4).** The ACT satisfied Issue #4 by indicating that it does not intend to serve tenth grade students in 2006-07.

**Notice to Cure Issue #5.** Provide satisfactory evidence that the ACT site is completely operational and that the ACT has resolved all ongoing problems related to the reporting of financial-related information to the CDE.

**ACT Response (Issue #5).** We understand, however, the CDE staff’s concerns. For instance, we are still trying to complete the semi-annual financial report due-- we experienced lots of software problems in getting our accounting system to a point where it is today, and we still are having problems completing all of the details required in the report. We anticipate having the report to you in two weeks. The recent financial review by members of the CDE Audits and Investigations division has confirmed, I believe, that we have an integrally sound accounting system in place, just as I believe we have a sound academic program in place. However, I will be the first to acknowledge that we have many improvements to make in order for us to achieve our goal of becoming our City’s very best school.

**CDE Staff Comments (Issue #5).** The ACT’s response essentially acknowledges that problems related to the reporting of financial-related information continue to exist. The CDE risk analysis, while finding an accounting system in place, identified internal control weaknesses that could significantly affect the ACT’s ability to safeguard school assets. For example, the CDE risk analysis pointed out inadequate separation of key financial

## **SUMMARY OF KEY ISSUES - continued**

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duties and failure to manage and account for fixed assets in a prudent manner. Moreover, the integrity of the ACT's financial reporting could be compromised.

By not satisfying the Notice to Cure, The ACT materially violated its charter, in which it pledged, as noted above, to maintain facilities that meet the requirements of the Uniform Building Code, South Coast Air Quality Management District, and the Health Department, and to provide timely financial reports.

For the reasons stated above, the CDE recommends that the SBE revoke the ACT's charter, based upon findings that the ACT committed material violations of the conditions set forth in the charter and violated provisions of law within the meaning of *EC* Section 47607(c).

The CDE further recommends that the SBE direct the CDE to proceed with oversight of closure activities regarding the ACT, including, but not limited to, transfer of pupil records, filing of remaining reports for 2005-06 pursuant to *EC* Section 47604.33, conduct of a 2005-06 audit pursuant to *EC* Section 41020 and a final audit, collection of funds owed the state and/or federal government as the result of 2005-06 audit exceptions, and dispersal of any remaining net assets in keeping with the ACT charter.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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There would be essentially no state cost related to revocation of the ACT's charter. If the SBE were to revoke the charter, some shifting of state expenditures would occur from the ACT to other local educational agencies (due to the transfer of students), but overall state expenditures would be essentially unchanged. There would be a minor loss of revenue to the CDE from the oversight fees collected from the ACT. However, the revenue loss would be approximately offset by the reduction in costs for oversight activities.

## **ATTACHMENT(S)**

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Attachment 1: The ACT's response to the Notice to Cure (38 pages). This document is being provided in hardcopy only to the members of the SBE, since it includes confidential information about the ACT's teachers.

Attachment 2: Risk Assessment of the ACT performed by the CDE's Audits and Investigations Division (6 pages)

**Response to the Notice to Cure by the  
Academy of Culture and Technology (ACT)**

Attachment 1 is the ACT's response to the SBE's Notice to Cure. Because the response contains confidential information regarding ACT employees, the attachment is being provided in hardcopy only to the members of the SBE.

California Department of Education

## Memorandum

**Date:** June 22, 2006

**To:** Marta Reyes, Director  
Charter Schools Division

**From:** Kevin W. Chan, Director  
Audits and Investigations Division

**Subject:** **Academy of Culture and Technology – Risk Assessment**

At the Charter Schools Division's (CSD) request and the California State Board of Education's (SBE) authorization, the Audits and Investigations Division conducted a risk assessment of the Academy of Culture and Technology (ACT).

**Background:**

On November 12, 2003, the SBE authorized and granted ACT's charter for the term, July 1, 2005 to June 30, 2008. ACT was incorporated in February 2004 as a nonprofit public benefit corporation, organized, and operated exclusively for charitable and educational purposes. ACT has a 5-person Board of Directors consisting of ACT's Director and four community members. On September 20, 2005, ACT opened its doors for students in grades six through nine.

**Scope of Review:**

The scope of our review encompassed the 2005-06 school year, the year the school opened under its authorized charter. We conducted our risk assessment to: (1) assess ACT's accounting and financial reporting process; (2) identify and review related-party transactions; (3) verify attendance and enrollment; and (4) determine whether ACT teachers were properly credentialed.

During fieldwork, we conducted the following procedures:

- Interviewed ACT staff to gain an understanding of the school's accounting system and attendance reporting controls
- Reviewed ACT's accounting records and requested supporting documents for expenditure transactions for one month, March 2006

Marta Reyes, Director  
June 22, 2006  
Page 2

- Conducted a head-count of students attending school and compared it to the daily attendance records
- Reviewed student files to verify student enrollment at the school
- Reviewed the building lease agreement to determine whether it was a related-party transaction and, whether the lease was fair, reasonable, and conducted at arms length
- Reviewed teacher files to ensure the teachers were properly credentialed

Our risk assessment was conducted in accordance with the general standards contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Due to the limited scope, our risk assessment does not constitute a financial statement audit conducted in accordance with *Government Auditing Standards*. Therefore, we do not express an opinion on the financial statements, or on any individual account balances. Had we performed additional procedures, or conducted an audit of the financial statements in accordance with *Government Auditing Standards*, other matters might have come to our attention that may have been reported.

### **Observations:**

#### ***Accounting and Financial Reporting***

ACT uses a computerized accounting system to generate monthly financial statements, perform bank reconciliations of its checking and saving accounts, and record cash disbursements. To assess the reliability of ACT's accounting records, we traced a sample of expenditures to supporting documentation and noted no material exceptions. However, the following internal control weaknesses exist in ACT's accounting processes that need to be strengthened.

**Observation 1** – ACT does not have adequate segregation of duties over cash receipts and disbursements. For example:

- The ACT Director opens the mail, retains cash and checks, and makes the bank deposits. After the Director makes the deposits, he submits the deposit receipts to the Business Manager for entry into the accounting system. If the cash receipt and deposit duties are not segregated among two or more individuals, cash can be misappropriated without timely detection. For example, if the Business Manager does not receive a deposit receipt from the Director, the cash receipt may not be appropriately recorded.

Marta Reyes, Director  
June 22, 2006  
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- The Director has control of the ACT credit card and can make purchases at his discretion. Although two designated school board members are required to sign all checks, the Director also has approval to sign checks when one of the board members is not available, including checks for payment of credit card purchases.

*Recommendation 1 – ACT should ensure that significant accounting duties such as cash receipts, deposits, and purchasing are separated among two or more staff to reduce the risk of misappropriation and the timely detection of errors. In addition, no one individual at ACT should have the authority to initiate, approve, and issue payment for school expenditures.*

**Observation 2** – ACT does not have adequate control over its fixed assets. Specifically, ACT does not: (1) record its equipment in its accounting system; (2) conduct a annual physical inventory; and (3) maintain a fixed asset listing containing pertinent information such as asset descriptions, acquisition dates, cost, location, serial numbers, and accumulated depreciation. Without a physical inventory or a fixed asset listing that can be reconciled to the financial statements, ACT cannot adequately track and safeguard its assets.

*Recommendation 2 – ACT should record all of its equipment in its accounting system, conduct an annual physical inventory of its assets, and reconcile the inventory to the accounting records. Additionally, at least every two years, ACT should verify the existence, current utilization, and continued need for all of its assets. Furthermore, ACT should maintain a detailed fixed asset listing inventory system that records asset descriptions, acquisition dates, cost, location, serial numbers, and accumulated depreciation.*

**Observation 3** – ACT failed to submit the required interim financial reports that were due on December 15, 2005 and March 15, 2006 to the SBE, its chartering authority.

*Recommendation 3 – ACT should ensure that it meets its reporting requirements by preparing and submitting the interim financial reports as required the California Education Code, Section 47604.33.*

### **Related Party Transactions**

The ACT Director is on the Pomona Valley Center for Community Development's (Center) Board of Directors. The Center is a community-based organization that provides services mainly to the low-income, Spanish-speaking population in Pomona

Marta Reyes, Director  
June 22, 2006  
Page 4

and Baldwin Park. Since ACT rents its school building from the Center, we consider the building lease agreement to be a related-party transaction.

**Observation 4** – ACT leases a building from the Center at a rate of \$.65 per square foot with an annual rental cost of \$100,620. To determine whether that was a fair and reasonable rate for such property, we surveyed properties currently available in that area. Based on our survey, we found that the amount being charged by the Center falls at the lower end of the range of rental rates. However, although the lease agreement appears to be reasonable, ACT was unable to provide us any evidence of Board approval or evidence that the Director, as a member of both boards, excluded himself from the approval process.

Furthermore, during a tour of the school, we noted instances where the building facilities were not in complete working order. For example, due to renovations, the children must bring their own lunch from home because the kitchen is not in working order and ACT has not received city clearance to operate the kitchen. Additionally, although the restrooms are in working order, the restroom floors are in an unfinished condition with signs of tile or linoleum removal.

*Recommendation 4 – ACT should require Board approval (excluding the ACT Director and any other interested parties) of all related party transactions to ensure charter school funds are not used for the personal benefit of any officer, director, or fiduciary of the charter school. Additionally, ACT should immediately make the necessary repairs to ensure that the building is in complete working order.*

### **Attendance and Enrollment**

To assess the ACT's attendance and enrollment, we conducted a head-count of students attending school during fieldwork and compared it to the daily attendance records. We also reviewed student files to verify student enrollment at the school. Based on our head count, we identified 70 students during the first period of the day consisting of 17 sixth graders, 26 seventh graders, 14 eighth graders, and 13 ninth graders. We reconciled our count to the teachers' daily attendance records, which showed four additional eighth graders and two additional ninth graders; however, these six students were marked either tardy or absent. We also reviewed student files to ensure that students were actually enrolled in ACT, and determined that all 76 students were enrolled.

Marta Reyes, Director  
June 22, 2006  
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### ***Teacher Credentialing***

To determine whether the ACT teachers were properly credentialed, we reviewed all eight teacher files for a Commission on Teacher Credentialing (CTC) certificate, permit, or other equivalent document as required by *California Education Code*, Section 47605(l).

**Observation 5** – Three of the ACT's full-time teachers did not have a CTC certificate, permit, or other equivalent document on file with the school to substantiate that they were properly credentialed. Specifically:

- One full-time teacher, instructing English at ACT since 9/20/05, holds an Emergency 30-Day Substitute Teaching Permit. However, this permit only allows the teacher to serve as a substitute for no more than 30 days for any one teacher and may only serve for a maximum of 90 days during the school year. The teacher's file also contained a letter from a private university dated June 7, 2006, confirming that the teacher was enrolled in its Single Subject/English/1059 credential program. No other certificate, permit, or other equivalent document was in the file.
- One full-time teacher, instructing Math at ACT since 9/20/05, holds an Emergency 30-Day Substitute Teaching Permit. However, this permit only allows the teacher to serve as a substitute for no more than 30 days for any one teacher and may only serve for a maximum of 90 days during the school year. The teacher's file also contained a letter from a private university dated May 3, 2006, confirming that the teacher is enrolled in its Single Subject Credential Program, had recently passed the Foundational Mathematics Subject Matter Examination, and that it is anticipated he will be eligible to apply for a credential in January 2007. No other certificate, permit, or other equivalent document was in the file.
- One full-time teacher, instructing Science at ACT since March 2006, did not appear to be properly certificated. Specifically, the teacher's file did not have a CTC certificate, permit, or other equivalent document. Also, the file contained a letter from a private university dated March 13, 2006, confirming that the teacher was eligible to enter its 2042 Single Subject University Internship Credential Program and was also eligible for Subject Matter Authorizations in Introductory Science, Chemistry Specific, and Biology Specific.

Marta Reyes, Director  
June 22, 2006  
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*Recommendation 5 – ACT should require that all of its full-time teachers, instructing core or college preparatory courses, hold a CTC certificate, permit or other equivalent document as required by the California Education Code, Section 47605(l), in order to ensure that the conditions of apportionment of state funds are fully met.*

Conclusion:

Based on our risk assessment, ACT did not: (1) establish adequate segregation of duties over its cash receipts and credit card purchases; (2) maintain adequate control over its fixed assets; (3) submit required interim financial reports to the SBE; (4) did not ensure that the building was in complete working order, and did not substantiate that the building lease agreement, a related party transaction, was properly approved by the Board; and (5) require that all of its full-time teachers were properly credentialed.

In light of our observations, the CSD and SBE should determine the appropriate course of action to ensure that the existing deficiencies are immediately addressed by the management of ACT. If you have any questions regarding our risk assessment, please contact Tami Bowman, Audit Manager, at (916) 323-6797.

KWC:ck

cc: Dr. William Ellerbee, Deputy Superintendent, School and District Operations  
Branch  
Marsha Bedwell, General Counsel, Legal and Audits  
Tami Bowman, Audit Manager, Audits and Investigations Division



# CALIFORNIA STATE BOARD OF EDUCATION

## July 2006 AGENDA

SUBJECT	
Cypress Grove Charter High School for Arts and Sciences: Appeal of Renewal Denial Pursuant to <i>Education Code</i> Section 47607.5	<input checked="" type="checkbox"/> Action  <input checked="" type="checkbox"/> Information  <input checked="" type="checkbox"/> Public Hearing

### RECOMMENDATION

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If the California Department of Education (CDE) receives an appeal of renewal denial from the Cypress Grove Charter High School for Arts and Sciences (Cypress Grove), it will make a recommendation to the State Board of Education (SBE) concerning the appeal in a last minute memorandum.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

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Under *Education Code (EC)* Section 47607.5, the SBE is empowered to consider on appeal a request (appeal) to renew a charter school that has been denied renewal at the local level. In March 2006, the SBE considered and granted an appeal of renewal denial from High Tech High Bayshore.

The SBE has requested that whenever possible the Advisory Commission on Charter Schools (ACCS) consider and make recommendations on charter-related matters before the matters are agendized for consideration by the SBE.

### SUMMARY OF KEY ISSUES

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Recently, the CDE was advised that Cypress Grove was denied renewal by the Monterey Peninsula Unified School District (MPUSD) on February 21, 2006, and (on first-level appeal) by the Monterey County Board of Education on May 17, 2006. The Cypress Grove charter is due to expire on June 30, 2006.

Because of the timing of the local actions, combined with the fact that Cypress Grove's 2006-07 academic year is scheduled to begin in August, this agenda item has been prepared as a placeholder to allow the SBE to take action if a formal appeal is received from Cypress Grove. If an appeal is received, CDE staff will endeavor to arrange for a special meeting of the ACCS prior to the July SBE meeting, and will present the ACCS recommendation(s) in a last minute memorandum. However, if a special meeting of the ACCS is not possible, then the last minute memorandum will summarize the facts of this matter and provide the SBE a CDE staff recommendation.

**SUMMARY OF KEY ISSUES (cont)**

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The decision not to renew the Cypress Grove charter is based upon “concerns related to fiscal solvency,” including failure to complete audits for 2003-04 and 2004-05, access to financial records, estimation of revenues and expenditures, and the extent to which the school has ended fiscal years with net liabilities. If an appeal is received, CDE staff intends to seek whatever independent information may be available in the short-term regarding Cypress Grove’s fiscal solvency to assist the ACCS and/or SBE in considering the matter of renewal.

Cypress Grove was chartered by the MPUSD and began operation in August 2001. The school has approximately 160 students. Though declining slightly in its initial Academic Performance Index (API) growth cycle (2002-03), Cypress Grove has achieved two excellent increases, going up 40 points in 2003-04 and 61 points in 2004-05. Cypress Grove’s statewide API ranking has risen from 6 to 9 over the past three years. Because of the small number of students tested, Cypress Grove does not receive a similar schools API ranking.

As of the deadline for this agenda item, the CDE had yet to receive formal documents requesting that the SBE consider an appeal of Cypress Grove’s renewal denial. Therefore, this item is put forward as a placeholder. Detailed information and a recommendation will be provided to the SBE in a last minute memorandum.

For background purposes, the following data are provided comparing Cypress Grove with the MPUSD’s two comprehensive high schools, Monterey High School and Seaside High School.

	Cypress Grove	Monterey High	Seaside High
Enrollment*	166	1,367	1,345
African American*	11%	8%	18%
Asian*	2%	7%	12%
Hispanic/Latino*	12%	32%	35%
White*	52%	46%	18%
Other/No Response*	22%	8%	16%
English Learners**	0%	20%	29%
Special Education**	4%	9%	8%
Socioeconomically Disadvantaged**	0%	31%	58%
2005 API Rankings	9 / ***	7 / 6	3 / 3
2005 Base API	766	722	639

\* 2005 California Basic Educational Data System.

\*\* Percent of participants in 2005 state assessment program.

\*\*\* Fewer than 100 students tested – no similar schools ranking.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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Renewal of the Cypress Grove charter per se would have little (if any) effect on total state local assistance funding to public schools. To the extent students attend Cypress Grove, the funding to support them is merely redirected from other public schools. State costs overall are essentially the same.

The CDE would experience some increased state operations costs for the oversight of Cypress Grove. However, these costs would be offset to some extent by the oversight charge (up to one percent of general purpose and categorical block grant revenue) that the school would be obligated to pay.

## **ATTACHMENT(S)**

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A last minute memorandum will provide the CDE's recommendation concerning Cypress Grove's appeal of the renewal denial by the MPUSD and by the Monterey County Board of Education.

State of California

Department of Education

# LAST MINUTE MEMORANDUM

**DATE:** June 29, 2006

**TO:** MEMBERS, STATE BOARD OF EDUCATION

**FROM:** William J. Ellerbee, Jr., Deputy Superintendent  
School and District Operations Branch

**RE:** Item No. 30

**SUBJECT:** Cypress Grove Charter High School for Arts and Sciences: Appeal of  
Renewal Denial Pursuant to *Education Code* Section 47607.5

## RECOMMENDATION

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The Advisory Commission on Charter Schools (ACCS) and the California Department of Education (CDE) recommend that the State Board of Education (SBE) deny the appeal for renewal of the charter of the Cypress Grove Charter High School for Arts and Sciences (Cypress Grove) because the petitioners are demonstrably unlikely to successfully implement (sustain) the program for the reasons discussed herein.

## SUMMARY OF KEY ISSUES

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Cypress Grove has been in operation since August 2001. Chartered by the Monterey Peninsula Unified School District (MPUSD), Cypress Grove is a locally funded charter, receiving state and federal allocations through the MPUSD, not directly. It is a relatively small school, reporting enrollment of 166 in 2005-06. By comparison, MPUSD's two comprehensive high schools, Monterey High and Seaside High, reported 2005-06 enrollments of about 1,350 each. Cypress Grove has consistently maintained a statewide Academic Performance Index (API) ranking of at least 6, and the school achieved a statewide API ranking of 9 this past year. [Cypress Grove does not have sufficient test takers to qualify for a similar schools API ranking.] The school has greatly exceeded its API growth targets in the past testing two cycles, 2003-04 and 2004-05.

Cypress Grove unquestionably meets the minimum academic threshold for renewal established in *Education Code (EC)* Section 47607. Nonetheless, renewal of the Cypress Grove charter was denied by the MPUSD Board of Education on February 21, 2006, and denied (upon appeal) by the Monterey County Board of Education on May 17, 2006. The MPUSD governing board based its denial on the petitioners being demonstrably unlikely to successfully implement the program, citing several specific issues. The Monterey County Board based its denial on two reasons, that the petitioners are demonstrably unlikely to successfully implement the program (citing several specific issues), and that the petition does not contain reasonably comprehensive descriptions of certain required charter elements.

Because many of the key issues surrounding Cypress Grove were financial in nature, the school requested a formal analysis of eight issues by the Fiscal Crisis and Management Assistance Team (FCMAT). The FCMAT review began in early June and culminated in a management letter dated June 26, 2006.

In summary, the FCMAT review found evidence that five of the disputed financial issues should be resolved in favor of Cypress Grove, though generally in lesser amounts than the school had claimed. On two disputed issues, FCMAT could not find a basis to resolve in favor of the school. The final issue pertains to \$20,000 from the Public Charter Schools Grant Program. The CDE Charter Schools Division's records show the amount as paid. CDE staff are reviewing the matter with the CDE Accounting Office and the State Controller's Office and will follow up as necessary.

With regard to general perspectives on the school's financial management, the FCMAT review notes that Cypress Grove "has a history of deficit spending" and that the deficit spending "increases annually." FCMAT concludes that the situation results from "a structural deficit running through the budget that has yet to be mitigated even in the current year, 2005-06."

If the Cypress Grove charter is renewed, the FCMAT review recommends that the school:

- Commit to the development and implementation of a fiscal recovery plan, addressing the structural deficit, establishing and maintaining a reserve, and addressing cash flow needs.
- Move to direct funding, i.e., discontinue being a locally-funded charter. Direct funding would be an automatic consequence of charter renewal by the SBE.
- Apply directly for Federal Impact Aid (PL 874), which would be enabled by the change to direct-funded status.

The ACCS held a telephone conference call meeting on June 27, 2006, to consider the Cypress Grove appeal. Based principally on the FCMAT review, CDE staff recommended that the appeal be denied because the petitioners are demonstrably unlikely to successfully implement (sustain) the program. Neither the SBE nor the CDE has financial reserves that can be tapped to fund operating deficits that the school might bring with it into a charter-renewal relationship with the SBE or that the school might incur periodically (as has been its history). Moreover, the school's lack of sound financial practices, as documented in the FCMAT review, provides further evidence that the petitioners are demonstrably unlikely to successfully implement (sustain) the program.

The ACCS listened to testimony from representatives of Cypress Grove and the MPUSD, as well as parents, students, and other interested parties. Following lengthy consideration, the six ACCS members participating in the meeting unanimously agreed with the CDE staff recommendation, i.e., that the ACCS recommend to the SBE that it deny the Cypress Grove appeal for the reasons stated above.

## **ATTACHMENT(S)**

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- Attachment 1: Cypress Grove Charter Petition, December 30, 2005 (57 pages)
- Attachment 2: CDE Staff Analysis of the Cypress Grove Petition (21 pages)
- Attachment 3: School Profile, 2005-2006 (35 pages)
- Attachment 4: WASC Final Action Plan, 2004-2005 (4 pages)
- Attachment 5: Expected Schoolwide Learning Results (1 page)
- Attachment 6: Course Guide, 2005-06 (76 pages)
- Attachment 7: Textbook Inventory, 2005-06 (2 pages)
- Attachment 8: 2006-2007 School Calendar and Bell Schedule (2 pages)
- Attachment 9: Organizational Flow Chart (1 page)
- Attachment 10: Expectations of Board Members (1 page)
- Attachment 11: Family Participation Commitment (1 page)
- Attachment 12: Classroom Teacher Job Responsibilities (2 pages)
- Attachment 13: Employee Handbook (36 pages)
- Attachment 14: Emergency Procedures (17 pages)
- Attachment 15: Suspension and Expulsion Procedures (9 pages)
- Attachment 16: Multi-Year Budget and Related Financial Documents (27 pages)
- Attachment 17: Audit Status Memorandum, May 9, 2006 (1 page)
- Attachment 18: Response to District Denial of Renewal, March 14, 2006 (4 pages)
- Attachment 19: Supplement to CDE Staff Analysis (3 pages)
- Attachment 20: FCMAT Management Letter, June 26, 2006 (7 pages)

*Cypress Grove  
Charter High School  
for  
Arts & Sciences*



**Charter Petition Renewal  
December 30, 2005**

***“Table of Contents of Legal Requirements”:***

This charter has been created in the format encouraged by the California State Board of Education in its adopted “Model Application for Charter Schools” and goes beyond the legal requirements of Education Code Section 47605. According to the State Board of Education, the Model Application format ensures that charter petitioners cover all of the minimum elements required by law in a systematic way. However, as the Model Application format requires that statutory provisions in the Charter Schools Act be addressed out of the order presented in the Education Code, this “Table of Contents of Legal Requirements” is presented to assist the Reviewer in establishing that all requirements of law have been met.

1.	<i>Affirmations/Assurances</i>	<i>page iv.</i>
2.	<i>The Educational Program</i>	<i>page 12</i>
3.	<i>Measurable Pupil Outcomes</i>	<i>page 24</i>
4.	<i>Methods to Assess Pupil Progress towards Meeting Outcomes</i>	<i>page 24</i>
5.	<i>Governance Structure of School</i>	<i>page 27</i>
6.	<i>Employee Qualifications</i>	<i>page 33</i>
7.	<i>Health and Safety Procedures</i>	<i>page 35</i>
8.	<i>Means to Achieve Racial/Ethnic Balance Reflective of District</i>	<i>page 40</i>
9.	<i>Admissions Requirements</i>	<i>page 39</i>
10.	<i>Independent Financial Audit</i>	<i>page 44</i>
11.	<i>Pupil Suspension and Expulsion</i>	<i>page 41</i>
12.	<i>Retirement System</i>	<i>page 34</i>
13.	<i>Attendance Alternatives</i>	<i>page 40</i>
14.	<i>Employee Rights to Return</i>	<i>page 35</i>
15.	<i>Dispute Resolution</i>	<i>page 37</i>
16.	<i>Labor Relations</i>	<i>page 35</i>
17.	<i>School Closure</i>	<i>page 44</i>
18.	<i>Impact Statement</i>	<i>page 42,46</i>
19.	<i>Signatures</i>	<i>Attached</i>

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## AFFIRMATIONS/ASSURANCES

As the authorized representative of the applicant, I hereby certify that the information submitted in this application for a charter for the Cypress Grove Charter High School for Arts & Sciences (“Cypress Grove CHS” or “Charter School”) to be located within the Monterey Peninsula Unified School District (“District”) boundaries is true to the best of my knowledge and belief; I also certify that this application does not constitute the conversion of a private school to the status of a public charter school; and further, I understand that if awarded a charter, the Charter School is committed to the following affirmations:

- The Charter School shall conduct all required pupil assessment tests pursuant to Education Code Section 60605 or any other pupil assessments applicable to pupils in non-charter public schools.
- The Charter School shall meet all statewide standards applicable to non-charter public schools.
- The Charter School shall be nonsectarian in its programs, admission policies, employment practices, and all other operations.
- The Charter School will not charge tuition.
- The Charter School will not discriminate on the basis of race, ethnicity, national origin, gender, or disability.
- The Charter School will admit all pupils who wish to attend the charter school, subject only to capacity.
- The Meetings of the Board of Directors for the Charter School shall be held in accordance with the Brown Act.
- The Charter School shall comply with the Individuals with Disabilities in Education Improvement Act of 2004 (“IDEIA”), Section 504 of the Rehabilitation Act (“Section 504”), and the Americans with Disabilities Act (“ADA”).
- The Charter School shall comply with the Public Records Act and the Family Educational Privacy Rights Act (“FERPA”).
- Admission to the Charter School shall not be determined according to the place of residence of the pupil, or of his or her parent or guardian, within California. This is subject only to capacity and the admissions procedures and preferences stated herein.
- The Charter School shall continually strive for a healthy, collaborative, synergistic relationship with the District without imposing a burden or liability on the District.

- The Charter School shall offer, at a minimum, the same number of minutes of instruction set forth in paragraph (3) of subdivision (a) of Education Code Section 46201 for the appropriate grade levels.
- The Charter School shall maintain written contemporaneous records that document all pupil attendance and make those records available for audit and inspection.
- The Charter School shall comply with all laws related to the maximum age for public instruction.
- The Charter School shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to, teaching credentials, fingerprinting and background checks, as required by law.
- The Charter School shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers.
- The Charter School shall on a regular basis consult with its parents and teachers regarding the Charter School's educational program.
- The Charter School shall at all times maintain all necessary and appropriate insurance coverage.
- The Charter School shall comply with all applicable federal, state and local laws.

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**Walter Ferguson, Executive Director, Lead Petitioner**

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**Date**

## **I. BACKGROUND/ACCOMPLISHMENTS**

### **BACKGROUND**

The Cypress Grove CHS was founded by Walt and Wendy Ferguson who created the school in order to offer a quality small school option in Monterey County. The School was initially approved on February 5, 2001, by the Monterey Peninsula Unified School District for a term of five (5) years. This charter is being submitted for renewal in accordance with Education Code Section 47607 and 47605.

Cypress Grove CHS came into being because parents and community members recognized the need for an alternative to the large public high schools, and believed in the importance of a small, unique and focused school. They recognized that education in the fine arts, both in terms of performance and appreciation, builds an aesthetic understanding that remains with students for a lifetime.

Students visiting the school for the first time have the opportunity to sit in on classes for a day with their parent(s) and witness first-hand the commitment they will be making to education in an integrated curriculum. With a charter focused on arts and sciences, it is clear that Cypress Grove CHS remains a school of choice for its students. The students, parents, administration, and faculty remain committed to the vision of the school and the challenges it represents.

### **ACCOMPLISHMENTS**

#### **SY2001-02**

#### **Student Awards and Achievements**

- Students participate in National Mole Day Foundation event. Seven students were presented awards and featured in the National Mole Day Foundation News.
- Students volunteer time trail building to support Earth Day at Garland Park.
- Students volunteer time as camp counselors Science Camp Mt Herman for the Highland Elementary School.
- Spanish students volunteer time in a service learning experience with the Juan Cabrillo Elementary School students. Focused on the culture and lifestyle of Hispanic countries and culture.
- Students and staff volunteer time for the Walk a Thon Leukemia Lymphoma Society, raise \$1600.
- School wide trips to the opera for Verdi's "Falstaff" and Bizet's "Carmen".
- Students perform "Midsummer's Night Dream" by William Shakespeare and Our Town by Thornton Wilder over half of each cast had never acted in a serious play before and performed as well as much more experienced actors.

- Exclusive Art exhibit at the Salinas Court House.
- Students participate in the Carl Cherry Center for the Arts Annual High School Art Show.
- Students participate in the City of Seaside Annual Youth Art Competition.
- Student's pastel painting featured on the cover of the poetry anthology for the Monterey County High Poetry Awards.

### **SY2002-03**

#### **Student Awards and Achievements**

- Golden State Exams: Awards for High Honors, Honors and Recognition in Government/Civics.
- Student accepted from a field of 1400 statewide applicants to study voice at "Innerspark", the California State Summer School for the Arts.
- Student receives Certificate of Merit 19<sup>th</sup> Annual Bill of Rights Essay, sponsored by the ACLU.
- Governors Scholarship Program. Six students scored in the top 10% at the school or top 5% of the state in their grade level on the STAR Tests.
- Students receive Hot Shot Awards for basketball skills, sponsored by the Porter Youth Center and the Boys and Girls Club.
- Cypress Grove CHS Boys Basketball Team became the Undefeated Champion of the Small School Sports League.
- Students received Honorable Mention, City of Seaside Annual Youth Art Competition.
- Student accepted to the University of California Santa Cruz, Engineering Program.
- Student receives First Place Awards in Far West Regional Wheel Chair Games and qualification for National competition in javelin, discus, shot put and freestyle swimming.
- Student received Rotary Club educational scholarship.
- Student film was selected to compete in the 2003 New York International Film and Video Festival.
- Class of 2003 Graduation Commencement Ceremony at CSUMB.

### **Student Participation in Local Community**

- Candles collected for Steinbeck Center ceremony honoring victims and families of 9/11/01.
- Many students concurrently enrolled at Monterey Peninsula Community College.
- Art classes provided large artistic placards for *First Night* celebration in Monterey.
- Students participated in Garland Park trail building & cleanup supporting Earth Day/Trail Day.
- Students performed in “The Snow Queen”, Sherwood Hall, Salinas.
- Students participated in the Big Sur Marathon.
- Students participated in “H.M.S. Pinafore” at the Wharf Theatre.
- Students performed in local production of “Les Miserables”.
- Students performed One-Act Plays and Student-Produced Films.
- Students collected food for Holiday Season food drive.
- Students participated in local chapter of the Civil Air Patrol Cadets.
- Student body and Staff participated in on campus Disabilities Workshop sponsored by MCOE.

### **Other Achievements**

- Sponsored open house/enrollment/back to school night events on campus.
- Advertised in local newspapers and radio stations.
- Launched successful press release campaign announcing Cypress Grove CHS events.
- Achieved enrollment of 150 students.
- Approved restructuring of the Revolving Loan Fund from the CDE.
- Approve and hired student academic counselor.
- Moved to new school site; approved lease agreement and MOU with the District.
- Received CDE approval for the second installment of the Implementation Grant.

- Received Grants from the Monterey Peninsula Foundation and Philanthropic Ventures Foundation.
- Received a matching grant for SY2002-2003 from the Chapman Foundation.
- Submitted application for affiliation with Western Association of Schools and Colleges (WASC).
- Approved formation of the Parent Teacher Organization.
- Approved and received associate membership in the Central Coast Section of the California Interscholastic Federation.
- Hosted California Charter Schools Association Northern Regional meeting.

#### **SY2003-04**

#### **Student Awards and Achievements**

- Cypress Grove CHS had perfect attendance, November 12, 2003.
- Five Cypress Grove CHS students had perfect attendance for the year.
- Boys Basketball Team, Champions of the Small School Sports League.
- Students accepted to CSU Monterey Bay and University of Mississippi.
- Student placed third in the American Civil Liberties Union of Monterey County Twentieth Annual Bill of Rights Essay and Art Contest.
- Students from the Service Learning Class received Certificates of Appreciation from the MCOE Autistic Program for working with their students in the classrooms.
- Student received Emory Scholars Nomination.
- Students graduated and were certified by the CSUMB Peer Counseling Program.
- Class of 2004 Graduation Commencement Ceremony at Cypress Grove CHS.

#### **Student Participation in Local Community**

- Student dancers performed in the United Colors of Monterey Parade in downtown Monterey.
- Students performed at the Sunset Center in Carmel, Youth Music of Monterey.

- Students, Teachers, and Parents hosted a community Halloween event.
- Students performed in Youth Music Monterey Orchestras.
- Many students concurrently enrolled at Monterey Peninsula Community College and Hartnell College.
- Students, Teachers, and Parents volunteered for the John XXIII AIDS Ministry Thanksgiving Dinner event.
- Students collect and donate canned goods for the Salvation Army and adopted a family for Christmas.
- Cypress Grove CHS hosts the 1<sup>st</sup> Annual Wheels on Fire Wheelchair Basketball Game and Dance at the CSUMB Otter Gym, the first of its kind on the Monterey Peninsula.
- Students performed in “Hello Dolly”, “Our Town”, “Lottery”, “Actor’s Nightmare”, “Anton in Show Business”, and “The Crucible”, at the Western Stage.
- Students perform at the Forest Theatre, in “Fire Bugs” and “Blithe Spirit”.
- Students perform at MPC College, in “Waiting Room”.
- Students donate hair to Locks of Hair Foundation for Leukemia patients.
- Students participate in local chapter of the Civil Air Patrol Cadets.
- Students participate in the City of Seaside Annual Youth Art Competition
- Students participate in the Carl Cherry Center for the Arts Annual High School Art Show.
- Students participate and donate time in the Marina Wind Festival, Marina.
- Students participate and donate time in the Seaside International Extravaganza, Seaside.
- Students participate in the 2004 Model United Nations Conference at CSUMB.
- Cypress Grove CHS approved as Candidate for Accreditation, by the Schools Commission of the Western Association of Schools and Colleges (WASC),
- New administrative software installed.
- Financial investments and improvements made to the school site.
- CDE approves the final installment of the Implementation Grant.

- Grants received from Wells Fargo Bank:,The Chapman Foundation, The Yellow Brick Road and Central Coast Charities.
- School receives Associate membership in the Central Coast Section of the California Interscholastic Federation.

## **SY2004-05**

### **Student Awards and Achievements**

- Boys Basketball Team, Champions of the Small School Sports League.
- Students accepted to California State Monterey Bay and University of Santa Cruz.
- Five students win scholarships at CSUMB's Model United Nations Conference.
- Student selected as delegate to the California Youth Forum for youths with disabilities.
- Student participates in the Environmental Traveling Company.
- Student placed third in the American Civil Liberties Union of Monterey County Twentieth Annual Bill of Right Essay and Art Contest.
- Students from the Service Learning Class received Certificates of Appreciation from the MCOE Autistic Program for working with their students in the classrooms.
- Student received Emory Scholars Nomination.
- Class of 2005 Graduation Commencement Ceremony at Cypress Grove CHS.

### **Student Participation in Local Community**

- Student featured on radio station KUSP 88.9FM.
- Students, Teachers, and Parents host 3<sup>rd</sup> Annual Halloween Community Event.
- Many students concurrently enrolled at Monterey Peninsula Community College and Hartnell College.
- Students, Teachers, and Parents volunteered for the John XXIII AIDS Ministry Thanksgiving Dinner.
- Students collected canned goods for the Salvation Army and adopted a family for Christmas.

- Cypress Grove CHS hosts the 2<sup>nd</sup> Annual Wheels on Fire Wheelchair Basketball Game at the CSUMB Otter Gym.
- Students perform in “Anything Goes” and “Beauty and the Beast” at Pacific Repertoire, “Young Company Presents” at Western Stage, “Magicians Nephew” at MPC, and “Rocky Horror Picture Show” at Old town Salinas.
- Students participate in the City of Seaside Annual Youth Art Competition
- Students participate in the Carl Cherry Center for the Arts Annual High School Art Show.
- Students participate and volunteer time in the Marina Wind Festival.
- Students participated in the 2004 Model United Nations Conference at CSUMB.

### **Student Activities Highlights**

Student Council Elections, 8/04	Black History Month, 3/05
White Heather Dancers & Friends, 8/04	Talent Show, 3/05
Seaside Law Enforcement Assembly, 8/04	Day of the Dragon (film project), 4/05
Back-to-School Dance, 8/04	Drama Dept., One Act Plays, 4/05
Girls Volleyball starts, 9/04	Servant of Two Masters Tour, 4/05
Talent Show and Potluck, 9/04	Ice Cream Social, 4/05
Sadie Hawkins Sock Hop Dance, 10/04	Drama Dept., Showcase, 04/26
Jazz Masters Performance, 10/04	Tennis Workshop, 04/28
Flint Center field Trip, 10/04	UN Model Competition, 4/05
Haunted House, 10/04	Fly Fishing Course, 5/05
Servant of Two Master Performance, 12/05	Marina Wind Festival, 5/05
Winter Recital, 12/04	Great America Math Fieldtrip, 5/05
Holiday Party, 12/04	Walkathon/Open House/BBQ, 5/05
Winter Dance, 12/05	Student Council Elections, 5/05
Boys & Girls Basketball begins, 1/05	Prom “Fire and Ice”, 5/05
Disabilities Workshop, 1/05	Writers’ guild “Dragon Quill”, 5/05
Winter Ball, 1/05	Student Awards, 5/05
Golf Team formed, 2/05	Film festival, 5/05
Wheels on Fire Game & Dance, 2/05	Full Color Yearbook, 5/05
Athletics Awards Dinner, 3/05	Graduation, 6/05
Native Plant Restoration project, 3/05	

### **Service Learning Program**

The Service Learning (SL) program offers Cypress Grove CHS students an opportunity to work with MCOE’s Program for Communication Development (PCD). This program serves mildly to severally autistic/retarded children. Students also receive continuing education on other kinds of disabilities.

Wendy Ferguson, the Service Learning Program Director won a significant award on February 17, 2005 at the 29th Annual Community Service Awards, "Outstanding Adult Volunteer of the Year" for Monterey County! The judges were previous year's awards recipients and her peers. Wendy is a shining example of volunteerism at its best, having worked more than 40 hours a week for the last 5 years as Governing Board Officer, Counselor, Mentor, Service Learning Teacher and Director, Cook, and even Janitor! Her love, dedication, and vision for this innovative school shows in everything she touches.

The second year of our Service Learning Program is one of Cypress Grove CHS's most popular electives. All students in SL received training to work with MCOE's students. On average, students contributed 240 per week of service: arts and crafts class, playground teacher and student support. The relationships built were priceless! The highlights were:

- Planted the fall garden with flowers and "salad" vegetables as well as the potato harvest (which MCOE kids planted the previous spring). MCOE kids also watered the garden on a regular basis. They really enjoy the garden and are spending a lot of quality time sharing watering cans and engaging in conversations! Their teachers are happy with the opportunities for relating that the garden is providing (not to mention all of "life" that has moved in (bugs, butterflies, dragon flies, spiders, hummingbirds, finches, moles, etc.)
- Painted a slate blue and lavender Labyrinth in the playground area. Paint was paid for from Cypress Grove CHS's Movie Night fund.
- This year's Haunted House was created, built and staffed by SL students. SL students hosted a successful Halloween party and Haunted House tour for MCOE kids.
- A Halloween "Pet Parade" was held in the playground. It was a huge success. Well-behaved dogs and CG students, dressed in costume, paraded by the MCOE kids and their teachers.
- A Thanksgiving Potluck between MCOE staff and kids. SL students were the hosts, the food was amazing, and everyone very well behaved. A great time for relating, sharing and fun.
- A large, fragrant Christmas tree was purchased. MCOE kids made beautiful decorations (with the help of our students) and helped to hang them on the tree.
- Gingerbread House decorating. MCOE kids that could not pay attention to projects for more than a few minutes at a time were engaged for one, two, hours!! All of their senses were engaged with the great relaxing smells of ginger and vanilla, the brightly colored candies for decorating and the 3-D experience of building and decorating a house. The teachers were very impressed with their students' new found abilities and patience.
- Wheels on Fire...the second annual wheelchair basketball game, hosted by SL students and held at CSUMB. Cypress Grove CHS basketball team vs. Wheels on Fire from San Jose. A real heart-stopper of a game! SL students provided the fabulous potluck and after game

dance. Another amazing night for embracing differences and enjoying good company as well as some wheelchair dancing!

- SL students hosted, along with MCOE faculty, our 2<sup>nd</sup> Disabilities Workshop. It included booths for disabilities in: Fine Motor, Autism, Auditory, Paraplegic (wheelchair), Dyslexia, Vision Impaired. SL students had prepared oral and written presentation on various disabled famous people and presented those to students and faculty as they waited their turns in the workshop; 25 different biographies were presented.
- New crafts project were introduced. Black picture Frames, small heart & oval shaped boxes and glass votive candle holders were decorated with colorful jewels, buttons, glitter, shells, etc. Surprisingly beautiful. These were the creations of the children, not the SL students doing it for them. SL students are trained to assist the kids, not do the work for them. That way we all get to see the true creativity of each MCOE student. The creativity exhibited was very special.
- The artwork that the MCOE students created was taken over to the MCOE Silent Auction held at Bayonet Golf Course. Service Learning students put the paintings on different colored mats. All of the paintings, frames, candleholders, and jeweled boxes were taken to the event and put on display for the children's parents to see. Some of the pieces made were so exquisite that adults were bidding on them!
- Painting was introduced to the MCOE kids. Definitely a favorite project. Fast, messy, fun and beautiful. Painting was always available due to its popularity.
- Valentines were made and heart shaped cookies decorated with different colored frostings and candies. (Cookie and small cake decorating were popular edible crafts projects.)
- MCOE students with SL students help, spent 2 days of dying and decorating Easter Eggs in preparation for the Easter Egg Hunt the next day! CG students decorated Easter baskets with ribbons and hid all (75) of the eggs! (In rotation of course so all the children could be involved.) It was a very happy, messy and colorful experience!
- 2<sup>nd</sup> annual Easter egg hunt in "The Garden" with eggs and baskets made by the SL students.
- Mural completed around doorway to classroom 17! A charming addition.
- As part of SL students' semester final, an end-of-year barbecue was planned for MCOE faculty and children. The SL students cooked, served, and cleaned up. The event was wonderful with the large buffet located in the garden. Tables were outside and beautifully decorated with flowers from the garden. Everyone had a really great time. The event served about 90 students, MCOE faculty and kids.

- The final end of the year project was another Pet Parade. This time a caged chinchilla, a pet rat, a dog that jumped through hula hoops and a very sweet, fat cat. Another huge success with the kids, especially the dog that repeatedly jumped through the hula-hoop!

### **School Facilities**

Cypress Grove CHS leases approximately 18,000 square feet at 225 Normandy Road, Seaside (former Stillwell School) from Monterey Peninsula Unified School District. We share the site with the Monterey County Office of Education and the Monterey Peninsula Unified School District. Cypress Grove CHS families and community volunteers spent hundreds of hours on site beautification.

- Painted all exterior buildings (over 44,000 square feet).
- Painted parking lines and safety curbs in parking lot.
- Specialty painting of classroom doors.
- Painted equipment and black top for MCOE Autistic Program's playground.
- Re-painted auditorium stage area.
- Major cleaning of entire school site.
- Many hours dedicated to landscaping and native plant restoration.

### **Recycling**

Cypress Grove CHS supports environmental awareness by encouraging recycling and waste management. This includes a commitment to purchase, use, and dispose of products and materials in a manner that best uses natural resources, minimizing any negative impacts on the environment.

Students and staff are actively involved with Cypress Grove CHS recycling efforts. Students under faculty supervision on a daily basis do all gathering of recycled materials.

### **Other Achievements**

- Accreditation approved by the Accrediting Commission for Schools of the Western Association of Schools and Colleges (WASC).
- University of California A-G courses (twenty-one) approved to satisfy UC subject requirements for freshman admission.
- Full membership, Central Coast Section (CCS) of the California Interscholastic Federation.

- Cypress Grove CHS is co-founder school of the Coastal Athletic League of the CCS.
- California Department of Education API scores rate Cypress Grove CHS as outperforming both District high schools for two consecutive years and is listed as the third highest performing public high school in Monterey County

## **II. EDUCATIONAL PROGRAM**

*Governing Law: A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an “educated person” in the 21<sup>st</sup> century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.  
-- California Education Code Section 47605(b)(5)(A)*

### **MISSION**

The mission of Cypress Grove CHS is to provide 9<sup>th</sup> through 12<sup>th</sup> grade students with the experiences and skills needed to participate passionately and responsibly in life, and the tools to pursue their higher educational and career goals upon graduation. Cypress Grove CHS will create an educational environment that ignites the students’ natural curiosity and desire to learn, values student contribution, acknowledges the value of parental involvement for educational success, and provides a secure foundation of trust and resources from which the students may draw.

Hallmarks of the program will be the infusion of the arts, experiential learning opportunities, collaboration with local resources and businesses, and the progressive use of technology resources as tools for further development.

### **GOALS**

Our overarching goal is to enable pupils to become self-motivated, competent, and lifelong learners. As such, it is our goal that a Cypress Grove CHS graduate will be:

**A Self-Reliant Person** who:

- *Possesses integrity, self-determination, and demonstrates independent judgment*
- *Accepts responsibility*
- *Resolves conflicts effectively*
- *Appreciates the value of cultural and social diversity*
- *Respects others, their rights and property*

**A Contributing Citizen** who:

- *Demonstrates a positive attitude toward work and learning*
- *Exhibits an understanding of global issues*
- *Respects the natural and man-made environments*
- *Follows and participates in local, state, and national political processes*
- *Possesses self-esteem and the courage to speak out for what he or she believes to be right*

A **Continuing Scholar** who:

- *Demonstrates an integrated understanding of all areas of learning, especially the arts and sciences*
- *Thinks critically and solves problems effectively*
- *Understands how he or she learns best*
- *Feels passionately about at least one discipline, which serves as a cornerstone for lifelong learning*
- *Communicates effectively, both in speaking and writing*

### **WHOM THE SCHOOL IS ATTEMPTING TO EDUCATE**

Currently, the Charter School serves approximately 170 students in grades 9 through 12 with overall growth intended to cap at approximately 400 students. Cypress Grove CHS serves the families of Monterey and Santa Cruz counties seeking a small college-preparatory high school with a focus on the arts.

Attached as Appendix A, please find the Cypress Grove CHS School Profile which is used by the School to provide information to parents and other members of the public about the students and the academic performance of the School.

### **WHAT IT MEANS TO BE AN EDUCATED PERSON IN THE 21<sup>ST</sup> CENTURY**

Cypress Grove CHS envisions educated persons in the twenty-first century as those who are aware of themselves and the world around them, are skilled in the latest communication tools, and possess an understanding of the environmental, historical and cultural issues that shape and have shaped the world in which they are maturing. Together with a strong base in science, mathematics, and literature, they would possess a familiarity with, and appreciation for the arts, and celebrate their own creative talents. Above all else, they will be imbued with a love of learning, a proud curiosity, and uninhibited sense of questioning and examination, and a powerful sense of self-direction.

Cypress Grove CHS's philosophy acknowledges that learning is a continuous process that extends beyond school hours in to the home, among peers and among the greater community.

### **HOW LEARNING BEST OCCURS**

Cypress Grove CHS believes that the best learning occurs when:

- Incorporating practices and pursuing opportunities to encourage parental involvement in student's educational experience.
- Maintaining an open "small school environment", so students feel they are valued and have access to staff and resources.
- Developing students' sensitivity to the members of their community and an appreciation for the diversity of individual talents and interests.
- Learning is based on enlivened and motivating methodology.

- Teachers and students interact in effectively sized classes.
- Teachers and students interact with mutual respect.
- The emphasis of assignments is placed on the value attained through learning process as well as the attainment of grades.
- Grades and assessment rubrics are used as a tool for student's self-diagnosis as well as for the teacher's measurement tool.
- Educational curriculum content is challenging, substantive and meaningful to the student.
- Real life experience outside the classroom, integration into the community, and hands-on experience are used to supplement and enhance the daily classroom curriculum.

### **TRANSFER OF COURSES/COLLEGE ENTRANCE REQUIREMENTS**

*Governing Law: If the proposed school will serve high school pupils, a description of how the Charter School will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the Charter School that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the "A" to "G" admissions criteria may be considered to meet college entrance requirements. -- California Education Code Section 47605(b)(5)(A)(ii)*

Cypress Grove CHS provides interested students and parents with the School Profile during the enrollment process, notifying parents about the transferability of courses to other public high schools in the District and the eligibility of courses to meet college entrance requirements (see Appendix A). Cypress Grove CHS offers a high school program that meets the requirements for admission to the California State University or the University of California A-G requirements. Students of Cypress Grove CHS are required to pass the California High School Exit Examination before being granted a high school diploma. Cypress Grove CHS is accredited by the Accrediting Commission for Schools of the Western Association of Schools and Colleges through June 30, 2008. Attached as Appendix B, please find the School's WASC Certificate of Accreditation and Action Plan.

### **IMPLEMENTATION OF EDUCATIONAL PROGRAM/CURRICULUM**

The school offers a site-based educational program which follows a traditional five-day a week schedule

The course of study at Cypress Grove CHS focuses on the traditional core curriculum areas of mathematics, English, science and history with a primary emphasis on fine arts and science. The entire program is specifically designed to prepare students entering competitive colleges and universities worldwide.

In addition, Cypress Grove CHS has an international focus that recognizes the need for global perspectives. For this reason, students are required to study more languages than English. Cypress Grove CHS also recognizes that education in the fine arts, both in terms of performance and appreciation, builds an aesthetic understanding that remains with students for a lifetime.

At Cypress Grove CHS students prepare to meet and exceed the performance standards for Language Arts, Mathematics, Social Science and Science as adopted by the California State Board of Education. In developing the school-specific set of overall standards we have included the infusion of the arts and sciences into the core curriculum. While our standards and curriculum are presented subject-by-subject, the members of our faculty work together to ensure that each student's education is not a series of isolated pieces, but rather a coherent whole. The opportunities for thematic connection exist throughout the curriculum, especially between the social sciences and literature curricula and those of science and mathematics. Teachers are encouraged to construct their lesson plans in a way that enables them to collaborate with their colleagues, and to reinforce themes that students are addressing across subjects.

Central to the accomplishments of our goals is the shape of our curriculum and the graduation requirements for a Cypress Grove CHS student. Below is a comparison of Cypress Grove CHS graduation requirements with those for the University of California.

Graduation and University of California Admission Requirements

High School Subject Area	Cypress Grove CHS Graduation Requirements 230 units, (grades 9-12)	U.C. Admissions* Requirements
ENGLISH	4 years (40 credits)	4 years College Prep
MATH	3 years (30 credits) must include Algebra	3 years 4 recommended including Algebra/Geometry/Algebra II
SOCIAL SCIENCE	3 1/2 years (35 credits) 9 <sup>th</sup> – Geography 10 <sup>th</sup> – World History 11 <sup>th</sup> – U.S. History 12 <sup>th</sup> – Economics/Civics	2 years U.S. History or ½ year U.S. History + ½ year Civics and World History
SCIENCE	3 years (30 credits) must include Biology and Physical Science	2 years with lab 3 recommended
VISUAL AND PERFORMING ARTS	3 years (30 credits) 4 years recommended	1 year beginning 2003
FOREIGN LANGUAGE	2 years (20 credits)	2 years 3 recommended
ELECTIVES	2 years (20 credits)	1 year College Prep
PHYSICAL EDUCATION	2 years (20 credits) usually in 9 <sup>th</sup> and 10 <sup>th</sup> grade	----
HEALTH	1 semester (5 credits)	----
TESTS	High School Exit Exam	SAT I / ACT + SAT II

1. Service Learning is required throughout the curriculum.

2. U.C. requires 15 year-long courses, 7 of which must be completed in grades 11 and 12.
3. The graduation requirements above apply to students graduating in 2004 and beyond.
4. Cypress Grove CHS graduation requirements meet or exceed those of our chartering district (MPUSD).
5. Accredited by the Accrediting Commission for Schools of the Western Association of Schools and Colleges. See [www.wascweb.org](http://www.wascweb.org) for more information.

These are minimum entrance requirements. Completing minimum requirements does not guarantee admission to the UC system. See [www.usop.edu](http://www.usop.edu) for more information

The Cypress Grove CHS curriculum outlined above drives student achievement through learning outcomes, which are derived from and aligned with the California State content standards and assessments.

Cypress Grove CHS's instructional program is based on the following five academic principles:

1. Promote High Standards for All
2. Infuse the Core Subjects with Arts & Sciences
3. Emphasize Personalized Attention
4. Encourage Direct Community Involvement
5. Commit to Real-World Application

All the stakeholders of Cypress Grove CHS - parents, community members, and staff – assembled in the spring of 2004 to develop our Expected School wide Learning Results (ESLRs). In a series of meetings, we discussed and clarified our mission and purpose and when we all had a clear and unified vision, we translated the theory of our school's mission and purpose statements into specific, attainable, and measurable goals – our Expected School wide Learning Results.

Attached as Appendix C, please find a full list of the School's expected School-wide Learning Results; a detailed description of course offerings as Appendix D and as Appendix E, please find the Textbook Inventory for the 2005-2006 school year.

### **School Calendar and Instructional Minutes**

Cypress Grove CHS shall operate under the similar school calendar as MPUSD. Cypress Grove CHS offers at least the minimum instructional minutes required by Education Code Section 46201(a)(3) for all applicable grade levels and shall provide at least as many instructional minutes as MPUSD. Attached as Appendix F, please find the Cypress Grove CHS School Calendar and Bell Schedule for the 2006-2007 school year.

### **Independent Study Program**

One of the many goals of Cypress Grove CHS is, in subsequent years, to explore the option of expanding its curriculum and program offerings to offer an independent study program option that is an academic equivalent educational option to attract students who are home schooled by their parents, need flexible scheduling, or are otherwise seeking independent study as a viable academic option. Cypress Grove CHS also may want to expand the program to the sixth through eighth grade to prepare students and transition them into the ninth through twelfth grades. Before pursuing either option, Cypress Grove CHS shall present MPUSD with a request for a material revision of the charter in accordance with Education Code Section 47607 to reflect any necessary additions to the Charter including, but not limited to, the educational program, outcomes, and methods of measurement. Utilizing the Cypress Grove CHS curriculum, as determined by the Charter School, students will achieve Cypress Grove CHS goals and objectives in a home based setting. Students and their parents will collaborate to achieve these goals with a Cypress Grove CHS Educational Coordinator.

Cypress Grove CHS curriculum will:

- Provide a full educational program that addresses the intellectual, creative and social growth of its students.
- Utilize motivation and inspiration to stimulate learning.
- Nurture a sense of community awareness and involvement, by incorporating into the curriculum requirements such as service projects, cross-age and cross-school tutoring and business internships.
- Bring meaningful understanding of topics being taught. This will be accomplished through the sincere efforts of accomplished teachers with expertise in their content area preparation, as well as integration with hands-on and real life experience.
- Encourage and provide opportunities for students to achieve maximum competency in their work.
- Design class size and hours to effectively teach course content.
- Teachers will use diverse teaching styles as well as to explore new and established curriculum methods in order to achieve the objectives of Cypress Grove CHS students.

### **Professional Development**

While Cypress Grove CHS faculty members hold prestigious backgrounds in their subject areas, we believe that our ongoing education is an area for continued growth. We believe strongly that ongoing education serves to expand our personal as well as professional horizons. Our staff lives the idea that education is not simply a destination, but a lifelong journey.

Cypress Grove CHS is committed to our staff. Our teachers have served as supervisors for interns studying in the CSUMB credentialing program. Our staff has visited and shared observations with other charter schools as well.

The school has hosted many distinguished guests such as charter school expert Peter Thorpe from Gateway Charter High School and California Charter Schools Association board member, who led in-services for staff, parents and the governing board. Former Pacific Collegiate High School principal Jan Keating and development director James Reinhardt conducted a staff-training at Cypress Grove CHS. CSUMB instructor Richard Brown conducted service-learning workshops, and a management consultant Marie Galvin of Glavin & Associates led a seminar on organizational management and workplace communication.

Educational consultant John Bernardi led a seminar on classroom management, and offers his service yearly for individual faculty observations and assessments.

Our own faculty members have conducted in-house classroom management workshops. Our administrative staff has also attended numerous regional, national and state charter school conferences covering a range of topics that include but are not limited to: governance, finance, curriculum, school leadership and management.

The school-wide professional development plan, though not formal, has served to improve teacher effectiveness. This is demonstrated by a reduced number of disciplinary referrals, and increased academic success. This environment allows us as both staff and faculty to focus on the engagement of students with our ESLRs. Activities that are direct correlation with our ESLRs include: weekly tutoring by each teacher, after school homework club, literary arts society, and after school dramatic arts program.

#### **PLAN FOR STUDENTS WHO ARE ACHIEVING BELOW GRADE LEVEL**

A class advisor will be assigned to each student. The advisor will assist and work toward assuring the students have the tools and support needed to achieve success in their studies and goals.

- a. Academically low achieving students are identified in several ways. Teacher referral: Students exhibiting low academic skills, poor study habits, and/or failure to complete assignments are identified by teachers and referred to the students' advisor, counselor and administrator.
- b. Students are provided homework planners. It is mandatory for ninth and tenth grade and for identified selected students in grades eleven and twelve.
- c. Assignments are given at the start of each class and written down in the planner. The teacher then checks and initials each assignment. This helps keep students organize and parents aware of assignments given. Parents are expected to check the homework planner each day to know what is expected and the needs to be completed. Teacher and class advisors use the

planner to communicate with parents on a regular basis and indicate any problems that needs their attention.

- d. Progress reports are sent to parents each quarter to inform them of any problems that their students are having in meeting the demands of their classes. Parents are also informed regarding the successes in student endeavors in these classes.
- e. The class advisors and counselor are given printouts of progress reports and the grade D and/or F grades report to make them aware of students who are having difficulty in being successful at school. The advisor has fifteen to twenty students to monitor and mentor in their advisory class that meets four days per week, the counselor meets with students who show a pattern of low achievement through the D and/or F grades report. Quarterly, a counseling session is held in which strategies for remediation and success are explored with the student.
- f. School wide Tutoring and remediation: The teachers at Cypress Grove CHS provide tutoring for students on a regular basis during the school day and after school. The block scheduling allows time during the class period for teachers to help students in need after instruction has been presented and students are completing assigned work. The teachers are also available immediately after school to meet with students who are struggling with their work.
- g. Study Skills Classes: Students with low or failing grades are assigned to study skills classes at mid semester. Study skills classes available for any student in need of instruction and monitoring. Strategies for study, organization and assignment completion are taught and tutoring is also provided in these classes.
- h. Advisory Classes: Advisory classes also present an opportunity for teachers to work with students in need to enable them to be successful.
- i. Cypress Grove CHS does provide student study team approach when a student is referred by staff, or a parent requests such services. The student study team involves all the teachers of a student in a process of evaluation and formulation of an individualized educational plan. When appropriate, psychologists are asked to be involved in the process. Referrals to support programs (Linda Mood Bell, MPC, adult school, etc) are made when those programs are deemed appropriate to the needs of the student.

#### **PLAN FOR STUDENTS WHO ARE ACHIEVING ABOVE GRADE LEVEL**

- a. Academically high achieving students are identified through teacher recognition and referrals, tests (PSAT, SAT, ACT, STAR), grade point average lists and report cards.
- b. The faculty regularly recognizes student achievement through the “student of the week” program. The student is honored in the daily bulletin and in the school newspaper.

- c. High achieving students are placed in college prep courses (UC recognized A-G courses) and in the English 12AP course after which they take the AP English test.
- d. The students are encouraged beginning in the tenth and eleventh grades to take the PSAT and/or the SAT/ACT in their eleventh or twelfth grade.
- e. High achieving students are referred to MPC or Hartnell College to take advanced course in the arts, sciences, math or areas of their interest. They receive concurrent credit and the courses appear on their transcripts for college acceptance.
- f. Through the advisory program students regularly receive information on scholarships and college admission requirements.
- g. By their fourth year, most students are in a position to become involved in programs and course at community colleges, ROP, or on line Universities. Students are encouraged to do so.

### **PLAN FOR ENGLISH LEARNERS**

Cypress Grove CHS shall comply with all applicable federal laws in regard to services and the education of English Learner (EL) students.

#### *Identification of EL students*

- Initial identification via the California English Language Development Test (CELDT) scores. All students who have previously taken the CELDT, and have not been Redesignated Fluent English Proficient (RFEP), shall be considered EL.
- All enrolling students will be given a home language survey on their admissions form. Students who check a language other than English as the language spoken in the home, and have not previously been CELDT tested, shall be CELDT tested within the first month of school, and annually thereafter unless RFEP.
- Examination of cumulative files to flag any previously identified EL students
- Diagnostic assessments to identify specific areas of strength and weakness

#### *EL support strategies*

- Cypress Grove CHS shall seek to employ teaching staff who are Cross-cultural, Language and Academic Development (CLAD) or Bilingual Cross-cultural, Language and Academic Development (BCLAD) credentialed in order to support EL students.
- The School will notify all parents of its responsibility for CELDT testing and of CELDT results within 30 days of testing.

- The CELDT shall be used to fulfill the requirement under the No Child Left Behind Act for annual English proficiency testing.
- All EL students will take the California High School Exit Exam with legally appropriate accommodations along with other eligible students.
- EL instruction will be offered through English immersion. Within this context, teachers will be trained to shelter instruction for language learners using SDAIE strategies.
- If there is a critical mass of students at the Basic Interpersonal Communication Skills (BICS) level of language ability, an ELD section of English will be formed to help those students master ELD and ELA standards.
- Teachers will be trained, through consistent and relevant staff development sessions. Staff development will include a focus on multiple strategies to support EL students, introducing effective EL strategies such as Scaffolding (schema building, meta-cognitive inquiry, bridging and text representation). Teachers will also be trained to identify the similarities between first and second language development, so they can best identify students' strengths and/or weaknesses.
- Staff will use culturally and linguistically appropriate novels and other literature, calendars, reference books, manipulatives and other support materials.

## **PLAN FOR SPECIAL EDUCATION**

### **Overview**

The Charter School complies with all applicable state and federal laws in serving students with disabilities including but not limited to Section 504 of the Rehabilitation Act ("Section 504"), the Americans with Disabilities Act ("ADA") and the Individuals with Disabilities in Education Improvement Act ("IDEIA").

The Charter School agrees to adhere to the policies, procedures and requirements of the Monterey County Local Plan for Special Education.

### **Section 504 /ADA**

The School shall be solely responsible for its compliance with Section 504 and the ADA. All facilities of the Charter School shall be accessible for all students with disabilities in accordance with the ADA.

The Charter School recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of the Charter School. Any student

who has an objectively identified disability which substantially limits a major life activity such as learning is eligible for accommodation by the School.

A 504 team will be assembled by the Principal and shall include the parent and the student and qualified persons knowledgeable about the student. The 504 team will review the student's existing records, including academic, social and behavioral records and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEIA but found ineligible under the IDEIA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team who will evaluate the nature of the student's disability and the impact upon the student's education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team may also consider the following information in its evaluation:

- a. Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.
- b. Tests and other evaluation materials which include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligent quotient.
- c. Tests which are selected and administered so as to ensure that when a test is administered to a student with impaired sensory, manual or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever factor the test purports to measure rather than reflecting the student's impaired sensory, manual or speaking skills.

The final determination of whether the student will or will not be identified as a person with a disability is made by the 504 team in writing and noticed in writing to the parent or guardian of the student in their primary language along with the procedural safeguards available to them. If during the evaluation, the 504 team obtains information indicating possible eligibility of the student for special education per the IDEIA, a referral for special education assessment will be made by the 504 team.

If the student is found by the 504 team to have a disability under Section 504, the 504 team shall be responsible for determining what, if any, accommodations are needed to ensure that the student receives the free and appropriate public education ("FAPE"). In developing the 504 Plan, the 504 team shall consider all relevant information utilized during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the Charter School's professional staff. The parent or guardian shall be invited to participate in 504 team meetings where program modifications for the student will be determined and shall be given an opportunity to examine in advance all relevant records.

The 504 Plan shall describe the Section 504 disability and any program modification, accommodations or services that may be necessary.

All 504 team participants, parents, and guardians, teachers and any other participants in the student's education, including substitutes and tutors, must have a copy of each student's 504 Plan. The site administrator will ensure that teachers include 504 Plans with lesson plans for short-term substitutes and that he/she review the 504 Plan with a long-term substitute. A copy of the 504 Plan shall be maintained in the student's file. Each student's 504 Plan will be reviewed at least once per year to determine the appropriateness of the Plan, continued eligibility or readiness to discontinue the 504 Plan.

**Services for Students under the "IDEIA"**

The Charter School shall follow the District and SELPA policies and procedures in seeking out and identifying students who may qualify for special education programs and services. The Charter School will comply with District protocol as to the delineation of duties between the District central office and the local school site in providing services to identified pupils.

The Charter School intends to continue to function as a public school of the District solely for purposes of providing special education and related services under the IDEIA pursuant to Education Code Section 47641(b). In accordance with Education Code Section 47646, the Charter School seeks services from the District for special education students enrolled in the Charter School in the same manner as is provided to students in other District schools. These cooperative arrangements may include, but are not limited to the following:

- a. Open communication between the Charter school, school district of residence, and staff of the SELPA of residence, to ensure that students with exceptional needs are identified and that tier needs are evaluated and served in compliance with any and all applicable laws.
- b. Delivery of special education services either at the site of the charter school or sites maintained by the school district, county office, SELPA, or other appropriate provider. These arrangements may need to be developed on a case-by-case basis and reviewed and modified on a regular basis and in coordination with applicable laws and individual education plans.
- c. Equitable sharing in the revenues and costs associated with maintaining and operating services for students with exceptional needs.

**III. MEASURABLE STUDENT OUTCOMES AND  
OTHER USES OF DATA**

*Governing Law: The measurable pupil outcomes identified for use by the Charter School. “Pupil outcomes,” for purpose of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program. -- California Education Code Section 47605(b)(5)(B)*

*Governing Law: The method by which pupil progress in meeting those pupil outcomes is measured. -- California Education Code Section 47605(b) (5) (C)*

The Charter School shall meet all statewide standards applicable to pupils in non-charter public schools and shall conduct all required pupil assessments pursuant to Education Code Section 60605 or any other pupil assessments applicable to pupils in non-charter public schools.

**PUPIL OUTCOMES**

The School shall meet the following pupil outcomes which will be measured as detailed in the chart below:

<b>Outcome</b>	<b>Methods of Measurement</b>
It is the goal of Cypress Grove CHS to have their students increase standardized testing scores by each academic year.	STAR testing data CAT6 and California Standards Test
It is the goal of Cypress Grove CHS to strive, on average, to exceed the District average for student attendance.	Attendance data - school-wide and District-wide
It is the goal of Cypress Grove CHS to meet or exceed its Academic Performance Index growth targets on an annual basis.	API Scores
It is the goal of Cypress Grove CHS to make adequate yearly progress (“AYP”) as defined by the No Child Left Behind Act (“NCLB”).	AYP Reports
It is the goal of Cypress Grove CHS that the percentage of students passing the math portion of the CAHSEE test will be maintained at 80% or better each year	CAHSEE Scores
It is the goal of Cypress Grove CHS that the percentage of students passing the English Language Arts portion of the CAHSEE test will be maintained at 90% or better each year	CAHSEE Scores

<b>Outcome</b>	<b>Methods of Measurement</b>
The goal of Cypress Grove CHS is for 95% or more of all graduates attend 2 year and/or 4-year Universities starting with the 2005-06 graduating class.	Post-graduate information
The goal of Cypress Grove CHS is to raise the average GPA of the graduating class over the next 5 years.	GPA as measured by student grades which include student portfolios, teacher generate assessments, teacher review of assignments

### **USE AND REPORTING OF DATA**

Staff will receive data on student achievement during regularly scheduled staff meetings and will use this data to help monitor and improve the School's education program.

Parents and guardians will receive data on student achievements on report cards at least four times per year and additional progress reports up to four times per year.

The Charter School will compile and provide to District Board of Education an annual performance report. This report will, at a minimum, include the following data:

- Summary data showing student progress toward the goals and outcomes listed above.
- An analysis of whether student performance is meeting the goals specified in above. This data will be displayed on both a Charter school-wide basis and disaggregated by grade level and subject area categories to the extent feasible without compromising student confidentiality.
- A summary of major decisions and policies established by the Charter School Board during the year.
- Data on the level of parent involvement in the Charter School's governance (and other aspects of the school, if applicable) and summary data from an annual parent and student satisfaction survey.
- Data regarding the number of staff working at the school and their qualifications.
- A copy of the school's health and safety policies and/or a summary of any major changes to those policies during the year.
- Information demonstrating whether the Charter School implemented the means listed in the charter to strive to achieve a racially and ethnically balanced student population.
- An overview of the Charter School's admissions practices during the year and data regarding the numbers of students enrolled, the number on waiting lists, and the numbers of students expelled and/or suspended.

- Analysis of the effectiveness of the Charter School’s internal and external dispute mechanisms and on the number and resolution of disputes and complaints.
- Other information regarding the educational program and the administrative, legal and governance operations of the Charter School relative to compliance with the terms of the charter generally.

The Charter School and District Board of Trustees will jointly develop the content, evaluation criteria, timelines and process for the annual Programmatic Audit. The Charter School will use the information compiled in the Programmatic Audit to evaluate and initiate continual improvements upon its educational programming.

The School will submit to random unannounced site visits and inspections and in accordance with Education Code Section 47604.3 will promptly respond to all reasonable requests for information from the District, the County Office of Education or the Superintendent of Public Instruction.

#### **IV. GOVERNANCE STRUCTURE**

*Governing Law: The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement. -- California Education Code Section 47605(b)(5)(D)*

##### **NON-PROFIT PUBLIC BENEFIT CORPORATION**

While the Charter School enjoys its collaboration with the District, the Charter School shall continue to operate as a separate legal entity, independent of the District. The Charter School will be operated as a duly constituted California nonprofit public benefit corporation, and will be governed in accordance with applicable California Corporations Code Sections and its adopted bylaws. As provided for in the California Corporations Code, the Charter School will be governed by its Board of Directors (referred to as the Cypress Grove CHS Board of Trustees), whose members have a legal fiduciary responsibility for the well-being of the Charter School.

Pursuant to Education Code Section 47604(c), the District in performing its oversight of the Charter School as required by Education Code Section 47604.32, shall not be liable for the debts and obligations of the School or for claims arising from the performance of acts, errors, or omissions by the charter school. Attached as Appendix G, please find the Articles of Incorporation and Corporate Bylaws for the Charter School.

##### **NON-PROFIT BOARD OF DIRECTORS**

This Board of Directors is composed of a broad cross-section of the school community and community-at-large, including parents, teachers, administrators, professionals and community leaders, and is reflective of the ethnic diversity of the community. Broad community involvement makes sense for democratic and educational reasons: it enables voices to be heard, provides invaluable opportunities for learning, and makes it more likely that decisions will be fair, wise and supported. In addition, the President of Cypress Grove CHS Parent Teacher Organization sits on the Board of Trustees. In accordance with Education Code Sections 47604(b), the District is entitled to a single representative on the Board of Trustees. Attached as Appendix H, please find a flow chart of the School's governance structure which includes a list of Board members.

##### **Board of Trustees Duties**

The Board of Trustees will be responsible for the operation and fiscal affairs of the school including but not limited to:

- Approval of the annual school budget, calendar, salary schedules, major fundraising events, and grant writing;
- Negotiation and Approval of a Memorandum of Understanding (“MOU”) or other contracts with the District;

- Approval of all contracts, contract renewals, and personnel actions (e.g. hiring, discipline, dismissal) (subject to the disclosure and recusal of any employee Board member);
- Approval of bylaws, resolutions, and policies and procedures of school operation;
- Approval of all changes to the school charter to be submitted as necessary in accordance with applicable law;
- Long-term strategic planning for the School;
- Participation as necessary in dispute resolution ;
- Monitoring overall student performance;
- Filling the position of School Executive Director, as necessary (subject to the disclosure and recusal of the employee Board member);
- Evaluation of the School Executive Director (subject to the disclosure and recusal of the employee Board member);
- Monitoring the performance of the Charter School and take necessary action to ensure that the school remains true to its mission and charter;
- Monitoring the fiscal solvency of the school;
- Participation in the School independent fiscal audit;
- Participation in the School performance report;
- Participation as necessary in student expulsion matters; and
- Increasing public awareness of the Charter School

Attached as Appendix I, please find the Board Expectations.

The Charter School will update the District of changes to the Charter School Board of Trustees.

The Charter School Board of Trustees may initiate and carry out any program or activity that is not in conflict with or inconsistent with any law and which is not in conflict with the purposes for which charter schools are established.

## **Support Teams**

The Cypress Grove CHS Board of Trustees reserves the right at its sole discretion to establish Support Teams to act as advisory committees to the Cypress Grove CHS Board. As of the writing of this charter those teams are: Parent Teacher Organization, Administration Team, Site Development Team, Outreach Team, Finance Team and Education Team. These are referenced in the Organizational Flow Chart as Appendix H.

## **Board Delegation of Duties**

To the extent allowable by law, the Board of trustees may delegate the implementation of its duties to the Director/Executive Director, employees of the school or other responsible parties.

Day to day administration of the Charter school will be managed by the Director/Executive Director and, to the extent practical, teams of students, parents, teachers and administrators.

## **Board Meetings**

The Cypress Grove CHS Board of Trustees meets at least monthly. All Cypress Grove CHS Board of Trustees meetings are conducted in accordance with the Brown Act. The Board of Trustees shall participate regularly in training regarding board governance, Brown Act, and conflict of interest rules.

## **DIRECTOR/EXECUTIVE DIRECTOR DUTIES**

The Charter School Director (also referred to as the Executive Director) shall be hired by the Cypress Grove CHS Board of Trustees. The Charter School Director shall implement the policies and procedures of the Board and shall manage the day-to-day operations of the Charter School. The Director shall also serve as a liaison between the Cypress Grove CHS Board of Trustees and MPUSD and as a liaison between the Cypress Grove CHS Board of Trustees and the parents of the Charter School. The Charter School Director shall serve under contract for the Cypress Grove CHS Board of Trustees.

The Executive Director's duties shall include, but are not limited to, the following:

- Provide instructional leadership to the School;
- Attend District Administrative meetings as requested by the District and stay in direct contact with the District to assist the District in its oversight duties;
- Develop Cypress Grove CHS Board of Trustees meeting agenda in compliance with the Brown act; bring matters forward to the Cypress Grove CHS Board of Trustees;
- Supervise all employees of the school;

- Provide timely performance evaluations of all school employees at least once annually;
- Proposals of policies for adoption by the Cypress Grove CHS Board of Trustees;
- Provide comments and recommendations regarding policies presented by others to the Cypress Grove CHS Board of Trustees;
- Communicating with School legal counsel;
- Staying abreast of school laws and regulations;
- Approval of all purchase orders, pay warrants, and requisitions and upon approval, forward on for processing;
- Participation in the dispute resolution procedure and the complaint procedure when necessary;
- Grant writing;
- Attend meetings with the Chief Financial Officer of the District on fiscal oversight issues periodically;
- Provide all legally required financial reports to the District;
- Make budget line item revisions when necessary and report changes regularly to the Board of Trustees;
- Development and administration of the budget in accordance with generally accepted accounting principles;
- Presentation of a quarterly financial report to the Cypress Grove CHS Board of Trustees;
- Provide assistance and coordination to the faculty in the development of curriculum;
- Oversee parent/student/teacher relations;
- Attendance at IEP meetings when necessary;
- Student disciplinary matters;
- Coordinate the administration of Standardized Testing;
- Plan and coordinate student orientation;

- Attendance at all Cypress Grove CHS Board of Trustee meetings and attendance as necessary at District Board meetings;
- Site safety;
- Fostering an amicable relationship between District and School and facilitate a sharing of resources between both entities;
- Proposal of procedures to Cypress Grove CHS Board of Trustees designed to carry out Board policies;
- Scheduling;
- Graduations;
- Manage communications between District and Cypress Grove CHS Board of Trustees;
- Develop the Charter School annual Programmatic Audit;
- Present Programmatic Audit to the Cypress Grove CHS Board of Trustees and upon review and approval of the Cypress Grove CHS Board present the performance report to the District Board and the District Superintendent;
- Facilitate open house events;

The above duties may be delegated or contracted as approved by the Cypress Grove CHS Board of Trustees to another administrator of the Charter School or other employee, a parent volunteer (Only in accordance with student and teacher confidentiality rights) or to a third party provider as allowed by applicable law.

### **PARENT AND COMMUNITY INVOLVEMENT**

Cypress Grove CHS encourages parent involvement at every level. In addition to the parent representatives on the Cypress Grove CHS Board and Support Teams, the Charter School has also taken the following steps to ensure parent involvement:

- a. Formed a Parent-Teacher Organization (P.T.O.), the role of the P.T.O is:
  - Facilitate communication and nurture a cohesive relationship among the parents, students, faculty and the Charter school;
  - Initiate, carry out and sponsor projects that benefit and enhance the school community;
  - Effectively channel the efforts of the school community for the direct benefit of the students;

- In cooperation with the Cypress Grove CHS Board of Trustees, faculty and student body, provide support for enhanced educational programs through parent volunteers and fundraising activities;
  - Assure that parents are consulted in the governance of the school by encouraging parent representation on the Cypress Grove CHS Board of trustees;
- b. Encouraged the signature of a Family Participation/Commitment Form (attached as Appendix J), which stresses the importance of a minimum service requirement. Lack of parent participation as outlined in the Family Participation Commitment Form will not result in loss of enrollment rights or dismissal or any other punishment to a student. However, voting rights in elections for service on the Cypress Grove CHS Board of Trustees or Support Teams of the Cypress Grove CHS Board of Trustees is conditioned on the fulfillment of the Family Participation Commitment Form;
  - c. Developed an ongoing list of extensive participation opportunities for which parents can earn participation credit;
  - d. The PTO has developed a Parent volunteer and Phone tree coordinators along with class parents to help keep parents informed and involved in school activities.
  - e. The school offers free college nights geared toward educating parents on how to assist their students to prepare for secondary education and careers.
  - f. The school publishes a newsletter on a regular basis. The newsletter goes out to all parents and keeps them informed about the school's academic programs, co-curricular activities, financial condition, and upcoming events.
  - g. Annual events such as back to School Night and State of the School Meetings provide parents an overview of the schools activities, challenges and achievements.

## V. HUMAN RESOURCES

### QUALIFICATIONS OF SCHOOL EMPLOYEES

*Governing Law: The qualifications to be met by individuals to be employed by the School. -- California Education Code Section 47605(b)(5)(E)*

Cypress Grove CHS shall recruit professional, effective, and qualified personnel for all administrative, instructional, instructional support, and non-instructional support capacities that believe in the instructional philosophy outlined in Cypress Grove CHS's mission and vision. In accordance with Education Code Section 47605(d)(1), Cypress Grove CHS shall be nonsectarian in its employment practices and all other operations. Cypress Grove CHS shall not discriminate against any individual on the basis of ethnicity, national origin, gender, or disability. All employees shall receive a background clearance in accordance with 44237 and tuberculosis clearance before commencing employment.

All employees should possess the personal characteristics, knowledge base, and/or relevant experiences in the responsibilities and qualifications identified in the posted job description as determined by the Cypress Grove CHS Board of Trustees and consistent with the minimum qualifications described below.

#### Director

The selection and qualifications and duties of the Director shall be determined by the Cypress Grove CHS Board of Trustees. The school is most interested a Director that has an appropriate mix of expertise, professional experience and the demonstrated capacity to work successfully in a high school environment. These qualifications, at a minimum, shall show experience and/or parallel expertise which would indicate that he or she would be successful in the managing and operation of schools. The Director is subject to an annual evaluation by the Cypress Grove CHS Board of Trustees.

#### Teachers

Cypress Grove CHS Core teachers will hold appropriate California Commission on Teacher Credentialing teaching certificates, permits or other documents equivalent to that which a teacher in other public schools would be required to hold and shall meet all of the "highly qualified" requirements of the No Child Left Behind Act.

Qualifications for faculty will be determined by the Cypress Grove CHS Board of Trustees and a hiring committee, and shall include:

- A high level of competence in their field.
- An ability to communicate their love for, and knowledge of, their subject.
- Experience in teaching.
- The ability to work cooperatively within an intimate educational environment.

- Sensitivity to the talents and needs of their students.
- Flexibility and openness to alternative educational methods.

Specialty instructors and administrative personnel must have the qualifications requisite for the task they are to perform.

Attached as Appendix K, please find the posted job description and qualifications for Cypress Grove CHS teachers.

### **Non-Certificated Instructional Support Staff**

Cypress Grove CHS may also employ or retain non-certificated instructional support staff in any case where a prospective staff member has an appropriate mix of subject matter expertise, professional experience and the demonstrated capacity to work successfully in an instructional support capacity. Instructional support staff will assign grades or approve work assignments only in non-core, non-college courses and activities as allowed by Education Code Section 47605(1) such as art, music, technology and athletic programs.

### **Employee Handbook**

The Charter School has developed an employee handbook which delineates the policies and procedures regarding employment at the charter school. These policies will be reviewed on an ongoing basis in the Charter School's development efforts. Revisions to these policies will be submitted to the District annually as part of the Charter School's annual Programmatic Audit. Attached as Appendix L, please find the Cypress Grove CHS Employee Handbook.

### **RETIREMENT BENEFITS**

*Governing Law: The manner by which staff members of the Charter Schools will be covered by the State Teachers' Retirement System, the Public Employee's Retirement System, or federal social security. -- California Education Code Section 47605(b)(5)(K)*

Staff at Cypress Grove CHS will participate in the MPUSD-sponsored retirement plans according to rules and regulations applicable to those programs and the policies developed by the Cypress Grove CHS Board of Trustees and adopted as the school's employee policies. The current MPUSD retirement plan includes participation by teachers (20 hours or more a week) in the State Teacher Retirement System (STRS). Full time classified staff will participate in the Public Employees Retirement System (PERS) and the Federal Social Security System. All part-time staff will participate in the Federal Social Security System.

## **EMPLOYEE REPRESENTATION**

*Governing Law: A declaration whether or not the Charter School shall be deemed the exclusive public school employer of the employees of the Charter School for the purposes of the Educational Employment Relations Act. -- California Education Code Section 47605(b)(5)(O)*

Cypress Grove CHS shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act.

## **RIGHTS OF SCHOOL DISTRICT EMPLOYEES**

*Governing Law: A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school. -- Education Code Section 47605(b)(5)(M)*

Existing MPUSD employee collective bargaining agreements or Board policies relating to school districts or school district personnel will not cover the Charter School or the Cypress Grove CHS employees.

Employees that leave the employment of MPUSD to work at Cypress Grove CHS will no longer be covered by MPUSD collective bargaining agreements and shall have no actionable return rights to the District unless otherwise granted by the District in accordance with District board policy and applicable collective bargaining agreements.

## **HEALTH AND SAFETY**

*Governing Law: The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school record summary as described in Section 44237. -- California Education Code Section 47605(b)(5)(F)*

## **Procedures for Background Checks**

The Charter School will comply with the provisions of Education Code Section 44237 and 45125.1 regarding the fingerprinting and background clearance of employees, contractors and volunteers prior to employment, volunteering, or contract services or any unsupervised contact with pupils of the Charter School. The Director of the Charter School shall review Department of Justice reports on prospective employees/ contractors; volunteers to determine whether an employee may be employed in accordance with Education Code Section 44237 or 45125.1, except with respect to her or himself, in which case the President of the Board will review. The Director shall monitor compliance with this policy and report to the Board of Directors on a quarterly basis.

### **Role of Staff as Mandated Child Abuse Reporters**

All classified and certificated staff will be mandated child abuse reporters and will follow all applicable reporting laws, the same policies and procedures used by the District.

### **TB Testing**

The Charter School will follow the requirement of Education Code Section 49406 in requiring tuberculosis testing of all employees.

### **Immunizations**

The Charter School will adhere to all law related to legally required immunizations for entering students pursuant to Health and Safety Code Section 120325-120375, and Title 17, California Code of Regulations Section 6000-6075.

### **Medication in School**

The Charter School will adhere to Education Code Section 49423 regarding administration of medication in school.

### **Vision/Hearing/Scoliosis**

The Charter School shall adhere to Education Code Section 49450 et. seq. as applicable to the grade levels served by the Charter School.

### **Emergency Preparedness**

The Charter School shall adhere to the MPUSD Emergency Procedure Bulletin (attached as Appendix M. This handbook includes but is not limited to the following responses: fire, earthquake, bomb threats, hostile intruder, drive by shootings, and other life threatening situations. This bulletin is provided to all employees.

### **Bloodborne Pathogens**

The Charter School shall meet state and federal standards for dealing with bloodborne pathogens and other potentially infectious materials in the workplace. The Board shall establish a written "Exposure Control Plan" designed to protect employees from possible infection due to contact with bloodborne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV).

Whenever exposed to blood or other body fluids through injury or accident, students and staff should follow the latest medical protocol for disinfecting procedures.

## **Drug Free/Smoke Free Environment**

The Charter School shall maintain a drug and alcohol and smoke free environment.

## **Comprehensive Sexual Harassment Policies and Procedures**

The Charter School is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. The Charter School has developed a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at the School (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with the Charter School policy.

## **DISPUTE RESOLUTION**

*Governing Law: The procedures to be followed by the Charter School and the entity granting the charter to resolve disputes relating to provisions of the charter. -- California Education Code Section 47605(b)(5)(N)*

The intent of this dispute resolution process is to (1) resolve disputes within the school pursuant to the school's policies, (2) minimize the oversight burden on the district, (3) ensure a fair and timely resolution to disputes, and (4) frame a charter oversight and renewal process and timeline so as to avoid disputes regarding oversight and renewal matters.

The staff and governing board members of Cypress Grove CHS and MPUSD agree to resolve all disputes regarding this charter pursuant to the terms of this section. Both shall refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

## **Internal Disputes**

Disputes arising from within Cypress Grove CHS, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and Cypress Grove CHS Board of Trustees of Cypress Grove CHS shall be resolved pursuant to policies and processes developed by Cypress Grove CHS.

MPUSD shall not intervene in any such internal disputes without the consent of the Cypress Grove CHS or unless the dispute has given MPUSD reasonable cause to believe that a violation of this charter or related laws or agreements has occurred, and shall refer any complaints or reports regarding such disputes to the Cypress Grove CHS Board of Trustees/or Administrator of Cypress Grove CHS for resolution pursuant to the Charter School's policies.

### **Disputes Between the Cypress Grove CHS and the District**

In the event that Cypress Grove CHS or MPUSD have disputes regarding the terms of this charter or any other issue regarding the Charter School's and grantor's relationship, both parties agree to follow the process outlined below:

In the event of a dispute between Cypress Grove CHS and MPUSD, the staff and Cypress Grove CHS Board of Trustees of the Charter School and District agree to first frame the issue in written format and refer the issue to the Superintendent of the District or designee and Director of the Charter School. In the event that MPUSD believes that the dispute relates to an issue that could lead to revocation of the charter, this shall be specifically noted in the written dispute statement. However, participation in the dispute resolution procedure is not meant to otherwise prohibit the District from pursuing any rights it may have under Education Code Section 47607 to revoke the charter.

The Director and Superintendent or designee shall informally meet and confer within thirty (30) calendar days to attempt to resolve the dispute. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two board members from their respective boards who shall jointly meet with the Superintendent of the District or designee and Director of the School and attempt to resolve the dispute within thirty (30) calendar days of initial meeting. If this joint meeting fails to resolve the dispute, the Superintendent or designee and the Director shall meet to jointly identify a neutral, third party mediator to mediate the dispute. Mediation shall be held within sixty (60) days of the joint meeting. The costs of the mediator shall be split equally by the District and the Charter School. The timelines in this section may be extended as mutually agreed upon in writing. Any recommendations of the mediator shall be non-binding, unless the governing boards of the Charter School and District jointly agree to bind themselves.

## **VI. STUDENT ADMISSIONS, ATTENDANCE, AND SUSPENSION/EXPULSION POLICIES**

### **STUDENT ADMISSIONS POLICIES AND PROCEDURES**

*Governing Law: Admission Requirements, if applicable. -- Education Code Section 47605(b)(5)(H)*

The Charter School shall admit all pupils who wish to attend the School up to capacity. No test or assessment shall be administered to students prior to acceptance and enrollment into the school. The Charter School shall not charge tuition.

Pupils will be considered for admissions without regard to race, ethnicity, national origin, gender, or disability.

To begin the enrollment process, potential Cypress Grove CHS students will be encouraged but not required to:

- Show an understanding of, and desire to pursue the philosophy and policies of Cypress Grove CHS.
- Be informed of the facts concerning attending a High School that is WASC accredited, as long as this condition exists.
- Sign, together with parent(s) or guardian, an agreement agreeing to school policies and procedures.
- Complete and sign all required enrollment forms.

In the event that there are more applicants than available spaces per grade level, a public random drawing for enrollment, except for returning students to the School, will be conducted in stages in the order that follows:

- 1) Children of the Cypress Grove CHS Board of Trustees and Committee Members;  
*(if spaces for enrollment remain)*
- 2) Siblings of students currently enrolled or graduates of Cypress Grove CHS;  
*(if spaces for enrollment remain)*
- 3) Children of Cypress Grove CHS staff and teachers;  
*(if spaces for enrollment remain)*
- 4) Students who remain on any waiting list created from the last enrollment period;  
*(if spaces for enrollment remain)*
- 5) Pupils who reside within the attendance boundaries of MPUSD; and  
*(if spaces for enrollment remain)*
- 6) Non-residents of MPUSD who do not fall within the above categories.

Once each grade level is filled to capacity, the School shall create a wait list in the order drawn in the public random drawing.

### **NON-DISCRIMINATION**

*Governing Law: The means by which the school will achieve racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. -- California Education Code Section 47605 (b)(5)(G)*

The following methods have been employed to pursue a racial and ethnic balance that reflects the general population of MPUSD:

- Posting information regarding the school in different languages;
- Visiting different community groups, centers, and organizations that are representative of a cross-section of the community
- The development of promotional and informational material that appeals to the varied racial, ethnic and socioeconomic populations represented in the community.
- The organization of and participation in, outreach meetings that include prospective students and parents of varied racial, ethnic and socioeconomic backgrounds.
- The distribution of promotional and informational packages to a broad variety of community groups and agencies that serve various racial, ethnic and socioeconomic groups within the community.

For specific data on racial and ethnic break down see the School Profile Appendix A.

### **PUBLIC SCHOOL ATTENDANCE ALTERNATIVES**

*Governing Law: The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools. --California Education Code Section 47605(b)(5)(L)*

Choosing to enroll at Cypress Grove CHS is entirely voluntary. Students who reside within the District who choose not to attend the charter school may attend school within their school district of residence according to local district policy or at another school district or school within the District through the local district's intra and inter-district policies. Parents and guardians of each student enrolled in the charter school will be informed on enrollment forms that the students have no right to admission in a particular school of any local education agency as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the local education agency.

## **SUSPENSION AND EXPULSION PROCEDURES**

*Governing Law: The procedures by which pupils can be suspended or expelled. -- California Education Code Section 47605 (b)(5)(J)*

The Charter School shall provide due process to all students prior to acting to suspend or expel in accordance with the adopted Pupil Suspension and Expulsion Policy, attached as Appendix N.

## **VII. REPORTING AND ACCOUNTABILITY**

### **BUDGETS AND CASH FLOW**

*Governing Law: The petitioner or petitioners shall also be required to provide financial statements that include a proposed first year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation. -- Education Code Section 47605(g)*

Attached as Appendix O, please find the following documents:

- A multi-year budget summary through 2009-2010
- Key variable and expenditure worksheets to support the multi-year budget
- Three-year Cash Flow Report

These documents are based upon the best data available to the Charter School at this time.

### **FINANCIAL REPORTING**

The Charter School shall provide reports to the District as follows, and shall provide additional fiscal reports as requested by the District:

1. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement.
2. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of the Charter School's annual, independent financial audit report for the preceding fiscal year shall be delivered to the District, State Controller, State Department of Education and County Superintendent of Schools.
3. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
4. By September 15, a final unaudited report for the full prior year. The report submitted to the District shall include an annual statement of all the Charter School's receipts and expenditures for the preceding fiscal year.

### **INSURANCE**

The Charter School has acquired general liability, workers compensation, and Directors and Officers and other necessary insurance of the types and in the amounts required for an enterprise of similar purpose and circumstance. The District is named as an additional insured on all policies of the Charter School as requested by the District.

Upon request, the Charter School shall provide evidence of the above insurance coverage to the District.

### **ADMINISTRATIVE SERVICES**

*Governing Law: The manner in which administrative services of the School are to be provided. – California Education Code Section 47605(g)*

The District provides back office business services to the Charter school including but not limited to; purchasing, accounts payable, accounts receivable, monthly financial reports state SAC reporting, payroll personnel processing for payroll, PERS and STRS reporting, participation in District health and welfare benefits plans, access to the Monterey County Office of Education Financial Management System and access to the District attendance reporting system. See Appendix P for the business services agreement.

Cypress Grove CHS and MPUSD will annually negotiate a memorandum of understanding which will serve to outline the legal and fiscal relationship of the two parties including those services for which Cypress Grove CHS might contract with the District. These services currently include the following:

- Facilities lease
- Business services
- Special education.

### **FACILITIES**

*Governing Law: The facilities to be utilized by the school. The description of facilities to be used by the charter school shall specify where the school intends to locate. – California Education Code Section 47605.6(b)(5)(D)*

#### ***School Location***

This charter authorizes the operation of the Cypress Grove CHS, a charter which shall operate at one site within the geographic boundaries of Monterey Peninsula Unified School District, as authorized pursuant to Education Code Section 47605.

Cypress Grove CHS, lined with cypress trees and overlooking Monterey Bay, is located in Seaside, California, at the former Fort Ord military base. The campus is located only one mile from the California State University Monterey Bay at 225 Normandy Road, Seaside, CA 93955. Cypress Grove CHS currently leases approximately 18,000 square feet of facilities from the District. This includes an administration building, nine classrooms, two restrooms for students, an auditorium with kitchen, faculty prep area and restrooms. The school has access to a large black top area and lawn for physical education and lunch breaks. The school shares a parking lot with other tenants at the site. Additionally, the Presidio of Monterey's Child and Youth Services makes the Porter Youth

Center gymnasium across the street available to our students for athletics, dance and physical education programs.

### **INDEPENDENT FISCAL AUDIT**

*Governing Law: The manner in which an annual, independent financial audit shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority. -- California Education Code Section 47605(b)(5)(I)*

The Cypress Grove CHS Board of Trustees-forms an audit committee each fiscal year to oversee selection of an independent auditor and the completion of an annual audit of the School's financial affairs. The independent financial audit will verify the accuracy of the School's financial statements, attendance and enrollment accounting practices, and review the School's internal controls. The audit will be conducted in accordance with generally accepted accounting principles applicable to the School and in accordance with the K-12 audit guide provisions applicable to charter schools. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in any applicable Office of Management and Budget Circulars. The audit will be conducted in late September. The District will receive a draft of the audit report by November 15<sup>th</sup> each year and a final audit report by December 15<sup>th</sup> of each year. The Cypress Grove CHS's audit committee will review any audit exceptions or deficiencies with the District Superintendent or designee and report to the Cypress Grove CHS Board of Trustees with recommendations on how to resolve them to the satisfaction of the District. The Cypress Grove CHS Board of Trustees will report to MPUSD regarding how the exceptions and deficiencies have been, or will be, resolved to the satisfaction of the District. The Charter School Director and District Business Office representative will meet to discuss any disputes regarding the resolution of audit exceptions and work to mutually resolve the issue to the satisfaction of the Business Office of the District and the Charter School.

### **CLOSURE PROTOCOL**

*Governing Law: A description of the procedures to be used if the charter school closes. -- Education Code Section 47605(b)(5)(p)*

The following procedures shall apply in the event the School closes. The following procedures apply regardless of the reason for closure.

Closure of the Charter School will be documented by official action of the Charter School Board. The action will identify the reason for closure.

The Board will promptly notify the District of the closure and of the effective date of the closure.

The Board will ensure notification to the parents and students of the Charter School of the closure and to provide information to assist parents and students in locating suitable alternative programs. This notice will be provided promptly following the Charter School Board's decision to close the Charter School.

As applicable, the Charter School will provide parents, students and the District with copies of all appropriate student records and will otherwise assist students in transferring to their next school. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act ("FERPA") 20 U.S.C. § 1232g. The Charter School will ask the District to store original records of Charter School students. All records of the Charter School shall be transferred to the District upon Charter School closure.

As soon as reasonably practical, the Charter School will prepare final financial records. The Charter School will also have an independent fiscal audit completed as soon as reasonably practical, which period is generally no more than six months after closure. The Charter School will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by the Charter School and will be provided to the District promptly upon its completion.

On closure of the Charter School, all assets of the Charter School, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending the Charter School, remain the sole property of the Charter School and shall be distributed in accordance with the Articles of Incorporation upon the dissolution of the nonprofit public benefit corporation. On closure, the Charter School shall remain solely responsible for all liabilities arising from the operation of the Charter School.

As the Charter School is organized as a nonprofit public benefit corporation, the Charter School Board will follow the procedures set forth in the California Corporations Code for the dissolution of a nonprofit public benefit corporation and file all necessary filings with the appropriate State and federal agencies.

## **VIII. IMPACT ON THE DISTRICT**

*Governing Law: Potential civil liability effects, if any, upon the school and upon the District. -- Education Code Section 47605(g).*

### **POTENTIAL CIVIL LIABILITY EFFECTS**

This section is intended to fulfill the terms of Education Code Section 47605(g) and provides information regarding the potential civil liability effects of Cypress Grove CHS on the District.

Cypress Grove CHS shall be operated by a California non-profit public benefit corporation. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and California Revenue and Taxation Code Section 23701d. The specific purposes for which the corporation is organized are for the operation of a California public charter school for educational services in accordance with the Education Code Section 47600, et. seq.

Pursuant to Education Code Section 47604(c), an entity that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of acts, errors or omissions by Cypress Grove CHS if the authority has complied with all oversight responsibilities required by law. Cypress Grove CHS shall work diligently to assist the District in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other requested protocol to ensure the District shall not be liable for the operation of Cypress Grove CHS.

Further, Cypress Grove CHS and the District have entered into a memorandum of understanding which provides for indemnification of the District.

The corporate bylaws of Cypress Grove CHS shall provide for indemnification of the school's Board of Directors, officers, agents, and employees.

## **IX. CONCLUSION**

By renewing this charter, the Monterey Peninsula Unified School District will be fulfilling the intent of the Charter Schools Act of 1992 to improve pupil learning; increase learning opportunities for all pupils; create new professional opportunities for teachers; and provide parents and pupils with expanded choices in education and following the directive of law to encourage the creation of Charter Schools. The Charter School is eager to work independently, yet cooperatively with the District to set the highest standard for what a charter school should and can be. To this end, the Charter School pledges to work cooperatively with the District to answer any concerns over this document and to present the District with the strongest possible proposal for renewal of the charter for a term of five (5) years. Cypress Grove CHS shall be considered renewed as of the date of approval of the renewal by the District Board. Renewal of the charter shall be governed by the standards and criteria in Education Code Sections 47605 and 47607 as applicable.

California Department of Education  
2005-06 CHARTER SCHOOL PETITION REVIEW FORM

Petitioner

**Cypress Grove Charter High School for Arts & Sciences**

This form is a tool to evaluate a charter school petition submitted to the State Board of Education (SBE) on appeal. It is designed to ensure that the petition is reviewed in relation to the requirements of statute and regulation.

Evaluator

Greg Geeting

**OVERALL CALIFORNIA DEPARTMENT OF EDUCATION (CDE) EVALUATION**

Cypress Grove Charter High School for Arts & Sciences (Cypress Grove) has been in operation since August 2001. Chartered by the Monterey Peninsula Unified School District (MPUSD), Cypress Grove is a locally funded and relatively small school, reporting enrollment of 166 in 2005-06. By comparison, MPUSD's two comprehensive high schools, Monterey High and Seaside High, have enrollments of about 1,350 each. Cypress Grove has consistently maintained a statewide API ranking of at least 6, and the school achieved a statewide API ranking of 9 this past year. [Cypress Grove does not have sufficient test takers to qualify for a similar schools API ranking.] The school has greatly exceeded its API growth targets in the past testing two cycles, 2003-04 and 2004-05.

Cypress Grove unquestionably meets the minimum academic threshold for renewal established in *Education Code (EC)* Section 47607. However, renewal of the Cypress Grove charter was nonetheless denied by the MPUSD on February 21, 2006, and denied (upon appeal) by the Monterey County Board of Education on May 17, 2006. The MPUSD governing board based its denial on the petitioners being demonstrably unlikely to successfully implement the program, citing several specific issues, including the following:

- Cypress Grove has consistently denied MPUSD staff access to the school's financial records.
- The school is two years in arrears (2003-04 and 2004-05) in presenting independent annual audits to the MPUSD.
- The school apparently had a significant audit exception in preliminary findings for 2003-04 with liabilities exceeding assets by approximately \$162,800.
- The school has a history of relying on one-time or unstable revenues for ongoing expenditures.
- There have been instances of violating appropriate internal control practices as regards issuance of checks.

In written responses, Cypress Grove disputes many of the MPUSD's reasons for denial of the charter renewal, contending in some cases that the MPUSD shares responsibility for any deficiencies in financial recordkeeping.

The Monterey County Board of Education based its denial of Cypress Grove's renewal appeal on two reasons. The first (like the MPUSD governing board) was that the petitioners are demonstrably unlikely to successfully implement the program. The County Board cited several specific issues, including the following:

California Department of Education  
2005-06 CHARTER SCHOOL PETITION REVIEW FORM

Petitioner

**Cypress Grove Charter High School for Arts & Sciences**

**OVERALL CALIFORNIA DEPARTMENT OF EDUCATION (CDE) EVALUATION**

- Inadequate description of the structure for providing administrative services.
- Insufficient evidence that Cypress Grove plans to employ staff with necessary business expertise.
- No plan or timeline to develop and assemble necessary expertise.
- Lack of criteria for selection of a contractor for business services.
- No budget projection for the costs of contracting for administrative services.
- A negative balance entering 2005-06 shown in the school's own Multi-Year Budget Summary.
- Overly optimistic revenue projections based on the school's financial history.

The County Board's second reason for denial was that the petition does not contain reasonably comprehensive descriptions of some required charter elements. Specific issues cited included the following:

- Inconsistency as regards independent ("home based") study.
- Insufficient research references.
- Lack of assurance that necessary insurance coverage will be maintained.
- No listing of "core" courses.
- Unclear regarding qualifications for teachers of English learners.
- Lack of detail on employee status and benefits.
- Lack of specificity regarding compliance with the California Building Code and the Americans with Disabilities Act.
- Limitations on charter authorizer intervention in internal disputes.
- Proposed admission preferences that appear inconsistent with law.
- Lack of criteria to be used by the school's Audit Committee in selecting an independent auditor.

Cypress Grove disputed some of the County Board's concerns, and proposed changes in the charter to address others.

California Department of Education  
2005-06 CHARTER SCHOOL PETITION REVIEW FORM

Petitioner

**Cypress Grove Charter High School for Arts & Sciences**

**OVERALL CALIFORNIA DEPARTMENT OF EDUCATION (CDE) EVALUATION**

Cypress Grove's record of academic success has been impressive, although in fairness it should be noted that the demographic characteristics of the school's students are considerably different from those of the MPUSD's comprehensive high schools. For example, Cypress Grove's student body has a significantly smaller proportion of English learners and of special education students, and a significantly higher proportion of students who are white. In the 2005 state testing cycle, none of Cypress Grove's students qualified as socioeconomically disadvantaged, whereas about 45 percent of the test takers at Monterey High and Seaside High Schools were socioeconomically disadvantaged.

Cypress Grove's financial situation does give significant reason for concern. The lack of final audits for 2003-04 and 2004-05 (as required by the school's charter) is a serious problem. The school's own figures submitted with the appeal indicate that Cypress Grove entered the 2005-06 fiscal year with a deficit of \$43,167. However, without a final audit for 2004-05, it is difficult to verify the accuracy of this figure; the deficit may be higher. The school's own figures (as of December 2005) indicate that the carryover deficit would be cleared up during 2005-06, leaving a positive balance (reserve) of roughly three percent of projected revenues. However, it should be noted that the school's projected positive balance (reserve) for 2005-06 fell precipitously between the October 2005 (\$177,825) and December 2005 (\$33,748). The school, the MPUSD, and the County Office vary widely in their estimates of the school's actual fiscal situation. To address the uncertainties, Cypress Grove recently requested that the Fiscal Crisis and Management Assistance Team (FCMAT) perform an independent review of the school's financials. The results of the FCMAT review are expected no earlier than June 22, 2006, and a summary will be provided as a supplement to this analysis.

If the FCMAT review finds that the school has no deficit and has sound financial practices, then CDE staff's primary recommendation would be that the MPUSD governing board (or Monterey County Board of Education) reconsider its denial of the renewal. Only if it is determined that renewal at the local level (through the process of reconsideration) is not possible would CDE staff then propose that the ACCS consider recommending (and the SBE consider approving) renewal of the charter at the state level. If the ACCS wishes to recommend that the Cypress Grove charter be renewed (and/or if the SBE actually renews the charter), CDE staff recommend that the renewal recommendation/action incorporate both:

- Authority for the CDE to work out appropriate amendments to the charter to reflect the SBE as the charter authorizer and to address concerns noted herein and as may be identified in the consideration before the ACCS and/or the SBE.
- The various conditions prior to opening and operation that the SBE traditionally includes in its charter approval actions, to be consolidated in a memorandum of understanding between Cypress Grove and the CDE, along with any other provisions necessary for the CDE's effective oversight of the school (on behalf of the SBE) that are not included in the charter itself.

However, if the FCMAT review finds that the school is in deficit and/or lacks sound financial practices, then CDE staff recommend that the appeal of the renewal be denied because the petitioners are demonstrably unlikely to successfully implement (sustain) the program. Neither the SBE nor the CDE has financial reserves that can be tapped to fund operating deficits that a school might bring with it into a charter-renewal relationship with the SBE. Moreover, the lack of sound financial practices would provide sufficient reason for denial of the renewal request.

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**REQUIREMENTS FOR SBE-AUTHORIZED CHARTER SCHOOLS, PURSUANT TO EC SECTION 47605**

<b>SOUND EDUCATIONAL PRACTICE</b>	<b>EC Section 47605(b)</b> <b>CCR, Title 5, Section 11967.5.1(a)</b>
<b>Evaluation Criteria</b> For purposes of <i>EC</i> Section 47605(b), a charter petition shall be “consistent with sound educational practice” if, in the SBE’s judgment, it is likely to be of educational benefit to pupils who attend. A charter school need not be designed or intended to meet the educational needs of every student who might possibly seek to enroll in order for the charter to be granted by the SBE.	
<b>Is the charter petition “consistent with sound educational practice”?</b>	<b>Uncertain</b>
<b>Comments:</b> Although the petitioners have a track record of success from an educational standpoint, operation of the school in such manner as to expend a greater amount than the school collects in revenue would create a situation in which the school would be unlikely to sustain the educational benefit to the pupils who attend. If the chartering authority (SBE) becomes satisfied that approving the charter renewal is “consistent with sound educational practice,” then <i>EC</i> Section 47605(b) specifies the chartering authority “shall grant” the petition.	
<b>UNSOUND EDUCATIONAL PRACTICE</b>	<b>EC Section 47605(b)(1)</b> <b>CCR, Title 5, Section 11967.5.1(b)</b>
<b>Evaluation Criteria</b> For purposes of <i>EC</i> Section 47605(b)(1), a charter petition shall be “an unsound educational program” if it is either of the following: (1) A program that involves activities that the SBE determines would present the likelihood of physical, educational, or psychological harm to the affected pupils. (2) A program that the SBE determines not to be likely to be of educational benefit to the pupils who attend.	
<b>Does the charter petition present “an unsound educational program”?</b>	<b>Uncertain</b>
<b>Comments:</b> As discussed above, the school’s financial situation (now being reviewed by FCMAT) makes it speculative as to whether the educational benefit to the pupils can be sustained. It must be clear that the school is organized in such a way that ongoing expenses (i.e., staffing, facility costs, consumable supplies) can be met through the charter school general purpose and categorical block grant revenues that can be reasonably expected, not through unrealistic increases in average daily attendance or philanthropy.	

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<b>DEMONSTRABLY UNLIKELY TO IMPLEMENT THE PROGRAM</b>	<b>EC Section 47605(b)(2) CCR, Title 5, Section 11967.5.1(c)</b>
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**Evaluation Criteria**  
 For purposes of *EC* Section 47605(b)(2), the SBE shall take the following factors into consideration in determining whether charter petitioners are "demonstrably unlikely to successfully implement the program."  
 (1) If the petitioners have a past history of involvement in charter schools or other education agencies (public or private), the history is one that the SBE regards as unsuccessful, e.g., the petitioners have been associated with a charter school of which the charter has been revoked or a private school that has ceased operation for reasons within the petitioners' control.  
 (2) The petitioners are unfamiliar in the SBE's judgment with the content of the petition or the requirements of law that would apply to the proposed charter school.  
 (3) The petitioners have presented an unrealistic financial and operational plan for the proposed charter school (as specified).  
 (4) The petitioners personally lack the necessary background in the following areas critical to the charter school's success, and the petitioners do not have plan to secure the services of individuals who have the necessary background in curriculum, instruction, assessment, and finance and business management.

<b>Are the petitioners "demonstrably unlikely to successfully implement the program"?</b>	<b>Yes</b>
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**Comments:**  
 Insufficient information is provided (or otherwise available) to determine that the financial and operational plan is realistic.

<b>REQUIRED NUMBER OF SIGNATURES</b>	<b>EC Section 47605(b)(3) CCR, Title 5, Section 11967.5.1(d)</b>
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**Evaluation Criteria**  
 For purposes of *EC* Section 47605(b)(3), a charter petition that "does not contain the number of signatures required by [law]"...shall be a petition that did not contain the requisite number of signatures at the time of its submission...

<b>Did the petition contain the required number of signatures at the time of its submission?</b>	<b>Yes</b>
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**Comments:**  
 Cypress Grove has been operational since August 2001. The issue is whether to renew the charter. This specific provision must be presumed to have been satisfied.

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<b>AFFIRMATION OF SPECIFIED CONDITIONS</b>	<b>EC Section 47605(b)(4)</b> <b>EC Section 47605(d)</b> <b>CCR, Title 5, Section 11967.5.1(e)</b>
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**Evaluation Criteria**

For purposes of *EC* Section 47605(b)(4), a charter petition that "does not contain an affirmation of each of the conditions described in [*EC* Section 47605(d)]" ...shall be a petition that fails to include a clear, unequivocal affirmation of each such condition. Neither the charter nor any of the supporting documents shall include any evidence that the charter will fail to comply with the conditions described in *EC* Section 47605(d).

(1) ...[A] charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of ethnicity, national origin, gender, or disability. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or guardian, within this state, except that any existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.

(2) (A) A charter school shall admit all pupils who wish to attend the school.

(B) However, if the number of pupils who wish to attend the charter school exceeds the school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the district except as provided for in Section 47614.5. Other preferences may be permitted by the chartering authority on an individual school basis and only if consistent with the law.

(C) In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and, in no event, shall take any action to impede the charter school from expanding enrollment to meet pupil demand.

(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information. This paragraph applies only to pupils subject to compulsory full-time education pursuant to [*EC*] Section 48200.

<b>Does the charter petition contain the required affirmation?</b>	<b>Incomplete</b>
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**Comments:**

The charter contains an affirmation of most of the conditions set forth in *EC* Section 47605(d), but not all. The charter also appears to be inconsistent with the statute as regards exceptions and preferences to the random public drawing for admission. In order to comply with the regulation, **each condition** in *EC* Section 47605(d) needs to be affirmed. No affirmation related to paragraph (3) could be found, which is understandable given that paragraph (3) is a fairly new addition to *EC* Section 47605(d). This particular affirmation should be incorporated in the

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<b>AFFIRMATION OF SPECIFIED CONDITIONS</b>	<i>EC Section 47605(b)(4)</i> <i>EC Section 47605(d)</i> <b>CCR, Title 5, Section 11967.5.1(e)</b>
<p>charter. With respect to exceptions and preferences in the public random drawing for admission, the statute demands an exception for continuing students and preference for students of the district. The charter (page 39) incorporates the exception for continuing students, but it subordinates the preference for students of the district to four other categories of preference (i.e., children of Board and Committee members, siblings of current students and alumnae, children of staff, and wait-listed students from the previous enrollment period). It appears inconsistent with statute to subordinate the statutorily required preference to four discretionary preference categories. In reviewing and modify the charter as it relates to preferences, the federal provisions related to the Public Charter School Grant Program should be taken into account. Other than the exception for continuing students, and the preferences for students of the district, any other preferences included in the charter would require specific approval by the SBE.</p>	

**THE SIXTEEN CHARTER ELEMENTS**

<b>1. DESCRIPTION OF EDUCATIONAL PROGRAM</b>	<i>EC Section 47605(b)(5)(A)</i> <b>CCR, Title 5, Section 11967.5.1(f)(1)</b>
<p><b>Evaluation Criteria</b>          The description of the educational program..., as required by <i>EC Section 47605(b)(5)(A)</i>, at a minimum:</p>	
(A) Indicates the proposed charter school's target student population, including, at a minimum, grade levels, approximate numbers of pupils, and specific educational interests, backgrounds, or challenges.	Yes
(B) Specifies a clear, concise school mission statement with which all elements and programs of the school are in alignment and which conveys the petitioners' definition of an "educated person" in the 21 <sup>st</sup> century, belief of how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners.	Yes
(C) Includes a framework for instructional design that is aligned with the needs of the pupils that the charter school has identified as its target student population.	Generally
(D) Indicates the basic learning environment or environments (e.g., site-based matriculation, independent study, community-based education, technology-based education).	Yes

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1. DESCRIPTION OF EDUCATIONAL PROGRAM	<i>EC Section 47605(b)(5)(A) CCR, Title 5, Section 11967.5.1(f)(1)</i>
(E) Indicates the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods (or a process for developing the curriculum and teaching methods) that will enable the school's pupils to master the content standards for the four core curriculum areas adopted by the SBE pursuant to <i>EC</i> Section 60605 and to achieve the objectives specified in the charter.	Generally
(F) Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.	Yes
(G) Indicates how the charter school will meet the needs of students with disabilities, English learners, students achieving substantially above or below grade level expectations, and other special student populations	Yes
(H) Specifies the charter school's special education plan, including, but not limited to, the means by which the charter school will comply with the provisions of <i>EC</i> Section 47641, the process to be used to identify students who qualify for special education programs and services, how the school will provide or access special education programs and services, the school's understanding of its responsibilities under law for special education pupils, and how the school intends to meet those responsibilities.	No
If serving high school students, describes how district/charter school informs parents about: <ul style="list-style-type: none"> <li>• transferability of courses to other public high schools; and</li> <li>• eligibility of courses to meet college entrance requirements</li> </ul> (Courses that are accredited by the Western Association of Schools and Colleges (WASC) may be considered transferable, and courses meeting the UC/CSU "a-g" admissions criteria may be considered to meet college entrance requirements.)	Yes
<b>Does the petition overall present a reasonably comprehensive description of the educational program?</b>	<b>Incomplete</b>
<p><b>Comments (on educational program as a whole):</b>  The charter's framework for instructional design is solid (e.g., promote high standards, infuse core subjects with arts and sciences, emphasize personalized attention). However, the framework is general, not necessarily aligned with the specific student population targeted by the school. Given the school's record of academic achievement, the framework may not need to be modified.</p> <p>The charter indicates Cypress Grove's intent "to explore the option" of offering independent study (page 17). To date, the SBE has not approved a charter for an independent study school (in whole or in part). The SBE may wish to have this provision removed from the charter.</p> <p>The charter reflects the school's intent to continue to be a school of the MPUSD for special education purposes. The charter is thus rather brief and lacking in detail as regards special education. The charter indicates essentially that the school will "follow the District and SELPA policies and</p>	

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<b>1. DESCRIPTION OF EDUCATIONAL PROGRAM</b>	<b>EC Section 47605(b)(5)(A) CCR, Title 5, Section 11967.5.1(f)(1)</b>
<p>procedures” and “comply with District protocol as to the delineation of duties.” If this charter is renewed by the SBE, this section should be rewritten to include more detail consistent with the regulation, e.g., the actual process used to identify students, specifically how programs and services will be delivered, and clear statements as to the school’s responsibilities. SELPA participation arrangements would have be made for the school on a very short time line if the charter were to be renewed by the SBE; verification of SELPA participation is among the conditions prior to opening and operation that are traditionally included by the SBE in motions to approve charters.</p>	

<b>2. MEASURABLE PUPIL OUTCOMES</b>	<b>EC Section 47605(b)(5)(B) CCR, Title 5, Section 11967.5.1(f)(2)</b>
<p><b>Evaluation Criteria</b>          Measurable pupil outcomes, as required by EC Section 47605(b)(5)(B), at a minimum:</p>	
(A) Specify skills, knowledge, and attitudes that reflect the school’s educational objectives and can be assessed, at a minimum, by objective means that are frequent and sufficiently detailed enough to determine whether pupils are making satisfactory progress. It is intended that the frequency of objective means of measuring pupil outcomes vary according to such factors as grade level, subject matter, the outcome of previous objective measurements, and information that may be collected from anecdotal sources. To be sufficiently detailed, objective means of measuring pupil outcomes must be capable of being used readily to evaluate the effectiveness of and to modify instruction for individual students and for groups of students.	Generally
(B) Include the school’s Academic Performance Index growth target, if applicable.	Yes
<b>Does the petition present a reasonably comprehensive description of measurable pupil outcomes?</b>	<b>Yes</b>
<p><b>Comments:</b>          The charter lists pupil outcomes that are largely based upon statewide testing results, STAR and CAHSEE. Also identified are as measurable pupil outcomes are classroom attendance, attendance (subsequent to graduation) of Cypress Grove students in two- and four-year postsecondary institutions, and GPAs. AYP is listed as a measurable pupil outcome, but it is only marginally relevant for purposes of this section, and the SBE may wish to request that it be removed. One drawback to substantial reliance on STAR and CAHSEE is that achievement data, for the most part, are reported only annually and typically after the year ends. Presumably, the school monitors student achievement during the year, but the benchmarks for doing so are only implied not explicit. This section does not reference achievement as measured by the CELDT or the PFT.</p> <p>The target for classroom attendance (i.e., exceeding the District average) is vague and potentially variable from year to year; firm benchmarks may be more appropriate. Growth in the GPA as a measurable outcome may be inappropriate in that reliance on the GPA for this purpose may inadvertently promote “grade-flation” over time.</p>	

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<b>2. MEASURABLE PUPIL OUTCOMES</b>	<b>EC Section 47605(b)(5)(B) CCR, Title 5, Section 11967.5.1(f)(2)</b>
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Cypress Grove's 2005 base API is 766. The schools API growth target for 2005-06 (i.e., the testing conducted during spring 2006) is two points.

<b>3. METHOD FOR MEASURING PUPIL PROGRESS</b>	<b>EC Section 47605(b)(5)(C) CCR, Title 5, Section 11967.5.1(f)(3)</b>
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**Evaluation Criteria**

The method for measuring pupil progress, as required by EC Section 47605(b)(5)(C), at a minimum:

(A) Utilizes a variety of assessment tools that are appropriate to the skills, knowledge, or attitudes being assessed, including, at minimum, tools that employ objective means of assessment consistent with the measurable pupil outcomes.	Yes
(B) Includes the annual assessment results from the Statewide Testing and Reporting (STAR) program.	Yes
(C) Outlines a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and to pupils' parents and guardians, and for utilizing the data continuously to monitor and improve the charter school's educational program.	Yes
<b>Does the petition present a reasonably comprehensive description of the method for measuring pupil progress?</b>	<b>Yes</b>

**Comments:**

The charter includes (or implies) methods for measuring progress in relation to the outcomes identified above. Discussion is included (page 25) on the use and reporting of data.

<b>4. GOVERNANCE STRUCTURE</b>	<b>EC Section 47605(b)(5)(D) CCR, Title 5, Section 11967.5.1(f)(4)</b>
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**Evaluation Criteria**

The governance structure of the school, including, but not limited to, the process...to ensure parental involvement..., as required by EC Section 47605(b)(5)(D), at a minimum:

(A) Includes evidence of the charter school's incorporation as a non-profit public benefit corporation, if applicable.	Yes
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<b>4. GOVERNANCE STRUCTURE</b>	<b>EC Section 47605(b)(5)(D) CCR, Title 5, Section 11967.5.1(f)(4)</b>
(B) Includes evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that: <ol style="list-style-type: none"> <li>1. The charter school will become and remain a viable enterprise.</li> <li>2. There will be active and effective representation of interested parties, including, but not limited to parents (guardians).</li> <li>3. The educational program will be successful.</li> </ol>	Yes
<b>Does the petition present a reasonably comprehensive description of the school's governance structure?</b>	<b>Yes</b>
<b>Comments:</b> The Monterey County Office analysis noted that, while the charter is explicit that the Cypress Grove Board of Trustees is subject to the provisions of the <i>Ralph M. Brown Act</i> (i.e., open meetings), the charter does not specifically require that "support teams" to the governing board (e.g., Parent Teacher Organization and Outreach Team) would also be subject to the <i>Brown Act</i> . CDE staff believe that applying the <i>Brown Act</i> to support teams across the board may create an unnecessarily burdensome arrangement. We recommend that the Cypress Grove Board of Trustees retain flexibility in regard to meeting notices and other conduct of the support teams.	
<b>5. EMPLOYEE QUALIFICATIONS</b>	<b>EC Section 47605(b)(5)(E) CCR, Title 5, Section 11967.5.1(f)(5)</b>
<b>Evaluation Criteria</b> The qualifications [of the school's employees], as required by <i>EC Section 47605(b)(5)(E)</i> , at a minimum:	
(A) Identify general qualifications for the various categories of employees the school anticipates (e.g., administrative, instructional, instructional support, non-instructional support). The qualifications shall be sufficient to ensure the health, and safety of the school's faculty, staff, and pupils.	Yes
(B) Identify those positions that the charter school regards as key in each category and specify the additional qualifications expected of individuals assigned to those positions.	Yes
(C) Specify that all requirements for employment set forth in applicable provisions of law will be met, including, but not limited to credentials as necessary.	Yes
<b>Does the petition present a reasonably comprehensive description of employee qualifications?</b>	<b>Yes</b>

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<b>5. EMPLOYEE QUALIFICATIONS</b>	<b>EC Section 47605(b)(5)(E) CCR, Title 5, Section 11967.5.1(f)(5)</b>
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**Comments:**

The charter specifies that core teachers will hold appropriate CTC-issued certificates (permits or other documents) and will all be highly qualified pursuant to the NCLB. The Monterey County Office analysis comments on an apparent inconsistency in relation to English learners in that the charter states only that the school will “seek” to employ teachers who are CLAD or BCLAD credentialed. If the SBE chooses to renew the charter, CDE staff concur that this reference should be reconciled with the charter’s commitment to having teachers with CTC-issued certificates that are “equivalent to that which a teacher in other public schools would be required to hold.”

<b>6. HEALTH AND SAFETY PROCEDURES</b>	<b>EC Section 47605(b)(5)(F) CCR, Title 5, Section 11967.5.1(f)(6)</b>
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**Evaluation Criteria**

The procedures...to ensure the health and safety of pupils and staff, as required by *EC Section 47605(b)(5)(F)*, at a minimum:

(A) Require that each employee of the school furnish the school with a criminal record summary as described in <i>EC Section 44237</i> .	Yes
(B) Include the examination of faculty and staff for tuberculosis as described in <i>EC Section 49406</i> .	Yes
(C) Require immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school.	Yes
(D) Provide for the screening of pupils’ vision and hearing and the screening of pupils for scoliosis to the same extent as would be required if the pupils attended a non-charter public school.	Yes
<b>Does the petition present a reasonably comprehensive description of health and safety procedures?</b>	<b>Yes</b>

**Comments:**

The charter (page 36) references adherence to the MPUSD Emergency Procedure Bulletin, and that Bulletin is included as an appendix. The Bulletin is very comprehensive. Even with the SBE in the role of charter authorizer, this reference may continue to be appropriate.

<b>7. RACIAL AND ETHNIC BALANCE</b>	<b>EC Section 47605(b)(5)(G) CCR, Title 5, Section 11967.5.1(f)(7)</b>
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**Evaluation Criteria**

Recognizing the limitations on admissions to charter schools imposed by *EC Section 47605(d)*, the means by which the school(s) will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district..., as required by *EC Section 47605(b)(5)(G)*, shall be presumed to have been met, absent specific information to the contrary.

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<b>7. RACIAL AND ETHNIC BALANCE</b>	<b>EC Section 47605(b)(5)(G) CCR, Title 5, Section 11967.5.1(f)(7)</b>
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<b>Does the petition present a reasonably comprehensive description of means for achieving racial and ethnic balance?</b>	<b>Unclear</b>
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**Comments:**  
 The charter lists (page 40) various methods to “pursue” racial and ethnic balance reflective of the MPUSD student population, including posting information in languages other than English, visits to community groups, development of targeted promotional material, and outreach meetings for parents of varied racial, ethnic, and socioeconomic backgrounds. Cypress Grove’s student body is less diverse than the district’s, both generally and in relationship to the comprehensive high schools. If the SBE renews the charter, it may wish to call for greater effort with respect to outreach activities.

<b>8. ADMISSION REQUIREMENTS, IF APPLICABLE</b>	<b>EC Section 47605(b)(5)(H) CCR, Title 5, Section 11967.5.1(f)(8)</b>
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**Evaluation Criteria**  
 To the extent admission requirements are included in keeping with *EC* Section 47605(b)(5)(H), the requirements shall be in compliance with the requirements of *EC* Section 47605(d) and any other applicable provision of law.

<b>Does the petition present a reasonably comprehensive description of admission requirements?</b>	<b>No</b>
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**Comments:**  
 As noted above, CDE staff believe the charter is inconsistent with statute in specific relationship to the required admission preference for students of the district, which is contained in *EC* Section 47605(d). By regulation, a reasonably comprehensive description of this element (admission requirements) is tied specifically to compliance with *EC* Section 47605(d). Therefore, the charter does not appear to have satisfied this element.  
 The Cypress Grove charter incorporates the discussion of admission preferences in the section on admission requirements. With respect to admission prerequisites per se, the charter does not appear onerous. There is a reference to students being “encouraged but not required to” display certain characteristics, such as an understanding of the school’s philosophy and policies. Completing and signing “required enrollment forms” is also listed as “encouraged but not required”; however, that appears to be unintended and should be corrected in the charter rewriting process, if the charter is renewed by the SBE.

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<b>9. ANNUAL INDEPENDENT FINANCIAL AUDITS</b>	<b>EC Section 47605(b)(5)(I) CCR, Title 5, Section 11967.5.1(f)(9)</b>
<b>Evaluation Criteria</b> The manner in which annual independent financial audits shall be conducted using generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the SBE's satisfaction, as required by <i>EC Section 47605(b)(5)(I)</i> , at a minimum:	
(A) Specify who is responsible for contracting and overseeing the independent audit.	Yes
(B) Specify that the auditor will have experience in education finance.	Yes
(C) Outline the process of providing audit reports to the State Board of Education, California Department of Education, or other agency as the State Board of Education may direct, and specifying the timeline in which audit exceptions will typically be addressed.	Yes
(D) Indicate the process that the charter school(s) will follow to address any audit findings and/or resolve any audit exceptions.	Generally
<b>Does the petition present a reasonably comprehensive description of annual independent financial audits?</b>	<b>Generally. Recommend clarification.</b>
<b>Comments:</b> The charter pre-dates changes in statute and regulation governing audits. It needs to be rewritten and made consistent with current requirements. Auditors are now required to be selected from among those approved to perform school audits by the State Controller's Office. The Monterey County Office analysis commented that this section was insufficiently detailed. CDE staff concur in some respects. However, merely updating the section to reflect statutory changes will substantially address our concerns. [As with other sections in the charter, references to the MPUSD would need to be modified to reflect the SBE as the chartering authority.]	

<b>10. SUSPENSION AND EXPULSION PROCEDURES</b>	<b>EC Section 47605(b)(5)(J) CCR, Title 5, Section 11967.5.1(f)(10)</b>
<b>Evaluation Criteria</b> The procedures by which pupils can be suspended or expelled, as required by <i>EC Section 47605(b)(5)(J)</i> , at a minimum:	
(A) Identify a preliminary list, subject to later revision pursuant to subparagraph (E), of the offenses for which students in the charter school must (where non-discretionary) and may (where discretionary) be suspended and, separately, the offenses for which students in the charter school must (where non-discretionary) or may (where discretionary) be expelled, providing evidence that the petitioners' reviewed the offenses for which students must or may be suspended or expelled in non-charter public schools.	Yes
(B) Identify the procedures by which pupils can be suspended or expelled.	Yes

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<b>10. SUSPENSION AND EXPULSION PROCEDURES</b>	<b>EC Section 47605(b)(5)(J) CCR, Title 5, Section 11967.5.1(f)(10)</b>
(C) Identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion.	Yes
(D) Provide evidence that in preparing the lists of offenses specified in subparagraph (A) and the procedures specified in subparagraphs (B) and (C), the petitioners reviewed the lists of offenses and procedures that apply to students attending non-charter public schools, and provide evidence that the charter petitioners believe their proposed lists of offenses and procedures provide adequate safety for students, staff, and visitors to the school and serve the best interests the school's pupils and their parents (guardians).	Yes
(E) If not otherwise covered under subparagraphs (A), (B), (C), and (D): 1. Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in...regard to suspension and expulsion. 2. Outline how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion.	N/A
<b>Does the petition present a reasonably comprehensive description of suspension and expulsion procedures?</b>	<b>Yes</b>
<b>Comments:</b> The charter (Appendix N) includes a very comprehensive description of suspension and expulsion, including provisions for due process, rehabilitation plans, readmission, and specific consideration to be given when disciplinary issues involve students with disabilities or suspected disabilities.	

<b>11. STRS, PERS, AND SOCIAL SECURITY COVERAGE</b>	<b>EC Section 47605(b)(5)(K) CCR, Title 5, Section 11967.5.1(f)(11)</b>
<b>Evaluation Criteria</b> The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security, as required by EC Section 47605(b)(5)(K), at a minimum, specifies the positions to be covered under each system and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made.	
<b>Does the petition present a reasonably comprehensive description of STRS, PERS, and social security coverage?</b>	<b>Generally</b>
<b>Comments:</b> The charter addresses participation in STRS, PERS, and social security (page 34). However, this section of the charter would need to be reworked if the SBE were to become the chartering authority.	

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<b>12. PUBLIC SCHOOL ATTENDANCE ALTERNATIVES</b>	<b>EC Section 47605(b)(5)(L) CCR, Title 5, Section 11967.5.1(f)(12)</b>
<p><b>Evaluation Criteria</b>          The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools, as required by EC Section 47605(b)(5)(L), at a minimum, specify that the parent or guardian of each pupil enrolled in the charter school shall be informed that the pupil has no right to admission in a particular school of any local education agency (or program of any local education agency) as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the local education agency.</p>	
<p><b>Does the petition present a reasonably comprehensive description of public school attendance alternatives?</b> <span style="float: right;"><b>Yes</b></span></p>	
<p><b>Comments:</b>          The charter is clear that enrollment is entirely voluntary (page 40).</p>	

<b>13. POST-EMPLOYMENT RIGHTS OF EMPLOYEES</b>	<b>EC Section 47605(b)(5)(M) CCR, Title 5, Section 11967.5.1(f)(13)</b>
<p><b>Evaluation Criteria</b>          The description of the rights of any employees of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school, as required by EC Section 47605(b)(5)(M), at a minimum, specifies that an employee of the charter school shall have the following rights:</p>	
(A) Any rights upon leaving the employment of a local education agency to work in the charter school that the local education agency may specify.	Yes
(B) Any rights of return to employment in a local education agency after employment in the charter school as the local education agency may specify.	Yes
(C) Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working in the charter school that the SBE determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school.	Yes
<p><b>Does the petition present a reasonably comprehensive description of post-employment rights of employees?</b> <span style="float: right;"><b>Yes</b></span></p>	
<p><b>Comments:</b>          The charter indicates that employees have no right of return to employment in the MPUSD "unless otherwise granted by the District." If the SBE becomes the charter authorizer, it may be appropriate to rework this section somewhat.</p>	

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<b>14. DISPUTE RESOLUTION PROCEDURES</b>	<b>EC Section 47605(b)(5)(N) CCR, Title 5, Section 11967.5.1(f)(14)</b>
<b>Evaluation Criteria</b> The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to the provisions of the charter, as required by <i>EC Section 47605(b)(5)(N)</i> , at a minimum:	
(A) Include any specific provisions relating to dispute resolution that the SBE determines necessary and appropriate in recognition of the fact that the SBE is not a local education agency.	Yes
(B) Describe how the costs of the dispute resolution process, if needed, would be funded.	Yes
(C) Recognize that, because it is not a local education agency, the State Board of Education may choose resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, provided that if the State Board of Education intends to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter.	No
(D) Recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with <i>EC Section 47604.5</i> , the matter will be addressed at the State Board of Education's discretion in accordance with that provision of law and any regulations pertaining thereto.	Yes
<b>Does the petition present a reasonably comprehensive description of dispute resolution procedures?</b>	<b>No</b>
<b>Comments:</b> The charter contains a significant discussion of dispute resolution. However, it is obviously geared toward a relationship with the MPUSD. The section would need to be revised if the SBE were to become the chartering authority. The Monterey County Office analysis commented that the County Office should have right to address all disputes, including disputes that are internal. If the SBE becomes the chartering authority, CDE staff would concur with the intent of the County Office recommendation, providing the SBE or its designees "authority" to resolve any dispute, internal or external, though recognizing that the SBE or its designees may likely choose to enter into internal disputes only under extraordinary circumstances.	

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<b>15. EXCLUSIVE PUBLIC SCHOOL EMPLOYER</b>	<b>EC Section 47605(b)(5)(O) CCR, Title 5, Section 11967.5.1(f)(15)</b>
<p><b>Evaluation Criteria</b>          The declaration of whether or not the district shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the <i>Government Code</i>), as required by <i>EC Section 47605(b)(5)(O)</i>, recognizes that the SBE is not an exclusive public school employer and that, therefore, the charter school must be the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act.</p>	
<b>Does the petition include the necessary declaration?</b>	<b>Yes</b>
<p><b>Comments:</b>          The charter indicates that the school will be the exclusive public school employer for collective bargaining purposes (page 35).</p>	

<b>16. CLOSURE PROCEDURES</b>	<b>EC Section 47605(b)(5)(P)</b>
<p><b>Evaluation Criteria</b>          A description of the procedures to be used if the charter school closes, in keeping with <i>EC Section 47605(b)(5)(P)</i>. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.</p>	
<b>Does the petition include a reasonably comprehensive description of closure procedures?</b>	<b>Changes needed.</b>
<p><b>Comments:</b>          The charter includes a description of closure procedures (pages 44-45). However, it has certain language that is confusing, such as closure necessitating "official action" by the school's governing board. If the SBE were to revoke the charter, consent of the school's governing board is not necessary. This should be clarified. The proposed closure procedures do not indicate what dependable source of funds would be used to finance the activities outlined. A source of funding should be identified, as well as the means for accessing it. The petition indicates that any net unrestricted assets (i.e., assets remaining after all liabilities have been resolved) would "remain the sole property of the School and...be distributed in accordance with the Articles of Incorporation." It may be preferable to have the net assets be transferred to the state (which would be allowed under the nonprofit public benefit corporation law). Also, as with other parts of charter, this section would need to be amended to reflect the SBE as the chartering authority.</p>	

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**ADDITIONAL REQUIREMENTS UNDER EC SECTION 47605**

<b>STANDARDS, ASSESSMENTS, AND PARENT CONSULTATION</b>	<b>EC Section 47605(c)</b>
<b>Evaluation Criteria</b> Evidence is provided that:	
(1) The school shall meet all statewide standards and conduct the pupil assessments required pursuant to <i>EC</i> sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.	Yes
(2) The school shall, on a regular basis, consult with their parents and teachers regarding the school's educational programs.	Yes
<b>Does the petition provide evidence addressing the requirements regarding standards, assessments, and parent consultation?</b>	<b>Yes</b>
<b>Comments:</b> The charter globally addresses meeting standards and participating in state testing (page iv and page 25).	

<b>EMPLOYMENT IS VOLUNTARY</b>	<b>EC Section 47605(e)</b>
<b>Evaluation Criteria</b> The governing board...shall not require any employee...to be employed in a charter school.	
<b>Does the petition meet this criterion?</b>	<b>Yes</b>
<b>Comments:</b> It is clear that employment at Cypress Grove is voluntary on the part of the employee.	

<b>PUPIL ATTENDANCE IS VOLUNTARY</b>	<b>EC Section 47605(f)</b>
<b>Evaluation Criteria</b> The governing board...shall not require any pupil...to attend a charter school.	
<b>Does the petition meet this criterion?</b>	<b>Yes</b>

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<b>PUPIL ATTENDANCE IS VOLUNTARY</b>	<b>EC Section 47605(f)</b>
<b>Comments:</b> It is clear that attendance at Cypress Grove is voluntary.	

<b>EFFECT ON AUTHORIZER AND FINANCIAL PROJECTIONS</b>	<b>EC Section 47605(g)</b>
<b>Evaluation Criteria</b> ...[T]he petitioners [shall] provide information regarding the proposed operation and potential effects of the school, including, but not limited to:..	
<ul style="list-style-type: none"> <li>• The facilities to be utilized by the school. The description of the facilities to be used by the charter school shall specify where the school intends to locate.</li> </ul>	Uncertain
<ul style="list-style-type: none"> <li>• The manner in which administrative services of the school are to be provided.</li> </ul>	Yes
<ul style="list-style-type: none"> <li>• Potential civil liability effects, if any upon the school and the SBE.</li> </ul>	Yes
The petitioners shall also provide financial statements that include a proposed first-year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation.	
<b>Does the petition provide the required information and financial projections?</b>	<b>Not complete</b>
<b>Comments:</b> As noted above, the financial information submitted by the school and the lack of final audits for 2003-04 and 2004-05 are serious issues. Moreover, the status of the school's existing facility would be unclear if the SBE were to become the charter authorizer. The MPUSD may continue to "lease" the existing facility to the school as described in the charter, but that is not entirely certain.  The charter contains some discussion of potential impact (page 46), but this would need to be revised if the SBE were to become the chartering authority.	

<b>ACADEMICALLY LOW ACHIEVING PUPILS</b>	<b>EC Section 47605(h)</b>
<b>Evaluation Criteria</b> In reviewing petitions, the charter authorizer shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioners as academically low achieving...	
<b>Does the petition merit preference by the SBE under this criterion?</b>	<b>No</b>

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<b>ACADEMICALLY LOW ACHIEVING PUPILS</b>	<b>EC Section 47605(h)</b>
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<b>Comments:</b> The charter does not include evidence that Cypress Grove systematically targets academically low achieving students in its recruitment process, and the school has a substantially smaller proportion of students likely to be low achieving than the MPUSD's comprehensive high schools.
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<b>TEACHER CREDENTIALING</b>	<b>EC Section 47605(l)</b>
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<b>Evaluation Criteria</b> Teachers in charter schools shall be required to hold a CCTC certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold...It is the intent of the Legislature that charter schools be given flexibility with regard to noncore, noncollege preparatory courses.
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<b>Does the petition meet this requirement?</b>	<b>Yes</b>
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<b>Comments:</b> The credentialing requirement is addressed.
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<b>TRANSMISSION OF AUDIT REPORT</b>	<b>EC Section 47605(m)</b>
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<b>Evaluation Criteria</b> A charter school shall transmit a copy of its annual independent financial audit report for the preceding fiscal year...to the chartering entity, the Controller, the county superintendent of schools of the county in which the charter is sited..., and the CDE by December 15 of each year.
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<b>Does the petition address this requirement?</b>	<b>Incomplete</b>
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<b>Comments:</b> The charter notes the requirement for an annual audit to be delivered to the MPUSD, but (as noted above) the school has not produced final audits for 2003-04 or 2004-05 according to the documentation received. As a locally funded charter school, Cypress Grove has been included with the MPUSD's annual audit for purposes of reporting to the state. If Cypress Grove's charter were to be renewed by the SBE, this section of the charter would need to be rewritten.
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# School Profile

## Cypress Grove Charter High School for Arts and Sciences

225 Normandy Rd. Seaside, CA 93955

831 392-0200

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### Introduction

Cypress Grove Charter High School for Arts and Sciences (Cypress Grove CHS), lined with cypress trees and overlooking Monterey Bay, is located in Seaside, California, at the former Fort Ord military base. Only one mile from California State University Monterey Bay, it is a comprehensive high school accredited by the Schools Commission of the Western Association of Schools and Colleges. For funding, Cypress Grove CHS depends on Average Daily Attendance (ADA) from the state, private benefactors, and foundations. After just four years in this lively and intellectual setting, the school has established a strong track record of striving for and meeting high academic standards.

In response to alarming state and local education cutbacks, a group of concerned parents and community members came together to explore the idea of creating a tuition-free public school with an emphasis on integrating art into the core subjects. The National Charter School legislation of 1991 and the California Charter School Act of 1992 created the opportunity for the group – then known as the Monterey Peninsula High School Project (MPHSP) – to set the foundation for the first charter high school in Monterey County.

Bucking the trend of big schools with large class sizes, minimal or no arts instruction, and – as our first students described it – “assembly-line” education, the MPHSP developed a plan for a school that would offer smaller class sizes and an integrated arts curriculum. In addition, an active and ongoing student-teacher-parent collaboration would serve to support the students as well as the school. Designed to establish a learning environment reflecting our philosophy, this new charter school would have the following characteristics:

- Block scheduling – to allow for extended class time for art and science projects, multiple teaching strategies, and time for students to practice what they learned.
- Service Learning – to develop community awareness and personal responsibility.
- Advisory – to provide a space for students to gather with others of their grade level, and address topics ranging from the academic to the personal to the global.
- Integration of arts in all disciplines – to give students an additional way to claim their education.
- Increased hours of teacher collaboration – to coordinate content between subjects and plan school wide events.
- Comprehensive academic support – to provide time, space, and guidance according to student need.
- Parent involvement – to provide a strong network of support for student growth, both personal and academic.

Cypress Grove CHS came into being because parents and community members recognized the need for an alternative to the large public high schools, and believed in the importance of a unique and focused school. Cypress Grove CHS has grown from a small group of people with a unique idea to a community filled with students, teachers, administrators, and parents who every day strive to fulfill the purpose set in place by the founders.

In the short yet eventful history of our school, the mission statement below has laid the foundation for our decisions and actions:

“The mission of Cypress Grove CHS is to provide students with the experiences and skills needed to participate passionately and responsibly in life, and the tools to pursue their higher educational and career goals upon graduation.

Cypress Grove CHS will create an educational environment that ignites the students’ natural curiosity and desire to learn, values student contribution, acknowledges the value of parental involvement for educational success, and provides a secure foundation of trust and resources from which the students may draw.”

And how do we achieve these lofty goals? The visual and performing arts – incorporated into a strong academic program – form the philosophical core of a Cypress Grove CHS education. The value of arts education is now firmly grounded in theory and research. Schools that incorporate music, art, drama, dance, and creative writing into the basic curriculum have enjoyed significant improvement in overall student learning.

### **Our Philosophy:**

Cypress Grove CHS envisions educated persons in the twenty-first century as those who are aware of themselves and the world around them, are skilled in the latest communication tools, and possess an understanding of the environmental, historical, and cultural issues that shape and have shaped the world in which they are maturing. Together with a strong base in science, mathematics, language and literature, they will possess a familiarity with, and appreciation for the arts, and celebrate their own creative talents. Above all, they will be imbued with a love of learning, a proud curiosity, an uninhibited sense of questioning and examination, and a powerful sense of self-direction.

Cypress Grove CHS’s philosophy acknowledges that learning is a continuous process that extends beyond school hours into the home, among peers, and among the greater community.

It is the belief of the school that small class size and an overall small school size allow students great opportunity to achieve their academic goals. Therefore, we strive to maintain an average class size of no more than twenty students to one teacher. Cypress Grove CHS plans to remain a small school in total enrollment, with an intended capacity of 400 students.

Our mission remains to offer students the knowledge and experience they need to enter the adult world of the twenty-first century. Our guiding principles – our Expected Schoolwide Learning Results (ESLRs) – illuminate and inform how we help Cypress Grove CHS students achieve that goal. Cypress Grove CHS parents, staff, and founding members support the following ESLRs, as the practical application of our mission statement.

## **Expected Schoolwide Learning Results:**

All the stakeholders of Cypress Grove CHS – parents, community members, and staff – assembled in the spring of 2004 to develop our Expected Schoolwide Learning Results (ESLRs). In a series of meetings, we discussed and clarified our mission and purpose, and when we all had a clear and unified vision, we translated the theory of our school’s mission and purpose statements into specific, attainable, and measurable goals. Our governing board then formally adopted the ESLRs, and our staff began the ongoing process of incorporating them into the daily academic, social, and cultural life of Cypress Grove CHS.– *our Expected Schoolwide Learning Results.*

**A Cypress Grove Charter High School graduate will be –**

### ***a Self-reliant Person who:***

- *Possesses integrity, self-determination, and demonstrates independent judgment*
- *Accepts responsibility*
- *Resolves conflicts effectively*
- *Appreciates the value of cultural and social diversity*
- *Respects others, their rights and property*

### ***a Contributing Citizen who:***

- *Demonstrates a positive attitude toward work and learning*
- *Exhibits an understanding of global issues*
- *Respects the natural and man-made environments*
- *Follows and participates in local, state, and national political processes*
- *Possesses self-esteem and the courage to speak out for what he or she believes to be right*

### ***a Continuing Scholar who:***

- *Demonstrates an integrated understanding of all areas of learning, especially the arts and sciences*
- *Thinks critically and solves problems effectively*
- *Understands how he or she learns best*
- *Feels passionately about at least one discipline, which serves as a cornerstone for lifelong learning*
- *Communicates effectively, both in speaking and writing*

The course of study at Cypress Grove CHS focuses on the traditional core curriculum areas of mathematics, English, science and history with a primary emphasis on fine arts and science. The entire program is specifically designed to prepare students entering competitive colleges and universities worldwide.

Cypress Grove CHS also recognizes that education in the fine arts, both in terms of performance and appreciation, builds an aesthetic understanding that remains with students for a lifetime. In addition, Cypress Grove CHS has an international focus that recognizes the need for global perspectives. For this reason, students are required to study two years of a world language, and we also offer a class on global issues.

**Choice:**

Cypress Grove CHS is a viable option for families searching for an alternative to the large traditional high schools. Students visiting the school for the first time have the opportunity to sit in on classes for a day with their parent(s) and witness first-hand the commitment they will be making to education in an integrated curriculum. With a charter focused on arts and sciences, it is clear that Cypress Grove CHS remains a school of choice for its students. We encourage all of our prospective students to consider both their needs and desires in making the decision to study at Cypress Grove CHS. The students, parents, administration, and faculty remain committed to the vision of the school and the challenges it represents.

The Cypress Grove CHS Board of Trustees manages the school, while the staff directs the daily business on campus. With a relatively small infrastructure, Cypress Grove CHS's support structure relies heavily on parent involvement. Parents are asked to contribute forty hours of volunteer service each year, and they fulfill that requirement as members of the board, development teams, the Parent Teacher Organization and in many other capacities.

Given the small size of the school and the degree of involvement on the part of all stakeholders, Cypress Grove CHS is developing from merely a school into a community of individuals committed to a common vision.

## Who We Are:

Cypress Grove Charter High School for Arts and Sciences is a public, tuition-free Charter school sponsored by the Monterey Peninsula Unified School District (MPUSD) that admits all pupils who wish to attend. Cypress Grove CHS is nonsectarian – students will be considered for admission without regard to ethnicity, national origin, religion, gender, or disability. Cypress Grove CHS is committed to providing an educational opportunity where issues of equality and access will not prevent students and their families from receiving a high quality academic education, supported through involvement in the arts and sciences.

Interested parents and community leaders also believed that a rigorous science curriculum would enable Cypress Grove CHS graduates to form the basis of success in college and career. Our emphases in arts may produce a generation of fine artists, but is intended to enable students in all disciplines to use the insight gained through the arts experience to better access knowledge gained throughout the curriculum.

## Student and Community Demographics:

Cypress Grove CHS opened on August 27, 2001. Currently there are approximately 170 students in grades nine through twelve. We serve the families of Monterey and Santa Cruz counties. Many of our students reside in Seaside, Marina, Monterey, Salinas, Pacific Grove, Carmel, Watsonville, and Prunedale – cities that lie within a 30-mile radius and taken together make up a unique community. The distance between cities is minimal, but the difference in lifestyle is vast. The area has six private high schools whose average annual tuition is over \$12,650 per student. Approximately 11% of students in Monterey, 16% of students in Carmel, and just 3% of the students in Seaside (where our school is located) attend private schools. Our goal is to provide a college-preparatory education in a public school setting.

## School Population by City 2005-2006:

City	# of Students	% of Population
Carmel	3	1.7%
Castroville	2	1.2%
Del Rey Oaks	1	.6%
Freedom	1	.6%
Marina	40	23.5%
Monterey	16	9.4%
Pacific Grove	5	2.9%
Pebble Beach	2	1.2%
Prunedale	2	1.2%
Salinas	24	14.1%
Sand City	1	.6%
Seaside	70	41.2%
Gonzales	2	1.2%
Watsonville	1	.6%

## Aggregate Enrollment Data:

Grade Level	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006
9 <sup>th</sup> Grade	33	71	53	50	66
10 <sup>th</sup> Grade	20	38	40	42	40
11 <sup>th</sup> Grade	12	35	18	27	44
12 <sup>th</sup> Grade	0	11	9	16	20
<b>Total</b>	65	145	120	135	170

The 2005-2006 academic year marks the fifth year of the school's operation. Our overall student population has risen nearly 162 %, from 65 in the school's first year to 170 in year five.

The highest enrollments are in the ninth grade, which as of the 2005-2006 academic year was comprised of 66 freshmen. The student population in the upper grades is increasing gradually, as this growth is dependent upon student retention.

## Enrollment by Gender:

Gender	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006
Male	28	60	58	72	81
Female	37	85	62	63	89
<b>Total students</b>	65	145	120	135	170

Gender disparity in the higher grades, while it does exist, presents no patterns, given our small population. When applications exceed the number of spaces available in any grade, students are admitted by lottery. Gender distribution is not now an area of concern for us.

## Student Enrollment by Ethnicity 2005-2006:

District & District High School Comparisons:	Cypress Grove CHS 2005-06	MPUSD 2004-05	Seaside HS 2004-05	Monterey HS 2004-05
American Indian	2%	.8%	.4%	.7%
Asian	2%	7.5%	11%	7.6%
Pacific Islander	2%	3.1%	4.5%	3.1%
Filipino	1%	5.1%	9.6%	4.0%
Hispanic	12%	38.6%	35.7%	29.2%
African American	11%	11.1%	19.2%	8.4%
White	50%	31.0%	19.5%	46.9%
Other/Multiple Responses	20%	2.8%	.0%	.2%
# of students	170	11,607	1,332	1,374

The figures for Cypress Grove CHS were calculated by dividing the number of students claiming a racial/ethnic affiliation by the school's total enrollment (2005-2006 California Basic Educational Data Systems [CBEDS]). The figures for MPUSD were taken from the California Department of Education website (Educational Demographics Unit).

The diversity of our students is not truly described by the statistics because a high percentage of our students come from families with multiple ethnicities (20% in 2005-06) compared with only 2.8% in the MPUSD. In future years Cypress Grove CHS students who mark "multiple" on their forms will be asked to do a secondary response, marking all of the ethnicities in their genetic history. We expect these numbers will more closely resemble the ethnicity reported by the MPUSD as a whole.

### How We Are Doing:

In the fourth year of operation, our California Academic Performance Index (API) scores confirmed that Cypress Grove CHS has established a strong record of academic achievement and progress. Each year, Cypress Grove CHS has exceeded its state-set goal for improvement, and we are now ranked third of all public high schools in Monterey County.

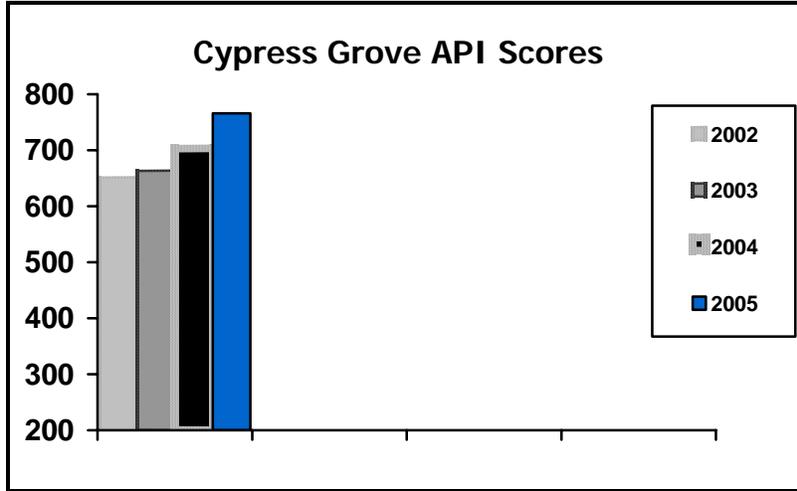
County Rank	High School	2005 Score	2004 Base	'04-'05 Growth	% Increase	Growth Met
1	Pacific Grove High	794	734	60	8%	Yes
2	Carmel High	791	752	39	5%	Yes
<b>3</b>	<b>Cypress Grove Charter High</b>	<b>766</b>	<b>705</b>	<b>61</b>	<b>9%</b>	<b>Yes</b>
4	Monterey High	723	677	46	7%	Yes
5	Salinas High	677	658	19	3%	Yes
6	N. Salinas High	657	621	36	6%	Yes
7	Alvarez High	652	615	37	6%	Yes
8	N. Monterey County High	651	640	11	2%	Yes
9	Seaside High	639	611	28	5%	Yes
10	Soledad High	***	604	***	***	***
11	Greenfield High	605	553	52	9%	Yes
12	Alisal High	600	575	25	4%	Yes
13	Gonzales High	***	541	***	***	***
14	King City High	599	531	68	13%	Yes

The 2005 Academic Performance Index is a score calculated using results in the state's STAR testing program and the California High School Exit Exam (10<sup>th</sup> grade.)

The scores range from 200-1000, and the long-term state goal is to have all schools achieve an 800 or higher. A score of 500 is average. A score of 800 indicates a "very high-performing" school, a score of 650 "high-performing" school and a score of 250 "a "low-performing" school.

\*\*\* These schools have opted to take extra time correcting errors and more time reviewing their information. Corrected results are schedule to be released in January 2006. Note: Scores for continuation schools, as well as those participating in the Alternative Schools Accountability Model, are not included.

**Academic Performance Comparisons by Year:**



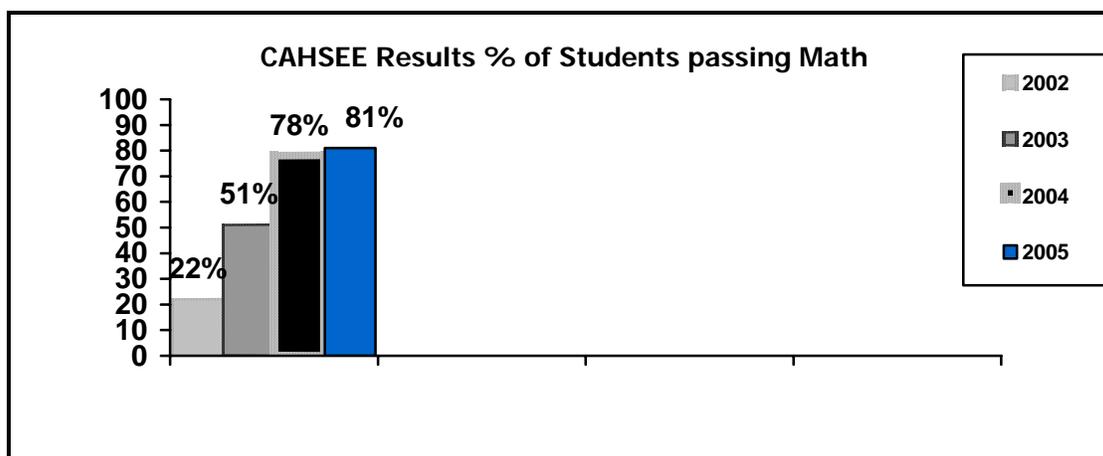
**Cypress Grove CHS API target growth (2004-2005):**

2005 API Target vs. Results		High Schools That Met Targets Statewide
Met its 2005 schoolwide growth target	YES	78%
Met all subgroup growth targets	YES	48%
Met minimum requirement for % tested Math	YES	89%
Met minimum requirement for % tested English language Arts	YES	89%

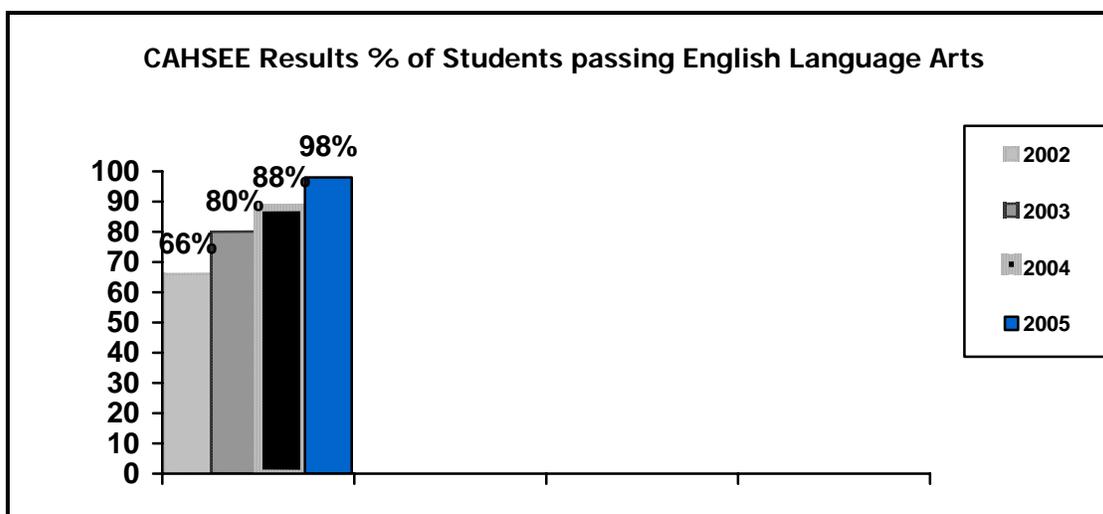
All information was gathered from the California Department of Education website, [www.cde.ca.gov](http://www.cde.ca.gov) or greatschools.net

## California High School Exit Exam (CAHSEE):

<u>Math</u>	<u>2001-2002</u>	<u>2002-2003</u>	<u>2003-2004</u>	<u>2004-2005</u>	<u>MPUSD 2004-2005</u>	<u>State Avg. 2004-2005</u>
Number Tested	18	67	40	47	1045	****
% Passed	22%	51%	78%	81%	61%	63%



<u>English Language Arts</u>	<u>2001-2002</u>	<u>2002-2003</u>	<u>2003-2004</u>	<u>2004-2005</u>	<u>MPUSD 2004-2005</u>	<u>State Avg. 2004-2005</u>
Number Tested	9	49	41	40	1024	****
% Passed	66%	80%	88%	98%	63%	65%



### CAHSEE Observations:

The student population had a 108% increase from 65 students in the school's first year to year four and the passing rate for the Math portion more than tripled. The passing rate for the English Language Arts improved over the same period from 66% to 98% overall. Both the Math and English Language Arts passing rates exceeded state and district averages. All high school students scheduled to graduate in 2006 or later must pass the CAHSEE in order to graduate.

Information was gathered from the California Department of Education website,  
[www.cde.ca.gov](http://www.cde.ca.gov)

**Scholastic Aptitude Test (SAT) Scores:**

<b>SATI &amp; II Test Outcome</b>	<b>2001-2002</b>	<b>2002-2003</b>	<b>2003-2004</b>	<b>2004-2005</b>	<b>MPUSD 2004-2005</b>	<b>State Avg. 2004-2005</b>
<b>Average Verbal</b>	<b>443</b>	<b>600</b>	<b>593</b>	<b>539</b>	<b>499</b>	<b>499</b>
<b>Average Math</b>	<b>393</b>	<b>530</b>	<b>473</b>	<b>488</b>	<b>510</b>	<b>521</b>
<b>Average Total</b>	<b>870</b>	<b>1130</b>	<b>1066</b>	<b>1027</b>	<b>1009</b>	<b>1020</b>

**Schoolwide Grade Point Average Comparisons:**

<b>Grade Point Averages</b>					
<b>School Year</b>	<b>9th</b>	<b>10th</b>	<b>11th</b>	<b>12th</b>	<b>Totals</b>
<b>2001-2002</b>	<b>2.82</b>	<b>2.61</b>	<b>3.27</b>	<b>N/A</b>	<b>2.91</b>
<b>2002-2003</b>	<b>2.59</b>	<b>2.64</b>	<b>2.49</b>	<b>3.05</b>	<b>2.69</b>
<b>2003-2004</b>	<b>2.79</b>	<b>2.62</b>	<b>2.67</b>	<b>2.95</b>	<b>2.76</b>
<b>2004-2005</b>	<b>2.84</b>	<b>2.89</b>	<b>2.90</b>	<b>3.20</b>	<b>2.96</b>
<b>FALL 2005-2006</b>	<b>2.83</b>	<b>3.07</b>	<b>3.08</b>	<b>3.13</b>	<b>3.03</b>

### Honor Roll Data:

FALL SEMESTER - 2002					SCHOOLWIDE
Range	9th	10th	11th	12th	TOTALS
High Honors: 4.0+	1	2	2	3	8
Honors: 3.5-4.0	6	5	3	1	15
Second Honors: 3.0-3.4	15	7	1	2	25
<b>TOTAL HONOR STUDENTS</b>	<b>21</b>	<b>14</b>	<b>6</b>	<b>6</b>	<b>48</b>
<b>TOTAL STUDENTS</b>	<b>59</b>	<b>37</b>	<b>35</b>	<b>11</b>	<b>142</b>
<b>PERCENTAGE HONORS STUDENTS</b>	<b>36%</b>	<b>38%</b>	<b>17%</b>	<b>55%</b>	<b>34%</b>

SPRING SEMESTER - 2003					SCHOOLWIDE
Range	9th	10th	11th	12th	TOTALS
High Honors: 4.0+	0	0	1	1	2
Honors:3.5-4.0	11	3	2	2	18
Second Honors: 3.0-3.4	11	9	5	3	28
<b>TOTAL HONOR STUDENTS</b>	<b>22</b>	<b>12</b>	<b>8</b>	<b>6</b>	<b>48</b>
<b>TOTAL STUDENTS</b>	<b>61</b>	<b>31</b>	<b>32</b>	<b>10</b>	<b>134</b>
<b>PERCENTAGE HONORS STUDENTS</b>	<b>36%</b>	<b>39%</b>	<b>25%</b>	<b>60%</b>	<b>36%</b>

FALL SEMESTER - 2004					SCHOOLWIDE
Range	9th	10th	11th	12th	TOTALS
High Honors: 4.0+	1	5	3	2	11
Honors: 3.5-4.0	5	6	3	3	17
Second Honors: 3.0-3.4	11	5	6	4	25
<b>TOTAL HONOR STUDENTS</b>	<b>17</b>	<b>16</b>	<b>10</b>	<b>9</b>	<b>52</b>
<b>TOTAL STUDENTS</b>	<b>50</b>	<b>42</b>	<b>27</b>	<b>16</b>	<b>135</b>
<b>PERCENTAGE HONORS STUDENTS</b>	<b>34%</b>	<b>38%</b>	<b>37%</b>	<b>56%</b>	<b>39%</b>

<b>SPRING SEMESTER - 2005</b>					<b>SCHOOLWIDE</b>
<b>Range</b>	<b>9th</b>	<b>10th</b>	<b>11th</b>	<b>12th</b>	<b>TOTALS</b>
<b>High Honors: 4.0+</b>	<b>3</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>8</b>
<b>Honors: 3.5-4.0</b>	<b>8</b>	<b>8</b>	<b>6</b>	<b>4</b>	<b>26</b>
<b>Second Honors: 3.0-3.4</b>	<b>14</b>	<b>9</b>	<b>8</b>	<b>5</b>	<b>36</b>
<b>TOTAL HONOR STUDENTS</b>	<b>25</b>	<b>20</b>	<b>15</b>	<b>10</b>	<b>70</b>
<b>TOTAL STUDENTS</b>	<b>45</b>	<b>42</b>	<b>28</b>	<b>15</b>	<b>130</b>
<b>PERCENTAGE HONORS STUDENTS</b>	<b>55%</b>	<b>48%</b>	<b>54%</b>	<b>66%</b>	<b>54%</b>

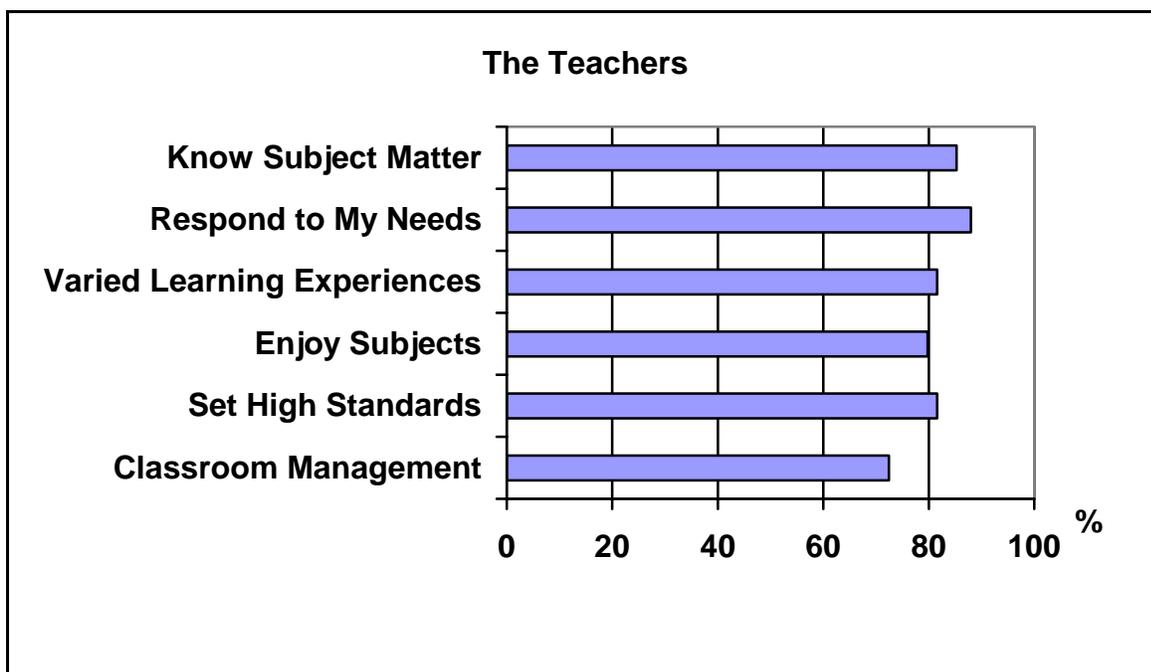
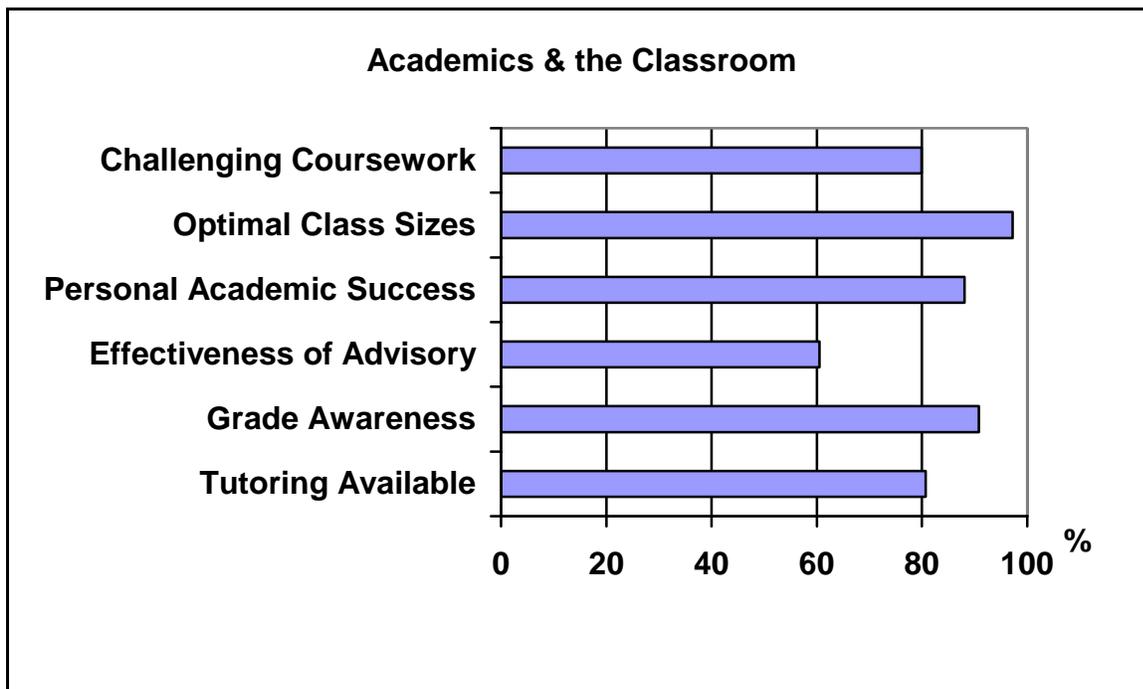
<b>FALL SEMESTER - 2005</b>					<b>SCHOOLWIDE</b>
<b>Range</b>	<b>9th</b>	<b>10th</b>	<b>11th</b>	<b>12th</b>	<b>TOTALS</b>
<b>High Honors: 4.0+</b>	<b>3</b>	<b>3</b>	<b>9</b>	<b>3</b>	<b>18</b>
<b>Honors: 3.5-4.0</b>	<b>10</b>	<b>8</b>	<b>15</b>	<b>2</b>	<b>35</b>
<b>Second Honors: 3.0-3.4</b>	<b>10</b>	<b>9</b>	<b>13</b>	<b>5</b>	<b>37</b>
<b>TOTAL HONOR STUDENTS</b>	<b>23</b>	<b>20</b>	<b>37</b>	<b>10</b>	<b>90</b>
<b>TOTAL STUDENTS</b>	<b>59</b>	<b>42</b>	<b>42</b>	<b>18</b>	<b>161</b>
<b>PERCENTAGE HONORS STUDENTS</b>	<b>39%</b>	<b>48%</b>	<b>88%</b>	<b>55%</b>	<b>57%</b>

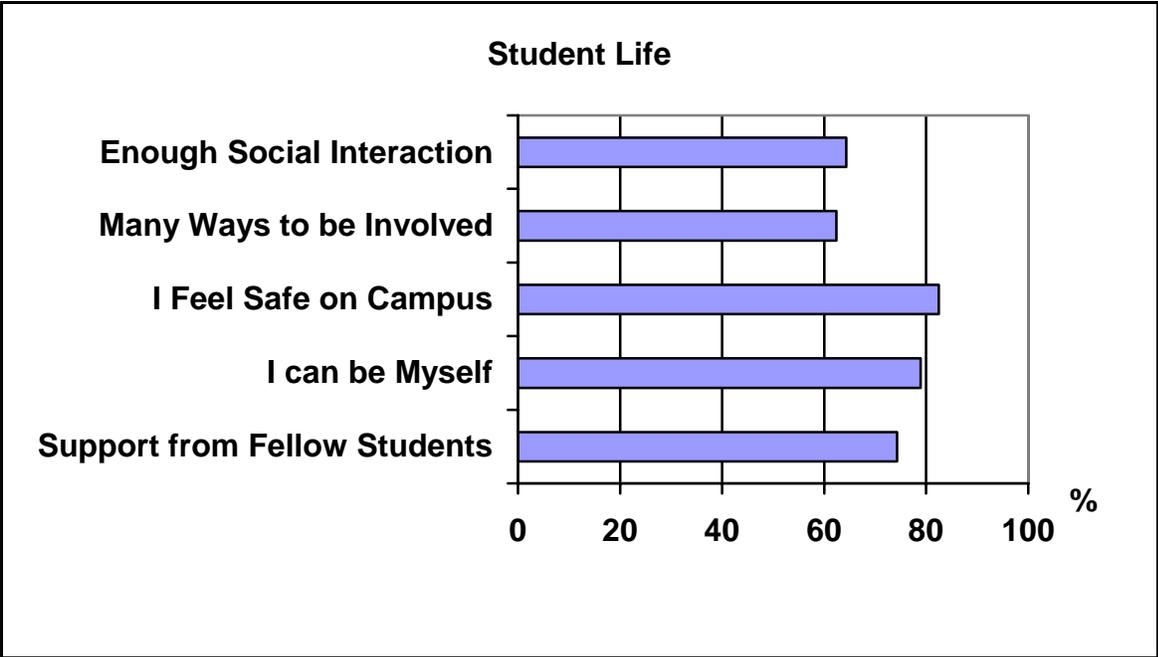
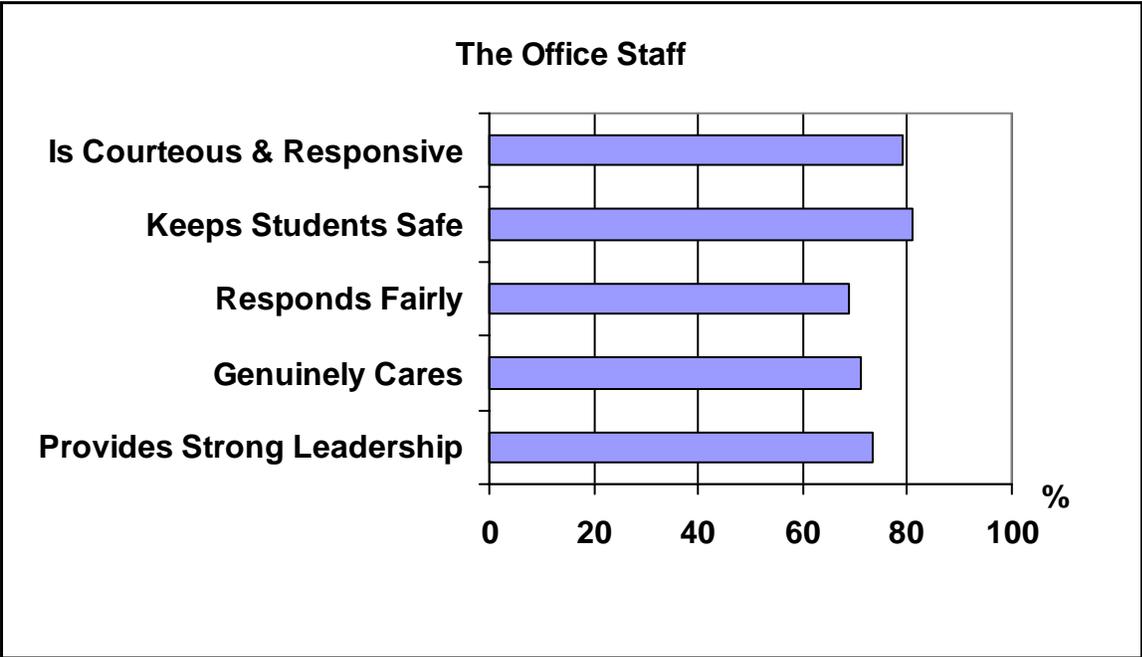
### **From a Stakeholder Perspective**

At Cypress Grove CHS, administration and faculty care about what students and parents think about our school – the quality of the education, the campus environment, and the activities available beyond the classroom. To elicit their opinions, we conduct regular student and parent surveys. We are generally encouraged by the results, though we are inspired to address the needs identified by our most important stakeholders. We have continued to modify and improve the survey itself – our most recent survey results follow.

## Student Survey Results Fall 2003

Graph data represents percentage of students who responded either “agree” or “strongly agree” to relevant questions about the following topics.





**Summary of student Survey Findings**

Though statistics cannot tell the whole story of Cypress Grove CHS, they do provide our stakeholders a dispassionate and realistic look at critical areas for any school – the nature and the success of our students. The analysis reveals both strengths and weaknesses – we have results to celebrate, as well as information that inspire us to tackle challenging issues with renewed vigor. The school will conduct a new survey in the Fall 2005 and the results will be published on the schools website.

## **Governance Criterion:**

### **Does the governing board have policies and bylaws that are aligned with the school's purpose and support the achievement of the expected schoolwide learning results for the school?**

- Cypress Grove CHS is a 501 (c) (3) Non-profit Public Benefit Corporation established in California by the school's charter, and is governed by an elected board of directors, comprised of an executive director, treasurer, secretary, and four voting members.
- The board is committed to support of the school's ESLR results.
- The governing board meets twice a month to determine policy for the school, and to oversee the implementation and review its effectiveness.
- Board member responsibilities have been formally adopted, and are spelled out in written policy guidelines.
- Potential board members are recruited from our local community. Desirable qualities of a potential board member include understanding of and commitment to the ideals of the school, a grasp of educational concepts, and an understanding of business and finance.
- Prospective board members complete an application, and are interviewed prior to election to the board.

### **Do those policies offer reasonable public access to decisions regarding public funds?**

- All meetings of the board are announced in advance, with an accompanying agenda.
- A recorder maintains minutes of all meetings, and these minutes are available to members of the public.
- With the exception of discussion concerning employee issues, board meetings are open to the public.
- At bi-weekly meetings, the board receives reports from the finance team, as well as from teams that oversee site development and public relations, and from a representative of the Parent /Teacher Organization.

### **Does the governing board delegate implementation of these policies to the professional staff?**

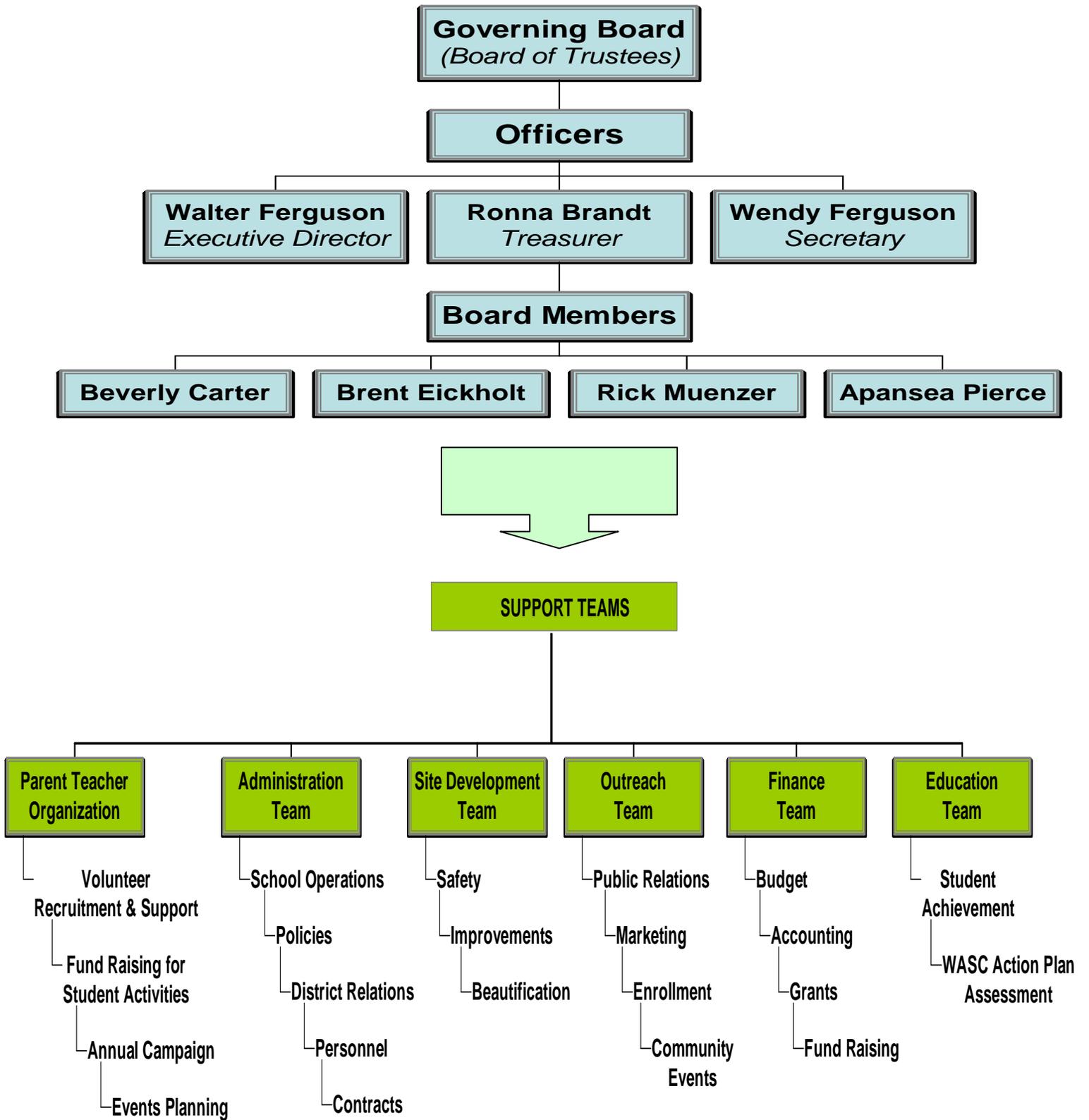
- Communications to and from the professional staff is currently handled through the director. The board's desire is that a member of the faculty attends every board meeting.
- The board also would like to see increased parent attendance and participation at the board meetings.

### **Does the governing authority monitor results?**

- The board conducts an annual self-evaluation.
- The school's finances are evaluated monthly at board meetings, and through an annual audit.
- As a charter school, Cypress Grove CHS is subject to an annual Programmatic Audit by the chartering institution. The board works diligently to meet the requirements of this audit, and to implement any program modifications made necessary by it.
- Board members pay close attention to student progress as shown through grading, and through performance on standardized testing.

**Whereas Cypress Grove CHS allows for some flexibility in how the various governance bodies interact, the essential components and process are reflected by the following organizational chart, and the overall structure of the school's governance is now firmly in place.**

**ORGANIZATIONAL FLOW CHART  
CYPRESS GROVE CHARTER HIGH SCHOOL**



## **School Leadership:**

**Does the school leadership make decisions to facilitate actions and initiate activities that focus the energies of the school on student achievement of Expected Schoolwide Learning results?**

- Cypress Grove CHS Leadership has developed Employee/Staff and Parent/Student handbooks that support the focusing of our efforts at all levels of the school. As we incorporate our ESLRs into the culture of our school, we will revise our handbook to reflect these specific goals.
- Further, the administration has instituted a mandatory office hour once a week for teachers to be available to assist students who need extra help or who have fallen behind due to illness or other concerns.
- The Faculty also devotes one meeting a week to curriculum coordination and preparation. Weekly faculty meetings and regular faculty in-service days address current and short-range school activities, faculty requirements, and specific student needs.

**Does the school leadership empower and support the staff toward the achievement of the school's mission?**

- The Cypress Grove CHS leadership empowers the staff by actively involving them in many aspects of school life. Staff members participate in the production of daily schedules, athletic schedules, yearly academic calendars, events calendars, and testing schedules.
- Staff members develop curriculum, course offerings, and mentoring programs, as well as participate in both formal and informal student and parent guidance. Cypress Grove CHS leadership encourages staff to organize and guide student participation in sports, student government, clubs, and field trips.
- Staff members direct theater productions and other performances and competitions attended by students, friends, family, and the greater community. The staff oversees art contests and displays, both on-site and in the local communities. Teachers support student involvement in community events and a variety of student service learning projects.
- Staff members are actively involved in the hiring process at Cypress Grove CHS, evaluating resumes and participating in interviews. Parents and teachers participate in our Parent/Teacher Organization and at governing board meetings.

**Does the Cypress Grove CHS leadership encourage commitment, participation and shared accountability for student learning among the school community?**

- Cypress Grove CHS dedicates class periods to the development of study skills.
- The school established Advisory classes to coordinate academic planning, social school culture, as well as campus clean up and beautification.
- In addition to individual tutoring offered by teachers, the school implemented an after-school "Homework Club" staffed by teachers and parents. Student Study Teams identify those students with special academic needs who could benefit from extra support, including but not limited to study skills classes at the school and the Linda Mood Bell program at Monterey Peninsula College.

## **Staff Criterion:**

### **Are the school leadership and staff qualified for their assigned responsibilities?**

The Cypress Grove CHS staff and faculty are imminently qualified to meet their responsibilities with their experience, energy, and creativity. Cypress Grove CHS's faculty members have degrees from a variety of fine universities, and bring a wealth of personal experience to their classrooms. The administration is committed to tailoring classroom assignments to the strengths of our teachers in order to fully capitalize on their unique blend of skills and talents. The following is a list of the qualifications of the Cypress Grove CHS staff:

#### **Berit Andersen**

Education: B.A., Visual and Public Art; Cal State University Monterey Bay;  
A.A., Art History, A.A., Ceramics, A.A., Studio Art, A.A. Sculpture, Monterey Peninsula College. Coursework in Studio Art/Life Drawing at the Instituto Allende, San Miquel Allende, Mexico

Professional muralist: Fine art exhibits in local museum and gallery.

Subjects: 3-D Art, Drawing I & II, Painting

#### **Dick Bird**

Education: B.A., Speech and Drama, San Francisco State University, CA;

M.A. Psychology, Lone Mountain College, San Francisco, CA

Credential Status: General Secondary, Pupil Personnel-Counseling

Position: Academic counselor

#### **Jennifer Debo**

Education: B.A., Psychology, Boston University, Boston, MA

Certificate: Language Program Administration, Monterey Institute of International Studies

Certificate: Teaching English as a Foreign Language, Worldwide Teachers Development Institute, Boston, MA

Continuing Education: Monterey Institute of International Studies, Candidate for MA conferral, December 2005

Credential Status: Internship Single Subject Credential, English with CLAD/ELA Emphasis

Subjects: Spanish 1, 2, and 3

#### **Mark Englehorn**

Education: MFA, CSU Humboldt, Arcata, CA; B.A., Drama, University of Southern California, Los Angeles, CA

Adjunct professor, Monterey Peninsula College

Credential Status: Single Subject Intern, CSU Monterey Bay

Subjects: English 11CP, Drama 1,2,3 and Film Production

### **Walter S. Ferguson**

Experience and qualifications: Co-founder of Cypress Grove CHS. Former member, governing board, Monterey Bay Charter School, Pacific Grove. Participation with successful high tech start-up companies; Trillium, LTX Corporation, and founding member of Paramit Corp., San Jose, CA. Ten years experience, residential real estate sales, Carmel, CA.

Position: Executive Director

### **Wendy Ferguson**

Experience and qualifications: Co-founder of Cypress Grove CHS. Ten years experience as a volunteer in the community. Recognized as the 2004 Outstanding Adult Volunteer of the Year for Monterey County.

Positions: Executive Secretary, Service Learning Coordinator, Registrar, and Special Education Coordinator

### **Melony Johnson**

Education: B.S., English, Speech and Drama, East Tennessee State University, Johnson City, TN

Credential Status: State of Tennessee, Professional; State of Texas, Life

State of California, Application for Clear Credential, English

Teaching Certificates: States of Kansas, Virginia, Kentucky and New York

Certified AP Instructor, English Literature

Other: Gifted Education and Honors training 1984, 1992 and 1996,

Subjects: English 9CP, 10CP and 12AP

### **Joan Kevorkian**

Education: B.A., Liberal Studies, CSU Monterey Bay, Marina, CA

Continuing Education: Mathematics Credential, CSU Monterey Bay, Marina, CA

Credential Status: Preliminary Multiple Subject Teaching Credential ELA Emphasis ,

Supplementary; Authorization-Mathematics

Application for Single Subject Clear Credential. Mathematics

Subjects: Algebra 1 & 1B, Algebra 2, Geometry

### **Sean Roach**

Education: B.A., Communications, Texas State University, San Marcos, TX

Credential Status: Single Subject Intern, Social Science, Chapman University

Continuing Education: Special Education, CSU Monterey Bay; Single Subject Credential, Social Studies, Chapman University,

Member: Golden Key National Honor Society, Alpha Chi national College Honor Society,

School of Fine Arts and Communication Council of Scholars

Subjects: World history, U.S. History, Civics, Economics, Geography

### **Michele Rodriguez**

Education: B.A., Criminal Justice, CSU Bakersfield

Credential Status: Emergency K-12 Credential

Continuing Education: Single Subject, Social Science, Chapman University; M.A., Education, Chapman University

Subjects: Yearbook, Introduction to Technology

### **Ann Rudd**

Education: B.A., Liberal Arts, San Jose State University, San Jose, CA  
Credential Status: Professional Clear Multiple Subject, Supplementary English  
Subjects: English9 and Creative Writing

### **Cindi-Renee Sloan**

Education: B.S., Earth Science, UC Santa Cruz; M.A. Education, UC Santa Cruz, A.S., Physics  
Hartnell Community College;  
Credential Status: Preliminary Single Subject, Geosciences  
Subjects: Earth Science, Chemistry, Algebra1A

### **Carrie Smith**

Education: M.A. School Administration, CSU San Bernardino, San Bernardino, CA; M.S. Health  
Education and B.S Physical Education, University of New Mexico, Albuquerque, New Mexico;  
Credential Status: Clear Single Subject Teaching Credential, Health Science/Physical Education  
Certificate: Certificate of Eligibility for the Administrative Services Credential, American Red  
Cross CPR/First Aid Instructor  
Subjects: Movement Arts, Health, Dance, PE/Fitness

### **Tina Reader van Stirum**

Education: B.A. Community Studies, B.A. Women's Studies, UC Santa Cruz;  
A.A., Women's Studies, Monterey Peninsula College  
Continuing Education: Single Subject, Science, National University, San Jose  
Credential Status: Emergency Long Term Single Subject, Biological Sciences  
Subjects: Biology1, Capstone and Study Skills

### **Course Offerings:**

Cypress Grove CHS's Course Guide is available in the school office. All Cypress Grove CHS core classes meet the University of California freshman admission (a-g) requirements.

To supplement our academic and vocational curriculum as we grow to accommodate our students' needs, the school's counselor encourages concurrent enrollment at local community colleges. Currently 24 students (18%) are attending local community colleges.

To support our mission as a college-preparatory high school, Cypress Grove CHS graduation requirements meet and even exceed the University of California admission standards. Following is a comparison of our graduation requirements with those of the University of California.

**Cypress Grove Charter High School for Arts and Sciences**

**Graduation and University of California Admission Requirements**

<b>High School Subject Area</b>	<b>Cypress Grove CHS Graduation Requirements 230 units, (grades 9-12)</b>	<b>U.C. Admissions* Requirements</b>
<b><u>ENGLISH</u></b>	<b><u>4 years (40 credits)</u></b>	<b><u>4 years College Prep.</u></b>
<b><u>MATH</u></b>	<b><u>3 years (30 credits)</u> must include Algebra</b>	<b><u>3 years</u> 4 recommended including Algebra/ Geometry/Algebra II</b>
<b><u>SOCIAL SCIENCE</u></b>	<b><u>3 1/2 years (35 credits)</u> 9<sup>th</sup> – Geography 10<sup>th</sup> – World History 11<sup>th</sup> – U.S. History 12<sup>th</sup> – Economics/Civics</b>	<b><u>2 years</u> U.S. History or ½ year U.S. History + ½ year Civics and World History</b>
<b><u>SCIENCE</u></b>	<b><u>3 years (30 credits)</u> must include Biology and Physical Science</b>	<b><u>2 years with lab</u> 3 recommended</b>
<b><u>VISUAL AND PERFORMING ARTS</u></b>	<b><u>3 years (30 credits)</u> 4 years recommended</b>	<b><u>1 year</u> beginning 2003</b>
<b><u>FOREIGN LANGUAGE</u></b>	<b><u>2 years (20 credits)</u></b>	<b><u>2 years</u> 3 recommended</b>
<b><u>ELECTIVES</u></b>	<b><u>2 years (20 credits)</u></b>	<b><u>1 year College Prep.</u></b>
<b><u>PHYSICAL EDUCATION</u></b>	<b><u>2 years (20 credits)</u> usually in 9<sup>th</sup> and 10<sup>th</sup> grades</b> ----	
<b><u>HEALTH</u></b>	<b><u>1 semester (5 credits)</u></b> ----	
<b><u>TESTS</u></b>	<b><u>High School Exit Exam</u></b>	<b><u>SAT I / ACT + SAT II</u></b>

1. Service Learning is required throughout the curriculum.
2. U.C. requires 15 year-long courses, 7 of which must be completed in grades 11 and 12.
3. The graduation requirements above apply to students graduating in 2004 and beyond.
4. Cypress Grove CHS graduation requirements meet or exceed those of our chartering district (MPUSD).
5. Accredited by the Schools Commission of the Western Association of Schools and Colleges. See [www.wascweb.org](http://www.wascweb.org) for more information.

*These are minimum entrance requirements. Completing minimum requirements does not guarantee admission to the UC system. See [www.usop.edu](http://www.usop.edu) for more information*

## **School Environment:**

### **Does the school have a safe, healthy, nurturing environment that reflects the school's purpose?**

- At Cypress Grove CHS, the administration, faculty, staff, parents, and students work together to develop and insure the safest possible learning environment to promote and nurture the well being of everyone associated with the school community.
- Before school begins in the fall, every student and parent receives a handbook that serves as a guide for our school's purpose and policies.
- We require a signed enrollment agreement indicating understanding of and cooperation with our behavior and academic standards.
- On a rotating basis, our teachers maintain high visibility before school, at breaks, at lunch, and after school.
- Our after-school programs, including tutoring, Homework Club, athletics, and Friday movie nights, provide a safe, chaperoned, and secure place for students to gather.
- In the classroom, we have standardized etiquette requirements and a dress code that are strictly enforced.
- Cypress Grove CHS has zero tolerance for students possessing weapons or other dangerous articles at school (and we have not had any incidents of possession of weapons).
- During our four years of operation, only one physical fight has occurred, the consequences of which were a suspension and an expulsion.
- Because we want Cypress Grove CHS to be a safe and drug-free campus, we periodically carry out searches, using a company that provides dogs trained to detect weapons, illegal substances, and drug paraphernalia. A local police officer provides an annual school-wide orientation on safe, drug-free, harassment-free behavior. The services of a school resource officer are available if needed.
- Our working relationship and proximity to the military's Porter Youth Center (a nationally recognized youth recreational facility) provides an additional safe, fun outlet for our students both during and after school.
- Our closed campus policy insures that students remain in a supervised environment all day long. All campus visitors sign in and out, and any student who leaves class carries a hall pass.
- All classrooms are equipped with phones, emergency instructions, and escape route maps, and disaster drills are performed annually. An emergency plan is posted in classrooms, the auditorium, and our administrative offices.
- Our student roster contains complete parent contact information including e-mail addresses and work and cell phone numbers.
- The faculty selects a student of the week based on academic performance and outstanding behavior as a peer role model. The student of the week is recognized in the daily morning announcement, given a gift and special privileges.
- Students who achieve a grade point average of 3.0 or better are recognized quarterly in the honor roll, which is published in the parent newsletter, the student newspaper and the two main local newspapers.
- Our teachers are encouraged and supported in incorporating art into the curriculum in order to enhance student learning. Student artwork is prominently displayed on campus and at various public locations throughout the community.

- We maintain a clean campus and a positive student attitude toward their own environment by assigning “high school housekeeping” duties to each of the Advisory classes.
- Faculty members are provided with “incident report forms,” which are used to document and track inappropriate student behavior. Information from these forms is maintained in a computer program that assigns consequences based on criteria determined by the administration.

**Is the school environment characterized by a respect for differences, trust, caring, professionalism, support, and high expectations for each student?**

- Students at Cypress Grove reflect the surrounding community with respect to diversity of ethnicity and culture. In addition, the school serves students from the military community, which brings its own sub-culture.
- Although the Administration, faculty, and staff are supportive and respectful of this diversity, we intend to initiate formal diversity training at the first opportunity.

**Does the school leadership facilitate school improvement that is driven by plans of action that will enhance quality learning for all students?**

The WASC Self-study process has led to collaboration between the board, the administration, and the faculty to create an Action Plan that will address all of the issues caused by the growth of Cypress Grove CHS . This Action Plan will be drawn from the Areas of Growth identified in the Self-study, and will focus on the areas that most challenge the school during the next phase of our development.

**Does the school leadership have school community support and involvement?**

The atmosphere at Cypress Grove CHS can be described as one of mutual trust between all members of the school community. Member of the staff free to voice concerns informally, and at scheduled staff meetings.

**Does the school leadership effectively guide the work of the school?**

Through their bi-weekly meetings, the board effectively guides the work of the school. The school’s director, who attends all board meetings, conveys information about the wishes of the board to the staff, who then carry out the directions of the board.

**Does the school leadership provide for accountability through monitoring of the schoolwide action plan?**

The school’s leadership intends to adopt Cypress Grove CHS’s action plan as a document that will guide our process of assessment of school improvement.

## **What Students Learn:**

**Does the school provide a challenging, coherent and relevant curriculum for each student that fulfills the school's purpose and results in student achievement of the Expected Schoolwide Learning Results through successful completion of any course of study offered?**

Cypress Grove CHS uses a rigorous college preparatory curriculum to engage all students in the learning process. In addition, Cypress Grove CHS employs a curriculum that is rich in fine and dramatic arts courses to stimulate student creativity. Furthermore, cross-curricular art projects allow students to carry this creativity throughout their academic experience.

- All courses are closely aligned with appropriate state standards. In curricular areas where state standards are not in place, national standards are used as a guideline to establish relevant and coherent course material.
- Policies concerning course completion, certification, credits, grades, and homework are established and overseen by the board and the director.
- The value of a curriculum that is heavily based in the arts has been shown in numerous studies. Our faculty recognizes and accepts these findings, and has worked to employ students' art across all areas of the Cypress Grove CHS curriculum.
- As our school grows, our staff – under the direction of the board – will continue to re-evaluate our curricular program to keep current with the needs of our students.
- Having played a major role in the development of our ESLRs, our faculty members have both a greater understanding of them and a greater stake in implementing them.
- Cypress Grove CHS's course offerings are carefully articulated to maximize student progress, especially for ninth and tenth grade students. These students are assigned to either grade-level or college prep classes in English and mathematics, depending on their performance on a placement evaluation. A study skills program is in place to assist the students at grade level to move up to college preparatory classes, in order for them to meet the school's expectations.
- Students in the eleventh and twelfth grades are able to use any of three local junior colleges to take classes not yet available at Cypress Grove CHS. As our course offerings increase, more students will be able to meet all of their college prep class needs on our campus.
- Cypress Grove CHS has established policies that affirm its intent to be a college preparatory high school, and these policies guide the students through our course of study. We provide a detailed Student/Parent Handbook that explains the school's expectations to incoming students and their parents or guardians, and a counselor is available to create, monitor, and adjust student's courses of study as appropriate, with the assistance of the advisor assigned to that student. Both counselor and advisor are responsible for assuring that all students meet pre- and co-requisite requirements for all courses offered.
- Cypress Grove CHS uses a modified block-scheduling plan that allows for a shortened school day for faculty collaboration, and regular days with longer, 90-minute class periods. These longer periods allow for more time management in the classrooms, especially in art, science, and language classes.
- The school also employs a seven-period day to allow students to take full advantage of elective classes early in their high school careers, and to promote the concept of a rigorous and coherent curriculum.

## **How Students Learn:**

### **Does the professional staff use research-based knowledge about teaching and learning?**

- All faculty members teaching core subjects, whether veterans or recently credentialed, have studied the California State Standards and current academic research. Our syllabi were based on these standards and our curriculum has the research as its foundation. In addition, our focus on integrating art and science throughout the disciplines is also substantiated by academic research.
- Our staff places a high emphasis on faculty planning of an arts-based curriculum. Faculty members, especially new members, attend several in-service days before the school year begins where the expectations of the staff are clearly laid out, and all faculty members are given adequate time and resources to plan their academic years based on expectations.
- Our classrooms and other campus areas are used to display student artwork, as well as work from other classes that demonstrates the incorporation of art. These displays serve to reinforce the school's purpose.
- Student dramatic and fine art works are displayed prominently in the community at such venues as First Night Monterey.
- We encourage active learning, through the arts and through other activities such as group presentations, independent research, and demonstrations.

### **Does the professional staff design and implement a variety of learning experiences that actively engage students at a high level of learning consistent with the school's purpose and expected schoolwide learning results?**

- Teachers at Cypress Grove CHS go beyond the textbook to incorporate varied teaching strategies and resources. These strategies are designed to enhance higher-order learning in all of our classes.
- The counselor and faculty advisors at Cypress Grove CHS make it their primary mission to ensure that all students are engaged in a challenging course of study that will enable each student to achieve our expected schoolwide learning results.
- Cypress Grove CHS teachers use a variety of learning experiences which include such unique approaches as earth science students demonstrating the history of continental motion (Pangaea) using a "Pangaea puzzle" that allows them to arrange the continents themselves, and Chemistry students using pennies to simulate a chemical element, then observing the effects of isotopes and mass.
- Students take part in a service learning program where they learn valuable skills beyond those they acquire and use in the classroom. Primarily through their work with the children of the Monterey County Office of Education Autism Program, they gain keen insight into the nature of human growth and development. Service Learning students also perform a variety of community service activities, where they learn the value of organization, responsibility, and teamwork.
- Each year, they host many different kinds of events throughout the school year. So far, we have involved parents, our students, and students from the autistic program in planting a community garden. Likewise, students from Cypress Grove CHS learn better when they teach the concepts embodied in the garden. At the end of the year, the class holds a barbecue made with the crops from the garden. Teachers and autistic children are present to celebrate

the successful completion of the garden project, which helps the autistic children learn socialization skills.

- Cypress Grove CHS uses a seven-period, block schedule school day. This system enables students to select from a wide range of challenging courses designed to guide them toward our expected schoolwide learning results.
- Students who have met our rigorous standards before their senior year have ready access to several local community colleges where they can take college-level courses that enhance the learning they have gained at Cypress Grove CHS.
- Students who need assistance in meeting our rigorous academic expectations are given access to a study skills program, where they receive individualized attention.

## **How Assessment is Used:**

### **Is teacher and student use of assessment frequent and integrated into the teaching/learning process?**

- Cypress Grove CHS teachers are keenly aware of students' progress because we are continuously monitoring our students' mastery of the concepts and skills. Our small class sizes allow quick, individual assessment of students' grasp of the material – and immediate retooling of our approach to the lesson. We use both frequent and varied methods of assessment, including:
  - Daily formative assessment – homework and in-class assignments.
  - Formal summative assessment – unit or chapter tests, projects, presentations, and portfolios.
  - Informal, ongoing assessment – class participation, student responsiveness, checks for understanding.
- We assess each student's progress toward becoming a self-reliant person, a contributing citizen, and a continuing scholar (our ESLRs).
- In addition to personal and academic assessment, we also assess our students' progress toward citizenship as – they participate in regular housekeeping duties in their classrooms and on the campus.
- Student artwork beautifies the campus – and is not defaced.
- Students take responsibility for raising and lowering the flag each morning and afternoon.
- Student's increasing understanding of what it means to be a contributing citizen at school has resulted in an overall improvement in school climate. There has been a reduction in detentions, tardiness, and truancy.

### **Are the assessment results the basis for measurement of each student's progress toward the expected schoolwide learning results?**

- We accomplish our unique mission when, through multiple assessment strategies, kinesthetic projects, and infusion of the arts, we engage our students in various learning experiences. We allow the students to gain better ownership of their studies, learning processes, and critical thinking abilities. By incorporating projects into the curriculum we actively engage students, address multiple modalities of information processing and assessment, and achieve a higher level of thinking.

- Our geography students explore beyond their own backyard by researching and creating an ideal international vacation.
- English students used artwork to help them understand a difficult and sophisticated poem.
- Across the curriculum, students engage in work groups or teams to address topics that would be daunting if faced individually.
- Math students build 3-D rockets, models, and roller coasters, giving them hands-on experience putting mathematical concepts into practice.
- English students create visual aids and oral presentations to market their most recent pleasure-reading book.
- In 3D Art, students research traditional Native American pottery, and then create pottery using that technique.
- Social Science students create illustrated timelines of world events.
- Most math units culminate with a project that applies and reinforces the concepts learned.
- English students combine compare/contrast techniques with persuasive rhetoric to choose a new ruler for Rome as the summative project in studies of *Julius Caesar*.
- Service learning students serve the Cypress Grove CHS student body and staff through hosting a schoolwide disabilities workshop, as well serving the community at large by sponsoring a Wheels on Fire wheelchair basketball game at Cal State University, Monterey Bay.

**Are the assessment results the basis for regular evaluation and improvement of curriculum and instruction?**

- Cypress Grove CHS is a growing educational institution, with the majority of our students enrolled in grades nine and ten. As these students progress, we will use our assessment results and resource planning to create appropriate upper-class level courses that will best meet their academic needs.

**Are the assessment results the basis for the allocation of resources?**

- Assessment results are the basis for allocation of resources, especially in the area of expanded class offerings. These results show that the school will be able to offer more Advanced Placement classes as our students move into the upper grades. They also show that some students need to be directed into our Study Skills program, to assist them in meeting school expectations.

**Student Connectedness:**

**Are students connected to a system of support services, activities and opportunities at the school and within the community that meet the challenges of the curricular/co-curricular program in order to achieve the expected school-wide learning results?**

- The small size of Cypress Grove CHS, and the low student to teacher ratio in our classrooms, facilitates the exchange of information concerning student's need for support services. Faculty and staff freely exchange observations of students, both informally and in a formal staff meeting format.

- A staff member is dedicated to meeting the need for support services, including scheduling Student Study Teams, overseeing the formation and implementation of Individual Learning Plans, and referring students to private or community health practitioners, as appropriate.
- A counselor is available to schedule student's classes and monitor student's progress toward graduation. The counselor works with the class advisors to maintain connection with all students.
- All students attend an Advisory Class, where a teacher is responsible for assisting students with study skills, keeping track of the student's graduation requirements, and integrating the student into the Cypress Grove CHS learning community. All class advisors are provided with a detailed description of their duties, and all duties are tailored to the needs of the grade level of the students.
- Staff can easily maintain contact with parents and guardians through a student roster, which provides up-to-date information on family home, work, and cell telephone numbers and email addresses.
- Students who are recognized as needing additional educational support are referred to a student study team, made up of faculty, staff, and a parent or guardian. The team may recommend methods to improve academic performance, which may include individual tutoring and attendance at after-school Homework Club, which is overseen by a faculty member.
- Students from the local university, California State University at Monterey Bay, fill a variety of roles on our campus through their service-learning program.
- Faculty maintains contact with students outside class through a variety of clubs and activities that relate back to classroom learning. Faculty-sponsored clubs such as Rocketry, Needle Arts, Literary and Writer's guilds, Fantasy Fiction, and Video Games, and activities such as School plays and Talent Shows, and dances, keep the faculty connected with students.
- A Student Council represents all students at Cypress Grove CHS . The Council worked with the Student Council Advisor and the Faculty to produce a working Constitution that will serve to govern all councils in the coming years.
- Students are introduced to the concept of service to the community through Cypress Grove CHS's Service Learning Program. We share our facility with the Monterey County Office of Education's autism program, and students in Service Learning work directly with the students and staff in that program.

## **Reporting Student Progress:**

### **Do the school leadership and staff regularly assess student progress toward accomplishing the school's expected school wide learning results?**

Teachers at Cypress Grove CHS use a variety of assessments to monitor student progress toward our Expected Schoolwide Learning Results. Informal and formal methods of assessment are routinely used to evaluate student learning and to modify lesson plans when necessary for optimal learning. Cypress Grove CHS's evaluation strategies include tests, quizzes, essays, journals, sketchbooks, oral presentations, multimedia presentations, group projects, role-playing, debates, portfolios, and performances.

- Rubrics are used to define specific objectives to students prior to beginning work so that they have a clear understanding of how their final learning will be evaluated.

- The school recently purchased GradeQuick reporting software so that all teachers have a standard reporting system. Many teachers use student codes and frequent postings of their grades so that students are continually aware of their progress. Some teachers send home individual progress reports, which are signed by parents and returned to the teacher.
- Cypress Grove CHS has an established calendar of grade notification. We send mid-quarter progress reports and quarterly for grade reports, so students and parents receive reports eight times each academic year. These formal assessments provide accountability, and our teachers use them to adapt teaching when necessary.
- Students and teachers use the results of these various assessment methods to determine which students may be in need of further help, to determine students' passage from grade level courses to college preparatory and Advanced Placement courses, and to determine which learning concepts need to be re-taught.

**We employ the following intervention strategies for individuals that are determined to need more extensive help:**

- Student study teams to strategize individualized learning plans are scheduled as the need arises or when requested by a parent or teacher.
- Homework Club, staffed by a teacher, met Monday-Thursday for two hours after school during the first quarter; now, students grades are assessed and, if they are failing a core class, students are enrolled in our skills class.
- Teacher tutoring is established by individual teachers but is available for every class.
- We encourage our students to take complementary coursework at local community colleges.
- Study Skills is a course offered during the regular school day and designed to help students understand how they learn (metacognition) and promote helpful study habits.
- Counseling occurs at least twice a year, more often with struggling students, to insure that they stay on track for graduation and/or higher education.
- The values of citizenship and character, which form a link to our ESLRs, are taught through our "Word of the Week" and its accompanying quotes each day. Discussions take place in the first block each morning. Words are displayed prominently throughout the school and in each classroom. Often the staff, in response to a recognized need, chooses these words. When we recently recognized a trend in self-mutilation, or "cutting" occurring with our students, we chose to address the problem through these words. For several weeks, we examined the implications of concepts such as self-respect, self-control, and self-reliance.
- Another example of teaching character and citizenship occurred this fall when we attempted an exercise in self-determination, The Great Gum Scour. The staff agreed to give students the opportunity to handle gum as the greater community does, to use it politely and responsibly. We first taught what that actually means, and then students scoured the campus, turning over desks and scraping sidewalks clean of all gum. Now, gum is permitted on campus and we continue to monitor its proper usage and disposal.
- When polite gum use briefly became an issue, in the Spring of 2005, we instituted a one-week gum moratorium and another gum clean-up to bring students back into focus on the use of gum at school.
- Much assessment of the students' progress towards understanding of ethical concepts occurs informally as teachers overhear students referring to these shared community values rather than in the academic learning.

**At Cypress Grove CHS, we place a high premium upon informing all stakeholders, on campus and off, of our students' accomplishments. To that end, we have:**

- Established a Student of the Week program to honor exceptional students. These students are chosen by the staff as exemplary citizens. They receive a commemorative pin, a certificate, special lunch privileges, and daily mention in the morning announcements.
- Assembled the student body to acknowledge student's academic, citizenship, and attendance success, and honors achieved outside of school.
- Submitted each semester's honor roll for publication in the local press, parent newsletter, and our student newspaper.
- Placed student artwork in local art galleries and at Monterey's First night celebration.
- We sponsor a twice-yearly talent show, where students demonstrate their performing arts abilities.
- We showcase student work in different venues – the Seaside library and the Carl Cherry Center for the Arts periodically exhibit the artwork of Cypress Grove CHS students.
- Created a yearly School Accountability Report Card (SARC) that shows our demographics, standardized test results, student population, staff qualifications, etc. and presented it to our sponsoring district and to our governing board.
- Our Academic Performance Index (API) scores are published in the local newspaper and on our website.
- Standardized test results, and other academic achievements concurrent with the educational goals of the school, are regularly compiled for analysis by faculty and the school community in order to identify areas in need of improvement. For example, student scores on exams such as STAR tests, High School Exit Exams, Advanced Placement Exams, are reviewed and compared to the academic expectations of the school in order to pinpoint areas in which existing instruction may not meet the demands of Cypress Grove CHS Charter High School. Such scores are also compared to county, state, and national rankings for further identification of any areas of need.
- Cypress Grove CHS achieved a remarkable increase in the API score this year. We went from a scores of 663 in 2002/2003 and 703 in 2003/2004 to 766 in 2004/2005 and showed the highest increase of our area public high schools.

**Parent/Community Involvement:**

**Does the school leadership employ a wide range of strategies to ensure that parental and community involvement is integral to the school's established support system for students?**

- Cypress Grove CHS staff makes a standardized Homework Planner available to all students in grades nine and ten, and faculty uses this homework planner to convey to parents and guardians all homework expected from the students. These planners are also employed by upper classmen who benefit from a more structured approach to homework.
- Parents and guardians are kept informed of the school's programs and progress through Back to School Night, where the faculty outlines for the parents the teaching methods and goals for all classes.
- Cypress Grove CHS publishes a newsletter on a regular basis. This newsletter goes out to all stakeholders, and keeps them informed about the school's academic programs, co-curricular activities, financial condition, and up-coming events.

- Parents and guardians are expected to perform 40 hours of service to the school. Many make this contribution through supervising school activities such as dances and parental support at athletic events, upgrades to the school site and attending to site beautification activities. Parents have updated wiring in our assembly hall, added decorative plants, and constructed a new sign at the entrance to our campus. Our Parent/Teacher Organization uses computer software to monitor overall contributions, service hours, gifts and financial donation and distributes reports to our parents and stakeholders.
- Cypress Grove CHS's Parent/Teacher Organization is a dedicated team of parent volunteers. Important information passes to and from the faculty through this organization, and a faculty representative attends all meetings.
- Cypress Grove CHS students use community resources to augment what is available on our campus. The gymnasium and dance studio facilities at the nearby Porter Youth Center provide an excellent venue for our dance classes and sports teams. Many of our students can use Porter Youth Center facilities for informal after-school activities as well.
- Many Cypress Grove CHS students are concurrently enrolled at Monterey Peninsula College, Hartnell College or Cabrillo College and take advanced courses that augment classes available at our campus. In addition to college credit, these students gain valuable exposure to a college academic and social atmosphere.
- Assemblies often involve performances by community music groups, such as the Scottish Country Dancers, Camerata Singers, Dixieland Jazz Band, Jazz Masters, and the Pan-American Folk Dancers and more.

**Action Plan:**

Cypress Grove CHS submitted an action plan to the Western Association of Schools and Colleges that outlines the continued monitoring and reporting of our school-wide improvement goals. These goals will be accomplished through completion of one or all of the objectives, and progress will be monitored by an Assessment Team. Whenever the Expected School-wide Learning Results (ESLRs) are addressed, we refer to a student’s development as a *Contributing Citizen, Self-Reliant Person, and a Continuing Scholar*.

A formal Master Development Plan is important for short term and long range planning. The plan will be developed by representatives from all stakeholders within the Cypress Grove CHS community. The development plan will facilitate achievement of the goals in the action plan, and improve the overall planning and operations of the school. This plan will include resource allocation and planning, which are linked to the school’s ESLRs and Action Plan. Additionally, Cypress Grove CHS recognizes the importance of identifying additional financial resources to support adequate funding for the school’s operations.

The general themes for the Action Plan are: *Staff Training, Incorporating the ESLRs into School Culture, and Enriching Student Academic Program and Support*

**Staff Training**

*Cypress Grove CHS strives to be an environment of active, engaging, and in-depth learning.*

<b>Goal</b>	<b>Objectives</b>	<b>Assessment Group</b>
Faculty members will increase their professional growth each contracted year, by completing one or more of these objectives.	<ul style="list-style-type: none"> <li>- Increase academic knowledge base</li> <li>- Improve California Standards for the Teaching Profession ratings in semi-annual observations</li> <li>- Attend diversity training, academic, and/or classroom management workshops</li> </ul>	Director and Board
Faculty members will increase their involvement at the board level.	<ul style="list-style-type: none"> <li>- Attend at least one board meeting in a year</li> <li>- Report findings at the next faculty meeting</li> </ul>	Director and Board
Faculty members will consistently integrate arts throughout their curriculum	<ul style="list-style-type: none"> <li>- Attend annual in-service on techniques for integrating the arts into curriculum</li> <li>- Include assessment of effective arts integration in teacher observation ratings</li> </ul>	Art Faculty Director

### **Incorporating the ESLRs into School Culture**

*Students will develop these character traits by their graduation date.*

<b>Goal</b>	<b>Objective</b>	<b>Assessment Group</b>
The school will promote awareness of the ESLRs	- The student Advisory program will focus on activities to define the ESLRs	Advisory Faculty
	- All school sponsored activities will focus on development of the ESLRs	Faculty, Staff, and Parents
The school will provide opportunities for student demonstration of the ESLRs	- The Advisory program will focus on student expression of the ESLRs	Advisory Faculty
	- Required enrollment in a Senior Capstone class	Capstone Faculty and Counseling Staff
	- All school sponsored activities will focus on student expression of the ESLRs	Faculty, Staff, and Parents

### **Enriching Student Academic Program and Support**

*Cypress Grove CHS will be a campus that recognizes all students' needs, and creates curriculum with direct attention to the individual.*

<b>Goal</b>	<b>Objective</b>	<b>Assessment Group</b>
The school will enrich student course offerings	- Increase concurrent enrollment in local colleges	Counseling Staff
	- Create a master schedule to meet the specific needs of our student body	Administration and Master Scheduling Team
Faculty and staff will support special needs and at-risk students	<ul style="list-style-type: none"> <li>- Identify students with current and expired IEP and 504 accommodations, or students behind in credits and/or classes</li> <li>- Provide study-skills classes</li> <li>- Write accommodation plans</li> <li>- Conduct Student Study Team meetings</li> <li>- Provide individual tutoring and homework club</li> <li>- Require use of homework planners</li> <li>- Provide three reports of progress prior to semester grade</li> <li>- Students meet with counselors twice a semester or as needed</li> </ul>	Counseling Staff and Faculty
The school will provide students with greater access to technological and academic resources	- Administer pre-and post assessment within each core class	Faculty
	- Finance the expansion of the technology lab and a campus library	Board, Director, and Finance Team

***Cypress Grove  
Charter High School  
for  
Arts & Sciences***



*Western Association of School and Colleges*

**Final Action Plan  
2004 - 2005**

## **Introduction**

Cypress Grove Charter High School's (CGCHS) revised action plan is modeled to show the continued monitoring and reporting of our school-wide improvement goals. These goals will be accomplished through completion of one or all of the objectives, and completion progress will be monitored by the Assessment Group. Whenever the Expected School-wide Learning Results (ESLRs) are addressed, we refer to a student's development as a *Contributing Citizen*, *Self-Reliant Person*, and a *Continuing Scholar*.

A formal Master Development Plan is important for short term and long range planning. The plan will be developed by representatives from all stakeholders within the Cypress Grove community.

The development plan will facilitate achievement of the goals in the action plan, and improve the overall planning and operations of the school. This plan will include resource allocation and planning, which are linked to the school's ESLRs and Action Plan. The school recognizes the importance of identifying additional financial resources to support adequate funding for the school's operations.

The Visiting Committee identified the general themes for our revised action plan: *Staff Training*, *Incorporating the ESLRs into School Culture*, and *Enriching Student Academic Program and Support*, will be addressed in the following document.

## **Staff Training**

*CGCHS strives to be an environment of active, engaging, and in-depth learning.*

<b>Goal</b>	<b>Objectives</b>	<b>Assessment Group</b>
Faculty members will increase their professional growth each contracted year, by completing one or more of these objectives.	<ul style="list-style-type: none"><li>- Increase academic knowledge base</li><li>- Improve California Standards for the Teaching Profession ratings in semi-annual observations</li><li>- Attend diversity training, academic, and/or classroom management workshops</li></ul>	Director and Board
Faculty members will increase their involvement at the board level.	<ul style="list-style-type: none"><li>- Attend at least one board meeting in a year</li><li>- Report findings at the next faculty meeting</li></ul>	Director and Board
Faculty members will consistently integrate arts throughout their curriculum	<ul style="list-style-type: none"><li>- Attend annual in-service on techniques for integrating the arts into curriculum</li><li>- Include assessment of effective arts integration in teacher observation ratings</li></ul>	Art Faculty Director

## Incorporating the ESLRs into School Culture

*Students will develop these character traits by their graduation date.*

<b>Goal</b>	<b>Objective</b>	<b>Assessment Group</b>
The school will promote awareness of the ESLRs	- The student Advisory program will focus on activities to define the ESLRs	Advisory Faculty
	- All school sponsored activities will focus on development of the ESLRs	Faculty, Staff, and Parents
The school will provide opportunities for student demonstration of the ESLRs	- The Advisory program will focus on student expression of the ESLRs	Advisory Faculty
	- Required enrollment in a Senior Capstone class	Capstone Faculty and Counseling Staff
	- All school sponsored activities will focus on student expression of the ESLRs	Faculty, Staff, and Parents

# Enriching Student Academic Program and Support

*CGCHS will be a campus that recognizes all students' needs, and creates curriculum with direct attention to the individual.*

Goal	Objective	Assessment Group
The school will enrich student course offerings	- Increase concurrent enrollment in local colleges	Counseling Staff
	- Create a master schedule to meet the specific needs of our student body	Administration and Master Scheduling Team
Faculty and staff will support special needs and at-risk students	<ul style="list-style-type: none"> <li>- Identify students with current and expired and IEP and 504 accommodations, or students behind in credits and/or classes</li> <li>- Provide study-skills classes</li> <li>- Write accommodation plans</li> <li>- Conduct Student Study Team meetings</li> <li>- Provide individual tutoring and homework club</li> <li>- Require use of homework planners</li> <li>- Provide three reports of progress prior to semester grade</li> <li>- Students meet with counselors twice a semester or as needed</li> </ul>	Counseling Staff and Faculty
The school will provide students with greater access to technological and academic resources	- Administer pre-and post assessment within each core class	Faculty
	- Finance the expansion of the technology lab and a campus library	Board, Director, and Finance Team

# *Expected Schoolwide Learning Results*

*A Cypress Grove Charter High School graduate will be –*

A Self-reliant person who:

- *Possesses integrity, self-determination, and demonstrates independent judgment*
- *Accepts responsibility*
- *Resolves conflicts effectively*
- *Appreciates the value of cultural and social diversity*
- *Respects others, their rights and property*

A contributing citizen who:

- *Demonstrates a positive attitude toward work and learning*
- *Exhibits an understanding of global issues*
- *Respects the natural and man-made environments*
- *Follows and participates in local, state, and national political processes*
- *Possesses self-esteem and the courage to speak out for what he or she believes to be right*

A continuing scholar who:

- *Demonstrates an integrated understanding of all areas of learning, especially the arts and sciences*
- *Thinks critically and solves problems effectively*
- *Understands how he or she learns best*
- *Feels passionately about at least one discipline, which serves as a cornerstone for lifelong learning*
- *Communicates effectively, both in speaking and writing*



# *Cypress Grove Charter High School for Arts and Sciences*

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## Course Guide 2005-06

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# **CYPRESS GROVE CHARTER HIGH SCHOOL**

## **Introduction**

Cypress Grove Charter High School for Arts and Sciences is located in Seaside, California, overlooking the Monterey Bay, just a short distance from the CSUMB campus. Since our first year when the school opened in August 2001, Cypress Grove has grown from a student population of 65 students in grades 9-11, to a four-year high school serving 170 students. During this short period of time, the school has established a strong record of academic standards and excellence in college preparatory education. Cypress Grove continues in its fourth year of growth to provide academic excellence as it continuously strives to meet the needs of our students.

## **What is Cypress Grove Charter High School?**

Cypress Grove is a public, tuition-free charter school whose mission is to provide students with the experiences and skills needed to participate passionately and responsibly in life, and the tools to pursue their higher educational and career goals upon graduation.

Cypress Grove creates an educational environment that ignites the students' natural curiosity and desire to learn, values student contribution, acknowledges the value of parental involvement for educational success, and provides a secure foundation of trust and resources from which the students may draw.

Cypress Grove Charter High School is sponsored by the Monterey Unified School District and admits all pupils who wish to attend. Cypress Grove is a viable option for families searching for an educational alternative for their children. Students visiting the school for the first time have the opportunity to sit in on classes for a day with their parent(s), and witness first-hand the commitment they will be making to education in a full curriculum. With a focused charter, it is clear that Cypress Grove remains a school of choice for its students. We are not a traditional small public high school, and we encourage all of our prospective students to consider all their needs and wants in making the decision to study at Cypress Grove. The students, parents, administration and faculty remain committed to the vision of the school and the challenges it represents. The elements of the vision statement give the best sense of the stakeholder commitment.

It is the belief of the school that small class size and an overall small school size allow students great opportunity to achieve their academic goals. Therefore, we strive to maintain an average class size of no more than twenty students to one teacher. Cypress Grove intends to remain a small school in total enrollment—an intended capacity of 400 students.

## **What We Do**

The course of study at Cypress Grove focuses on the traditional core curriculum areas of mathematics, English, science and history with a primary emphasis on fine arts and science. The entire program is specifically designed to prepare students entering competitive colleges and universities worldwide.

In addition, Cypress Grove has an international focus that recognizes the need for global perspectives. For this reason, students are required to study more languages than English. Cypress Grove also recognizes that education in the fine arts, both in terms of performance and appreciation, builds an aesthetic understanding that remains with students for a lifetime. At Cypress Grove students prepare to meet and exceed the performance standards for Language Arts, Mathematics, Social Science and Science as adopted by the California State Board of Education. In developing the school-specific set of overall standards we have included the infusion of the arts and sciences into the core curriculum. While our standards and curriculum are presented subject-by-subject, the members of our faculty work together to ensure that each student's education is not a series of isolated pieces, but rather a coherent whole. The opportunities for thematic connection exist throughout the curriculum, especially between the social sciences and literature curricula and those of science and mathematics. Teachers are encouraged to construct their lesson plans in a way that enables them to collaborate with their colleagues, and to reinforce themes that students are addressing across subjects.

Central to the accomplishments of our goals is the shape of our curriculum and the graduation requirements for a Cypress Grove student. Below is a comparison of Cypress Grove graduation requirements with those for the University of California.

<b><u>Graduation and University of California Admission Requirements</u></b>		
<b><i>High School Subject Area</i></b>	<b><i>Cypress Grove Graduation Requirements</i></b> <b><i>230 credits, (grades 9-12)</i></b>	<b><i>*U.C. Admissions Required Courses</i></b>
<b>ENGLISH</b>	<b>4 years (40 credits)</b>	<b>4 years College Prep.</b>
<b>MATH</b>	<b>3 years (30 credits)</b> <b>must include Algebra 1+</b>	<b>3 years (4 recommended)</b> <b>Algebra/ Geometry/Algebra II</b>
<b>SOCIAL SCIENCE</b>	<b>3 1/2 years (35 credits)</b>	<b>2 years</b>
<b>SCIENCE</b>	<b>3 years (30 credits)</b> <b>Must include Biology</b>	<b>2 years with lab</b> <b>3 recommended</b>
<b>FINE ARTS</b>	<b>3 years (30 credits)</b> <b>4 recommended</b>	<b>1 year</b>
<b>FOREIGN LANGUAGE</b>	<b>2 years (20 credits)</b>	<b>2 years</b> <b>3 recommended</b>
<b>ELECTIVES</b>	<b>2 years (20 credits)</b>	<b>1-year College Prep.</b>
<b>PHYSICAL EDUCATION</b>	<b>2 years (20 credits)</b> <b>usually in 9<sup>th</sup> and 10<sup>th</sup></b>	<b>----</b>
<b>HEALTH</b>	<b>1 semester (5 credits)</b>	<b>----</b>
<b>SERVICE LEARNING</b>	<b>1 year (10 credits)</b>	<b>----</b>
<b>COMMUNITY SERVICE</b>	<b>80 hours</b>	

The Cypress Grove curriculum outlined above drives student achievement through learning outcomes, which are derived from the California State content standards and assessments.

Cypress Grove Charter High School's instructional program is based on the following five academic principles:

1. Promote High Standards for All
2. Infuse the Core Subjects with Arts & Sciences
3. Emphasize Personalized Attention
4. Encourage Direct Community Involvement
5. Commit to Real-World Application

All the stakeholders of Cypress Grove Charter High School for Arts and Sciences - parents, community members, and staff – assembled in the spring of 2004 to develop our Expected Schoolwide Learning Results (ESLRs). In a series of meetings, we discussed and clarified our mission and purpose and when we all had a clear and unified vision, we translated the theory of our school's mission and purpose statements into specific, attainable, and measurable goals – our **Expected Schoolwide Learning Results**.

A Cypress Grove Charter High School graduate will be a...

- **Self-reliant Person**
- **Contributing Citizen**
- **Continuing Scholar**

### **School Management**

The school is managed by the Cypress Grove Charter Council Governing Board and the daily business of the school is directed by an administrative staff of four, and a faculty of twelve. With a relatively small infrastructure, Cypress Grove's support structure relies heavily on parent involvement. Families are asked to contribute forty hours of volunteer service each year, and they fulfill that request in various capacities, from committee involvement to PTO fundraising projects and coordination of extra-curricular student activities.

Cypress Grove's classrooms and offices are located in a former elementary school in the former Fort Ord, which are being leased from the Monterey Peninsula Unified School District (also the chartering organization). With the help of parents and other interested community volunteers, the school has been refurbished and beautified, and most recently has been outfitted with new science lab furnishings and equipment.

Given the small size of the school and the degree of involvement on the part of all stakeholders, Cypress Grove is growing not only as a school, but also as a community of individuals with a common vision.

## The People of Cypress Grove Charter High School

### **THE CYPRESS GROVE GOVERNING BOARD**

<b>Walter Ferguson</b>	<b>Executive Director</b>
<b>Ronna Brandt</b>	<b>Treasurer</b>
<b>Wendy Ferguson</b>	<b>Secretary</b>
<b>Brent Eickholt</b>	<b>Member</b>
<b>Beverly Carter</b>	<b>Member</b>
<b>Apansea Pierce</b>	<b>Member</b>
<b>Rick Muenzer</b>	<b>Member</b>

### **THE CYPRESS GROVE ADVISORY COUNCIL**

<b>Robert Infelise</b>	<b>Member</b>
<b>Jeffery Young</b>	<b>Member</b>

### **THE CYPRESS GROVE ADMINISTRATION AND STAFF**

<b>Walt Ferguson</b>	<b>Executive Director</b>
<b>Dick Bird</b>	<b>Academic Counselor</b>
<b>Wendy Ferguson</b>	<b>Registrar / Service Learning Coordinator</b>
<b>Sherry Boe</b>	<b>Administrative Support</b>
<b>Jennifer Jennings</b>	<b>Bookkeeper</b>

### **THE CYPRESS GROVE FACULTY**

<b>Berit Andersen</b>	<b>B.A., Visual and Public Art; Cal State University Monterey Bay; A.A., Art History, A.A., Ceramics, A.A., Studio Art, A.A. Sculpture, Monterey Peninsula College.</b>
<b>Jennifer Debo</b>	<b>B.A., Psychology, Boston University, Boston, MA; Certificate; Language Program Administration, Monterey Institute of International Studies.</b>
<b>Mark Englehorn</b>	<b>B.A., Drama, University of Southern California; MFA, CSU Humboldt Adjunct professor, Monterey Peninsula College</b>
<b>Melony Johnson</b>	<b>B.S English, Speech and Drama, East Tennessee State University, Johnson City, TN; Certified AP Instructor</b>
<b>Joan Kevorkian</b>	<b>B.A, Liberal Studies, CSU Monterey Bay, Marina, CA; Mathematics Credential, CSU Monterey Bay, Marina, CA</b>
<b>Sean Roach</b>	<b>B.A. Communications, Texas State University, San Marcos, TX; Special Education, CSU Monterey Bay, Marina, CA</b>
<b>Tina Raeder Van Stirum</b>	<b>B.A Community Studies, B.A. Women’s Studies, UC Santa Cruz; A.A., Women’s Studies, Monterey Peninsula College</b>
<b>Michele Rodriguez</b>	<b>B.A., Criminal Justice, CSU Bakersfield</b>
<b>Ann Rudd</b>	<b>B.A. Liberal Arts, San Jose State University, San Jose, CA;</b>
<b>Cindee-Renee Sloan</b>	<b>A.S., Physics Hartnell Community College; B.S., Earth Science, UC Santa Cruz; M.A. Education, UC Santa Cruz</b>
<b>Carrie Smith</b>	<b>M.S. School Administration, CSU San Bernardino, San Bernardino, CA; M.S. Health Edutation and B.S. Physical Education, University of New Mexico, Albuquerque, NM</b>

## English Department

### **CURRICULAR PHILOSOPHY**

The English program at Cypress Grove seeks to make better readers and writers of its students by offering wide-ranging experiences in literature, language, writing, and speaking. Our curriculum conforms to the California English Language Arts standards and is designed to prepare students for CP or AP level English Courses in the 11<sup>th</sup> grade and AP level English in the 12<sup>th</sup> grade. To that end, the texts at every grade level have been selected from a list of canonical works – that is, works of literature that have become classics. Each of these texts contributes to the students’ core knowledge of the traditional canon, which in turn is the study-base for the AP English Courses and exams. In addition to selecting consistently challenging texts, an effort has been made to select works – across the generic spectrum – that “speak to each other.” Literary allusion becomes a theme for students as they gradually learn to notice how authors write from a foundation of reading.

Students in the 9<sup>th</sup> grade begin their preparation for Advanced Placement work through the texts they read, which include major works such as *Romeo and Juliet*, *The Odyssey*, and *To Kill A Mockingbird*, in addition to poetry, mythology, and short stories. Students in 10<sup>th</sup> grade will read a broad range of world literature that will correspond whenever possible to their world history studies, with emphasis on analysis of writing in various genres including technical writing.

Students at all levels are expected to read on their own daily, and will write thesis-driven essays about literature, as well as persuasive, narrative, and expository essays. They will also have opportunities to write creative pieces such as fiction and poetry and will demonstrate their understanding of literature through creative projects as well as formal and informal presentations. Students will study grammar and vocabulary with the goal of improving their writing and speaking, as well as understanding the mechanics of the language.

#### **Electives**

Available electives in the English Department provide the student with additional opportunities to express themselves through writing. The Yearbook / Journalism course provides a venue for students to write for publication about real issues that affect themselves, their peers, and the world around them. They will also create a school yearbook that they can be proud of, and a literary magazine through which they will be able to showcase their creative writing talents. Students enrolled in Study Skills will benefit by obtaining improved study habits, test-taking strategies, and organizational skills for better success in high school and beyond.

## ENGLISH 9 – SURVEY OF AMERICAN AND WORLD LITERATURE

Credits: 10

**Grade Level:** 9

**Prerequisites:** None: Placement test score and previous English grades determine placement into this grade-level course

**Co-requisites:** None

### Course Description:

This ninth grade course focuses on literature and topics that are aligned with the California State Standards adopted for English Language Arts. Students in this survey course will study the concept of the hero and the heroic journey, along with basic and more sophisticated elements of literature. Students will write thesis-based essays on literature, as well as expository, persuasive, and narrative essays. Students also will study grammar and vocabulary.

### Skills:

Literary response and analysis, composition, vocabulary development, reading comprehension, presentation, and cooperative group work

### Texts:

*The Elements of Literature* (Holt, Rinehart Winston), *The Hobbit*, *Black Boy*, *To Kill a Mockingbird*, *Romeo and Juliet*, *The Odyssey*, *The House on Mango Street*

### Other Materials:

Warner's *English Grammar*

### Learning Activities:

Discussions and lectures on literature; study of vocabulary, in-class reading, writing and analysis of class texts; writer's workshop; essays

### Evaluation:

Essays, graded discussions, projects, presentations, tests, quizzes, etc.

### Course Outline:

*Fall Semester*

- Week 1** – Introduction; diagnostic essay; summer reading review; independent reading introduction
- Week 2** – Independent reading; annotation; literary analysis; scholarly discourse
- Week 3** – Independent reading; annotation/analysis; quiz; editing marks
- Week 4** – “Reading, writing, speaking” essays; continue editing marks; independent reading
- Week 5** – Summer reading recheck; independent reading; vocabulary and grammar intro.
- Week 6** – Summer reading assessment; independent reading; intro. *Hobbit*
- Week 7** – *Hobbit*: plot, characterization, setting
- Week 8** – *Hobbit*: theme, irony, figurative language, heroic journey
- Week 9** – *Hobbit* essay and assessment; vocabulary, grammar
- Week 10** – *Odyssey* introduction, context, characterization, plot, setting; connect heroic journey to *Hobbit*

- Week 11** – Literary terms booklet, spelling demons; *Odyssey*; “The Raven”
- Week 12** – Vocabulary, grammar, independent reading, literary terms; spelling demons, *Odyssey*
- Week 13** – Complete *Odyssey*; *Christmas Carol* introduction; context; language
- Week 14 – 16** *Christmas Carol*; vocabulary; grammar; independent reading; literary terms
- Week 17** – *Christmas Carol* assessment; Victorian tea party; hidden talent
- Week 18** – Final review; finals

*Spring Semester*

- Week 19** – Grammar and vocabulary; independent reading
- Week 20 – 23** Grammar and vocabulary; independent reading; mythology
- Week 24 – 26** Grammar and vocabulary; independent reading; *To Kill a Mockingbird*
- Week 27** – Grammar and vocabulary; independent reading; modernism introduction; Richard Wright *Black Boy*; literary terms
- Week 28 – 30** Grammar and vocabulary; independent reading; *Black Boy*
- Week 31 – 33** Grammar and vocabulary; independent reading; *1984*
- Week 34 – 35** Grammar and vocabulary; independent reading; *House on Mango Street*
- Week 36 – 37** Poetry from text; literary terms project
- Week 38** – Prep for final; final

**ENGLISH 9 CP- SURVEY OF AMERICAN & WORLD LITERATURE**  
**Credits: 10**

**Grade Levels:** 9<sup>th</sup> Grade, College Preparatory  
**Prerequisites:** Passing grade in English 8; qualifying score on placement test  
**Co-requisites:** None

Approved to satisfy the University of California “a-g” subject requirements for freshman admission.

**Course Description:**

This course focuses on literature and topics that are aligned with the California State Standards adopted for English Language Arts. Students in this survey course will study the concept of the hero and the heroic journey, along with basic and more sophisticated elements of literature. Students will write thesis-based essays on literature, as well as expository, persuasive, and narrative essays. Students also will study grammar and vocabulary.

**Skills:**

Literary response and analysis, composition, vocabulary development, reading comprehension, presentation, and cooperative group work

**Texts:**

*The Elements of Literature* (Holt Rinehart Winston), *The Hobbit*, *Black Boy*, *To Kill a Mockingbird*, *Romeo and Juliet*, *The Odyssey*, *The House on Mango Street*

**Other Materials:**

Warner's *English Grammar*

**Learning Activities:**

Discussions and lectures on literature; study of vocabulary, in-class reading, writing and analysis of class texts; writer's workshop; essays

**Evaluation:**

Essays, graded discussions, projects, presentations, tests, quizzes, etc.

**Course Outline:***Fall Semester*

- Week 1** – Introduction; diagnostic essay; summer reading review; independent reading introduction
- Week 2** – Independent reading; annotation; literary analysis; scholarly discourse
- Week 3** – Independent reading; annotation/analysis; quiz; editing marks
- Week 4** – “Reading, writing, speaking” essays; continue editing marks; independent reading
- Week 5** – Summer reading recheck; independent reading; vocabulary and grammar intro.
- Week 6** – Summer reading assessment; independent reading; intro. *Hobbit*
- Week 7** – *Hobbit*: plot, characterization, setting
- Week 8** – *Hobbit*: theme, irony, figurative language, heroic journey
- Week 9** – *Hobbit* essay and assessment; vocabulary, grammar
- Week 10** – *Odyssey* introduction, context, characterization, plot, setting; connect heroic journey to *Hobbit*
- Week 11** – Literary terms booklet, spelling demons; *Odyssey*; “The Raven”
- Week 12** – Vocabulary, grammar, independent reading, literary terms; spelling demons, *Odyssey*
- Week 13** – Complete *Odyssey*; *Christmas Carol* introduction; context; language
- Week 14 – 16** *Christmas Carol*; vocabulary; grammar; independent reading; literary terms
- Week 17** – *Christmas Carol* assessment; Victorian tea party; hidden talent
- Week 18** – Final review; finals

*Spring Semester*

- Week 19** – Grammar and vocabulary; independent reading
- Week 20 – 22** Grammar and vocabulary; independent reading; mythology
- Week 23 – 26** Grammar and vocabulary; independent reading; *Oedipus Rex*
- Week 27** – Grammar and vocabulary; independent reading; modernism introduction; Richard Wright *Black Boy*; literary terms
- Week 28 – 30** Grammar and vocabulary; independent reading; *Black Boy*
- Week 31 – 33** Grammar and vocabulary; independent reading; *1984*
- Week 34 – 35** Grammar and vocabulary; independent reading; *House on Mango Street*
- Week 36 – 37** Poetry from text; literary terms project
- Week 38** – Prep for final; final

## **ENGLISH 10 - WORLD LITERATURE**

**Credits: 10**

**Grade Levels: 10<sup>th</sup> Grade**

**Prerequisites: A passing grade (“C” or better) in English 9**

**Co-requisites: Students are enrolled in World History for 10<sup>th</sup> grade**

### **Course Description**

Students continue to develop their skills in reading, writing, listening and speaking as they analyze universal themes of historical or cultural significance, which are found in literature. Novels are chosen to align, when possible, to their world history studies. Students practice writing by focusing on the mechanics of language and vocabulary development. Emphasis is on analysis of various literary genres and technical writing. Students present their research and analysis through written and oral presentations. The study of novels is supplemented with in-class readings of short fiction, poetry and drama from the *Elements of Literature Fourth Course*.

### **Skills**

Students will develop the following: word analysis and vocabulary; grammar and mechanics; speaking abilities; ability to research a topic and site sources; reading comprehension and analysis of literature and informational material; ability to articulate differences between various literary genres; ability to compare and contrast characters and themes found in literature and history; ability to write biographical or autobiographical narratives, written responses to literature, expository and persuasive compositions, business letters and technical documents.

### **Core Texts**

*Antigone* (Sophocles); *Julius Caesar* (Shakespeare); *Canterbury Tales* (Geoffrey Chaucer); *Joan of Arc* (Mark Twain); *The Chosen* (Chaim Potok).

### **Supplementary Material**

*Elements of Literature Fourth Course* (Holt Rinehart Winston);  
Documentaries of Ancient Rome and the Caesars  
*The New St. Martin’s Handbook* (Lunsford Connors)

### **Evaluation and Assessment (with California State Standards)**

Vocabulary quizzes weekly

Reading 1.1 and 1.2

In-class essays and tests after novel units

Reading 2.0 and 3.0

Writing 1.0 and 2.0

Novel study guides corresponding to assigned reading

Reading 2.0 and 3.0

Formal essay Writing 1-2 times each semester (at least one with three revisions)

Reading 2.0 and 3.0

Writing 1.0, 1.4, 1.6, 1.7, 1.9 and 2.0, 2.1, 2.2, 2.3

Peer editing emphasizing writing mechanics, critical analysis, essay structure and syntax

- Reading 2.0 and 3.0
- Oral presentations, recitations, and dramatic performances 2-3 times each semester
  - Listening and Speaking 1.0, 1.7 and 2.0, 2.4
- Critiquing, writing, then presenting speeches
  - Reading 2.8
  - Writing 1.1, 1.2, 1.4, 1.9
  - Listening and Speaking 1.0, 1.1, 1.3, 1.4, 1.5, 1.6, 1.8, 1.9, 1.10, 1.11, 1.12, 1.13, 2.2, 2.5
- Class Participation in discussions of reading, note-taking, peer editing, and journal writing
  - Listening and Speaking 1.0 and 2.0
  - Reading 2.0, 3.0

### **Course Outline:**

#### *Fall Semester*

- Week 1** - Class expectations; *Sword in the Stone*, T.H.White, “Hero” diagnostic essay.
- Week 2** - Final draft “Hero,” *Sword in the Stone*. Review literary elements.
- Week 3** - Short story, *River, Fish and ...* Review **Plot** in short story and *Sword in the Stone*.
- Week 4** - Finish *Sword in the Stone*. Topic sentence and introductory paragraph- persuasive essay.
- Week 5** - Editing lesson. Draft essay and peer edit, biography of John Steinbeck. Lesson on Setting
  - Monterey. Introduction to *Tortilla Flat*.
- Week 6** - Teacher edit and conferencing. Character analysis for *Tortilla Flat*. Final draft of persuasive essay.
- Week 7** - Finish *Tortilla Flat*. *Tortilla Flat* assignment due.
- Week 8** - Short story, *Distillation*, Hugo Martinez-serros. In-class essay on love.
- Week 9** - *Myth of Oedipus*. Introduce Antigone, Greek mythology.
- Week 10** – *Antigone*. Pairs present passages orally. Student chorus.
- Week 11** - *Antigone*. Group Review activity. Unit assessment.
- Week 12** - Introduction to *Julius Caesar*; Shakespeare and his politics.
- Week 13** - Documentary of Caesar/Rome. Reviewing a documentary. Reading *Julius Caesar*.
- Week 14** - *Julius Caesar*. Lesson on monologue.
- Week 15** - Present a monologue. Finish the play.
- Week 16** - Review *Julius Caesar*. Unit assessment.
- Week 17** - Review for midterm.
- Week 18** - Midterm

#### *Spring Semester*

#### **Week 19**

- Vocabulary
- Bookseller’s Day oral presentations
- Persuasive writing and speaking lesson
- *I Have a Dream* video-Martin Luther King’s speech

#### **Week 20**

- Vocabulary
- Grammar lesson-parallel structure especially as it relates to rhetoric
- Short story, “The Lowest Animal” by Mark Twain
- Lesson on persuasive writing

### Week 21

- Vocabulary
- Grammar-types of clauses and phrases
- Persuasive essay 1st draft due
- Peer and editing

### Week 22

- Vocabulary
- Begin reading *Joan of Arc* and completing study guide questions (reading schedule and guide assignments TBA)
- Persuasive essay 2nd draft due
- Conferencing on essays
- Essays due

### Week 23

- Vocabulary
- Grammar lesson-*Jaberwocky* by Lewis Carroll
  - Parts of speech
  - Clauses vs. phrases
- New pleasure reading book signup and conference deadline
- *Joan of Arc* and study guide questions

### Week 24

- Vocabulary
- Grammar lesson-more with clauses and phrases
- *Joan of Arc* and study guide questions

### Week 25

- Vocabulary
- Punctuation lesson-colons, semi-colons, commas, ellipses, hyphens
- Finish reading *Joan of Arc* and study guide questions
- Poetry lesson and in-class comparison and contrast essay

### Week 26

- Vocabulary
- Grammar lesson
- *Joan of Arc* test

### Week 27

- Vocabulary, grammar
- New pleasure reading book signup and conference deadline

### Weeks 28-30

- Vocabulary and grammar lessons
- New pleasure reading book signup and conference deadline
- Technical writing unit
- Cover letter writing and mock job interview unit

### Week 31

- STAR testing

### Weeks 32-34

- Vocabulary and grammar lessons
- Reading and study guide questions for *The Chosen* by Chaim Potok

### Week 35 – Final Exam

## **ENGLISH 10 CP - WORLD LITERATURE**

**Credits: 10**

**Grade Levels: 10<sup>th</sup> Grade, College Preparatory**

**Prerequisites: A passing grade (“C” or better) in English 9**

**Co-requisites: Students are enrolled in World History for 10<sup>th</sup> grade**

Approved to satisfy the University of California “a-g” subject requirements for freshman admission.

### **Course Description**

Students continue to develop their skills in reading, writing, listening and speaking as they analyze universal themes of historical or cultural significance that are found in literature. Novels are chosen to align, when possible, to their world history studies. Students practice writing by focusing on the mechanics of language and vocabulary development. Emphasis is on analysis of various literary genres and technical writing. Students present their research and analysis through written and oral presentations. The study of novels is supplemented with in-class readings of short fiction, poetry and drama from the *Elements of Literature Fourth Course*.

### **Skills**

Students will develop the following: word analysis and vocabulary; grammar and mechanics; speaking abilities; ability to research a topic and site sources; reading comprehension and analysis of literature and informational material; ability to articulate differences between various literary genres; ability to compare and contrast characters and themes found in literature and history; ability to write biographical or autobiographical narratives, written responses to literature, expository and persuasive compositions, business letters and technical documents.

### **Core Texts**

*Antigone* (Sophocles); *Julius Caesar* (Shakespeare); *Canterbury Tales* (Geoffrey Chaucer); *Joan of Arc* (Mark Twain); *Tale of Two Cities* (Charles Dickens); *The Chosen* (Chaim Potok).

### **Supplementary Material**

*Elements of Literature Fourth Course* (Holt Rinehart Winston);  
Documentaries of Ancient Rome and the Caesars  
*The New St. Martin’s Handbook* (Lunsford Connors)

### **Evaluation and Assessment (with California State Standards)**

Vocabulary quizzes weekly

Reading 1.1 and 1.2

In-class essays and tests after novel units

Reading 2.0 and 3.0

Writing 1.0 and 2.0

Novel study guides corresponding to assigned reading

Reading 2.0 and 3.0

Formal essay Writing 2-3 times each semester (at least one with three revisions)

Reading 2.0 and 3.0

Writing 1.0, 1.4, 1.6, 1.7, 1.9 and 2.0, 2.1, 2.2, 2.3  
 Peer editing emphasizing writing mechanics, critical analysis, essay structure and syntax  
 Reading 2.0 and 3.0  
 Oral presentations, recitations, and dramatic performances 2-3 times each semester  
 Listening and Speaking 1.0, 1.7 and 2.0, 2.4  
 Critiquing, writing, then presenting speeches  
 Reading 2.8  
 Writing 1.1, 1.2, 1.4, 1.9  
 Listening and Speaking 1.0, 1.1, 1.3, 1.4, 1.5, 1.6, 1.8, 1.9, 1.10, 1.11, 1.12, 1.13, 2.2,  
 2.5  
 Class Participation in discussions of reading, note-taking, peer editing, and journal writing  
 Listening and Speaking 1.0 and 2.0  
 Reading 2.0, 3.0

### **Course Outline:**

#### *Fall Semester*

**Week 1** - Class expectations; *Acts of King Arthur*- Steinbeck; “Hero” diagnostic essay.  
**Week 2** - Final draft “Hero”, *King Arthur*. Review literary elements.  
**Week 3** - Review “plot” in short story and *King Arthur*.  
**Week 4** - Short story, setting. Finish *King Arthur*.  
**Week 5** - Vocabulary Quiz. Bio Ray Bradbury. Begin Fahrenheit 451. Debate censorship.  
**Week 6** - Fahrenheit *symbolism*. Persuasive essay topic/intro in class. Finish Fahrenheit.  
**Week 7** - Homer’s *Odyssey/Greek Mythology*. Watch Odyssey. Editing lesson.  
**Week 8** - In-class editing and conferencing. Begin Sophocles’ *Antigone*.  
**Week 9** - Introduction *Julius Caesar*. Shakespeare and his politics.  
**Week 10** - Documentary of Caesar/Rome. Reviewing a documentary. Reading *Julius Caesar*.  
**Week 11** - *Julius Caesar*, lesson on monologue.  
**Week 12** - Present a monologue. Finish the play.  
**Week 13** - Review *Julius Caesar*. Unit exam.  
**Week 14** - Introduce Chaucer’s *Canterbury Tales*. Lessons on Old English, Middle English,  
 word development, etymology.  
**Week 15** - Canterbury Tales  
**Week 16** - Listening to Prologue. Oral recitation of Prologue.  
**Week 17** - Review for midterm.  
**Week 18** – Midterm

#### *Spring Semester*

#### **Week 19**

- Vocabulary
- Bookseller’s Day oral presentations
- Persuasive writing and speaking lesson
- *I Have a Dream* video-Martin Luther King’s speech

#### **Week 20**

- Vocabulary
- Grammar lesson-parallel structure especially as it relates to public speaking and rhetoric
- Old/Middle/Early Modern/Modern English lesson

- Computer lab to get support for persuasive essay
- Begin practice reciting the “Prologue” to *Canterbury Tales*

### Week 21

- Vocabulary
- Grammar-types of clauses and phrases
- Prologue recitation
- Short story, “The Lowest Animal” by Mark Twain
- Persuasive essay/speech 1st draft due.

### Week 22

- Vocabulary
- Begin reading *Joan of Arc* and completing study guide questions (reading schedule and guide assignments TBA)
- Persuasive essay/speech 2nd draft due
- Conferencing on speeches
- Presentation of speeches

### Week 23

- Vocabulary
- Grammar lesson-*Jaberwocky* by Lewis Carroll
  - Parts of speech
  - Clauses vs. phrases
- Speech presentations
- New pleasure reading book signup and conference
- *Joan of Arc* and study guide questions

### Week 24

- Vocabulary
- Grammar lesson-more with clauses and phrases
- Speech presentations
- *Joan of Arc* and study guide questions

### Week 25

- Vocabulary
- Punctuation lesson-colons, semi-colons, commas, ellipses, hyphens
- Finish reading *Joan of Arc* and study guide questions
- Poetry lesson and in-class comparison and contrast essay

### Week 26

- Vocabulary
- Grammar lesson
- *Joan of Arc* test

### Week 27

- Vocabulary
- Grammar
- Introduction to *Tale of Two Cities* (reading and study guide schedule TBA)
- Video of *Turning Points in History*-The French Revolution
- New pleasure reading book signup and conference

### Weeks 28-30

- Vocabulary and grammar lessons

- *Tale of Two Cities* with study guide
- New pleasure reading book signup and conference
- Technical writing unit

**Week 31**

- STAAR testing

**Weeks 32-34**

- Vocabulary and grammar lessons
- Reading and study guide questions for *The Chosen* by Chaim Potok
- Research paper on WWII topics

**Week 35 – Final Exam**

**ENGLISH 11 CP - AMERICAN LITERATURE**

**Credits: 10**

**Grade Level: 11<sup>th</sup> Grade, College Preparatory**  
**Prerequisites: A passing grade (“C” or better) in English 10**  
**Co-requisites: None**

Approved to satisfy the University of California “a-g” subject requirements for freshman admission.

**Course Description:**

CP English language and composition is designed to help students become skilled readers of prose written in a variety of periods, disciplines, and rhetorical contexts, and to become skilled writers who can compose for a variety of purposes. By their writing and reading in this course, students should become aware of the interactions among a writer’s purposes, audience expectations, and subjects, as well as the way generic conventions and the resources of language contribute to effective writing. Topics and themes for writing assignments will be drawn from a variety of readings, including some canonical works of American literature.

**Skills:**

Students will enhance their ability to use grammatical conventions both appropriately and with sophistication, and will develop stylistic maturity in their prose by emphasizing the following: a balance of generalization and specific illustrative detail; a wide-ranging vocabulary used appropriately and effectively; a variety of sentence structures, including appropriate use of subordination and coordination; a logical organization, enhanced by specific techniques to increase coherence, such as repetition, transitions, and emphasis; an effective use of rhetoric, including controlling tone, establishing and maintaining voice, and achieving appropriate emphasis through diction and sentence structure.

**Textbooks:**

*Elements of Literature, Fifth Course* (Holt Rinehart Winston). Additional texts will include a variety of great American literature approved by California state standards.

**Other materials:**

Six workbooks connected to the text, *Elements of Literature, Fifth Course*. These include *Formal Assessment; Words to Own; Graphic Organizers; Grammar and Language Links*, etc.

**Learning Activities:**

Students write in a variety of forms – narrative, exploratory, expository, argumentative – and on a variety of subjects, from personal experiences to public policies, from imaginative literature to popular culture. Assignments include: imitation exercises, journal keeping, collaborative writing, peer reviews, and in-class responses. Students read a variety of prose styles from different disciplines and historical periods.

**Evaluation:**

Methods include literature responses, vocabulary workshops, tests, quizzes, essays, poetry writing, in-class preparation, projects, mock AP exams; peer editing/response; class presentations and recitations, and in-class participation in discussions.

**Course Outline:***Fall Semester*

- Week 1** –*Fall of the House of Usher*, vocabulary/writing.
- Week 2** –*Incident at Owl Creek Bridge*, vocabulary/writing.
- Week 3** –*Sinners in the hand of an Angry God*, writing/exam
- Week 4** –*Ministers Black Veil* Hawthorn chapter reviews, writing/vocabulary
- Week 5** –*The Maltese Falcon* grammar/writing/vocabulary
- Week 6** –*The Maltese Falcon* writing/chapter reviews
- Week 7** –*The Maltese Falcon* writing/chapter reviews
- Week 8** –Finish *The Maltese Falcon* writing/vocabulary/chapter reviews, exam and view the film.
- Week 9** –Intro to *Dune* context, vocabulary/grammar writing, epic structure
- Week 10** –Continue *Dune*, vocabulary/writing/poetry analysis
- Week 11** –Continue *Dune*, writing/poetry analysis
- Week 12** –Finish *Dune*, exam, Paper Due
- Week 13** –*TBA* introduction, chapter reviews, writing, vocabulary
- Week 14** –*TBA* continues, chapter reviews/writing/essay
- Week 15** –*TBA* continues, chapter reviews/writing/ vocabulary/final quiz
- Week 16** –Star Testing
- Week 17** –Intro to *TBA* Mark Twain, chapter reviews, writing/outline final papers
- Week 18** –Continue *TBA* chapter reviews, writing/vocabulary/ draft essay final paper

*Spring Semester*

- Week 19** –Continue *East of Eden*, chapter reviews, vocabulary/writing.
- Week 20** –Continue *East of Eden*, chapter reviews, vocabulary/writing.
- Week 21** –Finish *East of Eden*, chapter reviews, writing/exam
- Week 22** –Intro to *Lord of the Flies*, context/Golding, chapter reviews, writing/vocabulary
- Week 23** –Continue *Lord of the Flies*, grammar/writing/vocabulary
- Week 24** –Continue *Lord of the Flies*, grammar/writing/chapter reviews
- Week 25** – President’s Break
- Week 26** –Continue *Lord of the Flies*, writing/vocabulary/chapter reviews, exam and view the film.

- Week 27** –Intro to *Medea*, Robinson Jeffers, context, vocabulary/grammar writing, epic poetry structure
- Week 28** –Continue *Medea*, vocabulary/writing/poetry analysis
- Week 29** –Continue *Medea*, writing/poetry analysis
- Week 30** –Finish *Medea*, exam, field trip to Carmel, CA to Tor House.
- Week 31** – 4/5/04 - 4/09/04 - *High Fidelity* introduction, chapter reviews, writing, vocabulary
- Week 32** - *High Fidelity* continues, chapter reviews/writing/essay
- Week 33** –*High Fidelity* continues, chapter reviews/writing/ vocabulary/final quiz
- Week 34** –Star Testing
- Week 35** –Intro to *Huckleberry Finn*, Mark Twain, chapter reviews, writing/outline final papers
- Week 36** - Continue *Huckleberry Finn*, chapter reviews, writing/vocabulary/ draft essay final paper
- Week 37** - Finish *Huckleberry Finn*, chapter reviews, final essays due.
- Week 38 - Final Exams**

## **ENGLISH 12 AP - BRITISH & WORLD LITERATURE**

**Credits:** 10

**Grade Levels:** 12<sup>th</sup> Grade, Advanced Placement  
**Prerequisites:** Passing grade (“C” or better) in English 11 CP  
**Co-requisites:** None

### **Course Description:**

This course focuses on literature and topics that are aligned with the California State Standards adopted for English Language Arts. Students in this course will engage in the careful reading and critical analysis of imaginative literature. Through the close reading of selected texts, students deepen their understanding of the ways writers use language to provide meaning and pleasure. Students learn to consider a work's structure, style, and themes, as well as its formal elements. Topics for writing assignments will be drawn from the texts below.

### **Skills:**

Skills include literary response and analysis, with emphasis on close reading and the ability to understand the relationship between form and content; expository writing, oral presentation, and systematic vocabulary development.

### **Texts:**

*The Bedford Anthology of Literature* (Bedford), *Beowulf*, *Sir Gawain and the Green Knight*, *Canterbury Tales*, *Hamlet*, *Pride and Prejudice*, *Jane Eyre*, *Things Fall Apart*, among others

### **Other Materials:**

Warner’s *English Grammar*

### **Learning Activities:**

Discussions and lectures on literature; study of vocabulary, in-class reading, writing and analysis of class texts; writer's workshop on essays on various topics

**Evaluation:**

Essays, graded discussions, projects, presentations, recitations, tests, quizzes, etc.

**Course Outline:**

*Fall Semester*

- Week 1** – Introduction; nature of literature essay; summer reading review
- Week 2** – Annotation; literary analysis; scholarly discourse; non-fiction analysis
- Week 3** – Bedford selections; annotation/analysis; quiz; editing marks
- Week 4** – Intro *Beowulf*; context; Old English; Story of English; the epic
- Week 5** – *Beowulf*; essay; alliterative poetry; lit terms
- Week 6** – Summer reading assessment; *Beowulf* assessment
- Week 7** – Introduction to *Sir Gawain and the Green Knight*; Medieval era research projects
- Week 8** – *Sir Gawain*, continued; present projects; the romance; rhyming poetry
- Week 9** – *Sir Gawain* assessment; intro. Chaucer; essay
- Week 10** – Introduction to *Canterbury Tales*, Middle English; memorize prologue in M.E.
- Week 11** – Literary terms booklet, *Canterbury Tales*
- Week 12** – Vocabulary, literary terms booklet; spelling demons, *Canterbury Tales*
- Week 13** – *Canterbury Tales*, cont.; in-class timed writing, vocabulary
- Week 14** – *Hamlet* introduction; Renaissance; Modern English; vocabulary project
- Week 15** – *Hamlet*, continued; film clips
- Week 16** – *Hamlet* analysis; close reading; *Rosencrantz and Guildenstern are Dead* intro.
- Week 17** – *Hamlet/R&G* comparison and contrast essay; additional assessment; *R&G* film
- Week 18** – Final review; finals

*Spring Semester*

- Week 19** – Grammar and vocabulary; in-class timed writing; independent reading
- Week 20** – Grammar and vocabulary; persuasive essay; independent reading
- Week 21** – Mythology review; biblical literature introduction
- Week 22** – Mythology/biblical literature; narrative essay
- Week 23** – Grammar and vocabulary; in-class timed writing; introduction. Reformation
- Week 24** – *A Man for All Seasons*
- Week 25** – *A Man for All Seasons* and film
- Week 26** – Short stories/poems from Bedford; literary terms project
- Week 27** – Short stories/poems from Bedford; literary terms project
- Week 28** – Short stories/poems from Bedford; literary terms project
- Week 29** – AP practice test; begin drama unit
- Week 30** – Plays from Bedford: *A Raisin in the Sun*; *M. Butterfly*
- Week 31** – Plays from Bedford: *The Glass Menagerie*
- Week 32** – Nineteenth Century Lit: Dickens/Charlotte Bronte/Jane Austen
- Week 33** – Nineteenth Century Lit: Dickens/Charlotte Bronte/Jane Austen
- Week 34** – AP Lit test week – prep and take test
- Week 35** – Nineteenth Century Lit: Dickens/Charlotte Bronte/Jane Austen
- Week 36** – Modern literature: Chinua Achebe; modern poetry
- Week 37** – Satire and irony; speech
- Week 38** – Present speech; students' choice of film from Bedford plays (no final)

## **CREATIVE WRITING**

**Credits: 5 (Semester)  
10 (Full Year)**

**Grade Level: 9<sup>th</sup> through 12<sup>th</sup>**  
**Prerequisites: None**  
**Co-requisites: None**

### **Course Description:**

This course is designed to introduce students to all aspects of creative writing. Writing genre to be explored will include the novel, short story, poem, screenplay, stage play, comic book, and teleplay.

In addition to understanding the writing conventions unique to each genre, students will learn how to create and develop character, location, mood, voice and other aspects that make writing original and interesting.

### **Skills:**

By the end of the course students will be comfortable writing in all genre covered in the course, and will be able to complete one major work in a selected genre. "Major work" is defined in the Learning Activities section of this course description

### **Textbooks:**

*To be announced*

### **Other Materials:**

Samples of written work as provided by the teacher.

### **Learning Activities:**

Exercises to develop skills in creating character, location, etc.

Exercises to facilitate writing in all genre covered in the course.

Presenting selected written work to the class.

Critique of Student writing.

Review of successful work in each genre to determine elements that lead to success in fiction writing.

Exercises to develop the creative process within the individual student.

Self- and Peer-editing.

Final Project. By the end of the school year, each student will complete **one** of the following:

A novel (three completed chapters plus outline for the complete work).

A complete short story.

A collection of poems; two of each type of poem (such as sonnet and blank verse) studied during the year.

A 60 page screenplay, stage play, or teleplay.

### **Evaluation:**

Writing exercises: **50%**

Participation: (in-class presentations, peer- and self- editing, critique of student work) **25%**

Final Project **25%** (Second semester only; first semester grade will be balanced to exclude this evaluation item.)

## **YEARBOOK / JOURNALISM - ELECTIVE**

**Credits:** 10

**Grade Levels:** 10<sup>th</sup>-12<sup>th</sup> Grade

**Prerequisites:** None

**Co-requisites:** None

### **Course Description:**

This course introduces students to the basic principles of publishing including technical, financial, and ethical considerations. Students publish a monthly newspaper, which covers school and world events. They produce the school yearbook and in the Spring a school-wide literary magazine.

### **Skills:**

Students learn and practice: writing and editing skills through the drafting process; organizational skills by working within deadlines; financial planning to fund the various publications; assessing technological resources through the use of various software and electronic databases; concepts of graphic design as they format publications.

### **Textbooks:**

XP3 Journalism

### **Other Materials:**

Internet access to [www.highschooljournalism.org](http://www.highschooljournalism.org)

### **Learning Activities:**

Students collaborate on articles, photography, editing, and fundraising. Students read and analyze from various professional media sources.

### **Evaluation:**

Students are assessed on the quality and volume of articles they produce for the paper. Informal assessment is ongoing regarding participation in formation of yearbook and literary magazine.

### **Grade Distribution:**

Participation-10%

Quality of Work-25%

Attendance-15%

Final Project-25%

### **Course Outline:**

#### **Weeks 1 – 12**

Layout advertising costs

Find a publisher

Start the publishing the school newspaper

Photograph and cover all events

Back-to-school dance

New teachers

Initial yearbook sales

### **Weeks 13 – 20**

Fundraising  
Pages 17-32 are due  
Work on class pictures  
Meet first yearbook deadline  
Put out at least three newspapers

### **Weeks 21 – 25**

Continue to put out the newspaper every two weeks  
Make the final touches on the yearbook  
Put final pages together

### **Weeks 26 – 29**

Yearbook goes to publisher  
Two more papers are produced

### **Weeks 30 – 38**

Final issues of newspapers distributed  
Yearbook will be distributed

## **STUDY SKILLS - ELECTIVE**

**Credits: 10**

**Grade Levels: 9<sup>th</sup>-12<sup>th</sup> Grades**  
**Prerequisites: None**  
**Co-requisites: None**

### **Course Description:**

This course addresses techniques to enhance student success in other academic classes. Topics to be discussed include, but are not limited to: test taking skills; study strategies; note-taking skills; strategies for writing essays; organization; memorization skills; reading/spelling strategies; building comprehension skills and grounding techniques. In addition, students will be given homework support during class.

### **Textbook:**

Students will be required to have a pleasure-reading book of their choice.

### **Other Materials:**

Teacher selected supplements; current news.

### **Learning Activities:**

Group work; presentations; journal writing; study groups.

### **Evaluation:**

Students will be evaluated on class preparedness and participation, planners, binders, journals, lecture notes, and citizenship.

**Course Outline:**

*Fall Semester*

**Week 1**

Introductions. Expectations. Class Requirements. What is Study Skills?

**Week 2**

Class Journals. Note-taking project

**Week 3**

Outlining and its uses

**Week 4**

Outlining techniques for textbook note-taking

**Week 5**

Outlining for notes

**Week 6**

Mastering the steps for writing essays

**Week 7**

Web-making

**Week 8**

Sentence outlines revisited

**Week 9**

Homework planners revisited

**Week 10**

Paragraph formation

**Week 11**

Proof-reading

**Week 12**

Analogies

**Week 13**

Focus techniques

**Week 14**

Thinking ahead – how to make a schedule. Interviews

**Week 15**

Study strategies – class specific

**Week 16**

Study strategies – class specific. Study guides

**Week 17**

Finals

*Spring Semester*

**Week 1**

Expectations. Class Requirements. Why are you here? Homework Planner!

**Week 2**

What is the most difficult? Our plan.... Focus techniques

**Week 3**

Note-taking. Outlining

**Week 4**

Organization – Feng Shui

**Week 5**

Comprehension. 12 words to make you see.

**Week 6**

Completing a story – Why so much detail?

**Week 7**

Reading comprehension

**Week 8**

Math is our friend.

**Week 9**

Most common spelling errors. Writing essays

**Week 10**

Analogies. Test – Prep – How to take a test

**Week 11**

Suffix Grid

**Week 12**

Reading Strategies

**Week 13**

Vocabulary Builder

**Week 14**

What's important?

**Week 15**

Let's read what we're supposed to do. Directions – where are we going?

**Week 16**

STAAR testing

**Week 17**

Finals Preparation

**Week 18**

How do we study?

**Week 19**

Finals

## **Fine Arts Department**

### **CURRICULAR PHILOSOPHY**

Cypress Grove recognizes the importance of the fine arts as creative disciplines that embody a wealth of universal ideas, values, emotions, and technologies that are integral parts of our civilization. The Fine Arts program at Cypress Grove is based upon the concept that the arts are an essential component of a complete education and a requirement for cultural literacy. An education in the fine arts, both in terms of performance and appreciation, builds an aesthetic understanding that remains with students for a lifetime. Together with a strong base in science, mathematics, language and literature, students will possess a familiarity with, and appreciation for the arts, and celebrate their own creative talents.

Cypress Grove adheres to an interdisciplinary, thematic curriculum that integrates the arts into core subjects. Through this unique approach, students will understand how art is meaningful in all subjects, how art shapes history, and how it plays a vital role in every culture. The infusion of arts in academic subjects stimulates right brain activity where creative genius resides.

#### **Visual Arts**

Through the Visual Arts department, students will work with art media such as drawing, painting, sculpture, ceramics, and computer-based tools to express ideas, feelings and values. Throughout their careers at Cypress Grove, they will have additional opportunities to experience visual art as gateways to developing higher learning within other subject areas. For example, students may learn calligraphy, or create illustrations as literature arts projects; or they may create murals, mandalas, or learn about art history or cultural fine arts in their studies of social sciences or foreign languages.

Visual Arts instruction is offered in a structured sequence of course work that provides experience with the materials and methods of art in both two- and three-dimensional media. This instruction emphasizes the development of perceptual awareness; the acquisition of a visual and verbal vocabulary related to art; approaches to creative problem solving; and, the acquisition and practice of skills leading beyond competency to excellence in a wide variety of expressive media. Promoted are investigations into cultural and historical contexts of major art movements; the contributions of diverse cultural traditions; and the concept of aesthetics as it relates to fine art.

#### **Performing Arts**

The Performing Arts program at Cypress Grove focuses upon both individual and group performance. Students are introduced to the acting process and to theatre as a whole. Through the use of their own life experiences, emotions, body, and voice, they learn to recognize and develop their own performing tools. Students participate in many group and individual presentations including basic acting exercises, improvisations, voice techniques, and introduction to stage movement. As the year progresses, students learn the value of intent, objectives and tactics, and character development. They will complete this course with a basic understanding and appreciation for the process of performing through an intensive exploration of self, human behavior, and communication, and will feel confident in performance, dance, and theater.

# **DRAWING 1**

**Credits: 5**

**Grade Levels:** 9<sup>th</sup>-12<sup>th</sup> Grades  
**Prerequisites:** Art Survey or Basic Drawing  
**Co-requisites:** None

## **Course Description:**

This course is a semester length class providing units toward our Fine Arts requirements. This class expands upon technique and media, offering compositional problems. Historical contributions are studied with focus on individual artists. This class challenges those wanting to go beyond exploration in art to begin designing projects that have meaning to them while perfecting techniques and experimenting with formats. Formal critiques will take place offering the students the opportunity for analytical assessment. Students will engage in the development of content of their work and make decisions regarding subject matter and style. Gallery visits with written reports are part of the curriculum. Various art careers are discussed. Art history is woven throughout the curriculum. Students will participate in the showing of their work both within school and for the larger community. Art students will collaborate in cross- interdisciplinary art projects with other school departments.

## **Skills:**

Students will acquire the following skills: application of technical skills; decision-making regarding subject matter/content, and effective composition; analysis of art work, and collaboration.

## **Textbooks:**

None.

## **Other Materials:**

Resource material, videos, slides, display of example, and original artwork. Students will receive a supply list (in lieu of a lab fee) of readily available, inexpensive materials and supplies needed to successfully complete this course.

## **Course Outline:**

### Week 1

Students are introduced to the classroom rules. Material list. Course objectives. Homework requirements in the sketchbook, grading and citizenship. Students are introduced to basic geometric shapes, organic shapes. Art making.

### Week 2

Students make gray value scale. Drawing the sphere, shading techniques explored. Art lingo: Overlapping, Value, Tints, Tones, Shades, Achromatic scheme. Start still life drawing.

### Week 3

Video: "Seven Design Principles". Different compositions and making of preliminary drawings are discussed. Continue still life drawing. Students make a tone drawing of their own choice.

Week 4

Video: "Drawing Tools and Methods". Students make a line drawing (no shading) from a real object. The color wheel. Complementary colors. Color pencil techniques. Color pencil chart created with mixing color pencils for new color combinations.

Week 5

Critiques. Review: The Seven Design Principles and Art Lingo. TEST

Week 6

Students make design to be used in a color study for warm colors only, cool colors only and for mixed warm/cool colors.

Week 7

TEST previous materials, drawing the sphere, art lingo, the seven design principals, and the color wheel.

Continue art making using color pencils. Finish up 3-same design assignment.

Week 8

Introduction to the media of pastel techniques. Make pastel technique chart. Art making.

Week 9

Art History Video "Mary Cassatt." Research paper assignment on the artist Mary Cassatt. Pastel medium art making.

Week 10 Recess

(Junior PSAT test at school site.)

Week 11

Mary Cassatt research paper due.

Students explore abstract artwork inspired by Kadinsky's geometric and organic shapes.

Week 12

Halloween theme inspired drawings. Any medium of the student's choice.

Week 13

Art making continue abstract design.

Week 14 (short week Veterans Day and Staff day)

Art making, developing skills.

Week 15

Students explore a sequence drawing (series)

Week 16 (short week Thanksgiving)

Students finish the sequence drawing series.

Week 17

Art making developing drawing skills, discussions of art careers.

Week 18

Students finish all projects, art making.

Week 19

Prepare for final drawing. Finals.

## **DRAWING 2**

**Credits: 5**

**Grade Levels: 9<sup>th</sup>-12<sup>th</sup> Grades**

**Prerequisites: Art Survey or Basic Drawing, Drawing 1**

**Co-requisites: None**

### **Course Description:**

This course is a continuation of Drawing 1. The course is a semester-length class providing credits toward the Fine Arts requirements. This class expands upon technique and media, offering compositional problems. Historical contributions are studied with focus on individual artists. This class challenges those wanting to go beyond exploration in art to begin designing projects that have meaning to them while perfecting techniques and experimenting with formats. Formal critiques will take place offering the students the opportunity for analytical assessment. Students will engage in the development of content of their work and make decisions regarding subject matter and style. Gallery visits with written reports are part of the curriculum. Various art careers are discussed. Art history is woven throughout the curriculum. Students will participate in the showing of their work both within school and for the larger community. Art students will collaborate extensively in cross-interdisciplinary art projects with other school departments.

### **Skills:**

Students will acquire the following skills: application of technical skills; decision-making regarding subject matter/content, and effective composition; analysis of artwork, and collaboration.

### **Textbooks:**

None.

### **Other Materials:**

Resource material, videos, slides, display of example, and original artwork. Students will receive a supply list (in lieu of a lab fee) of readily available, inexpensive materials and supplies needed to successfully complete this course.

### **Learning Activities:**

Note taking/lecture/presentations (10%); practice exercises (5%), projects (75%), critiques (5%), and tests (5%).

### **Evaluation:**

Updated sketchbook: note-taking, exercises, planning, sketch journal (continuous); completed projects (every two-weeks); tests, level of participation (continuous), and written review or research papers.

### **Course Outline:**

#### ***January***

Review class rules, material list, portfolio making. Basic geometric shapes, 2-dim and 3-dim, biomorphic shapes. Values of a color, chroma of a color, shading exercises, art-lingo, color theory, color-pencil techniques, and pastel techniques. California Coastal Art & Poetry contest.

Drawing the sphere, soft and hardedge. Video: *Design Principles*. Video: *Pictorial Composition*. Video: *M.C. Escher*. Students create art using a monochromatic color scheme. Art making. Video: *Drawing Tools & Methods*. Test in color/design principles. (1/10)

### **February**

Global art project. Introduction to perspective drawing. Research paper on the Renaissance architects Filippo Brunelleschi and Leone Battista Alberti. (Due 2/14) Video: *African Masks and Culture*. Draw masks inspired by African Masks. Research paper on African Masks and Culture. (Due 2/28) Video: *Jacob Lawrence-Intimate Portrait*. Start developing mural designs for school sites. Critiques.

### **March**

Pen and ink techniques. Analogous color scheme drawing. Art history, Surrealistic Art. Developing mural designs. Video: *Diego Rivera*. Students study Renaissance costume design in collaboration with Language Arts, History Dept. Art making. Critiques.

### **April**

Anatomy: Head, ear, eyes, nose, hand and body proportions. Students will make a self-portrait. Video: *"The Man That Planted Trees."* Art making. Critiques.

### **May**

Gesture drawing, charcoal medium. Collaborate with PE/Movement/Dance classes. Gallery visit/report. Discussion about Art careers. Art Making.

### **June**

Final week: Final drawing.

## **PAINTING 1**

**Credits: 5**

**Grade Levels: 9<sup>th</sup>-12<sup>th</sup> Grades**

**Prerequisites: Drawing 1**

**Co-requisites: None**

### **Course Description:**

This course expands upon technique, offering compositional problems. Historical contributions are studied with focus on individual artists. Formal critiques will take place offering the students the opportunity for analytical assessment. Students will engage in the development of content of their work and make decisions regarding subject matter and style. This class challenges those wanting to go beyond exploration in art to begin designing projects that have meaning to them while perfecting techniques and experimenting with formats. Instruction and guidelines are set with flexibility to make student choice and responsibility a component of project planning. Gallery visits are part of the curriculum.. Art history is woven throughout the curriculum with an oral and written report required. Students will participate in the showing of their work both within the school and the larger community. Art students will collaborate in cross- interdisciplinary art projects with other school departments.

**Skills:**

Students will acquire the following skills: Application of technical skills; decision-making regarding subject matter/content, and effective composition. Analysis of artwork. Collaboration.

**Textbooks:**

None.

**Other Materials:**

Resource material, Videos, slides. Display of example, original artwork. Students will receive a supply list (in lieu of a lab fee) of readily available, inexpensive materials and supplies needed to successfully complete this course.

**Learning Activities:** Note taking/lecture/presentations (10%); practice exercises (5%); projects (75%); critiques (5%); tests (5%).

**Evaluation:**

Updated sketchbook: note-taking, exercises, planning, sketch journal (continuous); completed projects (every two-weeks); tests, level of participation (continuous), and written review or research papers.

**Course Outline:****Week 1**

Introduction/ classroom rules, materials. Course objectives, homework, sketchbook, grading, and citizenship. Paint nine-step value scale exercise using both opaque and transparent paint.

**Week 2**

Paint sphere, paint apple exercise. Start drawing still life exercise. Vocabulary, overlapping. Tints, Shades, Tones. Color Theory.

**Week 3**

Video “*Principles of Design.*” Talk and demonstration of different compositions the students can explore. Start painting still life.

**Week 4**

Art history Video “*Early Art.*” Geometric/ organic shapes exercises – create a design. Color theory. Paint abstract picture based on examples from Kadinsky’s geometric/organic compositions. Paint with opaque and translucent passages.

**Week 5**

Art History Video “*The Renaissance.*” Art making. Gallery visit assignment.

**Week 6**

Art History “*Baroque to Romanticism.*” Reminder to students that test in color theory/art lingo will be on Monday the 20<sup>th</sup> of September. Art making.

**Week 7**

Test in Color theory and Art Lingo. Art making. Critiques.

**Week 8**

Art History Video “ *The Age of Revolution.*” Art making

**Week 9** (End of 1<sup>st</sup> quarter)

Art History Video “*The Age of Revolution and Modernism.*” First Night Project, research for images of artist to copy.

**Week 10** RECESS.

(Junior PSAT test at school site)

**Week 11**

Gallery report due. Art History. Abstraction/analyzing and simplifying observed reality. Exp. Braque/Picasso. Art making

**Week 12**

Art History. Matisse Video. First Night painting project. Design and paint Halloween decoration, for Del Monte Shopping Center. Research paper on artist for First Night. Week 13 Art History. The American Collection “*Museum Tour Boston.*” Art making, critique.

**Week 14** (Short week, Veteran’s Day teacher workday)

First Night art project.

**Week 15**

Art Video “*Composition-Stephen Quiller.*” Art making. Critique.

**WEEK 16** (SHORT WEEK, THANKSGIVING)

Art making.

**Week 17**

Art History. The American Collection “*Museum Tour Los Angeles.*” Art making. Art Careers.

**Week 18**

Finish all work in progress. Art History. The American Collection, “*Museum Tour Fort Worth.*” Critiques.

**Week 19**

Prepare for final painting. Finals.

**PAINTING 2**

**Credits: 5**

**Grade Levels:** 9<sup>th</sup>-12<sup>th</sup> Grades  
**Prerequisites:** Drawing 1, Painting 1  
**Co-requisites:** None

Approved to satisfy the University of California “a-g” subject requirements for freshman admission.

**Course Description:**

This course is a continuation of Painting 1. The course expands upon technique, offering compositional problems. Historical contributions are studied with focus on individual artists. Formal critiques will take place offering the students the opportunity for analytical assessment. Students will engage in the development of content of their work and make decisions regarding subject matter and style. This class challenges those wanting to go beyond exploration in art to begin designing projects that have meaning to them while perfecting techniques and experimenting with formats. Instruction and guidelines are set with flexibility to make student choice and responsibility a component of project planning. Gallery visit are part of the curriculum .Art history is woven throughout the curriculum with an oral and written report required. Students will participate in the showing of their work both within school and for the larger community. Mural painting at School site is part of the curriculum. Art students will collaborate in cross- interdisciplinary art projects with other School departments.

**Skills:**

Students will acquire the following skills: Application of technical skills; decision-making regarding subject matter/content, and effective composition. Analysis of artwork. Collaboration.

**Textbooks:**

None.

**Other Materials:**

Resource material, Videos, slides. Display of example, original artwork. Students will receive a supply list (in lieu of a lab fee) of readily available, inexpensive materials and supplies needed to successfully complete this course.

**Learning Activities:** Note taking/lecture/presentations (10%); practice exercises (5%); projects (75%); critiques (5%); tests (5%).

**Evaluation:**

Updated sketchbook: note-taking, exercises, planning, sketch journal (continuous); completed projects (every two-weeks); tests, level of participation (continuous), and written review or research papers.

**Course Outline:**

**January**

Review: Rules, material list, portfolio making. Basic shapes, organic and geometrical. Values of a color, chroma of a color, shading techniques, exercises. Color theory, paint exercises, value scale, sphere soft and hard edge. Video: “*Design Principles.*” Video: “*Color Concept.*” Video: “*Composition.*” Test: color/design principles, art lingo. Video: “*Georgia O’Keeffe.*” Create a monochromatic and achromatic painting. California Coastal/Marine life contest.

**February**

Still life painting. Video: “*African Art and Culture.*” Students create paintings inspired by African Masks. Research paper on African Masks and Art. Develop ideas for murals on various school sites. Develop color schemes. Art making. Critiques.

**March**

Students create a painting using an analogous color scheme. Surrealistic painting Dali. Art history video: “*Diego Rivera.*” Start painting door mural room 15. Students will be perfecting paint techniques in Art Studio. Critiques.

**April**

Video: “*Picasso.*” Students will copy a Master painter. Research paper and an oral report on artist of choice. Mural painting.

**May**

Mural painting. Students will work on various projects in the paint studio. Art history. Gallery visit/report. Discuss Art Careers. Critiques.

**June**

Final week: Studio painting

**ART SURVEY**

**Credits: 10**

**Grade Levels: 9<sup>th</sup> - 12<sup>th</sup> Grades**  
**Prerequisites: Basic Drawing (recommended)**  
**Co-requisites: None**

**Course Description:**

Art Survey is a high school level eclectic art course. The course intends to give

NOT OFFERED 2005-06

**3-DIMENSIONAL ART 1**

**Credits: 10**

**Grade Levels: 9<sup>th</sup> - 12<sup>th</sup> Grades**  
**Prerequisites: Art Survey and/or Basic Drawing (recommended)**  
**Co-requisites: None**

**Course Description:**

3-Dimensional Art 1 is a high school level eclectic art course. The course intends to give students an opportunity to work 3-dimensionally in the medium of self-hardening clay while studying ceramic forms from different cultures. The course is a yearlong class providing units

toward Cypress Grove's Fine Arts requirement. Students will learn about clay forms, sculptures and clay decoration from the ancient worlds of China, Africa, Egypt, Greece, Mexico, Native American Tribes. In addition, they will study contemporary 3-dimensional art forms. Art history is woven throughout the curriculum. Two research papers or oral presentations are required. Students will participate in showing of their work both within the school and the larger community. Students will spend time exploring their own creativity, creating objects that have meaning to them, as well as being given specific projects to complete.

**Skills:**

Students will display an understanding of the elements of shape, form, decoration, use of color to enhance form.

**Textbooks:**

None

**Other Materials:**

Teacher provided display of examples, resource books, videos, slides, art magazines, and guest speaker.

**Students will pay a lab fee to cover the costs of materials and supplies such as clay and acrylic paints, which will be used during the yearlong course.**

**Learning activities:**

Create a journal with pictures and drawings of ceramic forms from the cultures being studied. (20%) Sketches of own ideas, research paper (20%) Projects (60%)

**Evaluation:**

Historical journal, sketch journal, planning of projects, completed projects (every two weeks), research paper, collaboration in classroom, citizenship.

**Course Outline:**

**August**

Introduction to the 3-D Art course. Classroom rules, materials, course objectives. Information about research and sketchbook requirements.

Video: "*Ceramic Methods: Pinch, Coil and Slab.*" Demo texturing and decoration of clay. Students make a pinch pot, using tools to decorate the pinch pot. Start coil method exercise.

Research paper assignment: *Native American Pottery*. Students gather information from the Internet or Library - information about Native American Tribes and their culture.

Video: "*Legacies of Generations*". Students copy a Native American object studying the patterns and shapes.

**September**

Students work on their Native American project and sketch future designs on the weekly studio days. (Mondays.) The Native American pot will be painted in the medium of Acrylic paint. Students finish the Native American pot. Research paper due. Students are introduced to tile making using the techniques of relief and intaglio.

## **October**

Research assignment: *Egyptian Art*. Students research and select an artwork they would like to copy, using the Intaglio and relief techniques. Students continue to work on their Egyptian project. Class goes on field trip to Monterey Peninsula College, Ceramic Department tour and demonstration. MPC Art Gallery visit and MPC Students Art Gallery. Students design Halloween 3-D images.

## **November**

Students study Ancient Greek sculpture, research and copy shapes of sculptures.

Video: “*The Cleveland Museum of Art*.” Students work on Greek project. Students that are finishing early create their own artwork.

## **December**

Video: “*Kimbell Art Museum*”. Students are working on their own creations. Final exam Sketchbook/Journal is graded.

## **January**

Video: “*Slab construction*” Students are making abstract geometric sculpture. Examples of contemporary sculpture and ceramic are discussed. Students explore organic shapes, designing free-style, as well as their own sketched designs. Video: “*Alexander Calder*”

## **February**

Video: “*African Art & Culture*”. Students are researching African Masks and their importance in African culture. Research paper on *African Art* assigned. The students will first draw and then make a copy of a mask, as well as make a mask of their own interpretation/inspiration.

## **March**

Students research Chinese pottery. They will find an object of their choice, first draw, then copy in self-hardening clay. The decoration is painted with acrylic paint. History about Chinese pottery will be studied/discussed. Students work on their own projects.

## **April**

Mexican pottery and culture will be explored. Students will do research and create objects inspired by the Mexican culture. Art history, slides/video presentations. Students work on their own projects.

## **May**

This month students are free to experiment and to produce work on their own. Guest speaker. Students are working in all techniques, pinch, coil, and slab. Art careers are discussed.

## **June**

Final week. Sketchbook/journal.

## **DRAMA I**

**Credits: 10**

**Grade Levels: 9<sup>th</sup>-12<sup>th</sup> Grade**

**Prerequisites: None**

**Co-requisites: None**

### **Course Description:**

This course is designed to introduce the student to the acting process: the role of the actor, the demands and training involved, and the relationship of the actor to the text and to the theatre as a whole. Students will be introduced to and begin to learn to use the basic techniques actors use to create life onstage.

### **Skills:**

Students should complete this course with a basic understanding and appreciation for the process of performing through an intensive exploration of self, human behavior, and communication.

### **Required Materials:**

One three-ring-binder for course handouts.

### **Course Expectations and Skills:**

#### *An Actor Must Be Ready For Anything!!!*

In order to provide an environment suitable for the growing actor each student must demand of him or herself “the three R’s”:

1. **Responsibility**-for preparation and completion of all class assignments & activities to the BEST of their ability as well as honoring all the course guidelines as established by the instructor.
2. **Respect**- of self, classmates or scene partner, & the process of acting. There is no right or wrong in acting, trust yourself and your instincts and be open to learning from others ideas and experiences.
3. **Risk taking**- Participating in all classroom activities with a positive and cooperative attitude regardless of the understandable fear associated with public performances and often, self-exploration.

### **Physical Risk**

This course includes activity, which, by its nature, includes an element of physical risk. Students are encouraged to remain alert, follow directions, and be aware of potential hazards in working individually or with others. If the student ever feels any concern for his/her own or someone else’s safety, they are encouraged to speak up immediately. The students will move around quite a bit in this class. Students should keep the instructor informed of any physical limitations that may effect their participation.

### **Course Outline and Learning Activities:**

### *First Semester*

Students will embark on a twelve-week exploration of self. Our own life experiences, emotions, body and voice are the tools with which we act. This means that the beginning-acting students must take time to recognize and develop his/her own performing tools. Students will participate in many group and individual presentations be involved in basic acting exercises, improvisations, voices techniques and introduction to stage movement.

### *Second Semester*

This semester will be devoted to learning the value of intent, objectives and tactics, character development and improvisation. There will be partner scene work and group improvisations. We will be continuing with our play reading. Students will learn how to prepare a script and basic memorization techniques actors use, rehearsal techniques and etiquette and will end with the opportunity to present an evening of short scenes to the public. We will be attending several more theatre performances. We will present a full-length play, in which all students will be involved (acting, technical theater, house management, etc.)

### **Evaluation:**

Student's grades are determined by the following:

1. Participation and willingness to explore class activities
2. Preparation and presentation of classroom exercises and assignments
3. Preparation and presentation of scene assignment

### **Attendance**

Students are expected to be in class every day. If they miss scene-work due to an absence, it is expected that they notify their acting partner(s) so an alternate date of performance can be arranged, with instructor's approval. A missed performance or scene, without an approved excuse, will result in a lowering of the final term grade.

### **Schedule of assignments**

The instructor will provide specific guidelines and due dates throughout the year. Students will be required to work with partners outside of class to prepare in class assignments. They will also need access to a computer/word processor for written assignments. If any of these requirements are a problem, the student is responsible for communicating with the instructor so that other arrangements can be made.

## **DRAMA 2**

**Credits: 10**

**Grade Levels: 10<sup>th</sup>-12<sup>th</sup> Grade**

**Prerequisites: Drama I**

**Co-requisites: None**

### **Course Description:**

This course is designed to further the student's growth in the acting process and includes creating a character, directing, auditioning, acquiring a working knowledge of a variety of scenes, plays, and playwrights.

**Required Materials:**

One three-ring-binder for course handouts; a separate notebook or diary for personal journal entries; comfortable clothing and shoes for class exercises; towel or mat, if needed, for floor exercises.

**Course Expectations and Skills:*****An Actor Must Be Ready For Anything!!!***

In order to provide an environment suitable for the growing actor each student must demand of him or herself “the three R’s”:

1. **Responsibility**-for preparation and completion of all class assignments & activities to the BEST of their ability as well as honoring all the course guidelines as established by the instructor.
2. **Respect**- of self, classmates or scene partner, & the process of acting. There is no right or wrong in acting, trust yourself and your instincts and be open to learning from others ideas and experiences.
3. **Risk taking**- Voluntarily participating in all classroom activities with a positive and cooperative attitude regardless of the understandable fear associated with public performances and often, self-exploration.

**Physical Risk**

This course includes activity, which, by its nature, includes an element of physical risk. Students are encouraged to remain alert, follow directions, and be aware of potential hazards in working individually or with others. If the student ever feels any concern for his/her own or someone else’s safety, they are encouraged to speak up immediately. The students will move around quite a bit in this class. Students should keep the instructor informed of any physical limitations that may effect their participation.

**Learning Activities:**

The instructor will provide specific guidelines and due dates throughout the year, except for journals. You will be required to work with partners outside of class to prepare in class assignments. You will also need access to a computer/ word processor for written assignments. If any of these requirements appear to be a problem, the student is responsible for communicating with the instructor so that other arrangements can be made.

**Evaluation:**

Student’s grades are determined by the following:

Participation and willingness to explore class activities

Written and reading assignments

Preparation and presentation of classroom exercises and assignments

Preparation and presentation of scene assignment

**Course Outline:**

*Fall Semester*

**August**

WEEK 1 - Introduction

WEEK 2 - Improvisation

WEEK 3 - Improvisation

**September**

WEEK 4 - Diction and Projection

WEEK 5 - Diction and Projection

WEEK 6 - Scene Selection

WEEK 7 - Scene Work

**October**

WEEK 8 - First Performance

WEEK 9 - First Performance

WEEK 10 - Final Performance

WEEK 11 - Final Performance

**November**

WEEK 12 - Advanced Improvisation

WEEK 13 - Physical and Vocal Warm-ups

WEEK 14 - Unarmed Combat -Stage Combat

WEEK 15 - Unarmed Combat

**December**

WEEK 16 - Sword Play

WEEK 17 - Final Performance Stage Combat piece

WEEK 18 - Final Performance Stage Combat piece

*Spring Semester*

**January**

WEEK 1 - Directing

WEEK 2 - Writing a One-Act Play

WEEK 3 - One-Act Selection

WEEK 4 - One-Act Selection

**February**

WEEK 5 - Casting

WEEK 6 - Stage One-Act

WEEK 7 - Stage One Act

**March**

WEEK 8 - Stage One Act

WEEK 9 - Stage One-act

WEEK 10 - Class Performance

WEEK 11 - Class Performance

WEEK 12 - Class Performance

**April**

WEEK13 - Basic Set Building

WEEK 14 - Lights and Sound

WEEK 15 - Final Performances

## **May**

WEEK 16 - STAR Testing

WEEK 17 - Audition Workshop

WEEK 18 - Audition workshop

WEEK 19 –

## **June**

WEEK 20 - Final Exams

## **FILM - SURVEY / PRODUCTION**

**Credits: 10**

**Grades: 9<sup>th</sup> – 12<sup>th</sup> Grade**

**Prerequisites: None**

**Co-requisites: None**

### **Course Description:**

This course will explore the following areas:

- Brief overview of Film History
- Screenplay Structure, and Screen Writing
- Film Production aids (storyboards, organizational tools, casting etc.)
- Process of Filmmaking – making of a short on DV

The basic purpose of the class is to provide an understanding of the complex artistic, technological, process of creating Cinema. It is primarily geared towards actual production, and fostering the desire to create works of cinema by the students, and seeking forums to present their work.

### **Skills:**

When the student finishes this class s/he should understand the basic history of film, film technology. Students will be able to analyze a film focusing on acting, cinematography, sets, costumes, and directing, and they will be able to write, direct and produce a worthy short video project.

### **Materials Needed:**

A journal to keep in-class notes from lectures and essays assigned for each film.

### **Learning Activities:**

Students will view films, discuss pertinent elements of film (plot, character, setting, etc.) write essays/critiques/reviews of all films, and research history elements and historical setting for films and the history of directors and genres. Students will produce and direct a short film as a final project, which will be showcased.

**Evaluation:**

In-class participation in discussion of films, viewing of the films, essay/critiques/reviews of the films, research projects, the making of a short film for a final grade.

**Course Outline:***Fall Semester- Film Survey***August**

Week 1 – Class overview

Week 2 – Filmic structure

Week 3 – Basics of screenwriting

**September**

Week 4 – First scene

Week 5 – Film Shorts

Week 6 – Write first short

Week 7 – Storyboards, shot lists

Week 8 – Intro to video camera work

**October**

Week 9 – Final production unit.

FALL RECESS

Week 10 – Documentary

Week 11 – Form production teams

**November**

Week 12 – Select scripts, pre production

Week 13 – Begin Production

Week 14 - Production

Week 15 – Editing, post production

**December**

Week 16 – Editing post production, titles audio

Week 17 – Post mortem, screenings

Week 18 – Finals

*Spring Semester – Film Production***January**

Week 1 - Casting Short films/ Documentary

Week 2 - Develop production schedule/ Documentary

Week 3 - Securing Locations/ Documentary

Week 4 - Final Shot list/ Documentary

**February**

Week 5 - Props, Sets, Lighting

Week 6 - Final Preparations

Week 7 - First Shoot

**March**

Week 8 - Second Shoot

Week 9 - Third Shoot

Week 10 - Fourth Shoot

Week 11 - Fifth Shoot

Week 12 - Sixth Shoot

**April**

Week 13 - Computer Edit

Week 14 - Continue Edit

Week 15 - Screen footage for clarity

**May**

Week 16 - STAR testing

Week 17 - SCREEN PROJECTS

Week 18 - SCREEN PROJECTS

Week 19 - Post Mortem/wrap up

## Foreign Languages Department

### CURRICULAR PHILOSOPHY

The study of Foreign Languages at Cypress Grove offers students exposure to cultures other than their own that facilitates the development of a global perspective, providing a direct pathway into other modes of thought and experience and introducing students to new vocabularies, different forms of expression, and different cultural perspectives on the world in which we live. At a more fundamental level, the study of a second language provides the students the tools to help them understand how languages work, and this knowledge will have an impact both on their understanding of English and other foreign languages they may choose to study.

All of the foreign language classes at Cypress Grove share a common goal; the achievement of linguistic proficiency after three years, accompanied by the acquisition of tools for the further exploration of a culture—Its history, texts, visual arts, and cultural practices. In keeping with the state performance standards, the goals for foreign language learning are aligned with the key terms; communication, culture, connections, comparisons, and communities. When applied to the study of the living languages (French and Spanish), the goal of linguistic proficiency encompasses oral and written proficiency, and the students acquire the tools to help them communicate and “live in” a language and more fully experience another living culture.

### **SPANISH 1**

**Credits: 10**

**Grade Levels:** 9<sup>th</sup> - 12<sup>th</sup> Grades

**Prerequisites:** None

**Co-requisites:** None

Approved to satisfy the University of California “a-g” subject requirements for freshman admission.

#### **Course Description:**

This is an introductory course in the language and culture of the Spanish-speaking world. A communicative approach to language acquisition and development will be followed. The four components of language learning: listening comprehension, speaking, reading and writing will be emphasized. As the year progresses the goal will be to conduct the class primarily in Spanish. Student’s active oral participation will be the key to success for finishing the year with a usable language. Cultural studies of the many Spanish-speaking countries will enrich students with a deeper understanding of the spirit of the language and its proper grammatical usage. The knowledge acquired in this course should help the students on their way to becoming world citizens who recognize and respect the similarities and differences between different cultures.

#### **Skills:**

Students will develop the ability to:

- Greet and respond to greetings
- Introduce and respond to introductions
- Engage in conversations
- Express likes and dislikes
- Make requests
- Obtain information
- Understand some ideas and familiar details
- Begin to provide information

Students will learn to perform the above functions:

- When speaking, in face-to-face social interaction
- When listening, in social interaction and using audio or video texts
- When reading, using authentic materials. e.g., menus, photos, posters, schedules, charts, signs and short narratives
- When writing notes, lists, poems, postcards, and short letters.

Students will learn to:

- Use short sentences, learned words and phrases, and simple questions and commands when speaking and writing
- Understand some ideas and familiar details presented in clear, uncomplicated speech when listening
- Understand short texts enhanced by visual clues when reading.

**Textbooks:**

*¡En Español!* (McDougal Little)

*Más Práctica* workbook

**Other Materials:**

Videos aligned with the text

Spanish literature, poetry, riddles songs, proverbs, etc.

Authentic materials

**Learning Activities:**

Active dialogue, role-playing, acting out scenes using authentic materials, Total Physical Response, charades and other games which intellectually and physically engage the students (20%), cultural and historical studies and projects (20%), learning of songs, proverbs, tongue twisters, idiomatic expressions, riddles etc. (20%), structured written assignments and grammar studies in Workbook, textbook, handouts (20%), Tests, quizzes, dictations (10%), video, audio support for modeling language (10%)

**Evaluation:**

- Oral and/or written quizzes will be given weekly.
- There will be a comprehensive mid-term and final.
- Daily homework is considered an integral part of the learning process and counted accordingly.

- Classroom participation, a crucial component of language learning, will be evaluated on a daily basis.
- Cultural/historical activities and projects will be assessed individually.

### **Course Outline:**

#### *Fall Semester*

#### **August**

Class expectations, greetings, introductions.

Saying where you and others are from, saying your name, asking other's names.

Numbers, days of the week, useful phrases.

More greetings and introductions. Describing people and professions.

#### **September**

Expressing likes and dislikes. Describing clothing – *Fashion Show*.

Describing family, asking and telling ages.

Birthdays – *Cumpleaños project*

*Las mañanitas* song

Dates. Possessives. Classroom vocabulary.

“*tener que*” and “*hay que*”

Schedules – *Horario project*.

#### **October**

Time. Food requests.

Tell where you're going. Ask questions. Discuss plans.

Sequence events.

Dia de los Muertos-*Las Calaveras* poem.

Places and people.

#### **November**

Express Feelings.

Say where you're coming from. Say what just happened “*acabar de*”

State preferences, make comparisons.

#### **December**

Weather, clothing.

Opinions/feelings.

What is happening – present progressive.

Review. Midterms.

#### *Spring Semester*

#### **January**

Addresses – Map of class and school

Directions – *Directions Game*

Transportation, *tú* commands

Shopping – Shopping Skit, gifts

Indirect object pronouns

Ordering food. Expressing extremes. Affirmative commands.

Daily routine, grooming.

#### **February**

Persuading others. Negative commands.

Irregular *tú* commands, reflexive verbs.  
Persuading others. House vocabulary. Adverbs with – *mente*

### **March**

Planning a party. Describing past activities. Regular –*ar* preterit verbs.  
Tell what happened. Describe cities – *City Mouse*...  
Regular –*er* –*ir* preterit. Preterit of *ir, hacer, ser*  
Professions, point out people.  
Demonstrative adjectives and pronouns.

### **April**

Talk about the past – *Nuñez*. Tell where things are located.  
Ordinal numbers.  
Irregular preterit. Animals.

### **May**

Talk about the present and future. Present progressive.  
*Ir a ...*  
Give instructions – *Recetas*  
Review for final. Final Exam.

## **SPANISH 2**

**Credits: 10**

**Grade Levels:** 10<sup>th</sup> -12<sup>th</sup> Grades  
**Prerequisites:** Spanish 1  
**Co-requisites:** None

Approved to satisfy the University of California “a-g” subject requirements for freshman admission.

### **Course Description:**

The second year of Spanish studies builds upon knowledge from Spanish 1 as the students progress through Stage II and towards Stage III of the learning continuum. The communicative approach continues with an emphasis on competence in listening, speaking, reading, and writing. Lexical areas are expressing likes and dislikes, school and leisure activities, travel and food, reacting to news, asking and giving information, describing childhood and feelings, health and fitness, household items, asking and giving directions, shopping for clothing, future plans, weather, conservation and environment, jobs and professions. Grammar studies include; a review of the preterit and reflexive tenses, an introduction to the imperfect and imperfect progressive, double object pronouns, formal and informal (usted and ustedes) commands, the subjunctive, future, conditional and present perfect tenses.

### **Textbooks:**

*¡En español 2!* (McDougal Littell)

*Más práctica* workbook.

**Other Materials:**

Videos aligned with the text  
Spanish children's books

**Skills:**

Students will be able to understand and respond to basic interpersonal communication in situations such as talking on the phones, ordering and paying for food in a restaurant, paying for purchases in a market, giving and understanding spoken directions. They will describe themselves, others and their environment. They will narrate events and feelings while distinguishing between the past and imperfect tense. They will increase their reading comprehension and understand progressively more difficult material. They will continue to work on their writing skills.

**Specific Objectives (aligned with the Foreign Language Framework for California Public Schools and *The Standards for Foreign Language Learning*):**

Students describe people and things in their environment and ask questions to obtain information (Standards 1 and 2)

Students write paragraphs to communicate their thoughts and experiences

Students listen to and sing Spanish songs (Standard 2)

Students demonstrate awareness that some phrases and idioms do not translate directly from English to Spanish (Standard 4)

Students read and summarize familiar fairy tales and other narratives based on familiar themes and present them to the class (Standard 1 and 3)

Students present skits on various topics (Standard 1)

**Learning Activities:**

Videos (20%); games and songs (15%); TPR activities including storytelling (10%); role-playing and dialogue (20%); group activities (15%); tests and quizzes (10%), individual practice (10%).

**Assessment:**

Oral and written quizzes are given bi-weekly. Written quizzes are given at the end of each chapter. There is a comprehensive mid-term and final. Students are also assessed on their role-plays and projects as well as nightly homework and daily class participation.

**Course Outline:**

*Fall Semester*

**August**

Class expectations. Review

Weather

*Tener* miedo, suerte...

Direct Objects

Present Progressive

**September**

Identify places. Give address.  
Give directions. Make maps of school and home.

*Directions Game*

*Tú* commands

Giving Gifts

Por, salir

Shopping

*Cuánto Cuesta*-Shopping skit

Ordering food.

### **October**

Expressing Extremes

Daily Routine

Grooming. Face posters

Commands

Reflexive Verbs

*Día de los Muertos*

*Las Calaveras* Song

### **November**

Persuade others

Pronouns with present progressive

House vocabulary

Plans of home and school

Plan a party

Describe past activities

Regular preterit tense

### **December**

Extremes

Purchase food

*-car, -gar, -zar* preterits

**Review. Midterm.**

*Spring Semester*

### **January**

Describe cities.

Tell what just happened.

Regular *-er* and *-ir* preterit

Preterit verbs with *i* to *y*

Location vocabulary. Ordinal numbers

Irregular preterit

Travel and leisure

Talk about where you went, *Travel Poster*

Talk about food. Recipes and Menus

### **February**

React to news. Ask and give information

Map of Hispanic speaking world  
Imperfect tense  
Describe childhood. Family relationships  
Narrate in past.  
Family celebrations.  
Activities in progress.  
Short story

### **March**

Order in a restaurant. Ask for and pay a bill.  
Indirect object pronouns. Double object pronouns  
Health. Daily routines  
*Usted* and *ustedes* commands  
At the beach.  
Say if something has already been done.  
Describe time periods  
Health/illness  
Dr.'s office skit

### **April**

Give advice  
Subjunctive Tense  
*Doler* with indirect object pronouns  
Stem changers  
Rooms, furniture, appliances

### **May**

Money  
*Cuanto Vale* game  
Future tense  
Environment  
Review. Final exam.

## **SPANISH 3**

**Credits: 10**

**Grade Levels:** 10<sup>th</sup> -12<sup>th</sup> Grades  
**Prerequisites:** Spanish 2  
**Co-requisites:** None

Approved to satisfy the University of California “a-g” subject requirements for freshman admission.

### **Course Description:**

The third year of Spanish studies follows the language-learning continuum as students acquire the ability to identify, state and understand feelings, emotions and opinions in the new

language. Longer texts such as short stories, poems, essays and articles are read and responded to in detailed and analytical writing. The communicative approach continues with an emphasis on competence in listening, speaking, reading, and writing. Lexical areas are describing behavioral as well as physical characteristics, commenting on fashion and pastimes, reflecting and predicting the future, reacting to nature and the ecology, making suggestions and expressing wishes, describing celebrations and historic events, linking events and ideas, making hypotheses, expressing doubt or emotion, stating cause and effect, talking about careers, confirming and denying, clarifying and expressing possession, expressing past probability, expressing relationships, talking about television, film and literature, narrating in the past, stating locations, giving and receiving directions, and finally, navigating the internet.

**Skills:**

Students will be able to understand and respond with more complex interpersonal communication in situations such as directing a theatrical production, reporting on fashion, interviewing campaign candidates, working to preserve the environment, graduating from school and applying for jobs, studying Latin American traditions, history, art, literature, and economy.

**Textbooks:**

¡En español 2! (McDougal Littell)  
Más práctica workbook.

**Other Materials:**

Videos aligned with the text  
Spanish children's books

**Specific Objectives (aligned with the Foreign Language Framework for California Public Schools and The Standards for Foreign Language Learning):**

Students ask and answer questions and participate in simple conversations on topics beyond the most immediate needs (Standards 1 and 2)

Students communicate their thoughts and opinions relevant to themes of personal and contemporary significance (Standards 1 and 2)

Students listen to and sing Spanish songs (Standard 2)

Students develop comprehension to understand conversations based on school/work requirements and social situations (Standards 1, 3 and 5)

Students demonstrate awareness that some phrases and idioms do not translate directly from English to Spanish (Standard 4)

Students read with sufficient understanding to follow sequence of events, to extract information; and to identify main ideas in a variety of texts (Standards 1 and 2)

Students read and summarize familiar fairy tales and other narratives based on familiar themes and present them to the class (Standard 1 and 3)

Students present skits on various topics (Standard 1)

Students develop skills in writing short narratives including descriptions and cohesive summaries, and to initiate the development of creative expression and interpretation (Standards 1, 2, 4, and 5)

**Learning Activities:**

Videos (20%); games and songs (15%); TPR activities including storytelling (10%); role-playing and dialogue (20%); group activities (15%); tests and quizzes (10%), individual practice (10%).

**Assessment:**

Oral and written quizzes are given almost weekly. Written quizzes are given at the end of each small section with five to six unit tests each year. There is a comprehensive mid-term and final. Students are also assessed on their role-plays and projects as well as nightly homework and daily class participation.

**Course Outline:**

*Fall Semester*

**August**

Communicate present and past activities

Detailed descriptions of people and their personal characteristics

¿*Cómo soy?* Interviews

How verb tenses reveal time

Grammar- Present and past tense

**September**

Talk about fashions

Narrate pastimes

Comment on the probability of future actions

¿*Cómo me veo?*

Household chores

Plano de la casa oral presentation

Say what friends do

Grammar- Reflexives used reciprocally

Future tense and future of probability

**October**

Make requests and suggestions

Say what should be done

React to the ecology

Grammar- Pronoun placement with commands

Present perfect subjunctive

“*uir*” verbs add “*y*” in subjunctive

**November**

React to nature

Express doubt

Relate events in time

Personal celebrations

Plan a party activity

Grammar- Subjunctive with “*cuando*” and other conjunctions of time

“*cer*” verbs add “*z*” in subjunctive

“*ger*” verbs, “*g*” goes to “*j*” in subjunctive

## **December**

Talk about holidays

*¡Felice Navidad y Próspero Año Nuevo!* Writing about your holidays

Express emotion and doubt

Express cause and effect

Mid-term exam

Grammar- Conditional

Wubjunctive vs. Indicative

*Spring Semester*

## **January**

Describe your studies

Talk about careers

Job applications and mock interview skits

Confirm and deny

Grammar- Present and past progressive with “*ir*”, “*andar*”, and “*seguir*”

Past perfect subjunctive

Conditional perfect

## **February**

Latin American economics

Express and clarify possession

Express past probability

Grammar- Future perfect

## **March**

Identify and specify

Request clarification

Make generalizations

Describe arts and crafts

Grammar- “*Qué* vs. *Cuál*”

Relative pronouns

“*Lo que*”

## **April**

Talk about film, television and literature

Television newscast skit

Narrate in the past

Grammar- Nominalization

Sequence of events

## **May**

Talk about technology

Locations

Navigate cyberspace

Review for final

Grammar- “*Pero*” vs. “*si, no*”

“*Se*” for unplanned occurrences

Verbs with prepositions

## **June**

Review, final exam

## **FRENCH 1**

**Credits: 10**

NOT OFFERED2005-06
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**Course Name:** FRENCH 1  
**Grade Levels:** 9<sup>th</sup> – 12<sup>th</sup> Grade  
**Prerequisites:** None  
**Co-requisites:** None

### **Course Description:**

This is an introductory course in the language and culture of the Francophone world.

A communicative approach to language acquisition and development will be followed. The four components of language learning: listening comprehension, speaking, reading and writing will be emphasized. As the year progresses the goal will be to conduct the class primarily in French. Student's active oral participation will be the key to success for finishing the year with a usable language. Cultural studies of the many French speaking countries will enrich students with a deeper understanding of the spirit of the language and its proper grammatical usage. The knowledge acquired in this course should help the students on their way to becoming world citizens who recognize and respect the similarities and differences between cultures.

Following the multi-media series, *French in Action*, our primary geographical and linguistical area of focus will be France. The students will be presented with a continuous story structured to permit progressive assimilation of the French language in a native context. The students will be inundated with authentic French in real situations, but the lessons are carefully constructed so that the knowledge of words, phrases, sentences, and situations will gradually build and the student will successfully assimilate the language. It is an immersion method, which has been carefully structured so that language can be learned efficiently.

### **Skills / Expected Outcomes:**

Students will develop the ability to:

- Greet and respond to greetings
- Introduce and respond to introductions
- Engage in conversations
- Express likes and dislikes
- Make requests
- Obtain information
- Understand some ideas and familiar details
- Begin to provide information

Students will learn to perform the above functions:

- When speaking, in face-to-face social interaction
- When listening, in social interaction and using audio or video texts
- When reading, using authentic materials. e.g., menus, photos, posters, schedules, charts, signs and short narratives
- When writing notes, lists, poems, postcards, and short letters.

Students will learn to:

- Use short sentences, learned words and phrases, and simple questions and commands when speaking and writing

- Understand some ideas and familiar details presented in clear, uncomplicated speech when listening
- Understand short texts enhanced by visual clues when reading.

**Textbooks:**

*French in Action*, A Beginning Course in Language and Culture. 2<sup>nd</sup> Edition. Pierre Capretz, (Yale University Press)

Workbook 1

**Other Materials:**

Videos aligned with the text, audio recordings to go with textbook and workbook

French literature, art, poetry, riddles songs, proverbs, etc.

Authentic materials

**Learning Activities:**

Active dialogue, role-playing, acting out scenes using authentic materials, Total Physical Response, charades and other games which intellectually and physically engage the students (20%), cultural and historical studies and projects (15%), learning of songs, proverbs, tongue twisters, idiomatic expressions, riddles etc.(10%), structured written assignments and grammar studies in Workbook, textbook, handouts (20%), Tests, quizzes, dictations (10%), video, audio support for modeling language (25%)

**Evaluation:**

- Oral and/or written quizzes will be given weekly.
- There will be a comprehensive mid-term and final.
- Daily homework is considered an integral part of the learning process and counted accordingly.
- Classroom participation, a crucial component of language learning, will be evaluated on a daily basis.
- Cultural/historical activities and projects will be assessed individually.

**FRENCH 2**

NOT OFFERED 2005-06
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**Credits: 10**

**Grade Levels: 10<sup>th</sup> – 12<sup>th</sup> Grades**

**Prerequisites: French 1**

**Co-requisites: None**

**Course Description:**

This course is a continuation in the studies of the language and culture of the Francophone world. As in French 1, a communicative approach to language acquisition and development will be followed. The four components of language learning: listening comprehension,

speaking, reading and writing will be emphasized. The class will be conducted primarily in French. Student's active oral participation will be crucial for their mastery of the French language. Expanded cultural studies and activities will continue to enrich student's knowledge of the history, customs and traditions of the many French speaking countries. The knowledge acquired in this course should help the students on their way to becoming world citizens who recognize and respect the similarities and differences between cultures.

Continuing with the multi-media series, *French in Action*, the primary geographical and linguistical area of focus will remain France. The students will rejoin the two protagonists, Mireille and Robert, as they continue their adventures, all the while amusingly instructing the students in new grammatical structures, vocabulary, social and cultural traditions in the context of authentic situations. The lessons are carefully constructed so that the knowledge of words, phrases, sentences, and situations will gradually build and the student will successfully assimilate the language.

**Skills / Expected Outcomes:**

Students will develop the ability to:

- Make requests
- Express their ideas
- Understand and express important ideas and some detail
- Describe and compare
- Use and understand expressions indicating emotion

Students will learn to perform the above functions:

- When speaking, in face-to-face social interaction
- When listening, in social interaction and using audio or video texts
- When reading, using authentic materials. e.g., menus, photos, posters, schedules, charts, signs and short narratives
- When writing notes, lists, poems, postcards, and short letters.

Students will learn to:

- Use and understand learned expressions, sentences, and strings of sentences, questions, and polite commands when speaking and listening
- Create simple paragraphs when writing
- Understand important ideas and some details presented in highly contextualized authentic texts when reading,

**Textbooks:**

*French in Action, A Beginning Course in Language and Culture*. 2<sup>nd</sup> Edition. Pierre Capretz, (Yale University Press), Workbook 1

**Other Materials:**

Videos aligned with the text, audio recordings to go with textbook and workbook  
French art, literature, poetry, riddles songs, proverbs, etc.  
Authentic materials

**Learning Activities:**

Video, audio support for modeling language (25%), Structured written assignments and grammar studies in Workbook, textbook, handouts (20%), Active dialogue, role-playing, acting out scenes using authentic materials, Total Physical Response, charades and other games which intellectually and physically engage the students (20%), cultural and historical studies and projects (15%), learning of songs, proverbs, tongue twisters, idiomatic expressions, riddles etc.(10%) Tests, quizzes, dictations (10%),

**Evaluation:**

- Oral and/or written quizzes will be given weekly.
- There will be a comprehensive mid-term and final.
- Daily homework is considered an integral part of the learning process and counted accordingly.
- Classroom participation, a crucial component of language learning, will be evaluated on a daily basis.
- Cultural/historical activities and projects will be assessed individually.

## History / Social Studies Department

### CURRICULAR PHILOSOPHY

The History curriculum at Cypress Grove is global in its approach and grounded in a chronological study of human activities from ancient times to the present. Each course comprises a survey of major movements and events, for which a general text serves to provide a structure, combined with in-depth studies of elected problems or areas of interest with the addition of extra readings and documents. Ninth-grade students study World Geography in preparation for their study of World History in the 10<sup>th</sup> grade and U.S. History in the 11<sup>th</sup> grade, which are in turn linked with literature studied in the English program. Students in the 12<sup>th</sup> grade will study Civics and Economics, which are each one-semester courses. Class format includes lectures, class discussion, group study activities, and student presentation of work. At each level, students undertake individual research projects as well as numerous smaller writing assignments. Art history, geography, anthropology, and other fields are integrated into the study of history at all levels.

### GEOGRAPHY

**Credits: 5**

**Grade Level:** 9<sup>th</sup> Grade  
**Prerequisites:** None  
**Co-requisites:** None

Approved to satisfy the University of California “a-g” subject requirements for freshman admission.

#### **Course Description:**

This is a traditional first year of geography, emphasizing the ability to compare people and places, evaluating the consequences of past events and decisions and determining the lessons that were learned; analyze how change happens at different rates at different times; understand that some aspects can change while others remain the same; understand that change is complicated and affects not only technology and politics but also values and beliefs; use a variety of maps and documents to interpret human movement, including major patterns of domestic and international migration, changing environmental preferences and settlement patterns, the frictions that develop between population groups, and the diffusion of ideas, technological innovations, and goods; and the ability to relate current events to the physical human characteristics of places and regions.

#### **Skills:**

(See above)

#### **Textbooks:**

*World Geography Today*, Sager and Holgren (Holt, Rinehart and Winston). The entire book will be covered in the course.

**Other Materials:**

Teacher provided maps and materials as needed.

**Learning Activities:**

Chapter and unit reading assignments; chapter review including vocabulary, key locations and main ideas; assigned specialty area of study/research and weekly reports; essays and discussions.

**Evaluation:**

A point-based system combining homework, in-class assignments and quizzes, projects, maps, chapter tests, and a comprehensive final.

**Course Outline:**

<i>Month</i>	<i>Chapter</i>	<i>Subject</i>
<b>August</b>	1,2	Introduction to Geography
	3,4	Studying Geography; Earth in Space Weather and Climate; Landforms, Water, and Natural resources
<b>September</b>	5,6	Human Geography; Human Systems
	7,8	Natural Environments of North America; the United States
	9,10	Canada; Mexico
	11,12	Central America and the Caribbean; South America
<b>October</b>	13,14	Natural Environments of Europe; Northern and Western Europe
	15,16	Central Europe; Southern Europe and the Balkans
	17,18,19,20	Russia, Ukraine, and Belarus; Central Asia; The Persian Gulf and Interior; The Eastern Mediterranean
<b>November</b>	21,22,23,24	North Africa; West and Central Africa; East Africa; Southern Africa
	25-26	India; The Indian Perimeter
	7-28	China, Mongolia, and Taiwan; Japan and the Koreas
	29-30	Mainland Southeast Asia; Island Southeast Asia
<b>December</b>	31-32	Australia and New Zealand; The Pacific Islands
	Review	FINALS

# **WORLD HISTORY**

**Credits: 10**

**Grade Level: 10<sup>th</sup> Grade**

**Prerequisites: Students will have completed a Geography Course**

**Co-requisites: None**

Approved to satisfy the University of California “a-g” subject requirements for freshman admission.

## **Course Description:**

World History is a survey course spanning from the empires of Ancient Greece and Rome to current events. There is a strong emphasis on reading and writing; students will read excerpts from many novels in addition to readings in the textbook. There will be a term paper assigned during the course of the year, as well as numerous art projects. The students must have a basic understanding of world history to successfully complete the course, though various types of assessment will be used. The following major areas are covered: Ancient Greece and the Fall of Rome, Europe in the Middle Ages, the Renaissance, the Age of European Expansion and Scientific Revolution, the American and French Revolutions, Imperialism, World War I, World War II, and the modern era.

## **Course Objective:**

Students will demonstrate an understanding of the historical, political, cultural, geographic, and economic factors that have shaped our modern world.

## **Textbooks:**

*World History: People and Nations*, Holt, Rinehart and Winston. 2000.

## **Other Materials:**

Primary Source Material, Internet material, Map Activities, Videos, Guest Speakers.

## **Learning Activities, Instructional Methods/Strategies:**

Careful reading and listening, note-taking, participation in class discussions and group work, oral presentation of work, in-class written assignments and essays, individual research projects, map exercises, tests and quizzes, videos, class scroll.

## **Evaluation:**

Assessment methods include: tests and quizzes, homework, essay writing, research projects and oral reports, art projects, group activities, participation in discussions, and a research paper.

## **Course Outline:**

### *Fall Semester*

Introduction: Anthropology, Archeology and early civilization.

Early Egyptian Civilization

B. Early Mesopotamian civilizations (*August*)

Assignments: Quiz and test, timeline, class presentation

Class demonstration: Papermaking

I. Ancient Greece

A. The Greek City-States (*September* , pp 101-117)

1. Early Greeks and the rise of the city-states

a. Sparta

i. Society and government

ii. Daily life

b. Athens

i. Society and government

ii. Daily life

2. Greek government and society

Assignments, quiz, venn diagram Athenian and Spartan Society. Presentations re: Civilization in India and China

Standards addressed: 10.1.1 & 2

B. The Expansion of Greece (*September* pp 117-139 )

1. The Persian Wars

2. Philosophers, writers, and artists of Ancient Greece

3. Alexander the Great and The spread of Hellenistic Culture

Assignments, Quiz, Exam, summary of philosophies.

C. The Roman World (*September –October*, pp 143-171)

1. The founding of the Roman Republic

2. Roman expansion

3. The Roman Empire

4. Roman society and culture

5. The rise of Christianity

6. The rise of Judaism

7. The fall of the Roman Empire in the West

Readings: *As noted*

Assignment: In-class essay on the roots of democracy in Ancient Greece and Rome

In-class Art Project: Annotated map of the Roman Empire.

(Standards addressed: 10.1.1)

II. The World in Transition/Middle Ages (*October*)

A. The Byzantine Empire, Kievan Russia, and the Mongols

a. The Byzantine Empire

b. The rise of Russia

c. The rise of the Mongols

B. The Islamic Empire (*October*)

a. The rise and spread of Islam

b. Islamic civilization

C. The Rise of the Middle Ages (*October*)

a. The rise of the Franks

b. Feudalism and the manorial system

c. The church

d. The clash over Germany and Italy

D. The High Middle Ages (*November*)

a. The Crusades

- b. The revival of trade
- c. The growth of towns
- d. Life and culture in the Middle Ages
- e. Wars and the growth of nations
- f. Challenges to church power

Text Readings: Chapters 8-11 in textbook

Selections from Chaucer's *The Canterbury Tales*, *Beowulf*, and Connie Willis' *Doomsday Book*

In-class Assignment: "Town Meeting" regarding power of the church

In-class Art Project: Calligraphy

(Standards 10.1.1.)

### III. The Emergence of Modern Nations

- A. The Renaissance, Reformation, and Scientific Revolution (*November*)
  - a. Renaissance writers and artists
  - b. The Protestant Reformation
  - c. The Catholic Reformation
  - d. Culture and daily life
  - e. The Scientific Revolution
- B. European Exploration, Expansion, and Absolutism (*November*)
  - a. The foundation of European exploration
  - b. Voyages of Portugal and Spain
  - c. The Spanish and Dutch empires
  - d. France in the age of absolutism
  - e. Eastern and Central Europe in the age of absolutism
- C. Revolution and Change in England (*November-December*)
  - a. The Tudors and the Stuarts
  - b. Civil war and revolution
  - c. England's constitutional monarchy
  - d. English colonial expansion
- D. The American and French Revolutions (*December*)
  - a. The Enlightenment
  - b. The American Revolution
  - c. The French Revolution
  - d. The French Republic
  - e. The Napoleonic Era
  - f. The Congress of Vienna

Standards addressed: 10.1.3, 10.2 1-5 inclusive.

Preparation for Mid-term (*December*)

Mid-term.

*Spring Semester*

**The Molding of Europe – One Week**

Reading assignments: Map study.

Students learn how the collapse of the Roman Empire, feudalism, and the Renaissance led to the development of nation states.

**Political Change and Revolution – Two Weeks**

Standard addressed 10.2: Reading assignments: Chapters 16 and 17 (pages 392-408 and 414-444.)

The class learns how European nation-states and the American Colonies developed the concepts of change and revolution.

**The Industrial Revolution – One Week**

Standard addressed 10.3 Reading assignment: Chapter 19 (as class) Chapter 20 (in groups.)  
Students understand how changes in technology transformed Europe, Japan, and the United States.

**The New Imperialism – One Week**

Standard addressed 10.4 Reading assignments (in groups.) Chapter 23.  
Students learn how Industrialized colonial expansion changed the world’s political map.

**The First World War; Causes – One Week**

Standard addressed 10.5. Reading assignment: Chapter 24.  
Students synthesize what they have learned in weeks 4 and 5 with the causes and course of the First World War, and understand the concept of Industrial Warfare.

**The First World War; Effects – Two Weeks**

Standard addressed 10.6 and 10.7. Reading assignment: Chapters 25 and 26.  
Students discover how the First World War led to economic, social, and political instability in Europe and Asia.

**The Causes and Consequences of World War II – Three Weeks**

Standard addressed: 10.8. Reading assignment: Chapters 27, 28, and 29.  
The class explores how the unstable political and social conditions world-wide led to World War Two, and how this global war influenced the modern world, with a focus on Europe and the United States.

**Post-war International Development. Three Weeks**

Standard addressed: 10.9. Reading assignment: Chapter 28  
Students continue to analyze how World War Two influenced the modern world, with a focus on the international community.

**Nation Building in the Contemporary World. One Week**

Standard addressed: 10.10 Reading assignment (in groups) Chapter 28, 29, or 30.  
The class discovers how different regions of the world developed after World War Two.

**The Elements of the Research Project. Three Weeks**

Standard addressed: 10.11 and English Language Arts standards as appropriate.  
Students combine knowledge gained in World History and English 10 to produce a paper using accepted methods of research, organization, and presentation.

## **U.S. HISTORY**

**Credits: 10**

**Grade Level: 11th Grade**

**Prerequisites: None**

**Co-requisites: None**

Approved to satisfy the University of California “a-g” subject requirements for freshman admission.

### **Course Description:**

U.S. History is a course designed to give an overview of American History from colonization through the modern era. The student will demonstrate understanding of the significant political, economic, and social movements of the 1600s-late 1900s in America. The course will draw heavily from primary sources, and students will be asked to demonstrate knowledge through frequent writing assignments and various forms of assessment. The course will also introduce many of the topics that will be explored in the Civics course the students are required to take as seniors. Students are required to write a research paper of 8 pages minimum on a topic falling within the course outline, as approved by instructor. It is expected that students will have already successfully completed World History and Geography.

### **Textbooks:**

*The American Nation*, Holt, Rinehart, and Winston, 2002

### **Other Materials:**

Numerous primary sources, Supreme Court rulings, videos, news articles, and maps will also be used on a frequent basis.

### **Learning Activities:**

Careful reading and listening, note-taking, participation in class discussions and group work, oral presentations of work, in-class written assignments and essays, a major research paper, map exercises, and tests.

### **Evaluation:**

Content Exams= 35%

Research Paper=10%

Homework=20%

Projects (in-class)=20%

Final= 10%

### **Course Outline:**

*Fall Semester*

#### **UNIT 1: THE NATION’S BEGINNINGS**

Chapter 1

Class Presentations: Pre-colonial America

Art project: Timeline, Paleo-indians to colonization.

Exam 1

State Standards met: 11.1

*Two Weeks: August*

**UNIT 2: A NATION DIVIDED**

Chapters 1 & 2

The American Revolution and the Creation of the American Government

State Standards met: 11.2-11.3.1 (partial)

*Five Weeks: August - September*

Class Presentations: The campaigns of the Revolutionary War.

Art project: Presentation illustrations, The Bill of Rights Poster

Exam 2

**UNIT 3: A NATION TRANSFORMED**

The American Civil War and Reconstruction

Chapters 3,4, & 5

State Standards met: 11.1.4, 11.3.1 (partial)

*Four Weeks: September -October*

Exam 3

Art Project: Illustration, equipment and daily life of a Civil War Soldier

**UNIT 4: THE PROGRESSIVE ERA AND WORLD WAR I**

Chapters 6, 7, 8, 9 & 13

State Standards met: 11.2.1-9 inclusive

*Four Weeks: October -November*

Exam 4

Art Project:

**UNIT 5: PROSPERITY AND CRISIS**

Chapters 12, 13, 14, 15, and 16

State Standards met: 11.4 1-6 inclusive, 11.5.1-7 inclusive

*Three Weeks: November -December*

Exam 5

Art project: Students select their own medium to illustrate the Jazz Age or the Depression

*One Week: December*

Mid-term preparation

Mid-term Exam

*Spring Semester*

**INDUSTRIALIZATION, IMMIGRATION, MIGRATION**

Standards addressed: 11.2.1-9 Reading assignments: Portions of Chapters 6-10 and 13-14

The class will discover how the three elements of Industrialization, Immigration, and Migration influenced the U.S. after the Civil War.

*Two Weeks: January*

**RELIGION IN THE UNITED STATES.**

Standards addressed: 11.3.1-5 Reading assignments. To be assigned.

Students examine the role religion has played in the development of government and society.

*One Week : January*

### **THE UNITED STATES AS A GLOBAL POWER.**

Standards addressed: 10.4.1-6 Reading assignment: Chapter 11.

Students discover how the Big Stick and Open Door policies, Dollar Diplomacy, and the Spanish American War led to the emergence of the U.S. as a global power.

*Two Weeks: January - February*

### **WORLD WAR I**

Standard addressed: 11.4.6 Reading assignment: Chapter 12, subject to assessment of prior knowledge.

Students analyze how the United States influenced the outcome of World War I, and how this war in turn influenced the United States.

*One Week: February*

### **THE INTER-WAR PERIOD**

Standards addressed: 11.5 and 11.6 Reading assignment: Chapters 13-17.

Students examine the Roaring 20s, the Great Depression, and the international situation during the era between the two World Wars.

*Three Weeks: February - March*

### **WORLD WAR II**

Standards addressed: 11.7 Reading assignment: Chapters 17 and 18.

Students learn how the United States became involved in World War Two, the course of the war, and its impact on the U.S. and the world.

*Three Weeks: March*

Standards met: 11.8. Reading assignment: Portions of Chapters 20-23.

The class examines how the United States was transformed by World War II

*One Week: April*

### **UNITED STATES AND THE COLD WAR**

Standard addressed: 11.9 Reading assignment: Portions of Chapters 19, 24, 25, and 26

Students analyze how the U.S. and the U.S.S.R. battled for supremacy after World War Two.

*One Week: April*

### **CIVIL RIGHTS IN THE UNITED STATES**

Standard addressed: 11.10 Reading assignment: Chapter 20, and review as assigned.

*One Week: April*

### **Research Assignment**

Students complete a formal research paper, using accepted methods of research and presentation as learned in English 9.

*Three Weeks 16: May*

## **CIVICS**

**Credits: 5 (One semester course)**

**Grade Level: 11<sup>th</sup>-12<sup>th</sup> Grade**

**Prerequisites: Students will have completed one year of World History and one year of U.S. History, in addition to a semester of Geography**

**Co-requisites: None**

Approved to satisfy the University of California “a-g” subject requirements for freshman admission.

### **Course Description:**

The one semester Civics course is designed to provide a detailed examination of the U.S. government, at the federal and state level. The focus of the course will be a thorough examination of the U.S. Constitution, and the understanding of our civil liberties and responsibilities. Students will learn about the branches of the government and the duties they must carry out. In addition, students will student current events that relate to politics, and gain a greater awareness of their role as a responsible citizen.

### **Textbooks:**

*American Civics*, Holt, Rinehart, and Winston, 2003

### **Other Materials:**

Numerous articles from newspapers, handouts, Supreme Court case rulings, videos, maps, Newsweek.

### **Learning Activities:**

Careful reading and listening, note-taking, participation in class discussions, group work, in-class written assignments and essays, individual research projects, map exercises, tests and videos.

### **Evaluation:**

Methods include tests, quizzes, essay writing, research projects and oral reports, and class participation.

### **Course Outline:**

#### **We The People: An introduction to Civics. *One Week***

Reading assignment; chapters 1 and 2 (partial)

#### **Foundations of Government. *One Week***

Why we have government, and what governments we have had.

Reading assignment; chapter 2 (partial), 3

#### **The U.S. Constitution. *Two Weeks***

Reading assignment; Chapter 3, lecture notes

#### **The Bill of Rights. *Three Weeks***

Reading assignment: Chapter 4, and lecture notes.

**The Legislative Branch. *Two Weeks***

Election, function, operation.

Reading assignment: Chapter 5 and lecture notes.

**The Executive Branch. *Two Weeks***

Election, function, operation.

Reading assignment: Chapter 6 and lecture notes.

**The Judicial Branch. *Two Weeks***

Election, function, operation.

Reading assignment: Chapter 7 and lecture notes.

**The advancement of Civil Rights. *Two Weeks***

Reading assignment: Lecture notes.

**U.S. Society And The Media. *One Week***

Reading assignment: Lecture notes; newspaper reading, video viewing.

**Completion of Class Project. *Two Weeks***

Reading assignment: As necessary.

## **ECONOMICS**

**Credits: 5**

**Grade Level: 11th Grade**

**Prerequisites: None**

**Co-requisites: None**

**Course Description:**

Economics is a semester long standards-based course designed to expose the students to a wide range of micro- and macro- economics concepts, including supply, demand, and, price; market structure, the organization and operation of businesses and labor unions, capital markets and investing, and the role of government in fiscal and monetary policy.

Students will use a variety of skills to demonstrate grasp of the material covered, including map, graph, and chart reading, class and group discussion, and essay and short-answer test taking.

The class will practice note-taking, both from the textbook and from lecture.

Students will also be expected to demonstrate knowledge through a research project at the end of the semester.

**Textbook:**

*Holt Economics*, Holt, Rinehart, and Winston, 2003

**Other Materials:**

Daily business and economics news articles, the internet, student-generated charts and graphs.

**Learning activities:**

Careful reading and listening, note-taking, participation in class discussions and group work, oral presentations of work, in-class written assignments and essays, a major research paper, map exercises, and tests.

**Student Assessment:**

Tests and quizzes:	35%
Homework (including notes review)	20%
Class projects	10%
Final Exam	20%
Research project	15%

**Course Outline:****Introduction To Economics And Economic Systems.**

Reading assignment: Unit 1, Chapters one

Students are to gain an understanding of what Economics is, and the basic vocabulary of economic theory.

**Economic Systems.** Reading assignment: Unit 1, Chapter two.

Students learn to distinguish past and present economic systems.

**Demand.** Reading assignment: Unit 2, Chapter three.

Students understand the roll that demand plays in the economic systems studied in week 2.

**Supply.** Reading assignment: Unit 2, Chapter four.

Students learn to relate supply to demand in all economic systems.

**Prices.** Reading Assignment: Unit 2, Chapter Five.

Students connect the forces of supply and demand to understand the concept and dynamics of price in the marketplace.

**Market Structures.** Reading Assignment: Unit 2, chapter six.

The class studies the role of competition in the marketplace.

**Business Organizations.** Reading Assignment: Unit three, chapter seven.

Students learn to recognize three types of business organizations common in free market economies.

**Labor and Unions.** Reading Assignment: Unit 3, chapter eight.

Students understand how labor unions and collective bargaining effect the global and U.S economies.

## Mathematics Department

### CURRICULAR PHILOSOPHY

The Mathematics curriculum at Cypress Grove prepares students for Math Analysis and Trigonometry by 12<sup>th</sup> grade. At all levels of instruction, there is attention to: judicious use of the graphing calculator, familiarity with a library of elementary functions; obtaining solutions analytically, numerically, and graphically; the development of rigorous mathematical exposition and argument; and applications in other courses, especially in science.

The course sequence includes Algebra 1A and, Algebra 1B, which together comprise a two-year Algebra 1 program, Algebra 2, Geometry, Math Analysis, Trigonometry. Plans are in place to include a Calculus Course and Business Math Course in the near future. The content of each course follows the recommendations of UC and CSU for academic preparation in Mathematics, and the most current California Content Standards.

### **ALGEBRA 1A**

**Credits: 10**

**Grade Levels: 9<sup>th</sup> -10<sup>th</sup> Grade**

**Prerequisites: None**

**Co-requisites: None**

#### **Course Description:**

Algebra 1A is the first year of a two-year Algebra 1 course that focuses on the basic skills and conceptual framework fundamental to the study of algebra. These skills include but are not limited to the following: Adding, subtracting, multiplying and dividing real numbers, adding subtracting, multiplying and dividing variables; properties of addition and subtraction; solving two-step equations and inequalities; graphing equations on a coordinate plane; rules of exponents using integers and variables; number theory; problem solving using ratios and proportions; operating with rational and irrational numbers.

#### **Textbook:**

*Mathematics: Concepts and Skills*, McDougal Littell

The first semester of Algebra 1A lays the foundation for working with numbers, with particular attention being paid to the order of operations. Students work with whole numbers and integers, and become familiar with how numbers and variables can be combined and manipulated. In addition, particular focus is made on the vocabulary of algebra with respect to interpreting directions, problems, and expressions. The California standards addressed in the first semester include but are not limited to:

**Algebra and Functions 1.2** Use the correct order of operations to evaluate algebraic expressions such as  $3(2x + 5)^2$ .

**Algebra and Functions 2.1** Interpret positive whole-number powers as repeated multiplication and negative whole-number powers as repeated division or multiplication by the multiplicative inverse. Simplify and evaluate expressions that include exponents.

**Algebra and Functions 2.2** Multiply and divide monomials; extend the process of taking powers and extracting roots to monomials when the latter results in a monomial with an integer exponent.

**Number Sense 1.3** Simplify numerical expressions by applying properties of rational numbers (e.g., identity, inverse, distributive, associative, commutative) and justify the process used.

**Algebra and Functions 1.1** Use variables and appropriate operations to write an expression, an equation, an inequality, or a system of equations or inequalities that represents a verbal description.

**Algebra Functions 1.4** Use algebraic terminologies (e.g., variable, equation, expression, term, coefficient, inequality, expression, constant) correctly.

The second semester of Algebra 1A extends the above concepts into the larger and sometimes more challenging world of fractions, decimals, and ratios. In this semester, some of the California standards Algebra 1A covers are listed below.

**Number Sense 2.2** Add and subtract fractions by using factoring to find common denominators

**Number Sense 1.1** Read, write and compare rational numbers in scientific notation (positive and negative powers of 10) with approximate numbers using scientific notation.

**Number Sense 1.2** Add, subtract, multiply and divide rational numbers (integers, fractions, and terminating decimals) and take positive rational numbers to whole number powers

**Number Sense 1.3** Convert fractions to decimals and percents and use these representations in estimations, computations, and applications.

**Number Sense 1.5** Know that every rational number is either a terminating or repeating decimal and be able to convert terminating decimals into reduced fractions

**Number Sense 1.4** Differentiate between rational and irrational numbers

**Number Sense 2.2** Add and subtract fractions by using factoring to find common denominators

**Number Sense 2.4** Use the inverse relationship between raising to a power and extracting the root of a perfect square integer; for an integer that is not square, determine without a calculator the two integers between which its square root lies and explain why.

**Evaluation:**

Students are evaluated on their work ethic in Algebra 1a by using class notebooks. These notebooks are checked for completion and correct answers twice a quarter. This amounts to

approximately 20% of their quarter grade. Homework and class work, projects and tests or quizzes are weighted as follows:

Notebook: 20%

Other Class Work/Homework: 25%

Special Projects: 15%

Tests/Quizzes: 40%

## **ALGEBRA 1B**

**Credits: 10**

**Grade Levels: 9<sup>th</sup>-10<sup>th</sup> Grade**

**Prerequisites: “C” or better in eighth-grade Algebra, high school Pre-Algebra, or Algebra 1A**

**Co-requisites: None**

### **Course Description:**

This is the second year of the two-year algebra course, emphasizing the development of strength in symbolic manipulation, solving equations, the connection between the algebraic and geometric point of view, and the translation of verbal problems into algebra. Topics covered include basic arithmetic and axioms of the real numbers, first degree equations and inequalities in one variable, higher degree equations in one variable, the arithmetic of polynomials, polynomial factoring, rational expressions, fractional and decimal equations with applications, equations in two variables and their graphs, equations of lines including slope-intercept and point-slope forms, solving linear systems of equations in two variables algebraically and graphically, functions, rational and irrational numbers and how they arise from the Pythagorean theorem and the quadratic formula.

### **Skills:**

(See above)

### **Textbooks:**

*Algebra 1*, by Larson, Boswell, et. al., (McDougal Littell). The entire book will be covered in the course.

### **Other Materials:**

- Graph paper, ruler, compass
- Scientific calculator
- Projects
- Teacher’s resources for the textbook.

### **Learning Activities:**

Textbook assignments, in-class worksheets and practice activities, regular homework assignments.

**Evaluation:**

A point-based system combining homework, in-class quizzes, chapter tests, and a comprehensive final.

**Course Outline:**

(See Algebra 1, below)

## **ALGEBRA 1**

**Credits: 10**

**Grade Levels: 9<sup>th</sup> and 10<sup>th</sup> Grades**

**Pre-requisites: A grade of C or higher in 8<sup>th</sup> Grade math and score 60% or higher on the UC Algebra Readiness Test.**

**Co-requisites: None.**

Approved to satisfy the University of California “a-g” subject requirements for freshman admission.

**Course Description:**

This is a traditional first year algebra course that emphasizes the development and uses of algebraic symbolism and notation; operations with real numbers; linear equations and inequalities – solving and graphing solution sets; quadratic equations and inequalities – solving and graphing solution sets; solving systems of equations; linear and quadratic functions; the arithmetic of polynomials, polynomial factoring, and rational expressions; the Pythagorean Theorem; and Problem-Solving.

**Skills:**

(See above)

**Textbook:**

*Algebra 1*, by Larson, Boswell, Kanold, and Stiff, ( McDougal Littell). The entire textbook is covered in the course.

**Other Materials:**

- White Boards.
- Projects developed by the Teacher or on the Internet.
- NCTM monthly math problems.
- Chapter “Challenges’ Worksheets.

**Learning Activities:**

Lecture/Demonstration (50%); Investigations/In-class work (35%); quizzes/tests (15%).

**Evaluation:**

A point-based system that weights each category below as specified:

- Homework/Class work – 30%.
- Projects – 30%
- Quizzes/Tests – 40%

**Course Outline:**

*Fall Semester*

<u>MONTH</u>	<u>SECTION/TOPIC</u>	<u>CA STANDARDS</u>
<b>August</b>	Course Intro: Goals, Requirements & Procedures.	N/A
	1.1&1.2: Evaluate Expressions & Write Expressions that Model Real-Life Situations.	N/A
	Use Order of Operations.	25.2
	1.4: Equations & Inequalities.	
	<u>Quiz 1</u> ;1.4&1.5: Equations & Using Models to Solve Problems.	5.0
	1.5&1.6: Using Models & Tables & Graphs.	5.0
	1.7&Review: Intro to Functions.	16.0, 17.0, 18.0
	Chapter 1 Assessment	
<b>September</b>	2.1: Real Number Line; <u>Assign Project 1.</u>	1.0, 2.0, 3.0
	2.2&2.3: Add & Subtract Real Numbers.	1.0
	2.5: Multiplication of Real Numbers.	1.0
	<u>Quiz2</u> ; 2.6: The Distributive Property. <u>Project 1 Due.</u>	N/A
	2.7&2.8: Division of Real Numbers; Probability.	1.0, 17.0
	Chapter 2 Review	All above.
	Chapter 2 Assessment.	
	3.1: Solving One-Step Equations.	4.0, 5.0
	3.2&3.3: Solving One-Step and Multi-Step Equations.	4.0, 5.0, 15.0
	3.4: Equations w/Variables on Both Sides.	4.0, 5.0, 15.0
	3.5: Problem Solving.	4.0, 5.0
	Quiz 3; 3.6: Decimal Equations.	4.0, 5.0
	3.7: Formulas & Functions.	
	3.8: Rates, Ratios, & Percents.	15.0
Assign Project 2(Pg198); Chapter 3 Review & Assessment.	All Above	

<u>MONTH</u>	<u>SECTION/TOPIC</u>	<u>CA STANDARDS</u>
<b>October</b>	4.1&4.2: Coordinate Plane & Graphing Linear Equations.	6.0, 7.0
	4.2&4.3: Graphing Linear Equations & Intercepts.	6.0, 7.0
	4.3&4.4: Intercepts and Slope.	6.0
	4.5: Direct Variation.	
	<u>Project 2 Due.</u>	
	<u>Quiz 4</u> ; 4.6: Slope-Intercept Form.	6.0, 8.0
	4.7&4.8: Solving Linear Equations & Functions and Relations.	16.0, 17.0, 18.0
	4.8& Review: Functions and Relations.	16.0, 17.0, 18.0
	<u>Assign Project 3 – Biography.</u>	
	Chapter 4 Assessment & 5.1: Write Linear Equation in Slope-Intercept Form.	
	5.2&5.3: Write Lin. Equations Given Point and Slope or two Points.	8.0
<b>November</b>	5.3&5.4: Fitting a Line to Data.	8.0
	<u>Quiz 5</u> ; 5.5: Point-Slope Form of Linear Equation.	7.0
	5.6: Standard Form of Linear Equation.	7.0, 8.0
	5.7: Predicting with Linear Models.	
	Chapter 5 Review & Assessment.	All Above
	<u>Project 3 Due.</u>	
		6.1&6.2: Linear Inequalities.
	6.3&6.4: Compound Inequalities & Absolute-Value Equations.	3.0, 4.0, 5.0
	6.5: Graphing Linear Inequalities.	3.0, 6.0
	<u>Quiz 6</u>	
<b>December</b>	6.6&6.7: Central Tendencies, Stem and-Leaf Plots, & Box-and-Whisker Plots.	Gr5-7
	Chapter Review.	All Above.
	Chapter 6 Assessment & Semester Project & Review.	All Above
	Semester Review.	
	Semester Final Examination.	

NOTE: Start 2nd Semester with in-class Project on page 392.

Textbook Inventory 2005-06

# of Books	Textbook
13	Advanced Mathematics
47	Algebra 2
42	Algebra 1
0	American Civics
23	American Nation in a Modern Era
0	American Pageant
69	Biology
25	Chemistry - Connections
0	Conceptual Physical Science
37 + 11	Earth Science
10	Economics
1	Elements of Literature (2nd Course)
66	Elements of Literature (3rd Course)
34	Elements of Literature (4th Course)
33	Elements of Literature (5th Course)
23	En espanol (dos)
62	En espanol (uno)
0	Essentials of Genetics
24	French in Action
21	French in Action workbook Pt. 1
11	Geometry
21	Genetics
24	Health
1	Mathematics w/Business Application
9	Modern Chemistry
37	Pre-Algebra Concepts/Skills
1	Intermediate Algebra
3	World Geography Today
39	World History
19	A Man for All Seasons
14	Animal Farm
25	A Tail of Two Cities
18	A Separate Piece
16	Beo Wolf
60	Black Boy
23	Cawdor and Medea
94	Christmas Carol
23	East of Eden
11	Hamilet
9	Henry V
26	High Fidelity
41	Joan of Arc
45	Julius Caesar
36	Love Poems

Textbook Inventory 2005-06

28	Lord of The Flies
22	Meriden Webster Dictionary
13	McBeth
34	Moby Dick
109	Mythology
20	Night
65	Nineteen Eighty Four (1984)
13	Romo and Juliet
17	Sir Gawain and the Green King
16	Sprockets
48	St. Martins Handbook
6	Spanish-English Dictionary
29	The Adventure of Huckleberry Finn
31	The Bedford Intro. To Literature
28	The Catcher
31	The Cant berry Tale
44	The Chosen
36	The Glass Menagerie
18	The Golden Home & High School Ency
28	The Great Gatsby
91	The Hobbit
33	The House on Mango Street
7	The Inferno
8	The Legend of Sleepy Hollow
27	The Odyssey
52	The Path of the Everyday
15	To Kill A Mockingbird

Textbook Inventory 2005-06

## Textbook Inventory 2005-06



**Cypress Grove Charter High School**  
**for Arts and Sciences**  
**School Calendar 2006-2007**  
**DRAFT**

	Mon	Tue	Wed	Thu	Fri		
August			{2}	[3]	[4]	15 days	August 2: New Teachers' Orientation August 3 - 4: Teachers' In-Service Days August 4: Back to School Night 6pm August 7: First Day of School
	7	8	9	10	11		
	14	15	16	17	18		
	21	22	23	24	25		
September	28	29	30	31	1	24 days	September 4: Labor Day ( No School )
	{ 4 }	5	6	7	8		
	11	12	13	14	15		
	18	19	20	21	22		
October	25	26	27	28	29	14 days	October 5: End First Quarter (43days) October 6: Teachers' In-Service Day (No School) October 9-13 Fall Recess
	2	3	4	5	[ 6 ]		
	9	10	11	12	13		
	16	17	18	19	20		
November	23	24	25	26	27	17 days	November 10: Veterans' Day (No School) *November 22: Minimum Day (Released at 12:30pm) November 23-24: Thanksgiving Recess (No School)
	30	31	1	2	3		
	6	7	8	9	10		
	13	14	15	16	17		
December	20	21	*22	{23}	{24}	15 days	December 13-15: Semester Final Exams December 15: End 1st Semester ( 85 days) December 18-29: Winter Recess
	27	28	29	30	1		
	4	5	6	7	8		
	11	12	13	14	15		
January	18	19	20	21	22	17 days	January 2: Teachers' In-Service Day (No School) January 15: Martin Luther King Jr. Day (No School)
	25	26	27	28	29		
	{1}	[2]	3	4	5		
	8	9	10	11	12		
February	{ 15 }	16	17	18	19	19 days	February 19: President's Day (No School)
	22	23	24	25	26		
	29	30	31	1	2		
	5	6	7	8	9		
March	12	13	14	15	16	20 days	March 9: End of 3rd Quarter ( 46 days ) March 12-16: Quarter Break ( 1 Week )
	{ 19 }	20	21	22	23		
	26	27	28	1	2		
	5	6	7	8	9		
April	12	13	14	15	16	15 days	April 16 - 20: Spring Break
	19	20	21	22	23		
	26	27	28	29	30		
	2	3	4	5	6		
May	9	10	11	12	13	19 days	April 30: Teachers' In-Service Day (No School) *May 1 - 4 STAR (Minimum days - released 12:30pm)
	16	17	18	19	20		
	23	24	25	26	27		
	30	*1	*2	*3	*4		
June	7	8	9	10	11	4 days	May 29: Memorial Day (No School) May 31-June 2: Semester Final Exams ( 95 days ) *June 1 - 2: (Minimum days - released at 12:30pm)
	14	15	16	17	18		
	21	22	23	24	25		
	{ 28 }	29	30	*31	*1		

September 4: Labor Day ( No School )  
 November 10: Veterans' Day (No School)  
 November 23-24: Thanksgiving Recess (No School)  
 January 15: Martin Luther King Jr. Day (No School)

February 19: Presidents' Day (No School)  
 May 30: Memorial Day (No School)  
 { } No School [ ] No Students \* Minimum Day  
 Teaching Days - 179 Teacher Work Days - 186

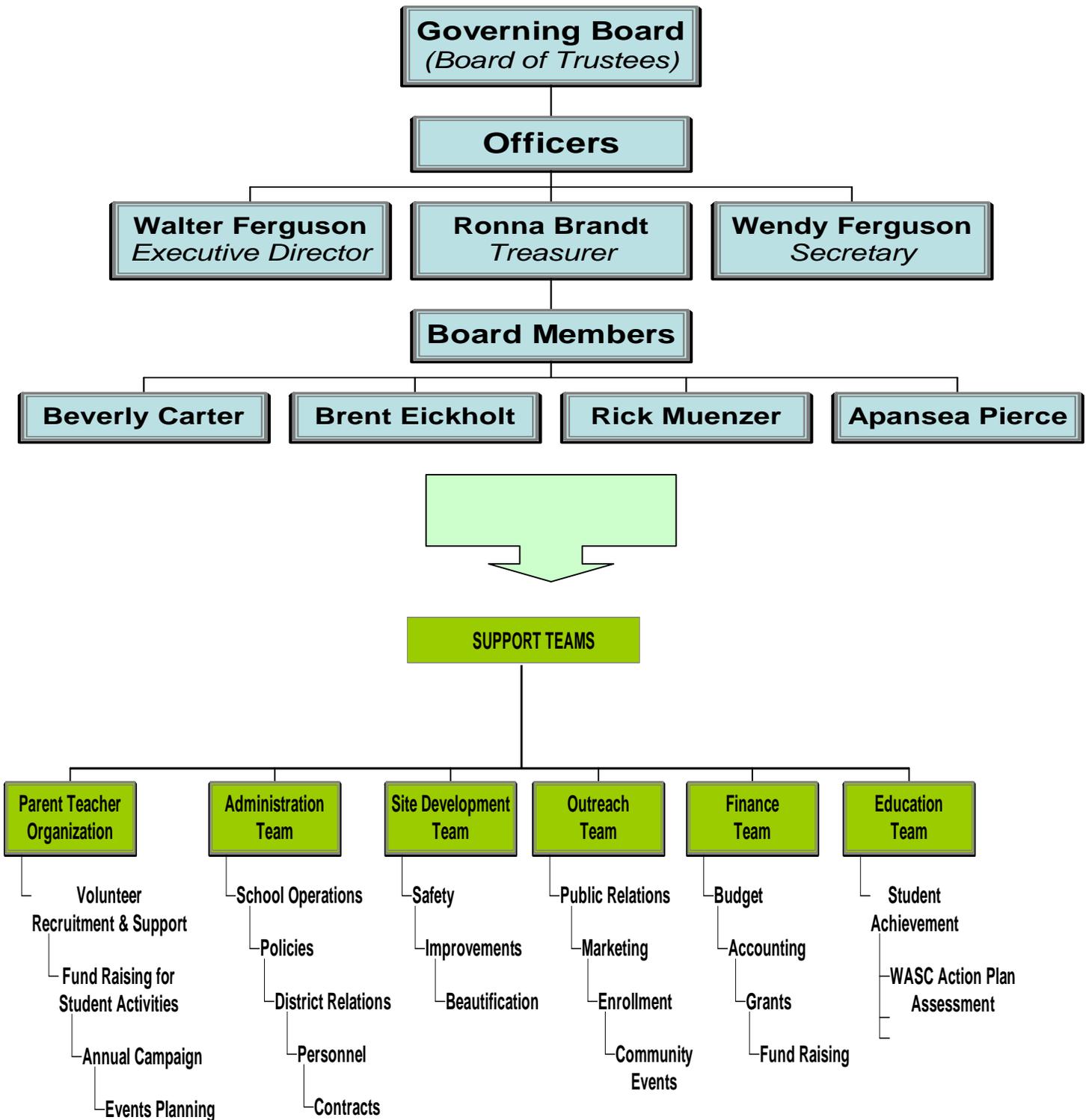
Cypress Grove Charter High School  
BELL SCHEDULE

Monday	Tuesday	Wednesday	Thursday	Friday
<b>FIRST BELL</b> 7:55 AM	<b>FIRST BELL</b> 7:55 AM	<b>FIRST BELL</b> 7:55 AM	<b>FIRST BELL</b> 7:55 AM	<b>FIRST BELL</b> 7:55 AM
<b>BLOCK 1 (A)</b> 8:00 – 8:47	<b>BLOCK 1 (A)</b> 8:00-9:30	<b>BLOCK 2 (B)</b> 8:00-9:30	<b>BLOCK 1 (A)</b> 8:00-9:30	<b>BLOCK 2 (B)</b> 8:00-9:30
<i>Passing</i> 8:47 – 8:52				
<b>BLOCK 2 (B)</b> 8:52-9:39	<b>BREAK</b> 9:30-9:40	<b>BREAK</b> 9:30-9:40	<b>BREAK</b> 9:30-9:40	<b>BREAK</b> 9:30-9:40
<b>BREAK</b> 9:39 – 9:49				
<i>Passing</i> 9:49 – 9:54	<i>Passing</i> 9:40-9:45	<i>Passing</i> 9:40-9:45	<i>Passing</i> 9:40-9:45	<i>Passing</i> 9:40-9:45
<b>BLOCK 3 (C)</b> 9:54 – 10:41	<b>BLOCK 3 (C)</b> 9:45 – 11:15	<b>BLOCK 4 (D)</b> 9:45 – 11:15	<b>BLOCK 3 (C)</b> 9:45 – 11:15	<b>BLOCK 4 (D)</b> 9:45 – 11:15
<i>Passing</i> 10:41 – 10:46				
<b>BLOCK 4 (D)</b> 10:46 – 11:36	<i>Passing</i> 11:15 – 11:20	<i>Passing</i> 11:15 – 11:20	<i>Passing</i> 11:15 – 11:20	<i>Passing</i> 11:15 – 11:20
<b>LUNCH</b> 11:36-12:06	<b>BLOCK 5 (E)</b> 11:20-12:15	<b>BLOCK 5 (E)</b> 11:20-12:15	<b>BLOCK 5 (E)</b> 11:20-12:15	<b>BLOCK 5 (E)</b> 11:20-12:15
<i>Passing</i> 12:06-12:11				
<b>BLOCK 6 (F)</b> 12:11 – 12:58	<b>LUNCH</b> 12:15-12:45	<b>LUNCH</b> 12:15-12:45	<b>LUNCH</b> 12:15-12:45	<b>LUNCH</b> 12:15-12:45
<i>Passing</i> 12:58-1:03	<i>Passing</i> 12:45-12:50	<i>Passing</i> 12:45-12:50	<i>Passing</i> 12:45-12:50	<i>Passing</i> 12:45-12:50
<b>BLOCK 7 (G)</b> 1:03 – 1:50	<b>ADVISORY (H)</b> 12:50-1:25	<b>ADVISORY (H)</b> 12:50-1:25	<b>ADVISORY (H)</b> 12:50-1:25	<b>ADVISORY (H)</b> 12:50-1:25
<i>Campus Clean-up</i> 1:50-2:00				
<b>Faculty Coordination</b> 2:15-4:15	<i>Passing</i> 1:25-1:30	<i>Passing</i> 1:25-1:30	<i>Passing</i> 1:25-1:30	<i>Passing</i> 1:25-1:30
	<b>BLOCK 7 (G)</b> 1:30-3:00	<b>BLOCK 6 (F)</b> 1:30-3:00	<b>BLOCK 7 (G)</b> 1:30-3:00	<b>BLOCK 6 (F)</b> 1:30-3:00

Cypress Grove Charter High School  
BELL SCHEDULE

Monday	Tuesday	Wednesday	Thursday	Friday
<b>FIRST BELL</b> 7:55 AM	<b>FIRST BELL</b> 7:55 AM	<b>FIRST BELL</b> 7:55 AM	<b>FIRST BELL</b> 7:55 AM	<b>FIRST BELL</b> 7:55 AM
<b>BLOCK 1 (A)</b> 8:00 – 8:47	<b>BLOCK 1 (A)</b> 8:00-9:30	<b>BLOCK 2 (B)</b> 8:00-9:30	<b>BLOCK 1 (A)</b> 8:00-9:30	<b>BLOCK 2 (B)</b> 8:00-9:30
<i>Passing</i> 8:47 – 8:52				
<b>BLOCK 2 (B)</b> 8:52-9:39	<b>BREAK</b> 9:30-9:40	<b>BREAK</b> 9:30-9:40	<b>BREAK</b> 9:30-9:40	<b>BREAK</b> 9:30-9:40
<b>BREAK</b> 9:39 – 9:49				
<i>Passing</i> 9:49 – 9:54	<i>Passing</i> 9:40-9:45	<i>Passing</i> 9:40-9:45	<i>Passing</i> 9:40-9:45	<i>Passing</i> 9:40-9:45
<b>BLOCK 3 (C)</b> 9:54 – 10:41	<b>BLOCK 3 (C)</b> 9:45 – 11:15	<b>BLOCK 4 (D)</b> 9:45 – 11:15	<b>BLOCK 3 (C)</b> 9:45 – 11:15	<b>BLOCK 4 (D)</b> 9:45 – 11:15
<i>Passing</i> 10:41 – 10:46				
<b>BLOCK 4 (D)</b> 10:46 – 11:36	<i>Passing</i> 11:15 – 11:20	<i>Passing</i> 11:15 – 11:20	<i>Passing</i> 11:15 – 11:20	<i>Passing</i> 11:15 – 11:20
<b>LUNCH</b> 11:36-12:06	<b>BLOCK 5 (E)</b> 11:20-12:15	<b>BLOCK 5 (E)</b> 11:20-12:15	<b>BLOCK 5 (E)</b> 11:20-12:15	<b>BLOCK 5 (E)</b> 11:20-12:15
<i>Passing</i> 12:06-12:11				
<b>BLOCK 6 (F)</b> 12:11 – 12:58	<b>LUNCH</b> 12:15-12:45	<b>LUNCH</b> 12:15-12:45	<b>LUNCH</b> 12:15-12:45	<b>LUNCH</b> 12:15-12:45
<i>Passing</i> 12:58-1:03	<i>Passing</i> 12:45-12:50	<i>Passing</i> 12:45-12:50	<i>Passing</i> 12:45-12:50	<i>Passing</i> 12:45-12:50
<b>BLOCK 7 (G)</b> 1:03 – 1:50	<b>ADVISORY (H)</b> 12:50-1:25	<b>ADVISORY (H)</b> 12:50-1:25	<b>ADVISORY (H)</b> 12:50-1:25	<b>ADVISORY (H)</b> 12:50-1:25
<i>Campus Clean-up</i> 1:50-2:00				
<b>Faculty Coordination</b> 2:15-4:15	<i>Passing</i> 1:25-1:30	<i>Passing</i> 1:25-1:30	<i>Passing</i> 1:25-1:30	<i>Passing</i> 1:25-1:30
	<b>BLOCK 7 (G)</b> 1:30-3:00	<b>BLOCK 6 (F)</b> 1:30-3:00	<b>BLOCK 7 (G)</b> 1:30-3:00	<b>BLOCK 6 (F)</b> 1:30-3:00

## ORGANIZATIONAL FLOW CHART CYPRESS GROVE CHARTER HIGH SCHOOL



## Cypress Grove Charter High School

### Expectations of Board Members

#### **Time Commitment**--roughly 20 hours per month

- Orientation
- 11 board regular meetings per year - held the second Tuesday of the month less July
- Half day yearly retreat
- 11 committee meetings per year, on average, per committee
- Social events: such as Back to School night, Arts and Awards night, the Auction, etc,
- Meeting preparation (reading and studying information, report generation, etc.)
- Interaction with staff and other board members (responding to inquiries, exchanging ideas, sharing expertise, etc.)
- Committee work as needed

#### **Financial Commitment**

- All board members must contribute to the CGCHS Annual Campaign, to whatever funding effort they desire and at whatever level is appropriate
- Board members participate in the process of increasing awareness of, and support for the CGCHS Annual Campaign among parents and the community at large.

#### **Personal Commitment**

- To the mission of CGCHS
- To work for the greater good of CGCHS
- To learn as much as possible about the school programs and structure in order to make good board decisions and to increase awareness of the school and its needs among the CGCHS community.

#### **Cypress Grove Charter High School Board Responsibilities**

- Organize and manage itself so as to fulfill its duties to the school
- Achieve the goals of the charter as specified in the terms of the sponsoring agency (Monterey Peninsula Unified School District)
- Conduct an annual written evaluation to monitor its own performance
- Consider the school as a whole. No director “lobbies for” a constituency
- Plan, develop, and establish policy, then assesses the performance of the school
- Oversight of the school’s financial condition and its physical plant
- Determine the Principal’s goals and priorities each year
- Monitor Cypress Grove’s education program decisions when changes impact the school’s philosophy or have financial implications for the budget
- Direct and participate in Cypress Grove’s fundraising efforts
- Fill and maintain individual director’s positions with people best qualified to serve the mission of the school



# *Cypress Grove Charter High School* *For Arts and Sciences*

225 Normandy Road • Seaside, CA 93955 • 831-392-0200 • 831-392-0400 fax

## **Family Participation Commitment**

Dear Parents,

At Cypress Grove High School we acknowledge the value of parental involvement for the educational success of our students. The quality of the educational environment depends largely on the support of our parents. Also potential financial donors want to see how committed the parent volunteer force is. A high level of parent service hours help the school acquire ongoing funding.

Because we want to model community service for our students, Service Learning is an integral part of our curriculum. It teaches our students the importance of community service and is an ideal way to incorporate the needs of the school with teaching by example.

You have been provided with a list of many possible ways to fulfill your commitment, but it is by no means exhaustive. If there is something else you can do to enhance the school, please bring it to the staff's attention. We welcome all of your creative ideas. Finding a match between your interests and the interests of the school will ultimately benefit the student, the school, and you.

Thank you for supporting your child and Cypress Grove Charter High School.

I agree to complete 40 service hours for Cypress Grove Charter High School over the school year. I understand that my entire family can also contribute to fulfilling this commitment.

---

Parent Name

---

Parent Signature

---

Date

**Cypress Grove Charter High School for Arts and Sciences**  
**Classroom Teacher**  
**Job Responsibilities, Duties and Accountabilities**

Cypress Grove High School teachers demonstrate a mastery of and enthusiasm for their subject matter as well as the ability to communicate it to students and maintain a program of continual professional growth. They provide an effective and stimulating learning environment that motivates students to learn. Teachers follow the prescribed course of study for the classes to which they are assigned, and can assess their effectiveness in meeting course objectives.

**Responsibilities**

1. Adhere to the school-wide vision and philosophy;
2. Recognize and provide for student needs and individual differences.
3. Utilize a variety of appropriate educational strategies consistent with sound classroom management.
4. Employ a system of grading and student evaluation that serves to motivate each student as well as to provide him/her, parents/guardians and other educational institutions with an accurate appraisal of his/her work.
5. Recognize the school's responsibility to the community and maintain effective relationships with parents/guardians in interpreting the school program.
6. Participate in before and after school, parent and student conferences and other school sponsored activities including, but not limited to, faculty meetings, parent meetings; and student community activities equitably assigned such as Open House, Back to School Night, College Night and School Dances.
7. Participate in volunteer service activities in support of the Charter School and the students such as back-to-school nights, fundraisers, enrollment events, dances and similar School activities.
8. Attend at least one Parent Teacher Organization (PTO) meeting each year.
9. Serve as Class Advisor/Counselor to a designated group of students as defined in the Employee Handbook.

**Functional details**

1. Maintain accurate records appropriate to the teaching assignment and submit promptly required reports such attendance records, student grades, etc.
2. Maintain classroom and school wide standards of etiquette at all times.
3. Insure school-wide communications, such as morning announcements, are communicated effectively and consistently.
4. Utilize assigned preparation periods, planning, department and faculty meetings, and extra help for students, parent conferences and other related activities.
5. Utilize multiple methods of assessment to measure student performance.
6. Develop, analyze, and interpret student data in order to appraise student achievement in terms of performance and other matters bearing on the soundness of the student's education.

7. Prepare and submit all class course descriptions and course outlines (new or revised) within the first (30) thirty days of class instruction. *All CGCHS course descriptions for core classes will meet the California University A-G standards*
8. Integrate the “word for the week” into the daily classroom lesson plans.
9. Infusing art into the curriculum; develop and plan at least one activity each quarter that integrates art in to the lesson and showcase the student’s work.
10. Develop cross-curricular lesson plans and student performance measurements with other departments such as English and Social Science or Math and Science, Art and Music to develop and implement projects, lesson plans and student activities.
11. Participate in the WASC self study process and assist in preparing reports that support the school's accreditation and school wide quality improvement goals.
12. Furnish proficiency/deficiency reports and grades on time and make any recommendations to revise/improve reports to be more useful and efficient.
13. Assist in the preparation and administration of all school wide and state mandated testing.
14. Advise the Director on operational adjustments required to meet educational goals of the school. Meet with the Director to coordinate and prioritize planning.

**Qualifications:**

1. Credential. Employee shall possess at the time of the first paid service, a valid Single Subject California Teaching Credential or other documents issued by the Commission on Teaching Credentialing (including those eligible through the California Interstate Agreement) authorizing him/her to teach/serve.
  - (a) Passing or exemption from the California Basic Educational Skills Test (CBEST);
  - (b) Successfully screened fingerprints as required by California State Law;
  - (c) Clean Tuberculosis test; and
  - (d) Any other testing required for teaching in the State of California.
2. Degree(s) in the subject matter taught at the school or passing or exemption from the California Subject Matter Examinations for Teachers (CSET).
3. Proficiency with basic Microsoft programs (MSOffice); Word, Excel and PowerPoint. Grade quick and Rediker Software.
4. Excellent verbal and written communication skills.
5. Excellent analytical and organizational skills.

# Cypress Grove Charter High School Employee Handbook

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# **CYPRESS GROVE CHARTER HIGH SCHOOL FOR ARTS & SCIENCES EMPLOYEE HANDBOOK**

## **WELCOME TO CYPRESS GROVE CHARTER HIGH SCHOOL FOR ARTS & SCIENCES**

Our goal at Cypress Grove Charter High School for Arts & Sciences (Cypress Grove) is to provide the finest quality educational opportunities to our students and their families and to create an atmosphere that is conducive to harmony among all the team members. You are a valued team member. You directly affect and influence the students, families, community and the quality of Cypress Grove. We are glad you have joined us, and we hope you will find your work challenging and rewarding.

## **PURPOSE OF THIS HANDBOOK**

This Employee Handbook is intended to assist employees in becoming acquainted with Cypress Grove. It explains our employment guidelines. We hope that it serves as a useful reference document for employees throughout their employment at Cypress Grove. The Handbook neither implies nor establishes a contract between Cypress Grove and the employee. It is provided for your use as a ready reference and as a summary of our relevant Cypress Grove personnel policies. You are required to read the entire Handbook and ask any questions that may arise for you to ensure that you have a complete understanding of the material covered. Your signature on the last page of the Handbook (the Acknowledgment Form) will signify your receipt and review of the Handbook. Should you have any questions, concerns or suggestions regarding school policies, work conditions, compensation or procedures, please contact the Executive Director. We value your input and encourage you to make suggestions and comments freely. Experience has shown that open communication results in better work environments, better communication, and more positive attitudes. Cypress Grove will make every effort to respond effectively to all staff concerns.

Please understand that this Handbook only highlights our personnel policies, it is not exhaustive or all-inclusive. Circumstances will obviously require that some policies, benefits, and practices described in this Handbook be changed from time to time. Consequently, Cypress Grove reserves the right to amend, supplement or rescind any provisions of this Handbook as it deems necessary at its sole and absolute discretion. All such modifications shall be in writing and approved by the school's Governing Board. As the policies are revised, updated pages will be distributed to you. Please keep your Handbook readily available and insert the updated material promptly so that your Handbook is current at all times.

## **SECTION 1**

### **CYPRESS GROVE CHARTER HIGH SCHOOL FOR ARTS & SCIENCES** **GUIDING PRINCIPLES**

#### **EMPLOYEE CODE OF CONDUCT**

Employees are expected to conduct themselves at all times in a manner consistent with the highest standards of personal character and professionalism, with children, parents, prospective parents, co-workers, and the community.

Attitudes are the most important facet of each employee's presentation of Cypress Grove to the public. We must be courteous, tactful, and pleasant at all times, treating the most unpleasant people as well as we treat our most pleasant ones. That said, no staff member is expected to take abuse from anyone. Abusive treatment should be referred to an administrator immediately.

## **SECTION 2**

### **CONDITIONS OF EMPLOYMENT AT** **CYPRESS GROVE CHARTER HIGH SCHOOL FOR ARTS & SCIENCES**

#### **EQUAL EMPLOYMENT OPPORTUNITY IS OUR POLICY**

Cypress Grove is an equal employment opportunity employer, hiring on the basis of qualifications and promoting on the basis of merit. Cypress Grove does not unlawfully discriminate against qualified applicants or employees with respect to any terms or conditions of employment based on race, color, national origin, sex, political affiliation, ancestry, age, religion, creed, sex, sexual orientation, medical condition, physical or mental disability, marital status, citizenship status, military service status, or other basis protected by law.

When necessary, Cypress Grove will reasonably accommodate employees and applicants with disabilities if the person is otherwise qualified to safely perform all of the essential functions of the position.

Any staff member who feels that discrimination has occurred should immediately contact a Cypress Grove administrator or that person's designated complaint officer. Cypress Grove shall keep such matters confidential and shall disclose information only as is necessary under the circumstances. Retaliation against complainants or witnesses is strictly prohibited.

#### **POLICY AGAINST SEXUAL HARASSMENT**

Cypress Grove is committed to providing a workplace free of sexual harassment, and any form of such harassment shall not be tolerated. Cypress Grove considers sexual harassment to be a major offense, which may result in disciplinary action, up to and including dismissal, of the offending employee.

Sexual harassment consists of unwelcomed sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when (1) submission to that conduct is either made explicitly or implicitly a term or condition of an individual's employment; (2) an employment decision is based upon an individual's acceptance or rejection of that conduct; (3) that conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

It is also unlawful to retaliate or take reprisals in any way against an employee who has articulated a good faith concern about sexual harassment or discrimination against him or her or against another individual.

Staff shall annually receive trainings and/or instruction concerning sexual harassment in the workplace.

Any employee who believes that he or she has been sexually harassed or has witnessed sexual harassment is encouraged to immediately report such harassment to an administrator.

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
  1. Rape, sexual battery, molestation or attempts to commit these assaults; and
  2. Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another employee's body, or poking another employee's body.
- Unwanted sexual advances, propositions or other sexual comments, such as:
  1. Sexually oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experience directed at or made in the presence of any employee who indicates or who has indicated in any way that such conduct is unwelcome in his or her presence;
  2. Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward; and
  3. Subjecting or threats of subjecting an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of the employee's sex.
- Sexual or discriminatory displays or publications anywhere at the workplace by

employees, such as:

1. Displaying pictures, cartoons, posters, calendars, graffiti, objects, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic, or bringing to the work environment or possessing any such material to read, display, or view at work.
2. Reading publicly or otherwise publicizing in the work environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning, or pornographic.
3. Displaying signs or other materials purporting to segregate an employee by sex in any area of the workplace (other than restrooms and similar semi-private lockers and changing rooms).

The illustrations above are not to be construed as an all-inclusive list of prohibited acts under this policy.

Employees who wish to file a formal sexual harassment complaint must complete and submit a Sexual Harassment Complaint Form, which may be obtained from the office. Complaints may be made to either of the administrators. Complainants and witnesses under this policy will be protected from further harassment and will not be retaliated against in any aspect of their employment due to their participation in the filing of a complaint or the reporting of sexual harassment.

Cypress Grove will investigate complaints promptly and provide a written report of the investigation and decision within thirty (30) days of receipt of the complaint unless that time is extended for good cause.

All complaints of sexual harassment will be kept confidential and only those persons with a need to know of information or the identity of a complainant will receive such information. Individuals participating in a sexual harassment investigation will be advised that the matter is confidential and that retaliation in any form is prohibited.

## **COMPLIANCE WITH DISABILITY LAW**

Cypress Grove will comply with all state and federal disability law.

## **CERTIFICATION AND LICENSURE - CORE ACADEMIC TEACHING STAFF**

Cypress Grove's core academic teachers are required to hold a current California Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold.

## **CLERICAL, OTHER STAFF, SUBSTITUTES, AND CONSULTANTS**

Cypress Grove's clerical, other teaching and non-teaching staff, substitutes, and consultants will demonstrate the abilities necessary to effectively carry out their responsibilities as further specified in applicable job specifications.

## **USE OF CYPRESS GROVE CHARTER HIGH SCHOOL E-MAIL AND VOICEMAIL**

Cypress Grove will permit employees to use its electronic mail and voicemail systems subject to the following:

1. Minimal personal use as long as it does not interfere with timely job performance and is consistent with law and appropriate protocols.
2. The E-mail system is not to be used in any way that may be disruptive, offensive to others, or harmful to morale. For example, sexually explicit images, ethnic slurs, racial epithets, or anything else that may be construed as harassment or disparagement of others based on their race, national origin, sex, sexual orientation, age, religious beliefs or political beliefs may not be displayed or transmitted.
3. Employees should not attempt to gain access to another employee's personal file of E-mail or voicemail messages without the latter's express permission.
4. Cypress Grove staff will not enter an employee's personal E-mail files or voicemail unless there is a business need to do so. Cypress Grove retains a copy of all passwords; passwords unknown to Cypress Grove may not be used. System security features, including passwords and delete functions, do not neutralize Cypress Grove's ability to access any message at any time. Employees must be aware that the possibility of such access always exists.

## **DRUG FREE WORKPLACE**

Cypress Grove complies with all Federal and State regulations regarding drug use while on the job. The unlawful manufacture, distribution, dispensing, possession, or use of any controlled substances, including alcohol while on the job are grounds for immediate dismissal. Over the counter and prescribed medication, when taken as directed, are permissible.

Cypress Grove is a no smoking environment, including the areas outside of Cypress Grove buildings. This policy is for the health and safety of all and for healthy modeling for our students. We request that you observe this policy.

The above applies to our students and they may be expelled. Staff must report any such incident that involves students directly to the Director of Education immediately.

## **WEAPONS POLICY**

No weapons may be possessed on the premises by employees unless the prior express written consent for such possession has been obtained from the Director of the school (including in cars).

## **RIGHT TO PRIVACY**

Employees should be aware that lockers, cabinets, desks and other personal spaces provided by Cypress Grove are school property, and are subject to search if necessary.

## **CONFIDENTIAL INFORMATION REGARDING STUDENTS**

All information relating to students including, names, addresses, contact numbers, and progress information is confidential information, and may not be shared with unauthorized parties. All records concerning special education pupils shall be kept strictly confidential and maintained in separate locked files.

Please note: The release of unauthorized confidential information may result in immediate dismissal and the filing of criminal charges. When in doubt, check with an administrator.

## **CONFLICT OF INTEREST**

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflict of interest. Such a conflict occurs when an employee is in a position to influence a decision that may result in a personal gain for the employee or for a relative as a result of Cypress Grove's business dealings. For purposes of this policy, a relative is any person who is related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms; however, if such employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that such be disclosed so that safeguards can be established to protect all parties.

## **PERSONAL APPEARANCE**

Personal appearance of employees shall be one which emanates pride and professionalism to correspond with the position held. Neatness and cleanliness are absolutely necessary at all times. The School's professional image, as well as its atmosphere is maintained, in part, by the image that each employee presents to students and parents. Please dress accordingly. If employees have any questions about what constitutes proper attire within the classroom,

administrators can be consulted.

## **CLASSROOMS**

Faculty and staff are responsible for cleaning up after themselves at all times in the school building and particularly in the classroom and office areas.

Classrooms must be prepared for the resumption of school in August as well as after Fall, Winter, and Spring recesses. This preparation must take place in advance of school resuming. Animal environments must be cleaned and maintained during vacations, or taken home.

## **PERSONAL LETTERS, ARTICLES, AND PUBLIC AFFAIRS**

When writing articles for publication or when participating in public affairs, staff members are cautioned to avoid embarrassing situations. Personal letters are not to be written on organization letterhead. Individuals who are involved in endorsements, testimonials, publications, and participation in public forums or affairs should make it known that the employee is acting and speaking in a personal capacity and not as a representative of the organization. Reporters seeking information about Cypress Grove must be referred to the Executive Director.

## **CHILD NEGLECT AND ABUSE REPORTING**

Any employee who knows or reasonably suspects a child has been the victim of child abuse shall report the instance to a child protective agency. School employees are required to report instances of child abuse when the employee has a “reasonable suspicion” that child abuse has occurred. Reasonable suspicion arises when the facts surrounding the incident or suspicion could cause another person in the same situation to suspect child abuse.

Child abuse should be reported immediately by phone to a child protective agency. The phone call is to be followed by a written report within thirty-six (36) hours. There is no duty for the reporter to contact the child’s parents. In fact, if a child is released to a peace officer or a child protective agency agent, the reporter shall not notify the parent as required in other instances of removal.

Child abuse is broadly defined as “a physical injury which is inflicted by other than accidental means on a child by another person.” Child abuse can take the following several forms:

- Sexual abuse: Sexual abuse means, in general, sexual assault or sexual exploitation. Sexual abuse does not include children who voluntarily engage in sexual activity with children of a similar age. Pregnancy of a minor does not, in and of itself, constitute suspicion of child abuse.
- Neglect: Neglect occurs when a child’s custodian has failed to provide adequate “food, clothing, shelter, medical care, or supervision” that may or may not have

resulted in any physical injury.

- Unlawful corporal punishment: Unlawful corporal punishment occurs when any person willfully harms or injures a child to such a degree that results in a traumatic condition.
- Willful cruelty or unjustifiable punishment: Child abuse also includes the situation where any “person willfully causes or permits any child to suffer . . . unjustifiable pain or mental suffering” or when any person endangers a child’s health.

Child protective agencies responding to incident reports are prohibited from disclosing a reporter’s identity to a reporter’s employer.

Any person failing to report child abuse as required by law is guilty of a misdemeanor.

### **ARRANGING FOR SUBSTITUTES**

It is the teacher’s responsibility to arrange for his or her own substitute, except in emergency situations where it is impossible to do so. In cases of an emergency, the Director should be contacted immediately. Substitutes should be arranged at least the day or evening before they are needed. Teachers should consider placing a substitute on call instead of making last minute arrangements. The person substituting must be qualified for the position and must be on the school’s approved substitutes list.

## **SECTION 3**

### **THE WORKPLACE**

#### **SAFETY AND HEALTH**

Each employee is expected to obey safety rules and to exercise caution in work activities. Any employee who notices a dangerous or potentially dangerous situation should report it to the Director immediately. We must view our environment with a view to safety for all, in particular for all of the children.

#### **ACCIDENT/INJURY REPORTING**

If an accident or injury occurs on school property, it should be reported immediately to the Director. An Accident Report form should be completed as soon as possible. As much information about the exact circumstances of the accident or injury should be gathered as soon as possible, as well as the names, addresses, and phone numbers of all involved. It is important that this be done no matter how insignificant the accident or injury may seem.

#### **INCIDENT REPORTING**

If any incident occurs on school property, or while conducting school business off site, it should

be reported on an Incident Report form to be submitted to the Director within 24 hours from the time of the incident. As much information as is available at the time about the exact circumstances of the incident should be reported.

## **VISITORS ON CAMPUS**

The Director must be notified when visitors, other than parents, are coming onto campus. All visitors must sign in at the office and receive a nametag. Staff should make every effort to greet all visitors and direct them to where they need to be.

## **RECYCLING**

Cypress Grove supports environmental awareness by encouraging recycling and waste management in its business practices and operating procedures. This includes a commitment to purchase, use, and dispose of products and materials in a manner that best uses natural resources, minimizing any negative impacts on the environment.

This is a voluntary program for all staff, and its success depends on the participation of all. Employees are encouraged to make a commitment to recycle. Our copiers have duplexing functions so both sides of the paper can be used. Any questions and ideas on recycling should be brought to the responsible staff person. Students will participate in recycling. A successful recycling program will depend upon support from faculty and staff.

## **SECTION 4**

### **EMPLOYEE WAGES AND SALARIES**

#### **EMPLOYEE STATUS**

Unless specifically indicated in a contract, all employment at Cypress Grove is at-will. At-will employees and the employer have the right to terminate employment at any time, with or without advance notice and with or without cause. Generally, employees also may be demoted or disciplined and the terms of their employment may be altered at any time, with or without cause, at the discretion of the school.

No person other than the Governing Board or its designee has the authority to alter this at-will arrangement, to enter into any agreement for employment for a specified period of time, or to make any agreement contrary to this policy, and any such agreement must be in writing, must expressly state that it is changing the at-will relationship, and must be signed by the Executive Director and by the effected employee.

Employees may be given employment for a specified term based on the discretion of Cypress Grove. However, such term and conditions of that employment relationship shall be enumerated in a contract for employment. Any employee contract shall designate the salary or hourly rate, hours of employment, the individual job description, dates of the contract, benefits assigned, and

number, if any, of paid sick days.

Cypress Grove hires on the basis of qualifications, promotes on the basis of merit, and, when an employee must be terminated, terminates on the basis of performance, re-organization, downsizing, behavior, conduct, and any lawful reason.

## **OVERTIME PAY**

Employees who work in hourly (staff) positions that are subject to overtime pay will be compensated for overtime work consistent with all applicable state and federal law. Overtime work must have prior approval by the employee's supervisor.

## **PAYROLL**

Payment for the month's work is issued the last business day of the month. If a check-issue date falls on a Saturday, Sunday, or a legal holiday, paychecks will be issued on the last working day prior.

All federal, state, and social security taxes will be automatically deducted from paychecks. Federal Withholding Tax deduction is determined by the employee's W-4 form. The W-4 form should be completed upon hire and it is the employee's responsibility to report any changes in filing status to the Cypress Grove bookkeeper and to fill out a new W-4 form.

Federal and state law requires Cypress Grove to withhold the following taxes from the employee's wages:

1. Federal Income Tax Withholding: The amount varies with the number of exemptions the employee claims and, of course, the gross pay amount.
2. State Income Tax Withholding: The same factors that apply to federal withholdings apply to state withholdings.
3. STRS/PERS and/ or Social Security: The Federal Insurance Contribution Act (listed on the paycheck as "FICA) requires that a certain percentage of employee earnings be deducted and forwarded to the federal government, together with an equal amount contributed by Cypress Grove Charter High School.
4. Medicare Taxes: These taxes are withheld every month and, as with all other taxes, the cumulative amount paid will be listed on the employee's "Pay Statement."
5. State Disability Insurance (SDI): This state fund is used to provide benefits to those out of work because of illness or disability.

At the end of the calendar year, a "withholding statement" (W-2) will be prepared and forwarded to each employee for use in connection with preparation of income tax returns. The W-2 shows

Social Security information, taxes withheld and total wages.

Pay corrections: While all reasonable precautions are taken to ensure that the correct amount of pay is received by each employee, errors can and do occur. In this unlikely event, the discrepancy should be brought to the attention of the appropriate administrator as soon as possible so that the situation can be reviewed and corrections can be made in a timely manner.

All payroll information is confidential and only the Bookkeeper and the administrator have access to this information. Any employee who violates this confidentiality is subject to discipline including discharge. Only the Executive Director may acknowledge dates of employment, position, salary and wage information regarding employees for the purposes of credit checks, purchase of homes, etc.

## **SECTION 5**

### **REQUIREMENTS FOR EMPLOYMENT**

#### **LEGAL REQUIREMENTS BEFORE THE FIRST DAY OF EMPLOYMENT:**

- A valid and current California State Teaching Credential for core academic teaching staff.
- State and federal fingerprint clearance to work with children (Ed. Code 44237)  
Criminal record summaries will be maintained by the Executive Director in a confidential secured file separate from personnel files, as required by Section 44237 of the California Education Code.
- Proof of a clear TB Tine test dated within the last 12 months (Ed. Code 49406)
- 1-9 Proof of American citizenship form with a copy of driver's license and social security card.
- Child abuse reporting information and signed form indicating that the contents have been read and understood.
- A completed Certificated Employment Application for Credentialed staff  
A completed Non-certificated Employment Application for all other staff
- Copy of Teaching Credential
- Cover letter of application for position.
- Resume
- Three letters of reference with contact phone numbers
- W-4 Income tax form completed
- Contracts with Independent Contractors addressing the legal requirements for contractors must be in place prior to work commencing

#### **REQUIREMENTS FOLLOWING THE FIRST DAY:**

- Certificated core academic teachers must, within 60 days of employment, submit a completed certificate for First Aid and CPR course relevant to the ages with whom the employee is working. Re-certification must occur as recommended by

the American Heart Association (currently two years), and this is the responsibility of the teacher.

- Employees must attend annual trainings scheduled by the administrator during the year.
- Employees must attend all weekly staff and department meetings during the year. Absences must be arranged ahead of time with the Director of Education. In the event of an absence from a staff meeting, it is the employee's responsibility to obtain the information from the meeting.
- Completion of all required paperwork in a complete and timely manner.

## **ADDITIONAL COMPLIANCE REQUIREMENTS**

Employees are required to adhere to the requirements for employment described in the Charter, the Employee Handbook, any applicable employment contract, and any applicable state and federal laws.

## **SECTION 6**

### **PERSONNEL EVALUATION AND RECORD KEEPING**

#### **OFFICE STAFF EMPLOYEE ORIENTATION**

All new office staff employees are hired on a 90-day introductory basis, from date of hire. This serves as an opportunity to demonstrate the employee's ability to achieve satisfactory performance levels on the job, and to determine if the position meets the employee's expectations. Cypress Grove uses this period to assess employee capabilities, work habits, and overall performance. Upon completion of the 90-day trial period, an official performance review will be conducted and the written evaluation will become part of the employee's personnel file. Either the employee or Cypress Grove may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice. The introductory period does not interfere with any benefits for which the employee is eligible.

#### **EMPLOYEE REVIEWS AND EVALUATIONS**

All employees shall be reviewed by the Director or designee and will review themselves on an ongoing basis. The purpose of these reviews is to identify strengths (noting particularly good work), recognize areas for improvement and skill development, encourage growth, and develop strategies within a supportive team. A self-evaluation form will be provided to each employee at the end of each semester. This form will include performance-based questions about the employee. Questions will also be based on criteria set forth by the employee's job specifications. Evaluations will be in written form and placed in the Confidential Personnel File of each teaching employee.

The Director will conduct a minimum of one formal and one informal observation of teaching staff and other staff at a mutually agreed upon time.

Parents and visitors may conduct formal observations of teaching staff by appointment. Teachers have a right to know that they are being formally observed for evaluation. Students will complete a written evaluation of each of their teachers at the end of each semester.

All of these evaluations may be used, among other things, to determine whether the school intends to continue employment for the subsequent school year.

### **RESPONSE TO FORMAL OBSERVATION AND REVIEW FINDINGS**

All employees shall have the right to make their own written comments in response to the observations or review findings within two weeks of receipt. This response will be attached to the observation and/or evaluation and kept in the employee's Confidential Personnel File.

### **PERSONNEL FILES AND RECORD KEEPING PROTOCOLS**

The Executive Director or his or her designee shall maintain a Confidential Personnel File for each employee. All information in personnel files is strictly confidential, as is all payroll information. Any employee who violates this confidentiality is subject to discipline including discharge.

The Confidential Personnel file will contain the evaluation documents discussed in this section, as well as any other employment-related documents or correspondence. All evaluation documents placed in the Confidential Personnel file will be initialed by the Executive Director and the employee. An employee will be provided a copy of all evaluation documents placed in his or her Confidential Personnel File.

Employees must be given notice and opportunity to review and comment on information of a derogatory nature before it is entered or filed in the Confidential Personnel File with limited exceptions as provided by law.

Confidential Personnel Files are protected from unauthorized disclosure to third parties unless in compliance with lawful subpoenas, court orders, or written employee authorization. In the case where an employee will not initial the document (to be placed in his or her Confidential Personnel File), the Director shall make a notation on the document indicating that the employee has been given a copy of the document and has refused to initial the document. Employees have the right to inspect their Confidential Personnel Files at reasonable times and at reasonable intervals, but not at a time when the employee is required to render services to the school.

It is the policy of Cypress Grove to check the employment references of all prospective employees. The Director will respond to all reference check inquiries from other employers. Responses to such inquiries will be limited to factual information that can be substantiated by Cypress Grove's written records. No other employment data, including wage information, will be released without written authorization and release signed by the individual who is the subject of the inquiry.

Each employee is responsible to promptly notify Cypress Grove of any changes in personnel data, such as personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in case of emergency, education accomplishments, and credential information. Any other such status reports should be accurate and current at all times.

Employment applications will be kept on file for 90 days, after which time they will be destroyed. Applications of those hired become part of the personnel file of the employee.

## **CONTINUING EDUCATION**

Cypress Grove is a learning environment for all. We are all life-long learners.

Cypress Grove teaching staff are required to keep their credentials current and to keep their professional training and knowledge current through ongoing educational experiences that may include travel, retreat, university courses, workshops and other means which will further their personal growth and enhance their teaching skills.

Reimbursement or time-off for educational experiences must be approved in advance by an administrator.

## **REIMBURSEMENT FOR STAFF DEVELOPMENT**

Cypress Grove will reimburse cooperative teachers, full-time teachers and staff members for up to \$200.00 for costs associated with previously authorized staff development activities. Teachers with less than 35 students may be reimbursed for up to \$100.00 for attendance at conferences or trainings specifically related to the teacher's job duties. A request for attendance at conferences or trainings must be submitted on the appropriate form and approval must be obtained well in advance of the activity.

## **SECTION 7**

### **THE WORK DAY**

#### **WORK SCHEDULE**

In-school hours for full-time teachers are 7:45 AM to 4:15 PM excepting Fridays teachers may leave when the students are dismissed. Part-time teachers will be set as described in each teacher's contract or as described to the part-time teacher by the Executive Director. Work hours for full-time clerical staff are 7:30 AM to 4:30 PM Monday through Friday. Part-time clerical staff and independent contractors will have their hours set on a case-by-case basis.

#### **PUNCTUALITY AND ATTENDANCE**

The students and families of Cypress Grove count on the attendance and punctuality of Cypress Grove employees. These are important qualities necessary for success of the school. It is also good modeling for the students. We work as a team, and this requires that each person be in the

right place at the right time! Being reliable supports the whole team.

Being late without advance permission for two (2) or more days in a two (2) month period is considered excessive. If this occurs, it will be addressed by the Director. It is the employee's your responsibility to notify an administrator if the employee will be late, even if it is a few minutes. Supervision of students and course material will need to be covered. Frequent absence or tardiness decreases the employee's effectiveness on the job, affects morale, and decreases co-workers job efficiency since they must cover for an absent or tardy employee.

Any employee who is unable to report for work must call the Director as soon as possible before the start of the scheduled workday.

If an employee fails to report to work without notification to the Director, the school may consider that that employee has abandoned his or her employment and has voluntarily terminated the employment. In such cases, Cypress Grove must provide an opportunity to the employee to respond and notice to the employee of the decision.

If an employee is absent for medical reasons for more than three (3) working days, the employee must, on return, provide the Director with a physician's statement certifying the medical basis for the absence and stating that the employee is able to return to work.

## **PARENT NOTIFICATION**

Parents shall be notified monthly when:

- the student's grades are below C-
- the student is disruptive in class
- the student comes unprepared for class
- the student does not turn in homework

or for any other behaviors that would result in the failure of a student. Teachers will return phone calls from parents within 48 hours.

## **ADJUNCT DUTY**

The employee shall participate in eight (8) paid staff development days per Academic Year. In addition Employee will also participate in at least six (6) unpaid volunteer activities in support of the Charter School and the students such as back-to-school nights, fundraisers, enrollment events, dances and similar School activities.

Other possible adjunct duties include but are not limited to:

- advisor to the dance committee
- advisor to the yearbook
- club advisor
- student council advisor
- health / safety team
- fundraising events supervisor

## **ADVISING AND COUNSELING**

Every teacher will be required to serve as an advisor to a group of students during the school year. The purpose of the advisory program at Cypress Grove is to create a constant sense of belonging and support for both students and parents. Without exception, every student at Cypress Grove is ensured an active caring adult advocate throughout their tenure at the school. The building of the relationship between the student and the Advisor enables wise and accurate guidance academically, socially, and behaviorally on the part of the Advisor. Advisor responsibilities include:

### **Class Advisors**

- Carry overall social concerns for the class as a whole
- Integrate the class as a social unit
- Oversee class responsibilities and tasks
- Organize class meetings
- Organize or helps to organize class trips
- Organize and runs parent meetings
- Guides students in community service
- Organizes graduation for grade 12
- Helps individual students with special needs when appropriate

### **Mentoring**

- Meet with the student a minimum of twice-once at the beginning of each semester (other meetings if necessary)
- Guide the student in electing academic and artistic electives
- Form a relationship with student's parents
- Be available to assist in working through the student's individual life crises
- Review the student's report, evaluates progress each semester, and reports to parents in Parent –Teacher conferences, or in additional meetings as necessary
- Help the student determine life direction (college, trade, etc.)
- Assist the student in difficulties with other teachers

## **PARTICIPATION IN NON-SCHEDULED PROGRAMS**

Teachers are required to participate in Cypress Grove programs that may be held outside school hours. These include staff meetings, parent-teacher-student conferences, parent meetings, community meetings, certain school board meetings, trainings, open house nights and graduation each year.

## **BREAKS AND MEAL PERIODS**

All full-time instructors shall have a minimum paid lunch break of 30 minutes per day. Lead teachers will organize breaks and coverage of students. Non-instructional, hourly employees shall receive breaks at the rate of ten (10) consecutive minutes for the first three and one-half (3.5) to six (6) hours worked and ten (10) consecutive minutes from the 6<sup>th</sup> to the 10<sup>th</sup> hours

worked per day, and the break shall occur as near as possible to the middle of the work period. A paid thirty (30) minute meal period must be provided for every five (5) hour work period, unless six hours of work will complete the day's work and the employee voluntarily elects to forego the meal period.

## **YARD DUTY**

Employees may need to perform yard duty before, after and during the school day. At no time may students be left unattended and it is the responsibility of the Director to ensure this coverage.

## **PHONE CALLS**

The phones, Internet access and e-mail accounts are provided for business use. Employees making personal calls out of the local calling area should use personal calling cards and make such calls during breaks only. Such telephone calls should be kept as short as possible (e.g. three minutes or less). Family members and friends should be reminded, during work hours, telephone calls should be limited to emergencies only.

# **SECTION 8**

## **LEAVES AND VACATIONS**

### **VACATION LEAVE**

While Cypress Grove recognizes the importance of vacation time as a period of rest and rejuvenation away from the job, vacations must be scheduled with due consideration for "peak traffic periods" in the school. With this in mind, it is expected that vacation time will be taken when school is not in session.

Regular full-time employees are entitled to vacation terms based upon date of hire, length of service and status with Cypress Grove. Full-time clerical staff shall accrue fifteen (15) days of paid vacation each year, beginning after six (6) months of service. Paid vacation time for administrators will be established in the administrator's employment contract. Employees working on part-time basis (less than full-time) shall not earn vacation days.

Any vacation time taken during the school year or otherwise should be coordinated and cleared by the employee's supervisor subject to scheduling and seniority. No vacation time may be taken by clerical staff during the first two weeks of August unless specifically authorized by the employee's supervisor.

For clerical employees, vacation days should be taken when school is not in session, preferably between July 15 to August 1. Vacation time is figured on a school year beginning with the opening of school rather than on a fiscal year.

Vacation time may not be utilized before it is earned. An employee whose employment terminates will be paid for accrued unused vacation days. Vacation can accrue up to a maximum of four (4) weeks of pay. Once this cap is reached, no further vacation will accrue until some vacation is used. When some vacation is used, vacation compensation will begin to accrue again. There is no retroactive grant of vacation compensation for the period of time the accrued vacation compensation was at the cap.

## **SICK LEAVE**

Seven (7) days of fully paid sick leave per school year will be available to full-time employees only.

Sick leave is to be used only when actually required to recover from illness or injury; sick leave is not for “personal” absences. Time off for medical and dental appointments will be treated as sick leave. Abuse or misuse of your sick leave privilege will not be permitted.

If the employee is absent for three or more consecutive days due to illness, medical evidence of the illness and or medical certification of fitness to return to work satisfactory to Cypress Grove will be required before sick pay is given. Sick leave is granted for only the reasons listed above.

## **BEREAVEMENT LEAVE**

In the event of death of a current spouse, child, parent, legal guardian, brother, sister, grandparent, grandchild, or mother-, father-, sister-, brother-, son-, or daughter-in-law, employees may take up to two (2) days of accrued sick leave with the prior approval of Cypress Grove.

## **INDUSTRIAL INJURY LEAVE (Workers Compensation)**

Cypress Grove, in accordance with state law, provides insurance coverage for employees in case of work-related injury. The workers’ compensation benefits provided to injured employees may include: 1) medical care, 2) cash benefits, tax free, to replace lost wages, 3) vocational rehabilitation to help qualified injured employees return to suitable employment.

To ensure that the employee receives any workers’ compensation benefits to which he or she may be entitled, you will need to: 1) immediately report any work-related injury to your supervisor, 2) seek medical treatment and follow-up care if required, 3) complete a written Employee’s Claim Form (DWC Form 1) and return it to your supervisor, 4) provide Cypress Grove with medical certification from your healthcare provider regarding the need for workers’ compensation disability leave and your ability to return to work from the leave.

Under most circumstances, upon submission of a medical certification that an employee is able to return to work from workers’ compensation leave, the employee will be reinstated to his/her same position held at the time the leave began or to an equivalent position if available. An

employee returning from a workers' compensation leave has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. If the employee's same position is not available upon the employee's return to work, an employee's returning to work will depend on job openings existing at the time of his or her scheduled return. Additionally, an employee's return will depend on his or her qualifications for any existing openings.

If, after returning from workers' compensation disability leave, an employee is unable to perform the essential functions of his or her job because of a physical or mental disability, Cypress Grove's obligations to the employee may include reasonable accommodation, as governed by applicable disability law.

Employees who are injured in a work-related incident will be referred to a physician designated by Cypress Grove for medical treatment, unless prior to a work-related injury, Cypress Grove has received from the employee written notice that the employee wishes to be treated by his or her own physician.

Employees who do not designate their own physician will be treated by the Cypress Grove designated physician for work-related injuries for at least thirty (30) days. Employees may seek treatment from their own physician after thirty (30) days should they so desire.

The law requires that Cypress Grove notify the workers' compensation insurance company of any concerns of false or fraudulent claims.

**Any person who makes or causes to be made any knowingly false or fraudulent material statement or material misrepresentation for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony.**

A violation of this law is punishable for imprisonment for one (1) to five (5) years or by a fine not exceeding \$50,000 or double the value of the fraud, whichever is greater, or both. Additional civil penalties may also be in order.

## **PERSONAL NECESSITY LEAVE**

All employees shall inform the Director ahead of time and as soon as possible of any anticipated absence.

The Director may grant use of up to two (2) days of accrued sick leave, if available, per full-time employee per year for urgent personal business or other emergencies, which can include court hearings. Such leave shall be at full pay and benefits. Requests must be submitted in writing three days in advance.

## **UNPAID LEAVE OF ABSENCE**

Cypress Grove may grant unpaid leaves of absence to employees in certain circumstances. It is important to request such leave in writing as far in advance as possible. If you fail to return to

work on the day agreed upon, Cypress Grove has the right to terminate your employment.

Upon returning from an unpaid leave of absence, the employee will be credited with the full employment status prior to the start of the leave. However, employees should be aware that Cypress Grove generally does not continue to pay premiums for health insurance coverage for employees on unpaid leaves of absence. The employee may self-pay the premiums under the provisions of COBRA.

## **PREGNANCY DISABILITY LEAVE**

This policy explains how Cypress Grove complies with the California Pregnancy Disability Act, which requires Cypress Grove to give each female employee an unpaid leave of absence of up to four (4) months, as needed, for the period(s) of time a woman is actually disabled by pregnancy, childbirth, or related medical conditions.

### Employee Eligibility Criteria

To be eligible for pregnancy disability leave, the employee must be disabled by pregnancy, childbirth, or a related medical condition and must provide appropriate medical certification concerning the disability.

### Events That May Entitle An Employee to Pregnancy Disability Leave

The four-month pregnancy disability leave allowance includes any time taken (with or without pay) for any of the following reasons:

1. The employee is unable to work at all or is unable to perform any one or more of the essential functions of her job or is unable to perform any one or more of the essential functions of her job without undue risk to herself, the successful completion of her pregnancy, or to other persons because of pregnancy or childbirth, or because of any medically recognized physical or mental condition that is related to pregnancy or childbirth (including severe morning sickness); or
2. The employee needs to take time off for parental care.

### Duration Of Pregnancy Disability Leave

Pregnancy disability leave may be taken in one or more periods, but not to exceed four months total. "Four months" means the number of days the employee would normally work within four months. For a full-time employee who works five eight hour days per week, four months means 88 working and/or paid eight hour days of leave entitlement based on an average of 22 working days per month for four months.

Pregnancy disability leave does not count against the leave available under Cypress Grove Charter High School's policy on Family Care and Medical Leave.

#### Pay During Pregnancy Disability Leave

1. An employee on pregnancy disability leave must use all accrued paid sick leave and may use any or all accrued vacation time at the beginning of any otherwise unpaid leave period.
2. The receipt of vacation pay, sick leave pay, or state disability insurance benefits will not extend the length of pregnancy disability leave.
3. Vacation pay and sick pay accrues during any period of unpaid pregnancy disability leave only until the end of the month in which the unpaid leave began.

#### Health Benefits

The provisions of Cypress Grove's various employee benefit plans govern continued eligibility during pregnancy disability leave and these provisions may change from time to time. When a request for pregnancy disability leave is granted, Cypress Grove will give the employee written confirmation of the arrangements made for the payment of insurance premiums during the leave period.

#### Seniority

An employee on pregnancy disability leave remains an employee of Cypress Grove and a leave will not constitute a break in service. When an employee returns from pregnancy disability leave, he or she will return with the same seniority he or she had when the leave commenced.

#### Medical Certifications

1. An employee requesting a pregnancy disability leave must provide medical certification from her healthcare provider on a form supplied by Cypress Grove. Failure to provide the required certification in a timely manner (within fifteen (15) days of the leave request) may result in a denial of the leave request until such certification is provided.
2. Recertifications are required if leave is sought after expiration of the time estimated by the healthcare provider. Failure to submit required recertifications can result in termination of the leave.

#### Requesting And Scheduling Pregnancy Disability Leave

1. An employee should request pregnancy disability leave by completing a Request for Leave form and submitting it to her supervisor. An employee asking for a Request for Leave form will be referred to Cypress Grove's then current

pregnancy disability leave policy.

2. Employee should provide not less than thirty (30) days or as short of notice as is practicable, if the need for the leave is foreseeable. Failure to provide such notice is grounds for denial of the leave request, except if the need for pregnancy disability leave was an emergency and was otherwise unforeseeable.
3. Where possible, employees must make a reasonable effort to schedule foreseeable planned medical treatments so as not to unduly disrupt Cypress Grove's operations.
4. Pregnancy disability leave may be taken intermittently or on a reduced leave schedule when medically advisable, as determined by the employee's healthcare provider.
5. If an employee needs intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment, the employee may be transferred temporarily to an available alternative position for which he or she is qualified that has equivalent pay and benefits that better accommodates recurring periods of leave than the employee's regular position.
6. In most cases, Cypress Grove will respond to a pregnancy disability leave request within two (2) days of acquiring knowledge that the leave qualifies as pregnancy disability and, in any event, within ten (10) days of receiving the request. If a pregnancy-disability leave request is granted, Cypress Grove will notify the employee in writing and leave will be counted against the employee's pregnancy disability leave entitlement. This notice will explain the employee's obligations and the consequences of failing to satisfy them.

### Return To Work

1. Upon timely return at the expiration of the pregnancy disability leave period, an employee is entitled to the same position unless the employee would not otherwise have been employed in the same position (at the time reinstatement is requested). If the employee is not reinstated to the same position, she must be reinstated to a comparable unless there is no comparable position available or a comparable position is available, but filling that position with the returning employee would substantially undermine Cypress Grove's ability to operate the business safely and efficiently. A "comparable" position is a position that involves the same or similar duties and responsibilities and is virtually identical to the employee's original position in terms of pay, benefits, and working conditions.
2. When a request for pregnancy disability leave is granted to an employee, Cypress Grove will give the employee a written guarantee of reinstatement at the end of the leave (with the limitations explained above).

3. Before an employee will be permitted to return from a pregnancy disability leave of three days or more, the employee must obtain a certification from her healthcare provider that she is able to resume work.
4. If the employee takes FMLA/CFRA leave for reason of the birth of her child at the expiration of her pregnancy disability leave, her right to reinstatement is governed by the Family Care and Medical Leave policy, not by this policy.
5. If the employee can return to work with limitations, Cypress Grove will evaluate those limitations and, if possible, will accommodate the employee as required by law. If accommodation cannot be made, the employee will be medically separated from Cypress Grove.

### Employment During Leave

An employee on pregnancy disability leave may not accept employment with any other employer without Cypress Grove's written permission. An employee who accepts such employment will be deemed to have resigned from employment with Cypress Grove.

### **INSURANCE COVERAGE CONTINUANCE**

When employees are on extended leave Cypress Grove does not continue health insurance benefits unless required by law. Insurance may be self-paid under COBRA provisions. You can check with our insurance provider.

Any employee on maternity leave is eligible for State Disability Insurance funds. Check with the Employment Development Department of California for a determination of benefits. The maximum SDI benefits are currently ten weeks.

### **MILITARY LEAVE**

Any employee who is in the Army Reserve or a similar government military operation may take the time required to maintain membership in such an operation at no pay. Advanced notice is required to maintain such a leave status. Available time off may be used for the absence. For teaching staff a request must first be made to serve the time when school is not in session. Vacation, sick time and holiday benefits will not accrue during a military leave.

### **HOLIDAYS**

The following eleven holidays (which are listed on the school calendar) are observed as paid holidays for full time employees:

1. January 1 - New Year's Day
2. Martin Luther King's Birthday
3. President's Day

4. Memorial Day
5. July 4 - Independence Day
6. Labor Day
7. Veteran's Day
8. Thanksgiving Day
9. Day After Thanksgiving
10. Christmas Day
11. Day After Christmas

These holidays may not be accrued by any employee.

To be eligible for holiday pay, employees must be regularly scheduled to work on the day on which the holiday falls, and the employee must work his or her regularly scheduled working days immediately preceding and following the holiday.

### **JURY DUTY**

Upon notification by a court to report for jury duty, the employee shall immediately request jury duty during non-school months. Hourly (clerical) employees may receive up to ten (10) paid days during a jury duty leave. All jury duty time beyond ten (10) days will be unpaid. Cypress Grove will offset any pay by the amount received by the employee for jury duty. Employees exempt from overtime law will be compensated for time spent on jury duty. If jury duty is canceled or ends before the end of the workday, the employee should return to work and will be paid for actual hours worked subtracted by the amount paid by the court. Any employee, when advised of his/her notification of jury duty, must immediately inform the Director of Education.

### **VOTING TIME OFF**

Voting time off will be granted when an employee's work hours prevent the employee from getting to the polling place. Generally, polling times have been set so there is ample time for voting before or after work.

## **SECTION 9**

### **HEALTH AND WELFARE BENEFITS**

#### **HEALTH BENEFITS**

Cypress Grove will pay health insurance premiums for current staff as per the current plan in effect through the Monterey Peninsula Unified School District. Cypress Grove will pay 100% of the monthly employer's contribution of such coverage for full-time employees. The employee will pay 100% of the monthly employee's contribution of such coverage.

Employees that work 20 hours per week or more have the option of enrolling in health benefits. All employees are required to be on the PERS or STRS retirement system to qualify. Benefits

begin the first of month following receipt of the completed HBD12 form (enrollment form) in the District Insurance Office, provided it is received within the first 60 days of employment. If the form is received later than that date, the employee must wait until the first of the month following a 90 day waiting period. Annually open enrollment will occur in November for enrollment in January of the following year. All entities participating in the CalPERS plan must comply with these rules. Other family members, if approved by the insurer, may be added on at the employees' expense. This amount will be deducted from payroll.

No staff member will receive paid health benefits following separation from employment. However, employees will be notified when their paid benefits will terminate and that they have the option of continued coverage at their own cost through COBRA.

## **WORKERS COMPENSATION**

Cypress Grove, in accordance with state law, provides insurance coverage for all employees in case of work-related injury. This is at no cost to the employee. The worker's compensation benefits provided to injured employees may include:

1. Medical care
2. Cash benefits, tax free, to replace lost wages
3. Vocational rehabilitation to help qualified injured employees return to suitable employment

To ensure that an employee receives any worker's compensation benefits to which the employee may be entitled, employees who believe they have a work-related injury will need to:

1. Immediately report any work-related injury to your supervisor
2. Seek medical treatment and follow-up care if required.
3. Complete a written Employee's Claim Form (D.W.C. Form 1) and return it to the Executive Director.
4. Provide Cypress Grove with a certification from your healthcare provider regarding the need for worker's compensation disability leave and your ability to return to work from the leave.

Workers Compensation Insurance does not cover employees for accidents or injuries during the employee's commute or other non-work times.

## **SECTION 10**

### **EXPENSE REIMBURSEMENTS**

Employees shall be reimbursed for out of pocket expenditures for copies and supplies up to but not to exceed \$25 total per month. Charges over \$25 must be pre-approved by the administration on a "Reimbursement Approval Form." All expenses claimed must be recorded on a

“Reimbursement Form” with all the accompanying receipts. Mileage for travel to meet with students or for work-approved travel out of the area must be submitted on the “Mileage Form” and attached to the “Expense Reimbursement Form.” The maximum mileage that can be claimed by Educational Coordinators for traveling to/from students is 800 miles per month, a per student amount of 20 miles per month. Multiply the miles by the \$.31/mile reimbursement rate.

Cypress Grove Charter High School will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must have advance approval by the Executive Director or Charter Council for reimbursement purposes.

## **SECTION 11**

### **DISCIPLINE AND TERMINATION OF EMPLOYMENT**

Since employment at Cypress Grove (unless otherwise expressly specified) is based on an at will basis, both the employee and Cypress Grove have the right to terminate employment at will, with or without cause.

Our school’s rules of conduct are based on mutual respect, common courtesy, sound judgment, responsibility, professionalism and business accountability. Personal and professional integrity is, of course, expected of all employees. Cypress Grove may terminate or suspend the employment of any employee or engage in any other disciplinary actions (e.g. suspension with or without pay, demotion, etc.), if the Executive Director determines that the employee has failed to fulfill his or her duties and responsibilities and/or has failed to demonstrate the responsibility outlined in these personnel policies and the job description or for any lawful reason.

### **MISCONDUCT SUBJECT TO DISCIPLINE UP TO AND INCLUDING DISMISSAL**

The following violations are considered misconduct and will result in disciplinary action up to and including termination of employment. Since it is impossible to enumerate every act or omission which would justify the imposition of disciplinary action, the list is not intended to be all-inclusive. (All rules are subject to revisions by the organization as management deems necessary).

1. Unexcused absence and/or lack of punctuality.
2. Release of confidential information without authorization.
3. Possession of or reporting to work while under the influence of alcohol, narcotics, and/or other controlled substances.
4. Theft.
5. Willful destruction of property.
6. Conviction of a felony or conviction of a misdemeanor which makes the employee unfit for the position.
7. Falsification, fraud, or omission of pertinent information when applying for a position.

8. Any willful act that endangers the safety, health or well-being of another individual.
9. Any act of sufficient magnitude to cause disruption of work or gross discredit to the school.
10. Misuse of school property or funds.
11. Possession of firearms, or any other weapon, while acting within the course of school of your employment with the school.
12. Acts of discrimination or illegal harassment based on gender, ethnicity, or any other basis protected by state or federal law.
13. Failure to comply with the school's safety procedures.
14. Insubordination.
15. Failure to follow any known policy or procedure of Cypress Grove, or gross negligence which results in a loss to Cypress Grove.
16. Violations of federal, state, or local laws affecting the organization or your employment with the organization.
17. Unacceptable job performance.
18. Dishonesty

### **NON-DISCLOSURE OF PERSONNEL INFORMATION**

Reasons for involuntary terminations are privileged information and are treated confidentially. Anyone disclosing such information inappropriately is subject to disciplinary action, up to and including termination of employment.

No one without a managerial "need to know" is to discuss personnel information.

Inquiries regarding an employee who has been terminated should be referred to the Executive Director.

### **RESIGNATION**

Employees are free to resign without repercussion or retaliation. Although Cypress Grove does require two (2) weeks notice from a resigning employee and Cypress Grove would appreciate such notice. However, Cypress Grove may ask an employee to leave immediately. Any accrued and unpaid compensation, excluding sick or personal leave benefits, shall be paid to the employee within 72 hours of separation of employment.

### **RETIREMENT**

Retirement at age 65 is not compulsory. An employee who wishes may retire (or take semi-retirement). The employee may work part time to equal what Social Security will allow. The employee may draw PERS and Social Security at the same time. All other taxes including Social Security will be deducted from salary according to federal and state tax laws.

### **LAYOFF**

While Cypress Grove will endeavor to avoid layoffs, it must reserve the right to initiate layoffs if

it determines that such action is warranted based on economic circumstances or other factors that it deems important. It is the policy of Cypress Grove to reduce staff on a non-discriminatory basis

## **SALARY AND BENEFITS IN THE EVENT OF TERMINATION**

In the event of termination of employment prior to the end of an employment contract, the employee shall be entitled only to the prorated salary and benefits earned through the last date of actual service.

## **SECTION 12**

### **EMPLOYEE DISPUTE RESOLUTION PROCESS**

This dispute resolution process provides employees, who have a grievance concerning conditions of employment with a procedure for having their grievance heard by an administrator, grievance board and/or the Governing Board.

Misunderstandings and problems arise from time to time in any situation. Work situations can be stressful. To provide the best possible working conditions for employees, an honest and open atmosphere in which any problem, complaint, suggestion, or question receives a timely, respectful response is required. Employees and management should have, and display, mutual respect for each other at all times.

A grievance is defined as any feeling of dissatisfaction or injustice in connection with one's employment situation that is brought to the attention of a supervisor. If an employee disagrees with the established rules on conduct, policies, procedures, or practice; they can express this concern through the problem resolution procedure outlined herein. No employee will be penalized, formally or informally, for voicing a grievance or complaint with Cypress Grove in a reasonable, business-like manner, or for using these grievance procedures.

The Executive Director is the official representative between the staff and the Governing Board. S/he or any administrator/designee must be accessible and ready to hear suggestions and complaints. Cypress Grove cannot act on any problem unless it is aware of it, so grievances must be aired as soon as possible.

Not every problem can be resolved to all parties' satisfaction, and only through understanding and discussion of mutual problems can employees and management develop confidence in each other. This confidence is important to the smooth, effective operation of Cypress. Cypress Grove will strive to provide such an atmosphere at all times. Employees are encouraged to offer positive and constructive criticism, and to take the following steps if they believe that a condition of employment or a decision affecting them is unjust or inequitable:

1. When a problem first arises, the grievant should discuss the matter with the Director rather than fellow employees.
2. The administrator responsible for resolution of the grievance will review the problem and any relating policies. If the problem cannot be resolved informally through discussion or meeting, the grievance shall be reduced to writing by the grievant and submitted to the administrator. The grievant should specify the problem to the fullest extent possible and any remedies sought.
3. Following any necessary investigation, the administrator shall prepare a written response to the grievant no later than ten (10) working days from the date of receipt of the grievance, unless for good cause, additional time is required for the response.
4. If no satisfactory solution can be reached, the grievant may request to meet with the Governing Board and/or Grievance Committee and the Director. The request for this meeting will be written and will include any and all documentation related to the grievance along with any solutions that have been proposed by either the grievant or the Administrator. The request for the meeting is to be delivered to the Governing Board and/or the Grievance Committee by the Director within four (4) days before the next regularly scheduled meeting, so that the matter may be properly placed upon the agenda.
5. The Governing Board and/or Grievance Committee and Director will set a date and time for the hearing of any evidence to be presented concerning the grievance. At the hearing, the grievant and a representative of Cypress Grove shall have the opportunity to present evidence, both oral and documentary. Within three (3) working days from the date of the hearing, the Governing Board and/or Grievance and Director shall make a decision on the grievance in writing. This decision will serve as the final decision of Cypress Grove.
6. If satisfactory resolution cannot be reached, the parties shall agree to submit to case-binding arbitration.

## **SECTION 13**

### **COMPLAINT PROCEDURES**

#### **COMPLAINTS FROM PARENTS, STUDENTS, OR COMMUNITY MEMBERS**

While parents and students are encouraged to take their concerns or complaints to staff persons most directly involved, they will, at times, feel too uncomfortable to do so. Often parents and students might feel more comfortable sharing their concerns with another staff person. In such cases the staff member receiving the complaint should take the following steps:

1. Determine, if appropriate under the circumstances, whether the complaint may be resolved informally through discussion. Staff members receiving complaints

initially should listen objectively, attentively and actively to the parent or student. The staff member may wish to ask supportive questions to help clarify the nature of the concern. Neither agreement nor disagreement with the complainant should be expressed, but rather those staff members receiving complaints should remain neutral.

2. Once the complainant has been able to express his or her concern, if appropriate under the circumstances, ask if the complainant would be willing to speak directly to the staff person. If this is out of the complainant's comfort zone, ask if he or she would like the assistance of one of the administrators to help in voicing the concern and exploring possible solutions.
3. If the complainant desires assistance, help the person schedule time with one of the administrators.
4. Inform the appropriate administrator of the complaint and of any actions taken.
5. Follow up to make sure action was taken to resolve the problem.
6. If the problem cannot be informally resolved, direct the complainant to file a written complaint with the Executive Director.

## **CONFLICT WITH OTHER STAFF**

When an employee has a conflict or concern regarding another employee the grievance procedures specified in Section 12 shall be followed unless the complaint relates to a problem that is covered by separate procedures (i.e. complaints of sexual harassment are resolved through specific sexual harassment complaint procedures).

## **SECTION 14**

### **VOLUNTEERS**

Cypress Grove welcomes volunteers. Volunteers do have to be fingerprinted and have clearance from the Department of Justice through a criminal history background check before volunteering. **Volunteers who will be working with students are required to have a T.B. test.** This includes parents of Cypress Grove students. A staff member must provide supervision for office volunteers and provide them with orientation to make their volunteer time with us as enjoyable for them as possible. Teachers must provide supervision and orientation for classroom and field trip volunteers. Volunteers with access to confidential student information shall sign a confidentiality statement.

## **SECTION 15**

## **AMENDMENT TO PERSONNEL POLICIES**

This Handbook contains the employment policies and practices of Cypress Grove in effect at the time of publication. All previously issued handbooks or any inconsistent policy statements or memoranda are superceded. No oral statements can in any way change or alter the provisions of this Handbook.

Cypress Grove reserves the right to amend, delete or otherwise modify this Handbook at any time. All such modifications shall be in writing and approved by the Governing Board.

Any written changes to the Handbook will be distributed to all employees.

**ACKNOWLEDGMENT OF RECEIPT OF PERSONNEL HANDBOOK**

PLEASE READ THE PERSONNEL HANDBOOK AND SUBMIT A SIGNED COPY OF THIS STATEMENT TO THE ADMINISTRATIVE SECRETARY.

EMPLOYEE NAME: \_\_\_\_\_

I ACKNOWLEDGE that I have received a copy of the Cypress Grove Charter High School Employee Handbook. I have read and understood the contents of the Handbook, and I agree to abide by its directions and procedures. I have been given the opportunity to ask any questions I might have about the policies in the Handbook. I understand that it is my responsibility to read and familiarize myself with the policies and procedures contained in the Handbook.

I understand that the statements contained in the Handbook are guidelines for employees concerning some of the Cypress Grove policies and benefits, and are not intended to create any contractual or other legal obligations or to alter the at-will nature of my employment with Cypress Grove. In the event I do have an employment contract which expressly alters the at-will relationship, I agree to the foregoing except with reference to an at-will employment status.

I understand that except for employment at-will status, any and all policies or practices can be changed at any time by Cypress Grove Charter High School.

I understand that other than the Executive Director or designee, no supervisor or representative of Cypress Grove has authority to enter into any agreement, express or implied, for employment for any specific period of time, or to make any agreement for employment other than at-will; only the Executive Director or designee has the authority to make any such agreement and then only in writing signed by the Executive Director or designee.

Employee's Signature \_\_\_\_\_ Date: \_\_\_\_\_

# **District Emergency Procedure Bulletin**

**INTRODUCTION**

**BOMB THREAT**

**DRIVE-BY SHOOTINGS**

**EARTHQUAKE**

**EVACUATION PROCEDURES**

**FIRE**

**HOSTAGE**

**KIDNAPPING**

**LIFE THREATENING CONDITIONS**

**LOCKDOWN PROCEDURES**

**LOCKDOWN / HOSTILE INTRUDER**

**MISSING CHILD**

**POWER OUTAGE**

**WEAPONS ON CAMPUS**

## SUSPENSION AND EXPULSION PROCEDURES

*Governing Law: The procedures by which pupils can be suspended or expelled—California Education Code Section 47605 (b)(5)(J)*

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well being of all students at the School. When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements.

School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations.

Discipline includes but is not limited to advising and counseling students, conferring with parents/guardians, detention during and after school hours, use of alternative educational environments, suspension and expulsion.

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that these Policy and Administrative Procedures are available on request at the Principal's office.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

A student identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities in Education Act ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. The School will follow Section 504, the IDEIA, and all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students. The Charter School shall notify the District of the suspension of any student identified under the IDEIA (or for whom there may be a basis of knowledge of the same) or as a student with a disability under Section 504 and would grant the District approval rights prior to the expulsion of any such student as well.

A. Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at the School or at any other school or a School sponsored event at anytime including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to, or coming from a school-sponsored activity.

B. Enumerated Offenses

Students may be suspended or expelled for any of the following acts when it is determined the pupil:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force of violence upon the person of another, except self-defense.
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal/Administrator or of designee's concurrence.
3. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
5. Committed or attempted to commit robbery or extortion.
6. Caused or attempted to cause damage to school property or private property.
7. Stole or attempted to steal school property or private property.
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel.
9. Committed an obscene act or engaged in habitual profanity or vulgarity.
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.

11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
12. Knowingly received stolen school property or private property.
13. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4.
15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
17. Engaged in or attempted to engage in hazing of another.
18. Aiding or abetting as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person.
19. Made terrorist threats against school officials and/or school property.
20. Committed sexual harassment.
21. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence.
22. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment.

Alternatives to suspension or expulsion will first be attempted with students who are truant, tardy, or otherwise absent from assigned school activities.

### C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

#### 1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Principal or the Principal's designee with the student and his or her parent and,

whenever practical, the teacher, supervisor or school employee who referred the student to the Principal. The conference may be omitted if the Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense.

This conference shall be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization.

No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with school officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

## 2. Notice to Parents/Guardians

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

## 3. Suspension Time Limits/Recommendation for Placement/Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension.

Upon a recommendation of Placement/Expulsion by the Principal or Principal's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Principal or designee upon either of the following determinations: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

#### D. Authority to Expel

A student may be expelled either by the Board following a hearing before it or by the Board upon the recommendation of an Administrative Panel to be assigned by the Board as needed. The Administrative Panel should consist of at least three members who are certificated and neither a teacher of the pupil or a Board member of the School's governing board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

#### E. Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Principal or designee determines that the Pupil has committed an expellable offense.

In the event an administrative panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session unless the pupil makes a written request for a public hearing three (3) days prior to the hearing.

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten (10) calendar days before the date of the hearing. Upon mailing the notice, it shall be deemed served upon the pupil. The notice shall include:

1. The date and place of the expulsion hearing;
2. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
3. A copy of the School's disciplinary rules which relate to the alleged violation;
4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the school to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

#### F. Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

The School may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would

subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations which shall be examined only by the School or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the person or panel conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The person conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The person conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the School must present evidence that the witness' presence is both desired by the witness and will be helpful to the School. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.

9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

#### G. Record of Hearing

A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made.

#### H. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense.

Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay and sworn declarations may be admitted as testimony from witnesses of whom the Board, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

The decision of the Administrative Panel shall be in the form of written findings of fact and a written recommendation to the Board who will make a final determination regarding the expulsion. The final decision by the Board shall be made within ten (10) school days following the conclusion of the hearing. The Decision of the Board is final.

If the expulsion hearing panel decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program.

I. Written Notice to Expel

The Principal or designee following a decision of the Board to expel shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following:

1. Notice of the specific offense committed by the student
2. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the School.

The Principal or designee shall send a copy of the written notice of the decision to expel to the District.

This notice shall include the following:

- a) The student's name
- b) The specific expellable offense committed by the student

J. Disciplinary Records

The School shall maintain records of all student suspensions and expulsions at the School. Such records shall be made available to the District upon request.

K. No Right to Appeal

The pupil shall have no right of appeal from expulsion from the Charter School as the Charter School Board's decision to expel shall be final.

L. Expelled Pupils/Alternative Education

Pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence.

M. Rehabilitation Plans

Students who are expelled from the School shall be given a rehabilitation plan upon expulsion as developed by the Board at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one year from the date of expulsion when the pupil may reapply to the School for readmission.

N. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board following a meeting with the Principal and the pupil and guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Principal shall make a recommendation to the Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon the School's capacity at the time the student seeks readmission.

# Cypress Grove Charter High School

## Multi-Year Budget Summary

Ordinal Year Fiscal Year SACS Budget Type Code	Year I 2005-06 Oct 11 Budget	Year I 2005-06 1st Interim	Year II 2006-07 <i>Projected Budget</i>	Year III 2007-08 <i>Projected Budget</i>	Year IV 2008-09 <i>Projected Budget</i>	Year V 2009-10 <i>Projected Budget</i>
<b>REVENUES</b>						
<b>State Programs</b>						
Charter School General Purpose Block Grant Allocation	\$ 961,835	\$ 951,002	\$ 1,337,072	\$ 1,714,941	\$ 2,130,508	\$ 2,348,176
Charter School Categorical Block Grant Allocation	45,863	45,346	63,772	81,702	101,422	111,784
California Lottery – Restricted Funds – Prop 20:00	3,415	3,516	4,815	6,074	7,429	8,277
California Lottery – Unrestricted Funds – Non-Prop 20:00	14,296	18,763	25,359	31,573	38,114	41,919
Economic Impact Aid	-	7,851	13,888	17,780	22,100	24,440
<b>Summer and Hourly Programs</b>						
Grades 2-9 who have been retained or who are at risk of failing	-	-	-	-	-	-
Grades 7-12 at risk of failing High School Exit Exam	-	-	-	-	-	-
Grades K-12 core subject area supplement (EO 600)	-	-	-	-	-	-
Grades K-12 core subject area additional hours	-	-	-	-	-	-
<b>Other State Programs</b>						
Other (Identify)	-	-	-	-	-	-
AB740 Funding	-	-	28,125	35,968	44,540	50,625
CDE Charter School Startup Grant 8300-8599	-	-	-	-	-	-
Other State Grants (Identify) 8300-8599	-	-	-	-	-	-
Other State Programs (Identify) 8300-8599	-	-	-	-	-	-
<b>Total State Programs</b>	<b>\$ 1,025,409</b>	<b>\$ 1,026,477</b>	<b>\$ 1,473,031</b>	<b>\$ 1,888,038</b>	<b>\$ 2,344,113</b>	<b>\$ 2,585,221</b>
<b>Federal Programs</b>						
Other Federal Grants (Identify) 8100-8299	22,351	25,000	25,000	25,000	25,000	25,000
Other Federal Programs (Identify) 8100-8299	-	-	-	-	-	-
<b>Total Federal Programs</b>	<b>\$ 22,351</b>	<b>\$ 25,000</b>	<b>\$ 25,000</b>	<b>\$ 25,000</b>	<b>\$ 25,000</b>	<b>\$ 25,000</b>
<b>Local Programs</b>						
Donations	\$ 120,000	\$ 50,000	\$ 51,700	\$ 53,000	\$ 54,400	\$ 55,900
Interest	-	-	-	-	-	-
Other Local Grants 8600-8799	-	-	-	-	-	-
Other Local Programs (Identify) 8600-8799	-	-	-	-	-	-
Other Local Programs (Identify) 8600-8799	-	-	-	-	-	-
<b>Total Local Programs</b>	<b>\$ 120,000</b>	<b>\$ 50,000</b>	<b>\$ 51,700</b>	<b>\$ 53,000</b>	<b>\$ 54,400</b>	<b>\$ 55,900</b>
<b>TOTAL REVENUES</b>	<b>\$ 1,167,760</b>	<b>\$ 1,101,477</b>	<b>\$ 1,549,731</b>	<b>\$ 1,966,038</b>	<b>\$ 2,423,513</b>	<b>\$ 2,666,121</b>

# Cypress Grove Charter High School

## Multi-Year Budget Summary

Ordinal Year Fiscal Year SACS Budget Type Code	Year I 2005-06 Oct 11 Budget	Year I 2005-06 1st Interim	Year II 2006-07 Projected Budget	Year III 2007-08 Projected Budget	Year IV 2008-09 Projected Budget	Year V 2009-10 Projected Budget	
<b>EXPENDITURES</b>							
Certificated Salaries	1000-1999	\$ 383,220	\$ 386,512	\$ 544,320	\$ 763,950	\$ 945,085	\$ 1,074,705
Classified Salaries	2000-2999	133,161	147,420	165,740	177,360	183,690	190,460
Employee Benefits	3000-3999	160,530	232,835	324,994	446,435	545,203	620,603
Books & Supplies	4000-4999	29,711	29,424	46,452	53,355	60,904	66,189
Services & Operational Expenses	5000-5999	183,702	174,167	221,771	254,351	283,321	302,648
Capital Outlay	6000-6999	-	-	-	-	-	-
Other Outgo	7100-7299	6,444	4,204	1,964	-	-	-
Direct Support/Indirect Costs	7300-7399	-	-	-	-	-	-
<b>TOTAL EXPENDITURES</b>		<b>\$ 896,768</b>	<b>\$ 974,562</b>	<b>\$ 1,305,241</b>	<b>\$ 1,695,451</b>	<b>\$ 2,018,202</b>	<b>\$ 2,254,605</b>
<b>BUDGET SURPLUS/(DEFICIT)</b>		<b>\$ 270,992</b>	<b>\$ 126,915</b>	<b>\$ 244,490</b>	<b>\$ 270,587</b>	<b>\$ 405,311</b>	<b>\$ 411,516</b>
<b>OTHER FINANCING SOURCES/USES</b>							
Interfund Transfers							
Transfers In	8910-8929	-	-	-	-	-	-
Transfers Out	7610-7629	-	-	-	-	-	-
Sources	8930-8979						
CDE Revolving Loan		-	-	-	-	-	-
Uses	7630-7699						
CDE Revolving Loan Payments		(50,000)	(50,000)	(50,000)	-	-	-
Contributions	8980-8999	-	-	-	-	-	-
<b>TOTAL OTHER FINANCING SOURCES/USES</b>		<b>\$ (50,000)</b>	<b>\$ (50,000)</b>	<b>\$ (50,000)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>NET INCREASE/(DECREASE) IN FUND BALANCE</b>		<b>\$ 220,992</b>	<b>\$ 76,915</b>	<b>\$ 194,490</b>	<b>\$ 270,587</b>	<b>\$ 405,311</b>	<b>\$ 411,516</b>
<b>FUND BALANCE, RESERVES</b>							
Beginning Fund Balance							
As of July 1, Unaudited	9791	(101,860)	(101,860)	33,748	228,239	498,826	904,137
Plus/(Minus) Audit Adjustments	9793	58,693	58,693	-	-	-	-
As of July 1, Audited		(43,167)	(43,167)	33,748	228,239	498,826	904,137
Other Restatements	9795	-	-	-	-	-	-
Net Beginning Balance		(43,167)	(43,167)	33,748	228,239	498,826	904,137
<b>Ending Fund Balance, June 30</b>		<b>\$ 177,825</b>	<b>\$ 33,748</b>	<b>\$ 228,239</b>	<b>\$ 498,826</b>	<b>\$ 904,137</b>	<b>\$ 1,315,652</b>
<b>COMPONENTS FOR ENDING FUND BALANCE</b>							
Miscellaneous Components							
Reserve for Revolving Cash	9711	-	-	-	-	-	-
Prepaid Expenditures	9713	-	-	-	-	-	-
All Others	9719	-	-	-	-	-	-
Designated Amounts							
Designated for Economic Uncertainty	9770	26,903	29,237	39,157	50,864	60,546	67,638
Other Designations	9780	-	-	-	-	-	-
Unappropriated Amount	9790	150,922	4,511	189,081	447,963	843,591	1,248,014
<b>TOTAL COMPONENTS FOR ENDING FUND BALANCE</b>		<b>\$ 177,825</b>	<b>\$ 33,748</b>	<b>\$ 228,239</b>	<b>\$ 498,826</b>	<b>\$ 904,137</b>	<b>\$ 1,315,652</b>

# Cypress Grove Charter High School

## Expenditures Worksheet – Compensation

Ordinal Year	Year I	Year I	Year II	Year III	Year IV	Year V	
Fiscal Year	2005-06	2005-06	2006-07	2007-08	2008-09	2009-10	
SACS	Oct 11	1st	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	
Budget Type Code	Budget	Interim	<i>Budget</i>	<i>Budget</i>	<i>Budget</i>	<i>Budget</i>	
<b>Certificated Salaries</b>	1000-1999						
<b>Certificated Teacher Salaries</b>	1100-1199						
Teachers – Regular Program	1100	\$ 340,235	\$ 380,330	\$ 535,500	\$ 692,384	\$ 868,224	\$ 993,300
Teachers – Independent Study	1100	-	-	-	-	-	-
<b>Other Teacher Salaries</b>							
Teachers – Elective	11xx	-	-	-	-	-	-
Teachers – Special Education	1110	-	-	-	-	-	-
Teachers – Other (Identify)	11xx	-	-	-	-	-	-
Teacher Stipends	1100	21,840	-	-	-	-	-
<b>Substitute Teacher Costs</b>							
Sick Days		6,145	6,182	8,820	11,566	14,661	16,905
Regular Staff Development Days		-	-	-	-	-	-
Special Staff Development Days		-	-	-	-	-	-
<b>Total Certificated Teacher Salaries</b>	1000-1199	\$ 368,220	\$ 386,512	\$ 544,320	\$ 703,950	\$ 882,885	\$ 1,010,205
<b>Other Certificated Employee Salary Costs</b>							
<b>Supervisor Salary Costs</b>	13xx						
Dean of Students	13xx	\$ 8,000	\$ -	\$ -	\$ 60,000	\$ 62,200	\$ 64,500
Other (Identify)	13xx	7,000	-	-	-	-	-
<b>Subtotal</b>	13xx	\$ 15,000	\$ -	\$ -	\$ 60,000	\$ 62,200	\$ 64,500
<b>TOTAL CERTIFICATED SALARIES</b>	1000-1999	\$ 383,220	\$ 386,512	\$ 544,320	\$ 763,950	\$ 945,085	\$ 1,074,705

# Cypress Grove Charter High School

## Expenditures Worksheet – Compensation

Ordinal Year Fiscal Year SACS Budget Type	Code	Year I 2005-06 Oct 11 Budget	Year I 2005-06 1st Interim	Year II 2006-07 <i>Projected</i> <i>Budget</i>	Year III 2007-08 <i>Projected</i> <i>Budget</i>	Year IV 2008-09 <i>Projected</i> <i>Budget</i>	Year V 2009-10 <i>Projected</i> <i>Budget</i>
<b>Classified Salary Costs</b>							
<b>Administrator Salary Costs</b>							
	2000-2999						
	22xx						
Executive Director	22xx	\$ 72,961	\$ 73,000	\$ 75,900	\$ 78,600	\$ 81,400	\$ 84,400
Other (Identify)	22xx	-	-	-	-	-	-
<b>Subtotal</b>	<b>22xx</b>	<b>\$ 72,961</b>	<b>\$ 73,000</b>	<b>\$ 75,900</b>	<b>\$ 78,600</b>	<b>\$ 81,400</b>	<b>\$ 84,400</b>
<b>Clerical &amp; Other Office Employee Salary</b>							
	23xx						
Bookkeeper	23xx	-	\$ 9,960	-	-	-	-
Financial Manager	23xx	-	24,960	43,300	44,900	46,500	48,200
Other (Identify)	23xx	60,200	-	-	-	-	-
<b>Subtotal</b>	<b>23xx</b>	<b>\$ 60,200</b>	<b>\$ 34,920</b>	<b>\$ 43,300</b>	<b>\$ 44,900</b>	<b>\$ 46,500</b>	<b>\$ 48,200</b>
<b>Subtotal Classified Salaries Cost</b>		<b>\$ 133,161</b>	<b>\$ 107,920</b>	<b>\$ 119,200</b>	<b>\$ 123,500</b>	<b>\$ 127,900</b>	<b>\$ 132,600</b>
<b>Hourly Classified Staff Wage Costs</b>							
<b>Clerical &amp; Other Office Employee Wage Costs</b>							
	23xx						
Administrative Assistant	23xx	-	\$ 29,000	\$ 30,160	\$ 31,240	\$ 32,360	\$ 33,560
Office Assistant	23xx	-	10,500	16,380	22,620	23,430	24,300
Other (Identify)	23xx	-	-	-	-	-	-
<b>Subtotal</b>	<b>23xx</b>	<b>\$ -</b>	<b>\$ 39,500</b>	<b>\$ 46,540</b>	<b>\$ 53,860</b>	<b>\$ 55,790</b>	<b>\$ 57,860</b>
<b>Subtotal Hourly Staff Wage Costs</b>		<b>\$ -</b>	<b>\$ 39,500</b>	<b>\$ 46,540</b>	<b>\$ 53,860</b>	<b>\$ 55,790</b>	<b>\$ 57,860</b>
<b>TOTAL ALL CLASSIFIED WAGES</b>		<b>\$ 133,161</b>	<b>\$ 147,420</b>	<b>\$ 165,740</b>	<b>\$ 177,360</b>	<b>\$ 183,690</b>	<b>\$ 190,460</b>

# Cypress Grove Charter High School

## Expenditures Worksheet – Employee Benefits

Ordinal Year Fiscal Year	Year I 2005–06	Year I 2005–06	Year II 2006–07	Year III 2007–08	Year IV 2008–09	Year V 2009–10	
SACS Code	Oct 11 Budget	1st Interim	<i>Projected Budget</i>	<i>Projected Budget</i>	<i>Projected Budget</i>	<i>Projected Budget</i>	
Budget Type							
<b>Retirement Options</b>							
State Teachers Retirement	3101-3102	\$ 31,038	\$ 31,887	\$ 44,906	\$ 63,026	\$ 77,969	\$ 88,663
Other Certificated Retirement	3901	-	-	-	-	-	-
Public Employees Retirement	3201-3202	12,139	13,445	15,115	16,175	16,753	17,370
Social Security	3301-3302	7,938	33,104	44,024	58,361	69,984	78,440
Alternative Retirement Plan	3901-3902	-	-	-	-	-	-
Other Classified Retirement	3902	-	-	-	-	-	-
<b>Total Retirement Costs</b>		<b>\$ 51,115</b>	<b>\$ 78,436</b>	<b>\$ 104,046</b>	<b>\$ 137,562</b>	<b>\$ 164,706</b>	<b>\$ 184,473</b>
<b>Other Mandatory Benefits</b>							
Medicare	3301-3302	\$ 7,806	\$ 7,742	\$ 10,296	\$ 13,649	\$ 16,367	\$ 18,345
State Unemployment (SEF)	3501-3502	2,324	2,403	3,195	4,236	5,079	5,693
Worker's Compensation (WC)	3601-3602	40,597	41,978	55,825	74,006	88,744	99,467
<b>Total Mandatory Benefit Costs</b>		<b>\$ 50,727</b>	<b>\$ 52,122</b>	<b>\$ 69,316</b>	<b>\$ 91,891</b>	<b>\$ 110,191</b>	<b>\$ 123,505</b>
<b>Health Benefits</b>							
Health	3400	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Dental	3400	-	-	-	-	-	-
Vision	3400	-	-	-	-	-	-
Life Insurance	3400	-	-	-	-	-	-
Other: Combined H/D/V estimate	3400	58,688	102,277	151,632	216,982	270,306	312,624
Other (Identify)	3400	-	-	-	-	-	-
Other (Identify)	3400	-	-	-	-	-	-
<b>Total Health Benefit Costs</b>		<b>\$ 58,688</b>	<b>\$ 102,277</b>	<b>\$ 151,632</b>	<b>\$ 216,982</b>	<b>\$ 270,306</b>	<b>\$ 312,624</b>
<b>Total Benefit Costs</b>		<b>\$ 160,530</b>	<b>\$ 232,835</b>	<b>\$ 324,994</b>	<b>\$ 446,435</b>	<b>\$ 545,203</b>	<b>\$ 620,603</b>

# Cypress Grove Charter High School

## Expenditures Worksheet – Books and Supplies

Ordinal Year	Year I	Year I	Year II	Year III	Year IV	Year V
Fiscal Year	2005–06	2005–06	2006–07	2007–08	2008–09	2009–10
SACS	Oct 11	1st	Projected	Projected	Projected	Projected
Budget Type Code	Budget	Interim	Budget	Budget	Budget	Budget
<b>Approved Textbooks and Core Curricula</b>	4100					
New Textbooks (students)	4100	\$ -	\$ -	\$ -	\$ -	\$ -
Replacement Textbooks (students)	4100	-	-	-	-	-
Textbooks (teachers)	4100	-	-	-	-	-
Other (Identify)	4100	6,000	6,000	6,200	6,400	6,600
<b>Books and Other Reference Materials</b>	4200	6,000	6,000	6,200	6,400	6,600
<b>Materials and Supplies</b>	4300					
Custodial Supplies	4303	4,125	4,150	5,816	7,452	9,251
Field Trip Expenses	4300	-	-	-	-	-
Instructional supplies	4300	3,000	3,018	4,230	5,420	6,729
Office Supplies	4300	9,200	9,256	12,971	16,621	20,635
Postage and Shipping	4300	-	-	-	-	-
Printing & Reproduction (academic)	4300	-	-	-	-	-
Other (Identify)	4300	386	-	-	-	-
Miscellaneous Start Up	4300	-	-	10,000	10,000	10,000
<b>Non Capitalized Equipment</b>	4400					
Other (Identify)	4400	1,000	1,000	1,034	1,061	1,089
<b>Food</b>	4700	-	-	-	-	-
<b>Total Books &amp; Supplies</b>	4000-4999	\$ 29,711	\$ 29,424	\$ 46,452	\$ 53,355	\$ 60,904
		\$ 66,189				

# Cypress Grove Charter High School

## Expenditures Worksheet – Services and Operational Expenses

Ordinal Year Fiscal Year SACS Budget Type	Year I 2005–06 Oct 11 Budget	Year I 2005–06 1st Interim	Year II 2006–07 Projected Budget	Year III 2007–08 Projected Budget	Year IV 2008–09 Projected Budget	Year V 2009–10 Projected Budget	
<b>Personal Services of Instructional Const</b>	5100	\$ -	\$ -	\$ -	\$ -	\$ -	
Travel and Conference	52xx	2,000	2,000	2,070	2,120	2,240	
Dues and Memberships	5300	689	2,200	2,270	2,330	2,450	
Insurance	54xx	8,500	7,635	10,701	13,713	19,283	
<b>Operation and Housekeeping Services</b>	55xx						
Custodial Services	5500	-	-	-	-	-	
Security Services	5500	-	-	-	-	-	
<b>Rentals, Leases, Repairs and Noncapital</b>	56xx						
Equipment (lease/rental)	5600	5,400	5,400	5,640	5,760	6,000	
Equipment (repairs)	5600	200	200	207	212	224	
Noncapitalized Improvements	5600	-	-	-	-	-	
Property (lease/rental)	5600	47,994	62,684	69,615	77,990	88,387	
Property (repairs)	5600	-	-	-	-	-	
<b>Professional/Consulting Services and Oj</b>	58xx						
Accounting	5800	38,699	-	-	-	-	
Advertising	5800	6,800	6,800	7,080	7,320	7,800	
Audit Services	5800	10,000	10,000	10,320	10,560	11,040	
Business Services	5800	-	-	-	-	-	
District Administrative Services Fee	5800	28,836	32,664	44,093	59,118	80,334	
District Financial Oversight Fee	5800	9,963	9,963	14,008	17,966	24,600	
Health Exams & Fingerprinting	5800	100	100	103	106	112	
Legal Services	5800	3,500	13,500	13,920	14,280	15,000	
Printing and Reproduction (nonacademic)	5800	-	-	-	-	-	
Professional & Consultant Services	5800	8,020	8,020	28,280	29,040	30,600	
School Admin Outside Contracts	5800	10,000	10,000	10,320	10,560	11,040	
Staff Training & Development	5800	-	-	-	-	-	
Student Attendance & Accounting Service	5800	-	-	-	-	-	
Student Testing & Assessment	5800	-	-	-	-	-	
<b>Utilities</b>	5800						
Electricity	5800	-	-	-	-	-	
Gas	5800	-	-	-	-	-	
Propane	5800	-	-	-	-	-	
Trash	5800	-	-	-	-	-	
Water	5800	-	-	-	-	-	
<b>Communications</b>	59xx						
Internet	5900	-	-	-	-	-	
Telephone	5901	2,400	2,400	2,520	2,640	2,880	
Postage & Delivery	5904	600	600	624	636	660	
<b>Total Services &amp; Operational Expenses</b>	5000-5999	\$ 183,702	\$ 174,167	\$ 221,771	\$ 254,351	\$ 283,321	\$ 302,648

# Cypress Grove Charter High School

## Expenditures Worksheet – Other Outgo; Transfers In and Out

Ordinal Year Fiscal Year  Budget Type	Year I 2005–06 Oct 11 Budget	Year I 2005–06 1st Interim	Year II 2006–07 <i>Projected Budget</i>	Year III 2007–08 <i>Projected Budget</i>	Year IV 2008–09 <i>Projected Budget</i>	Year V 2009–10 <i>Projected Budget</i>	Comments
<b>Other Outgo</b>							
Debt Service – Interest Payments							
CDE Revolving Loan	\$ 6,444	\$ 4,204	\$ 1,964	\$ -	\$ -	\$ -	
Tuition	-	-	-	-	-	-	
Special Education	-	-	-	-	-	-	
Other Outgo (Identify)	-	-	-	-	-	-	
<b>Total Other Outgo</b>	<b>\$ 6,444</b>	<b>\$ 4,204</b>	<b>\$ 1,964</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	Summarized in Expenditures
<b>Other Sources and Uses – Transfers In</b>							
Debt Service – Proceeds							
CDE Revolving Loan	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Transfers FROM District							
District Facility Payment	-	-	-	-	-	-	
Other Transfers IN (Identify)	-	-	-	-	-	-	
<b>Total Transfers In</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	Summarized at Transfers In
<b>Other Sources and Uses – Transfers Out</b>							
Debt Service – Principal Payments							
CDE Revolving Loan	\$ 50,000	\$ 50,000	\$ 50,000	\$ -	\$ -	\$ -	
Other Transfers OUT (Identify)	-	-	-	-	-	-	
<b>Total Transfers Out</b>	<b>\$ 50,000</b>	<b>\$ 50,000</b>	<b>\$ 50,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	Summarized at Transfers Out

# Cypress Grove Charter High School

## Key Variables Worksheet — State Funding Data

Ordinal Year Fiscal Year	Year I 2005-06 Oct 11	Year I 2005-06 1st Interim	Year II 2006-07 Projected Budget	Year III 2007-08 Projected Budget	Year IV 2008-09 Projected Budget	Year V 2009-10 Projected Budget	Comments
Budget Type	Use?	Budget	Interim	Budget	Budget	Budget	Budget
<b>Financial Projection Factors</b>							
Statutory COLA		4.23%	4.23%	3.80%	2.80%	2.70%	2.70%
<i>current as of</i>		08/12/05	08/12/05	08/12/05	08/12/05	08/12/05	08/12/05
Special Education Base Deficit		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Categorical COLA		4.23%	4.23%	3.80%	3.10%	2.90%	3.00%
Transportation COLA		4.00%	4.00%	3.90%	2.60%	2.60%	2.60%
California CPI		2.80%	2.80%	3.40%	2.60%	2.60%	2.70%
<b>Charter School General Purpose Block Grant Allocations</b>							
Grades 9-12		\$ 6,019	\$ 6,019	\$ 6,248	\$ 6,423	\$ 6,596	\$ 6,596
							Annual revenue per P-2 ADA
<b>Charter School Categorical Block Grant Allocations</b>							
Grades 9-12		\$ 287	\$ 287	\$ 298	\$ 306	\$ 314	\$ 314
Categorical Deficit Factor		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
							Applied to revenue factors above
<b>California Lottery</b>							
							Note: Lottery Funding is not tied to the Statutory COLA, dep
Restricted Funds – Prop 20: Instructional M	Y	\$ 22	\$ 22	\$ 23	\$ 23	\$ 23	\$ 23
Unrestricted Funds – Non-Prop 20	Y	\$ 119	\$ 119	\$ 119	\$ 118	\$ 118	\$ 118
							Annual revenue per prior year actual ADA
							Annual revenue per prior year actual ADA
<b>In Lieu Funding Economic Impact Aid</b>							
Per Eligible Student (LEP + Meal Subsidy)	Y	\$ 119	\$ 119	\$ 124	\$ 127	\$ 130	\$ 130
(a) minimum grant amount, 1-9 students	Y	\$ 5,231	\$ 5,231	\$ 5,430	\$ 5,582	\$ 5,733	\$ 5,733
(b) minimum grant, 10 or more students	Y	\$ 7,851	\$ 7,851	\$ 8,149	\$ 8,377	\$ 8,603	\$ 8,603
							Annual revenue per pupil enrolled
							For schools with fewer than 10 qualifying pupils
							For schools with 10 or more qualifying pupils
<b>Summer and Hourly Programs</b>							
Grades 2-9 who have been retained or who	N	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Grades 7-12 at risk of failing High School E	N	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Grades K-12 core subject area supplement	N	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
							Hourly revenue per pupil enrolled in program
							Hourly revenue per pupil enrolled in program
							Hourly revenue per pupil enrolled in program
<b>Other State Programs</b>							
Other (Identify)	N	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
AB740 Funding	Y	\$ -	\$ -	\$ 125.00	\$ 128.00	\$ 131.00	\$ 135.00

Source: Global COLA Tables 2005.xls

Last Update 08/12/05

# Cypress Grove Charter High School

## Key Variables Worksheet — Local Funding Data

Ordinal Year Fiscal Year Budget Type	Year I 2005-06 Oct 11 Budget	Year I 2005-06 1st Interim	Year II 2006-07 <i>Projected Budget</i>	Year III 2007-08 <i>Projected Budget</i>	Year IV 2008-09 <i>Projected Budget</i>	Year V 2009-10 <i>Projected Budget</i>	Comments
<b>Local Revenue Variables</b>							
Local Cost of Living Allowance <i>current as of</i>	2.80% 08/12/05	2.80% 08/12/05	3.40% 08/12/05	2.60% 08/12/05	2.60% 08/12/05	2.70% 08/12/05	
<b>Donations</b>							
Cypress Grove Annual Fund (Identify)	\$ 120,000	\$ 50,000	\$ 51,700	\$ 53,000	\$ 54,400	\$ 55,900	
(Identify)	-	-	-	-	-	-	
(Identify)	-	-	-	-	-	-	
(Identify)	-	-	-	-	-	-	
<b>Total Donations</b>	<b>\$ 120,000</b>	<b>\$ 50,000</b>	<b>\$ 51,700</b>	<b>\$ 53,000</b>	<b>\$ 54,400</b>	<b>\$ 55,900</b>	
<b>Interest</b>							
Yield Rate (APR)	0%	0%	0%	0%	0%	0%	
Average Balance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Annual Interest Income	-	-	-	-	-	-	
<b>Other Local Programs</b>							
(Identify)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
(Identify)	-	-	-	-	-	-	
(Identify)	-	-	-	-	-	-	
(Identify)	-	-	-	-	-	-	

# Cypress Grove Charter High School

## Key Variables Worksheet — School Staffing Data

Ordinal Year Fiscal Year Budget Type	Year I 2005-06 Oct 11 Budget	Year I 2005-06 1st Interim	Year II 2006-07 <i>Projected</i> <i>Budget</i>	Year III 2007-08 <i>Projected</i> <i>Budget</i>	Year IV 2008-09 <i>Projected</i> <i>Budget</i>	Year V 2009-10 <i>Projected</i> <i>Budget</i>
<b>Certificated Staff</b>						
<b>Teacher Staffing Ratios</b>						
<b>Teachers – Regular Programs</b>	<i>Students take 7 periods/day; Teachers teach 5 periods per day; Max classroom en</i>					
9th Grade	1/18	1/18	1/18	1/18	1/18	1/18
10th Grade	1/18	1/18	1/18	1/18	1/18	1/18
11th Grade	1/18	1/18	1/18	1/18	1/18	1/18
12th Grade	1/18	1/18	1/18	1/18	1/18	1/18
<b>Teachers – Independent Study Programs</b>						
Grades 9 - 12	0	0	0	0	0	0
<b>Teachers – Other Certificated (Electives, etc.)</b>						
Elective	-	-	-	-	-	-
Other (Identify)	-	-	-	-	-	-
<b>Teacher Staffing Projection</b>						
<b>Teachers – Regular Programs (FTE)</b>						
9th Grade	2.52	3.47	4.20	5.60	5.60	5.60
10th Grade	2.52	2.24	3.64	4.20	5.60	5.60
11th Grade	2.52	2.46	2.30	3.64	4.20	5.60
12th Grade	1.68	1.12	2.46	2.30	3.64	4.20
<b>Subtotal</b>	9.24	9.30	12.60	15.74	19.04	21.00
<b>Teachers – Independent Study Programs (FTE)</b>						
Grades 9 - 12	-	-	-	-	-	-
<b>Subtotal</b>	-	-	-	-	-	-
<b>Teachers – Other Certificated (Electives, etc.)</b>						
Elective	-	-	-	-	-	-
Other (Identify)	-	-	-	-	-	-
<b>Subtotal</b>	-	-	-	-	-	-
<b>All Teachers Combined</b>						
Grades 9 - 12	9.24	9.30	12.60	15.74	19.04	21.00
Other	-	-	-	-	-	-
<b>Total All Teachers</b>	9.24	9.30	12.60	15.74	19.04	21.00

# Cypress Grove Charter High School

## Key Variables Worksheet — School Staffing Data

Ordinal Year Fiscal Year Budget Type	Year I 2005-06 Oct 11 Budget	Year I 2005-06 1st Interim	Year II 2006-07 <i>Projected Budget</i>	Year III 2007-08 <i>Projected Budget</i>	Year IV 2008-09 <i>Projected Budget</i>	Year V 2009-10 <i>Projected Budget</i>
<b>Other Certificated Employee Staffing (FTEs)</b>						
<b>Supervisor Staffing</b>						
Dean of Students	-	-	-	1.00	1.00	1.00
Other (Identify)	-	-	-	-	-	-
<b>Other Certificated Staffing</b>						
Other (Identify)	-	-	-	-	-	-
Other (Identify)	-	-	-	-	-	-
<b>Uncertificated (Non-Teaching) FTEs</b>	-	-	-	1.00	1.00	1.00
<b>Total Certificated Staff</b>	9.24	9.30	12.60	16.74	20.04	22.00
<b>Classified Employee Staffing (FTEs)</b>						
<b>Classified Salaried Staff</b>						
<b>Administrator Staffing</b>						
Executive Director	1.00	1.00	1.00	1.00	1.00	1.00
Other (Identify)	-	-	-	-	-	-
<b>Clerical &amp; Other Office Employee Staffing</b>						
Bookkeeper	-	0.30	-	-	-	-
Financial Manager	-	0.60	1.00	1.00	1.00	1.00
Other (Identify)	-	-	-	-	-	-
<b>Other Classified Employee Staffing</b>						
Other (Identify)	-	-	-	-	-	-
Other (Identify)	-	-	-	-	-	-
<b>Total Salaried Site Staff</b>	1.00	1.90	2.00	2.00	2.00	2.00
<b>Classified Hourly Staff (hrs/day)</b>						
<b>Clerical &amp; Other Office Employee Staffing</b>						
Administrative Assistant	-	8.00	8.00	8.00	8.00	8.00
Office Assistant	-	3.00	4.50	6.00	6.00	6.00
Other (Identify)	-	-	-	-	-	-
<b>Subtotal Hourly FTE</b>	-	1.38	1.56	1.75	1.75	1.75
<b>Total Classified Staff</b>	1.00	3.28	3.56	3.75	3.75	3.75
<b>Total All Staff</b>	10.24	12.57	16.16	20.49	23.79	25.75
<b>Number of Staff Earning Health Benefits</b>	10.24	11.30	15.60	20.74	24.04	26.00

# Cypress Grove Charter High School

## Key Variables Worksheet — Staff Compensation Data

Ordinal Year Fiscal Year SACS Budget Type Code	Year I 2005-06 Oct 11 Budget	Year I 2005-06 1st Interim	Year II 2006-07 <i>Projected Budget</i>	Year III 2007-08 <i>Projected Budget</i>	Year IV 2008-09 <i>Projected Budget</i>	Year V 2009-10 <i>Projected Budget</i>
<b>Certificated Salary Costs</b> <span style="float: right;">1000-1999</span>						
CA CPI (reference value)	2.8%	2.8%	3.4%	2.6%	2.6%	2.7%
School Seniority COLA	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%
Subtotal	3.8%	3.8%	4.4%	3.6%	3.6%	3.7%
Maximum COLA School will pay	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%
<b>Total Annual Salary COLA</b>	<b>3.8%</b>	<b>3.8%</b>	<b>4.0%</b>	<b>3.6%</b>	<b>3.6%</b>	<b>3.7%</b>
<b>Teacher Salaries</b> <span style="float: right;">11xx</span>						
Average Teacher Cost – Regular	1100	\$ 36,822	\$ 40,913	\$ 42,500	\$ 44,000	\$ 45,600
Average Teacher Cost – Independent Study	1100	\$ 36,822	\$ 40,913	\$ 42,500	\$ 44,000	\$ 45,600
Teacher Stipends	1100	\$ -	\$ -	\$ -	\$ -	\$ -
Substitute Teacher Cost per Day	1100	\$ 95	\$ 95	\$ 100	\$ 105	\$ 110
<b>Other Teacher Salaries</b> <span style="float: right;">11xx</span>						
Teachers – Elective	11xx	\$ -	\$ -	\$ -	\$ -	\$ -
Teachers – Other (Identify)	11xx	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Supervisor Salaries</b> <span style="float: right;">13xx</span>						
Dean of Students	13xx	\$ -	\$ -	\$ -	\$ 60,000	\$ 62,200
Other (Identify)	13xx	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Other Certificated Salaries</b> <span style="float: right;">19xx</span>						
Other (Identify)	19xx	\$ -	\$ -	\$ -	\$ -	\$ -
Other (Identify)	19xx	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Classified Employee Salaries</b> <span style="float: right;">2000-2999</span>						
<b>Administrator Salaries</b> <span style="float: right;">22xx</span>						
Executive Director	22xx	\$ -	\$ 73,000	\$ 75,900	\$ 78,600	\$ 81,400
Other (Identify)	22xx	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Clerical &amp; Other Office Employee</b> <span style="float: right;">23xx</span>						
Bookkeeper	23xx	\$ -	\$ 33,200	\$ -	\$ -	\$ -
Financial Manager	23xx	\$ -	\$ 41,600	\$ 43,300	\$ 44,900	\$ 46,500
Other (Identify)	23xx	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Other Classified Employee Salari</b> <span style="float: right;">29xx</span>						
Other (Identify)	29xx	\$ -	\$ -	\$ -	\$ -	\$ -
Other (Identify)	29xx	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Classified Hourly Staff Wage Rates (\$/hr)</b>						
<b>Clerical &amp; Other Office Employee</b> <span style="float: right;">23xx</span>						
Administrative Assistant	23xx	\$ -	\$ 14.50	\$ 15.08	\$ 15.62	\$ 16.18
Office Assistant	23xx	\$ -	\$ 14.00	\$ 14.56	\$ 15.08	\$ 15.62
Other (Identify)	23xx	\$ -	\$ -	\$ -	\$ -	\$ -

# Cypress Grove Charter High School

## Key Variables Worksheet — Employee Benefit Data

Ordinal Year Fiscal Year	Year I 2005-06 Oct 11 Budget	Year I 2005-06 1st Interim	Year II 2006-07 <i>Projected Budget</i>	Year III 2007-08 <i>Projected Budget</i>	Year IV 2008-09 <i>Projected Budget</i>	Year V 2009-10 <i>Projected Budget</i>	Comments	
								Budget Type
<b>Retirement Options</b>								
State Teachers Retirement	Y	6.14%	8.25%	8.25%	8.25%	8.25%	8.25%	paid by all certificated employees
Other Certificated Retirement	N	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	paid by all certificated employees
Public Employees Retirement	N	2.06%	9.12%	9.12%	9.12%	9.12%	9.12%	paid by all classified employees
Social Security (OASDI)	Y	1.73%	6.20%	6.20%	6.20%	6.20%	6.20%	paid by all classified employees
Alternative Retirement Plan	N	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	paid by participants to be described
Other Classified Retirement	N	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	paid by all classified employees
<b>Other Mandatory Benefits</b>								
Medicare	Y	1.46%	1.45%	1.45%	1.45%	1.45%	1.45%	No limit on contribution; both employee and employer must pay.
State Unemployment (SEF)	N	0.50%	0.45%	0.45%	0.45%	0.45%	0.45%	No limit on contribution; both employee and employer must pay.
Worker's Compensation (WC)	N	4.79%	7.86%	7.86%	7.86%	7.86%	7.86%	Rate varies on a school-by-school basis
<b>Health Benefits</b>								
Average Rise in Health Care Costs	Y	4.6%	4.6%	7.4%	7.6%	7.4%	6.9%	0.068
Maximum Increase Paid by School	n/a	n/a	10.0%	10.0%	10.0%	10.0%	10.0%	Maximum Increase Paid by School
Annual Health Benefits COLA	n/a	4.6%	4.6%	7.4%	7.6%	7.4%	6.9%	
Other: Combined H/D/V estim:	Y	10.77%	\$ 755	\$ 810	\$ 872	\$ 937	\$ 1,002	% of total compensation or monthly amount
Life Insurance	N	-	-	-	-	-	-	
Other (Identify)	N	-	-	-	-	-	-	
Other (Identify)	N	-	-	-	-	-	-	

# Cypress Grove Charter High School

## Key Variables Worksheet — Books & Supplies

Ordinal Year Fiscal Year	Year I 2005–06	Year I 2005–06	Year II 2006–07	Year III 2007–08	Year IV 2008–09	Year V 2009–10	Comments	
SACS Code	Oct 11 Budget	1st Interim	<i>Projected Budget</i>	<i>Projected Budget</i>	<i>Projected Budget</i>	<i>Projected Budget</i>		
Budget Type								
<b>Approved Textbooks and Core Curricula Materials</b>								
New Textbooks (students)	4100	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	Annual amount per student
Replacement Textbooks (students)	4100	-	-	-	-	-	-	Annual amount per student; 10% replacement
Textbooks (teachers)	4100	-	-	-	-	-	-	Annual amount per teacher
Other (Identify)	4100	6,000	6,000	6,200	6,400	6,600	6,800	Annual amount for all texts
<b>Books and Other Reference Materials</b>								
Library Books	4200	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	Annual amount per student
Other Books (students)	4200	-	-	-	-	-	-	Annual amount per teacher
Other Books (teachers)	4200	-	-	-	-	-	-	Annual amount per teacher
Other (Identify)	4200	6,000	6,000	6,200	6,400	6,600	6,800	Annual amount for all items
<b>Materials and Supplies</b>								
Custodial Supplies	4303	\$ 25.00	\$ 25.00	\$ 25.85	\$ 26.52	\$ 27.21	\$ 27.94	Annual amount per student
Field Trip Expenses	4300	-	-	-	-	-	-	Annual amount per student
Instructional supplies (students)	4300	18.18	18.18	18.80	19.29	19.79	20.32	Annual amount per student
Instructional supplies (teachers)	4300	-	-	-	-	-	-	Annual amount per teacher
Office Supplies (students)	4300	55.76	55.76	57.65	59.15	60.69	62.33	Annual amount per student
Office Supplies (teachers)	4300	-	-	-	-	-	-	Annual amount per teacher
Postage and Shipping	4300	-	-	-	-	-	-	Annual amount per student
Printing & Reproduction (academic)	4300	-	-	-	-	-	-	Annual amount per student
Other (Identify)	4300	-	-	-	-	-	-	
<b>Non Capitalized Equipment</b>								
Other (Identify)	4400	1,000	1,000	1,034	1,061	1,089	1,118	Annual amount
<b>Food</b>								
Bottled Water	4700	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	Projected monthly amount
Other (Identify)	4700	-	-	-	-	-	-	

# Cypress Grove Charter High School

## Key Variables Worksheet — Operating Costs

Ordinal Year	Year I	Year I	Year II	Year III	Year IV	Year V		
Fiscal Year	2005-06	2005-06	2006-07	2007-08	2008-09	2009-10		
SACS	Oct 11	1st	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>		
Budget Type	Code	Budget	Interim	<i>Budget</i>	<i>Budget</i>	<i>Budget</i>	<i>Budget</i>	Comments
<b>Personal Services of Instructional Consultants, Lecturers &amp; Others</b>								
Artists in Residence	5100	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	Estimated monthly expense (10 mos/yr)
(Identify)	5100	-	-	-	-	-	-	Estimated monthly expense (10 mos/yr)
<b>Travel and Conference</b>								
Other: Combined Estimate	5200	\$ 2,000	\$ 2,000	\$ 2,070	\$ 2,120	\$ 2,180	\$ 2,240	Estimated annual cost
<b>Dues and Memberships</b>								
	5300	\$ 2,200	\$ 2,200	\$ 2,270	\$ 2,330	\$ 2,390	\$ 2,450	Estimated annual cost
<b>Insurance</b>								
Combined Estimate	5450	\$ 70.83	\$ 45.99	\$ 47.56	\$ 48.80	\$ 50.07	\$ 51.42	Estimated annual cost per pupil
<b>Operation and Housekeeping Services</b>								
Custodial Services	5500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	Estimated monthly expense (10 mos/yr)
Security Services	5500	-	-	-	-	-	-	Estimated monthly expense (10 mos/yr)
<b>Rentals, Leases, Repairs and Noncapitalized Improvements</b>								
Equipment (lease/rental)	5600	\$ 450	\$ 450	\$ 470	\$ 480	\$ 490	\$ 500	Estimated monthly expense
Equipment (repairs)	5600	16.67	16.67	17.23	17.68	18.14	18.63	Estimated monthly expense
Noncapitalized Improvements	5600	-	-	-	-	-	-	Estimated monthly expense
Property lease rate		0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	Percentage of Total Block Grant funds
Property (lease/rental)	5600	5,362	5,224	5,801	6,499	7,077	7,366	Estimated monthly expense
Property (repairs)	5600	-	-	-	-	-	-	Estimated monthly expense
Other (Identify)	5600	-	-	-	-	-	-	Estimated monthly expense

# Cypress Grove Charter High School

## Key Variables Worksheet — Operating Costs

	Ordinal Year	Year I	Year I	Year II	Year III	Year IV	Year V	
	Fiscal Year	2005-06	2005-06	2006-07	2007-08	2008-09	2009-10	
	SACS	Oct 11	1st	Projected	Projected	Projected	Projected	
Budget Type	Code	Budget	Interim	Budget	Budget	Budget	Budget	Comments
<b>Professional/Consulting Services &amp; Operating Expenses</b>								
District Administrative Services Fee Rate	5800	4.26%	4.26%	4.26%	4.26%	4.26%	4.26%	Percentage of Combined Compensation & Ben
District Financial Oversight Fee Rate	5800	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	Percentage of Combined State Grant funds
Accounting	5800	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	Estimated monthly expense
Administration Costs	5800	900	900	930	950	970	1,000	Estimated monthly expense
Advertising	5800	567	567	590	610	630	650	Estimated monthly expense
Audit Services	5800	833	833	860	880	900	920	Estimated monthly expense
Business Services	5800	-	-	-	-	-	-	Estimated annual cost
Health Exams & Fingerprinting	5800	100	100	103	106	109	112	Estimated annual cost
Legal Services	5800	292	1,125	1,160	1,190	1,220	1,250	Estimated monthly expense
Printing and Reproduction (nonacademic)	5800	-	-	-	-	-	-	Estimated annual cost per pupil
Professional & Consultant Services	5800	668	668	2,357	2,420	2,480	2,550	Estimated monthly expense
School Admin Outside Contracts	5800	833	833	860	880	900	920	Estimated monthly expense
Staff Training & Development	5800	-	-	-	-	-	-	Estimated additional annual expense per FTE
Student Attendance & Accounting Service	5800	-	-	-	-	-	-	Estimated annual cost per pupil
Student Testing & Assessment	5800	-	-	-	-	-	-	Estimated annual cost per pupil
<b>Utilities</b>								
Electricity	5800	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	Estimated monthly expense
Gas	5800	-	-	-	-	-	-	Estimated monthly expense
Propane	5800	-	-	-	-	-	-	Estimated monthly expense
Trash	5800	-	-	-	-	-	-	Estimated monthly expense
Water	5800	-	-	-	-	-	-	Estimated monthly expense
<b>Communications</b>								
Internet	5900	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	Estimated monthly expense
Telephone	5901	200	200	210	220	230	240	Estimated monthly expense

## Cypress Grove Charter High School

### Key Variables Worksheet — Student Enrollment Data

Year Fiscal Year	Year I 2005-06 Oct 11 Budget	Year I 2005-06 1st Interim	Year II 2006-07 <i>Projected CBEDS</i>	Year III 2007-08 <i>Projected CBEDS</i>	Year IV 2008-09 <i>Projected CBEDS</i>	Year V 2009-10 <i>Projected CBEDS</i>
<b>Summary of All Enrollment by Grade</b> <span style="float: right;">(All projections are shown in italics)</span>						
9th Grade	45	62	75	100	100	100
10th Grade	45	40	65	75	100	100
11th Grade	45	44	41	65	75	100
12th Grade	30	20	44	41	65	75
<b>Total</b>	165	166	225	281	340	375
<b>Summary of All Enrollment by Grade Group</b> <span style="float: right;">(All projections are shown in italics)</span>						
Grades 9-12	165	166	225	281	340	375
<b>Total</b>	165	166	225	281	340	375

## Cypress Grove Charter High School

### Key Variables Worksheet — Student ADA Data

Year Fiscal Year	Year I 2005-06 11-Oct	Year I 2005-06 1st Interim	Year II 2006-07 <i>P-2 Estimate</i>	Year III 2007-08 <i>P-2 Estimate</i>	Year IV 2008-09 <i>P-2 Estimate</i>	Year V 2009-10 <i>P-2 Estimate</i>
<b>CBEDS:ADA Correlation Ratios</b>						
<b>Total Combined ADA Ratio</b> Grades 9-12	0.93	0.95	0.95	0.95	0.95	0.95
<b>Total ADA</b> Grades 9-12	154	158	214	267	323	356
<b>Total ADA</b>	154	158	214	267	323	356

# Cypress Grove Charter High School

## Key Variables Worksheet — Student Demographics Data

Year Fiscal Year	Year I 2005-06	Year I 2005-06	Year II 2006-07	Year III 2007-08	Year IV 2008-09	Year V 2009-10
Variables	Oct 11 Budget	Actual CBEDS	<i>Projected</i> CBEDS	<i>Projected</i> CBEDS	<i>Projected</i> CBEDS	<i>Projected</i> CBEDS
<b>Student Ethnicity Counts</b> (All projections are shown in italics)						
<b>Total All Pupils</b>						
American Indian	-	3	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>
Asian	-	4	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>
Pacific Islander	-	3	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>
Filipino	-	1	<i>1</i>	<i>1</i>	<i>1</i>	<i>1</i>
Hispanic	-	20	<i>27</i>	<i>34</i>	<i>41</i>	<i>45</i>
African American	-	18	<i>24</i>	<i>30</i>	<i>36</i>	<i>40</i>
White	-	87	<i>118</i>	<i>147</i>	<i>178</i>	<i>196</i>
Multiple/No Response	-	30	<i>41</i>	<i>51</i>	<i>62</i>	<i>68</i>
<b>Total</b>	-	166	<i>224</i>	<i>279</i>	<i>337</i>	<i>372</i>
<b>Student Ethnicity Percentages</b> (All projections are shown in italics)						
<b>Total All Pupils</b>						
American Indian	<i>0.0%</i>	1.8%	<i>1.8%</i>	<i>1.8%</i>	<i>1.8%</i>	<i>1.9%</i>
Asian	<i>0.0%</i>	2.4%	<i>2.2%</i>	<i>2.1%</i>	<i>2.1%</i>	<i>2.1%</i>
Pacific Islander	<i>0.0%</i>	1.8%	<i>1.8%</i>	<i>1.8%</i>	<i>1.8%</i>	<i>1.9%</i>
Filipino	<i>0.0%</i>	0.6%	<i>0.4%</i>	<i>0.4%</i>	<i>0.3%</i>	<i>0.3%</i>
Hispanic	<i>0.0%</i>	12.0%	<i>12.0%</i>	<i>12.1%</i>	<i>12.1%</i>	<i>12.0%</i>
African American	<i>0.0%</i>	10.8%	<i>10.7%</i>	<i>10.7%</i>	<i>10.6%</i>	<i>10.7%</i>
White	<i>0.0%</i>	52.4%	<i>52.4%</i>	<i>52.3%</i>	<i>52.4%</i>	<i>52.3%</i>
Multiple/No Response	<i>0.0%</i>	18.1%	<i>18.2%</i>	<i>18.1%</i>	<i>18.2%</i>	<i>18.1%</i>
<b>Total</b>	<i>0%</i>	100%	<i>100%</i>	<i>99%</i>	<i>99%</i>	<i>99%</i>
<b>Student Lunch Count</b> (All projections are shown in italics)						
<b>9th Grade</b>						
9th Grade	-	6.2	<i>7.5</i>	<i>10.0</i>	<i>10.0</i>	<i>10.0</i>
<b>10th Grade</b>						
10th Grade	-	4.0	<i>6.5</i>	<i>7.5</i>	<i>10.0</i>	<i>10.0</i>
<b>11th Grade</b>						
11th Grade	-	4.4	<i>4.1</i>	<i>6.5</i>	<i>7.5</i>	<i>10.0</i>
<b>12th Grade</b>						
12th Grade	-	2.0	<i>4.4</i>	<i>4.1</i>	<i>6.5</i>	<i>7.5</i>
<b>Total</b>	-	16.6	<i>22.5</i>	<i>28.1</i>	<i>34.0</i>	<i>37.5</i>
<b>Student Lunch Count Percentage</b> (All projections are shown in italics)						
<b>9th Grade</b>						
9th Grade	<i>0%</i>	10%	<i>10%</i>	<i>10%</i>	<i>10%</i>	<i>10%</i>
<b>10th Grade</b>						
10th Grade	<i>0%</i>	10%	<i>10%</i>	<i>10%</i>	<i>10%</i>	<i>10%</i>
<b>11th Grade</b>						
11th Grade	<i>0%</i>	10%	<i>10%</i>	<i>10%</i>	<i>10%</i>	<i>10%</i>
<b>12th Grade</b>						
12th Grade	<i>0%</i>	10%	<i>10%</i>	<i>10%</i>	<i>10%</i>	<i>10%</i>
<b>Overall Percentage</b>	<i>0%</i>	10%	<i>10%</i>	<i>10%</i>	<i>10%</i>	<i>10%</i>
<b>Special Population Data</b> (All projections are shown in italics)						
<b>Total All Pupils</b>						
English Language Learner	-	17.0	<i>56.0</i>	<i>70.0</i>	<i>85.0</i>	<i>94.0</i>
Free/Reduced Meal Eligible	-	17.0	<i>56.0</i>	<i>70.0</i>	<i>85.0</i>	<i>94.0</i>
CalWORKS/AFDC	-	-	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>
<b>Special Population Data</b> (All projections are shown in italics)						
<b>Total All Pupils</b>						
English Language Learner	<i>0%</i>	10%	<i>25%</i>	<i>25%</i>	<i>25%</i>	<i>25%</i>
Free/Reduced Meal Eligible	<i>0%</i>	10%	<i>25%</i>	<i>25%</i>	<i>25%</i>	<i>25%</i>
CalWORKS/AFDC	<i>0%</i>	0%	<i>0%</i>	<i>0%</i>	<i>0%</i>	<i>0%</i>

*Note: English Language Learner Count is taken as of R-30 Spring Report, not October CBEDS*

# Cypress Grove Charter High School

## Key Variables Worksheet — School Operations Data

Year Fiscal Year	Year I 2005–06 Oct 11 Budget	Year I 2005–06 1st Interim	Year II 2006–07 <i>Projected Budget</i>	Year III 2007–08 <i>Projected Budget</i>	Year IV 2008–09 <i>Projected Budget</i>	Year V 2009–10 <i>Projected Budget</i>	Comments
<b>School/Work Year Data</b>							
Regular Program Days (Student Year)	180	180	180	180	180	180	# of days for students
Additional Staff Development Days	3	3	3	3	3	3	# of additional days for all teachers
Regular Teacher Year	183	183	183	183	183	183	
Additional Training for New Teachers	-	-	-	-	-	-	# of additional days for new teachers
New Teacher Year	183	183	183	183	183	183	
Site Staff Year	183	183	183	183	183	183	Same as new teachers
Central Office Staff Year	250	250	250	250	250	250	365 less 104 weekend, 11 holiday
<b>Other Data Counted in Days</b>							
Teacher/Staff Annual Sick Leave Allowance	7	7	7	7	7	7	absence rate used to estimate substitute c
Teacher Extra Duty (Supp. Inst.)	-	-	-	-	-	-	
<b>Data for Supplemental Hourly Programs</b>							
Saturday School Days	-	-	-	-	-	-	
Intersession Days	-	-	-	-	-	-	
Summer School Days	-	-	-	-	-	-	
<b>Activities with Hour Counts</b>							
<b>Length of School Work Day</b>							
Grades 9-12	7	6.75	6.75	6.75	6.75	6.75	(hours)
Teachers & staff	8	8.00	8.00	8.00	8.00	8.00	(hours)
<b>Teacher Extra Duty (Supp. Inst.)</b>							
9th Grade	-	-	-	-	-	-	
10th Grade	-	-	-	-	-	-	
11th Grade	-	-	-	-	-	-	
12th Grade	-	-	-	-	-	-	

## Cypress Grove Charter High School Cash Flow — Summary Projections

2006-07	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
Beginning Balance	\$ 50,000	\$ 36,802	\$ 56,695	\$ 53,128	\$ 29,569	\$ 18,935	\$ 33,639	\$ 36,473	\$ 112,886	\$ 178,027	\$ 201,085	\$ 214,365	\$ 50,000
plus Revenues	111,551	129,996	103,844	83,852	96,777	120,722	108,852	194,931	183,659	142,505	129,580	82,205	1,488,474
less Expenses	124,748	110,103	107,411	107,411	107,411	106,018	106,018	106,018	106,018	106,947	103,800	113,336	1,305,241
plus Loans	-	-	-	-	-	-	-	(12,500)	(12,500)	(12,500)	(12,500)	-	(50,000)
<b>Ending Balance</b>	<b>\$ 36,802</b>	<b>\$ 56,695</b>	<b>\$ 53,128</b>	<b>\$ 29,569</b>	<b>\$ 18,935</b>	<b>\$ 33,639</b>	<b>\$ 36,473</b>	<b>\$ 112,886</b>	<b>\$ 178,027</b>	<b>\$ 201,085</b>	<b>\$ 214,365</b>	<b>\$ 183,234</b>	<b>\$ 183,234</b>
2007-08	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
Beginning Balance	\$ 183,234	\$ 210,761	\$ 228,015	\$ 232,377	\$ 209,272	\$ 199,416	\$ 187,323	\$ 190,818	\$ 277,297	\$ 351,814	\$ 373,676	\$ 385,898	\$ 183,234
plus Revenues	187,158	171,549	144,090	116,623	129,873	126,035	141,623	224,607	212,644	161,057	147,807	100,947	1,864,012
less Expenses	159,630	154,295	139,728	139,728	139,728	138,128	138,128	138,128	138,128	139,195	135,584	135,051	1,695,451
plus Loans	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Ending Balance</b>	<b>\$ 210,761</b>	<b>\$ 228,015</b>	<b>\$ 232,377</b>	<b>\$ 209,272</b>	<b>\$ 199,416</b>	<b>\$ 187,323</b>	<b>\$ 190,818</b>	<b>\$ 277,297</b>	<b>\$ 351,814</b>	<b>\$ 373,676</b>	<b>\$ 385,898</b>	<b>\$ 351,795</b>	<b>\$ 351,795</b>
2008-09	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
Beginning Balance	\$ 351,795	\$ 466,727	\$ 497,098	\$ 514,804	\$ 497,742	\$ 494,281	\$ 490,432	\$ 500,198	\$ 585,889	\$ 665,526	\$ 679,629	\$ 684,183	\$ 351,795
plus Revenues	303,866	213,215	184,133	149,366	162,966	160,751	174,366	250,292	244,237	179,921	166,321	122,786	2,312,219
less Expenses	188,935	182,844	166,427	166,427	166,427	164,600	164,600	164,600	164,600	165,818	161,767	161,158	2,018,202
plus Loans	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Ending Balance</b>	<b>\$ 466,727</b>	<b>\$ 497,098</b>	<b>\$ 514,804</b>	<b>\$ 497,742</b>	<b>\$ 494,281</b>	<b>\$ 490,432</b>	<b>\$ 500,198</b>	<b>\$ 585,889</b>	<b>\$ 665,526</b>	<b>\$ 679,629</b>	<b>\$ 684,183</b>	<b>\$ 645,811</b>	<b>\$ 645,811</b>

## Cypress Grove Charter High School Cash Flow — 2006–07 Cash Flow Worksheet

	Jul (PY Pmt)	Jul (CY Pmt)	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total	
	2006			2007											2006-07
<b>Beginning Balance</b>	\$ 50,000	\$ 120,294	\$ 36,802	\$ 56,695	\$ 53,128	\$ 29,569	\$ 18,935	\$ 33,639	\$ 36,473	\$ 112,886	\$ 178,027	\$ 201,085	\$ 214,365	\$ 50,000	
<b>Revenues</b>														<b>Annual Total</b>	
Charter School General Purpose Block Grant Allocations															
In Lieu Tax Portion	\$ 25,238	\$ -	\$ 21,632	\$ 43,265	\$ 28,843	\$ 28,843	\$ 28,843	\$ 28,843	\$ 28,843	\$ 93,071	\$ 46,536	\$ 46,536	\$ 46,536	\$ 467,030	
State Aid Portion	41,332	37,599	75,197	50,132	50,132	50,132	78,123	50,132	152,434	76,217	76,217	76,217	-	813,862	
Charter School Categorical Block Grant Allocations	3,174	2,825	5,650	3,767	3,767	3,767	5,102	3,767	11,709	5,855	5,855	5,855	-	61,092	
California Lottery	-	-	-	5,570	-	-	7,544	-	-	7,544	-	-	7,544	28,200	
CA Primary (K-3) Class Size Reduction	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Economic Impact Aid	550	833	1,667	1,111	1,111	1,111	1,111	1,111	1,944	972	972	972	-	13,465	
Summer and Hourly Programs	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
<b>Other State Programs</b>															
AB740 Funding	-	-	-	-	-	-	-	-	-	-	-	-	28,125	28,125	
Other (Identify)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
CDE Charter School Startup Grant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other State Grants (Identify)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other State Programs (Identify)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
<b>Subtotal State Revenues</b>	\$ 70,294	\$ 41,257	\$ 104,146	\$ 103,844	\$ 83,852	\$ 83,852	\$ 120,722	\$ 83,852	\$ 194,931	\$ 183,659	\$ 129,580	\$ 129,580	\$ 82,205	\$ 1,411,774	
<b>Total Federal Programs</b>	-	-	-	-	-	-	-	25,000	-	-	-	-	-	25,000	
<b>Local Programs</b>															
Donations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other Local Grants	-	-	-	-	-	5	-	-	-	-	5	-	-	51,700	
Other Local Programs	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
<b>Subtotal Local Revenues</b>	\$ -	\$ -	\$ 25,850	\$ -	\$ -	\$ 12,925	\$ -	\$ -	\$ -	\$ 12,925	\$ 12,925	\$ -	\$ -	\$ 51,700	
<b>Total Revenues</b>	\$ 70,294	\$ 41,257	\$ 129,996	\$ 103,844	\$ 83,852	\$ 96,777	\$ 120,722	\$ 108,852	\$ 194,931	\$ 183,659	\$ 142,505	\$ 129,580	\$ 82,205	\$ 1,488,474	
<b>Expenses</b>															
Certificated Salaries	\$ 45,360	\$ 45,360	\$ 45,360	\$ 45,360	\$ 45,360	\$ 45,360	\$ 45,360	\$ 45,360	\$ 45,360	\$ 45,360	\$ 45,360	\$ 45,360	\$ 45,360	\$ 544,320	
Classified Salaries	13,812	13,812	13,812	13,812	13,812	13,812	13,812	13,812	13,812	13,812	13,812	13,812	13,812	165,740	
Employee Benefits	27,083	27,083	27,083	27,083	27,083	27,083	27,083	27,083	27,083	27,083	27,083	27,083	27,083	324,994	
Books & Supplies	13,935	9,290	3,252	3,252	3,252	1,858	1,858	1,858	1,858	2,787	1,858	1,394	-	46,452	
Services & Operational Expenses	24,395	14,395	17,742	17,742	17,742	17,742	17,742	17,742	17,742	17,742	15,524	25,524	-	221,771	
Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other Outgo	164	164	164	164	164	164	164	164	164	164	164	164	164	1,964	
<b>Total Expenses</b>	\$ 124,748	\$ 110,103	\$ 107,411	\$ 107,411	\$ 107,411	\$ 106,018	\$ 106,018	\$ 106,018	\$ 106,018	\$ 106,018	\$ 106,947	\$ 103,800	\$ 113,336	\$ 1,305,241	
Loan Proceeds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Repayment of Debt Principal	-	-	-	-	-	-	-	-	-	(12,500)	(12,500)	(12,500)	-	(50,000)	
<b>Net Cash Position</b>	\$ 70,294	\$ (83,492)	\$ 19,893	\$ (3,568)	\$ (23,559)	\$ (10,634)	\$ 14,704	\$ 2,835	\$ 76,413	\$ 65,141	\$ 23,058	\$ 13,280	\$ (31,131)	\$ 133,234	
<b>Cumulative Cash Position</b>	\$ 120,294	\$ 36,802	\$ 56,695	\$ 53,128	\$ 29,569	\$ 18,935	\$ 33,639	\$ 36,473	\$ 112,886	\$ 178,027	\$ 201,085	\$ 214,365	\$ 183,234	\$ 183,234	

(12,500)

## 2006-07 Cash Flow to Budget Reconciliation Worksheet

	Total Rec'd	Less Prior Year	Jul	Sep	Dec	Jan	Feb	Mar	Adjusted Total	Budgeted Total	Difference	
	2006-07	Adjustments	2007	2007	2007	2008	2008	2008	2006-07	2006-07	Budget - Actual	
<b>Beginning Balance</b>	\$ 50,000	\$ 183,234	\$ 107,370	\$ 236,947	\$ 244,490	\$ 244,490	\$ 244,490	\$ 244,490	\$ 50,000	\$ 50,000	\$ -	
<b>Revenues</b>												
Charter School General Purpose Block Grant Allocation									combined block grant	1,337,072	1,337,072	-
In Lieu Tax Portion	\$ 467,030	\$ (25,238)	\$ 46,534	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 488,327	\$ 488,327	\$ -	
State Aid Portion	813,862	(41,332)	76,216	-	-	-	-	-	848,745	848,745	-	
Charter School Categorical Block Grant Allocations	61,092	(3,174)	5,854	-	-	-	-	-	63,772	63,772	-	
California Lottery	28,200	(5,570)	-	-	-	-	-	-	30,174	30,174	-	
CA Primary (K-3) Class Size Reduction	-	-	-	-	-	-	-	-	-	-	-	
Economic Impact Aid	13,465	(550)	972	-	-	-	-	-	13,888	13,888	-	
Summer and Hourly Programs												
<b>Other State Programs</b>												
AB740 Funding	28,125	-	7,544	-	-	-	-	-	28,125	28,125	-	
Other (Identify)	-	-	-	-	-	-	-	-	-	-	-	
CDE Charter School Startup Grant	-	-	-	-	-	-	-	-	-	-	-	
Other State Grants (Identify)	-	-	-	-	-	-	-	-	-	-	-	
Other State Programs (Identify)	-	-	-	-	-	-	-	-	-	-	-	
<b>Subtotal State Revenues</b>	\$ 1,411,774	\$ (75,863)	\$ 129,577	\$ 7,544	\$ -	\$ -	\$ -	\$ -	\$ 1,473,031	\$ 1,473,031	\$ -	
<b>Total Federal Programs</b>	25,000	-	-	-	-	-	-	-	25,000	25,000	-	
<b>Local Programs</b>												
Donations	51,700	-	-	-	-	-	-	-	51,700	51,700	-	
Other Local Grants	-	-	-	-	-	-	-	-	-	-	-	
Other Local Programs	-	-	-	-	-	-	-	-	-	-	-	
<b>Subtotal Local Revenues</b>	\$ 51,700	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 51,700	\$ 51,700	\$ -	
<b>Total Revenues</b>	\$ 1,488,474	\$ (75,863)	\$ 129,577	\$ 7,544	\$ -	\$ -	\$ -	\$ -	\$ 1,549,731	\$ 1,549,731	\$ -	
<b>Expenses</b>												
Certificated Salaries	\$ 544,320	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 544,320	\$ 544,320	\$ -	
Classified Salaries	165,740	-	-	-	-	-	-	-	165,740	165,740	-	
Employee Benefits	324,994	-	-	-	-	-	-	-	324,994	324,994	-	
Books & Supplies	46,452	-	-	-	-	-	-	-	46,452	46,452	-	
Services & Operational Expenses	221,771	-	-	-	-	-	-	-	221,771	221,771	-	
Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	
Other Outgo	1,964	-	-	-	-	-	-	-	1,964	1,964	-	
<b>Total Expenses</b>	\$ 1,305,241	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,305,241	\$ 1,305,241	\$ -	
Loan Proceeds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Repayment of Debt Principal	(50,000)	-	-	-	-	-	-	-	(50,000)	(50,000)	-	
<b>Net Cash Position</b>	\$ 133,234	\$ (75,863)	\$ 129,577	\$ 7,544	\$ -	\$ -	\$ -	\$ -	\$ 194,490	\$ 194,490	\$ -	
<b>Cumulative Cash Position</b>	\$ 183,234	\$ 107,370	\$ 236,947	\$ 244,490	\$ 244,490	\$ 244,490	\$ 244,490	\$ 244,490	\$ 244,490	\$ 244,490	\$ -	

## Cypress Grove Charter High School Cash Flow — 2007–08 Cash Flow Worksheet

	Jul (PY Pmt) 2007	Jul (CY Pmt)	Aug	Sep	Oct	Nov	Dec	Jan 2008	Feb	Mar	Apr	May	Jun	Total 2007–08
<b>Beginning Balance</b>	\$ 183,234	\$ 312,810	\$ 210,761	\$ 228,015	\$ 232,377	\$ 209,272	\$ 199,416	\$ 187,323	\$ 190,818	\$ 277,297	\$ 351,814	\$ 373,676	\$ 385,898	\$ 183,234
<b>Revenues</b>														
Charter School General Purpose Block Grant Allocations														
In Lieu Tax Portion	\$ 46,534	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 612,563
State Aid Portion	76,216	52,586	105,171	70,114	70,114	70,114	70,114	70,114	169,648	84,824	84,824	84,824	-	1,008,664
Charter School Categorical Block Grant Allocations	5,854	3,929	7,858	5,239	5,239	5,239	5,239	5,239	12,622	6,311	6,311	6,311	-	75,390
California Lottery	-	-	-	7,544	-	-	9,412	-	-	9,412	-	-	9,412	35,779
CA Primary (K-3) Class Size Reduction (E.C. 5212C)	-	29,886	-	-	-	-	-	-	-	-	-	-	-	-
Economic Impact Aid	972	1,067	59,174	39,822	39,822	39,822	39,822	39,822	110,863	1,245	59,225	59,225	-	17,508
Summer and Hourly Programs	-	-	-	-	-	-	-	-	2,467	55,427	-	-	-	-
<b>Other State Programs</b>														
AB740 Funding	-	-	-	-	-	-	-	-	-	-	-	-	36,109	36,109
Other (Identify)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
CDE Charter School Startup Grant	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other State Grants (Identify)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other State Programs (Identify)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Subtotal State Revenues</b>	\$ 129,577	\$ 57,582	\$ 145,049	\$ 144,090	\$ 116,623	\$ 116,623	\$ 126,035	\$ 116,623	\$ 224,607	\$ 212,644	\$ 147,807	\$ 147,807	\$ 100,947	\$ 1,786,012
<b>Total Federal Programs</b>	-	-	-	-	-	-	-	25,000	-	-	-	-	-	25,000
<b>Local Programs</b>														
Donations	-	-	26,500	-	-	13,250	-	-	-	-	13,250	-	-	53,000
Other Local Grants	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Local Programs	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Subtotal Local Revenues</b>	\$ -	\$ -	\$ 26,500	\$ -	\$ -	\$ 13,250	\$ -	\$ -	\$ -	\$ -	\$ 13,250	\$ -	\$ -	\$ 53,000
<b>Total Revenues</b>	\$ 129,577	\$ 57,582	\$ 171,549	\$ 144,090	\$ 116,623	\$ 129,873	\$ 126,035	\$ 141,623	\$ 224,607	\$ 212,644	\$ 161,057	\$ 147,807	\$ 100,947	\$ 1,864,012
<b>Expenses</b>														
Certificated Salaries	\$ 63,662	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 763,950
Classified Salaries	14,780	14,780	14,780	14,780	14,780	14,780	14,780	14,780	14,780	14,780	14,780	14,780	14,780	177,360
Employee Benefits	37,203	37,203	37,203	37,203	37,203	37,203	37,203	37,203	37,203	37,203	37,203	37,203	37,203	446,435
Books & Supplies	16,006	10,671	3,735	3,735	3,735	3,735	2,134	2,134	2,134	2,134	3,201	2,134	1,601	53,355
Services & Operational Expenses	27,979	27,979	20,348	20,348	20,348	20,348	20,348	20,348	20,348	20,348	20,348	17,805	17,805	254,351
Capital Outlay	63,662	63,662	63,662	63,662	63,662	63,662	63,662	63,662	63,662	63,662	63,662	63,662	-	-
Other Outgo	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Expenses</b>	\$ 159,630	\$ 154,295	\$ 139,728	\$ 139,728	\$ 139,728	\$ 138,128	\$ 138,128	\$ 138,128	\$ 138,128	\$ 138,128	\$ 139,195	\$ 135,584	\$ 135,051	\$ 1,695,451
Loan Proceeds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Repayment of Debt Principal	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Net Cash Position</b>	\$ 129,577	\$ (102,049)	\$ 17,254	\$ 4,362	\$ (23,105)	\$ (9,855)	\$ (12,093)	\$ 3,495	\$ 86,479	\$ 74,517	\$ 21,862	\$ 12,222	\$ (34,103)	\$ 168,561
<b>Cumulative Cash Position</b>	\$ 312,810	\$ 210,761	\$ 228,015	\$ 232,377	\$ 209,272	\$ 199,416	\$ 187,323	\$ 190,818	\$ 277,297	\$ 351,814	\$ 373,676	\$ 385,898	\$ 351,795	\$ 351,795

## 2007-08 Cash Flow to Budget Reconciliation Worksheet

	Total Rec'd	Less Prior Year	Jul	Sep	Dec	Jan	Feb	Mar	Adjusted Total	Budgeted Total	Difference
	2007-08	Adjustments	2008	2008	2008	2009	2009	2009	2007-08	2007-08	Budget - Actual
<b>Beginning Balance</b>	\$ 183,234	\$ 351,795	\$ 214,675	\$ 444,550	\$ 453,962	\$ 453,962	\$ 453,962	\$ 453,962	\$ 183,234	\$ 183,234	\$ -
<b>Revenues</b>											
Charter School General Purpose Block Grant Allocation									combined block grant	1,714,941	1,714,941
In Lieu Tax Portion	\$ 612,563	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 621,453	\$ -	\$ -
State Aid Portion	1,008,664	(76,216)	161,039	-	-	-	-	-	1,093,488	-	-
Charter School Categorical Block Grant Allocations	75,390	(5,854)	12,166	-	-	-	-	-	81,702	81,702	-
California Lottery	35,779	(7,544)	-	9,412	-	-	-	-	37,647	37,647	-
CA Primary (K-3) Class Size Reduction (E.C. 52120)	-	-	-	-	-	-	-	-	-	-	-
Economic Impact Aid	(47,508)	(55,422)	1,245	-	-	-	-	-	617,780	-	-
Summer and Hourly Programs									1,093,488	-	-
<b>Other State Programs</b>											
AB740 Funding	36,109	-	-	-	-	-	-	-	36,109	-	36,109
Other (Identify)	-	-	-	-	-	-	-	-	-	-	-
CDE Charter School Startup Grant	-	-	-	-	-	-	-	-	17,780	-	-
Other State Grants (Identify)	-	-	-	-	-	-	-	-	-	-	-
Other State Programs (Identify)	-	-	-	-	-	-	-	-	-	-	-
<b>Subtotal State Revenues</b>	\$ 1,786,012	\$ (137,120)	\$ 229,875	\$ 9,412	\$ -	\$ -	\$ -	\$ -	\$ 1,888,179	\$ 1,888,179	\$ -
<b>Total Federal Programs</b>	25,000	-	-	-	-	-	-	-	25,000	25,000	-
<b>Local Programs</b>											
Donations	53,000	-	-	-	-	-	-	-	53,000	53,000	-
Other Local Grants	-	-	-	-	-	-	-	-	-	-	-
Other Local Programs	-	-	-	-	-	-	-	-	-	-	-
<b>Subtotal Local Revenues</b>	\$ 53,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 53,000	\$ 53,000	\$ -
<b>Total Revenues</b>	\$ 1,864,012	\$ (137,120)	\$ 229,875	\$ 9,412	\$ -	\$ -	\$ -	\$ -	\$ 1,966,179	\$ 1,966,179	\$ -
<b>Expenses</b>											
Certificated Salaries	\$ 763,950	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 763,950	\$ -	\$ -
Classified Salaries	177,360	-	-	-	-	-	-	-	177,360	177,360	-
Employee Benefits	446,435	-	-	-	-	-	-	-	446,435	446,435	-
Books & Supplies	53,355	-	-	-	-	-	-	-	53,355	53,355	-
Services & Operational Expenses	254,351	-	-	-	-	-	-	-	254,351	254,351	-
Capital Outlay	-	-	-	-	-	-	-	-	763,950	-	-
Other Outgo	-	-	-	-	-	-	-	-	-	-	-
<b>Total Expenses</b>	\$ 1,695,451	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,695,451	\$ 1,695,451	\$ -
Loan Proceeds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Repayment of Debt Principal	-	-	-	-	-	-	-	-	-	-	-
<b>Net Cash Position</b>	\$ 168,561	\$ (137,120)	\$ 229,875	\$ 9,412	\$ -	\$ -	\$ -	\$ -	\$ 270,728	\$ 270,728	\$ -
<b>Cumulative Cash Position</b>	\$ 351,795	\$ 214,675	\$ 444,550	\$ 453,962	\$ 453,962	\$ 453,962	\$ 453,962	\$ 453,962	\$ 453,962	\$ 453,962	\$ -

## Cypress Grove Charter High School Cash Flow — 2008–09 Cash Flow Worksheet

	Jul (PY Pmt)	Jul (CY Pmt)	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total	
	2008			2009											2008–09
<b>Beginning Balance</b>	\$ 351,795	\$ 581,670	\$ 466,727	\$ 497,098	\$ 514,804	\$ 497,742	\$ 494,281	\$ 490,432	\$ 500,198	\$ 585,889	\$ 665,526	\$ 679,629	\$ 684,183	\$ 351,795	
<b>Revenues</b>															
Charter School General Purpose Block Grant Allocations															
In Lieu Tax Portion	\$ 55,425	\$ -	\$ -	\$ 76,066	\$ 50,711	\$ 50,711	\$ 50,711	\$ 50,711	\$ 50,711	\$ 133,060	\$ 66,530	\$ 66,530	\$ 66,530	\$ 755,726	
State Aid Portion	161,039	67,635	135,270	90,180	90,180	90,180	90,180	90,180	182,944	91,472	91,472	91,472	1,272,204		
Charter School Categorical Block Grant Allocations	12,166	5,030	10,061	6,707	6,707	6,707	6,707	6,707	13,543	6,772	6,772	6,772	94,651		
California Lottery	-	-	-	9,412	-	-	11,386	-	-	11,386	-	-	11,386	43,569	
CA Primary (K-3) Class Size Reduction (E.C. 52120)	-	38,033	-	-	-	-	-	-	-	-	-	-	-	-	
Economic Impact Aid	1,245	1,326	2,652	1,768	1,768	1,768	1,768	1,768	3,094	1,547	1,547	1,547	21,798		
Summer and Hourly Programs	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
<b>Other State Programs</b>															
AB740 Funding	-	-	-	-	-	-	-	-	-	-	-	-	-	44,870	
Other (Identify)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
CDE Charter School Startup Grant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other State Grants (Identify)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other State Programs (Identify)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
<b>Subtotal State Revenues</b>	\$ 229,875	\$ 73,991	\$ 186,015	\$ 184,133	\$ 149,366	\$ 149,366	\$ 160,751	\$ 149,366	\$ 250,292	\$ 244,237	\$ 166,321	\$ 166,321	\$ 122,786	\$ 2,232,819	
<b>Total Federal Programs</b>	-	-	-	-	-	-	-	25,000	-	-	-	-	-	25,000	
<b>Local Programs</b>															
Donations	-	-	-	-	-	-	-	-	-	-	-	-	-	54,400	
Other Local Grants	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other Local Programs	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
<b>Subtotal Local Revenues</b>	\$ -	\$ -	\$ 27,200	\$ -	\$ -	\$ 13,600	\$ -	\$ -	\$ -	\$ 13,600	\$ 13,600	\$ -	\$ -	\$ 54,400	
<b>Total Revenues</b>	\$ 229,875	\$ 73,991	\$ 213,215	\$ 184,133	\$ 149,366	\$ 162,966	\$ 160,751	\$ 174,366	\$ 250,292	\$ 244,237	\$ 179,921	\$ 166,321	\$ 122,786	\$ 2,312,219	
<b>Expenses</b>															
Certificated Salaries	-	\$ 78,757	\$ 78,757	\$ 78,757	\$ 78,757	\$ 78,757	\$ 78,757	\$ 78,757	\$ 78,757	\$ 78,757	\$ 78,757	\$ 78,757	\$ 78,757	\$ 945,085	
Classified Salaries	-	15,308	15,308	15,308	15,308	15,308	15,308	15,308	15,308	15,308	15,308	15,308	15,308	183,690	
Employee Benefits	-	45,434	45,434	45,434	45,434	45,434	45,434	45,434	45,434	45,434	45,434	45,434	45,434	545,203	
Books & Supplies	-	18,271	12,181	4,263	4,263	4,263	2,436	2,436	2,436	2,436	3,654	2,436	1,827	60,904	
Services & Operational Expenses	-	31,165	31,165	22,666	22,666	22,666	22,666	22,666	22,666	22,666	22,666	19,832	19,832	283,321	
Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other Outgo	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
<b>Total Expenses</b>	-	\$ 188,935	\$ 182,844	\$ 166,427	\$ 166,427	\$ 166,427	\$ 164,600	\$ 164,600	\$ 164,600	\$ 164,600	\$ 165,818	\$ 161,767	\$ 161,158	\$ 2,018,202	
Loan Proceeds	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Repayment of Debt Principal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
<b>Net Cash Position</b>	\$ 229,875	\$ (114,943)	\$ 30,371	\$ 17,706	\$ (17,061)	\$ (3,461)	\$ (3,849)	\$ 9,766	\$ 85,692	\$ 79,637	\$ 14,103	\$ 4,554	\$ (38,372)	\$ 294,016	
<b>Cumulative Cash Position</b>	\$ 581,670	\$ 466,727	\$ 497,098	\$ 514,804	\$ 497,742	\$ 494,281	\$ 490,432	\$ 500,198	\$ 585,889	\$ 665,526	\$ 679,629	\$ 684,183	\$ 645,811	\$ 645,811	

## 2008-09 Cash Flow to Budget Reconciliation Worksheet

	Total Rec'd	Less Prior Year	Jul	Sep	Dec	Jan	Feb	Mar	Adjusted Total	Budgeted Total	Difference
	2008-09	Adjustments	2009	2009	2009	2010	2010	2010	2008-09	2008-09	Budget - Actual
<b>Beginning Balance</b>	\$ 351,795	\$ 645,811	\$ 406,524	\$ 746,049	\$ 757,435	\$ 757,435	\$ 757,435	\$ 757,435	\$ 351,795	\$ 351,795	\$ -
<b>Revenues</b>											
Charter School General Purpose Block Grant Allocation	combined block grant								2,130,508	2,130,508	
In Lieu Tax Portion	\$ 755,726	\$ (55,425)	\$ 66,529	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 766,831	\$ -	\$ -
State Aid Portion	1,272,204	(161,039)	252,512	-	-	-	-	-	1,363,677	-	-
Charter School Categorical Block Grant Allocations	94,651	(12,166)	18,937	-	-	-	-	-	101,422	101,422	-
California Lottery	43,569	(9,412)	-	-	-	-	-	-	45,543	45,543	-
CA Primary (K-3) Class Size Reduction (E.C. 52120)	-	-	-	-	-	-	-	-	-	-	-
Economic Impact Aid	21,798	(1,245)	1,547	-	-	-	-	-	<del>700,890</del>	-	-
Summer and Hourly Programs	-	-	-	-	-	-	-	-	1,363,677	-	-
<b>Other State Programs</b>											
AB740 Funding	44,870	-	11,386	-	-	-	-	-	44,870	- 44,870	-
Other (Identify)	-	-	-	-	-	-	-	-	-	-	-
CDE Charter School Startup Grant	-	-	-	-	-	-	-	-	22,100	-	-
Other State Grants (Identify)	-	-	-	-	-	-	-	-	-	-	-
Other State Programs (Identify)	-	-	-	-	-	-	-	-	-	-	-
<b>Subtotal State Revenues</b>	\$ 2,232,819	\$ (239,287)	\$ 339,525	\$ 11,386	\$ -	\$ -	\$ -	\$ -	\$ 2,344,443	\$ 2,344,443	\$ -
<b>Total Federal Programs</b>	25,000	-	-	-	-	-	-	-	25,000	25,000	-
<b>Local Programs</b>											
Donations	54,400	-	-	-	-	-	-	-	54,400	54,400	-
Other Local Grants	-	-	-	-	-	-	-	-	-	-	-
Other Local Programs	-	-	-	-	-	-	-	-	-	-	-
<b>Subtotal Local Revenues</b>	\$ 54,400	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 54,400	\$ 54,400	\$ -
<b>Total Revenues</b>	\$ 2,312,219	\$ (239,287)	\$ 339,525	\$ 11,386	\$ -	\$ -	\$ -	\$ -	\$ 2,423,843	\$ 2,423,843	\$ -
<b>Expenses</b>											
Certificated Salaries	\$ 945,085	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 945,085	\$ -	\$ -
Classified Salaries	183,690	-	-	-	-	-	-	-	183,690	183,690	-
Employee Benefits	545,203	-	-	-	-	-	-	-	545,203	545,203	-
Books & Supplies	60,904	-	-	-	-	-	-	-	60,904	60,904	-
Services & Operational Expenses	283,321	-	-	-	-	-	-	-	283,321	283,321	-
Capital Outlay	-	-	-	-	-	-	-	-	945,085	-	-
Other Outgo	-	-	-	-	-	-	-	-	-	-	-
<b>Total Expenses</b>	\$ 2,018,202	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,018,202	\$ 2,018,202	\$ -
Loan Proceeds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Repayment of Debt Principal	-	-	-	-	-	-	-	-	-	-	-
<b>Net Cash Position</b>	\$ 294,016	\$ (239,287)	\$ 339,525	\$ 11,386	\$ -	\$ -	\$ -	\$ -	\$ 405,640	\$ 405,640	\$ (0)
<b>Cumulative Cash Position</b>	\$ 645,811	\$ 406,524	\$ 746,049	\$ 757,435	\$ 757,435	\$ 757,435	\$ 757,435	\$ 757,435	\$ 757,435	\$ 757,435	\$ (0)



*Cypress Grove Charter High School  
for Arts and Sciences*

**Delivered by**  
**Facsimile 831 753-1686**

**Date:** May 9, 2006

**To:** Garry Bousum, Monterey County Office of Education

**From:** Walt Ferguson, Cypress Grove Charter High School for Arts and Sciences

**Re:** Update on financial audits, 4 pages

In late March Cypress Grove received a letter from the CDE requesting the status of Cypress Grove Charter High School's independent financial audit. We have been in communication with the CDE and apparently the letter was sent in error. I have included a copy of the letter and an email from Raquel Torrecampo confirming that Cypress Grove's audit was included with MPUSD's audit report. The CDE has informed the school that we have met their requirements.

For clarification, the MPUSD advised the school in August 2005 there was no need for an independent financial audit and that Cypress Grove's financial information would be included with the District's audit filed with the CDE. In late December the auditor, Perry-Smith, advised us that the District had changed its position and that an independent financial audit for 2004-05 would be required.

In March 2006 and upon completion of the 2003-04 audit, the school engaged Perry-Smith to complete an annual independent financial audit for FY2004-05. The fieldwork at Cypress Grove was completed on March 29th. Currently we are working with the auditor and the District to resolve the originally disputed charges identified in early September 2005. The timing for completion of the 2004-05 audit is dependent on the resolution.

Should you need additional information please do not hesitate to contact me.

Encl: CDE, Ellen Venturino, Audit Resolution Office, letter dated March 24, 2006  
CDE, Raquel Torrecampo, Audit Resolution Office, email dated April 12, 2006



*Cypress Grove Charter High School  
for Arts and Sciences*

**Date:** March 14, 2006

**To:** Monterey County Office of Education

**From:** Cypress Grove Charter High School for Arts and Sciences

**Re:** Monterey Peninsula Unified School District Resolution No. 05/06-7, Denial of  
Renewal of Cypress Grove Charter High School for Arts and Sciences

This is a response by the Cypress Grove Charter High School for Arts and Sciences ('Cypress Grove' or 'School') to the Findings of Fact adopted by the Monterey Peninsula Unified School District Board of Education ('MPUSD' or 'District') on Feb. 21, 2006, in denying Cypress Grove's request for a five-year renewal of a five-year charter originally granted by MPUSD by a 7-0 vote on Feb. 5, 2001.

In adopting the denial by a 6-1 vote, the MPUSD Board stated that Cypress Grove is "demonstrably unlikely to successfully implement the program set forth in the petition," citing Education Code Section 47605 (b)(2) as the authority for its decision. (See Attached, MPUSD Resolution No. 05/06-7).

Cypress Grove disputes MPUSD's position and can substantiate that it is financially solvent and will continue to be solvent. The School is prepared to present evidence of its positive financial standing, which includes a substantial bank balance held by the School's nonprofit foundation, and ability to continue operations as demonstrated with its Multi-Year Financial Plan.

The MPUSD Board made its decision based on many generalizations and summaries of the relationship between the District and the School over the past five years. It is necessary for Cypress Grove to respond to the claims made by MPUSD and state that the "facts" purported by MPUSD are disputable and, on close examination, inaccurate:

**Regarding; MPUSD Resolution No. 05/06-7**

**Item 1.**

***District Statement:*** "Over the past three years and including as recently as January 2006, Petitioners (Cypress Grove) have denied access to District representatives to view and audit school financial records."

**Cypress Grove Response:** Cypress Grove has historically cooperated with District representative's "reasonable requests" for information. Contrary to MPUSD's claims, Cypress Grove gave MPUSD Chief Business Officer Tom Woodruff unlimited access to all records on numerous occasions, including as recently as on August 17, 2005 and in January 2006.

**District Statement:** *“The refusal (by Cypress Grove) to allow access prevents the District from fulfilling its legal responsibility to provide fiscal oversight. This pattern of denial of access demonstrates that petitioners are unlikely to successfully implement the provisions of the program in the charter.”*

**Cypress Grove Response:** Cypress Grove has long made its records and other documents available to MPUSD staff upon receiving “reasonable requests” by MPUSD representatives. Cypress Grove and MPUSD have agreements in which MPUSD is paid by the School to manage and maintain comprehensive financial data on behalf of the School within the District’s accounting system. Despite numerous requests for on-line access to its financial information, MPUSD has denied the School either access to information or backup and documentation of accounting transactions made by MPUSD on behalf of the School.

In 2001 and again in 2003, Cypress Grove entered into an agreement with MPUSD for access to its records in the Monterey County Office of Education Financial Management System. It is the District that has long refused Cypress Grove timely and full access to financial records developed and maintained by the District on behalf of the Charter School. (See Attached Business Services Agreements between MPUSD and Cypress Grove dated August 2001 and August 2003)

It became difficult over the years for Cypress Grove to obtain timely and accurate financial information from MPUSD to allow Cypress Grove to manage and conduct state mandated financial audits, prepare periodic budgets and financial reports. After the completion of the 2001-02 and 2002-03 audits, which were delayed because financial information was not made available to the auditor by the District, Cypress Grove made the decision and contracted to use the same auditor as MPUSD in May 2004 with the intent that having the same audit firm conducting the audit would facilitate the completion of the School’s audit in a timely manner. The auditor’s 2003-04 fieldwork was completed at the school in August 2004. The first draft was made available January 2005 and a second draft in August 2005 (over nine months past the due date). MPUSD’S auditor found it difficult to reconcile District records of Cypress Grove revenues and costs, including journal entries that MPUSD could not explain.

In a January 23, 2006, letter to Cypress Grove (See Attached) about delays in completing the 2003-04 and 2004-05 audits, Steven E. Wescoatt, Partner and Education Manager of Perry-Smith, LLP, the MPUSD and Cypress Grove auditor, stated that because of difficulties that MPUSD had with their cash balances for charter schools, “. . . we discussed with Bruce Colby (former Business Manager) the possibility of segregating the financial and accounting transactions of the charter schools within the Charter School Fund.” In response to a question posed by Cypress Grove about whether it is an industry “best practice” to commingle the cash transactions of more than one financial entity, i.e., separate charter schools, in a single County Treasurer Cash Account, Wescoatt did not fully address the situation of commingling funds.

Though Wescoatt did not elaborate on the commingling of charter school funds by MPUSD in its deposits with Monterey County, he did note that Cypress Grove and MPUSD have both been unable to “provide information to resolve this discrepancy” in trying to reconcile 2002-03 end balances. That was the start of a slippery slope of financial record disputes between Cypress Grove and MPUSD that remain unresolved.

There is no simple answer as to the differences of opinion Cypress Grove and MPUSD have about the reconciliation and auditing of fund balances. It is a matter of fact, however, that historically MPUSD has not provided the Charter School with records of cash deposits, with segregated data relative to its own monies in the Cash in County Treasury accounts, with monthly status of all general ledger accounts, such as accounts receivable and accounts payable, and, perhaps most importantly, has never on a regular basis provided separate and distinct fund balance data for the Charter School. One explanation could be poor communication resulting from the attempted completion of the 2003-04 audit, staff turnover at MPUSD included one superintendent, four chief business officers, one business manager and several members of the finance department.

**Item 2.**

***District Statement:*** “*The Charter School is currently two years in arrears in presenting an independent audit to the District.*”

**Cypress Grove Response:** Under this section, MPUSD makes various claims related to still uncompleted audits, in fact, making statements from documents still stamped “Draft, preliminary and tentative” and “not for distribution to a third party.” Because the audits are still stamped “preliminary, “not for third-party distribution,” it would be inappropriate to comment on these claims. And, it certainly was inappropriate for specific numbers from those as yet incomplete documents to be presented as “fact” before the MPUSD Board. In fact, the completed 2003-04 audit does not include these statements. One of the primary reasons the mentioned audits have been tardy is the fact that the core financial data, developed, maintained and managed by MPUSD has not been adequately documented, reconciled or segregated from other District financial transactions, including transactions of other charter schools sponsored by the District.

**Item 3.**

***District Statement:*** *The MPUSD states as “fact” that Cypress Grove “overestimated income and underestimated expenses for the 2005-06 school year.”*

**Cypress Grove Response:** MPUSD totally ignored Cypress Grove’s efforts to limit costs in light of increasing enrollment by increasing class sizes and closely monitoring expenses. Cypress Grove submitted the school’s budget prior to the 2005-06 school year in July 2005. In addition, the Charter School submitted a First Interim Report in accord with timelines set in state law and duly adopted by the Governing Board. MPUSD did not provide any written review, commentary or critique of these documents. The Charter School’s 2005-06 budget did not become an issue until the recent petition renewal hearings.

All along, Cypress Grove has been attempting to resolve the 2003-04 and 2004-05 audit questions to make sure that the School was credited properly for revenues and charged properly for business services and facilities provided by MPUSD. In the due diligence related to audit discussions, Cypress Grove found it was under-credited for revenues, overcharged on rent, oversight fees and business services, beyond the contracted and state mandated levels. It is a matter of record that Cypress Grove has identified errors made by MPUSD in its financial management of the School for thousands and thousands of dollars. According to Cathi Vogel, a financial consultant for the School, not only have material errors been discovered, but MPUSD fails to pay the Charter School its In Lieu Property

Taxes by the 15<sup>th</sup> of each month, a requirement of state law. Further, MPUSD prepares and executes journal entries that substantially change the Charter School's financial profile without providing the School detailed backup and reconciliation records to substantiate the changes.

**District Statement:** *MPUSD states as fact that "Attachment O ( Appendix O of the Charter Petition renewal) indicated donations of \$120,000 for the 2005-06 school year. This amount was undocumented and represents an extremely high estimate. In previous years the Charter school estimated \$35,000."*

**Cypress Grove Response:** The MPUSD also did not acknowledge the broad and substantial financial support provided to Cypress Grove over the past several years by its Parent Teacher Organization, a nonprofit foundation, and that the school had donation pledges of over \$76,000 and \$32,000 had already been received. Nor that the School had responded to the District's oral concerns and reduced its estimated donations to \$50,000 as submitted to MPUSD in the School's First Interim Report, submitted on time and in accordance with State law and again in the Appendix O. (See Attached)

**District Statement:** *"The Charter School presented, in Attachment O (Appendix O of the Charter petition renewal), a negative fund balance (\$43,000) to begin the 2005-06 school year. In addition, the 3% reserve is not indicated as is required by the Charter."*

**Cypress Grove Response:** The School included a disputed 2004-05 negative fund balance of \$43,000. While the School could have presented the budget without the disputed amount, it chose to reflect it in the budget. To the contrary, a 3% Reserve Designated for Economic Uncertainty is reflected in the First Interim Report and Appendix O.

**District Statement:** *"The Charter School was found to have checks written on its accounts that were written with only one authorizing signature. In addition, checks written and signed by the charter's Executive Director were made out to himself and his spouse. No backup was produced to substantiate the reimbursements. This demonstrates a lack of proper business practices and presents, at the very least, the appearance of impropriety."*

**Cypress Grove Response:** Yes, there were several – no more than three – checks that did not have the proper counter signatures and were drawn to reimburse expenses. Granted the original receipts were not available but notations on the checks were present. Far from "impropriety," which implies an ongoing practice, the total amount of the checks was about \$200 and the instance was rare, indicating a slight oversight of procedures. In fact the School's 2003-04 Draft, preliminary audit states "We noted no matters involving the internal control over financial reporting and its operation that we consider material weaknesses."

**Attachments:**

MPUSD, Resolution No. 05/06-7

Business Services Agreement(s), August 2001 & 2003

Letter, January 23, 2006, Perry Smith, LLP

Appendix O, Multi-Year Budget Summary, Section II, Page 1-2

**California Department of Education**

**M e m o r a n d u m**

**Date:** June 26, 2006

**To:** Advisory Commission on Charter Schools

via: Marta Reyes, Director  
Charter Schools Division

**From:** Greg Geeting, Consultant  
Charter Schools Division

**Subject: Supplement to the Analysis of Cypress Grove Renewal Appeal**

Last week, you were provided the California Department of Education (CDE) staff analysis of the Cypress Grove Charter High School for the Arts and Sciences (Cypress Grove) charter submitted in conjunction with the school's appeal for renewal by the State Board of Education (SBE).

Within that analysis, it was noted that the Fiscal Crisis and Management Assistance Team (FCMAT) had been requested to review the school's financial situation. Earlier today, the results of the FCMAT review were released and made available to us. A copy is attached.

FCMAT looked at eight specific financial issues, most of which are in dispute between Cypress Grove and the Monterey Peninsula Unified School District (MPUSD). FCMAT also offered general perspectives on the school's financial management and made several specific recommendations to be implemented if the Cypress Grove charter is renewed.

In summary, the FCMAT review found evidence that five of the disputed financial issues should be resolved in favor of Cypress Grove, though generally in lesser amounts than the school had claimed. On two disputed issues, the FCMAT review could not find a basis to resolve in favor of the school. The final issue pertains to \$20,000 from the Public Charter Schools Grant Program. The Charter Schools Division's records show the amount as paid. We will review the matter with the CDE's Accounting Office and State Controller's Office and follow up with the school.

With regard to general perspectives on the school's financial management, the FCMAT review notes that Cypress Grove "has a history of deficit spending" and that the deficit spending "increases annually." FCMAT concludes that the situation results from "a

structural deficit running through the budget that has yet to be mitigated even in the current year, 2005-06.”

If the Cypress Grove charter is renewed, the FCMAT review recommends that the school:

- Commit to the development and implementation of a fiscal recovery plan, addressing the structural deficit, establishing and maintaining a reserve, and addressing cash flow needs.
- Move to direct funding, i.e., discontinue being a locally-funded charter. Direct funding would be an automatic consequence of charter renewal by the SBE.
- Apply directly for Federal Impact Aid (PL 874), which would be enabled by the change to direct-funded status.

In the CDE staff analysis, we stated as a primary recommendation that the MPUSD or Monterey County Board of Education reconsider the decision to deny Cypress Grove's renewal, if the FCMAT review found no deficit and sound financial practices. The FCMAT review shows the school's financial situation to be in need of significant correction, although the review also indicates that the financial issues have existed for some years. Through a process of temporary coverage for negative cash balances, Cypress Grove has been enabled locally to continue operations during its initial charter term. In view of the excellent academic record the school has amassed, CDE staff would like to reiterate the possibility of reconsideration of the renewal's denial at the local level. If renewed by the MPUSD or Monterey County Board, a fiscal recovery plan (as recommended by FCMAT) could be implemented, while the process of temporary coverage of negative cash balances continues to the extent necessary.

The CDE staff analysis also stated that if the FCMAT review found a deficit, then we would recommend “that the appeal of the renewal be denied because the petitioners are demonstrably unlikely to successfully implement (sustain) the program.” We remain with that recommendation. Unlike local educational agencies, neither the SBE nor the CDE has financial reserves that can be used to fund any deficit that Cypress Grove might bring into a charter-renewal relationship with the SBE, or to fund (even temporarily) negative cash balances that the school might incur.

If the ACCS desires to recommend to the SBE that the Cypress Grove charter be renewed, then CDE staff propose that the ACCS also recommend the following conditions to be completed (as necessary) between the time of the SBE meeting (July 12-13, 2006) and the time of the school's opening for the 2006-07 school year,

and to insulate the State of California to the extent possible from financial exposure in the charter-renewal relationship:

- With approval from the SBE, Cypress Grove and the CDE work out appropriate amendments to the charter to reflect the SBE as the charter authorizer and address concerns noted in the staff analysis and that may be identified in the consideration before the ACCS and/or the SBE.
- Cypress Grove addresses (and completes as necessary) the various conditions prior to opening and operation that the SBE traditionally includes in its charter approval actions, to be consolidated in a memorandum of understanding between Cypress Grove and the CDE, along with any other provisions necessary for the CDE's effective oversight of the school (on behalf of the SBE) that are not included in the charter itself.
- Cypress Grove locates and secures an acceptable facility for 2006-07 (and beyond) that meets all legal requirements and receives the customary sign-off required of other SBE-chartered schools.
- Cypress Grove presents evidence of participation in a Special Education Local Plan Area (SELPA) in 2006-07 (and beyond).
- Cypress Grove prepares a fiscal recovery plan as recommended by FCMAT and, in conjunction with it, presents a completely reworked budget for 2006-07 and the following two years.
- Cypress Grove commits to continuing its relationship with FCMAT during the next three years to ensure that the school's fiscal recovery plan is implemented effectively.
- Cypress Grove holds harmless and indemnifies the state in relation to any and all debts the school may have at the time of the charter renewal.
- The MPUSD and Monterey County Office of Education agree not to seek any compensation from the State of California pertaining to any debts Cypress Grove may have accrued prior to renewal.

Attachment

# FCMAT

## FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM



Administrative Agent  
Larry E. Reider  
Office of Kern County  
Superintendent of Schools

Chief Executive Officer  
Joel D. Montero

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June 26, 2006

Walter Ferguson, Executive Director  
Cypress Grove Charter High School for Arts and Sciences  
225 Normandy Road  
Seaside, California 93955

Dear Mr. Ferguson:

The purpose of this management letter is to report the findings and recommendations of the Fiscal Crisis and Management Assistance Team (FCMAT) identified through its management assistance review of the Cypress Grove Charter High School for the Arts and Sciences (Cypress Grove). This review was requested by the charter to help assess the ongoing viability of the program. While this management letter may be used to support the appeal for a charter petition to the California State Board of Education (SBE), FCMAT takes no position with respect to that process. Specifically, the charter has asked FCMAT to consider factual information and to:

1. Perform a fiscal analysis related to the eight issues contained in the May 31, 2006 letter from Mr. Walter Ferguson, Executive Director, related to the fiscal solvency of the charter.
2. Reconcile, to the extent possible, outstanding issues with respect to either supposed overcharges and/or underreported revenues totaling \$171,000.
3. Examine district records to determine the fiscal viability of the charter to include a review of prior year actuals and future year projections.

Beginning approximately June 2, 2006, FCMAT requested and received documentation from Cypress Grove and the Monterey Peninsula Unified School District (MPUSD). Follow-up conversations were held with Garry Bousum, Assistant Superintendent Business Services, Monterey County Office of Education; Tom Woodruff, Chief Business Officer, Monterey Peninsula Unified School District; Paul Minney, charter school counsel;

Cathi Vogel, charter school consultant; Steve Westcoatt, auditor, Perry-Smith LLP; and Marta Reyes, Director, Charter Schools Division, California Department of Education (CDE).

On June 19-20, 2006, the FCMAT team, consisting of Joel Montero, CEO and Linda Grundhoffer, FCMAT consultant, visited Cypress Grove and the MPUSD. The team interviewed and consulted with a variety of staff from both the district and the charter school. This management letter summarizes FCMAT's analysis of the provided documentation, information contained in the MPUSD financial system, review of other charter records provided by Cypress Grove and the CDE, interviews with district and charter school staff, and consultation with district and charter school external auditors.

With reference to assumptions made in the Cypress Grove May 31, 2006 letter, the team found the fiscal records and the financial system of the MPUSD to be easily accessible, up to date and in keeping with the Standardized Account Code Structure (SACS). Except where otherwise noted, the district follows the directives of the California School Accounting Manual (CSAM). The MPUSD is currently the authorizing authority for three charter schools. Of these, one is directly funded by the state and two, including Cypress Grove, are not. The Monterey County Office of Education receives apportionment for all three charter schools. In the case of Cypress Grove and one other school, those apportionments are posted to the MPUSD Fund (09). There is a concern on the part of the Cypress Grove administration that charter school funds within fund (09) are commingled and the external auditor makes reference to this in a letter dated January 23, 2006. The team found that documentation at the district level was fully adequate to both assess and track revenues and expenditures for the various charter schools. In the team's analysis, all amounts were able to be tied back to the total official apportionment numbers and expenditures then tracked appropriately.

None of the three charter schools has direct or remote access to the district's financial system. According to the MPUSD staff, this issue will be remedied in 2006-07. Also, there appears to be no routine budget reporting sequence directly to the charter schools from the district. The district system is capable of producing financial reports at least quarterly, but it appears that those reports often do not make their way to the charter school offices unless the charter staff specifically requests them. Cypress Grove maintains that the absence of the availability of detailed transaction reports and budget reconciliations has hindered its ability to monitor and manage its finances.

Cypress Grove opened in 2001-02. Final audit reports for all fiscal years between 2001-02 and 2003-04 are complete. The 2004-05 audit has not been finalized because issues with respect to that budget year have not been resolved to the satisfaction of the Cypress Grove administration. Some of those issues are the focus of this management review. In any event, the completion of the 2004-05 audit is not being interrupted because the district's financial system is not accessible or functionally complete. The financial audit for the 2005-06 fiscal year should commence very soon and will be dependent upon a collaborative resolution of the issues outstanding in 2004-05.

There are eight issues related to either overcharges or underreported revenues that Cypress Grove has asked the team to assess. In all, these disputed items total \$171,000 as computed by the charter school staff. The following list constitutes the disputed items and the dollar amount associated with each from the perspective of the Cypress Grove administration.

Overcharges (by the district to the charter school)

1. Facilities Rent	\$ 6,400
2. Business Services	\$44,071
3. Fiscal Oversight Fees	\$16,318

Underreported Revenues (by the district to the charter school)

4. Prior Year Apportionments	\$23,101
5. Implementation Grant Funds	\$20,000
6. Staff Development Buyback Days	\$15,592
7. Federal Military Impact Aid	\$22,351
8. "Smith Journal Entry Error"	\$23,717

Given that these disputed amounts could affect the ending fund balance for 2004-05 and therefore the beginning fund balance for 2005-06, FCMAT's goal is to offer an external, independent opinion as to their reconciliation. The conclusions stated in this management letter are the opinion of the team and, as such, are not binding on either the MPUSD or Cypress Grove.

**Facilities Rent**

It appears from district records that the charter school has been charged different amounts for allowable charges for facilities costs in different years. In 2002-03 the district charged Cypress Grove \$4.28/sq. ft. In 2003-04 the amount was reduced to \$3.95/sq. ft. The team did not verify the calculation methodology for rent; however, the concern is that the district's other charter schools are charged a different amount and therefore the handling of Cypress Grove should be consistent. The team did verify that all charter schools were charged the same rate in fiscal year 2003-04. The team could find no language either in the Charter Petition or the memorandum of understanding between the district and the charter to support the contention that Cypress Grove's rent is tied to other charter schools for which MPUSD is the authorizing entity. The team is not aware of any statutory language that would create such a requirement. That being said, MPUSD and Cypress Grove should endeavor to assure that the district is in compliance with Proposition 39 regulations on the calculation of allowable charges for facilities costs, as these rules could apply in some situations. It should also be noted that the charter school's use of district facilities is subject to annual application as referenced in Education Code Section 47614. Notwithstanding further review as is indicated above, there is no basis on which to judge that the MPUSD owes Cypress Grove for facilities rent overcharges.

**Business Services**

The original agreement between the district and the charter school established a business relationship between the two parties for fiscal services provided to Cypress Grove by the MPUSD. Among the services provided are assistance with budget development, payroll, accounts payable, etc. The agreement establishes the use of the district's indirect cost rate (ICR) as the calculation rate for business services provided on an annual basis. The ICR fluctuates each year. Initially, the ICR was 4.97% and that rate was utilized to bill Cypress Grove for services. The team could find no amendment to the original agreement that would have changed the basis of the billing arrangement for business services. In fact,

in fiscal year 2003-04, the rate for computing the cost for business services to the charter was 5.8%, or the district's ICR for that year. In 2004-05 the district's ICR was reduced to 4.26%, but the rate for computing the cost for business services to Cypress Grove was increased to 10%. Therefore, in 2004-05 MPUSD charged Cypress Grove \$70,509.27. Based on the ICR of 4.26%, and the language in the initial agreement, the costs for business services applied to Cypress Grove should have been \$26,437.72. Given these assumptions, the MPUSD owes Cypress Grove \$44,071.55.

### **Oversight Fees**

Per the California Education Code, the authorizing district of a charter school may assess a charge for the actual costs only up to 1% or 3% for administrative services depending upon certain provisions in the code related to how the district provides for facilities. Education Code Sections 47613, 47632, and 47633 establish how and what is involved in the computation of the 1% or 3% administrative services charge. The oversight fee charged by MPUSD to Cypress Grove should be 1%. The district has computed all fees based on all revenue sources, at a higher rate than is allowable, when, in fact, the Education Code, in the sections highlighted above, establishes a more limited calculation methodology. The revenues utilized for the calculation by the district in 2004-05 equaled \$788,048 when the amount should have been \$747,261. The numbers utilized to come to the aforementioned conclusions are confirmed both in the district's financial system and at the CDE.

Another issue concerns a prior year revenue adjustment identified by the external auditor. This adjustment has been applied to 2004-05 when, in the judgment of the team, it should be applied in the current year (2005-06). The net result will be that the charter school's revenue will eventually increase. The amount of the oversight fee charged by the district in 2004-05 was \$22,199.21 based on the revenue adjustments from prior years added to the total revenues. It is the team's opinion that the oversight fee for 2004-05 should have been based on revenues of \$747,261, and therefore the calculation would yield a \$7,472.61 charge, or a difference of \$14,726.60. This methodology that moves the prior year adjustments into the current year could inflate the calculation of the oversight fee in fiscal year 2005-06, based on the application of the appropriate Education Code sections, which would somewhat offset the lower rate charged in 2004-05.

### **Prior Year Principal Apportionments**

All charter schools receive apportionments based partially on a calculation performed by the CDE. Charter schools receive state aid based on a formula specific to whether they contain certain grade levels, and their in-lieu taxes (local property taxes) are added to this amount. In this case, the state does not "backfill" charter schools to make up the difference in the revenue limit. The in-lieu tax amount that is provided to charter schools is estimated by the state at P-2, and the apportionment is calculated and made. In approximately February of each year, in-lieu taxes are recertified based on the actual amount of property tax collected by the counties. If the amount of tax collected is more than the P-2 estimate, as it normally is, a recalculation of in-lieu taxes is necessary. This recertification and recalculation of taxes has little effect on regular K-12 districts because their revenue limit remains unchanged. However, because charter schools receive all the in-lieu taxes due to them over and above their state aid, their revenue can be impacted. This is the case with Cypress Grove. The team found that the recertification of in-lieu tax amounts was never recalculated for Cypress Grove. Therefore, it is due revenue for past years of \$10,364.

### **Implementation Grant Funds**

Cypress Grove is due implementation grant funds in the amount of \$20,000 for fiscal year 2004-05. In effect, the check from the state is “lost in the mail.” The team’s understanding is that the district staff are awaiting the arrival of the check and will post this amount to the charter school when it arrives. This amount will increase the Cypress Grove fund balance by \$20,000.

### **Staff Development Buyback Days**

There was initial discussion and communication between the district and charter school regarding the number of valid employees that could be claimed for staff development buyback days. Initially, a receivable of \$3,292 is recorded in the 2005-06 books for this purpose. Final reconciliation of the number of valid employees (31) for this calculation is complete for a total claimable amount of \$9,287. The balance of \$5,995 has not been posted to the charter school. It is the opinion of the team that the district owes the charter \$5,995.

### **Federal Impact Aid**

Some local educational agencies (LEAs) may receive money from the federal government if they educate children who are dependents of federal employees living in the district attendance area and are residents of other states. This funding is referred to as Impact Aid or PL874 money. Districts must conduct an annual census of their students to assess the number of federal employee dependents. Based on this count, districts are funded in the subsequent year. There may be a question with respect to whether or not charter schools that are not directly funded by the state are due their pro rata share of Impact Aid from the sponsoring district that collects it. Two Education Code Sections might apply. EC 47634.4 provides the option for directly funded charter schools to apply to the federal government to receive impact aid. In this case, the charter school would follow the same census gathering and application process as if it were a school district. Another code section, EC 47636, establishes that a charter school may negotiate with its sponsor to receive other funds, such as Forest Reserve funds. In this latter statute, Impact Aid is not specifically mentioned, although one might conclude that it would be included in a broad definition of other funds.

The MPUSD has calculated the amount of Impact Aid funding based on its 2003-04 census for dollars that would be received in 2004-05. As a routine part of that calculation, the district has also determined that the pro rata share of that revenue would be \$18,186.97 for Cypress Grove should the district decide to apportion it. While it is clear that the subject of impact aid payments was often discussed between the charter school and the district, and some references are made to the conversations in documentation, the team could find no written agreement between the district and the charter related to the payment of impact aid to the charter school. Cypress Grove is currently not directly funded and is therefore unable to apply on its own behalf for Impact Aid funds per EC 47634.4. FCMAT is unable and unwilling to interpret current law or Education Code to resolve this issue and is not aware of any federal statute or guideline that would provide guidance. FCMAT can say that Impact Aid is routinely passed along to charter schools in California but is also aware of instances where it is not. In the absence of a written agreement that would establish a process for Cypress Grove, it is the team’s opinion that MPUSD has discretion with respect to this issue.

### **“Smith Journal Entry Error”**

The “Smith Journal Entry Error” is simply that: an error that has no positive or negative bearing on Cypress Grove’s finances. It was originally a change in posting from one object code to another that required a journal entry to correct. Because the person’s name in the district that actually made the error was Smith, the correction is referred to in the district’s books as the “Smith error.” The team tracked this error, and although it took several postings to correct, it has no effect on fund balance in any fiscal year.

### **Summation Regarding General Solvency**

Based on the analysis of the team with respect to fiscal year 2004-05, all overcharges and under-reported revenues equal \$95,157.15 in favor of Cypress Grove’s fund balance. This number is notwithstanding the issue related to federal Impact Aid. If the district chose to apportion federal Impact Aid to the charter, the total of all items in question, in the judgment of the team, would be a positive \$113,344.12 to the ending fund balance for 2004-05. These numbers are opposed to the \$171,000 identified by the Cypress Grove administration in the May 31, 2006 letter.

A review of the unaudited actuals for 2004-05 currently shows a negative fund balance of \$192,398. The net impact of the analysis of the team on the charter budget would change this fund balance number to a negative \$97,241, not including the issue related to federal Impact Aid. If federal Impact Aid dollars were applied, the net result would be a negative ending fund balance of \$79,054 in 2004-05 for the charter school.

As of June 20, 2006, Cypress Grove had a total of \$95,579.94 in an outside checking account. Money in this account represents one-time cash and could be utilized to cancel the negative fund balance for fiscal year 2004-05 via a direct payment to the district. However, there are other fiscal issues to consider.

Looking at the fiscal history of Cypress Grove from inception to current year, FCMAT can assume and has verified that the audited actual amounts related to the budget in the years 2001-02 through 2003-04 are materially accurate. There may be some prior year adjustments to revenue as indicated above, but the amount is less than enough to significantly impact the overall financial picture of the school. With the exception of year one, 2001-02, Cypress Grove has a history of deficit spending. A review of this trend indicates that in the subsequent years, deficit spending increases annually. This would indicate a structural deficit running through the budget that has yet to be mitigated even in the current year, 2005-06. Therefore, regardless of the school’s position with respect to fund balance in any year, there is an ongoing structural problem that can only be addressed in one of two ways: increase revenue or decrease spending. The team believes, based on a review of revenues and expenditures, that the deficit spending trend continues in the currently unaudited fiscal years 2004-05 and 2005-06. This analysis would further indicate that should the beginning balance of 2005-06 be positive, notwithstanding any other adjustment or change to revenues or expenditures, the ending fund balance in that year will again be negative.

Cypress Grove does not maintain positive cash flow during the year, given the charter’s current fiscal model. As a result, MPUSD has to support the cash flow of the charter to make payroll.

When this happens, the County Treasurer charges the district interest. This is reflected in Cypress Grove's revenue from other local sources as a negative number. As deficit spending increases and fund balances decline, cash is affected, potentially worsening the problem. Should Cypress Grove become a direct-funded charter, cash flow problems of this type will more negatively impact the school.

Currently and in prior years, Cypress Grove does not reflect a reserve in its budget. Although it may maintain cash in a separate account that does not show on the district's books, budgeting for a reserve would be prudent. Reserves of this type are generally agreed upon between the charter authorizer and charter school. All of the assumptions made by the team in this management letter consider a zero reserve position.

Consultants employed by the charter have created a multiyear projection indicating the potential position of Cypress Grove through fiscal year 2008-09. The team finds that the projections are accurate based on the assumptions used to create them. The primary assumptions are that the charter will have a positive fund balance in 2005-06, that ADA at P-2 will increase from 157 to 267 in 2007-08, and that other local revenues will be maintained above the \$50,000 level in the budget. Given the revenue and enrollment trends from inception to the current year, Cypress Grove would have to grow and fiscally evolve at a rate that is significantly eclipsed by its history in order to make the projections a reality.

## **Recommendations**

Should Cypress Grove continue to operate:

1. The administration and board of the charter school must commit to the development and implementation of a fiscal recovery plan. The recovery plan must, at a minimum, address the structural deficit, establish and maintain a reserve, and address the cash flow needs of the school.
2. The school should request and obtain direct funding status from the state.
3. The school should apply directly to the federal government to receive federal Impact Aid.

This concludes FCMAT's work for the charter school. Should you have questions or need further clarification, please contact me at (707) 775-2852. Thank you for allowing FCMAT to be of service in this matter.

Sincerely,



Joel D. Montero  
Chief Executive Officer



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
Proposed Revision of State Board of Education Waiver Policy Number 99-03 - Physical Education Requirements – Block Schedules	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### RECOMMENDATION

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The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the revisions to the above named waiver policy.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

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In December 2005 an Information Memorandum was sent to SBE members explaining the statute that mandates requirements for physical education instructional minutes. The memorandum identified the conflict created with the implementation of several types of block scheduling in high schools and some middle schools. As of the 2005-06 school year, it is estimated that 20% of the 1,228 high schools in California implement some type of block schedule that is not consistent with the physical education instructional minutes statute. With continued compliance reviews, more of these schools will be requesting a waiver of *Education Code (EC)* Section 51222, if they intend to maintain the block schedule and avoid a compliance finding.

A working group of CDE and SBE staff met to review the issue, and in June 2006, a second Information Memorandum presented seven specific areas for improvement of the waiver criteria and process. The criteria were updated to require improvements in the overall physical education programs at the school(s) consistent with current statute. A personal monitoring program for students “off block,” was made more prescriptive, and development of a professional development program for physical education instructors was added as a condition of approval of a waiver. A fitness data component was added during initial processing and renewal waivers. An evaluation component is now to be completed before periodic renewals of the waiver to continue the block schedule.

## **SUMMARY OF KEY ISSUES**

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Input for changes was then taken from staff and the seven new items were integrated into the existing policy where appropriate. In addition, the entire policy has been shortened, made consistent with more recent formatting style for SBE Waiver Policies. The draft revised policy is attached for discussion and approval as Attachment 1.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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This policy does not have a known measurable fiscal effect.

## **ATTACHMENT(S)**

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Attachment 1: State Board of Education (SBE) Policy Number 99-03 – Physical Education Requirements – Block Schedules, DRAFT - Revised July 2006 (3 pages)



## California State Board of Education Policy

### WAIVER GUIDELINES

Physical Education Requirements for Block Schedules

POLICY #
Previous 99-03
DATE
Pending approval

#### REFERENCES:

*Education Code (EC) Section 33050 et seq.*

#### HISTORICAL NOTES:

Adopted July 1984, Amended February 1990 and June 1999.

#### Statutory Provisions:

*EC Section 51222(a)* - All pupils, except pupils excused or exempted pursuant to Section 51241, shall be required to attend upon the courses of physical education for a total period of time of not less than 400 minutes each 10 schooldays.

#### Background:

The intent of these code sections, established decades ago, clearly requires physical education instruction for all students on a regular and consistent basis. Schools began implementing block schedules, sometimes with disregard for the statutory requirements for physical education instructional minutes, in the 1980s. Several types of these block schedules incorporate physical education instruction on a limited basis and do not meet the statutory requirement of 400 minutes every 10 school days. An exception is the daily alternating block schedule, often referred to as the A/B Block Schedule. Although the majority of block schedules are at the secondary level, some middle schools also have gone to this scheduling. Implementation of these schedules caused districts to be out of compliance with the physical education statute, so a waiver was necessary to allow the scheduling. To solve this dilemma, a committee including physical education experts, district staff, State Board of Education (SBE) members and California Department of Education (CDE) staff members came up with a recommendation for a waiver. This group did not feel that they could ask high schools in the state to stop doing block scheduling, so flexibility was sought.

The SBE adopted the waiver policy in July of 1984 (amended February 1990 and June 1999) to allow local educational agencies to seek flexibility in these requirements in order to accommodate block schedules, when necessary. SBE Policy Number 99-03 created criteria for the consideration and granting of waiver requests of the physical education requirements, which are found in the policy itself. The intent of the policy was to ensure that students engage in consistent physical activity as required by statute, despite the fact that their actual school schedule does not allow for that activity in an instructional setting.

California State Board of Education

1430 N Street  
Sacramento, California 95814  
(916) 319-0827  
(916) 319-0175 (fax)



**Middle/Junior High School Waiver Criteria (Block Schedule):**

The SBE will consider waivers for those middle schools/junior high schools that share a campus and/or physical education facilities with a neighboring high school operating on a block schedule with the same daily bell schedule. Meeting all criteria (below) will be required for these waivers except number 5, which is specific to high schools.

**High School Waiver Criteria:**

1. The district provides evidence that the physical education instructional program at each school(s) requesting the waiver, complies with federal and state statutes and regulations related to physical education pertaining to the minutes requirement; provides instruction based on physical education content standards; and is aligned with the *Physical Education Framework* (sequential, articulated, age-appropriate instruction).
2. The district provides evidence that it has developed a physical education professional development plan for teachers who deliver instruction in physical education at that school(s).
3. The district provides evidence that students are enrolled in courses of physical education a minimum of 18 weeks in 80-90 minute daily class periods during the regular school year.
4. The district describes a method by which it will monitor students' maintenance of a personal physical activity program during the weeks the student is not participating in a physical education course at that school. The monitoring program shall include: student accountability for their participation in physical activity; guidance for students in using the principles of exercise to design and complete their physical activity program; specific information regarding the design and delivery of the monitoring program.
5. The district provides information that demonstrates the physical education program (in a senior or four-year high school) complies with *California Code of Regulations, Title 5, Article 3.1, Section 10060*.
6. The district provides information that demonstrates that all eligible students are prepared for and participate in the physical performance testing as specified in *EC Section 60800*.
7. The district provides evidence that alternate day scheduling for physical education rather than alternate term scheduling has been thoroughly investigated. Include reasons why alternate day block scheduling (A/B block schedule which meets the statute for physical education minutes) will not work.

**Other Key Elements of the Waiver Process for Block Schedules**

CDE will provide technical assistance for schools that apply for and receive a waiver.



This assistance may be useful to districts before the actual submission of the paperwork to avoid delays caused by incomplete waiver requests.

A school granted a waiver of *EC* Section 51222 in order to implement a block schedule shall be selected to be monitored each cycle as a part of the district's Categorical Program Monitoring (CPM) process. This shall only occur when the district has been identified for a CPM visit by CDE.

The California Physical Fitness Test data will be reviewed for school(s) who request a waiver, initially and on request for renewal of the waiver to determine improvement or at minimum, maintenance of students levels of health-related fitness.

The SBE shall grant waivers of this type for two years less one day, which will require the district to reapply for the waiver every two years. In addition to the above, renewal will require an evaluation of the extent to which the needs of students are being met by the physical education program in place at that school(s)

In summary, waivers of these *Education Codes* must meet strict criteria in order to be recommended for approval by the California Department of Education (CDE). The intent of these waivers is to offer local flexibility to schools but still maintain the requirements of providing content based physical education programs to ensure that pupils attain the knowledge, skills and confidence to successfully maintain an active lifestyle, now and for the future.



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
California High School Exit Examination: Review local educational agency failure to grant diplomas for certain students under California <i>Education Code</i> (EC) Section 60852.3	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### RECOMMENDATION

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The California Department of Education (CDE) recommends that the State Board of Education (SBE), pursuant to *EC* 60852.3, affirm the local educational agencies' (LEAs) decisions to fail to grant high school diplomas to 39 students who did not meet the exemption criteria specified in *EC* 60852.3.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

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None.

### SUMMARY OF KEY ISSUES

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#### CAHSEE Student with Disabilities Exemption

On January 30, 2006, Senate Bill (SB) 517 was signed into law and took effect immediately, providing a one-year exemption from the requirement to pass the CAHSEE for certain students with disabilities. As a result of the passage of SB 517 (*EC* section 60852.3), for the 2005-06 school year, all school districts, including charter schools and state special schools (LEAs), are required to grant a high school diploma to students with disabilities under the conditions provided below. If the LEA does not grant a diploma pursuant to this exemption, the SBE must review the LEAs decision and may direct the LEA to grant a high school diploma to the student.

An LEA is required to grant a high school diploma to a student with disabilities who meets the following conditions:

1. scheduled to graduate from high school in 2006, but has not passed the CAHSEE,
2. has not been granted a local waiver of the CAHSEE requirement pursuant to *EC* Section 60851(c), and
3. has met all of the criteria described below.

## **SUMMARY OF KEY ISSUES (Cont.)**

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Students with disabilities are eligible for this exemption if all of the following conditions are met:

1. The student has an individualized education program (IEP) or Section 504 plan.
2. According to the IEP or Section 504 plan that is dated on or before July 1, 2005, the student is scheduled to receive a high school diploma with an anticipated graduation from high school in 2006.
3. The school district or state special school certifies that the student has satisfied or will satisfy all other state and local requirements for the receipt of a high school diploma in 2006.
4. The student has attempted to pass the CAHSEE at least twice after grade ten, including at least once during grade twelve, with the accommodations or modifications, if any, specified in his or her IEP or Section 504 plan.
5. Either (A) the student has received remedial or supplemental instruction focused on the CAHSEE either through the school of the student, private tutoring, or other means, or (B) the school district or state special school failed to provide the student with the opportunity to receive that remedial or supplemental instruction.
6. If the student received remedial or supplemental instruction, the student has taken the CAHSEE at least once following the receipt of that remedial or supplemental instruction. This does not apply if, following the receipt of that remedial or supplemental instruction, there is no further administration of the exam on or before December 31, 2006.
7. The student, or the parent or legal guardian of the student if the student is a minor, has acknowledged in writing that the student is entitled to receive free appropriate public education up to and including the academic year during which the student reaches age twenty two, or until the student receives a high school diploma, whichever event occurs first.

If an LEA denies a student with disabilities a diploma by determining that the student does not meet the criteria for the exemption, the LEA is required to submit documentation of its decision to the SBE within 15 days of denial.

The SBE is required to review any LEA's decision to deny a diploma to a student with disabilities no later than its next regularly scheduled meeting occurring at least 30 days after receiving the documentation. If the Board finds that the student does meet the criteria, it may direct the LEA to issue that student a high school diploma.

## **SUMMARY OF KEY ISSUES (Cont.)**

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CDE and SBE staff met and developed a process by which this documentation can be reviewed. CDE developed a form (Attachment 1) that is designed to assist LEAs to determine and document students' eligibility for this CAHSEE exemption. On April 20, 2006, the form and instructions were sent to all LEAs that administer the CAHSEE. The form's use is recommended, but is not mandatory. CDE has placed instructions to LEAs on the CDE's Web site as well as Questions and Answers regarding this exemption.

By June 21, 2006, the SBE received 68 submissions from four LEAs. Of these submissions, 39 records contained complete information; 18 records required that more information be submitted by the LEAs to document the exemption denial; and 11 records were retracted by the LEAs. All 39 records indicated that the students had not satisfied or will not satisfy all other state and local requirements for the receipt of a high school diploma. Further, 11 of the 39 did not have an IEP dated on or before July 1, 2005 indicating the students were scheduled to receive a high school diploma in 2006, and 4 of the 39 had not attempted to pass the CAHSEE at least twice after grade 10, including at least once during grade twelve. Attachment 2 contains staff recommendations regarding these 39 submissions from three LEAs.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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The development of the Exemption Eligibility Verification form and staff time to process the exemption reviews has been conducted internally. Currently, these costs are being absorbed.

## **ATTACHMENT(S)**

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Attachment 1: Eligibility Verification Form for the Exemption for Students with an Individualized Education Program or Section 504 Plan in the Class of 2006 (1 Page).

Attachment 2: Staff Recommendations Regarding Districts Failure to Grant Diplomas (1 Page).



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
California High School Exit Examination: Including, but not limited to, CAHSEE Program and independent evaluation update	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### RECOMMENDATION

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The California Department of Education (CDE) recommends that the State Board of Education (SBE) take action as deemed necessary and appropriate.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

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In September 2005, the SBE was presented with the summary results for the 2004-05 California High School Exit Examination (CAHSEE) administration. These results are posted on the CDE Internet at <http://data1.cde.ca.gov/dataquest/>. Results from the February 2006 administration were reported to the SBE at its May 2006 meeting.

### SUMMARY OF KEY ISSUES

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#### Analysis of Preliminary Results for Class of 2006

The Human Resources Research Organization (HumRRO), the independent evaluator for the CAHSEE, has estimated that, through the March 2006 administration of the CAHSEE, 90.4 percent of the class of 2006 has passed both parts of the CAHSEE (i.e., English-language arts (ELA) and mathematics), leaving an estimated 41,758 seniors to completely satisfy the CAHSEE requirement. Attachment 1 provides the News Release in which State Superintendent of Public Instruction Jack O'Connell announced the HumRRO results and noted 4,542 additional students in the Class of 2006 have met the CAHSEE requirement. The attachment includes four tables that summarize the results.

#### March 2006 Administration Results

The CAHSEE was administered three times in spring 2006: February, March, and May. Students received their March score reports in late May. Preliminary results for the March 2006 administration show:

- 78 percent of grade ten students passed the math part of the CAHSEE, while 79 percent passed the ELA part of the exam;

## **SUMMARY OF KEY ISSUES (Cont.)**

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- 35 percent of grade eleven students passed math, while 32 percent passed ELA;
- 37 percent of grade twelve students passed math, while 31 percent passed ELA; and
- 54 percent of adult students passed math, while 63 percent passed ELA.

### **May 2006 Testing Volume**

Educational Testing Service (ETS), the test contractor, provided a preliminary summary of the number of students tested in May 2006. 495 districts reported that over 50,000 students attempted the ELA portion and over 52,000 attempted the math portion of the CAHSEE. May 2006 test results are currently being processed. In mid August, aggregate results from all of the CAHSEE administrations during the 2005-06 school year will be posted on the CDE DataQuest Internet. Student score reports for May will be shipped to districts in mid July.

### **Intervention Guide Scheduled for Release in September 2006**

CDE is continuing its work with school and district staff, including teachers and administrators, on the development of the CAHSEE Intervention Guide. The target audience for the Intervention Guide includes administrators and teachers involved in the planning and implementation of intervention programs for students who are not showing sufficient progress in the state academic content standards assessed on the CAHSEE. School districts are required to provide supplemental instruction to such students beginning in grade seven. The CDE anticipates releasing the CAHSEE Intervention Guide in September 2006.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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All costs associated with the activities indicated above are included in current contracts.

## **ATTACHMENT(S)**

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Attachment 1: June 1, 2006, CDE News Release "SCHOOLS CHIEF JACK O'CONNELL ANNOUNCES MORE STUDENT SUCCESS ON CALIFORNIA HIGH SCHOOL EXIT EXAM" (4 Pages)



CALIFORNIA DEPARTMENT OF EDUCATION  
**NEWS RELEASE**

REL#06-61  
FOR IMMEDIATE RELEASE  
June 1, 2006

CONTACT: Hilary McLean  
PHONE: 916-319-0818  
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**SCHOOLS CHIEF JACK O'CONNELL ANNOUNCES MORE STUDENT  
SUCCESS ON CALIFORNIA HIGH SCHOOL EXIT EXAM**  
*4,500 Additional Students in Class of 2006 Fulfill Exit Exam Requirement*

BURBANK – State Superintendent of Public Instruction Jack O'Connell announced today that 4,542 additional students in the Class of 2006 have met the California High School Exit Exam (CAHSEE) requirement by passing both the English-language arts and the math sections, bringing the pass rate up to 90.4 percent. (See Table 1.)

“These results show great improvement since students began taking the Exit Exam in their sophomore year,” O'Connell said. “We must focus now on doing everything possible for those students whose graduation must be postponed because they have not yet mastered the skills in English and math that they will need to succeed past high school.”

An estimated 41,758 students in the Class of 2006 have yet to fulfill the Exit Exam requirement based on the latest cumulative results of test takers through the March 2006 administration.

Subgroup analysis of the latest passage rates shows 95.2 percent of Asian students, 84.3 percent of Hispanic students, 83.2 percent of African American students, and 96.9 percent of white students have succeeded in passing both parts of the Exam. (See Table 2.)

“A disturbing and unacceptable achievement gap persists,” O'Connell said. “However, let's not shoot the messenger that tells us the gap exists. Instead, I welcome the focus that this test has provided. Since the Exit Exam was first administered to students in the Class of 2006 during their sophomore year, the achievement gap in the passing rate has narrowed significantly. Since these students first took the CAHSEE, 39 percent more English learners have met the requirement – more than double the rate of white students. Hispanic students, African American students, and economically disadvantaged students made double or more the improvement of white students.

More...more...

“While this is encouraging, it remains imperative that all of us in education do more to focus on the educational needs of those struggling students. We must move quickly to close these gaps,” he said.

The CAHSEE is one of a number of state and local graduation requirements that students in California must fulfill before receiving a diploma.

(<http://www.cde.ca.gov/ci/gs/hs/hsgtable.asp>) O’Connell noted that an informal survey conducted by the California Department of Education of major school districts in California showed that approximately 2 to 5 percent of students in the senior class will not graduate with their peers this spring solely because they have not met the Exit Exam requirement.

“We must make sure that each of those students has every option available to continue with their education,” O’Connell said. “Summer school, a fifth year of high school, an independent study program, or enrollment in an adult education program will help many of these students to master the skills needed to pass the Exit Exam and earn a diploma. I know our schools and districts are working hard to help these students succeed. Intensive remediation, individualized instruction, and counseling efforts are being provided to students who are most at risk.”

O’Connell is sponsoring a package of legislation designed to expand options for students who are still struggling to pass the CAHSEE. These bills are moving quickly through the legislative process. (<http://www.cde.ca.gov/nr/ne/yr06/yr06rel60.asp>)

This is the last update on CAHSEE results that will be released before most high school graduation ceremonies are held. Some students in the Class of 2006 took the CAHSEE in May, but results from that administration of the test will not be available until mid-July.

###

**Table 1: Estimated Total Passing In Each Administration of CAHSEE**

Subgroup	Grade 10	Grade 11	Fall 2005 Administration	February 2006 Administration	March 2006 Administration	Total Passed
All Students	295,226	67,810	19,933	6,931	4,542	394,442
Females	150,818	32,268	9,475	3,444	2,579	198,584
Males	144,356	35,430	10,401	3,481	1,961	195,629
Asian	34,709	4,583	1,383	515	253	41,443
Hispanic	92,362	33,249	10,292	4,653	2,833	143,389
African American	16,891	6,893	2,236	1,014	706	27,740
White, Non-Hispanic	133,650	18,921	4,786	537	550	158,444
Economically Disadvantaged	88,918	32,524	9,702	4,573	2,847	138,564
English Learner	24,783	17,032	5,996	3,191	1,920	52,922
Special Education	7,993	6,675	--	--	--	14,668

**Table 2: Estimated Number and Percentage of Students in the Class of 2006 Meeting the CAHSEE Requirement through March 2006**

Group	Grade 10	Grade 11	Grade 12	Not Yet Passed	Total	Grade 10	Grade 11	Grade 12	Total Passed	Change Gd. 10 - 12
All Students	295,226	67,810	31,406	41,758	436,200	67.7%	15.5%	7.2%	90.4%	22.7%
Females	150,818	32,268	15,498	19,794	218,378	69.1%	14.8%	7.1%	90.9%	21.9%
Males	144,356	35,430	15,843	22,013	217,642	66.3%	16.3%	7.3%	89.9%	23.6%
Asian	34,709	4,583	2,151	2,095	43,538	79.7%	10.5%	4.9%	95.2%	15.5%
Hispanic	92,362	33,249	17,778	26,763	170,152	54.3%	19.5%	10.4%	84.3%	30.0%
African American	16,891	6,893	3,956	5,619	33,359	50.6%	20.7%	11.9%	83.2%	32.5%
White, non-Hispanic	133,650	18,921	5,873	4,988	163,432	81.8%	11.6%	3.6%	96.9%	15.2%
Economically Disadvantaged	88,918	32,524	17,122	25,450	164,014	54.2%	19.8%	10.4%	84.5%	30.3%
English Learner	24,783	17,032	11,107	18,565	71,487	34.7%	23.8%	15.5%	74.0%	39.4%

**Table 3: Estimated Number and Percentage of Students in the Class of 2006 Passing the CAHSEE ELA Section through March 2006**

Group	Grade 10	Grade 11	Grade 12	Not Yet Passed	Total	Grade 10	Grade 11	Grade 12	Total Passed	Change Gd. 10 - 12
All Students	334,712	50,223	24,073	27,192	436,200	76.7%	11.5%	5.5%	93.8%	17.0%
Females	173,969	22,264	10,781	11,364	218,378	79.7%	10.2%	4.9%	94.8%	15.1%
Males	160,733	27,799	13,237	15,873	217,642	73.9%	12.8%	6.1%	92.7%	18.9%
Asian	35,817	4,009	1,941	1,771	43,538	82.3%	9.2%	4.5%	95.9%	13.7%
Hispanic	112,719	25,247	13,891	18,295	170,152	66.2%	14.8%	8.2%	89.2%	23.0%
African American	22,409	4,974	2,951	3,025	33,359	67.2%	14.9%	8.8%	90.9%	23.8%
American White, non-Hispanic	144,083	12,660	4,019	2,670	163,432	88.2%	7.7%	2.5%	98.4%	10.2%
Economically Disadvantaged	108,305	24,602	13,547	17,560	164,014	66.0%	15.0%	8.3%	89.3%	23.3%
English Learner	31,817	15,075	9,702	14,893	71,487	44.5%	21.1%	13.6%	79.2%	34.7%

**Table 4: Estimated Number and Percentage of Students in the Class of 2006 Passing the CAHSEE Mathematics Section through March 2006**

Group	Grade 10	Grade 11	Grade 12	Not Yet Passed	Total	Grade 10	Grade 11	Grade 12	Total Passed	Change Gd. 10 - 12
All Students	329,661	51,718	24,702	30,119	436,200	75.6%	11.9%	5.7%	93.1%	17.5%
Females	163,630	26,808	12,774	15,166	218,378	74.9%	12.3%	5.8%	93.1%	18.1%
Males	165,647	25,125	11,872	14,998	217,642	76.1%	11.5%	5.5%	93.1%	17.0%
Asian	38,542	2,926	1,210	860	43,538	88.5%	6.7%	2.8%	98.0%	9.5%
Hispanic	111,588	25,718	14,040	18,806	170,152	65.6%	15.1%	8.3%	88.9%	23.4%
African American	19,352	5,775	3,428	4,804	33,359	58.0%	17.3%	10.3%	85.6%	27.6%
American White, non-Hispanic	140,771	14,085	4,638	3,938	163,432	86.1%	8.6%	2.8%	97.6%	11.5%
Economically Disadvantaged	109,237	24,203	12,979	17,595	164,014	66.6%	14.8%	7.9%	89.3%	22.7%
English Learner	39,855	12,582	7,960	11,090	71,487	55.8%	17.6%	11.1%	84.5%	28.7%

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# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
Standardized Testing and Reporting Program: Adopt Amendments to Title 5 Regulations	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### **RECOMMENDATION**

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The California Department of Education (CDE) recommends that the State Board of Education (SBE) consider comments received during the 45-day public comment period and at the public hearing and take action to adopt the amendments to the regulations or to further amend the regulations and commence an additional 15-day public comment period.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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In May 2006, the SBE approved the Initial Statement of Reasons, Notice of Proposed Rulemaking, and the commencement of the regulatory process for the proposed amendments to the Title 5 regulations for the Standardized Testing and Reporting (STAR) Program and directed staff to begin the 45-day written public comment period.

### **SUMMARY OF KEY ISSUES**

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The proposed amendments to the regulations:

- Beginning January 1, 2008, change the testing window for the California Standards Tests (CSTs) and the designated achievement test (the California Achievement Tests, Sixth Edition) from the current window of 21 days comprised of the five days before and five days after the day on which 90 percent, formerly 85 percent, of all instructional days are completed within each school, program, and year-round schedule.
- Beginning January 1, 2008, require that the Standards-based Test in Spanish (STS) be administered during the 10 days following the administration of the CSTs and the designated achievement tests (the STS will be administered during the current 21-day CST window during 2007).

### **SUMMARY OF KEY ISSUES (cont.)**

- Clarify and ensure consistency by removing names of specific tests and incorporating the designated primary language test regulations that are in Article 3 into Articles 1 and 2. This change significantly shortens the regulations and ensures that they are consistent across all components of the STAR Program.
- Delete definitions that are not needed and/or combine definitions.
- Expand the definition of alternate assessment.
- Add a definition of nonpublic school.
- Delete a section related to below grade level testing that applied only to the 2004-05 testing program.
- Add requirement for test proctors and scribes to sign security affidavits.
- Add language about testing students in nonpublic schools.
- Combine and modify language about writing in test booklets.
- Add the alternate assessment and designated primary language test to all appropriate sections in Articles 1 and 2.
- Delete sections that restated rather than clarified law.
- Modify language related to collecting student demographic data to conform to the language used by the CDE's Data Management Division and the California School Information System.
- Update language to match the test ordering process.
- Change language and procedures related to the apportionment for the designated primary language test to conform this section to the language and procedures for the standards-based and designated achievement tests.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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The Economic and Fiscal Impact Analysis concluded that there are no additional costs associated with the proposed amendments.

### **ATTACHMENT(S)**

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A last minute memorandum will be provided that includes a revised statement of reasons incorporating a summary of the comments received during the public comment period and at the public hearing.

Attachment 1: STAR Regulations, Title 5. Education, Division 1, State Department of Education, Chapter 2. Pupils, Subchapter 3.75. Standardized Testing and Reporting Program. Article 1. General (43 Pages)

Attachment 2: Economic and Fiscal Impact Statement (4 pages. This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board of Education office.)

1 **Title 5. EDUCATION**

2 **Division 1. State Department of Education**

3 **Chapter 2. Pupils**

4 **Subchapter 3.75. Standardized Testing and Reporting Program**

5 **Article 1. General**

6 **§ 850. Definitions.**

7 For the purposes of the Standardized Testing and Reporting (STAR) Program, the  
8 following terms shall have the following meanings unless the context indicates  
9 otherwise:

10 ~~(a)(n)~~ “Accommodations” means any variation in the assessment environment or  
11 process that does not fundamentally alter what the test measures or affect the  
12 comparability of scores. Accommodations may include variations in scheduling, setting,  
13 aids, equipment, and presentation format.

14 ~~(b)(g)~~ “Administration Period” means one of multiple test administration periods  
15 used by school districts with schools or programs on non-traditional calendars that  
16 begin and complete the school year at various times and have staggered vacation  
17 periods, in order to ensure that all pupils are tested at approximately the same point in  
18 the instructional year.

19 ~~(c)(h)~~ “CAPA is an individually administered performance assessment developed to  
20 assess pupils’ achievement on a subset of California’s Academic Content Standards.  
21 “Alternate Assessment” means an assessment as provided in Education Code section  
22 60640(e) developed to measure the degree to which pupils with exceptional needs who  
23 are unable to take the standards-based achievement tests even with accommodations  
24 or modifications are achieving the state content standards. The CAPA Alternate  
25 assessments includes administration manuals, administrative materials, and  
26 documents on which the test examiner records the pupils’ responses.

27 ~~(d)~~ “California Standards Tests” means an assessment as provided in Education  
28 Code section 60642.5 that measures the degree to which pupils are achieving the state  
29 content standards.

30 (e) “Department” means the California Department of Education.

31 ~~(f)(a)~~ “Designated achievement test” ~~is the achievement test required by~~ means an

1 assessment as provided in Education Code section 60640(b) and 60642 for grades 3  
2 and 7. The designated achievement test includes test booklets, test answer  
3 documents, administration manuals, and administrative materials.

4 ~~(g)(b)~~ “Designated pPrimary language test” includes any test administered pursuant  
5 ~~to~~ means an assessment as provided in Education Code section 60640(f)(1) and (2) in  
6 each primary language for which a test is available for students with limited English  
7 proficiency or a test administered pursuant to the requirement of Education Code  
8 ~~section 60640(g), as applicable,~~ and includes the test booklets, test answer documents,  
9 administration manuals, administrative materials, and practice tests.

10 ~~(h)(d)~~ “Eligible pupil” is any pupil in grades 2 to 11, inclusive, who is not otherwise  
11 exempted pursuant to Education Code section 60615.

12 (1) ~~For the designated achievement test and the standards-based achievement~~  
13 ~~tests, an eligible pupil is any pupil in grades 2 through 11, inclusive, including those~~  
14 ~~pupils placed in a non-public school through the Individualized Education Program~~  
15 ~~(IEP) process pursuant to Education Code section 56365 who is not exempted by~~  
16 ~~parent/guardian request or eligible to take the California Alternate Performance~~  
17 ~~Assessment (CAPA).~~ For the designated achievement test, an eligible pupil is any pupil  
18 in grades 3 or 7.

19 ~~(2) For the CAPA, an eligible pupil is any pupil with a significant cognitive disability~~  
20 ~~in grades 2 through 11, and ages 7 through 16 in ungraded programs, whose IEP~~  
21 ~~states that the pupil is to take the CAPA.~~

22 ~~(2)(3)~~ For the designated primary language test and the standards-based test in  
23 Spanish, an eligible pupil is an English learner with a primary language for which a test  
24 is required or optional pursuant to Education Code section 60640.

25 ~~(4) For purposes of the writing assessment, an eligible pupil is an eligible pupil for~~  
26 ~~the purpose of taking the standards-based achievement tests for a grade at which the~~  
27 ~~writing test will be administered.~~

28 ~~(i)(e)~~ “Grade” means the grade assigned to the pupil by the school district at the  
29 time of testing.

30 ~~(i)(e)~~ “Modification” means any variation in the assessment environment or process  
31 that fundamentally alters what the test measures or affects the comparability of scores.

1 (k) "Nonpublic schools (NPS)" are nonpublic, nonsectarian schools as set forth in  
2 California Education Code section 56034.

3 ~~(l)(e)~~ "School districts" includes elementary, high school, and unified school districts;  
4 county offices of education; and any charter school that for assessment purposes does  
5 not elect to be part of the school district or county office of education that granted the  
6 charter; and any charter school chartered by the State Board of Education.

7 (m) "Scribe" is an employee of the school district, or a person assigned by a  
8 nonpublic school to implement a pupil's IEP who has signed a STAR Test Security  
9 Affidavit and is required to transcribe a pupil's responses to the format required by the  
10 test. A student's parent or guardian is not eligible to be a scribe.

11 ~~(n)(r)~~ A "significant medical emergency" is a significant accident, trauma, or illness  
12 (mental or physical) that precludes a pupil in grades ~~two through eleven~~ 2 to 11,  
13 inclusive, from taking the ~~California Standards Tests (CSTs), the California Alternate~~  
14 ~~Performance Assessment and/or The California Achievement Tests, Sixth Edition~~  
15 ~~Survey (CAT/6 Survey)~~ standards-based achievement tests or designated achievement  
16 test. An accident, trauma, or illness is significant if the pupil has been determined by a  
17 licensed physician to be unable to participate in the tests.

18 ~~(o)(f)(1)~~ "Standards-based achievement tests" ~~are these tests~~ means an  
19 assessment that measures the degree to which pupils are achieving the state content  
20 standards ~~and performance standards adopted by the State Board of Education as~~  
21 provided in Education Code sections ~~60642.5~~ 60640(e) alternate assessment,  
22 60640(f)(3) standards-based test in Spanish, and 60642.5 California Standards Tests.  
23 The standards-based achievement tests include test booklets, test answer documents,  
24 administration manuals, administrative materials, practice tests and other materials  
25 developed and provided by the contractor of the tests.

26 ~~(2)~~ The term ~~"standards-based achievement test"~~ may refer to one or more of the  
27 individual achievement tests in the subject or core curriculum areas required by  
28 Education Code section ~~60642.5~~ or all of the standards-based achievement tests  
29 collectively.

30 (p) "Standards-based test in Spanish" means an assessment as provided in  
31 Education Code section 60640(f)(3) in the dominant primary language of limited-

1 English proficient students enrolled in California public schools that measures the  
2 degree to which pupils are achieving the state content standards.

3 ~~(g)(k)~~ “Test examiner” is an employee of a school district or an employee of a non-  
4 public school who has been trained to administer the tests and has signed a STAR  
5 Test Security Affidavit. For the GAPA alternate assessment, the test examiner must be  
6 a certificated or licensed school staff member.

7 ~~(r)(t)~~ “Test proctor” is an employee of a school district, or a person assigned by a  
8 nonpublic school to implement a pupil’s IEP, who has signed a STAR Test Security  
9 Affidavit and ~~who~~ has received training designed to prepare him or her to assist the test  
10 examiner in the administration of tests within the STAR Program.

11 ~~(i)~~ “~~Untimed administration~~” means ~~that pupils may receive as much time as needed~~  
12 ~~within a single sitting to complete a test or test part.~~

13 ~~(j)~~ “~~Below-grade-level testing~~” means ~~administering a test that is below the grade~~  
14 ~~level of the pupil being tested.~~

15 ~~(s)(p)~~ “Variation” is a change in the manner in which a test is presented or  
16 administered, or in how a test taker is allowed to respond, and includes, but is not  
17 limited to, accommodations and modifications.

18 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
19 Sections 56034, 60615, 60640, 60642 and 60642.5, Education Code.

20  
21 **§ 850.5. School District Liability.**

22 ~~School districts are agents of the Department for the purpose of implementing the~~  
23 ~~statewide pupil assessment program. No action may be brought or maintained against~~  
24 ~~any school district or its offices or employees acting in accordance with the instructions~~  
25 ~~of the Superintendent of Public Instruction or the State Board of Education.~~

26 NOTE: Authority cited: Sections 33031 and 60605~~(g)~~ and ~~(h)~~, Education Code.  
27 Reference: Sections 60603~~(j)~~, 60604~~(a)~~ and 60613, Education Code.

28  
29 **Article 2. Designated Achievement Test, Standards-Based**  
30 **Achievement Tests, and California Alternate Performance Assessment, and**  
31 **Designated Primary Language Test**

1     **§ 851. Pupil Testing.**

2           (a) School districts shall administer the designated achievement test, and  
3 standards-based achievement tests and the designated primary language test to each  
4 eligible pupil, ~~enrolled in any of grades 2 through 11, inclusive, enrolled~~ in a school  
5 district on the date testing begins in the pupil's school or school district.

6           ~~(b) School districts shall administer the CAPA, as set forth in the pupil's IEP, to each~~  
7 ~~eligible pupil in any of grades 2 to 11, inclusive, in a school district during the period~~  
8 ~~specified by the test contractor. Pupils in ungraded special education classes shall be~~  
9 ~~tested, if they are 7 to 16 years of age.~~

10          ~~(b)(e)~~ School districts shall make whatever arrangements are necessary to test all  
11 eligible pupils in alternative education programs or programs conducted off campus,  
12 including, but not limited to, continuation schools, independent study, community day  
13 schools, ~~or county community schools,~~ or nonpublic schools.

14          ~~(d) School districts may administer the designated achievement test to pupils~~  
15 ~~enrolled in kindergarten or grade 1 or 12, but those pupils shall not be counted for the~~  
16 ~~apportionment pursuant to Education Code section 60640(h).~~

17          ~~(c)(e)~~ No test may be administered in a home or hospital except by a test examiner.  
18 No test shall be administered to a pupil by the parent or guardian of that pupil. This  
19 subdivision does not prevent classroom aides from assisting in the administration of the  
20 test under the supervision of a ~~credentialed school district employee~~ test examiner  
21 provided that the classroom aide does not assist his or her own child and that the  
22 classroom aide signs a security affidavit.

23 NOTE: Authority cited: Sections 33031 and 60605(g) ~~and (h)~~, Education Code.  
24 Reference: Section 60640 ~~and 60642.5~~, Education Code.

25

26     **§ 852. Pupil Exemptions.**

27           A parent or guardian may submit to the school a written request to excuse his or her  
28 child from any or all parts of any test provided pursuant to Education Code section  
29 60640. A school district and its employees may discuss the Standardized Testing and  
30 Reporting ~~p~~Program with parents and may inform parents of the availability of  
31 exemptions under Education Code section 60615. However, the school district and its

1 employees shall not solicit or encourage any written exemption request on behalf of  
2 any child or group of children.

3 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
4 Sections 60615 and 60640, Education Code.

5

6 **§ 853. Administration.**

7 (a) The designated achievement test, standards-based achievement tests and  
8 designated primary language test shall be administered and returned by school districts  
9 in accordance with the manuals or other instructions provided by the contractor for  
10 administering and returning the tests unless specifically provided otherwise in this  
11 subchapter including instructions for administering the test with variations,  
12 accommodations, and modifications specified in section 853.5. The procedures shall  
13 include, but are not limited to, those designed to insure the uniform and standard  
14 administration of the tests to pupils, the security and integrity of the test content and  
15 test items, and the timely provision of all required student and school level information.

16 ~~(b) The standards-based achievement tests and the CAPA shall be administered~~  
17 ~~and returned by school districts in accordance with the manuals and other instructions~~  
18 ~~provided by the contractor and in accordance with testing variations, accommodations,~~  
19 ~~and modifications specified in Section 853.5. The procedures shall include, but are not~~  
20 ~~limited to, those designed to insure the uniform and standard administration of the tests~~  
21 ~~to pupils, the security and integrity of the test content and test items, and the timely~~  
22 ~~provision of all required student and school level information. The procedures shall not~~  
23 ~~include criteria for who should be assessed by the CAPA.~~

24 ~~(c) For the 2004-05 school year, pupils with IEPs specifying below-grade-level~~  
25 ~~testing in grades 4 through 11 may be tested one or two grades below their enrollment~~  
26 ~~grade. Pupils with IEPs specifying below-grade-level testing in grade three may be~~  
27 ~~tested one grade level below their enrollment grade. The test level must be specified in~~  
28 ~~the pupil's IEP. Below-grade-level testing shall be used only if the pupil is not receiving~~  
29 ~~grade-level curriculum as specified by the California academic content standards, and~~  
30 ~~is so indicated on the IEP. Pupils tested below-grade-level must complete all tests~~  
31 ~~required for the grade at which they are tested and shall be administered the tests for~~

1 ~~only one grade level.~~

2 NOTE: Authority cited: Sections 12001, 33031 and 60605, Education Code. Reference:  
3 Section 60640, Education Code; and 20 USC Section 6311.

4

5 **§ 853.5. Use of Variations, Accommodations, and Modifications.**

6 (a) School districts may provide all pupils the following variations:

7 (1) have test directions simplified or clarified.

8 (2) write in test booklets for grades ~~4-11~~ 2 to 11, inclusive, e.g., underlining, working  
9 math problems. Any marks other than those in response circles for grades 2 and 3  
10 must be erased to ensure that the tests can be scored.

11 (3) have as much time as needed within a single sitting to complete a test or test  
12 part on the ~~S~~standards-B~~ased A~~chievement T~~ests~~.

13 (b) School districts may provide all pupils the following testing variations if regularly  
14 used in the classroom:

15 (1) special or adaptive furniture.

16 (2) special lighting, special acoustics, or visual magnifying or audio amplification  
17 equipment.

18 (3) an individual carrel or study enclosure.

19 (4) test individually in a separate room provided that an employee of the school,  
20 school district, or non-public school, who has signed the STAR Test Security Affidavit,  
21 directly supervises the pupil.

22 (5) colored overlay, mask, or other means to maintain visual attention to the test or  
23 test questions.

24 ~~(6) grade two or three standards-based achievement tests underlining or marking~~  
25 ~~information or working math problems in the test booklet and having a school, school~~  
26 ~~district, or non-public school employee who has signed the Test Security Affidavit~~  
27 ~~transfer the answers to a new test booklet.~~

28 ~~(6)~~(7) Manually Coded English or American Sign Language to present directions for  
29 administration.

30 (c) Eligible pupils with disabilities who have IEPs and pupils with Section 504 plans  
31 shall be permitted the following presentation, response or setting accommodations if

1 specified in the IEP or Section 504 plan:

2 (1) large print versions.

3 (2) test items enlarged if font larger than that used on large print versions is  
4 required.

5 (3) Braille transcriptions provided by the test contractor.

6 ~~(4) for grade two or three designated achievement test underlining or marking~~  
7 ~~information or working math problems in addition to marking question answers in test~~  
8 ~~booklets and having a school, school district, or non-public school employee who has~~  
9 ~~signed the Test Security Affidavit transfer the answers to a new test booklet.~~

10 ~~(4)(5)~~ audio or oral presentation of the mathematics, science, or history-social  
11 science tests.

12 ~~(5)(6)~~ use of Manually Coded English or American Sign Language to present test  
13 questions on the mathematics, science, or history-social science tests.

14 ~~(6)(7)~~ for grades 4 to 11 responses marked in test booklet and transferred to the  
15 answer document by a school, school district, or nonpublic school employee who has  
16 signed the STAR Test Security Affidavit.

17 ~~(7)(8)~~ responses dictated orally, in Manually Coded English or American Sign  
18 Language to a scribe for selected-response items (e.g., multiple-choice test questions).

19 ~~(8)(9)~~ responses dictated to a scribe, audio recorder, or speech to text converter on  
20 the writing portion of the English-language arts tests, and the pupil indicates all spelling  
21 and language conventions.

22 ~~(9)(10)~~ use of word processing software with spell and grammar check tools turned  
23 off on the writing portion of the English-language arts tests.

24 ~~(10)(11)~~ use of an assistive device that does not interfere with the independent work  
25 of the student on the multiple-choice or writing portion of the test.

26 ~~(11)(12)~~ supervised breaks within a section of the test.

27 ~~(12)(13)~~ administration of the test at the most beneficial time of day to the pupil.

28 ~~(13)(14)~~ administration of any test or test part to be given in a single sitting over  
29 more than one day except for the writing portion of the English-language arts tests.

30 ~~(14)(15)~~ test administered by a test examiner to a pupil at home or in the hospital.

31 ~~(16)~~ write in test booklet for grades 4-11 on the designated achievement test.

1        ~~(15)~~(17) extra time within the testing day on the designated achievement test.

2        (d) Eligible pupils with disabilities shall be permitted the following modifications if  
3 specified in the eligible pupil's IEP or Section 504 Plan:

4        (1) calculators, arithmetic tables, or mathematics manipulatives on the mathematics  
5 or science tests.

6        (2) audio or oral presentation of the English-language arts tests.

7        (3) Manually Coded English or American Sign Language to present test questions  
8 on the English-language arts tests.

9        (4) spellcheckers, grammar checkers, or word processing software programs that  
10 check or correct spelling and/or grammar on the writing portion of the English-language  
11 arts tests.

12        (5) mechanical or electronic devices or other assistive devices that are not used  
13 solely to record the pupil's responses, including but not limited to transcribers, scribes,  
14 voice recognition or voice to text software, and that identify a potential error in the  
15 pupil's response or that correct spelling, grammar or conventions on the writing portion  
16 of the English-language arts tests.

17        (6) responses dictated orally, in Manually Coded English or American Sign  
18 Language to provide an essay response to a scribe and the scribe provides spelling,  
19 grammar, and language conventions.

20        (7) dictionary.

21        (e) If the school district, pupil's IEP team or Section 504 plan proposes a variation  
22 for use on the designated achievement test, the standards-based achievement tests, ~~or~~  
23 ~~the CAPA or the designated primary language test~~, that has not been listed in this  
24 section, the school district may submit, to the ~~California~~ Department of Education, for  
25 review of the proposed variation in administering the designated achievement test,  
26 standards-based achievement tests, ~~or the CAPA or designated primary language test~~.

27        (f) School districts shall provide identified English learner pupils the following testing  
28 variations if regularly used in the classroom or for assessment:

29        (1) Flexible setting. Tested in a separate room with other English learners provided  
30 that an employee of the school, school district, or non-public school, who has signed  
31 the Test Security Affidavit, directly supervises the pupil.

1 (2) Flexible schedule. Additional supervised breaks following each section within a  
2 test part provided that the test section is completed within a testing day. A test section  
3 is identified by a "STOP" at the end of it.

4 (3) Translated directions. Hear the test directions printed in the test administration  
5 manual translated into their primary language. English learners shall have the  
6 opportunity to ask clarifying questions about any test directions presented orally in their  
7 primary language.

8 (4) Glossaries. Access to translation glossaries/word lists for the standards-based  
9 achievement tests in mathematics, science, and history-social science (English to  
10 primary language). The translation glossaries/word lists are to include only the English  
11 word or phrase with the corresponding primary language word or phrase. The  
12 glossaries/word lists shall include no definitions or formulas.

13 NOTE: Authority cited: Sections 12001, 33031 and 60605, Education Code. Reference:  
14 Section 60640, Education Code; and 20 USC Section 6311.

15  
16 **§ 854. Advance Preparation for the Tests.**

17 (a) Except for materials specifically provided by the ~~California~~ Department of  
18 ~~Education~~ or its agents, no program or materials shall be used by any school district or  
19 employee of a school district that are specifically formulated or intended to prepare  
20 pupils for the designated achievement tests, ~~or~~ standards-based achievement tests, or  
21 the designated primary language test. No administration or use of an alternate or  
22 parallel form of the designated achievement test or the designated primary language  
23 test shall be used as practice for any pupils in grades 2 ~~through~~ to 11, inclusive.

24 (b) Practice tests provided by the contractor as part of the standards-based  
25 achievement tests and the designated primary language test for the limited purpose of  
26 familiarizing pupils with the use of scannable test booklets or answer sheets and the  
27 format of test items are not subject to the prohibition of ~~S~~subdivision (a).

28 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
29 Sections 60611 and 60640, Education Code.

1 **§ 855. Testing Period.**

2 Text of section operative until January 1, 2008

3 (a)(1) The designated achievement test and the standards-based achievement  
4 tests, except for the STAR writing assessment as specified in subdivision (c), shall be  
5 administered to each pupil during a testing window of ~~twenty-one (21)~~ instructional  
6 days that includes ~~ten (10)~~ instructional days before and after completion of 85% of the  
7 school's, track's, or program's instructional days. Testing for all pupils, including  
8 makeup testing, is to be completed within this ~~twenty-one (21)~~ instructional day window  
9 ~~unless all or part of the twenty-one (21) instructional day period falls after any statutorily~~  
10 ~~specified deadline.~~

11 (2)(b) Each school district shall provide for at least two (2) makeup days of testing  
12 for pupils who were absent during the period in which any school administered the  
13 designated achievement test and the standards-based achievement tests. All makeup  
14 testing shall occur within five (5) instructional days of the last date that the school  
15 district administered the tests but not later than the end of the ~~twenty-one (21)~~  
16 instructional day period established in subdivision (a)(1).

17 (b)(1) Any designated primary language test or tests, as applicable, shall be  
18 administered between March 15 and May 14, inclusive, of each school year.

19 (2) Each school district shall provide for at least two makeup days of testing for  
20 pupils who were absent during the period that any school administered any designated  
21 primary language test or tests. All makeup testing shall occur within ten instructional  
22 days of the last date that the school district administered any designated primary  
23 language test or tests, but not later than May 25<sup>th</sup> of each school year, whichever is  
24 earlier.

25 (3) A school district with schools operating on a multitrack year round schedule may  
26 submit a request to the contractor to begin testing no earlier than the fourth Monday in  
27 February.

28 (c) The STAR writing assessment shall be administered to each eligible pupil only  
29 on the day(s) specified annually by the State Superintendent of Public Instruction. An  
30 eligible pupil for purposes of the writing assessment is a pupil taking the standards-  
31 based achievement tests for a grade at which the writing test will be administered.

1 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
2 Sections 60640 and 60642.5, Education Code.

3  
4 **§ 855. Testing Period.**

5 *Text of section operative January 1, 2008*

6 (a)(1) The designated achievement test and the standards-based achievement  
7 tests, except for the STAR writing assessment as specified in subdivision (c), and the  
8 standards-based test in Spanish as specified in subdivision (d), shall be administered  
9 to each pupil during a testing window of ~~twenty-one (21)~~ 11 instructional days that  
10 includes ~~ten (10)~~ five instructional days before and after completion of ~~85~~ 90% of the  
11 school's, track's, or program's instructional days. Testing for all pupils, including  
12 makeup testing, is to be completed within this ~~twenty-one (21)~~ 11 instructional day  
13 window unless all or part of the ~~twenty-one (21)~~ 11 instructional day period falls after  
14 any statutorily specified deadline.

15 ~~(2)(b)~~ Each school district shall provide for at least two ~~(2)~~ makeup days of testing  
16 for pupils who were absent during the period in which any school administered the  
17 designated achievement test and the standards-based achievement tests. All makeup  
18 testing shall occur within five ~~(5)~~ instructional days of the last date that the school  
19 district administered the tests but not later than the end of the ~~twenty-one (21)~~ 11  
20 instructional day period established in subdivision (a)(1).

21 (b)(1) Any designated primary language test or tests, as applicable, shall be  
22 administered between March 15 and May 14, inclusive, of each school year.

23 (2) Each school district shall provide for at least two makeup days of testing for  
24 pupils who were absent during the period that any school administered any designated  
25 primary language test or tests. All makeup testing shall occur within ten instructional  
26 days of the last date that the school district administered any designated primary  
27 language test or tests, but not later than May 25<sup>th</sup> of each school year, whichever is  
28 earlier.

29 (3) A school district with schools operating on a multitrack year round schedule may  
30 submit a request to the contractor to begin testing no earlier than the fourth Monday in  
31 February.

1 (c) The STAR writing assessment shall be administered to each eligible pupil only  
2 on the day(s) specified annually by the State Superintendent of Public Instruction. An  
3 eligible pupil for purposes of the writing assessment is a pupil taking the standards-  
4 based achievement tests for a grade at which the writing test will be administered.

5 (d)(1) The standards-based test in Spanish shall be administered to each pupil  
6 during a testing window of 10 instructional days following the completion of the school  
7 district's testing window as established in subdivision (a)(1).

8 (2) Each school district shall provide for at least two makeup days of testing for  
9 pupils who were absent during the period that any school administered the standards-  
10 based test in Spanish. All makeup testing shall occur within five instructional days of  
11 the last date that the school district administered any standards-based test in Spanish,  
12 but not later than the end of the ten instructional day period established in subdivision  
13 (d)(1).

14 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
15 Sections 60640 and 60642.5, Education Code.

16  
17 **§ 857. District STAR Coordinator.**

18 (a) On or before September 30 of each school year, the superintendent of each  
19 school district shall designate from among the employees of the school district a district  
20 STAR coordinator. The district STAR coordinator, or the school district superintendent  
21 or his or her designee, shall be available through August 15 of the following year to  
22 complete school district testing. The school district shall notify the contractor(s) of the  
23 identity and contact information, including electronic mail address, if available in the  
24 school district, for the district STAR coordinator and for the superintendent and his or  
25 her designee, if any. The district STAR coordinator shall serve as the school district  
26 representative and the liaison between the school district and the contractor(s) and the  
27 school district and the Department for all matters related to the STAR program. A  
28 school district superintendent may designate a separate STAR program district  
29 coordinator for any designated primary language test.

30 (b) The district STAR coordinator's responsibilities shall include, but not be limited  
31 to, all of the following duties:

1 (1) Responding to correspondence and inquiries from the contractor and from the  
2 Department in a timely manner and as provided in the contractor's instructions and  
3 these regulations.

4 (2) Determining school district and individual school test and test material needs in  
5 conjunction with schools within the district and the contractor, using current enrollment  
6 data and communicating school district test material needs to the contractor on or  
7 before December 1.

8 (3) Ensuring delivery of tests and test materials to the test sites no more than ten  
9 ~~(40)~~ or fewer than five ~~(5)~~ working days before the first day of testing designated by the  
10 district.

11 (4) Coordinating the testing and makeup testing days for the school district and for  
12 those pupils of the district who are enrolled in nonpublic schools within any required  
13 time periods with the school test site coordinators. Overseeing the collection of all pupil  
14 data as required to comply with §section 861.

15 (5) Maintaining security over the designated achievement test, the standards-based  
16 achievement tests, ~~the CAPA~~ the designated primary language test, and test data  
17 using the procedure set forth in §section 859. The district STAR coordinator shall sign  
18 the security agreement set forth in §section 859 and submit it to the contractor prior to  
19 receipt of the test materials from the contractor.

20 (6) Overseeing the administration of the designated achievement test, and the  
21 standards-based achievement tests, ~~and the CAPA~~ and the designated primary  
22 language test to eligible pupils.

23 (7) Overseeing the collection and return of all test materials and test data to the  
24 contractor within any required time periods.

25 (8) Assisting the contractor and the Department in the resolution of any  
26 discrepancies in the test information and materials, including but not limited to, pre-  
27 identification files and all pupil level data required to comply with §sections 861 and  
28 862.

29 (9) Immediately notifying the Department of any security breaches or testing  
30 irregularities in the district before, during, or after the test administration.

31 (10) Ensuring that an answer document is submitted for scoring for each eligible

1 pupil enrolled in the district on the first day of testing.

2 (11) After receiving summary reports and files from the contractor, the district STAR  
3 coordinator shall review the files and reports for completeness and accuracy, and shall  
4 notify the contractor and the Department of any errors, discrepancies, or incomplete  
5 information.

6 (12) Training test site coordinators to oversee the test administration at each school.

7 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
8 Sections 52052, 60630, and 60640, Education Code; and 20 USC Section 6311.

9

10 **§ 858. STAR Test Site Coordinator.**

11 (a) At each test site, including but not limited to, each elementary, middle, and high  
12 school or other grade-span designated school, each charter school, each court-school,  
13 each school or program operated by a school district, and all other public programs  
14 serving pupils in any of the grades 2 to 11, inclusive, the superintendent of the school  
15 district or the district STAR coordinator shall designate a STAR test site coordinator  
16 from among the employees of the school district. The STAR test site coordinator, or the  
17 site principal or his or her designee, shall be available to the district STAR coordinator,  
18 and the district coordinator for the designated primary language test by telephone  
19 through August 15 for purposes of resolving discrepancies or inconsistencies in  
20 materials or errors in reports.

21 (b) The STAR test site coordinator's responsibilities shall include, but are not limited  
22 to, all of the following duties:

23 (1) Determining site test and test material needs and communicating the site needs  
24 to the district STAR coordinator.

25 (2) Overseeing the acquisition and distribution of tests and test materials at the test  
26 site, including but not limited to, distributing test materials to test examiners on each  
27 day of testing in accordance with the contractor's directions.

28 (3) Cooperating with the district STAR coordinator to provide the testing and  
29 makeup testing days for the site within any required time periods.

30 (4) Maintaining security over the designated achievement test, the standards-based  
31 achievement tests, ~~the CAPA~~ and the designated primary language test and test data.

1 The STAR test site coordinator shall sign the security agreement set forth in ~~§~~section  
2 859 and submit it to the district STAR coordinator prior to the receipt of the test  
3 materials.

4 (5) Arranging for and overseeing the administration of the designated achievement  
5 test, the standards-based achievement tests, ~~and the CAPA~~ and the designated  
6 primary language test to eligible pupils at the test site.

7 (6) Overseeing the collection and return of all testing materials to the district STAR  
8 coordinator.

9 (7) Assisting the district STAR coordinator, the contractor, and the Department in  
10 the resolution of any discrepancies in the test information and materials.

11 (8) Overseeing the collection of all pupil level and other data required to comply with  
12 ~~§~~sections 861 and 862.

13 (9) Ensuring that an answer document is submitted for scoring for each eligible pupil  
14 enrolled in the school on the first day of testing for the designated achievement test or  
15 the standards-based achievement tests.

16 (10) Ensuring that for each pupil tested only one scannable answer document is  
17 submitted for scoring, except that for each pupil tested at grades for which the  
18 contractor has designated the use of more than one answer document. An answer  
19 document for the STAR writing assessment administered pursuant to ~~§~~section 855(c)  
20 shall be submitted in addition to the answer document for the multiple choice items.

21 (11) Immediately notifying the district STAR coordinator of any security breaches or  
22 testing irregularities that occur in the administration of the designated achievement test,  
23 the standards-based achievement tests, ~~or the CAPA~~ or the designated primary  
24 language test that violate the terms of the STAR Security Affidavit in ~~§~~section 859.

25 (12) Training all test examiners, proctors, and scribes for administering the tests.

26 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
27 Sections 60630 and 60640, Education Code; and 20 USC Section 6311.

28

29 **§ 859. STAR Test Security Agreement and Test Security Affidavit.**

30 (a) All STAR district and test site coordinators (coordinators) shall sign the STAR  
31 Test Security Agreement set forth in ~~§~~subdivision (b) before receiving any STAR

1 Program designated achievement test, standards-based achievement tests, or  
2 designated primary language test or test materials.

3 (b) The STAR Test Security Agreement shall be as follows:

4 STAR TEST SECURITY AGREEMENT

5 I acknowledge by my signature on this form that the designated achievement test,  
6 the standards-based achievement tests, ~~and the CAPA~~ and the designated primary  
7 language test are secure tests and agrees to each of the following conditions to ensure  
8 test security:

9 (1) I will take all necessary precautions to safeguard all tests and test materials by  
10 limiting access to persons within the school district with a responsible, professional  
11 interest in the tests' security.

12 (2) I will keep on file the names of all persons having access to tests and test  
13 materials. All persons having access to the materials shall be required by the  
14 coordinator to sign the STAR Test Security Affidavit that will be kept on file in the  
15 school district office.

16 (3) I will keep the designated achievement test, ~~and the standards-based~~  
17 achievement tests, and the designated primary language test and test materials in a  
18 secure, locked location and will deliver tests and test materials only to those persons  
19 who have executed STAR Test Security Affidavits, on actual testing dates as provided  
20 in section 859(d) California Code of Regulations, Title 5, division 1, chapter 2,  
21 subchapter 3.75.

22 (4) I will keep the ~~CAPA~~ alternate assessment materials in a secure locked location  
23 when not being used by examiners to prepare for and to administer the assessment. I  
24 will adhere to the contractor's directions for the distribution of the assessment materials  
25 to examiners.

26 (5) I will not copy any part of the tests or test materials without written permission  
27 from the Department to do so.

28 (6) I will not disclose, or allow to be disclosed, the contents of, or the test  
29 instrument. I will not review any test questions, passages, or other test items with any  
30 other person before, during, or after the test administration.

31 (7) I will not review test questions, develop any scoring keys or review or score any

1 pupil responses except as required by the contractor's manuals.

2 By signing my name to this document, I am assuring that I will abide by the above  
3 conditions.

4 By: \_\_\_\_\_

5 Title: \_\_\_\_\_

6 School District: \_\_\_\_\_

7 Date: \_\_\_\_\_

8 (c) All test examiners, proctors, scribes, and any other persons having access to the  
9 designated achievement test and test materials, the standards-based achievement  
10 tests and test materials, and the GAPA designated primary language test and test  
11 materials shall acknowledge the limited purpose of their access to the tests by signing  
12 the STAR Test Security Affidavit set forth in Ssubdivision (d).

13 (d) The STAR Test Security Affidavit shall be as follows:

14 STAR TEST SECURITY AFFIDAVIT

15 I acknowledge that I will have access to the designated achievement test, ~~and to the~~  
16 standards-based achievement tests, ~~and the GAPA~~ and/or the designated primary  
17 language test for the purpose of administering the test(s). I understand that these  
18 materials are highly secure, and it is my professional responsibility to protect their  
19 security as follows:

20 (1) I will not divulge the contents of the tests to any other person through verbal,  
21 written, or any other means of communication.

22 (2) I will not copy any part of the test(s) or test materials.

23 (3) I will keep the test(s) secure until the test(s) are actually distributed to pupils.

24 (4) I will limit access to the test(s) and test materials by test examinees to the actual  
25 testing periods when they are taking the test(s).

26 (5) I will collect and account for all materials following each period of testing and will  
27 not permit pupils to remove test materials from the room where testing takes place.

28 (6) I will not review any test questions, passages, or other test items with pupils or  
29 any other person before, during, or following testing.

30 (7) I will not develop scoring keys or review or score any pupil responses except as  
31 required by the contractor's administration manual(s) to prepare answer documents for

1 machine or other scoring.

2 (8) I will return all test materials, except for ~~CAPA~~ alternate assessment materials,  
3 to the designated STAR test site coordinator daily upon completion of testing.

4 (9) I will keep all alternate assessment materials in secure locked storage except  
5 when I am administering or observing the administration of the assessment to pupils.

6 ~~(10)~~(9) I will administer the test(s) in accordance with the directions for test  
7 administration set forth in the contractor's manual for test administration.

8 ~~(11)~~(10) I have been trained to administer the tests.

9 Signed: \_\_\_\_\_

10 Print Name: \_\_\_\_\_

11 Position: \_\_\_\_\_

12 School: \_\_\_\_\_

13 School District: \_\_\_\_\_

14 Date: \_\_\_\_\_

15 (e) To maintain the security of the Program, all district STAR coordinators and test  
16 site coordinators are responsible for inventory control and shall use appropriate  
17 inventory control forms to monitor and track test inventory.

18 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
19 Section 60640, Education Code.

20 **§ 861. School-By-School Analysis**

21 (a) Each school district shall provide the contractor for the designated achievement  
22 test and standards-based achievement tests ~~or CAPA~~, the following information for  
23 each pupil enrolled on the first day the tests are administered for purposes of the  
24 reporting required by the Academic Performance Index of the Public Schools  
25 Accountability Act (~~C~~chapter 6.1, commencing with ~~S~~section 52050), ~~S~~section 60630,  
26 and ~~C~~chapter 5 (commencing with ~~S~~section 60640) of the Education Code:

27 (1) Pupil's full name.

28 (2) Date of birth.

29 (3) Grade level.

30 (4) Gender.

31 (5)-English proficiency and primary language.

1 (6) Date of English proficiency reclassification.

2 (7) If R-FEP pupil scored proficient or above on the California English-~~L~~anguage  
3 ~~a~~Arts Standards ~~†~~Test three ~~(3)~~ times since reclassification.

4 (8) Program participation.

5 (9) Use of accommodations or modifications.

6 (10) Statewide Student Identifier ~~California School Information Services (CSIS)~~  
7 ~~Student Number once assigned.~~

8 (11) Parent education level.

9 (12) ~~Amount of time in the school and school district.~~ School and district California  
10 Basic Educational Data System (CBEDS) enrollment.

11 (13) Grade last enrolled in school where being tested.

12 (14)(13) For English learners, length of time in California public schools and date  
13 first enrolled in school in the United States and the length of time in U.S. schools.

14 (15)(14) Participation in the National School Lunch Program.

15 (16)(15) Ethnicity.

16 (17)(16) Primary disability code.

17 (18)(17) County and District of residence for pupils with IEPs.

18 (19)(18) Special testing conditions and/or reasons for not being tested.

19 (20) Student enrolled in NPS by district based on IEP.

20 (21) NPS school code.

21 (b) In addition to the demographic data required to be reported in ~~S~~section 861(a),  
22 school districts may report if an eligible pupil in ~~grades 2 through 14~~ is not tested with  
23 the standards-based achievement tests due to a significant medical emergency.

24 (c) Each school district shall provide the contractor for the designated primary  
25 language test the information specified in subdivision (a) for each pupil assessed with  
26 the designated primary language test pursuant to Education Code section 60640.

27 (d)(e) The information is for the purposes of aggregate analyses only and shall be  
28 provided and collected as part of the testing materials for the designated achievement  
29 test, and the standards-based achievement tests, ~~and the CAPA.~~

30 (e)(d) School districts shall provide the same information for each eligible pupil  
31 enrolled in an alternative or off campus program or for pupils placed in nonpublic

1 schools as is provided for all other eligible pupils in grades 2 to 11, inclusive.

2 ~~(f)(e)~~ If the information required by ~~§~~section 861(a) is incorrect, the school district  
3 may enter into a separate agreement with the contractor to have the district's student  
4 data file corrected. The district STAR coordinator shall provide the correct information  
5 to the contractor within the contractor's timeline. Any costs for correcting the student  
6 data shall be the district's responsibility.

7 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
8 Section 60630, Education Code.

9

10 **§ 862. Apportionment Information Report.**

11 (a) Annually, each school district shall receive an apportionment information report  
12 with the following information for the designated achievement test, and the standards-  
13 based achievement tests, ~~and the CAPA~~ by grade level for each of grades 2 to 11,  
14 inclusive:

15 (1) The number of pupils enrolled in each school and in the school district on the  
16 first day of testing as indicated by the number of answer documents submitted to the  
17 test contractor for scoring.

18 (2) The number of pupils ~~with significant cognitive disabilities~~ in each school and in  
19 the school district tested with the ~~California Alternate Performance Assessment (CAPA)~~  
20 alternate assessment.

21 (3) The number of pupils in each school and in the school district exempted from  
22 testing at the request of their parents or guardians pursuant to Education Code section  
23 60615.

24 (4) The number of pupils who were administered any portion of the designated  
25 achievement test and standards-based achievement tests.

26 (5) The number of pupils with demographic information only who were not tested for  
27 any reason other than a parent/guardian exemption.

28 ~~(b) The department shall distribute the reports to districts no later than November 15~~  
29 ~~following each testing cycle.~~ Annually, each school district shall receive an  
30 apportionment information report for the designated primary language test with the  
31 following information by grade level for each of grades 2 to 11, inclusive:

1       (1) The number of English language learners who were administered each  
2 designated primary language test pursuant to Education Code section 60640(f).

3       (2) The number of English language learners who were administered each  
4 designated primary language test pursuant to Education Code section 60640(g).

5       (c) To be eligible for apportionment payment for the designated achievement test,  
6 the standards-based achievement tests and/or the designated primary language test,

7 school districts must meet the following conditions:

8       (1) The school district has returned all secure test materials, and

9       (2) The superintendent of each school district has certified the accuracy of the  
10 apportionment information report for examinations administered during the calendar  
11 year (January 1 through December 31), which is either;

12       (A) postmarked by December 31, or

13       (B) if postmarked after December 31, the apportionment information report must be  
14 accompanied by a waiver request as provided by Education Code ~~S~~section 33050. For  
15 those apportionment information reports postmarked after December 31,  
16 apportionment payment is contingent upon the availability of an appropriation for this  
17 purpose in the fiscal year in which the testing window began.

18 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
19 Sections 60615 and 60640, Education Code.

20  
21 **§ 863. STAR Student Reports and Cumulative Record Labels.**

22       (a) The school district shall forward the STAR Student Report for the designated  
23 achievement test and standards-based achievement tests and the designated primary  
24 language test provided by the contractor(s) to each pupil's parent or guardian, within  
25 not more than ~~twenty (20)~~ working days from receipt of the report from the contractor.

26       (b) If the school district receives the reports for the designated achievement test and  
27 standards-based tests, ~~or CAPA~~ or the designated primary language test from the  
28 contractor after the last day of instruction for the school year, the school district shall  
29 send the pupil results to the parent or guardian by U.S. mail at the parent's or  
30 guardian's last known address. If the report is non-deliverable, the school district shall  
31 make the report available to the parent or guardian during the next school year.

1 (c) Schools are responsible for affixing cumulative record labels reporting each  
2 pupil's scores to the pupil's permanent school records or for entering the scores into  
3 electronic pupil records, and for forwarding the results to schools to which pupils  
4 matriculate or transfer. Schools may annotate the scores when the scores may not  
5 accurately reflect pupils' achievement due to illness or testing irregularities.

6 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
7 Sections 49068, 60641, and 60607, Education Code.

8  
9 **§ 864. Reporting Test Scores.**

10 No aggregate or group scores or reports that are compiled pursuant to Education  
11 Code section 60641 or 60643 shall be reported electronically, in hard copy, or in other  
12 media, to any audience other than the school or school district where the pupils were  
13 tested, if the aggregate or group scores or reports are composed of ten ~~(10)~~ or fewer  
14 individual pupil scores. In each instance in which no score is reported for this reason,  
15 the notation shall appear "The number of pupils in this category is too small for  
16 statistical accuracy or privacy protection." In no case shall any group score be reported  
17 that would deliberately or inadvertently make public the score or performance of any  
18 individual pupil.

19 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
20 Section 60640 and 60643, Education Code.

21  
22 **§ 864.5. Test Order Information.**

23 (a) The school district shall provide to the contractor(s), for the designated  
24 achievement test and the standards-based achievement tests no later than December  
25 1 of the year immediately prior to the year of test administration, the following data for  
26 each test site of the school district, by grade level:

27 ~~(1) Number of pupils to be tested~~

28 ~~(1)(2) Valid county district school (CDS) codes,~~

29 ~~(2)(3) Number of tests, without adaptation~~

30 ~~(3)(4) Numbers of special version tests with adaptations by type of adaptation~~  
31 including, but not limited to, Braille and large print.

1 ~~(4)(5)~~ Number of Directions for Admistration needed, by grade level.

2 (5) Number of pupils to be tested with the alternate assessment.

3 (6) Number of test examiners for the alternate assessment.

4 ~~(7)(6) First date of testing in the school district,~~ The first and last date of instruction  
5 and all non-instructional days during the school year for each school in the district and  
6 all non-working days for the school district ~~the dates for each test administration period,~~  
7 ~~if applicable.~~

8 (b) the school district shall provide to the contractor for the designated primary  
9 language test, the following data:

10 (1) Whether or not the district has eligible pupils for the tests.

11 (2) For all test sites in the district with eligible pupils, by grade level, the information  
12 in subdivision (a)(1), (2), (3), and (4).

13 ~~(c)(b)~~ Each school district that elects pre-identification of answer documents shall  
14 submit an electronic file that includes all of the information required in Section 861.  
15 The file must be submitted in accordance with the timeline, format, and instructions  
16 provided by the contractor(s).

17 ~~(d)(c)~~ If the testing materials are lost or destroyed while in the possession of the  
18 school district, and the contractor provides the school district with replacement  
19 materials, the school district is responsible for the cost of all replacement materials.

20 ~~(e)(d)~~ If the school district places an order for tests for any school that is excessive,  
21 the school district is responsible for the cost of materials for the difference between the  
22 sum of the number of pupil tests submitted for scoring including tests for non-tested  
23 pupils and 90 percent of the materials ordered. In no event shall the cost to the school  
24 district for replacement or excessive materials exceed the amount per test booklet and  
25 accompanying material that is paid to the contractor by the Department as part of the  
26 contract for the current year.

27 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
28 Sections 60640 and 60643, Education Code.

29

30 **§ 865. Transportation.**

31 (a) Upon arrival of the test materials at a single location designated by each school

1 district, the ~~school district's~~ district STAR coordinator shall provide the contractor with a  
2 signed receipt certifying that all cartons were received.

3 (b) The security of the test materials that have been duly delivered to the school  
4 district is the sole responsibility of the school district until all test materials have been  
5 inventoried, accounted for, and delivered to the common or private carrier designated  
6 by the contractor for return to the contractor.

7 (c) Secure transportation within a school district is the responsibility of the school  
8 district once materials have been duly delivered to the school district. The school  
9 district is responsible for secure delivery of test materials to nonpublic schools ~~to which~~  
10 ~~district pupils with disabilities are assigned.~~

11 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
12 Section 60640, Education Code.

13  
14 **§ 866. School District Delivery.**

15 (a) No school district shall receive its ~~multiple-choice~~ designated achievement test,  
16 standards-based achievement test, or designated primary language test materials more  
17 than twenty ~~(20)~~ or fewer than ten ~~(10)~~ working days prior to the first day of testing in  
18 the school district. A school district that has not received ~~multiple-choice~~ test materials  
19 from the contractor at least ten ~~(10)~~ working days before the first date of testing in the  
20 school district shall notify the contractor and the Department on the tenth working day  
21 before testing is scheduled to begin that the school district has not received its  
22 materials. Deliveries of ~~multiple-choice~~ test materials to single school districts shall use  
23 the schedule in ~~S~~section 867.

24 (b) A school district and the contractor shall establish a periodic delivery schedule to  
25 accommodate all test administration periods within the school district. Any schedule  
26 established must conform to ~~S~~sections 866(a) and (b) for each test administration  
27 period.

28 (c) No school district shall receive its writing test materials more than ten ~~(10)~~ or  
29 fewer than five ~~(5)~~ working days before the day on which the writing tests are to be  
30 administered.

31 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:

1 Sections 60640, 60642.5, and 60643, Education Code.

2  
3 **§ 867. Test Site Delivery and Return.**

4 (a) No school or other test site shall receive any ~~multiple-choice~~ designated  
5 achievement test, standards-based tests, or designated primary language test or  
6 related test materials more than ten ~~(10)~~ or fewer than five ~~(5)~~ working days prior to the  
7 first day of testing scheduled at the school or test site.

8 (b) All ~~multiple-choice~~ testing materials shall be returned to the school district  
9 location designated by the district STAR coordinator no more than two ~~(2)~~ working days  
10 after testing is completed for each test administration period.

11 (c) No school or other test site shall receive any writing test materials more than six  
12 ~~(6)~~ or fewer than two ~~(2)~~ working days before the test administration date.

13 (d) Writing test materials shall be returned to the district STAR coordinator no more  
14 than one day after the day scheduled for makeup testing.

15 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
16 Section 60640 and 60642.5, Education Code.

17  
18 **§ 867.5. Retrieval of Materials by Contractor.**

19 (a) The school district shall ensure that ~~multiple-choice~~ designated achievement  
20 test, standards-based tests, or designated primary language testing materials are  
21 inventoried, packaged, and labeled in accordance with instructions from the contractor,  
22 and returned to a single school district location for pickup by the contractor within five  
23 ~~(5)~~ working days following completion of testing in the school district and in no event  
24 later than five ~~(5)~~ working days after each test administration period. ~~All school districts~~  
25 ~~must have their multiple-choice testing materials returned to the contractor no later than~~  
26 ~~five (5) working days after any statutory deadline.~~

27 (b) School districts shall return all writing tests and test materials to the contractor  
28 no more than two ~~(2)~~ working days after the makeup day specified for the writing test.

29 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
30 Sections 60640, 60642.5, and 60643, Education Code.

31

1 **§ 868. Discrepancy Resolution for Designated Achievement Test, Standards-**  
2 **Based Achievement Tests, and ~~CAPA~~ and Designated Primary Language Test.**

3 (a) School districts shall process discrepancies determined by the contractor~~(s)~~  
4 upon receipt of returned tests and test materials pursuant to this subdivision:

5 (1) Receipt of a discrepancy notice in writing, via telephone, or via electronic mail by  
6 the district STAR coordinator for one or more of the following shall require a response  
7 from the district STAR coordinator to the contractor within 24 hours.

8 (A) A discrepancy between the quantity of tests and test materials shipped to the  
9 school district and the number of tests and test materials returned to the contractor  
10 from the school district.

11 (B) Information on scannable documents or test support materials that is  
12 inconsistent, incomplete, or missing, according to criteria established with the  
13 Department.

14 (2) The district STAR coordinator shall acknowledge the discrepancy notice via  
15 electronic mail, if available in the school district, to the contractor and to the  
16 Department within ~~twenty-four (24)~~ hours of its receipt via electronic mail.

17 (b) The district STAR coordinator shall report any discrepancy in the total amount of  
18 the shipment from the contractor within two ~~(2)~~ working days of the receipt of the  
19 shipment. If the contractor does not remedy the discrepancy within two ~~(2)~~ working  
20 days of the school district report, the school district shall notify the Department within  
21 24 hours.

22 (c) Any discrepancy in a shipment of designated achievement tests or test  
23 materials, ~~or standards-based achievement tests or test materials, or CAPA materials~~  
24 or designated primary language test or test materials received by a test site from the  
25 district STAR coordinator shall be reported to the district STAR coordinator immediately  
26 but no later than two ~~(2)~~ working days of the receipt of the shipment at the testing site.  
27 The district STAR coordinator shall remedy the discrepancy within two ~~(2)~~ working  
28 days.

29 (d) The district STAR coordinator shall report to the contractor any discrepancy  
30 reported by a STAR test site coordinator within three ~~(3)~~ working days of receipt of  
31 materials at the test site. If the district STAR coordinator does not have a sufficient

1 supply of tests or test materials to remedy any shortage, the contractor shall remedy  
2 the shortage by providing sufficient materials directly to the test site within two (2)  
3 working days of the notification by the district STAR coordinator.

4 (e) The notices required by this section shall be made by telephone with  
5 simultaneous confirmation in writing and by electronic mail.

6 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
7 Sections 60640 and 60643, Education Code.

8  
9 **§ 870. Apportionment to School Districts.**

10 (a) The amount of funding to be apportioned to the school district for the costs of  
11 administering the designated achievement test, the standards-based achievement  
12 tests, ~~and the CAPA~~ and the designated primary language test shall be the amount  
13 established by the State Board of Education to enable school districts to meet the  
14 requirements of administering the designated achievement test, the standards-based  
15 achievement tests, ~~and the CAPA~~ and the designated primary language test per the  
16 number of tests administered to eligible pupils in grades 2 to 11, inclusive, and the  
17 number of answer documents returned with only demographic information for the  
18 designated achievement test and the standards-based achievement tests for pupils  
19 enrolled on the first day of testing who were not tested in the school district. The  
20 number of tests administered and the number of demographic answer documents shall  
21 be determined by the certification of the school district superintendent pursuant to  
22 ~~§~~section 862. For purposes of this portion of the apportionment, administration of the  
23 designated achievement test, the standards-based achievement tests, ~~and the CAPA~~  
24 and the designated primary language test includes the following items:

- 25 (1) All staffing costs, including the district STAR coordinator and the STAR test site  
26 coordinators, staff training and other staff expenses related to testing.
- 27 (2) All expenses incurred at the school district and test site level related to testing.
- 28 (3) All transportation costs of delivering and retrieving tests and test materials within  
29 the school district and to nonpublic schools.
- 30 (4) All costs associated with mailing the STAR Student Reports to  
31 parents/guardians.

1 (5) All costs associated with pre-identification of answer sheets and consumable  
2 test booklets, and other activities intended to provide the complete and accurate data  
3 required in Section 861 of these regulations.

4 (b) This amount does not include any funding for the purposes of:

5 (1) reimbursing the costs incurred by any school district pursuant to Section  
6 864.5(d) or (e); placing an order that is excessive, or for replacement costs for test  
7 materials lost or destroyed while in possession of the school district as stated in  
8 Section 864.5(c). These costs are outside the scope of the mandates of the STAR  
9 program.

10 (2) reimbursing any school district for designated primary language tests for non-  
11 eligible pupils; and

12 (3) reimbursing any school district for designated achievement tests for non-eligible  
13 pupils.

14 (c) If at the time a school district's scannable documents are processed by the  
15 contractor a student data record is missing any of the data elements required in  
16 Section 861 of these regulations for the designated achievement test or the  
17 standards-based achievement tests, the school district shall provide the missing data  
18 elements within the time required by the contractor to process the documents and meet  
19 the contractor's schedule of deliverables under its contract with the Department. The  
20 additional costs incurred by the school district to have the contractor reprocess the  
21 student information to acquire the data required by Section 861 of these regulations  
22 shall be withheld from the school district's apportionment.

23 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
24 Sections 60640 and 60643, Education Code.

### 25 26 **Article 3. Designated Primary Language Test**

#### 27 **§ 880. Pupil Testing.**

28 ~~(a) In addition to the designated achievement test and the standards-based~~  
29 ~~achievement tests, school districts shall administer to English language learners who~~  
30 ~~are enrolled in any of grades 2 to 11, inclusive, a designated primary language test if~~  
31 ~~less than 12 months have elapsed after initial enrollment in any public school in this~~

1 ~~state and if a test has been designated in the pupil's primary language.~~

2 ~~(b) School districts shall make whatever arrangements are necessary to test all~~  
3 ~~eligible pupils in alternative education programs or programs conducted off campus,~~  
4 ~~including, but not limited to, continuation schools, independent study, community day~~  
5 ~~schools, or county community schools.~~

6 ~~(c) School districts may administer a designated primary language test to pupils~~  
7 ~~enrolled in kindergarten or grade 1 or 12, but those pupils shall not be counted for an~~  
8 ~~apportionment pursuant to Education Code section 60640(h).~~

9 ~~(d) No test may be administered in a private home or location unless the test in~~  
10 ~~administered by either a certificated employee of the school district or an employee of a~~  
11 ~~nonpublic school pursuant to Education Code section 56365 who holds a credential~~  
12 ~~and the employee signs a security affidavit. No test shall be administered to a pupil by~~  
13 ~~the parent or guardian of that pupil. This subdivision does not prevent classroom aides~~  
14 ~~from assisting in the administration of the test under the supervision of a credentialed~~  
15 ~~school district employee provided that the classroom aide does not assist his or her~~  
16 ~~own child and that the classroom aide signs a security affidavit.~~

17 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

18 Reference: Section 60640, Education Code.

19  
20 **§ 881. Pupil Exemptions.**

21 ~~(a) A parent or guardian may submit to the school a written request to excuse his or~~  
22 ~~her child from any or all parts of any designated primary language test provided~~  
23 ~~pursuant to Education Code section 60640. The parent or guardian must initiate the~~  
24 ~~request and the school district and its employees shall not solicit or encourage any~~  
25 ~~written request on behalf of any child.~~

26 ~~(b) Pupils in special education programs may be tested with a designated primary~~  
27 ~~language test, if applicable, unless the individualized education program for the pupil~~  
28 ~~specifically exempts the pupil from testing.~~

29 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

30 Reference: Sections 60615 and 60640, Education Code.

31 **§ 882. Administration.**

1       ~~(a) Any designated primary language test or tests, which includes all those~~  
2 ~~materials set forth in Section 850(b), shall be administered and returned in accordance~~  
3 ~~with the manuals or other instructions provided by the publisher(s) for administering~~  
4 ~~and returning the tests unless specifically provided otherwise in this subchapter. The~~  
5 ~~procedures shall include, but are not limited to, those designed to insure the uniform~~  
6 ~~and standard administration of the test(s) to pupils and the security and integrity of the~~  
7 ~~test content(s) and test items.~~

8       ~~(b) Except as provided in Subdivision (c), the reading section of any test or tests~~  
9 ~~shall not be read, interpreted, or translated to any pupil and no pupil may use a~~  
10 ~~calculator while taking any designated primary language test or tests administered~~  
11 ~~pursuant to Education Code section 60640(f) or (g).~~

12       ~~(c) Pupils in special education programs with individualized education programs~~  
13 ~~delineating accommodations such as, but not limited to, large print, extended time, or~~  
14 ~~the use of a reader or scribe; or pupils with current plans under Section 504 of the~~  
15 ~~Rehabilitation Act of 1973 specifying such accommodations shall be tested and the~~  
16 ~~prescribed adaptations or accommodations shall be made.~~

17       ~~(d) Except for pupils in special education programs with individualized education~~  
18 ~~programs and pupils with section 504 plans that require specific accommodations or~~  
19 ~~modifications, no pupil shall be tested with the accommodations or modifications of~~  
20 ~~large print, use of a reader or scribe, extended time, use of a calculator, or out-of-level~~  
21 ~~test.~~

22 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

23 Reference: Section 60640, Education Code.

24  
25 **§ 883. Advance Preparation for Test.**

26       ~~(a) Except for materials specifically included within any designated primary~~  
27 ~~language test or tests, no program or materials shall be used by any school district or~~  
28 ~~employee of a school district that are specifically formulated, or intended by a any~~  
29 ~~school district or employee of a school district, to prepare pupils for any designated~~  
30 ~~primary language test or tests. No administration or use of an alternate or parallel form~~  
31 ~~of the designated test for any stated purpose shall be permitted for any pupils in grades~~

1 ~~2 through 11, inclusive.~~

2 ~~(b) Practice tests provided by the publisher(s) as part of any designated primary~~  
3 ~~language test or tests for the limited purpose of familiarizing pupils with the use of~~  
4 ~~scannable test booklets or answer sheets and the format of test items are not subject to~~  
5 ~~the prohibition of Subdivision (a).~~

6 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

7 Reference: Sections 60611 and 60640, Education Code.

8

9 **§ 884. Testing Period.**

10 ~~(a) Any designated primary language test or tests, as applicable, shall be~~  
11 ~~administered during the testing period of all instructional days commencing on or after~~  
12 ~~March 15 to the 14<sup>th</sup> day of May, inclusive, of each school year.~~

13 ~~(b) Each school district shall provide for at least two (2) makeup days of testing for~~  
14 ~~pupils who were absent during the period that any school administered any designated~~  
15 ~~primary language test or tests. All makeup testing shall occur within ten (10)~~  
16 ~~instructional days of the last date that the school district administered any designated~~  
17 ~~primary language test or tests, but not later than May 25th of each school year,~~  
18 ~~whichever is earlier.~~

19 ~~(c) A school district with schools operating on a multitrack year round schedule may~~  
20 ~~submit a request to the Department to begin testing no earlier than the fourth Monday~~  
21 ~~in February. The State Board of Education shall approve the request if it determines~~  
22 ~~that sufficient tests and test materials are available from the publisher(s) and that the~~  
23 ~~school district will not otherwise be able to complete the testing of all eligible pupils~~  
24 ~~prior to May 15th of the school year.~~

25 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

26 Reference: Section 60640, Education Code.

27

28 **§ 886. STAR Program District Coordinator.**

29 ~~The STAR program district coordinator designated by the Superintendent of the~~  
30 ~~school district pursuant to Section 857 shall have the same responsibilities with regard~~  
31 ~~to the designated primary language test(s) including, but not limited to, all of the duties~~

1 listed in Section 857(b) and the certifications required in Section 857(c), (d), and (e) for  
2 the designated achievement test.

3 NOTE: Sections 33031 and 60605(g) and (h), Education Code. Reference: Sections  
4 60630 and 60640, Education Code.

5  
6 **§ 887. STAR Test Site Coordinator.**

7 The STAR test site coordinator designated by the Superintendent of the school  
8 district pursuant to Section 858 shall have the same responsibilities with regard to the  
9 designated primary language test(s) including, but not limited to, all of the duties listed  
10 in Section 858(b) and the certification required in Section 858(c) for the designated  
11 achievement test. If necessary, a school district superintendent may designate a  
12 separate STAR program district coordinator for any designated primary language test.

13 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.  
14 Reference: Sections 60630 and 60640, Education Code.

15  
16 **§ 888. STAR Test Security Agreement and Test Security Affidavit.**

17 (a) All STAR program district and test site coordinators (coordinators) shall sign the  
18 STAR Test Security Agreement set forth in Subdivision (b).

19 (b) The STAR Test Security Agreement shall be as follows:

20 **STAR TEST SECURITY AGREEMENT**

21 The coordinator acknowledges by his or her signature on this form that the  
22 designated primary language test or tests are secure tests and agrees to each of the  
23 following conditions to ensure test security:

24 (1) The coordinator will take all necessary precautions to safeguard all tests and  
25 test materials by limiting access to persons within the school district with a responsible,  
26 professional interest in the test's security.

27 (2) The coordinator will keep on file the names of all persons having access to tests  
28 and test materials. All persons having access to the materials shall be required by the  
29 coordinator to sign the STAR Test Security Affidavit that will be kept on file in the  
30 school district office.

31 (3) The coordinator will keep the test and test materials in a secure, locked location;

1 ~~limiting access to only those persons responsible for test security except on actual~~  
2 ~~testing dates as provided in California Code of Regulations, Title 5, Division 1, Chapter~~  
3 ~~2, Subchapter 3.75.~~

4 ~~By signing my name to this document, I am assuring that I and anyone having~~  
5 ~~access to the test materials will abide by the above conditions.~~

6 ~~By: \_\_\_\_\_~~

7 ~~Title: \_\_\_\_\_~~

8 ~~School District: \_\_\_\_\_~~

9 ~~Date: \_\_\_\_\_~~

10 ~~(c) Each STAR test site coordinator shall deliver the tests and test materials only to~~  
11 ~~those persons actually administering the designated primary language test or tests on~~  
12 ~~the date of testing and only upon execution of the STAR Test Security Affidavit set forth~~  
13 ~~in Subdivision (e).~~

14 ~~(d) All persons having access to the designated primary language test or tests and~~  
15 ~~test materials shall acknowledge the limited purpose of their access to the tests, by~~  
16 ~~signing the STAR Test Security Affidavit set forth in Subdivision (e).~~

17 ~~(e) The STAR Test Security Affidavit shall be as follows:~~

18 **~~STAR TEST SECURITY AFFIDAVIT~~**

19 ~~I acknowledge that I will have access to the designated primary language test or~~  
20 ~~tests for the purpose of administering the test. I understand that these materials are~~  
21 ~~highly secure, and it is my professional responsibility to protect their security as follows:~~

22 ~~(1) I will not divulge the contents of the test(s) to any other person.~~

23 ~~(2) I will not copy any part of the test(s) or test materials.~~

24 ~~(3) I will keep the test(s) secure until the test(s) are actually distributed to pupils.~~

25 ~~(4) I will limit access to the test(s) and test materials by test examinees to the actual~~  
26 ~~testing periods.~~

27 ~~(5) I will not permit pupils to remove test materials from the room where testing~~  
28 ~~takes place.~~

29 ~~(6) I will not disclose, or allow to be disclosed, the contents of, or the scoring keys~~  
30 ~~to, the test instruments.~~

31 ~~(7) I will return all test materials to the designated STAR site coordinator upon~~

1 completion of the test(s).

2 Signed \_\_\_\_\_

3 Print Name: \_\_\_\_\_

4 Position: \_\_\_\_\_

5 School: \_\_\_\_\_

6 School District: \_\_\_\_\_

7 Date: \_\_\_\_\_

8 ~~(f) To maintain the security of the program, all STAR program district coordinators~~  
9 ~~and test site coordinators are responsible for inventory control and shall use~~  
10 ~~appropriate inventory control forms to monitor and track test inventory.~~

11 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

12 Reference: Section 60640, Education Code.

13

14 **§ 890. School-By-School Analysis.**

15 ~~(a) Each school district shall provide each publisher of a designated primary~~  
16 ~~language test or tests the following information for each pupil tested for purposes of the~~  
17 ~~reporting required by Section 60630 and Article 4 (commencing with Section 60640) of~~  
18 ~~the Education Code:~~

19 ~~(1) Date of birth.~~

20 ~~(2) Grade level.~~

21 ~~(3) Gender.~~

22 ~~(4) Language fluency and home language.~~

23 ~~(5) Special program participation.~~

24 ~~(6) Testing adaptations or accommodations.~~

25 ~~(7) Parent education level.~~

26 ~~(8) Amount of time in the school, school district, and in California public schools.~~

27 ~~(9) Ethnicity.~~

28 ~~(10) Handicapping condition or disability.~~

29 ~~(b) The information is for the purposes of aggregate analyses only and shall be~~  
30 ~~provided and collected as part of the testing materials for the designated primary~~  
31 ~~language test or tests.~~

1 ~~(c) School districts shall provide the same information for each eligible pupil enrolled~~  
2 ~~in an alternative or off campus program as is provided for all other eligible pupils in~~  
3 ~~grades 2 to 11, inclusive.~~

4 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.  
5 Reference: Section 60630, Education Code.

6  
7 **§ 891. Apportionment Information Report.**

8 ~~(a) Each school district shall report to the State Department of Education all of the~~  
9 ~~following information relevant to a designated primary language test by grade level for~~  
10 ~~each of grades 2 to 11, inclusive:~~

11 ~~(1) The number of pupils who are English language learners.~~

12 ~~(2) The number of English language learners who were administered each~~  
13 ~~designated primary language test pursuant to Education Code section 60640(f).~~

14 ~~(3) The number of English language learners who were administered each~~  
15 ~~designated primary language test pursuant to Education Code section 60640(g).~~

16 ~~(4) The total number of English language learners exempted from the test pursuant~~  
17 ~~to Education Code section 60615.~~

18 ~~(5) The total number of English language learners exempted pursuant to any~~  
19 ~~provision in their individualized education programs (IEPs) which explicitly exempts~~  
20 ~~them from standardized testing.~~

21 ~~(6) If a school district opted to have the publisher of a designated primary language~~  
22 ~~test provide pre-identification of answer sheets, the number of tests administered with~~  
23 ~~pre-identified answer documents.~~

24 ~~(b)(1) The superintendent of each school district shall certify the accuracy of all~~  
25 ~~information submitted. The report required by Subdivision (a) shall be filed with the~~  
26 ~~State Superintendent of Public Instruction within ten (10 working days of the last day of~~  
27 ~~makeup testing in the school district.~~

28 ~~(2) School districts with an average daily attendance greater than 100,000 may~~  
29 ~~certify the accuracy and submit the information required by Subdivision (a) within fifteen~~  
30 ~~(15) working days of the last day of makeup testing in the school district. The school~~  
31 ~~district may submit a request to the State Department of Education to obtain approval~~

1 of the ~~State Board of Education for an extension of ten (10) additional working days if~~  
2 ~~the fifteen (15) working day requirement presents an undue hardship.~~

3 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

4 Reference: Sections 60615 and 60640, Education Code.

5

6 **§ 892. Parent Reports.**

7 A school district shall report the results of each pupil's test to the pupil's parent or  
8 guardian as provided in Section 863.

9 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

10 Reference: Section 60641, Education Code.

11

12 **§ 893. Reporting Test Scores.**

13 No scores that are compiled pursuant to Education Code section 60641 or 60643  
14 shall be reported electronically, in hard copy, or in other media, to any audience, if the  
15 aggregate or group score is composed of ten (10) or fewer individual pupil scores. In  
16 each instance in which no score is reported for this reason, the notation shall appear,  
17 when posted on the Internet: "The number of pupils in this category is too small for  
18 statistical accuracy or privacy protection" or, when reported in hard copy or other  
19 media, a substantially similar statement may be used. In no case shall any group score  
20 be reported that would deliberately or inadvertently make public the score or  
21 performance of any individual pupil.

22 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

23 Reference: Sections 60640 and 60643, Education Code.

24

25 **§ 894. Test Order Information.**

26 (a) Each publisher of a designated primary language test or tests shall notify all  
27 school districts of any adaptations available from each publisher to accommodate  
28 pupils with exceptional needs including, but not limited to, Braille and large print.

29 (b) The school district shall provide to the publisher, no later than December 15 of  
30 the year immediately prior to the year of test administration, the following data for each  
31 test site of the school district, by grade level:

1       ~~(1) The number of pupils to be tested.~~

2       ~~(2) Valid county district school (CDS) codes.~~

3       ~~(3) Number of tests without adaptation.~~

4       ~~(4) Numbers of large print tests.~~

5       ~~(5) Number of Directions for Administration needed, by grade level.~~

6       ~~(6) First date of testing in the school district including the dates for each testing~~  
7 ~~wave, if applicable.~~

8       ~~(7) Date or dates on which delivery of materials to the school district is required.~~

9       ~~(c) Each school district that elects pre-identification of answer documents shall~~  
10 ~~provide to the publisher no fewer than 45 days prior to the first date of testing in the~~  
11 ~~school district, an electronic file that includes all of the information required in Section.~~

12       ~~(1) If the testing materials are lost or destroyed while in the possession of the school~~  
13 ~~district, and the publisher provides the school district with replacement materials, the~~  
14 ~~school district is responsible for the cost of all replacement materials.~~

15       ~~(2) If the school district places orders for tests for any school that are excessive, the~~  
16 ~~school district is responsible for the cost of materials for the difference between the~~  
17 ~~sum of the number of pupil tests scored, the number of parent requests pursuant to~~  
18 ~~Education Code section 60615, and the number of individualized education program~~  
19 ~~exemptions pursuant to Education Code section 60640(e) and 90 percent of the tests~~  
20 ~~ordered. In no event shall the cost to school district for replacement or excessive~~  
21 ~~materials exceed the amount per test booklet and accompanying material that is paid to~~  
22 ~~the publisher by the Department as part of the contract with the publisher for the~~  
23 ~~current year.~~

24 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

25 Reference: Sections 60640 and 60643, Education Code.

26

27 **§ 895. Transportation.**

28       ~~(a) Each test publisher shall assume all responsibility for the security and integrity of~~  
29 ~~their tests and test materials at all sites where the publisher creates, produces, stores,~~  
30 ~~or maintains the materials and during the time that any and all materials are in transit~~  
31 ~~by any means from the publisher's storage, production, maintenance, or transfer facility~~

1 ~~until the materials arrive at a single location designated by each school district and the~~  
2 ~~school district's STAR program district coordinator provides the publisher with a signed~~  
3 ~~receipt. Upon arrival of the test materials at a single location designated by each~~  
4 ~~school district, the school district's STAR program district coordinator shall provide the~~  
5 ~~publisher with a signed receipt.~~

6 ~~(b) The security of the tests and test materials that have been duly delivered to the~~  
7 ~~school district is the sole responsibility of the school district until all tests and test~~  
8 ~~materials have been inventoried, accounted for, and delivered to the common or private~~  
9 ~~carrier designated by the publisher.~~

10 ~~(c) Secure transportation within a school district is the responsibility of the school~~  
11 ~~district once materials have been duly delivered to the school district.~~

12 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

13 Reference: Section 60640, Education Code.

14  
15 **§ 896. School District Delivery.**

16 ~~(a) No school district shall receive its test materials more than twenty-five (25) or~~  
17 ~~fewer than ten (10) working days prior to the first day of testing in the school district. A~~  
18 ~~school district that has not received test materials from by the test publisher at least~~  
19 ~~(10) calendar days before the first date of testing in the school district shall notify the~~  
20 ~~publisher and the Department on the tenth day before testing is scheduled to begin that~~  
21 ~~the school district has not received its materials~~

22 ~~(b) School districts shall return all designated primary language tests and test~~  
23 ~~materials to the publisher(s) within five (5) working days of the last test date in the~~  
24 ~~school district, including makeup testing days or June 1, whichever date is earlier.~~

25 ~~(c) If the school district has an average daily attendance greater than 50,000 or has~~  
26 ~~schools on a multi-track year round calendar, the school district and the publisher(s)~~  
27 ~~may establish a periodic delivery and retrieval schedule to accommodate staggered~~  
28 ~~test administration dates within the school district.~~

29 ~~(d) A unified school district that will administer the test to pupils in grades 9 through~~  
30 ~~11 during a time frame that does not overlap the administration of the test to pupils in~~  
31 ~~grades 2 through 8 may establish a periodic delivery and retrieval schedule with the~~

1 ~~publisher to accommodate staggered test administration dates within the school district~~  
2 ~~for grades 9 through 11 and grades 2 through 8.~~

3 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

4 Reference: Sections 60640 and 60643, Education Code.

5

6 **§ 897. Test Site Delivery.**

7 ~~(a) No school or other test site shall receive any test or related test materials more~~  
8 ~~than ten (10) working days nor fewer than five (5) working days prior to the first day of~~  
9 ~~testing scheduled at the school or test site.~~

10 ~~(b) Upon completion of testing at a site, including makeup testing, all tests and test~~  
11 ~~materials shall be returned to the school district location designated by the STAR~~  
12 ~~program district coordinator.~~

13 ~~(c) Tests and test materials shall not be retained at the test site for more than two~~  
14 ~~(2) working days after the last day of test administration including makeup testing days~~  
15 ~~or May 25th, whichever is earlier.~~

16 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

17 Reference: Section 60640, Education Code.

18

19 **§ 898. Retrieval of Materials by Publisher.**

20 ~~(a) The school district shall ensure that materials are inventoried, packaged, and~~  
21 ~~labeled in accordance with instructions from each designated publisher, and returned to~~  
22 ~~a single school district location for pickup by each publisher within five (5) working days~~  
23 ~~following completion of testing in the school district and in no event later than May 30.~~  
24 ~~All school districts must have their materials returned to the publisher(s) no later than~~  
25 ~~June 1.~~

26 ~~(b) Each publisher shall arrange with the STAR program district coordinator a range~~  
27 ~~of dates on which the publisher will pick up the packaged materials.~~

28 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

29 Reference: Section 60643, Education Code.

30

31 **§ 899. Discrepancy Resolution for Designated Primary Language Test(s).**

1       ~~(a) School districts shall process discrepancies determined by the designated~~  
2 ~~publisher(s) upon receipt of returned tests and test materials pursuant to this~~  
3 ~~subdivision:~~

4       ~~(1) Receipt of a discrepancy notice in writing, via telephone, or via electronic mail by~~  
5 ~~the STAR program district coordinator for one or more of the following items shall~~  
6 ~~require a response from the STAR program district coordinator to the publisher within~~  
7 ~~24 hours:~~

8       ~~(A) A discrepancy between the quantity of tests and test materials shipped to the~~  
9 ~~school district and the number of tests and test materials returned to the publisher from~~  
10 ~~the school district.~~

11       ~~(B) Information on scannable documents or test support materials that is~~  
12 ~~inconsistent, incomplete, or missing.~~

13       ~~(2) The STAR program district coordinator shall acknowledge the discrepancy~~  
14 ~~notice via electronic mail to the publisher and to the Department within twenty-four (24)~~  
15 ~~hours of receipt.~~

16       ~~(b) The STAR program district coordinator shall report any discrepancy in the total~~  
17 ~~amount of the shipment from the publisher of any designated primary language test~~  
18 ~~material to the publisher within two (2) working days of the receipt of the shipment. If~~  
19 ~~the publisher does not remedy the discrepancy within two (2) working days of the~~  
20 ~~school district report, the school district shall notify the Department within 24 hours.~~

21       ~~(c) Any discrepancy in a shipment of tests or test materials received at a test site~~  
22 ~~from the STAR program district coordinator shall be reported to the STAR program~~  
23 ~~district coordinator immediately but no later than two (2) working days of the receipt of~~  
24 ~~the shipment at the testing site. The STAR program district coordinator shall remedy~~  
25 ~~the discrepancy within two (2) working days.~~

26       ~~(d) The STAR program district coordinator shall report to the publisher any~~  
27 ~~discrepancy reported by a STAR test site coordinator within three (3) working days of~~  
28 ~~receipt of materials at the school district. If the STAR program district coordinator does~~  
29 ~~not have a sufficient supply of tests or test materials to remedy any shortage, the test~~  
30 ~~publisher shall remedy the shortage by providing sufficient materials directly to the test~~  
31 ~~site within two (2) working days of the notification by the STAR program district~~

1 coordinator.

2 ~~(e) The notices required by this section shall be made by telephone with~~  
3 ~~simultaneous confirmation in writing and by electronic mail, if available.~~

4 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

5 Reference: Sections 60640 and 60643, Education Code.

6

7 **§ 901. Apportionment.**

8 ~~(a) The amount of funding to be apportioned to the school district for the costs of~~  
9 ~~administering any designated primary language test shall be the amount established by~~  
10 ~~the State Board of Education to enable school districts to meet the requirements of~~  
11 ~~administering any designated primary language tests per the number of tests~~  
12 ~~administered to eligible pupils in grades 2 to 11, inclusive, in the school district. The~~  
13 ~~number of tests administered shall be determined by the certification of the school~~  
14 ~~district superintendent pursuant to Section 891. For purposes of this portion of the~~  
15 ~~apportionment, administration of any designated primary language test includes the~~  
16 ~~following items:~~

17 ~~(1) All staffing costs, including the STAR program district coordinator and the STAR~~  
18 ~~test site coordinator, staff training and other staff expenses related to testing.~~

19 ~~(2) All expenses incurred at the school district and test site level related to testing.~~

20 ~~(3) All transportation costs of delivering and retrieving tests and test materials within~~  
21 ~~the school district.~~

22 ~~(4) All costs associated with mailing the parent reports of test results.~~

23 ~~(5) All costs associated with pre-identification of answer sheets and consumable~~  
24 ~~test booklets, and other activities intended to provide the complete and accurate data~~  
25 ~~required in Section 861 of these regulations.~~

26 ~~(b) If at the time a district's scannable documents are processed by the publisher a~~  
27 ~~student data record is missing any of the data elements required in Section 861 of~~  
28 ~~these regulations, the district shall provide the missing data elements within the time~~  
29 ~~required by the publisher to process the documents and meet the publisher's schedule~~  
30 ~~of deliverables under its contract with the Department. The additional costs incurred by~~  
31 ~~the district to have the publisher reprocess the student information to acquire the data~~

1 ~~required by Section 890 of these regulations shall be withheld from the district's~~  
2 ~~apportionment.~~

3 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

4 Reference: Sections 60640 and 60643, Education Code.

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State of California

Department of Education

## LAST MINUTE MEMORANDUM

**DATE:** July 11, 2006

**TO:** MEMBERS, STATE BOARD OF EDUCATION

**FROM:** William Padia, Deputy Superintendent  
Accountability and Assessment

**RE:** Item No. 34

**SUBJECT:** Standardized Testing and Reporting (STAR) Program: Amendments to Title 5 Regulations

In May 2006, the State Board of Education (SBE) approved the Initial Statement of Reasons, Notice of Proposed Rulemaking, and the commencement of the regulatory process for amendments proposed to the Title 5 regulations for the Standardized Testing and Reporting (STAR) Program. The 45-day public comment period commenced on May 19, 2006, and concluded at 5 p.m. on Friday, July 7. During this time 36 written comments were received via e-mail and letters. On Friday, July 7, 2006, speakers presented comments on the proposed amendments.

The written comments received only addressed the amendments proposed for Section 855(a)(1) of the regulations. A public hearing was held on Friday, July 7. The comments received at the hearing also addressed only Section 855(a)(1). Most of the responses opposed changing the testing window for the STAR Program from completion of 85% of all instructional days to 90% of all instructional days and shortening the window from 21 to 11 days. The primary reasons cited for the opposition were conflicts with Advanced Placement (AP) Examination administrations and end of year activities, insufficient time to test all students, and insufficient time to ensure that optimal test administration schedules could be developed.

Based on these comments, the California Department of Education (CDE) recommends leaving the testing window at 21 instructional days that includes 10 instructional days before and after completion of 85 percent of the school's instructional days.

The CDE recommends that the SBE approve:

- Removing the note on page 11, line 310, "Text of section operative until January 1, 2008" Section 855(a)(1).
- Adopting all amendments to the Title 5 regulations except for the amendments proposed for Section 855(a)(1), "Text of section operative January 1, 2008" (page 12, line 344 - page 13, line 385).
- Authorize commencement of a 15-day public comment period.

- Approve the amended regulations if no opposition comments are received during the 15-day comment period.

Attachment 1: Title 5. Education, Division 1. State Department of Education, Chapter 2. Pupils, Subchapter 3.75. Standardized Testing and Reporting Program, Article 1. General (43 Pages)

Attachment 2: Final Statement of Reasons including Summary of Public Comments (13 Pages)

1 Title 5. EDUCATION

2 Division 1. State Department of Education

3 Chapter 2. Pupils

4 Subchapter 3.75. Standardized Testing and Reporting Program

5 Article 1. General

6 § 850. Definitions.

7 For the purposes of the Standardized Testing and Reporting (STAR) Program, the  
8 following terms shall have the following meanings unless the context indicates  
9 otherwise:

10 ~~(a)~~(n) "Accommodations" means any variation in the assessment environment or  
11 process that does not fundamentally alter what the test measures or affect the  
12 comparability of scores. Accommodations may include variations in scheduling, setting,  
13 aids, equipment, and presentation format.

14 ~~(b)~~(g) "Administration Period" means one of multiple test administration periods used  
15 by school districts with schools or programs on non-traditional calendars that begin and  
16 complete the school year at various times and have staggered vacation periods, in  
17 order to ensure that all pupils are tested at approximately the same point in the  
18 instructional year.

19 ~~(c)~~(h) ~~"CAPA is an individually administered performance assessment developed to~~  
20 ~~assess pupils' achievement on a subset of California's Academic Content Standards.~~

21 "Alternate Assessment" means an assessment as provided in Education Code section  
22 60640(e) developed to measure the degree to which pupils with exceptional needs who  
23 are unable to take the standards-based achievement tests even with accommodations  
24 or modifications are achieving the state content standards. The CAPA Alternate  
25 assessments includes administration manuals, administrative materials, and documents  
26 on which the test examiner records the pupils' responses.

27 (d) "California Standards Tests" means an assessment as provided in Education  
28 Code section 60642.5 that measures the degree to which pupils are achieving the state  
29 content standards.

30 (e) "Department" means the California Department of Education.

31 ~~(f)(a)~~ "Designated achievement test" is ~~the achievement test required by~~ means an  
32 assessment as provided in Education Code section 60640(b) and 60642 for grades 3  
33 and 7. The designated achievement test includes test booklets, test answer documents,  
34 administration manuals, and administrative materials.

35 ~~(g)(b)~~ "Designated pPrimary language test" ~~includes any test administered pursuant~~  
36 ~~to~~ means an assessment as provided in Education Code section 60640(f)(1) and (2) in  
37 each primary language for which a test is available for students with limited English  
38 proficiency ~~or a test administered pursuant to the requirement of Education Code~~  
39 ~~section 60640(g), as applicable,~~ and includes the test booklets, test answer documents,  
40 administration manuals, administrative materials, and practice tests.

41 ~~(h)(d)~~ "Eligible pupil" is any pupil in grades 2 to 11, inclusive, who is not otherwise  
42 exempted pursuant to Education Code section 60615.

43 (1) ~~For the designated achievement test and the standards-based achievement~~  
44 ~~tests, an eligible pupil is any pupil in grades 2 through 11, inclusive, including those~~  
45 ~~pupils placed in a non-public school through the Individualized Education Program (IEP)~~  
46 ~~process pursuant to Education Code section 56365 who is not exempted by~~  
47 ~~parent/guardian request or eligible to take the California Alternate Performance~~  
48 ~~Assessment (CAPA).~~ For the designated achievement test, an eligible pupil is any pupil  
49 in grades 3 or 7.

50 (2) ~~For the CAPA, an eligible pupil is any pupil with a significant cognitive disability in~~  
51 ~~grades 2 through 11, and ages 7 through 16 in ungraded programs, whose IEP states~~  
52 ~~that the pupil is to take the CAPA.~~

53 ~~(2)(3)~~ For the designated primary language test and the standards-based test in  
54 Spanish, an eligible pupil is an English learner with a primary language for which a test  
55 is required or optional pursuant to Education Code section 60640.

56 (4) ~~For purposes of the writing assessment, an eligible pupil is an eligible pupil for~~  
57 ~~the purpose of taking the standards-based achievement tests for a grade at which the~~  
58 ~~writing test will be administered.~~

59 ~~(i)(e)~~ "Grade" means the grade assigned to the pupil by the school district at the time  
60 of testing.

61 ~~(j)(e)~~ “Modification” means any variation in the assessment environment or process  
62 that fundamentally alters what the test measures or affects the comparability of scores.

63 (k) “Nonpublic schools (NPS)” are nonpublic, nonsectarian schools as set forth in  
64 California Education Code section 56034.

65 ~~(l)(e)~~ “School districts” includes elementary, high school, and unified school districts;  
66 county offices of education; and any charter school that for assessment purposes does  
67 not elect to be part of the school district or county office of education that granted the  
68 charter; and any charter school chartered by the State Board of Education.

69 (m) “Scribe” is an employee of the school district, or a person assigned by a  
70 nonpublic school to implement a pupil’s IEP who has signed a STAR Test Security  
71 Affidavit and is required to transcribe a pupil’s responses to the format required by the  
72 test. A student’s parent or guardian is not eligible to be a scribe.

73 ~~(n)(r)~~ A “significant medical emergency” is a significant accident, trauma, or illness  
74 (mental or physical) that precludes a pupil in grades ~~two through eleven~~ 2 to 11,  
75 inclusive, from taking the ~~California Standards Tests (CSTs), the California Alternate~~  
76 ~~Performance Assessment and/or The California Achievement Tests, Sixth Edition~~  
77 ~~Survey (CAT/6 Survey)~~ standards-based achievement tests or designated achievement  
78 test. An accident, trauma, or illness is significant if the pupil has been determined by a  
79 licensed physician to be unable to participate in the tests.

80 ~~(o)(f)(1)~~ “Standards-based achievement tests” ~~are these tests~~ means an assessment  
81 that measures the degree to which pupils are achieving the state content standards ~~and~~  
82 ~~performance standards adopted by the State Board of Education~~ as provided in  
83 Education Code sections ~~60642.5~~ 60640(e) alternate assessment, 60640(f)(3)  
84 standards-based test in Spanish, and 60642.5 California Standards Tests. The  
85 standards-based achievement tests include test booklets, test answer documents,  
86 administration manuals, administrative materials, practice tests and other materials  
87 developed and provided by the contractor of the tests.

88 ~~(2)~~ The term ~~“standards-based achievement test”~~ may refer to one or more of the  
89 individual achievement tests in the subject or core curriculum areas required by  
90 Education Code section ~~60642.5~~ or all of the standards-based achievement tests  
91 collectively.

92 (p) “Standards-based test in Spanish” means an assessment as provided in  
93 Education Code section 60640(f)(3) in the dominant primary language of limited-English  
94 proficient students enrolled in California public schools that measures the degree to  
95 which pupils are achieving the state content standards.

96 ~~(g)(k)~~ “Test examiner” is an employee of a school district or an employee of a non-  
97 public school who has been trained to administer the tests and has signed a STAR Test  
98 Security Affidavit. For the CAPA alternate assessment, the test examiner must be a  
99 certificated or licensed school staff member.

100 ~~(r)(t)~~ “Test proctor” is an employee of a school district, or a person assigned by a  
101 nonpublic school to implement a pupil’s IEP, who has signed a STAR Test Security  
102 Affidavit and ~~who~~ has received training designed to prepare him or her to assist the test  
103 examiner in the administration of tests within the STAR Program.

104 ~~(i) “Untimed administration” means that pupils may receive as much time as needed~~  
105 ~~within a single sitting to complete a test or test part.~~

106 ~~(j) “Below-grade-level testing” means administering a test that is below the grade~~  
107 ~~level of the pupil being tested.~~

108 ~~(s)(p)~~ “Variation” is a change in the manner in which a test is presented or  
109 administered, or in how a test taker is allowed to respond, and includes, but is not  
110 limited to, accommodations and modifications.

111 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
112 Sections 56034, 60615, 60640, 60642 and 60642.5, Education Code.

113

#### 114 **§ 850.5. School District Liability.**

115 ~~School districts are agents of the Department for the purpose of implementing the~~  
116 ~~statewide pupil assessment program. No action may be brought or maintained against~~  
117 ~~any school district or its offices or employees acting in accordance with the instructions~~  
118 ~~of the Superintendent of Public Instruction or the State Board of Education.~~

119 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

120 Reference: Sections 60603(j), 60604(a) and 60613, Education Code.

121

122 **Article 2. Designated Achievement Test, Standards-Based**

123 **Achievement Tests, and California Alternate Performance Assessment, and**  
124 **Designated Primary Language Test**

125 **§ 851. Pupil Testing.**

126 (a) School districts shall administer the designated achievement test, and standards-  
127 based achievement tests and the designated primary language test to each eligible  
128 pupil, ~~enrolled in any of grades 2 through 11, inclusive,~~ enrolled in a school district on  
129 the date testing begins in the pupil's school or school district.

130 ~~(b) School districts shall administer the CAPA, as set forth in the pupil's IEP, to each~~  
131 ~~eligible pupil in any of grades 2 to 11, inclusive, in a school district during the period~~  
132 ~~specified by the test contractor. Pupils in ungraded special education classes shall be~~  
133 ~~tested, if they are 7 to 16 years of age.~~

134 ~~(b)(c)~~ School districts shall make whatever arrangements are necessary to test all  
135 eligible pupils in alternative education programs or programs conducted off campus,  
136 including, but not limited to, continuation schools, independent study, community day  
137 schools, ~~or county community schools,~~ or nonpublic schools.

138 ~~(d) School districts may administer the designated achievement test to pupils~~  
139 ~~enrolled in kindergarten or grade 1 or 12, but those pupils shall not be counted for the~~  
140 ~~apportionment pursuant to Education Code section 60640(h).~~

141 ~~(c)(e)~~ No test may be administered in a home or hospital except by a test examiner.  
142 No test shall be administered to a pupil by the parent or guardian of that pupil. This  
143 subdivision does not prevent classroom aides from assisting in the administration of the  
144 test under the supervision of a ~~credentialed school district employee~~ test examiner  
145 provided that the classroom aide does not assist his or her own child and that the  
146 classroom aide signs a security affidavit.

147 NOTE: Authority cited: Sections 33031 and 60605~~(g)~~ and ~~(h)~~, Education Code.

148 Reference: Section 60640 and ~~60642.5~~, Education Code.

149  
150 **§ 852. Pupil Exemptions.**

151 A parent or guardian may submit to the school a written request to excuse his or her  
152 child from any or all parts of any test provided pursuant to Education Code section  
153 60640. A school district and its employees may discuss the Standardized Testing and

154 Reporting pProgram with parents and may inform parents of the availability of  
155 exemptions under Education Code section 60615. However, the school district and its  
156 employees shall not solicit or encourage any written exemption request on behalf of any  
157 child or group of children.

158 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
159 Sections 60615 and 60640, Education Code.

160

161 **§ 853. Administration.**

162 (a) The designated achievement test, standards-based achievement tests and  
163 designated primary language test shall be administered and returned by school districts  
164 in accordance with the manuals or other instructions provided by the contractor for  
165 administering and returning the tests unless specifically provided otherwise in this  
166 subchapter including instructions for administering the test with variations,  
167 accommodations, and modifications specified in section 853.5. The procedures shall  
168 include, but are not limited to, those designed to insure the uniform and standard  
169 administration of the tests to pupils, the security and integrity of the test content and test  
170 items, and the timely provision of all required student and school level information.

171 ~~(b) The standards-based achievement tests and the CAPA shall be administered~~  
172 ~~and returned by school districts in accordance with the manuals and other instructions~~  
173 ~~provided by the contractor and in accordance with testing variations, accommodations,~~  
174 ~~and modifications specified in Section 853.5. The procedures shall include, but are not~~  
175 ~~limited to, those designed to insure the uniform and standard administration of the tests~~  
176 ~~to pupils, the security and integrity of the test content and test items, and the timely~~  
177 ~~provision of all required student and school level information. The procedures shall not~~  
178 ~~include criteria for who should be assessed by the CAPA.~~

179 (c) ~~For the 2004-05 school year, pupils with IEPs specifying below-grade-level~~  
180 ~~testing in grades 4 through 11 may be tested one or two grades below their enrollment~~  
181 ~~grade. Pupils with IEPs specifying below-grade-level testing in grade three may be~~  
182 ~~tested one grade level below their enrollment grade. The test level must be specified in~~  
183 ~~the pupil's IEP. Below-grade-level testing shall be used only if the pupil is not receiving~~  
184 ~~grade-level curriculum as specified by the California academic content standards, and is~~

185 ~~so indicated on the IEP. Pupils tested below-grade-level must complete all tests~~  
186 ~~required for the grade at which they are tested and shall be administered the tests for~~  
187 ~~only one grade-level.~~

188 NOTE: Authority cited: Sections 12001, 33031 and 60605, Education Code. Reference:  
189 Section 60640, Education Code; and 20 USC Section 6311.

190

191 **§ 853.5. Use of Variations, Accommodations, and Modifications.**

192 (a) School districts may provide all pupils the following variations:

193 (1) have test directions simplified or clarified.

194 (2) write in test booklets for grades ~~4-11~~ 2 to 11, inclusive, e.g., underlining, working  
195 math problems. Any marks other than those in response circles for grades 2 and 3 must  
196 be erased to ensure that the tests can be scored.

197 (3) have as much time as needed within a single sitting to complete a test or test  
198 part on the ~~S~~standards-B~~ased A~~chievement T~~ests.~~

199 (b) School districts may provide all pupils the following testing variations if regularly  
200 used in the classroom:

201 (1) special or adaptive furniture.

202 (2) special lighting, special acoustics, or visual magnifying or audio amplification  
203 equipment.

204 (3) an individual carrel or study enclosure.

205 (4) test individually in a separate room provided that an employee of the school,  
206 school district, or non-public school, who has signed the STAR Test Security Affidavit,  
207 directly supervises the pupil.

208 (5) colored overlay, mask, or other means to maintain visual attention to the test or  
209 test questions.

210 ~~(6) grade two or three standards-based achievement tests underlining or marking~~  
211 ~~information or working math problems in the test booklet and having a school, school~~  
212 ~~district, or non-public school employee who has signed the Test Security Affidavit~~  
213 ~~transfer the answers to a new test booklet.~~

214 ~~(6)~~(7) Manually Coded English or American Sign Language to present directions for  
215 administration.

216 (c) Eligible pupils with disabilities who have IEPs and pupils with Section 504 plans  
217 shall be permitted the following presentation, response or setting accommodations if  
218 specified in the IEP or Section 504 plan:

219 (1) large print versions.

220 (2) test items enlarged if font larger than that used on large print versions is required.

221 (3) Braille transcriptions provided by the test contractor.

222 ~~(4) for grade two or three designated achievement test underlining or marking~~  
223 ~~information or working math problems in addition to marking question answers in test~~  
224 ~~booklets and having a school, school district, or non-public school employee who has~~  
225 ~~signed the Test Security Affidavit transfer the answers to a new test booklet.~~

226 ~~(4)(5)~~ audio or oral presentation of the mathematics, science, or history-social  
227 science tests.

228 ~~(5)(6)~~ use of Manually Coded English or American Sign Language to present test  
229 questions on the mathematics, science, or history-social science tests.

230 ~~(6)(7)~~ for grades 4 to 11 responses marked in test booklet and transferred to the  
231 answer document by a school, school district, or nonpublic school employee who has  
232 signed the STAR Test Security Affidavit.

233 ~~(7)(8)~~ responses dictated orally, in Manually Coded English or American Sign  
234 Language to a scribe for selected-response items (e.g., multiple-choice test questions).

235 ~~(8)(9)~~ responses dictated to a scribe, audio recorder, or speech to text converter on  
236 the writing portion of the English-language arts tests, and the pupil indicates all spelling  
237 and language conventions.

238 ~~(9)(10)~~ use of word processing software with spell and grammar check tools turned  
239 off on the writing portion of the English-language arts tests.

240 ~~(10)(11)~~ use of an assistive device that does not interfere with the independent work  
241 of the student on the multiple-choice or writing portion of the test.

242 ~~(11)(12)~~ supervised breaks within a section of the test.

243 ~~(12)(13)~~ administration of the test at the most beneficial time of day to the pupil.

244 ~~(13)(14)~~ administration of any test or test part to be given in a single sitting over  
245 more than one day except for the writing portion of the English-language arts tests.

246 ~~(14)(15)~~ test administered by a test examiner to a pupil at home or in the hospital.

247 ~~(16) write in test booklet for grades 4-11 on the designated achievement test.~~

248 ~~(15)(17)~~ extra time within the testing day on the designated achievement test.

249 (d) Eligible pupils with disabilities shall be permitted the following modifications if  
250 specified in the eligible pupil's IEP or Section 504 Plan:

251 (1) calculators, arithmetic tables, or mathematics manipulatives on the mathematics  
252 or science tests.

253 (2) audio or oral presentation of the English-language arts tests.

254 (3) Manually Coded English or American Sign Language to present test questions  
255 on the English-language arts tests.

256 (4) spellcheckers, grammar checkers, or word processing software programs that  
257 check or correct spelling and/or grammar on the writing portion of the English-language  
258 arts tests.

259 (5) mechanical or electronic devices or other assistive devices that are not used  
260 solely to record the pupil's responses, including but not limited to transcribers, scribes,  
261 voice recognition or voice to text software, and that identify a potential error in the  
262 pupil's response or that correct spelling, grammar or conventions on the writing portion  
263 of the English-language arts tests.

264 (6) responses dictated orally, in Manually Coded English or American Sign  
265 Language to provide an essay response to a scribe and the scribe provides spelling,  
266 grammar, and language conventions.

267 (7) dictionary.

268 (e) If the school district, pupil's IEP team or Section 504 plan proposes a variation for  
269 use on the designated achievement test, the standards-based achievement tests, ~~or the~~  
270 CAPA or the designated primary language test, that has not been listed in this section,  
271 the school district may submit, to the ~~California Department of Education~~, for review of  
272 the proposed variation in administering the designated achievement test, standards-  
273 based achievement tests, ~~or the CAPA or designated primary language test~~.

274 (f) School districts shall provide identified English learner pupils the following testing  
275 variations if regularly used in the classroom or for assessment:

276 (1) Flexible setting. Tested in a separate room with other English learners provided  
277 that an employee of the school, school district, or non-public school, who has signed the

278 Test Security Affidavit, directly supervises the pupil.

279 (2) Flexible schedule. Additional supervised breaks following each section within a  
280 test part provided that the test section is completed within a testing day. A test section is  
281 identified by a "STOP" at the end of it.

282 (3) Translated directions. Hear the test directions printed in the test administration  
283 manual translated into their primary language. English learners shall have the  
284 opportunity to ask clarifying questions about any test directions presented orally in their  
285 primary language.

286 (4) Glossaries. Access to translation glossaries/word lists for the standards-based  
287 achievement tests in mathematics, science, and history-social science (English to  
288 primary language). The translation glossaries/word lists are to include only the English  
289 word or phrase with the corresponding primary language word or phrase. The  
290 glossaries/word lists shall include no definitions or formulas.

291 NOTE: Authority cited: Sections 12001, 33031 and 60605, Education Code. Reference:  
292 Section 60640, Education Code; and 20 USC Section 6311.

293

294 **§ 854. Advance Preparation for the Tests.**

295 (a) Except for materials specifically provided by the ~~California~~ Department of  
296 ~~Education~~ or its agents, no program or materials shall be used by any school district or  
297 employee of a school district that are specifically formulated or intended to prepare  
298 pupils for the designated achievement tests, ~~or~~ standards-based achievement tests, or  
299 the designated primary language test. No administration or use of an alternate or  
300 parallel form of the designated achievement test or the designated primary language  
301 test shall be used as practice for any pupils in grades 2 ~~through to~~ 11, inclusive.

302 (b) Practice tests provided by the contractor as part of the standards-based  
303 achievement tests and the designated primary language test for the limited purpose of  
304 familiarizing pupils with the use of scannable test booklets or answer sheets and the  
305 format of test items are not subject to the prohibition of ~~§~~subdivision (a).

306 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
307 Sections 60611 and 60640, Education Code.

308

309 **§ 855. Testing Period.**

310 **Text of section operative until January 1, 2008**

311 (a)(1) The designated achievement test and the standards-based achievement tests,  
312 except for the STAR writing assessment as specified in subdivision (c), shall be  
313 administered to each pupil during a testing window of ~~twenty-one (21)~~ instructional days  
314 that includes ~~ten (10)~~ instructional days before and after completion of 85% of the  
315 school's, track's, or program's instructional days. Testing for all pupils, including  
316 makeup testing, is to be completed within this ~~twenty-one (21)~~ instructional day window  
317 unless all or part of the ~~twenty-one (21)~~ instructional day period falls after any statutorily  
318 specified deadline.

319 (2)(b) Each school district shall provide for at least two (2) makeup days of testing  
320 for pupils who were absent during the period in which any school administered the  
321 designated achievement test and the standards-based achievement tests. All makeup  
322 testing shall occur within five (5) instructional days of the last date that the school district  
323 administered the tests but not later than the end of the ~~twenty-one (21)~~ instructional day  
324 period established in subdivision (a)(1).

325 (b)(1) Any designated primary language test or tests, as applicable, shall be  
326 administered between March 15 and May 14, inclusive, of each school year.

327 (2) Each school district shall provide for at least two makeup days of testing for  
328 pupils who were absent during the period that any school administered any designated  
329 primary language test or tests. All makeup testing shall occur within ten instructional  
330 days of the last date that the school district administered any designated primary  
331 language test or tests, but not later than May 25<sup>th</sup> of each school year, whichever is  
332 earlier.

333 (3) A school district with schools operating on a multitrack year round schedule may  
334 submit a request to the contractor to begin testing no earlier than the fourth Monday in  
335 February.

336 (c) The STAR writing assessment shall be administered to each eligible pupil only on  
337 the day(s) specified annually by the State Superintendent of Public Instruction. An  
338 eligible pupil for purposes of the writing assessment is a pupil taking the standards-  
339 based achievement tests for a grade at which the writing test will be administered.

340 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
341 Sections 60640 and 60642.5, Education Code.

342

343 **§ 855. Testing Period.**

344 *Text of section operative January 1, 2008*

345 ~~(a)(1) The designated achievement test and the standards-based achievement~~  
346 ~~tests, except for the STAR writing assessment as specified in subdivision (c), and~~  
347 ~~the standards-based test in Spanish as specified in subdivision (d), shall be~~  
348 ~~administered to each pupil during a testing window of twenty-one (21) 11~~  
349 ~~instructional days that includes ten(10) five instructional days before and after~~  
350 ~~completion of 85 90% of the school's, track's, or program's instructional days.~~  
351 ~~Testing for all pupils, including makeup testing, is to be completed within this~~  
352 ~~twenty-one (21) 11 instructional day window unless all or part of the twenty-one~~  
353 ~~(21) 11 instructional day period falls after any statutorily specified deadline.~~

354 ~~(2)(b) Each school district shall provide for at least two (2) makeup days of~~  
355 ~~testing for pupils who were absent during the period in which any school~~  
356 ~~administered the designated achievement test and the standards-based~~  
357 ~~achievement tests. All makeup testing shall occur within five (5) instructional~~  
358 ~~days of the last date that the school district administered the tests but not later~~  
359 ~~than the end of the twenty-one (21) 11 instructional day period established in~~  
360 ~~subdivision (a)(1).~~

361 ~~(b)(1) Any designated primary language test or tests, as applicable, shall be~~  
362 ~~administered between March 15 and May 14, inclusive, of each school year.~~

363 ~~(2) Each school district shall provide for at least two makeup days of testing~~  
364 ~~for pupils who were absent during the period that any school administered any~~  
365 ~~designated primary language test or tests. All makeup testing shall occur within~~  
366 ~~ten instructional days of the last date that the school district administered any~~  
367 ~~designated primary language test or tests, but not later than May 25<sup>th</sup> of each~~  
368 ~~school year, whichever is earlier.~~

369 ~~(3) A school district with schools operating on a multitrack year round~~  
370 ~~schedule may submit a request to the contractor to begin testing no earlier than~~

371 the fourth Monday in February.

372 ~~(c) The STAR writing assessment shall be administered to each eligible pupil~~  
373 ~~only on the day(s) specified annually by the State Superintendent of Public~~  
374 ~~Instruction. An eligible pupil for purposes of the writing assessment is a pupil~~  
375 ~~taking the standards-based achievement tests for a grade at which the writing~~  
376 ~~test will be administered.~~

377 ~~(d)(1) The standards-based test in Spanish shall be administered to each pupil~~  
378 ~~during a testing window of 10 instructional days following the completion of the~~  
379 ~~school district's testing window as established in subdivision (a)(1).~~

380 ~~(2) Each school district shall provide for at least two makeup days of testing~~  
381 ~~for pupils who were absent during the period that any school administered the~~  
382 ~~standards-based test in Spanish. All makeup testing shall occur within five~~  
383 ~~instructional days of the last date that the school district administered any~~  
384 ~~standards-based test in Spanish, but not later than the end of the ten~~  
385 ~~instructional day period established in subdivision (d)(1).~~

386 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
387 Sections 60640 and 60642.5, Education Code.

388

389 **§ 857. District STAR Coordinator.**

390 (a) On or before September 30 of each school year, the superintendent of each  
391 school district shall designate from among the employees of the school district a district  
392 STAR coordinator. The district STAR coordinator, or the school district superintendent  
393 or his or her designee, shall be available through August 15 of the following year to  
394 complete school district testing. The school district shall notify the contractor(s) of the  
395 identity and contact information, including electronic mail address, if available in the  
396 school district, for the district STAR coordinator and for the superintendent and his or  
397 her designee, if any. The district STAR coordinator shall serve as the school district  
398 representative and the liaison between the school district and the contractor(s) and the  
399 school district and the Department for all matters related to the STAR program. A  
400 school district superintendent may designate a separate STAR program district  
401 coordinator for any designated primary language test.

402 (b) The district STAR coordinator's responsibilities shall include, but not be limited to,  
403 all of the following duties:

404 (1) Responding to correspondence and inquiries from the contractor and from the  
405 Department in a timely manner and as provided in the contractor's instructions and  
406 these regulations.

407 (2) Determining school district and individual school test and test material needs in  
408 conjunction with schools within the district and the contractor, using current enrollment  
409 data and communicating school district test material needs to the contractor on or  
410 before December 1.

411 (3) Ensuring delivery of tests and test materials to the test sites no more than ten  
412 ~~(10)~~ or fewer than five ~~(5)~~ working days before the first day of testing designated by the  
413 district.

414 (4) Coordinating the testing and makeup testing days for the school district and for  
415 those pupils of the district who are enrolled in nonpublic schools within any required  
416 time periods with the school test site coordinators. Overseeing the collection of all pupil  
417 data as required to comply with §section 861.

418 (5) Maintaining security over the designated achievement test, the standards-based  
419 achievement tests, ~~the CAPA~~ the designated primary language test, and test data using  
420 the procedure set forth in §section 859. The district STAR coordinator shall sign the  
421 security agreement set forth in §section 859 and submit it to the contractor prior to  
422 receipt of the test materials from the contractor.

423 (6) Overseeing the administration of the designated achievement test, ~~and the~~  
424 standards-based achievement tests, ~~and the CAPA~~ and the designated primary  
425 language test to eligible pupils.

426 (7) Overseeing the collection and return of all test materials and test data to the  
427 contractor within any required time periods.

428 (8) Assisting the contractor and the Department in the resolution of any  
429 discrepancies in the test information and materials, including but not limited to, pre-  
430 identification files and all pupil level data required to comply with §sections 861 and  
431 862.

432 (9) Immediately notifying the Department of any security breaches or testing

433 irregularities in the district before, during, or after the test administration.

434 (10) Ensuring that an answer document is submitted for scoring for each eligible  
435 pupil enrolled in the district on the first day of testing.

436 (11) After receiving summary reports and files from the contractor, the district STAR  
437 coordinator shall review the files and reports for completeness and accuracy, and shall  
438 notify the contractor and the Department of any errors, discrepancies, or incomplete  
439 information.

440 (12) Training test site coordinators to oversee the test administration at each school.

441 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
442 Sections 52052, 60630, and 60640, Education Code; and 20 USC Section 6311.

443

444 **§ 858. STAR Test Site Coordinator.**

445 (a) At each test site, including but not limited to, each elementary, middle, and high  
446 school or other grade-span designated school, each charter school, each court-school,  
447 each school or program operated by a school district, and all other public programs  
448 serving pupils in any of the grades 2 to 11, inclusive, the superintendent of the school  
449 district or the district STAR coordinator shall designate a STAR test site coordinator  
450 from among the employees of the school district. The STAR test site coordinator, or the  
451 site principal or his or her designee, shall be available to the district STAR coordinator,  
452 and the district coordinator for the designated primary language test by telephone  
453 through August 15 for purposes of resolving discrepancies or inconsistencies in  
454 materials or errors in reports.

455 (b) The STAR test site coordinator's responsibilities shall include, but are not limited  
456 to, all of the following duties:

457 (1) Determining site test and test material needs and communicating the site needs  
458 to the district STAR coordinator.

459 (2) Overseeing the acquisition and distribution of tests and test materials at the test  
460 site, including but not limited to, distributing test materials to test examiners on each day  
461 of testing in accordance with the contractor's directions.

462 (3) Cooperating with the district STAR coordinator to provide the testing and makeup  
463 testing days for the site within any required time periods.

464 (4) Maintaining security over the designated achievement test, the standards-based  
465 achievement tests, ~~the CAPA~~ and the designated primary language test and test data.  
466 The STAR test site coordinator shall sign the security agreement set forth in ~~§~~section  
467 859 and submit it to the district STAR coordinator prior to the receipt of the test  
468 materials.

469 (5) Arranging for and overseeing the administration of the designated achievement  
470 test, the standards-based achievement tests, ~~and the CAPA~~ and the designated primary  
471 language test to eligible pupils at the test site.

472 (6) Overseeing the collection and return of all testing materials to the district STAR  
473 coordinator.

474 (7) Assisting the district STAR coordinator, the contractor, and the Department in the  
475 resolution of any discrepancies in the test information and materials.

476 (8) Overseeing the collection of all pupil level and other data required to comply with  
477 ~~§~~sections 861 and 862.

478 (9) Ensuring that an answer document is submitted for scoring for each eligible pupil  
479 enrolled in the school on the first day of testing for the designated achievement test or  
480 the standards-based achievement tests.

481 (10) Ensuring that for each pupil tested only one scannable answer document is  
482 submitted for scoring, except that for each pupil tested at grades for which the  
483 contractor has designated the use of more than one answer document. An answer  
484 document for the STAR writing assessment administered pursuant to ~~§~~section 855(c)  
485 shall be submitted in addition to the answer document for the multiple choice items.

486 (11) Immediately notifying the district STAR coordinator of any security breaches or  
487 testing irregularities that occur in the administration of the designated achievement test,  
488 the standards-based achievement tests, ~~or the CAPA~~ or the designated primary  
489 language test that violate the terms of the STAR Security Affidavit in ~~§~~section 859.

490 (12) Training all test examiners, proctors, and scribes for administering the tests.

491 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
492 Sections 60630 and 60640, Education Code; and 20 USC Section 6311.

493

494 **§ 859. STAR Test Security Agreement and Test Security Affidavit.**

495 (a) All STAR district and test site coordinators (coordinators) shall sign the STAR  
496 Test Security Agreement set forth in ~~§~~subdivision (b) before receiving any STAR  
497 Program designated achievement test, standards-based achievement tests, or  
498 designated primary language test or test materials.

499 (b) The STAR Test Security Agreement shall be as follows:

500 STAR TEST SECURITY AGREEMENT

501 I acknowledge by my signature on this form that the designated achievement test,  
502 the standards-based achievement tests, ~~and the CAPA~~ and the designated primary  
503 language test are secure tests and agrees to each of the following conditions to ensure  
504 test security:

505 (1) I will take all necessary precautions to safeguard all tests and test materials by  
506 limiting access to persons within the school district with a responsible, professional  
507 interest in the tests' security.

508 (2) I will keep on file the names of all persons having access to tests and test  
509 materials. All persons having access to the materials shall be required by the  
510 coordinator to sign the STAR Test Security Affidavit that will be kept on file in the school  
511 district office.

512 (3) I will keep the designated achievement test, ~~and the standards-based~~  
513 achievement tests, and the designated primary language test and test materials in a  
514 secure, locked location and will deliver tests and test materials only to those persons  
515 who have executed STAR Test Security Affidavits, on actual testing dates as provided  
516 in section 859(d) California Code of Regulations, Title 5, division 1, chapter 2,  
517 subchapter 3.75.

518 (4) I will keep the ~~CAPA~~ alternate assessment materials in a secure locked location  
519 when not being used by examiners to prepare for and to administer the assessment. I  
520 will adhere to the contractor's directions for the distribution of the assessment materials  
521 to examiners.

522 (5) I will not copy any part of the tests or test materials without written permission  
523 from the Department to do so.

524 (6) I will not disclose, or allow to be disclosed, the contents of, or the test instrument.  
525 I will not review any test questions, passages, or other test items with any other person

526 before, during, or after the test administration.

527 (7) I will not review test questions, develop any scoring keys or review or score any  
528 pupil responses except as required by the contractor's manuals.

529 By signing my name to this document, I am assuring that I will abide by the above  
530 conditions.

531 By: \_\_\_\_\_

532 Title: \_\_\_\_\_

533 School District: \_\_\_\_\_

534 Date: \_\_\_\_\_

535 (c) All test examiners, proctors, scribes, and any other persons having access to the  
536 designated achievement test and test materials, the standards-based achievement tests  
537 and test materials, and the CAPA designated primary language test and test materials  
538 shall acknowledge the limited purpose of their access to the tests by signing the STAR  
539 Test Security Affidavit set forth in ~~S~~subdivision (d).

540 (d) The STAR Test Security Affidavit shall be as follows:

541 **STAR TEST SECURITY AFFIDAVIT**

542 I acknowledge that I will have access to the designated achievement test, ~~and to the~~  
543 standards-based achievement tests, ~~and the CAPA~~ and/or the designated primary  
544 language test for the purpose of administering the test(s). I understand that these  
545 materials are highly secure, and it is my professional responsibility to protect their  
546 security as follows:

547 (1) I will not divulge the contents of the tests to any other person through verbal,  
548 written, or any other means of communication.

549 (2) I will not copy any part of the test(s) or test materials.

550 (3) I will keep the test(s) secure until the test(s) are actually distributed to pupils.

551 (4) I will limit access to the test(s) and test materials by test examinees to the actual  
552 testing periods when they are taking the test(s).

553 (5) I will collect and account for all materials following each period of testing and will  
554 not permit pupils to remove test materials from the room where testing takes place.

555 (6) I will not review any test questions, passages, or other test items with pupils or  
556 any other person before, during, or following testing.

557 (7) I will not develop scoring keys or review or score any pupil responses except as  
558 required by the contractor's administration manual(s) to prepare answer documents for  
559 machine or other scoring.

560 (8) I will return all test materials, except for ~~CAPA~~ alternate assessment materials, to  
561 the designated STAR test site coordinator daily upon completion of testing.

562 (9) I will keep all alternate assessment materials in secure locked storage except  
563 when I am administering or observing the administration of the assessment to pupils.

564 ~~(10)~~(9) I will administer the test(s) in accordance with the directions for test  
565 administration set forth in the contractor's manual for test administration.

566 ~~(11)~~(10) I have been trained to administer the tests.

567 Signed: \_\_\_\_\_

568 Print Name: \_\_\_\_\_

569 Position: \_\_\_\_\_

570 School: \_\_\_\_\_

571 School District: \_\_\_\_\_

572 Date: \_\_\_\_\_

573 (e) To maintain the security of the Program, all district STAR coordinators and test  
574 site coordinators are responsible for inventory control and shall use appropriate  
575 inventory control forms to monitor and track test inventory.

576 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference: Section  
577 60640, Education Code.

578 **§ 861. School-By-School Analysis**

579 (a) Each school district shall provide the contractor for the designated achievement  
580 test and standards-based achievement tests ~~or CAPA~~, the following information for  
581 each pupil enrolled on the first day the tests are administered for purposes of the  
582 reporting required by the Academic Performance Index of the Public Schools  
583 Accountability Act (~~C~~chapter 6.1, commencing with ~~S~~section 52050), ~~S~~section 60630,  
584 and ~~C~~chapter 5 (commencing with ~~S~~section 60640) of the Education Code:

585 (1) Pupil's full name.

586 (2) Date of birth.

587 (3) Grade level.

- 588 (4) Gender.
- 589 (5)-English proficiency and primary language.
- 590 (6) Date of English proficiency reclassification.
- 591 (7) If R-FEP pupil scored proficient or above on the California English-~~L~~Language
- 592 ~~a~~Arts Standards ~~†~~Test three (3) times since reclassification.
- 593 (8) Program participation.
- 594 (9) Use of accommodations or modifications.
- 595 (10) Statewide Student Identifier California School Information Services (CSIS)
- 596 Student Number once assigned.
- 597 (11) Parent education level.
- 598 (12) ~~Amount of time in the school and school district.~~ School and district California
- 599 Basic Educational Data System (CBEDS) enrollment.
- 600 (13) Grade last enrolled in school where being tested.
- 601 (14)~~(13)~~ For English learners, ~~length of time in California public schools and~~ date
- 602 first enrolled in school in the United States and the length of time in U.S. schools.
- 603 (15)~~(14)~~ Participation in the National School Lunch Program.
- 604 (16)~~(15)~~ Ethnicity.
- 605 (17)~~(16)~~ Primary disability code.
- 606 (18)~~(17)~~ County and District of residence for pupils with IEPs.
- 607 (19)~~(18)~~ Special testing conditions and/or reasons for not being tested.
- 608 (20) Student enrolled in NPS by district based on IEP.
- 609 (21) NPS school code.
- 610 (b) In addition to the demographic data required to be reported in ~~S~~section 861(a),
- 611 school districts may report if an eligible pupil in grades 2 through 14 is not tested with
- 612 the standards-based achievement tests due to a significant medical emergency.
- 613 (c) Each school district shall provide the contractor for the designated primary
- 614 language test the information specified in subdivision (a) for each pupil assessed with
- 615 the designated primary language test pursuant to Education Code section 60640.
- 616 (d)~~(e)~~ The information is for the purposes of aggregate analyses only and shall be
- 617 provided and collected as part of the testing materials for the designated achievement
- 618 test, and the standards-based achievement tests, ~~and the CAPA.~~

619 ~~(e)(d)~~ School districts shall provide the same information for each eligible pupil  
620 enrolled in an alternative or off campus program or for pupils placed in nonpublic  
621 schools as is provided for all other eligible pupils in grades 2 to 11, inclusive.

622 ~~(f)(e)~~ If the information required by ~~S~~section 861(a) is incorrect, the school district  
623 may enter into a separate agreement with the contractor to have the district's student  
624 data file corrected. The district STAR coordinator shall provide the correct information to  
625 the contractor within the contractor's timeline. Any costs for correcting the student data  
626 shall be the district's responsibility.

627 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference: Section  
628 60630, Education Code.

629

### 630 **§ 862. Apportionment Information Report.**

631 (a) Annually, each school district shall receive an apportionment information report  
632 with the following information for the designated achievement test, and the standards-  
633 based achievement tests, ~~and the CAPA~~ by grade level for each of grades 2 to 11,  
634 inclusive:

635 (1) The number of pupils enrolled in each school and in the school district on the first  
636 day of testing as indicated by the number of answer documents submitted to the test  
637 contractor for scoring.

638 (2) The number of pupils ~~with significant cognitive disabilities~~ in each school and in  
639 the school district tested with the ~~California Alternate Performance Assessment (CAPA)~~  
640 alternate assessment.

641 (3) The number of pupils in each school and in the school district exempted from  
642 testing at the request of their parents or guardians pursuant to Education Code section  
643 60615.

644 (4) The number of pupils who were administered any portion of the designated  
645 achievement test and standards-based achievement tests.

646 (5) The number of pupils with demographic information only who were not tested for  
647 any reason other than a parent/guardian exemption.

648 ~~(b) The department shall distribute the reports to districts no later than November 15~~  
649 following each testing cycle. Annually, each school district shall receive an

650 apportionment information report for the designated primary language test with the  
651 following information by grade level for each of grades 2 to 11, inclusive:

652 (1) The number of English language learners who were administered each  
653 designated primary language test pursuant to Education Code section 60640(f).

654 (2) The number of English language learners who were administered each  
655 designated primary language test pursuant to Education Code section 60640(g).

656 (c) To be eligible for apportionment payment for the designated achievement test,  
657 the standards-based achievement tests and/or the designated primary language test,

658 school districts must meet the following conditions:

659 (1) The school district has returned all secure test materials, and

660 (2) The superintendent of each school district has certified the accuracy of the  
661 apportionment information report for examinations administered during the calendar  
662 year (January 1 through December 31), which is either;

663 (A) postmarked by December 31, or

664 (B) if postmarked after December 31, the apportionment information report must be  
665 accompanied by a waiver request as provided by Education Code ~~S~~section 33050. For  
666 those apportionment information reports postmarked after December 31, apportionment  
667 payment is contingent upon the availability of an appropriation for this purpose in the  
668 fiscal year in which the testing window began.

669 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
670 Sections 60615 and 60640, Education Code.

671

672 **§ 863. STAR Student Reports and Cumulative Record Labels.**

673 (a) The school district shall forward the STAR Student Report for the designated  
674 achievement test and standards-based achievement tests and the designated primary  
675 language test provided by the contractor(s) to each pupil's parent or guardian, within not  
676 more than ~~twenty (20)~~ working days from receipt of the report from the contractor.

677 (b) If the school district receives the reports for the designated achievement test and  
678 standards-based tests, ~~or CAPA~~ or the designated primary language test from the  
679 contractor after the last day of instruction for the school year, the school district shall  
680 send the pupil results to the parent or guardian by U.S. mail at the parent's or

681 guardian's last known address. If the report is non-deliverable, the school district shall  
682 make the report available to the parent or guardian during the next school year.

683 (c) Schools are responsible for affixing cumulative record labels reporting each  
684 pupil's scores to the pupil's permanent school records or for entering the scores into  
685 electronic pupil records, and for forwarding the results to schools to which pupils  
686 matriculate or transfer. Schools may annotate the scores when the scores may not  
687 accurately reflect pupils' achievement due to illness or testing irregularities.

688 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
689 Sections 49068, 60641, and 60607, Education Code.

690

691 **§ 864. Reporting Test Scores.**

692 No aggregate or group scores or reports that are compiled pursuant to Education  
693 Code section 60641 or 60643 shall be reported electronically, in hard copy, or in other  
694 media, to any audience other than the school or school district where the pupils were  
695 tested, if the aggregate or group scores or reports are composed of ten ~~(10)~~ or fewer  
696 individual pupil scores. In each instance in which no score is reported for this reason,  
697 the notation shall appear "The number of pupils in this category is too small for  
698 statistical accuracy or privacy protection." In no case shall any group score be reported  
699 that would deliberately or inadvertently make public the score or performance of any  
700 individual pupil.

701 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference: Section  
702 60640 and 60643, Education Code.

703

704 **§ 864.5. Test Order Information.**

705 (a) The school district shall provide to the contractor(s), for the designated  
706 achievement test and the standards-based achievement tests no later than December 1  
707 of the year immediately prior to the year of test administration, the following data for  
708 each test site of the school district, by grade level:

709 ~~(1) Number of pupils to be tested~~

710 ~~(1)(2)~~ Valid county district school (CDS) codes\_

711 ~~(2)(3)~~ Number of tests\_ ~~without adaptation~~

712 ~~(3)(4)~~ Numbers of special version tests with adaptations by type of adaptation  
713 including, but not limited to, Braille and large print.

714 ~~(4)(5)~~ Number of Directions for Administration needed, by grade level.

715 (5) Number of pupils to be tested with the alternate assessment.

716 (6) Number of test examiners for the alternate assessment.

717 ~~(7)(6)~~ First date of testing in the school district, The first and last date of instruction  
718 and all non-instructional days during the school year for each school in the district and  
719 all non-working days for the school district the dates for each test administration period,  
720 if applicable.

721 (b) the school district shall provide to the contractor for the designated primary  
722 language test, the following data:

723 (1) Whether or not the district has eligible pupils for the tests.

724 (2) For all test sites in the district with eligible pupils, by grade level, the information  
725 in subdivision (a)(1), (2), (3), and (4).

726 ~~(c)(b)~~ Each school district that elects pre-identification of answer documents shall  
727 submit an electronic file that includes all of the information required in Section 861. The  
728 file must be submitted in accordance with the timeline, format, and instructions provided  
729 by the contractor(s).

730 ~~(d)(c)~~ If the testing materials are lost or destroyed while in the possession of the  
731 school district, and the contractor provides the school district with replacement  
732 materials, the school district is responsible for the cost of all replacement materials.

733 ~~(e)(d)~~ If the school district places an order for tests for any school that is excessive,  
734 the school district is responsible for the cost of materials for the difference between the  
735 sum of the number of pupil tests submitted for scoring including tests for non-tested  
736 pupils and 90 percent of the materials ordered. In no event shall the cost to the school  
737 district for replacement or excessive materials exceed the amount per test booklet and  
738 accompanying material that is paid to the contractor by the Department as part of the  
739 contract for the current year.

740 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
741 Sections 60640 and 60643, Education Code.

742

743 **§ 865. Transportation.**

744 (a) Upon arrival of the test materials at a single location designated by each school  
745 district, the ~~school district's~~ district STAR coordinator shall provide the contractor with a  
746 signed receipt certifying that all cartons were received.

747 (b) The security of the test materials that have been duly delivered to the school  
748 district is the sole responsibility of the school district until all test materials have been  
749 inventoried, accounted for, and delivered to the common or private carrier designated  
750 by the contractor for return to the contractor.

751 (c) Secure transportation within a school district is the responsibility of the school  
752 district once materials have been duly delivered to the school district. The school district  
753 is responsible for secure delivery of test materials to nonpublic schools to which district  
754 ~~pupils with disabilities are assigned.~~

755 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference: Section  
756 60640, Education Code.

757

758 **§ 866. School District Delivery.**

759 (a) No school district shall receive its ~~multiple-choice~~ designated achievement test,  
760 standards-based achievement test, or designated primary language test materials more  
761 than twenty ~~(20)~~ or fewer than ten ~~(10)~~ working days prior to the first day of testing in  
762 the school district. A school district that has not received ~~multiple-choice~~ test materials  
763 from the contractor at least ten ~~(10)~~ working days before the first date of testing in the  
764 school district shall notify the contractor and the Department on the tenth working day  
765 before testing is scheduled to begin that the school district has not received its  
766 materials. Deliveries of ~~multiple-choice~~ test materials to single school districts shall use  
767 the schedule in ~~S~~section 867.

768 (b) A school district and the contractor shall establish a periodic delivery schedule to  
769 accommodate all test administration periods within the school district. Any schedule  
770 established must conform to ~~S~~sections 866(a) and (b) for each test administration  
771 period.

772 (c) No school district shall receive its writing test materials more than ten ~~(10)~~ or  
773 fewer than five ~~(5)~~ working days before the day on which the writing tests are to be

774 administered.

775 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
776 Sections 60640, 60642.5, and 60643, Education Code.

777

778 **§ 867. Test Site Delivery and Return.**

779 (a) No school or other test site shall receive any ~~multiple-choice~~ designated  
780 achievement test, standards-based tests, or designated primary language test or related  
781 test materials more than ten ~~(10)~~ or fewer than five ~~(5)~~ working days prior to the first day  
782 of testing scheduled at the school or test site.

783 (b) All ~~multiple-choice~~ testing materials shall be returned to the school district  
784 location designated by the district STAR coordinator no more than two ~~(2)~~ working days  
785 after testing is completed for each test administration period.

786 (c) No school or other test site shall receive any writing test materials more than six  
787 ~~(6)~~ or fewer than two ~~(2)~~ working days before the test administration date.

788 (d) Writing test materials shall be returned to the district STAR coordinator no more  
789 than one day after the day scheduled for makeup testing.

790 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference: Section  
791 60640 and 60642.5, Education Code.

792

793 **§ 867.5. Retrieval of Materials by Contractor.**

794 (a) The school district shall ensure that ~~multiple-choice~~ designated achievement test,  
795 standards-based tests, or designated primary language testing materials are  
796 inventoried, packaged, and labeled in accordance with instructions from the contractor,  
797 and returned to a single school district location for pickup by the contractor within five  
798 ~~(5)~~ working days following completion of testing in the school district and in no event  
799 later than five ~~(5)~~ working days after each test administration period. ~~All school districts~~  
800 ~~must have their multiple-choice testing materials returned to the contractor no later than~~  
801 ~~five (5) working days after any statutory deadline.~~

802 (b) School districts shall return all writing tests and test materials to the contractor no  
803 more than two ~~(2)~~ working days after the makeup day specified for the writing test.

804 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:

805 Sections 60640, 60642.5, and 60643, Education Code.

806

807 **§ 868. Discrepancy Resolution for Designated Achievement Test, Standards-**  
808 **Based Achievement Tests, and ~~CAPA~~ and Designated Primary Language Test.**

809 (a) School districts shall process discrepancies determined by the contractor~~(s)~~ upon  
810 receipt of returned tests and test materials pursuant to this subdivision:

811 (1) Receipt of a discrepancy notice in writing, via telephone, or via electronic mail by  
812 the district STAR coordinator for one or more of the following shall require a response  
813 from the district STAR coordinator to the contractor within 24 hours.

814 (A) A discrepancy between the quantity of tests and test materials shipped to the  
815 school district and the number of tests and test materials returned to the contractor from  
816 the school district.

817 (B) Information on scannable documents or test support materials that is  
818 inconsistent, incomplete, or missing, according to criteria established with the  
819 Department.

820 (2) The district STAR coordinator shall acknowledge the discrepancy notice via  
821 electronic mail, if available in the school district, to the contractor and to the Department  
822 within ~~twenty-four (24)~~ hours of its receipt via electronic mail.

823 (b) The district STAR coordinator shall report any discrepancy in the total amount of  
824 the shipment from the contractor within two ~~(2)~~ working days of the receipt of the  
825 shipment. If the contractor does not remedy the discrepancy within two ~~(2)~~ working days  
826 of the school district report, the school district shall notify the Department within 24  
827 hours.

828 (c) Any discrepancy in a shipment of designated achievement tests or test materials,  
829 ~~or standards-based achievement tests or test materials, or CAPA materials~~ or  
830 designated primary language test or test materials received by a test site from the  
831 district STAR coordinator shall be reported to the district STAR coordinator immediately  
832 but no later than two ~~(2)~~ working days of the receipt of the shipment at the testing site.  
833 The district STAR coordinator shall remedy the discrepancy within two ~~(2)~~ working days.

834 (d) The district STAR coordinator shall report to the contractor any discrepancy  
835 reported by a STAR test site coordinator within three ~~(3)~~ working days of receipt of

836 materials at the test site. If the district STAR coordinator does not have a sufficient  
837 supply of tests or test materials to remedy any shortage, the contractor shall remedy the  
838 shortage by providing sufficient materials directly to the test site within two (2) working  
839 days of the notification by the district STAR coordinator.

840 (e) The notices required by this section shall be made by telephone with  
841 simultaneous confirmation in writing and by electronic mail.

842 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
843 Sections 60640 and 60643, Education Code.

844

845 **§ 870. Apportionment to School Districts.**

846 (a) The amount of funding to be apportioned to the school district for the costs of  
847 administering the designated achievement test, the standards-based achievement tests,  
848 ~~and the CAPA~~ and the designated primary language test shall be the amount  
849 established by the State Board of Education to enable school districts to meet the  
850 requirements of administering the designated achievement test, the standards-based  
851 achievement tests, ~~and the CAPA~~ and the designated primary language test per the  
852 number of tests administered to eligible pupils in grades 2 to 11, inclusive, and the  
853 number of answer documents returned with only demographic information for the  
854 designated achievement test and the standards-based achievement tests for pupils  
855 enrolled on the first day of testing who were not tested in the school district. The number  
856 of tests administered and the number of demographic answer documents shall be  
857 determined by the certification of the school district superintendent pursuant to ~~§~~section  
858 862. For purposes of this portion of the apportionment, administration of the designated  
859 achievement test, the standards-based achievement tests, ~~and the CAPA~~ and the  
860 designated primary language test includes the following items:

861 (1) All staffing costs, including the district STAR coordinator and the STAR test site  
862 coordinators, staff training and other staff expenses related to testing.

863 (2) All expenses incurred at the school district and test site level related to testing.

864 (3) All transportation costs of delivering and retrieving tests and test materials within  
865 the school district and to nonpublic schools.

866 (4) All costs associated with mailing the STAR Student Reports to

867 parents/guardians.

868 (5) All costs associated with pre-identification of answer sheets and consumable test  
869 booklets, and other activities intended to provide the complete and accurate data  
870 required in §section 861 of these regulations.

871 (b) This amount does not include any funding for the purposes of:

872 (1) reimbursing the costs incurred by any school district pursuant to §section  
873 864.5(d) or (e); placing an order that is excessive, or for replacement costs for test  
874 materials lost or destroyed while in possession of the school district as stated in Section  
875 864.5(c). These costs are outside the scope of the mandates of the STAR program.

876 (2) reimbursing any school district for designated primary language tests for non-  
877 eligible pupils; and

878 (3) reimbursing any school district for designated achievement tests for non-eligible  
879 pupils.

880 (c) If at the time a school district's scannable documents are processed by the  
881 contractor a student data record is missing any of the data elements required in  
882 §section 861 of these regulations for the designated achievement test or the standards-  
883 based achievement tests, the school district shall provide the missing data elements  
884 within the time required by the contractor to process the documents and meet the  
885 contractor's schedule of deliverables under its contract with the Department. The  
886 additional costs incurred by the school district to have the contractor reprocess the  
887 student information to acquire the data required by §section 861 of these regulations  
888 shall be withheld from the school district's apportionment.

889 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:  
890 Sections 60640 and 60643, Education Code.

891

### 892 **Article 3. Designated Primary Language Test**

#### 893 **§ 880. Pupil Testing.**

894 ~~(a) In addition to the designated achievement test and the standards-based~~  
895 ~~achievement tests, school districts shall administer to English language learners who~~  
896 ~~are enrolled in any of grades 2 to 11, inclusive, a designated primary language test if~~  
897 ~~less than 12 months have elapsed after initial enrollment in any public school in this~~

898 ~~state and if a test has been designated in the pupil's primary language.~~

899 ~~(b) School districts shall make whatever arrangements are necessary to test all~~  
900 ~~eligible pupils in alternative education programs or programs conducted off campus,~~  
901 ~~including, but not limited to, continuation schools, independent study, community day~~  
902 ~~schools, or county community schools.~~

903 ~~(c) School districts may administer a designated primary language test to pupils~~  
904 ~~enrolled in kindergarten or grade 1 or 12, but those pupils shall not be counted for an~~  
905 ~~apportionment pursuant to Education Code section 60640(h).~~

906 ~~(d) No test may be administered in a private home or location unless the test is~~  
907 ~~administered by either a certificated employee of the school district or an employee of a~~  
908 ~~nonpublic school pursuant to Education Code section 56365 who holds a credential and~~  
909 ~~the employee signs a security affidavit. No test shall be administered to a pupil by the~~  
910 ~~parent or guardian of that pupil. This subdivision does not prevent classroom aides from~~  
911 ~~assisting in the administration of the test under the supervision of a credentialed school~~  
912 ~~district employee provided that the classroom aide does not assist his or her own child~~  
913 ~~and that the classroom aide signs a security affidavit.~~

914 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

915 Reference: Section 60640, Education Code.

916

917 **§ 881. Pupil Exemptions.**

918 ~~(a) A parent or guardian may submit to the school a written request to excuse his or~~  
919 ~~her child from any or all parts of any designated primary language test provided~~  
920 ~~pursuant to Education Code section 60640. The parent or guardian must initiate the~~  
921 ~~request and the school district and its employees shall not solicit or encourage any~~  
922 ~~written request on behalf of any child.~~

923 ~~(b) Pupils in special education programs may be tested with a designated primary~~  
924 ~~language test, if applicable, unless the individualized education program for the pupil~~  
925 ~~specifically exempts the pupil from testing.~~

926 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

927 Reference: Sections 60615 and 60640, Education Code.

928 **§ 882. Administration.**

929 ~~(a) Any designated primary language test or tests, which includes all those materials~~  
930 ~~set forth in Section 850(b), shall be administered and returned in accordance with the~~  
931 ~~manuals or other instructions provided by the publisher(s) for administering and~~  
932 ~~returning the tests unless specifically provided otherwise in this subchapter. The~~  
933 ~~procedures shall include, but are not limited to, those designed to insure the uniform~~  
934 ~~and standard administration of the test(s) to pupils and the security and integrity of the~~  
935 ~~test content(s) and test items.~~

936 ~~(b) Except as provided in Subdivision (c), the reading section of any test or tests~~  
937 ~~shall not be read, interpreted, or translated to any pupil and no pupil may use a~~  
938 ~~calculator while taking any designated primary language test or tests administered~~  
939 ~~pursuant to Education Code section 60640(f) or (g).~~

940 ~~(c) Pupils in special education programs with individualized education programs~~  
941 ~~delineating accommodations such as, but not limited to, large print, extended time, or~~  
942 ~~the use of a reader or scribe; or pupils with current plans under Section 504 of the~~  
943 ~~Rehabilitation Act of 1973 specifying such accommodations shall be tested and the~~  
944 ~~prescribed adaptations or accommodations shall be made.~~

945 ~~(d) Except for pupils in special education programs with individualized education~~  
946 ~~programs and pupils with section 504 plans that require specific accommodations or~~  
947 ~~modifications, no pupil shall be tested with the accommodations or modifications of~~  
948 ~~large print, use of a reader or scribe, extended time, use of a calculator, or out-of-level~~  
949 ~~test.~~

950 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

951 Reference: Section 60640, Education Code.

952

953 **§ 883. Advance Preparation for Test.**

954 ~~(a) Except for materials specifically included within any designated primary language~~  
955 ~~test or tests, no program or materials shall be used by any school district or employee of~~  
956 ~~a school district that are specifically formulated, or intended by a any school district or~~  
957 ~~employee of a school district, to prepare pupils for any designated primary language~~  
958 ~~test or tests. No administration or use of an alternate or parallel form of the designated~~  
959 ~~test for any stated purpose shall be permitted for any pupils in grades 2 through 11,~~

960 inclusive.

961 ~~(b) Practice tests provided by the publisher(s) as part of any designated primary~~  
962 ~~language test or tests for the limited purpose of familiarizing pupils with the use of~~  
963 ~~scannable test booklets or answer sheets and the format of test items are not subject to~~  
964 ~~the prohibition of Subdivision (a).~~

965 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

966 Reference: Sections 60611 and 60640, Education Code.

967

968 **§ 884. Testing Period.**

969 ~~(a) Any designated primary language test or tests, as applicable, shall be~~  
970 ~~administered during the testing period of all instructional days commencing on or after~~  
971 ~~March 15 to the 14<sup>th</sup> day of May, inclusive, of each school year.~~

972 ~~(b) Each school district shall provide for at least two (2) makeup days of testing for~~  
973 ~~pupils who were absent during the period that any school administered any designated~~  
974 ~~primary language test or tests. All makeup testing shall occur within ten (10)~~  
975 ~~instructional days of the last date that the school district administered any designated~~  
976 ~~primary language test or tests, but not later than May 25<sup>th</sup> of each school year,~~  
977 ~~whichever is earlier.~~

978 ~~(c) A school district with schools operating on a multitrack year round schedule may~~  
979 ~~submit a request to the Department to begin testing no earlier than the fourth Monday in~~  
980 ~~February. The State Board of Education shall approve the request if it determines that~~  
981 ~~sufficient tests and test materials are available from the publisher(s) and that the school~~  
982 ~~district will not otherwise be able to complete the testing of all eligible pupils prior to May~~  
983 ~~15<sup>th</sup> of the school year.~~

984 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

985 Reference: Section 60640, Education Code.

986

987 **§ 886. STAR Program District Coordinator.**

988 ~~The STAR program district coordinator designated by the Superintendent of the~~  
989 ~~school district pursuant to Section 857 shall have the same responsibilities with regard~~  
990 ~~to the designated primary language test(s) including, but not limited to, all of the duties~~

991 ~~listed in Section 857(b) and the certifications required in Section 857(c), (d), and (e) for~~  
992 ~~the designated achievement test.~~

993 NOTE: Sections 33031 and 60605(g) and (h), Education Code. Reference: Sections  
994 60630 and 60640, Education Code.

995

996 **§ 887. STAR Test Site Coordinator.**

997 ~~The STAR test site coordinator designated by the Superintendent of the school~~  
998 ~~district pursuant to Section 858 shall have the same responsibilities with regard to the~~  
999 ~~designated primary language test(s) including, but not limited to, all of the duties listed~~  
1000 ~~in Section 858(b) and the certification required in Section 858(c) for the designated~~  
1001 ~~achievement test. If necessary, a school district superintendent may designate a~~  
1002 ~~separate STAR program district coordinator for any designated primary language test.~~

1003 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

1004 Reference: Sections 60630 and 60640, Education Code.

1005

1006 **§ 888. STAR Test Security Agreement and Test Security Affidavit.**

1007 ~~(a) All STAR program district and test site coordinators (coordinators) shall sign the~~  
1008 ~~STAR Test Security Agreement set forth in Subdivision (b).~~

1009 ~~(b) The STAR Test Security Agreement shall be as follows:~~

1010

**~~STAR TEST SECURITY AGREEMENT~~**

1011 ~~The coordinator acknowledges by his or her signature on this form that the~~  
1012 ~~designated primary language test or tests are secure tests and agrees to each of the~~  
1013 ~~following conditions to ensure test security:~~

1014 ~~(1) The coordinator will take all necessary precautions to safeguard all tests and test~~  
1015 ~~materials by limiting access to persons within the school district with a responsible,~~  
1016 ~~professional interest in the test's security.~~

1017 ~~(2) The coordinator will keep on file the names of all persons having access to tests~~  
1018 ~~and test materials. All persons having access to the materials shall be required by the~~  
1019 ~~coordinator to sign the STAR Test Security Affidavit that will be kept on file in the school~~  
1020 ~~district office.~~

1021 ~~(3) The coordinator will keep the test and test materials in a secure, locked location.~~

1022 ~~limiting access to only those persons responsible for test security except on actual~~  
1023 ~~testing dates as provided in California Code of Regulations, Title 5, Division 1, Chapter~~  
1024 ~~2, Subchapter 3.75.~~

1025 ~~By signing my name to this document, I am assuring that I and anyone having~~  
1026 ~~access to the test materials will abide by the above conditions.~~

1027 ~~By: \_\_\_\_\_~~

1028 ~~Title: \_\_\_\_\_~~

1029 ~~School District: \_\_\_\_\_~~

1030 ~~Date: \_\_\_\_\_~~

1031 ~~(c) Each STAR test site coordinator shall deliver the tests and test materials only to~~  
1032 ~~those persons actually administering the designated primary language test or tests on~~  
1033 ~~the date of testing and only upon execution of the STAR Test Security Affidavit set forth~~  
1034 ~~in Subdivision (c).~~

1035 ~~(d) All persons having access to the designated primary language test or tests and~~  
1036 ~~test materials shall acknowledge the limited purpose of their access to the tests, by~~  
1037 ~~signing the STAR Test Security Affidavit set forth in Subdivision (c).~~

1038 ~~(e) The STAR Test Security Affidavit shall be as follows:~~

1039 **~~STAR TEST SECURITY AFFIDAVIT~~**

1040 ~~I acknowledge that I will have access to the designated primary language test or~~  
1041 ~~tests for the purpose of administering the test. I understand that these materials are~~  
1042 ~~highly secure, and it is my professional responsibility to protect their security as follows:~~

1043 ~~(1) I will not divulge the contents of the test(s) to any other person.~~

1044 ~~(2) I will not copy any part of the test(s) or test materials.~~

1045 ~~(3) I will keep the test(s) secure until the test(s) are actually distributed to pupils.~~

1046 ~~(4) I will limit access to the test(s) and test materials by test examinees to the actual~~  
1047 ~~testing periods.~~

1048 ~~(5) I will not permit pupils to remove test materials from the room where testing takes~~  
1049 ~~place.~~

1050 ~~(6) I will not disclose, or allow to be disclosed, the contents of, or the scoring keys to,~~  
1051 ~~the test instruments.~~

1052 ~~(7) I will return all test materials to the designated STAR site coordinator upon~~

1053 completion of the test(s).

1054 Signed \_\_\_\_\_

1055 Print Name: \_\_\_\_\_

1056 Position: \_\_\_\_\_

1057 School: \_\_\_\_\_

1058 School District: \_\_\_\_\_

1059 Date: \_\_\_\_\_

1060 ~~(f) To maintain the security of the program, all STAR program district coordinators~~  
1061 ~~and test site coordinators are responsible for inventory control and shall use appropriate~~  
1062 ~~inventory control forms to monitor and track test inventory.~~

1063 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

1064 Reference: Section 60640, Education Code.

1065

1066 **§ 890. School-By-School Analysis.**

1067 ~~(a) Each school district shall provide each publisher of a designated primary~~  
1068 ~~language test or tests the following information for each pupil tested for purposes of the~~  
1069 ~~reporting required by Section 60630 and Article 4 (commencing with Section 60640) of~~  
1070 ~~the Education Code:~~

1071 ~~(1) Date of birth.~~

1072 ~~(2) Grade level.~~

1073 ~~(3) Gender.~~

1074 ~~(4) Language fluency and home language.~~

1075 ~~(5) Special program participation.~~

1076 ~~(6) Testing adaptations or accommodations.~~

1077 ~~(7) Parent education level.~~

1078 ~~(8) Amount of time in the school, school district, and in California public schools.~~

1079 ~~(9) Ethnicity.~~

1080 ~~(10) Handicapping condition or disability.~~

1081 ~~(b) The information is for the purposes of aggregate analyses only and shall be~~  
1082 ~~provided and collected as part of the testing materials for the designated primary~~  
1083 ~~language test or tests.~~

1084 ~~(c) School districts shall provide the same information for each eligible pupil enrolled~~  
1085 ~~in an alternative or off campus program as is provided for all other eligible pupils in~~  
1086 ~~grades 2 to 11, inclusive.~~

1087 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

1088 Reference: Section 60630, Education Code.

1089

1090 **§ 891. Apportionment Information Report.**

1091 ~~(a) Each school district shall report to the State Department of Education all of the~~  
1092 ~~following information relevant to a designated primary language test by grade level for~~  
1093 ~~each of grades 2 to 11, inclusive:~~

1094 ~~(1) The number of pupils who are English language learners.~~

1095 ~~(2) The number of English language learners who were administered each~~  
1096 ~~designated primary language test pursuant to Education Code section 60640(f).~~

1097 ~~(3) The number of English language learners who were administered each~~  
1098 ~~designated primary language test pursuant to Education Code section 60640(g).~~

1099 ~~(4) The total number of English language learners exempted from the test pursuant~~  
1100 ~~to Education Code section 60615.~~

1101 ~~(5) The total number of English language learners exempted pursuant to any~~  
1102 ~~provision in their individualized education programs (IEPs) which explicitly exempts~~  
1103 ~~them from standardized testing.~~

1104 ~~(6) If a school district opted to have the publisher of a designated primary language~~  
1105 ~~test provide pre-identification of answer sheets, the number of tests administered with~~  
1106 ~~pre-identified answer documents.~~

1107 ~~(b)(1) The superintendent of each school district shall certify the accuracy of all~~  
1108 ~~information submitted. The report required by Subdivision (a) shall be filed with the~~  
1109 ~~State Superintendent of Public Instruction within ten (10) working days of the last day of~~  
1110 ~~makeup testing in the school district.~~

1111 ~~(2) School districts with an average daily attendance greater than 100,000 may~~  
1112 ~~certify the accuracy and submit the information required by Subdivision (a) within fifteen~~  
1113 ~~(15) working days of the last day of makeup testing in the school district. The school~~  
1114 ~~district may submit a request to the State Department of Education to obtain approval of~~

1115 ~~the State Board of Education for an extension of ten (10) additional working days if the~~  
1116 ~~fifteen (15) working day requirement presents an undue hardship.~~

1117 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

1118 Reference: Sections 60615 and 60640, Education Code.

1119

1120 **§ 892. Parent Reports.**

1121 A school district shall report the results of each pupil's test to the pupil's parent or  
1122 guardian as provided in Section 863.

1123 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

1124 Reference: Section 60641, Education Code.

1125

1126 **§ 893. Reporting Test Scores.**

1127 No scores that are compiled pursuant to Education Code section 60641 or 60643  
1128 shall be reported electronically, in hard copy, or in other media, to any audience, if the  
1129 aggregate or group score is composed of ten (10) or fewer individual pupil scores. In  
1130 each instance in which no score is reported for this reason, the notation shall appear,  
1131 when posted on the Internet: "The number of pupils in this category is too small for  
1132 statistical accuracy or privacy protection" or, when reported in hard copy or other media,  
1133 a substantially similar statement may be used. In no case shall any group score be  
1134 reported that would deliberately or inadvertently make public the score or performance  
1135 of any individual pupil.

1136 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

1137 Reference: Sections 60640 and 60643, Education Code.

1138

1139 **§ 894. Test Order Information.**

1140 (a) Each publisher of a designated primary language test or tests shall notify all  
1141 school districts of any adaptations available from each publisher to accommodate pupils  
1142 with exceptional needs including, but not limited to, Braille and large print.

1143 (b) The school district shall provide to the publisher, no later than December 15 of  
1144 the year immediately prior to the year of test administration, the following data for each  
1145 test site of the school district, by grade level:

- 1146 ~~(1) The number of pupils to be tested.~~  
1147 ~~(2) Valid county district school (CDS) codes.~~  
1148 ~~(3) Number of tests without adaptation.~~  
1149 ~~(4) Numbers of large print tests.~~  
1150 ~~(5) Number of Directions for Administration needed, by grade level.~~  
1151 ~~(6) First date of testing in the school district including the dates for each testing~~  
1152 ~~wave, if applicable.~~

1153 ~~(7) Date or dates on which delivery of materials to the school district is required.~~

1154 ~~(c) Each school district that elects pre-identification of answer documents shall~~  
1155 ~~provide to the publisher no fewer than 45 days prior to the first date of testing in the~~  
1156 ~~school district, an electronic file that includes all of the information required in Section.~~

1157 ~~(1) If the testing materials are lost or destroyed while in the possession of the school~~  
1158 ~~district, and the publisher provides the school district with replacement materials, the~~  
1159 ~~school district is responsible for the cost of all replacement materials.~~

1160 ~~(2) If the school district places orders for tests for any school that are excessive, the~~  
1161 ~~school district is responsible for the cost of materials for the difference between the sum~~  
1162 ~~of the number of pupil tests scored, the number of parent requests pursuant to~~  
1163 ~~Education Code section 60615, and the number of individualized education program~~  
1164 ~~exemptions pursuant to Education Code section 60640(e) and 90 percent of the tests~~  
1165 ~~ordered. In no event shall the cost to school district for replacement or excessive~~  
1166 ~~materials exceed the amount per test booklet and accompanying material that is paid to~~  
1167 ~~the publisher by the Department as part of the contract with the publisher for the current~~  
1168 ~~year.~~

1169 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

1170 Reference: Sections 60640 and 60643, Education Code.

1171

1172 **§ 895. Transportation.**

1173 ~~(a) Each test publisher shall assume all responsibility for the security and integrity of~~  
1174 ~~their tests and test materials at all sites where the publisher creates, produces, stores,~~  
1175 ~~or maintains the materials and during the time that any and all materials are in transit by~~  
1176 ~~any means from the publisher's storage, production, maintenance, or transfer facility~~

1177 ~~until the materials arrive at a single location designated by each school district and the~~  
1178 ~~school district's STAR program district coordinator provides the publisher with a signed~~  
1179 ~~receipt. Upon arrival of the test materials at a single location designated by each school~~  
1180 ~~district, the school district's STAR program district coordinator shall provide the~~  
1181 ~~publisher with a signed receipt.~~

1182 ~~(b) The security of the tests and test materials that have been duly delivered to the~~  
1183 ~~school district is the sole responsibility of the school district until all tests and test~~  
1184 ~~materials have been inventoried, accounted for, and delivered to the common or private~~  
1185 ~~carrier designated by the publisher.~~

1186 ~~(c) Secure transportation within a school district is the responsibility of the school~~  
1187 ~~district once materials have been duly delivered to the school district.~~

1188 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

1189 Reference: Section 60640, Education Code.

1190

1191 **§ 896. School District Delivery.**

1192 ~~(a) No school district shall receive its test materials more than twenty-five (25) or~~  
1193 ~~fewer than ten (10) working days prior to the first day of testing in the school district. A~~  
1194 ~~school district that has not received test materials from by the test publisher at least (10)~~  
1195 ~~calendar days before the first date of testing in the school district shall notify the~~  
1196 ~~publisher and the Department on the tenth day before testing is scheduled to begin that~~  
1197 ~~the school district has not received its materials~~

1198 ~~(b) School districts shall return all designated primary language tests and test~~  
1199 ~~materials to the publisher(s) within five (5) working days of the last test date in the~~  
1200 ~~school district, including makeup testing days or June 1, whichever date is earlier.~~

1201 ~~(c) If the school district has an average daily attendance greater than 50,000 or has~~  
1202 ~~schools on a multi-track year round calendar, the school district and the publisher(s)~~  
1203 ~~may establish a periodic delivery and retrieval schedule to accommodate staggered test~~  
1204 ~~administration dates within the school district.~~

1205 ~~(d) A unified school district that will administer the test to pupils in grades 9 through~~  
1206 ~~11 during a time frame that does not overlap the administration of the test to pupils in~~  
1207 ~~grades 2 through 8 may establish a periodic delivery and retrieval schedule with the~~

1208 ~~publisher to accommodate staggered test administration dates within the school district~~  
1209 ~~for grades 9 through 11 and grades 2 through 8.~~

1210 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

1211 Reference: Sections 60640 and 60643, Education Code.

1212

1213 **§ 897. Test Site Delivery.**

1214 ~~(a) No school or other test site shall receive any test or related test materials more~~  
1215 ~~than ten (10) working days nor fewer than five (5) working days prior to the first day of~~  
1216 ~~testing scheduled at the school or test site.~~

1217 ~~(b) Upon completion of testing at a site, including makeup testing, all tests and test~~  
1218 ~~materials shall be returned to the school district location designated by the STAR~~  
1219 ~~program district coordinator.~~

1220 ~~(c) Tests and test materials shall not be retained at the test site for more than two (2)~~  
1221 ~~working days after the last day of test administration including makeup testing days or~~  
1222 ~~May 25th, whichever is earlier.~~

1223 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

1224 Reference: Section 60640, Education Code.

1225

1226 **§ 898. Retrieval of Materials by Publisher.**

1227 ~~(a) The school district shall ensure that materials are inventoried, packaged, and~~  
1228 ~~labeled in accordance with instructions from each designated publisher, and returned to~~  
1229 ~~a single school district location for pickup by each publisher within five (5) working days~~  
1230 ~~following completion of testing in the school district and in no event later than May 30.~~

1231 ~~All school districts must have their materials returned to the publisher(s) no later than~~  
1232 ~~June 1.~~

1233 ~~(b) Each publisher shall arrange with the STAR program district coordinator a range~~  
1234 ~~of dates on which the publisher will pick up the packaged materials.~~

1235 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

1236 Reference: Section 60643, Education Code.

1237

1238 **§ 899. Discrepancy Resolution for Designated Primary Language Test(s).**

1239 ~~(a) School districts shall process discrepancies determined by the designated~~  
1240 ~~publisher(s) upon receipt of returned tests and test materials pursuant to this~~  
1241 ~~subdivision:~~

1242 ~~(1) Receipt of a discrepancy notice in writing, via telephone, or via electronic mail by~~  
1243 ~~the STAR program district coordinator for one or more of the following items shall~~  
1244 ~~require a response from the STAR program district coordinator to the publisher within~~  
1245 ~~24 hours:~~

1246 ~~(A) A discrepancy between the quantity of tests and test materials shipped to the~~  
1247 ~~school district and the number of tests and test materials returned to the publisher from~~  
1248 ~~the school district.~~

1249 ~~(B) Information on scannable documents or test support materials that is~~  
1250 ~~inconsistent, incomplete, or missing.~~

1251 ~~(2) The STAR program district coordinator shall acknowledge the discrepancy notice~~  
1252 ~~via electronic mail to the publisher and to the Department within twenty-four (24) hours~~  
1253 ~~of receipt.~~

1254 ~~(b) The STAR program district coordinator shall report any discrepancy in the total~~  
1255 ~~amount of the shipment from the publisher of any designated primary language test~~  
1256 ~~material to the publisher within two (2) working days of the receipt of the shipment. If~~  
1257 ~~the publisher does not remedy the discrepancy within two (2) working days of the school~~  
1258 ~~district report, the school district shall notify the Department within 24 hours.~~

1259 ~~(c) Any discrepancy in a shipment of tests or test materials received at a test site~~  
1260 ~~from the STAR program district coordinator shall be reported to the STAR program~~  
1261 ~~district coordinator immediately but no later than two (2) working days of the receipt of~~  
1262 ~~the shipment at the testing site. The STAR program district coordinator shall remedy~~  
1263 ~~the discrepancy within two (2) working days.~~

1264 ~~(d) The STAR program district coordinator shall report to the publisher any~~  
1265 ~~discrepancy reported by a STAR test site coordinator within three (3) working days of~~  
1266 ~~receipt of materials at the school district. If the STAR program district coordinator does~~  
1267 ~~not have a sufficient supply of tests or test materials to remedy any shortage, the test~~  
1268 ~~publisher shall remedy the shortage by providing sufficient materials directly to the test~~  
1269 ~~site within two (2) working days of the notification by the STAR program district~~

1270 coordinator.

1271 (e) The notices required by this section shall be made by telephone with  
1272 simultaneous confirmation in writing and by electronic mail, if available.

1273 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

1274 Reference: Sections 60640 and 60643, Education Code.

1275

1276 **§ 901. Apportionment.**

1277 (a) The amount of funding to be apportioned to the school district for the costs of  
1278 administering any designated primary language test shall be the amount established by  
1279 the State Board of Education to enable school districts to meet the requirements of  
1280 administering any designated primary language tests per the number of tests  
1281 administered to eligible pupils in grades 2 to 11, inclusive, in the school district. The  
1282 number of tests administered shall be determined by the certification of the school  
1283 district superintendent pursuant to Section 891. For purposes of this portion of the  
1284 apportionment, administration of any designated primary language test includes the  
1285 following items:

1286 (1) All staffing costs, including the STAR program district coordinator and the STAR  
1287 test site coordinator, staff training and other staff expenses related to testing.

1288 (2) All expenses incurred at the school district and test site level related to testing.

1289 (3) All transportation costs of delivering and retrieving tests and test materials within  
1290 the school district.

1291 (4) All costs associated with mailing the parent reports of test results.

1292 (5) All costs associated with pre-identification of answer sheets and consumable test  
1293 booklets, and other activities intended to provide the complete and accurate data  
1294 required in Section 861 of these regulations.

1295 (b) If at the time a district's scannable documents are processed by the publisher a  
1296 student data record is missing any of the data elements required in Section 861 of these  
1297 regulations, the district shall provide the missing data elements within the time required  
1298 by the publisher to process the documents and meet the publisher's schedule of  
1299 deliverables under its contract with the Department. The additional costs incurred by  
1300 the district to have the publisher reprocess the student information to acquire the data

1301 ~~required by Section 890 of these regulations shall be withheld from the district's~~  
1302 ~~apportionment.~~

1303 NOTE: Authority cited: Sections 33031 and 60605(g) and (h), Education Code.

1304 Reference: Sections 60640 and 60643, Education Code.

1305

1306

1307

1308

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**Final Statement of Reasons**  
**Standardized Testing and Reporting (STAR) Program**

UPDATE OF INITIAL STATEMENT OF REASONS

The proposed amendments to the regulations add language to remove the specific names of tests in the Standardized Testing and Reporting (STAR) Program because test names may change and new tests are being added to the Program. Other amendments include: deleting a section related to below grade level testing that applied only to the 2004-05 testing program, adding that test proctors and scribes are required to sign security affidavits, adding language about testing students in nonpublic schools, combining and modifying language about writing in test booklets, adding the alternate assessment and designated primary language test to the section that prohibits advance preparation for the tests, moving the testing period later in the school year and shortening the testing window (effective January 1, 2008), adding an additional 10-day window to the proposed 11-day testing window for the standards-based test in Spanish, adding the designated primary language test to all applicable and appropriate sections in articles 1 and 2 to minimize duplicative language in the regulations and deleting duplicative language that was in article 3 related only to the designated primary language test, deleting sections that restated rather than clarified law, modifying language related to collecting student demographic data to conform to the language used by the Department's Data Management Division and the California School Information System, updating language to match the test ordering process, changing the testing requirements for the designated primary language test to conform to changes in law, and changing language and procedures related to the apportionment for the designated primary language test to conform this section to the language and procedures for the standards-based and designated achievement tests.

A public hearing was held on July 7, 2006. During the 45-day public comment period, 47 comments were received to proposed amendments related to moving the testing period later in the school year and shortening the testing window (effective January 1, 2008). 22 of these opposed moving the testing window later in the school year, and 39 opposed shortening the testing window. Only two comments favored moving the testing period later in the year. Therefore, the language in section 855(a)(1) related to the 21-day testing window will remain unchanged. No other public comments were received related to these amendments.

**REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION  
THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS**

The Board has not identified any alternatives that would lessen any adverse impact on small business.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC  
IMPACT ON ANY BUSINESS**

The proposed regulations would not have a significant adverse economic impact on any business because they only apply to schools and school districts and not to businesses.

**SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE INITIAL NOTICE PERIOD OF MAY 19, 2006 THROUGH JULY 7, 2006.**

Forty-four letters and e-mails were received during the 45-day public comment period for proposed amendments to the Title 5, California Code of Regulations regarding the Standardized Testing and Reporting (STAR) Program. In addition to the written comments, a public hearing was held in room 1101 at 1430 N Street on July 7, 2006. Three speakers presented comments at the hearing.

Following is the list of persons from whom comments were received and their affiliations, if provided.

Timothy B. Baird  
Superintendent  
Ojai Unified School District

Judith Daley  
Assistant Principal  
Claremont High School

Craig Boyan  
Director of Assessment and Evaluation  
New Haven Unified School District

Barbara Davis  
Assistant Superintendent  
Educational Services  
Pleasant Valley School District

Nancy Brownell  
Assistant Superintendent  
Rescue Union School District

David A. Delgado  
Assistant Superintendent  
Curriculum and Instruction  
Eureka Union School District

Aaron Buchanan  
Director, Educational Accountability  
San Jose Unified School District

Carol Eber  
Director of Instruction and Student Services  
Tamalpais Union High School District

Sara Cairns  
Director, Secondary Education  
Downey Unified School District

Diane E. Everett  
Superintendent  
Sunol Glen Unified School District

Paul Carras  
Deputy Superintendent  
Rocklin Unified School District

Ross Gentry  
Assistant Superintendent, Instruction  
Tulare Joint Union High School District

John Casey  
Superintendent  
Pleasanton Unified School District

Sherry Skelly Griffith  
ACSA Governmental Relations

R. Ken Clark  
Director of Curriculum  
Valley Center-Pauma Unified School District

Lucy Haines  
Principal

James Coe  
Assistant Principal Instruction  
Aragon High School

Jeff Holcomb  
Pescadero Elementary School

Jeffrey N. Hearn  
Superintendent  
Santa Maria Joint Union High School District

Bruce A. Husson  
Interim Superintendent  
Sweetwater Union High School District

Mary Fitzpatrick Johnson  
Assistant Principal Guidance and Instruction  
San Marino High School

Kelly King  
Principal, Columbus Elementary School  
Glendale Unified School District

Jeanie Kwong  
Director of Assessment  
San Mateo Union High School District

Steven M. Ladd  
Superintendent  
Elk Grove Unified School District

Patrick H. Lickiss  
Principal  
Las Lomas High School  
Acalanes Union High School District

Peggy Lynch  
Superintendent  
San Dieguito Union High School District

Joe Mahood  
Assistant Principal  
Aragon High School

Karla Maez (Public Hearing)  
San Bernardino City Unified

Mary McCarthy  
Director of Assessment  
Antioch Unified School District

Kip Meyer  
Principal  
Terra Cotta Middle School  
Lake Elsinore Unified School District

Marlene Ministeri  
Director of Student Achievement 6-12  
Azusa Unified School District

Thomas F. Nally  
Assistant Principal  
Alta Loma High School

Anna Phelan  
Director of Instruction  
North Sacramento School District

Robert Raines  
Director, Assessment Services  
San Diego City Schools

Linda Russell-Scheet  
Director of Accountability  
Los Banos Unified School District

Stephanie Schneider  
Coordinator, Assessment and Accountability  
Orange County

Jason Scott  
Principal  
Benjamin Franklin Elementary School

Paul Shirk (Public Hearing)  
Assistant Superintendent  
San Bernardino City Unified School District

Yvonne P. Shiu  
Lead Principal  
Hillsdale High School

Roseanne Smith  
Assessment Coordinator  
West Contra Costa Unified School District

Leslie Steffen  
Director  
Curriculum, Assessment and Student  
Services  
Hanford Joint Union High School District

John Stockton (Public Hearing)  
Superintendent  
Acalanes Union High School District

Melaine Timko  
Coordinating Principal  
Assessment Coordinator  
San Bernardino County Superintendent of  
Schools Office

Toni Unga  
Director of Curriculum  
Greenfield Union School District

Madeline Willis  
Assistant Superintendent  
Imperial Unified School District

Luanne Wright  
Director of Curriculum and Student Services  
Acalanes Union High School District

Roger F. Yoho  
Director, Assessment and Accountability  
Curriculum and Instruction  
Corona-Norco Unified School District

While a few of the comments supported the amendments proposed for Section 855(a)(1), changing the testing window from completion of 85% of all instructional days for the school year to completion of 90% of all instructional days and shortening the testing window from 21 days to 11 days, most of the comments received opposed the proposed amendments. Opposition to the proposed amendments fell into three broad categories: 1) moving the window to completion of 90% of the instructional days would conflict with administration of Advanced Placement Examinations (AP exams) and the California High School Exit Examination (CAHSEE), 2) shortening the window from 21 to 11 days would negatively impact student participation in the tests, and 3) shortening the window would negatively impact districts' ability to return testing materials to the contractor on time. Several questioned the assertion that changing the window would shorten the turn around time to receive test results. There were also concerns expressed that moving the window to completion of 90% of all instructional days for the year would conflict with end-of-year activities, including but not limited to instructional reviews and final examinations.

**Summary of Public Comments  
Title 5, California Code of Regulations  
Regarding Standardized Testing and Reporting Program**

The following table includes a summary of the comments received with the California Department of Education’s (CDE’s) response to them. While all of the comments received are notable, due to the number of comments received, only a few excerpts are quoted in the table.

<b>Section</b>	<b>Summary of Comments</b>	<b>Received From</b>	<b>CDE Response</b>
855(a)(1)	Moving the testing window from completion of 85% of the instructional days to completion of 90% of the instructional days will create a scheduling conflict with Advanced Placement (AP) Examinations. With the 85% window most STAR Program testing can be completed prior to AP Exams.	Timothy Baird Craig Boyan John Casey R. Ken Clark James Coe Judith Daley Carol Eber Ross Gentry Sherry Skelly Griffith Jeff Hearn Bruce Husson Jeanie Kwong Patrick H. Lickiss Peggy Lynch Joe Mahood Mary McCarthy Marlene Ministeri Thomas F. Nally Stephanie Schneider Paul Shirk Yvonne P. Shiu Roseanne Smith John Stockton Luanne K. Wright Roger Yoho	Changing the window to 90% completion of all instructional days will not have the same impact on all schools and the conflict with AP Exams will not exist for all districts. Since the testing window for the STAR Program is based on each school, program, and year round schedule’s instructional year, a change to completion of 90% of all instructional days will affect districts and schools differently across the state.
855(a)(1)	Changing the testing window to 90%	James Coe Joe Mahood	Same as above.

Section	Summary of Comments	Received From	CDE Response
	completion of all instructional days may benefit elementary and middle schools but will negatively impact high schools.		
855(a)(1)	The proposed change to 90% will impact high schools' ability to ensure test security and prevent lost materials since AP and IB exam administration will be within the same window.	Bruce Husson Roger Yoho	District and test site STAR coordinators, as well as test examiners and proctors, receive specific directions for accounting for and handling test materials for the STAR Program. If the directions are followed, security of the materials should not be an issue.
855(a)(1)	The proposed change to testing at completion of 90% of the instructional year has merit. The change would allow the maximum instructional time for students before assessment.	Mary F. Johnson	CDE concurs.
855(a)(1)	Changing the testing window to later in the year will result in the STAR and CAHSEE assessments being at the same time.	Ross Gentry Sherry Skelly Griffith Jeff Hearn Mary McCarthy Linda Russell-Scheet	The STAR and CAHSEE dates currently overlap for most schools. Since schools have options for scheduling CAHSEE retesting for grade eleven students, the tests can be scheduled to avoid an overlap for students who take both the tests within the STAR Program and the CAHSEE.
855(a)(1)	<p>"...the change to the instructional window 90% ... would result in testing students up to the last two weeks of school. The end of the school year is an extremely busy time."</p> <p>"Students are already very burdened with the current exam schedules. Scheduling all of the exams within the proposed time constrains allowed, along with school facilities considerations, and other end of year issues, become an even greater burden with a smaller testing window."</p>		
	<p>Changing the testing window to completion of 90% of all instructional days will conflict with end-of-year activities, such as instructional reviews, final exams, end-of-year field trips, promotion and graduation activities, etc.</p> <p>Moving the window to 90% will make it very</p>	Craig Boyan David Delgado Anna Phelan Jason Scott	A move to 90% completion of instructional days will result in testing going to within approximately two weeks of the end of the school year.

Section	Summary of Comments	Received From	CDE Response
	<p>difficult for staff who are involved with other end-of-year activities, to complete the myriad steps involved in assuring that the tests are collected, accounted for, and returned for processing in an accurate and efficient manner.</p>		
<p>855(a)(1)</p>	<p>“I am writing on behalf of the students of Rescue Union School District. The proposal to reduce the STAR testing window from 21 days to 11 days is an unrealistic expectation for students and districts. The purpose of STAR is to provide students with a reasonable and fitting time frame in which to demonstrate their progress toward the student content standards. Reducing the time students have to take the tests adds a greater burden to district schools and students and pressures students to take their most important summative grade level tests under the most stressful circumstances.”</p> <p>Changing the testing window from 21 days to 11 days is problematic, because many schools schedule the CSTs so that secondary students test in class groupings with their regular English, math, science, or history teachers. A shorter window will make this extremely difficult. Shortening the number of days does not support the ability of schools to provide optimal testing conditions for students.</p> <p>Testing is not scheduled on Mondays and Fridays due to higher absenteeism on these days. Shortening the window will not provide sufficient time to do this.</p> <p>A shorter window would be especially difficult for grade three students who are required to take both the CSTs and the CAT/6 Survey. These tests require eight sittings.</p> <p>The proposed change in the testing window</p>	<p>Aaron Buchanan          Sara Cairns          Paul Carras          John Casey          R. Ken Clark          Diane Everett          Sherry Skelly Griffith          Luch Haines          Jeff Hearn          Mary F. Johnson          Steven Ladd          Karla Maez          Thomas Nally          Roseanne Smith          Linda Russell-Scheet          Jason Scott          Stephanie Schneider          Paul Shirk          John Stockton          Luanne Wright          Roger Yoho</p>	<p>The maximum number of tests administered to students is in grade 10, where students may take five tests that require approximately 12 hours to complete (2 to 3 hours per test depending on the content area). Therefore, high schools should be able to administer the tests within five days. Schools that elect to administer each test over two days need a maximum of ten days to complete grade ten testing. An 11-day window would not provide sufficient time for schools that elect to administer each test over two days and to not test on Mondays and Fridays. An 11-day window may also not provide sufficient time to test within class periods.</p> <p>The grade three tests require approximately 8 hours of testing and it is possible to administer the tests in five days or less, even though CDE strongly recommends that no more than one part of the English-language arts test be administered on one day.</p> <p>The CDE recommends that districts schedule testing for no more than 10 of the 21-days in the</p>

Section	Summary of Comments	Received From	CDE Response
	<p>will be effective (for elementary and middle schools). Currently, we use a ten day period for testing in our K – 8 schools and it works well. Districts that want to use a shorter window than 21 days may do so now. There is no need to shorten the window for all school districts.</p> <p>There are mixed comments about the impact of the change for elementary and middle schools. The comments are split between districts that indicate that the change is perceived to be as problematic for elementary and middle schools as it is for high schools and those that indicate that they already limit testing to a ten-day period.</p>		current window.
855(a)(1)	Changing from a 21-day to an 11-day testing window would mean that schools would have to administer make-up tests concurrently with regular testing. This would be extremely difficult and would increase the number of schools not making AYP due to not making the 95% required participation rate.	Barbara Davis Ross Gentry Sherry Skelly Griffith Mary McCarthy Kip Meyer Yvonne Shiu	CCR Title 5 section 855(a)(2) specifies that schools are to provide two make-up days for testing students who are absent. It is possible to complete regular testing in a maximum of five days, so an 11-day window provides six additional days in which to schedule make-up testing. If students were absent during the 11 days, schools could experience difficulty reading the 95% participation rate.
855(a)(1)	Reducing the number of days in the testing window from 21 to 11 will hinder districts' ability to test all students. It will be very difficult to schedule testing for students in non-public schools, home school programs, and independent study programs. This will negatively impact districts' ability to meet state and federal accountability requirements.	John Casey	
855(a)(1)	For year-round schools, some schedules have	Kelly King	Year round schools have unique challenges for

Section	Summary of Comments	Received From	CDE Response
	testing windows that are split by an inter-session. The current 21-day window allows the district to schedule testing before or after the inter-session period. This would not be possible with an 11-day window.	Steven Ladd Roger Yoho	some schedules that have inter-sessions scheduled during the testing window. The CDE works with districts to adjust testing windows for year-round schedules when testing cannot be completed before or after an inter-session. Adjustments will be required for some year-round schedules regardless of the length of the testing window.
855(a)(1)	Without reviewing the arguments for shrinking the window to 11 days, I am opposed to the change.	Jeff Holcomb	
855(a)(1)	<p>“County Offices of Education experience a severe time crunch trying to distribute and obtain return of materials. STAR tests are NOT delivered to our schools. Rather they come to our County Office and are prepared there for distribution to 150+ school sites over a geographic territory the size of 5 eastern states.”</p> <p>Reducing the testing window from 21 to 11 days will not provide the time districts need to complete, count, and box testing materials for return to the contractor.</p>	Timothy Baird Sherry Skelly Griffith Stephanie Schneider Melaine Timko Madeline Willis	This comment indicates that some districts are using the test administration window specified in 855(a)(1) to extend the material return times specified in CCR Title 5 sections 867 and 867.5. If the testing window is shortened, it may be appropriate to amend these two sections to provide additional time for schools and school districts to return the testing materials.
855(a)(1)	Reducing the testing window from 21 to 11 days will reduce the time that districts and schools have to prepare the tests for distribution to test examiners.	Timothy Baird Stephanie Schneider Toni Ungs	This comment indicates that some districts are using the test administration window to extend the length of time that tests are at test sites prior to beginning testing. CCR Title 5 section 867 specifies that test sites are to receive the testing materials no more than ten or fewer than five working days before the first day of testing. Districts receive the testing materials in time to ensure that all test sites can receive the testing materials within the five day regulatory period.
855(a)(1)	Reducing the number of days in the testing window does not guarantee a reduced turn	Sherry Skelly Griffith Stephanie Schneider	These comments may be accurate. However, moving and shortening the testing window may

Section	Summary of Comments	Received From	CDE Response
	<p>around time of test results from the contractor.</p> <p>Moving the testing window to 90% of the instructional year means the tests will be shipped to the scoring center later and that districts will receive the results later.</p>	<p>Toni Ungs            Roger Yoho</p>	<p>compress the time in which districts return tests for scoring. Currently reporting is delayed when the contractor does not receive a sufficient number of tests to complete the equating process each year. This is a particular problem with tests that are administered to small numbers of students.</p>
<p>855(a)(1)</p>	<p>Administering the Standards-based Tests in Spanish (STS) during a 10-day period following the 11-day CST testing window is not possible because STS testing must be completed by May 25.</p>	<p>Bruce Husson            Robert Raines</p>	<p>This comment does not recognize that the STS is a standards-based test like the CSTs. The May 25 completion data applies only to a designated primary language test, currently the Aprenda 3. The date does not apply to any of the standards-based tests in the STAR Program.</p>

**REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION  
THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS**

The Board has not identified any alternatives that would lessen any adverse impact on small business.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC  
IMPACT ON ANY BUSINESS**

The proposed regulations would not have a significant adverse economic impact on any business because they only apply to schools and school districts and not to businesses.



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
Standardized Testing and Reporting Program: Including, but not limited to, program update	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE) take action as deemed necessary and appropriate.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

None.

### SUMMARY OF KEY ISSUES

#### Standardized Testing and Reporting (STAR) Testing

About 5.4 million STAR multiple-choice answer documents for California Standards Tests (CSTs) and California Alternate Performance Assessment (CAPA) have been received. All writing tests have been submitted, including 443,603 from March for grade 4; 459,607 from March for grade 7; 24,134 from May for grade 4; and 16,595 from May for grade 7. Scanning and scoring are continuing and everything is proceeding on schedule. More tests are being returned later this year than last year which seems to indicate that schools are testing later in their testing windows. All of the tests have been equated and ETS is now beginning to assemble reports.

The administration of the *Aprenda, La prueba de logros en español, Tercera edición* (Aprenda 3), the new designated primary language test has concluded for all school districts.

#### Development of the California Alternate Performance Assessment (CAPA)

The English-language Arts (ELA), mathematics, and science CAPA Assessment Review Panels (ARPs) met on May 31 and June 1 to review item writing guideline for respective disciplines. Item writing workshop for all three areas will be held from June 20 to 22.

## **SUMMARY OF KEY ISSUES (Cont.)**

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### **Development of the California Modified Assessment (CMA)**

The No Child Left Behind (NCLB) Act of 2001 calls for a range of assessments appropriate to students' abilities. The United States Department of Education (ED) has allowed states to develop an alternate assessment based on alternate achievement standards for students with significant cognitive disabilities. In California, we have the CAPA. The ED is allowing states additional flexibility to develop an alternate assessment based on modified achievement standards for students with cognitive disabilities. California is developing the CMA. The CMA is for students who are performing higher than the CAPA, but are struggling with the CSTs. Students must have an individualized education program (IEP) or Section 504 Plan in order to qualify for the CMA. CDE is working on criteria to help IEP teams identify students to take the CMA. All assessments must be aligned to grade-level content standards; CAPA to the degree possible.

At the July 2005 SBE meeting, an amendment to the ETS contract was approved for beginning the development of the CMA. The scope of this amendment included:

- Forming an ARP to develop blueprints for grades 2-11 in mathematics, English-language arts, and science
- Developing modified achievement standards linked to the grade-level content standards
- Holding focus groups on the approved blueprints
- Developing items in 2006 to field test in 2007

The amendment stated that the scope of work could be amended when the federal regulations regarding this new alternate assessment become available.

The proposed federal regulations were released December 2005 and the final regulations have not yet been released.

The CDE, ETS, and SBE recruited special education and content-specific experts to provide advice on the development of blueprints for the new CMA. ETS held the first meeting on August 8–9, 2005. ETS also conducted several follow-up meetings to construct proposed blueprints.

Since June 30, 2005, the ED has also issued revised guidelines for the particular population to be assessed using the CMA, held question and answer sessions, and received feedback for their consideration from state education departments, experts in the field, vendors, and others.

## **SUMMARY OF KEY ISSUES (Cont.)**

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The development process for the CMA is at the point where data are required about the students who will be taking the assessment. The current target population includes

## **SUMMARY OF KEY ISSUES (Cont.)**

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students who are expected to exhibit many different characteristics and may perform in different ways. To inform the next steps in the process, that is developing a preliminary blueprint, developing items, etc., ETS is proposing to develop, conduct, and score a pilot test of the CMA, and then share those results with the CDE, SBE staff and the ARPs.

Administering the pilot test in the fall of 2006, will allow for preliminary blueprints to be recommended to the SBE at their meeting to be held in January, 2007. This will maintain progress toward the goal of having an operational CMA in grades two through five in ELA and mathematics, as well as grades five and eight in science, by the spring of 2008.

The CMA pilot test will consist of several versions of test forms in all content areas that will differ in modes of delivery, item characteristics, and other variables. The designation of how these characteristics will be arranged in the different versions is detailed below.

### **Design of the Pilot Test Forms**

Given the broad range of abilities within the targeted CMA student population, ETS will develop and deliver pilot test items that assess a variety of different dimensions in an effort to better understand the needs and abilities of CMA students. Some of these dimensions are:

1. Mode of delivery (ELA: Reading vs. Listening, Math/Science: Calculator vs. no calculator)
2. Cognitive load (3 options vs. 4 options)
3. Concrete vs. Abstract (Math/Science: Graphics vs. no graphics)

Each subject-area pilot test will be comprised of two 20-item sections, each of which will test a different dimension. For example, one section of the ELA pilot might have teachers reading passages and questions aloud to students, while a later section might have students reading independently. Sections might also test other dimensions, such as the number of answer options. Alternate versions of the form would include the same items, but with delivery modes reversed. In keeping with the United States Department of ~~Education–guidance~~[Education guidance](#) issued in May 2005, information about the CMA will be taken to the public to provide required outreach to parents of students with disabilities. Once SBE approves the CMA blueprints, ETS will conduct focus groups to

get stakeholder input on this test. All of the work for the pilot test will be executed within the costs approved in the original amendment.

### **SUMMARY OF KEY ISSUES (Cont.)**

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The anticipated timeline follows:

- Pilot in October 2006
- Preliminary blueprints to SBE in January 2007
- Hold focus groups in January/February 2007
- Final blueprint to the SBE in March or May 2007
- Field test in fall 2008.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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All costs associated with the activities in this update are included in the current contracts with Harcourt Assessment, Inc., for the Apenda 3 and ETS for the CSTs, Standards-based Tests in Spanish, CAPA, and CMA.

### **ATTACHMENT(S)**

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None.

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State of California

Department of Education

# LAST MINUTE MEMORANDUM

**DATE:** July 7, 2006

**TO:** MEMBERS, STATE BOARD OF EDUCATION

**FROM:** William Padia, Deputy Superintendent  
Assessment and Accountability

**RE:** Item No. 35

**SUBJECT:** Standardized Testing and Reporting Program: Including, but not limited to, program update

This item contains further information on the California Modified Assessment (CMA). The California Department of Education (CDE) received federal guidance on the development of a new alternate test with modified achievement standards in Spring of 2005 and December 2005.

Guidance of proposed regulations for the new test included the following:

*Source: NCLB: New Flexibility for States Raising Achievement for Students with Disabilities.*

- Enable students to approach and even meet grade-level standards.
- Ensure access to the general curriculum for all students.
- Measure progress with high quality alternate assessments.

*Source: "Raising Achievement: Alternate Assessments for Students with Disabilities: May 2005.*

- As part of implementing ED's new policy, states must agree to improve their alternate assessments based on alternate achievement standards.
- Kevin McGrew, of the Institute for Applied Psychometrics, notes that for most children with below average IQ scores, it is not possible to predict expected achievement with much accuracy. Other variables such as motivation, interpersonal skills, study skills, etc. as well as high expectations and high standards can influence achievement.
- New policy must be balanced by several factors: ensuring that students with disabilities have access to the general curriculum and are tested appropriately; raise expectations for students with disabilities; preclude educators from basing their instruction on a student's IQ score; and acknowledge the research that

suggests some students with disabilities will experience growth but may not reach grade-level achievement standards.

*Source: "Accountability for Students with Disabilities: Accountability Plan Amendments for 2004-05," May 10, 2005.*

- As part of participating in the interim AYP flexibility, states that have developed alternate achievement standards for students with the most significant cognitive disabilities must provide assurance that those standards are aligned with the state's content standards, promote access to the general curriculum, and reflect professional judgment on the highest achievement standards possible.
- A series of steps that states must take to take advantage of the interim AYP flexibility and in developing modified achievement standards for a second alternate test. CDE's actions were described in a last minute memorandum to the SBE dated May 27, 2005.

Eligibility:

*Source: NCLB: New Flexibility for States Raising Achievement for Students with Disabilities.*

- There is another group of students with disabilities, approximately two percent of the school-aged population, in need of modified standards and assessments who can make progress toward but also may not reach grade-level achievement standards in the same time frame as other students.
- After the best-designed instructional interventions from highly trained instructors, two percent of students were not able to achieve at grade-level, however they were able to make progress toward grade-level standards.

*Source: Press release: "Spellings Announces New Special Education Guidelines, Details Workable "Common-sense Policy to Help States Implement No Child Left Behind," May 10, 2005.*

- Quote from Spellings says that "Under this policy, to be made final under a new rule, a limited number of students with disabilities (approximately 2 percent of all students) will be allowed to take tests that are specifically geared toward their abilities, as long as the state is working to best serve those students by providing rigorous research-based training for teachers, improving assessments and organizing collaboration between special education and classroom teachers."
- Appropriate accommodations must be available for students with disabilities.
- Alternate assessments in reading/language arts and mathematics must be available for students with disabilities who are unable to participate in the regular assessment, even with accommodations.

Source: "Raising Achievement: Alternate Assessments for Students with Disabilities: May 2005.

- Research from Reid Lyon at National Institute for Child Health and Human Development and Jack Fletcher at the University of Texas concluded that there are about 1.8 percent to 2.5 percent of children who are not able to reach grade level standards, even with the best instruction.

Source: *Proposed Federal Regulations Vol. 70, No. 240, December 2005 Proposed Regulations on Modified Achievement Standards, Summary, December 15, 2005* (<http://www.ed.gov/legislative/FedRegister/proprule/2005-4/121505a.pdf>).

CMA assessment requirements:

- Provide access to grade-level curriculum.
- Be aligned with the State's academic content standards for the grade in which the student is enrolled.
- May reflect reduced breadth or depth of grade-level content.
- Not preclude a student from earning a regular high-school diploma.
- Yields results that measure the achievement of students separately in both reading/language arts and mathematics relative to modified academic achievement standards.
- Meet the requirements including validity, reliability, and high technical quality
- Out of level assessment is not allowed.
- Similar to the regular assessment in number of content standards assessed.

Eligibility:

- Student's disability has precluded the student from achieving grade-level proficiency.
- Student is not likely to achieve grade-level proficiency within the school year covered by the IEP.
- Student is receiving instruction in the grade-level curriculum for the subjects in which the student is being assessed.
- Student may be in any of the 13 disability categories listed in the IDEA.

- Student may be held to modify academic achievement standards in one or more subjects for which the State administers assessments.
- Required IEP teams review on an annual basis their decision to assess a student to ensure that modified achievement standards remain appropriate.
- State is required to implement clear and appropriate guidelines for IEP teams to use in determining students with disabilities.
- May require assessments that are different both in format or design due to the nature of the student's disability.
- Student's parent is informed about the decision to assess their child's achievement based on modified achievement standards.

Student assessed on modified achievement standards are not:

- Having difficulty with grade-level content.
- Receiving instruction below grade level.
- The lowest-achieving two percent of students.
- Students with the most significant cognitive disabilities.

Attachment 1: NCLB: New Flexibility for States Raising Achievement for Students with Disabilities (4 Pages)

Attachment 2: Raising Achievement: Alternate Assessments for Students with Disabilities: May 2005 (6 Pages)

Attachment 3: Accountability for Students with Disabilities: Accountability Plan Amendments for 2004-05, May 10, 2005 (5 Pages)

Attachment 4: Spellings Announces New Special Education Guidelines, Details Workable "Common-sense Polity to Help States Implement No Child Left Behind," May 10, 2005 (3 Pages)

Attachment 5: Proposed Regulations on Modified Achievement Standards, Summary, December 15, 2005 (5 Pages)



# NO CHILD LEFT BEHIND



# New Flexibility for States Raising Achievement for Students with Disabilities

**A New Path for No Child Left Behind.** President George W. Bush and Secretary Margaret Spellings believe that no child should be left behind in our efforts to ensure that our nation's elementary and secondary schoolchildren receive an education that fully prepares them for college and the workforce. The U.S. Department of Education will extend flexibility to those States that are raising achievement and are continuing to implement the requirements that are the cornerstone of the No Child Left Behind Act: that *all* students, including students with disabilities, be held to challenging content and achievement standards; that their progress be measured annually by high-quality assessments aligned with those high standards; and that schools and school districts be held accountable for achieving results.

**A New Commonsense Approach to Raising Achievement for Students with Disabilities.** This guidance follows up on Secretary Spellings' April 7, 2005, announcement of a new, commonsense approach to implementing the No Child Left Behind Act (NCLB), and the guiding principles that will set the parameters for flexibility. In addition to students with the most significant cognitive disabilities (the 1% already covered under Title I), research indicates that there is another group of students with disabilities, approximately 2 percent of the school-aged population, in need of modified standards and assessments who can make progress toward but also may not reach grade-level achievement standards in the same time frame as other students. Secretary Spellings and the U.S. Department of Education will work with States in both the short term and the long term to ensure they will have the flexibility needed to raise achievement for ALL students.

**States Must Raise Achievement for Students with Disabilities.** To be eligible for short-term adjustments to Adequate Yearly Progress (AYP), States must meet the following guidelines:

- Each State must meet Title I and IDEA requirements that are directly related to achievement and instruction for the full range of students with disabilities. These core principles include: statewide participation rates for students with disabilities, for purposes of measuring AYP, must be at or above 95%; appropriate accommodations are provided to students with disabilities who need them; alternate assessments in reading/language arts and mathematics provided to students with disabilities who are unable to participate in the regular assessment even with accommodations and results from those assessments must be reported; and a State's subgroup size for students with disabilities must be equal to that of other student groups.
- Each State must provide information on actions taken to raise achievement for students with disabilities or narrow the achievement gap and evidence that such efforts are improving student achievement.

**Short-term Options.** The short-term policy will allow eligible States to exercise additional flexibility in making AYP determinations for the students with disabilities subgroup for the 2004-05 school year, based on assessments administered to those students during the 2004-05 school year.

- The U.S. Department of Education has suggested two options for AYP adjustments. One option applies only to schools or districts in eligible States that did not make AYP based solely on the scores of its students with disabilities subgroup. A second option applies to eligible states that currently assess students based on modified achievement standards. States may also offer their own ideas for the Secretary's consideration.
- The short-term options will promote more accountability for students with disabilities. Research has found that after receiving the best-designed instructional interventions from highly trained instructors, 2% of students were not able to achieve at grade-level. They were able, however, to make progress toward grade-level standards when provided high-quality instructional interventions and measured with appropriate assessment instruments. The short-term flexibility takes this research into consideration while the Department and States work to improve the assessment system for students with disabilities.
- The short-term options will continue to hold States accountable under NCLB. To qualify to exercise this flexibility this year, a State must be meeting specific core requirements of NCLB related to students with disabilities.
- The short-term options are conditional for States. In order to raise achievement for students with disabilities, only States that intend to develop alternate assessments based on modified achievement standards are eligible for short-term flexibility.

**Long-term Policy.** The U.S. Department of Education will issue a notice of proposed rulemaking in the near future to permit States to develop these modified achievement standards, develop aligned alternate assessments based on those modified standards, and include proficient scores of these students (subject to a 2.0 percent cap at the district and State level) in determining AYP. This rule will work to raise achievement for students with disabilities in need of modified achievement standards and assessments.

- The long-term policy will work to raise achievement for students with disabilities. The goal of these regulations is to:
  - Ensure that States hold these students to challenging, though modified, achievement standards that enable them to approach, and even meet, grade-level standards;
  - Ensure access to the general curriculum to ensure students are taught to the same high standards;
  - Measure progress with high-quality alternate assessments so parents are confident that their students are learning and achieving;

- Provide guidance and training to Individualized Education Program teams to identify these students properly; and
  - Provide professional development to regular and special education teachers.
- The long-term policy will continue to hold States accountable under NCLB. States must continue meeting the requirements of NCLB related to students with disabilities.
- The long-term policy is supported with current fiscal year resources. To increase States' ability to provide rigorous assessments, instruction, and accountability for students with disabilities, the U.S. Department of Education will direct \$14 million starting this summer to improve assessments, help teachers with instruction, and conduct research for students with disabilities who are held to alternate and modified achievement standards and will continue to provide additional resources in the future.

## **Raising Achievement: Alternate Assessments for Students with Disabilities**

### **New Policy**

States may develop modified academic achievement standards and use alternate assessments based on those modified achievement standards for students with persistent academic disabilities and served under the Individuals with Disabilities Education Act. States may include proficient scores from such assessments in making adequate yearly progress (AYP) decisions but those scores will be capped at 2.0% of the total tested population. This provision does not limit how many students may be assessed against modified achievement standards.

This policy allows students with persistent academic disabilities to take academic assessments that are sensitive to measuring progress in their learning and that recognize their individual needs. This provision is for those students who are not likely to reach grade level achievement because of their disability in the same timeframe as students without disabilities, but who will make significant progress. Individualized education program (IEP) teams will make the decision about which individual students should take such an assessment.

### **Continued Policy**

States may continue to use alternate assessments based on alternate achievement standards for students with the most significant cognitive disabilities. States may continue to include proficient scores from such assessments in making AYP decisions and those scores will still be capped at 1.0% of the total tested population.

The provision for students with persistent academic disabilities does not take away or add to any provisions for students with the most significant cognitive disabilities. These students may continue to be assessed with alternate achievement standards. The number of those proficient scores may not exceed 1.0 percent of all students in the grades tested. IEP teams will continue making the decision about which individual students should take such an assessment.

These policies do not limit how many students with disabilities may be assessed against alternate or modified achievement standards. However, scores for students with disabilities above the 1.0 and 2.0 percent caps will be measured against grade-level achievement standards in determining AYP.

### **Raising Achievement: A New Path for No Child Left Behind**

With this announcement, the U.S. Department of Education intends to use what we've learned from science and the field over the last three years to move the law forward. We are willing to use a more sensible and informed approach regarding how students with persistent academic disabilities will be tested. From now on, more students with academic disabilities will be allowed to take tests that are geared specifically toward their abilities, as long as the state is working to best serve those students by providing

rigorous research-based training for teachers, improving assessments and organizing collaboration between special education and classroom teachers.

To implement this policy, States must agree to several activities including improving alternate assessments based on alternate achievement standards, developing modified achievement standards, implementing a strong accountability system, offering high quality professional development, and training individualized education program (IEP) teams and teachers, particularly general education teachers. The Department, for its part, is unveiling a comprehensive technical assistance plan designed to help States with these activities. This technical assistance (approximately \$14 million for the remaining 2005 fiscal year) will provide needed resources to improve instruction, assessments, and accountability for all students with disabilities.

In the short-term the Department will establish state-specific agreements where details about assessment development, AYP transition, and technical assistance will be described. The Department will use the Raising Achievement principles (such as student achievement, system accountability, and teacher quality) to determine which States may implement this interim flexibility. States using this provision must ensure their accountability system appropriately includes students with disabilities. For example, AYP group sizes for students with disabilities must be reduced to same number and/or percent as the AYP group sizes for all other student subgroups. We will also consider other factors such as monitoring findings from the Office of Special Education and Rehabilitative Services and the Office of Elementary and Secondary Education.

This new provision will be released in a notice of proposed rulemaking later this spring where the Department will seek comments from local school officials, parents and others before finalizing the regulation. The Department anticipates that most States using this flexibility will be able to implement an alternate assessment based on modified achievement standards by 2005-2006 or (at the latest) 2006-07.

### **Rationale and Research**

The 0.5% cap originally included in the August 2002 proposed regulation was based on data outlining the prevalence rates of students with the most significant cognitive disabilities. It was tied to a definition of such students which: 1) excluded students with mild mental retardation and other students who were two or fewer standard deviations below the mean, and 2) included students with intellectual functioning and adaptive behavior three or more standard deviations below the mean. When this rule was finalized, the Department expanded the cap to 1.0% to allow States and districts more flexibility in its implementation and removed the definition from the regulation.

However, research conducted and reviewed by Reid Lyon at National Institute for Child Health and Human Development and Jack Fletcher at the University of Texas indicates that the 1.0% cap is, in fact, too low, if the Department follows the definition currently provided in the December 2003 regulation's preamble (a student in one of 13 disability

<http://www.ed.gov/policy/elsec/guid/raising/disab-factsheet.doc>

categories who cannot reach grade-level standards, even with the best instruction possible). [ [1](#) ]

This new policy is the position that best tracks the available research and research findings about students with disabilities. Summarized in a review by Lyon et al., the best-designed instructional interventions achieved a range of success from a low of 50% to a high of 90% of participating students reaching grade-level reading standards. Those students who did not respond well to these interventions (approximately 10-50%) are at-risk for later being identified with specific learning disabilities, and roughly translates into 0.5% to 3% of the total population. [ [2](#) ] The totality of this research suggests that there are about 1.8% to 2.5% of children who are not able to reach grade level standards, even with the best instruction. Their work also describes the following:

- Torgeson et al. [ [3](#) ] concluded that most of the struggling students who received explicit reading instruction attained average levels of reading achievement, but 24% of these students did not reach grade level standards. Extrapolated to the population at large, that 24% of low responders reflects about 2.4% of the total student population who were unable to attain grade-level reading achievement. One follow-up study of fourth graders (Vellutino, Scanlon, and Jaccard, 2003) found that most students who were remediated up to grade level maintained their achievement levels, although a significant number did not. This finding suggests that young students who do not reach grade level in the early years will continue to struggle through at least the fourth grade. Lyon et al. conclude in their review that, when students receive classroom and tutorial interventions, the number of students who are at-risk for learning disabilities is less than 2% of the total population.
- The following is taken from testimony Dr. Lyon presented to Congress in 1997: "We have learned that for 85% to 90% of poor readers, prevention and early intervention programs that combine instruction in phoneme awareness, phonics, spelling, reading fluency, and reading comprehension strategies provided by well-trained teachers can increase reading skills to average reading levels. However, we have also learned that if we delay early intervention until nine-years-of-age, (the time that most children with reading difficulties first receive services), approximately 75% of these children will continue to have difficulties learning to read throughout high school and their adult years." [www.idonline.org/indepth/reading/nih\\_report.html](http://www.idonline.org/indepth/reading/nih_report.html)

These numbers (85-90% of 20 to 30% of all kids) would come out to 1.8 to 2.5% of children who are not able to reach grade level standards, even with the best instruction.

Research also supports the idea that IQ does not dictate achievement and, thus, cannot be used as a predictor. Kevin McGrew of the Institute for Applied Psychometrics notes that for most children with below average IQ scores, it is not possible to predict expected achievement with much accuracy. Lower-than-average IQ does not automatically translate into lower achievement or less ability to learn reading, language

<http://www.ed.gov/policy/elsec/guid/raising/disab-factsheet.doc>

arts, mathematics, or other subjects. Other important variables affecting achievement appear to be interpersonal skills, motivation, engagement, and study skills, all of which can be positively influenced by high standards and expectations. Unfortunately, students are too often given a curriculum that is driven by educators' expectations of their students (based in part on a misunderstanding of IQ).

These research findings suggest that any new policy must be balanced between several somewhat competing priorities: 1) ensure that students with disabilities have access to the general curriculum and are tested appropriately; 2) allow the challenging goals of NCLB to press educators into changing their historically low expectations for students with disabilities; 3) preclude educators from basing their instruction on a student's IQ score; 4) respond to the concerns of educators in the field; and 5) acknowledge the research that suggests some students with academic disabilities will experience tremendous growth but may not reach grade-level achievement standards. The Department's new policy for students with persistent academic disabilities addresses each of these priorities.

### **Research-Base for a 2% AYP Exception for Students with Severe Academic Disabilities**

Summary by Jack Fletcher

How many students exhibit severe academic disabilities? Studies were selected that allowed the computation of response rates to specific, high quality interventions. These studies largely focus on reading, reflecting the fact that reading problems are the most common factor resulting in identification for special education (Donavon & Cross, 2002). We focus both on studies that attempt to prevent reading disabilities as well as remedial studies of students who are identified with disabilities. This contrast is important because outcomes are much better for prevention compared to remedial studies, showing that early interventions in the reading area are pivotal components of efforts by schools to reach targeted AYP goals.

#### **Prevention studies**

The best outcomes are based on layered interventions that enhance classroom instruction and add supplemental small group instruction to those who struggle- a common Reading First model. These studies typically select students who are performing in the bottom 20% of school population on reading assessments (excluding students with significant cognitive disabilities). The studies show that about 90% of students who were at-risk for reading problems in K through second grade meet a word reading benchmark indicative of average levels of proficiency, after participating in the intervention. An intervention that does not work adequately with 10% of the bottom 20% of the population yields an inadequate response rate of 2%.

1. Mathes, P.G., Denton, C.A., Fletcher, J.M., Anthony, J.L., Francis, D.J., & Schatschneider, C. (in press). An evaluation of two reading interventions derived from diverse models. *Reading Research Quarterly*.  
Introduced two levels of reading intervention for Grade 1 students at-risk for reading problems. The inadequate response rate to a word-reading criterion at the 30th percentile was 8%. This translates to a 1.6%

inadequate response rate that was higher if a fluency benchmark was used (3.9%).

2. McMaster, K.L., Fuchs, D., Fuchs, L.S., & Compton, D.L. (in press). Responding to nonresponders: An experimental field trial of identification and intervention methods. *Exceptional Children*.

Multiple layered interventions were associated with inadequate response rates of 2-5% in the student population across different outcome benchmarks.

If any of the assumptions underlying these models are changed, the numbers only become higher. For example, if students with math disabilities are included, the numbers of inadequate responders to math interventions would increase (see Fuchs et al., 2005). If older students with identified disabilities who are served in special education are included, the numbers of inadequate responders are typically higher.

### **Remedial studies of students with disabilities**

These studies attempt to enhance reading outcomes in students identified and served through special education in public schools:

1. Klingner, J.K., Vaughn, S., Hughes, M.T., Schumm, J.S., & Elbaum, B. (1998). Outcomes for students with and without learning disabilities in inclusion classrooms. *Learning Disability Research and Practice*, 13, 153- 161.

Utilized a coteaching model in which the special education teacher worked in inclusion classrooms for 45- 90 minutes daily. By the end of the school year, average standard score gains in reading for students with disabilities were fewer than 4 standard score points in decoding and 2 points in comprehension. Eighty percent of students with disabilities read below grade level at the end of the intervention, an inadequate response rate that would extrapolate to 16% of the school population.

2. Foorman, B.R., Francis, D.J., Winikates, D., Mehta, P., Schatschneider, C., & Fletcher, J. (1997). Early interventions for children with reading disabilities. *Scientific Studies of Reading*, 1, 255-276.

Implemented three forms of reading intervention with extensive professional development and coaching of the resource room teachers throughout the year for students identified with disabilities. Gains in reading were small; 78% of the students showed an inadequate response rate, which extrapolates to 16% of the school population.

3. Torgesen, J.K., Alexander, A.W., Wagner, R.K., Rashotte, C.A., Voeller, K.K.S., & Conway, T. (2001). Intensive remedial instruction for children with severe

reading disabilities: Immediate and long-term outcomes from two instructional approaches. *Journal of Learning Disabilities*, 34, 33-58.

Selected students identified with learning disabilities in the public schools who had reading scores below the 6th percentile in word recognition. They provided them with intense, research-based interventions. Using a word reading benchmark, 30% of the sample did not read in the average range at the end of intervention. Thirty percent of the bottom 5% is 1.5%. However, if a fluency benchmark was utilized, the number of non-responders would be well over half the sample and the nonresponse rate would exceed 4%. At the 20th percentile, the inadequate response rate is 6% for word reading and 12% for fluency.

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#### Footnotes

1. Lyon, G.R., Fletcher, J.M., Fuchs, L.S., & Chhabra, V. (In press). *Learning Disabilities*, in E. Mash and R. Barkley (Eds.) *Treatment of childhood disorders* (2nd Ed.). New York: Guilford. An annotated bibliography of some of this research is included as Appendix A.
2. The 0.5% to 3% estimate was calculated using the following assumptions. Students with disabilities (SWD) are 12% of the population, and students with specific learning disabilities are 50% of the SWD population.
3. Torgeson, J.K., Wagner, R.K., Rashotte, C.A., Rose, E., Lindamood, P., Conway, J., & Garvan, C. (1999). Preventing reading failure in young children with phonological processing disabilities: Group and individual responses to instruction. *Journal of Educational Psychology*, 91, 579-594.

## **Accountability for Students with Disabilities: Accountability Plan Amendments for 2004-05 May 10, 2005**

*Think of this new policy as a new equation: the principles of the law such as annual testing and reporting of subgroup data, plus student achievement and a narrowing of the achievement gap, plus overall sound state education policies, equals a new, common sense approach to implementation of No Child Left Behind.*

— Secretary Margaret Spellings, April 7, 2005, in announcing new policies regarding implementation of NCLB

Until the final regulation is in place that will set the standards and criteria for the use of modified achievement standards, we want to explain how we will continue to ensure accountability for students with disabilities: only those States meeting the above equation's criteria may take advantage of the interim flexibility described in Adequate Yearly Progress and Modified Achievement Standards: Interim State Policy Options (see the separate enclosure). This document provides details about those criteria and the process for providing the necessary information.

States only need to provide this information if they wish to take advantage of this interim flexibility; this is not a requirement of Title I. States that do not intend to develop modified achievement standards may not implement any of these interim adequate yearly progress (AYP) approaches.

### **I. Core Principles**

Each State must meet Title I and Individuals with Disabilities Education Act (IDEA) requirements that are directly related to achievement and instruction for the full range of students with disabilities. These core principles include each of the following:

- Statewide assessment participation rates for students with disabilities, for purposes of measuring AYP, must be at or above 95%;
- Alternate assessments in reading/language arts and mathematics must be available for students with disabilities who are unable to participate in the regular assessment even with accommodations, and (as required by IDEA) States must report results to the Secretary and the public based on these alternate assessments in reading/language arts and mathematics. States with IDEA Special Conditions may not be eligible if such conditions cannot be resolved by July 1, 2005;
- Appropriate accommodations are available for students with disabilities; and
- A State seeking to use this interim policy also must explain how students with disabilities are included in its accountability system. Specifically, a State's subgroup size for students with disabilities must be equal to that of the overall group size. Therefore, any State that previously received approval for a higher

group size will need to lower it so that the group size for students with disabilities is no larger than the overall group size.

## **II. Student Achievement**

Each State must provide information on actions taken to raise achievement for students with disabilities or narrow the achievement gap and evidence that such efforts are improving student achievement (see Attachment A).

### **Eligibility Review**

The Department will review available information relative to Sections I and II to determine if the State is eligible to take advantage of interim AYP flexibility with respect to students with disabilities. For most data elements, the Department has the necessary data and a State does not need to resubmit them. In Attachment A, we note which data have already been submitted to the Department through the No Child Left Behind Act (NCLB) Consolidated Performance Report and other data collections. However, even if the Department already has the necessary information, a State may wish to update or explain that information. States should submit this information by June 1, 2005. Upon receiving this information, the Department will contact the State to notify it of its eligibility for interim AYP flexibility. Each eligible State would then complete Section III: Sound State Education Policies.

## **III. Sound State Education Policies**

Each eligible State must provide the Department with information and a time line for activities it will take to improve its assessments for the full range of students with disabilities, in particular alternate assessments based on modified achievement standards and those based on alternate achievement standards. The following activities and required information are described in greater detail in Section III of [Attachment A](#).

- The State must commit to have in place no later than 2006-07 reliable and valid alternate assessments based on modified achievement standards for a limited group of students with disabilities. Please note that, under both IDEA and NCLB, students with disabilities may not be exempted from State assessments, even while assessments based on modified achievement standards are being developed.
- The State must commit to ensuring that it provides a wide variety of appropriate accommodations that improve the validity of assessment results for students with disabilities.
- A State that has developed alternate achievement standards for students with the most significant cognitive disabilities must provide assurance that those standards are aligned with the State's content standards, promote access to the

general curriculum, and reflect professional judgment on the highest achievement standards possible, as required by 34 CFR §200.1(d).

- The State must provide information and a time line with regard to how the State will work over the next two years to develop and ensure effective implementation of its alternate assessments.

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The ideal deadline for submitting this information is June 15, 2005. However, States needing assistance in providing the information in Section III within this time frame should contact the Department; we will work with States to assist them in providing the required information. We will also use the information in this amendment process to direct States' technical assistance efforts.

Subject to the Secretary's review and approval, an eligible State that addresses the items in Section III as an addendum to its accountability plan would be permitted to adjust its AYP determination for its students with disabilities subgroup for the 2004-2005 school year using one of the options outlined in Adequate Yearly Progress and Modified Achievement Standards: Interim State Policy Options. The Secretary will also consider other options proposed by a State.

To be clear, an interim AYP adjustment is for the 2004-05 school year only and only for eligible States. These issues will be revisited while the Department is developing a regulation related to modified achievement standards. This regulation will deal with a number of issues related to modified achievement standards, including identifying the limited group of students with disabilities who need to take such an assessment, defining modified achievement standards, and determining how results from modified achievement standards should be used in AYP determinations. The interim AYP options are only intended to provide short-term flexibility that is similar in effect to the proposed regulation that we will be publishing in the near future.

The Department will post the completed attachment on its website as part of the approved State accountability plan: [www.ed.gov/admins/lead/account/stateplans03/index.html](http://www.ed.gov/admins/lead/account/stateplans03/index.html). The State would also agree to provide brief, quarterly updates, beginning October 1, 2005, on the status of its efforts with regard to the time line associated with State education policies (see Section III). We will review this information to ensure each State is on track with these policies.

The Department will dedicate its technical assistance resources to helping States develop plans for assessments, professional development, IEP guidelines, means for involving parents of students with disabilities, and other issues.

## **ATTACHMENT A AYP ADDENDUM WORKSHEET**

For most data elements in Sections I and II, the Department has the necessary data and a State does not need to resubmit them. If a State wants to submit any updated or explanatory information, send it to the Department by email at [AYPAmendments@ed.gov](mailto:AYPAmendments@ed.gov) by June 1, 2005.

### **I. Core Principles**

The Department has most of the following information available through the 2003-04 State Consolidated Performance Reports, Part I; Office of Special Education Programs (OSEP) monitoring findings related to alternate assessments; and State accountability workbooks and supporting evidence. States should submit information regarding the availability of appropriate accommodations since the Department would only have information about accommodations (item 4) if it is posted on a State's website.

1. Participation rates for students with disabilities
2. Availability of alternate assessments
3. Reporting of results from alternate assessments
4. Availability of appropriate accommodations for students with disabilities
5. Minimum group sizes for making AYP decisions

### **II. Student Achievement**

The Department has this information available through the 2002-03 and 2003-04 State Consolidated Performance Reports, Part I.

6. Student achievement in reading, for students with disabilities, 2002-03 school year
7. Student achievement in mathematics, for students with disabilities, 2002-03 school year
8. Student achievement in reading, for students with disabilities, 2003-04 school year
9. Student achievement in mathematics, for students with disabilities, 2003-04 school year

### **III. Sound State Education Policies**

A State should submit the information for Section III by email at [AYPAmendments@ed.gov](mailto:AYPAmendments@ed.gov); the ideal deadline for submitting information in Section III is June 15, 2005. States needing assistance with Section III should contact the Department; we will work with States to provide the required information.

Please describe how the State intends to take these steps and provide estimated time lines for when these requirements will be completed.

10. Document the technical quality of the alternate assessments for students with the most significant cognitive disabilities, if not previously completed.
11. Develop criteria and guidance for IEP teams regarding identification of students with the most significant cognitive disabilities and for setting appropriate proficiency expectations for those students.
12. Demonstrate that policies are in place to ensure inclusion of all students in the assessment system, as required by IDEA and NCLB.
13. Provide training to IEP teams on State assessment guidelines and policies, as required under IDEA and NCLB regulations.
14. Train teachers on instructional interventions, including special education teachers and general education teachers with subject matter expertise, on how to work together, provide access to the general curriculum, and use data to improve student achievement.
15. Conduct outreach to parents of students with disabilities to explain State testing policies. This outreach may take several forms, such as website documents; brochures for parent centers, schools, and districts; or training for parent liaisons.
16. Incorporate appropriately the scores of students with the most significant cognitive disabilities into the State reporting and accountability system.
17. Submit all alternate assessments for the Department's peer review process for standards and assessments.

In addition to the above steps, States should also commit to the following steps as part of the overall strategy to improve assessments for students with disabilities, in particular for the development of alternate assessments based on modified achievement standards. Please provide an assurance that the State will complete these steps.

- Develop and formally approve or adopt modified academic achievement descriptors.
- Build a framework, including purpose and scope of alternate assessments based on modified achievement standards, that addresses key questions and issues (e.g., portfolio or multiple choice) and is informed by stakeholder and technical advisory committee input.
- Contract for the development of valid alternate assessments based on modified achievement standards for students with disabilities who need to take a modified assessment (as well as students with the most significant cognitive disabilities, if applicable).
- Establish (with diverse stakeholder involvement) and formally approve or adopt modified achievement standards with "cut scores" that differentiate among achievement levels and are aligned with State content standards.
- Document the technical quality of the alternate assessments based on modified achievement standards.
- Demonstrate that policies are in place to ensure inclusion of all students in the assessment system, as required by IDEA and NCLB.

**Spellings Announces New Special Education Guidelines, Details Workable, "Common-Sense" Policy to Help States Implement No Child Left Behind**

Guidelines reflect the latest scientific research to help students with disabilities

States continue to be accountable for results of all students

FOR RELEASE:

May 10, 2005

Contact: Susan Aspey

Chad Colby

(202) 401-1576

U.S. Secretary of Education Margaret Spellings today announced the details of a new No Child Left Behind policy designed to help states better assist students with disabilities, and pledged to continue working with states to ensure they have the flexibility needed to raise student achievement. The guidelines follow up on the Secretary's announcement last month to chief state school officers that she would provide states with additional alternatives and flexibility to implement No Child Left Behind.

The new guidelines reflect the latest scientific research that shows students with disabilities -- approximately 2 percent of all students -- can make progress toward grade-level standards when they receive high-quality instruction and are assessed with alternate assessments based on modified achievement standards. Under the new flexibility option announced today, eligible states may implement short-term adjustments to their adequate yearly progress decisions to reflect the need for alternate assessments based on modified achievement standards; this is a separate policy from the current regulation that allows up to 1 percent of all students being tested (those with the most significant cognitive disabilities) to take an alternate assessment.

"There is a new equation at the Department of Education: the 'bright-line' principles of No Child Left Behind, such as annual testing and reporting of subgroup data, plus student achievement and a narrowing of the achievement gap, plus overall sound state education policies, equals a new, common-sense approach to implementation of the law. Today's special education guidance is the first example of this new approach," Secretary Spellings said.

"Under this policy, to be made final under a new rule, a limited number of students with disabilities (approximately 2 percent of all students) will be allowed to take tests that are specifically geared toward their abilities, as long as the state is working to best serve those students by providing rigorous research-based training for teachers, improving assessments and organizing collaboration between special education and classroom teachers," Secretary Spellings continued. "If you stand up for the kids and provide better instruction and assessment, we will stand by you."

"Recent research from the National Institutes of Health indicates clearly that good instruction actually improves how the student learns. New evidence-based

instructional programs geared toward the needs of individual children are opening educational doors for students who never before had a chance to succeed academically. Recent advances in medical interventions also hold considerable promise for many of our students with the most significant disabilities."

The new guidelines outline the process for how eligible states can implement this new policy in the short term until the Department issues final regulations on the policy.

### **Short-Term Options**

States that meet the eligibility guidelines can make adjustments to their 2004-05 Adequate Yearly Progress (AYP) definition for students with disabilities. The Department has suggested two options for AYP adjustments and states may offer their own ideas for the Secretary's consideration. One option applies only to schools or districts in eligible states that did not make AYP based solely on the scores of its students with disabilities subgroup. A second option applies to eligible states that currently assess students based on modified achievement standards. Only states that intend to develop alternate assessments based on modified achievement standards are eligible for short-term flexibility.

The eligibility guidelines include:

- Each state must meet Title I and IDEA requirements that are directly related to achievement and instruction for the full range of students with disabilities, including:
  - Statewide participation rates for students with disabilities, for purposes of measuring AYP, must be at or above 95 percent;
  - Appropriate accommodations must be available for students with disabilities
  - Alternate assessments in reading/language arts and mathematics must be available for students with disabilities who are unable to participate in the regular assessment, even with accommodations, and results from those assessments must be reported; and
  - The state's subgroup size for students with disabilities must be equal to that of other student groups.
  
- Each state would request to amend their accountability plan and provide details on their actions taken to raise achievement for students with disabilities, and evidence that such efforts are improving student achievement.

### **Long Term Policy**

The Department is working on a regulation to implement the new policy and will release a notice of proposed rulemaking to seek comments from local school districts, parents and others before finalizing a regulation.

The goal of the regulations is to:

- Ensure that states hold these students to challenging, though modified, achievement standards that enable them to approach, and even meet, grade-level standards;
- Ensure access to the general curriculum to ensure students are taught to the same high standards;
- Measure progress with high-quality alternate assessments so parents are confident that their students are learning and achieving;
- Provide guidance and training to Individualized Education Program (IEP) teams to identify these students properly; and
- Provide professional development to regular and special education teachers.

States must continue meeting the requirements of NCLB related to students with disabilities.

To increase the state's ability to provide rigorous assessment, instruction, and accountability for students with disabilities, the Department of Education will direct \$14 million to improve assessments, help teachers with instruction, and conduct research for students with disabilities who are held to alternate and modified achievement standards in 2005. Additional funds will be directed in 2006.

No Child Left Behind is the bipartisan landmark education reform law designed to change the culture of America's schools by closing the achievement gap among groups of students, offering more flexibility to states, giving parents more options and teaching students based on what works. Under the law's strong accountability provisions, states must describe how they will close the achievement gap and make sure all students, including those with disabilities, achieve academically.

More information about the new policy and the No Child Left Behind Act is available at <http://www.ed.gov/index.html>.

**PROPOSED REGULATIONS ON  
MODIFIED ACHIEVEMENT STANDARDS  
(December 15, 2005)**

**SUMMARY**

***Background***

In April 2005, the secretary announced that the Department would propose regulations permitting states to develop modified achievement standards and assessments based on those standards for certain students with disabilities. These assessments would be for students with disabilities who do not have the most significant cognitive disabilities and for whom assessments based on alternate achievement standards would be inappropriate. The Department published a Notice of Proposed Rulemaking (NPRM) on this topic in the *Federal Register* on Dec. 15, 2005. A copy of the proposed regulations has been posted on the Department's Web site at <http://www.ed.gov/legislation/FedRegister/proprule/2005-4/121505a.pdf>. State and local educators, teachers, parents and interested parties are encouraged to submit their comments; the deadline for receiving those comments is Feb. 28, 2006. The following set of questions and answers summarizes the major provisions of the proposed regulation.

***1. Why is the Department permitting states to develop modified achievement standards and assessments based on those standards?***

Information accumulated from the experiences of many states, as well as recent research, indicates that there is a group of students with disabilities whose progress in response to high-quality instruction, including special education and related services designed to address the students' individual needs, is such that these students are not likely to achieve grade-level proficiency within the school year covered by their Individualized Education Programs (IEP). Therefore it is appropriate for states to develop and implement modified achievement standards for this limited group of students.

***2. What are modified achievement standards?***

These proposed regulations would permit states to develop modified academic achievement standards to assess this group of students with disabilities. The regulations would set parameters for those modified achievement standards and for how states are to develop them (§200.1(e)(1)). Those parameters ensure that the modified achievement standards are significantly more rigorous than alternate achievement standards and that the standards:

- Are aligned with the state's academic content standards for the grade in which the student is enrolled;
- Provide access to a grade-level curriculum; and
- Do not preclude the student from earning a regular high-school diploma.

**3. How may assessment scores based on modified achievement standards be included in Adequate Yearly Progress (AYP) determinations?**

Under the proposed regulations, states and local education agencies (LEAs) would be permitted to include in AYP determinations the proficient and advanced scores from assessments based on modified achievement standards, subject to a cap at the district and state levels based on the total number of students assessed (§200.13(c)(2)(ii)). The best available research and data indicate that 2.0 percent of students assessed, or approximately 20 percent of students with disabilities, is a reasonable and sufficient cap.

**4. Who may be assessed based on modified achievement standards?**

The regulations also would provide states with criteria for determining which students with disabilities may be assessed based on modified achievement standards (§200.1(e)(2)). The proposed regulations do not set a federal definition of who may take a test based on modified achievement standards. Instead, they would require that states have in their guidelines for IEP teams certain key criteria in order to ensure that students with disabilities are not inappropriately held to modified achievement standards. The criteria are as follows:

1. The student's disability has precluded the student from achieving grade-level proficiency, as demonstrated by objective evidence such as—
  - State's Title I assessments; or
  - Other assessment data that can validly document academic achievement.
2. The student's progress in response to high-quality instruction, including special education and related services designed to meet the student's needs, is such that the student is not likely to achieve grade-level proficiency within a year. Progress must be measured by multiple indicators, over a period of time, and with valid assessments.
3. The student is receiving instruction in the grade-level curriculum for the subjects in which the student is being assessed.
4. Student eligibility for being assessed based on modified achievement standards is not limited to a particular disability category (§200.1(e)(3)).
5. A student may be assessed based on modified achievement standards in one or more subjects assessed as part of the state assessment system (§200.1(e)(4)).
6. A student's IEP team must review annually whether it is appropriate for the student to be assessed based on modified achievement standards (§200.1(e)(5)).

**5. What are the proposed requirements for assessments based on modified achievement standards?**

The proposed regulations would not require states to develop an entirely new assessment §200.6(a)(3)). A state could modify an existing grade-level assessment for this purpose. Out-of-level assessments will not meet the requirements of these proposed regulations, as they are not aligned to grade-level content standards. The basic requirements for the assessments are that they:

- Be aligned to grade-level content standards;
- Yield results in reading/language arts and mathematics separately;
- Meet the requirements for high technical quality including validity and reliability; and
- Fit coherently in the state assessment system.

**6. *May states or districts exceed the 2.0 percent cap?***

The proposed regulations would place new limits on the use of proficient and advanced scores based on modified and alternate achievement standards in making AYP determinations. States may not request an exception to exceed either the 1.0 percent cap on the use of proficient scores based on alternate achievement standards or the 2.0 percent cap on the use of proficient and advanced scores based on modified achievement standards (§200.13(c)(4)). Districts, for their part, may request permission from a state to exceed the 1.0 percent cap on the use of proficient scores based on alternate achievement standards for students with the most significant cognitive disabilities (§200.13(c)(5)); they may not request permission to exceed the 2.0 percent cap based on modified achievement standards (§200.13(c)(6)). Districts may exceed 3.0 percent if they are granted an exception to the 1.0 percent cap for students with the most significant cognitive disabilities. States and districts may include scores, without receiving an exception, from more than 2.0 percent of their students based on modified achievement standards if they include scores of students with the most significant cognitive disabilities that are less than 1.0 percent, as long as their combined use of proficient scores based on alternate and modified achievement standards does not exceed 3.0 percent of all students tested (§200.13(c)(3)). There are no caps at the school level.

The following table, included in the proposed regulations, summarizes the policy in the proposed regulation:

## WHEN CAN A STATE OR LEA EXCEED THE 1% AND 2% CAPS?

	<b>Alternate Achievement Standards 1% Cap</b>	<b>Modified Achievement Standards 2% Cap</b>	<b>Alternate and Modified Achievement Standards 3% Cap</b>
<b>State</b>	Never.	Only if State is below 1% cap, but cannot exceed 3% cap.	Never.
<i>LEA</i>	Only if granted an exception by the SEA.	Only if LEA is below 1% cap. If not below 1% cap, never.	Only if granted an exception to the 1% cap by the SEA, and only by the amount of the exception.

**7. Will states still be able to set a different group size for students with disabilities?**

No. Under the proposed regulations, regardless of whether a state chooses to develop modified achievement standards, it may no longer establish different group sizes for separate subgroups (§200.7(a)(2)(ii)), including for limited English proficient students. Prior to the implementation of the regulations on alternate achievement standards for students with the most significant cognitive disabilities and the announcement of these proposed regulations, a state did not have much flexibility in measuring the achievement of students with disabilities for AYP purposes. Once these proposed regulations are implemented, we believe that states will have sufficient flexibility to measure the achievement of students with disabilities appropriately and will no longer need a different group size for this subgroup.

**8. Is there any additional flexibility for states in calculating AYP?**

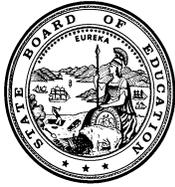
Yes. Under the proposed regulations, students who have exited the students with disabilities category may be included in the students with disabilities subgroup (for AYP achievement purposes only) for two years after the student no longer receives special education services. Because students with disabilities exit this subgroup once special education services are no longer needed, school assessment results for that subgroup do not reflect the gains that these students with disabilities have made in academic achievement or the work that schools and teachers have done to achieve this success. Recognizing this, the proposed regulations would allow a state, for purposes of making AYP determinations, to include the scores of students previously identified as students with disabilities within the subgroup for up to two years after they no longer receive

services under the *Individuals with Disabilities Education Act (IDEA)*. States may not include the scores of these students for reporting purposes under Section 1111(h) apart from AYP, however, because it is very important to have information about the achievement of students with disabilities who are currently receiving services under the *IDEA*. (§200.20(f)(1))

**9. Will the new IDEA regulations be consistent with these proposed regulations?**

Yes. In order to ensure that the final *IDEA* regulations are consistent with Title I, we are including in the NPRM regulatory language on assessments (§300.160) under *IDEA*. This replaces the proposed *IDEA* assessment language that we issued earlier this year. In effect, we are “re-proposing” the *IDEA* language to reflect the creation of the option to develop modified achievement standards and to further align *IDEA* with *NCLB*.

In addition, we are including language that would require that state (or, in the case of a districtwide assessment, district) guidelines for IEP teams require that each child be validly assessed and that the teams identify any accommodations that would result in an invalid score. Under Title I, a student must receive a valid score on an assessment in order to be considered a participant. This proposed change would require that a student receive a valid score in order to be reported as a participant for *IDEA* purposes as well.



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
Standardized Testing and Reporting Program: Approval of grades five, six, and seven Proposed Blueprints for the Reading/language arts and Mathematics Standards-based Tests in Spanish	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### **RECOMMENDATION**

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The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the reading/language arts and mathematics grades five, six, and seven blueprints for the Standards-based Tests in Spanish (STS).

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The SBE directed the CDE in March of 2005 to have the Standardized Testing and Reporting (STAR) Program testing contractor begin the development of the STS as authorized by Senate Bill (SB) 1448, Chapter 233, Statutes of 2004. SB 1448 requires that a test in Spanish that is aligned to the California content standards for reading/language arts and mathematics be developed to replace the designated primary language test.

The purpose of the California STS is to assess the level of students' mastery of the California content standards in mathematics and reading/language arts in their primary language.

In July 2005, the SBE approved blueprints for grades two, three, and four in reading/language arts and mathematics for the development of the STS. Educational Testing Service (ETS), the STAR contractor, proceeded with the development of field test items for grades two, three, and four. These grades will be field tested this fall and operational forms are anticipated to be operational for the spring 2007 administration. As each grade level becomes operational, it will replace the norm-referenced designated primary language test, the *Aprenda: La prueba de logros en español, Tercera edición* (Aprenda 3).

### **SUMMARY OF KEY ISSUES**

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ETS' STAR contract calls for the development of the STS for grades five, six, and seven during the 2006-07 fiscal year. In order to begin the initial item development process, the blueprints must be approved by the SBE.

## **SUMMARY OF KEY ISSUES (Cont.)**

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During the March 2006 STS Assessment Review Panel (ARP) meeting for mathematics and the April 2006 STS ARP meeting for reading/language arts, each ARP discussed the blueprints. Their proposed blueprints are included (Attachment 1 and 2) for the SBE's review and approval.

**Mathematics:** The STS will have test questions written in Spanish to measure students' understanding of the mathematical concepts and skills tested on the California Standards Tests (CSTs), including all of the tested standards for number sense; algebra and functions; measurement and geometry; statistics, data analysis, and probability; and mathematical reasoning.

**Reading/language arts:** The STS will have passages and test questions written in Spanish to measure students' ability to read and understand grade-level texts. The questions assess the California standards for grade-level vocabulary development, reading comprehension, and literary analysis. The questions also measure students' proficiency in the writing strategies and language conventions stated in the standards. The conventions tested are common to both Spanish and English. Conventions are not tested if they are unique to either language (e.g., formation of English or Spanish plurals, use of quotation marks, capitalization of days and months).

**Blueprints:** The STS ARP for mathematics recommends a blueprint in which all of the mathematics content standards on the CST for grades five through seven are assessed in Spanish.

The STS ARP for reading/language arts recommends a blueprint in which most of the English language arts standards assessed on the current CST for grades five through seven are assessed in Spanish with the exception of grade six, Word Analysis, Standard 1.3.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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Costs are included in the STAR contract with ETS.

## **ATTACHMENT(S)**

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- Attachment 1: Standards-based Tests in Spanish (STS), Grades 5 through 7, Reading/language arts, Proposed Blueprints (10 Pages)
- Attachment 2: Standards-based Tests in Spanish (STS) Grades 5 through 7, Mathematics, Proposed Blueprints (14 Pages)

**Standards-based Tests in Spanish  
(STS)  
Grades 5-7**

**Reading/language arts**

**Proposed Blueprints**

**STANDARDS-BASED TESTS IN SPANISH (STS)  
GRADE 5 READING/LANGUAGE ARTS**

CALIFORNIA CONTENT STANDARDS: READING		Current CST Blueprint	%	Recommended STS Blueprint	%
<b>1.0</b>	<b>WORD ANALYSIS, FLUENCY, AND SYSTEMATIC VOCABULARY DEVELOPMENT:</b> Students use their knowledge of word origins and word relationships, as well as historical and literary context clues, to determine the meaning of specialized vocabulary and to understand the precise meaning of grade-level appropriate words.	14	19%	14	19%
1.1	<b>Word Recognition:</b> read aloud narrative and expository text fluently and accurately, and with appropriate pacing, intonation, and expression	NA*		NA*	
1.2	<b>Vocabulary and Concept Development:</b> use word origins to determine the meaning of unknown words	2		2	
1.3	<b>Vocabulary and Concept Development:</b> understand and explain frequently used synonyms, antonyms and homographs	5		5	
1.4	<b>Vocabulary and Concept Development:</b> know abstract, derived roots and affixes from Greek and Latin, and use this knowledge to analyze the meaning of complex words (e.g., controversial)	3		3	
1.5	<b>Vocabulary and Concept Development:</b> understand and explain the figurative and metaphorical use of words in context	4		4	
<b>2.0</b>	<b>READING COMPREHENSION (FOCUS ON INFORMATIONAL MATERIALS):</b> Students read and understand grade-level-appropriate material. They describe and connect the essential ideas, arguments, and perspectives of the text by using their knowledge of text structure, organization, and purpose. The selections in <i>Recommended Readings in Literature, Kindergarten Through Grade Eight</i> illustrate the quality and complexity of the materials to be read by students. In addition, by grade eight, students read one million words annually on their own, including a good representation of grade-level-appropriate narrative and expository text (e.g., classic and contemporary literature, magazines, newspapers, online information). In grade five, students make progress toward this goal.	16	21%	16	21%
2.1	<b>Structural Features of Informational Materials:</b> understand how text features (e.g., format, graphics, sequence, diagrams, illustrations, charts, maps) make information accessible and usable	2		2	
2.2	<b>Structural Features of Informational Materials:</b> analyze text that is organized in sequential or chronological order	4		4	
2.3	<b>Comprehension and Analysis of Grade-Level-Appropriate Text:</b> discern main ideas and concepts presented in texts, identifying and assessing evidence that supports those ideas	3		3	
2.4	<b>Comprehension and Analysis of Grade-Level-Appropriate Text:</b> draw inferences, conclusions, or generalizations about text and support them with textual evidence and prior knowledge	5		5	
2.5	<b>Expository Critique:</b> distinguish facts, supported inferences, and opinions in text	2		2	

\*Not assessable in multiple-choice format.

**STANDARDS-BASED TESTS IN SPANISH (STS)  
GRADE 5 READING/LANGUAGE ARTS**

CALIFORNIA CONTENT STANDARDS: READING		Current CST Blueprint	%	Recommended STS Blueprint	%
<b>3.0</b>	<b>LITERARY RESPONSE AND ANALYSIS:</b> Students read and respond to historically or culturally significant works of literature. They begin to find ways to clarify the ideas and make connections between literary works. The selections in <i>Recommended Readings in Literature, Kindergarten Through Grade Eight</i> illustrate the quality and complexity of the materials to be read by students.	12	16%	12	16%
3.1	<b>Structural Features of Literature:</b> identify and analyze the characteristics of poetry, drama, fiction, and nonfiction and explain the appropriateness of the literary forms chosen by an author for a specific purpose	1		1	
3.2	<b>Narrative Analysis of Grade-Level-Appropriate Text:</b> identify the main problem or conflict of the plot and how it is resolved	2		2	
3.3	<b>Narrative Analysis of Grade-Level-Appropriate Text:</b> contrast the actions, motives (loyalty, selfishness, conscientiousness), and appearances of characters in a work of fiction and discuss the importance of the contrasts to the plot or theme	2		2	
3.4	<b>Narrative Analysis of Grade-Level-Appropriate Text:</b> understand that theme refers to the meaning or moral of a selection and recognize themes (whether implied or stated directly) in sample works	2		2	
3.5	<b>Narrative Analysis of Grade-Level-Appropriate Text:</b> describe the function and effect of common literary devices (e.g., imagery, metaphor, symbolism)	2		2	
3.6	<b>Literary Criticism:</b> evaluate the meaning of archetypal patterns and symbols that are found in myth and tradition by using literature from different eras and cultures	1		1	
3.7	<b>Literary Criticism:</b> evaluate the author's use of various techniques (e.g., appeal of characters in a picture book, logic and credibility of plots and settings, use of figurative language) to influence readers' perspectives	2		2	

\*Not assessable in multiple-choice format.

**STANDARDS-BASED TESTS IN SPANISH (STS)  
GRADE 5 READING/LANGUAGE ARTS**

<b>CALIFORNIA CONTENT STANDARDS: WRITING</b>	<b>Current CST Blueprint</b>	<b>%</b>	<b>Recommended STS Blueprint</b>	<b>%</b>
<b>1.0 WRITTEN AND ORAL ENGLISH LANGUAGE CONVENTIONS: Students write and speak with a command of standard English conventions appropriate to this grade level.</b>	<b>17</b>	<b>23%</b>	<b>17</b>	<b>23%</b>
1.1 <b>Sentence Structure:</b> identify and correctly use prepositional phrases, appositives, and independent and dependent clauses; use transitions and conjunctions to connect ideas	<b>4</b>		<b>4</b>	
1.2 <b>Grammar:</b> identify and correctly use verbs that are often misused (e.g., lie/lay, sit/set, rise/raise), modifiers, and pronouns	<b>3</b>		<b>3</b>	
1.3 <b>Punctuation:</b> use a colon to separate hours and minutes and to introduce a list; use quotation marks around the exact words of speaker and titles of poems, songs, short stories, and so forth	<b>3</b>		<b>3</b>	
1.4 <b>Capitalization:</b> use correct capitalization	<b>3</b>		<b>3</b>	
1.5 <b>Spelling:</b> spell roots, suffixes, prefixes, contractions, and syllable constructions correctly	<b>4</b>		<b>4</b>	
<b>1.0 WRITING STRATEGIES: Students write clear, coherent, and focused essays. The writing exhibits the students' awareness of the audience and purpose. Essays contain formal introductions, supporting evidence, and conclusions. Students progress through the stages of the writing process as needed.</b>	<b>16</b>	<b>21%</b>	<b>16</b>	<b>21%</b>
1.1 <b>Organization and Focus:</b> create multiple-paragraph narrative compositions				
1) establish and develop a situation or plot	<b>1</b>		<b>1</b>	
2) describe the setting	<b>1</b>		<b>1</b>	
3) present an ending	<b>1</b>		<b>1</b>	
1.2 <b>Organization and Focus:</b> create multiple-paragraph expository compositions				
1) establish a topic, important ideas, or events in sequence or chronological order	<b>2</b>		<b>2</b>	
2) provide details and transitional expressions that link one paragraph to another in a clear line of thought	<b>2</b>		<b>2</b>	
3) offer a concluding paragraph that summarizes important ideas and details	<b>2</b>		<b>2</b>	
1.3 <b>Research and Technology:</b> use organizational features of printed text (e.g., citations, end notes, bibliographic references) to locate relevant information	<b>1</b>		<b>1</b>	
1.4 <b>Research and Technology:</b> create simple documents by using electronic media and employing organization features (e.g., passwords, entry and pull-down menus, word searches, the thesaurus, spell checks)	<b>NA*</b>		<b>NA*</b>	
1.5 <b>Research and Technology:</b> use a thesaurus to identify alternative word choices and meanings	<b>1</b>		<b>1</b>	
1.6 <b>Evaluation and Revision:</b> edit and revise manuscripts to improve the meaning and focus of writing by adding, deleting, consolidating, clarifying, and rearranging words and sentences	<b>5</b>		<b>5</b>	
<b>TOTALS</b>	<b>75</b>	<b>100%</b>	<b>75</b>	<b>100%</b>

\*Not assessable in multiple-choice format.

**STANDARDS-BASED TESTS IN SPANISH (STS)  
GRADE 6 READING/LANGUAGE ARTS**

<b>CALIFORNIA CONTENT STANDARDS: READING</b>	<b>Current CST Blueprint</b>	<b>%</b>	<b>Recommended STS Blueprint</b>	<b>%</b>
<b>1.0 WORD ANALYSIS, FLUENCY, AND SYSTEMATIC VOCABULARY DEVELOPMENT:</b> Students use their knowledge of word origins and word relationships, as well as historical and literary context clues, to determine the meaning of specialized vocabulary and to understand the precise meaning of grade-level-appropriate words.	13	17%	13	17%
1.1 <b>Word Recognition:</b> read aloud narrative and expository text fluently and accurately, and with appropriate pacing, intonation, and expression	NA*		NA*	
1.2 <b>Vocabulary and Concept Development:</b> identify and interpret figurative language and words with multiple meanings	5		5	
1.3 <b>Vocabulary and Concept Development:</b> recognize the origins and meanings of frequently used foreign words in English and use these words accurately in speaking and writing	2		0	
1.4 <b>Vocabulary and Concept Development:</b> monitor expository text for unknown words or words with novel meanings by using word, sentence, and paragraph clues to determine meaning	3		4	
1.5 <b>Vocabulary and Concept Development:</b> understand and explain “shades of meaning” in related words (e.g., softly and quietly)	3		4	
<b>2.0 READING COMPREHENSION (FOCUS ON INFORMATIONAL MATERIALS):</b> Students read and understand grade-level-appropriate material. They describe and connect the essential ideas, arguments, and perspectives of the text by using their knowledge of text structure, organization, and purpose. The selections in <i>Recommended Readings in Literature, Kindergarten Through Grade Eight</i> illustrate the quality and complexity of the materials to be read by students. In addition, by grade eight, students read one million words annually on their own, including a good representation of grade-level-appropriate narrative and expository text (e.g., classic and contemporary literature, magazines, newspapers, online information). In grade six, students continue to make progress toward this goal.	17	23%	17	23%
2.1 <b>Structural Features of Informational Materials:</b> identify the structural features of popular media (e.g., newspapers, magazines, online information) and use the features to obtain information	2		2	
2.2 <b>Structural Features of Informational Materials:</b> analyze text that uses the compare-and-contrast organizational pattern	1		1	
2.3 <b>Comprehension and Analysis of Grade-Level-Appropriate Text:</b> connect and clarify main ideas by identifying their relationships to other sources and related topics	4		4	
2.4 <b>Comprehension and Analysis of Grade-Level-Appropriate Text:</b> clarify an understanding of texts by creating outlines, logical notes, summaries, or reports	1		1	
2.5 <b>Comprehension and Analysis of Grade-Level-Appropriate Text:</b> follow multiple-step instructions for preparing applications (e.g., for a public library card, bank savings account, sports club, league membership)	2		2	
2.6 <b>Expository Critique:</b> determine the adequacy and appropriateness of the evidence for an author’s conclusions	2		2	
2.7 <b>Expository Critique:</b> make reasonable assertions about a text through accurate, supporting citations	2		2	
2.8 <b>Expository Critique:</b> note instances of unsupported inferences, fallacious reasoning, persuasion, and propaganda in text	3		3	

\*Not assessable in multiple-choice format.

**STANDARDS-BASED TESTS IN SPANISH (STS)  
GRADE 6 READING/LANGUAGE ARTS**

CALIFORNIA CONTENT STANDARDS: READING		Current CST Blueprint	%	Recommended STS Blueprint	%
<b>3.0</b>	<b>LITERARY RESPONSE AND ANALYSIS:</b> Students read and respond to historically or culturally significant works of literature that reflect and enhance their studies of history and social science. They clarify the ideas and connect them to other literary works. The selections in <i>Recommended Readings in Literature, Kindergarten Through Grade Eight</i> illustrate the quality and complexity of the materials to be read by students.	12	16%	12	16%
3.1	<b>Structural Features of Literature:</b> identify the forms of fiction and describe the major characteristics of each form	1		1	
3.2	<b>Narrative Analysis of Grade-Level-Appropriate Text:</b> analyze the effect of the qualities of the character (e.g., courage or cowardice, ambition or laziness) on the plot and the resolution of the conflict	2		2	
3.3	<b>Narrative Analysis of Grade-Level-Appropriate Text:</b> analyze the influence of setting on the problem and its resolution	1		1	
3.4	<b>Narrative Analysis of Grade-Level-Appropriate Text:</b> define how tone or meaning is conveyed in poetry through word choice, figurative language, sentence structure, line length, punctuation, rhythm, repetition, and rhyme	3		3	
3.5	<b>Narrative Analysis of Grade-Level-Appropriate Text:</b> identify the speaker and recognize the difference between first-and third-person narration (e.g., autobiography compared with biography)	1		1	
3.6	<b>Narrative Analysis of Grade-Level-Appropriate Text:</b> identify and analyze features of themes conveyed through characters, actions, and images	1		1	
3.7	<b>Narrative Analysis of Grade-Level-Appropriate Text:</b> explain the effects of common literary devices (e.g., symbolism, imagery, metaphor) in a variety of fictional and nonfictional texts	2		2	
3.8	<b>Literary Criticism:</b> critique the credibility of characterization and the degree to which a plot is contrived or realistic (e.g., compare use of fact and fantasy in historical fiction)	1		1	

\*Not assessable in multiple-choice format.

**STANDARDS-BASED TESTS IN SPANISH (STS)  
GRADE 6 READING/LANGUAGE ARTS**

<b>CALIFORNIA CONTENT STANDARDS: WRITING</b>	<b>Current CST Blueprint</b>	<b>%</b>	<b>Recommended STS Blueprint</b>	<b>%</b>
<b>1.0 WRITTEN AND ORAL ENGLISH LANGUAGE CONVENTIONS: Students write and speak with a command of standard English conventions appropriate to this grade level.</b>	<b>16</b>	<b>21%</b>	<b>16</b>	<b>21%</b>
1.1 <b>Sentence Structure:</b> use simple, compound, and compound-complex sentences; use effective coordination and subordination of ideas to express complete thoughts	<b>4</b>		<b>4</b>	
1.2 <b>Grammar:</b> identify and properly use indefinite pronouns and present perfect, past perfect, and future perfect verb tenses; ensure that verbs agree with compound subjects	<b>3</b>		<b>3</b>	
1.3 <b>Punctuation:</b> use colons after the salutation in business letters, semi-colons to connect independent clauses, and commas when linking two clauses with a conjunction in compound sentences	<b>3</b>		<b>3</b>	
1.4 <b>Capitalization:</b> use correct capitalization	<b>2</b>		<b>2</b>	
1.5 <b>Spelling:</b> spell frequently misspelled words correctly (e.g., <del>their</del> , <del>they're</del> , <del>there</del> )	<b>4</b>		<b>4</b>	
<b>1.0 WRITING STRATEGIES: Students write clear, coherent, and focused essays. The writing exhibits students' awareness of the audience and purpose. Essays contain formal introductions, supporting evidence, and conclusions. Students' progress through the stages of the writing process as needed.</b>	<b>17</b>	<b>23%</b>	<b>17</b>	<b>23%</b>
1.1 <b>Organization and Focus:</b> choose the form of writing (e.g., personal letter, letter to the editor, review, poem, report, narrative) that best suits the intended purpose	<b>2</b>		<b>2</b>	
1.2 <b>Organization and Focus:</b> create multiple-paragraph expository compositions				
1) engage the interest of the reader and state a clear purpose	<b>NA*</b>		<b>NA*</b>	
2) develop the topic with supportive details and precise verbs, nouns, and adjectives to paint a visual image in the mind of the reader	<b>3</b>		<b>3</b>	
3) conclude with a detailed summary linked to the purpose of composition	<b>2</b>		<b>2</b>	
1.3 <b>Organization and Focus:</b> use a variety of effective and coherent organizational patterns, including comparison and contrast; organization by categories; and arrangement of spatial order, order of importance, or climactic order	<b>1</b>		<b>1</b>	
1.4 <b>Research and Technology:</b> use organizational features of electronic text (e.g., bulletin boards, databases, keyword searches, e-mail addresses) to locate information	<b>2</b>		<b>2</b>	
1.5 <b>Research and Technology:</b> compose documents with appropriate formatting by using word-processing skills and principles of design (e.g., margins, tabs, spacing, columns, page orientation)	<b>NA*</b>	<b>NA*</b>		
1.6 <b>Evaluation and Revision:</b> revise writing to improve organization and consistency of ideas within and between paragraphs	<b>7</b>		<b>7</b>	
<b>TOTALS</b>	<b>75</b>	<b>100%</b>	<b>75</b>	<b>100%</b>

\*Not assessable in multiple-choice format.

**STANDARDS-BASED TESTS IN SPANISH (STS)  
GRADE 7 READING/LANGUAGE ARTS**

<b>CALIFORNIA CONTENT STANDARDS: READING</b>	<b>Current CST Blueprint</b>	<b>%</b>	<b>Recommended STS Blueprint</b>	<b>%</b>
<b>1.0 WORD ANALYSIS, FLUENCY, AND SYSTEMATIC VOCABULARY DEVELOPMENT:</b> Students use their knowledge of word origins and word relationships, as well as historical and literary context clues, to determine the meaning of specialized vocabulary and to understand the precise meaning of grade-level-appropriate words.	11	15%	11	15%
1.1 <b>Vocabulary and Concept Development:</b> identify idioms, analogies, metaphors, and similes in prose and poetry	3		3	
1.2 <b>Vocabulary and Concept Development:</b> use knowledge of Greek, Latin, and Anglo-Saxon roots and affixes to understand content-area vocabulary	3		3	
1.3 <b>Vocabulary and Concept Development:</b> clarify word meanings through the use of definition, example, restatement, or contrast	5		5	
<b>2.0 READING COMPREHENSION (FOCUS ON INFORMATIONAL MATERIALS):</b> Students read and understand grade-level-appropriate material. They describe and connect the essential ideas, arguments, and perspectives of the text by using their knowledge of text structure, organization, and purpose. The selections in <i>Recommended Readings in Literature, Kindergarten Through Grade Eight</i> illustrate the quality and complexity of the materials to be read by students. In addition, by grade eight, students read one million words annually on their own, including a good representation of grade-level-appropriate narrative and expository text (e.g., classic and contemporary literature, magazines, newspapers, online information). In grade seven, students make substantial progress toward this goal.	18	24%	18	24%
2.1 <b>Structural Features of Informational Materials:</b> understand and analyze the differences in structure and purpose between various categories of informational materials (e.g., textbooks, newspapers, instructional manuals, signs)	3		3	
2.2 <b>Structural Features of Informational Materials:</b> locate information by using a variety of consumer, workplace, and public documents	4		4	
2.3 <b>Structural Features of Informational Materials:</b> analyze text that uses cause-and-effect organizational pattern	2		2	
2.4 <b>Comprehension and Analysis of Grade-Level-Appropriate Text:</b> identify and trace the development of an author's argument, point of view, or perspective in text	3		3	
2.5 <b>Comprehension and Analysis of Grade-Level-Appropriate Text:</b> understand and explain the use of a simple mechanical device by following technical directions	3		3	
2.6 <b>Expository Critique:</b> assess the adequacy, accuracy, and appropriateness of the author's evidence to support claims and assertions, noting instances of bias and stereotyping	3		3	
<b>3.0 LITERARY RESPONSE AND ANALYSIS:</b> Students read and respond to historically or culturally significant works of literature that reflect and enhance their studies of history and social science. They clarify the ideas and connect them to other literary works. The selections in <i>Recommended Readings in Literature, Kindergarten Through Grade Eight</i> illustrate the quality and complexity of the materials to be read by students.	13	17%	13	17%
3.1 <b>Structural Features of Literature:</b> articulate the expressed purposes and characteristics of different forms of prose (e.g., short story, novel, novella, essay)	1		1	
3.2 <b>Narrative Analysis of Grade-Level-Appropriate Text:</b> identify events that advance the plot, and determine how each event explains past or present action(s) or foreshadows future action(s)	2		2	

\*Not assessable in multiple-choice format.

**STANDARDS-BASED TESTS IN SPANISH (STS)  
GRADE 7 READING/LANGUAGE ARTS**

<b>CALIFORNIA CONTENT STANDARDS: READING</b>		<b>Current CST Blueprint</b>	<b>%</b>	<b>Recommended STS Blueprint</b>	<b>%</b>
3.3	<b>Narrative Analysis of Grade-Level-Appropriate Text:</b> analyze characterization as delineated through a character's thoughts, words, speech patterns, and actions; the narrator's description; and the thoughts, words, and actions of other characters	<b>3</b>		<b>3</b>	
3.4	<b>Narrative Analysis of Grade-Level-Appropriate Text:</b> identify and analyze recurring themes across works (e.g., the value of bravery, loyalty, and friendship; the effects of loneliness)	<b>2</b>		<b>2</b>	
3.5	<b>Narrative Analysis of Grade-Level-Appropriate Text:</b> contrast points of view (e.g., first and third person, limited and omniscient, subjective and objective) in narrative text and explain how they affect the overall theme of the work	<b>3</b>		<b>3</b>	
3.6	<b>Literary Criticism:</b> analyze a range of responses to a literary work and determine the extent to which the literary elements in the work shaped those responses	<b>2</b>		<b>2</b>	

\*Not assessable in multiple-choice format.

**STANDARDS-BASED TESTS IN SPANISH (STS)  
GRADE 7 READING/LANGUAGE ARTS**

<b>CALIFORNIA CONTENT STANDARDS: WRITING</b>	<b>Current CST Blueprint</b>	<b>%</b>	<b>Recommended STS Blueprint</b>	<b>%</b>
<b>1.0 WRITTEN AND ORAL ENGLISH LANGUAGE CONVENTIONS: Students write and speak with a command of standard English conventions appropriate to the grade level.</b>	<b>16</b>	<b>21%</b>	<b>16</b>	<b>21%</b>
1.1 <b>Sentence Structure:</b> place modifiers properly, and use the active voice	<b>1</b>		<b>1</b>	
1.2 <b>Grammar:</b> identify and use infinitives and participles and make clear references between pronouns and antecedents	<b>1</b>		<b>1</b>	
1.3 <b>Grammar:</b> identify all parts of speech and types and structure of sentences	<b>4</b>		<b>4</b>	
1.4 <b>Grammar:</b> demonstrate the mechanics of writing (e.g., quotation marks, commas at end of dependent clauses) and appropriate English usage (e.g., pronoun reference)	<b>4</b>		<b>4</b>	
1.5 <b>Punctuation:</b> identify hyphens, dashes, brackets, and semi-colons and use them correctly	<b>1</b>		<b>1</b>	
1.6 <b>Capitalization:</b> use correct capitalization	<b>2</b>		<b>2</b>	
1.7 <b>Spelling:</b> spell derivatives correctly by applying the spellings of bases and affixes	<b>3</b>		<b>3</b>	
<b>1.0 WRITING STRATEGIES: Students write clear, coherent, and focused essays. The writing exhibits students' awareness of the audience and purpose. Essays contain formal introductions, supporting evidence, and conclusions. Students progress through the stages of the writing process as needed.</b>	<b>17</b>	<b>23%</b>	<b>17</b>	<b>23%</b>
1.1 <b>Organization and Focus:</b> create an organizational structure that balances all aspects of the composition and uses effective transitions between sentences to unify important ideas	<b>3</b>		<b>3</b>	
1.2 <b>Organization and Focus:</b> support all statements and claims with anecdotes, descriptions, facts and statistics, and specific examples	<b>2</b>		<b>2</b>	
1.3 <b>Organization and Focus:</b> use strategies of note-taking, outlining, and summarizing to impose structure on composition drafts	<b>3</b>		<b>3</b>	
1.4 <b>Research and Technology:</b> identify topics; ask and evaluate questions; and develop ideas leading to inquiry, investigation, and research	<b>3</b>		<b>3</b>	
1.5 <b>Research and Technology:</b> give credit for both quoted and paraphrased information in a bibliography by using a consistent and sanctioned format and methodology for citations	<b>2</b>		<b>2</b>	
1.6 <b>Research and Technology:</b> create documents by using word-processing skills and publishing programs; develop simple databases and spreadsheets to manage information and prepare reports	<b>NA*</b>		<b>NA*</b>	
1.7 <b>Evaluation and Revision:</b> revise writing to improve organization and word choice after checking the logic of the ideas and the precision of the vocabulary	<b>4</b>		<b>4</b>	
<b>TOTALS</b>	<b>75</b>	<b>100%</b>	<b>75</b>	<b>100%</b>

\*Not assessable in multiple-choice format.

**Standards-Based Tests in Spanish  
(STS)  
Grades 5-7**

**Mathematics**

**Proposed Blueprints**

**STANDARDS-BASED TESTS IN SPANISH (STS)  
GRADE 5 MATHEMATICS**

<b>CALIFORNIA CONTENT STANDARDS: GRADE 5</b>	<b>Current CST Blueprint</b>	<b>Recommended STS Blueprint</b>	<b>%</b>
<b>By the end of grade five, students increase their facility with the four basic arithmetic operations applied to fractions, decimals, and positive and negative numbers. They know and use common measuring units to determine length and area and know and use formulas to determine the volume of simple geometric figures. Students know the concept of angle measurement and use a protractor and compass to solve problems. They use grids, tables, graphs, and charts to record and analyze data.</b>			
<b>Number Sense</b>	<b>29</b>	<b>29</b>	<b>45%</b>
<b>Standard Set 1.0 Students compute with very large and very small numbers, positive integers, decimals, and fractions and understand the relationship between decimals, fractions, and percents. They understand the relative magnitudes of numbers:</b>			
1.1 Estimate, round, and manipulate very large (e.g., millions) and very small (e.g., thousandths) numbers.	1	1	
1.2* Interpret percents as a part of a hundred; find decimal and percent equivalents for common fractions and explain why they represent the same value; compute a given percent of a whole number.	5	5	
1.3 Understand and compute positive integer powers of nonnegative integers; compute examples as repeated multiplication.	1	1	
1.4* Determine the prime factors of all numbers through 50 and write the numbers as the product of their prime factors by using exponents to show multiples of a factor (e.g., $24 = 2 \times 2 \times 2 \times 3 = 2^3 \times 3$ ).	3	3	
1.5* Identify and represent on a number line decimals, fractions, mixed numbers, and positive and negative integers.	2	2	
<b>Standard Set 2.0 Students perform calculations and solve problems involving addition, subtraction, and simple multiplication and division of fractions and decimals:</b>			
2.1* Add, subtract, multiply, and divide with decimals; add with negative integers; subtract positive integers from negative integers; and verify the reasonableness of the results.	7	7	
2.2* Demonstrate proficiency with division, including division with positive decimals and long division with multi-digit divisors.	3	3	
2.3* Solve simple problems, including ones arising in concrete situations, involving the addition and subtraction of fractions and mixed numbers (like and unlike denominators of 20 or less), and express answers in the simplest form.	5	5	
2.4 Understand the concept of multiplication and division of fractions.	1	1	
2.5 Compute and perform simple multiplication and division of fractions and apply these procedures to solving problems.	1	1	
<b>Algebra and Functions</b>	<b>17</b>	<b>17</b>	<b>26%</b>
<b>Standard Set 1.0 Students use variables in simple expressions, compute the value of the expression for specific values of the variable, and plot and interpret the results:</b>			
1.1 Use information taken from a graph or equation to answer questions about a problem situation.	1	1	

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  - \*\*\* Not assessable in a multiple-choice format.
  - + STS: Items for these standards are randomly rotated and will not appear on the test every year.
- Embedded: Content of standard is embedded within items in other strands.

**STANDARDS-BASED TESTS IN SPANISH (STS)  
GRADE 5 MATHEMATICS**

<b>CALIFORNIA CONTENT STANDARDS: GRADE 5</b>	<b>Current CST Blueprint</b>	<b>Recommended STS Blueprint</b>	<b>%</b>
1.2* Use a letter to represent an unknown number; write and evaluate simple algebraic expressions in one variable by substitution.	6	6	
1.3 Know and use the distributive property in equations and expressions with variables.	1	1	
1.4* Identify and graph ordered pairs in the four quadrants of the coordinate plane.	4	4	
1.5* Solve problems involving linear functions with integer values; write the equation; and graph the resulting ordered pairs of integers on a grid.	5	5	
<b>Measurement and Geometry</b>	<b>15</b>	<b>15</b>	<b>23%</b>
<b>Standard Set 1.0 Students understand and compute the volumes and areas of simple objects:</b>			
1.1* Derive and use the formula for the area of a triangle and of a parallelogram by comparing it with the formula for the area of a rectangle (i.e., two of the same triangles make a parallelogram with twice the area; a parallelogram is compared with a rectangle of the same area by cutting and pasting a right triangle on the parallelogram).	2 1/2**	2 1+	
1.2* Construct a cube and rectangular box from two-dimensional patterns and use these patterns to compute the surface area for these objects.	1/2**	1+	
1.3* Understand the concept of volume and use the appropriate units in common measuring systems (i.e., cubic centimeter[cm <sup>3</sup> ], cubic meter[m <sup>3</sup> ], cubic inch[in <sup>3</sup> ], cubic yard[yd <sup>3</sup> ]) to compute the volume of rectangular solids.	3	3	
1.4 Differentiate between and use appropriate units of measures for, two- and three-dimensional objects (i.e., find perimeter, area, volume).	1	1	
<b>Standard Set 2.0 Students identify, describe, and classify the properties of, and the relationships between, plane and solid geometric figures:</b>			
2.1* Measure, identify, and draw angles, perpendicular and parallel lines, rectangles, and triangles by using appropriate tools (e.g., straightedge, ruler, compass, protractor, drawing software).	3	3	
2.2* Know that the sum of the angles of any triangle is 180° and the sum of the angles of any quadrilateral is 360° and use this information to solve problems.	4	4	
2.3 Visualize and draw two-dimensional views of three-dimensional objects made from rectangular solids.	1	1	
<b>Statistics, Data Analysis, and Probability</b>	<b>4</b>	<b>4</b>	<b>6%</b>
<b>Standard Set 1.0 Students display, analyze, compare, and interpret different data sets, including data sets of different sizes:</b>			
1.1 Know the concepts of mean, median, and mode; compute and compare simple examples to show that they may differ.	1/3**	1+	
1.2 Organize and display single-variable data in appropriate graphs and representations (e.g., histogram, circle graphs) and explain which types of graphs are appropriate for various data sets.	1/3**	1+	
1.3 Use fractions and percentages to compare data sets of different sizes.	1/3**	1+	
1.4* Identify ordered pairs of data from a graph and interpret the meaning of the data in terms of the situation depicted by the graph.	2 1/2**	2 1+	
1.5* Know how to write ordered pairs correctly; for example, (x, y).	1/2**	1+	
<b>Mathematical Reasoning</b>	<b>Embedded</b>	<b>Embedded</b>	
<b>Standard Set 1.0 Students make decisions about how to approach problems:</b>			

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Embedded: Content of standard is embedded within items in other strands.

**STANDARDS-BASED TESTS IN SPANISH (STS)  
GRADE 5 MATHEMATICS**

<b>CALIFORNIA CONTENT STANDARDS: GRADE 5</b>	<b>Current CST Blueprint</b>	<b>Recommended STS Blueprint</b>	<b>%</b>
1.1 Analyze problems by identifying relationships, distinguishing relevant from irrelevant information, sequencing and prioritizing information, and observing patterns.	Embedded	Embedded	
1.2 Determine when and how to break a problem into simpler parts.	Embedded	Embedded	
<b>Standard Set 2.0 Students use strategies, skills, and concepts in finding solutions:</b>			
2.1 Use estimation to verify the reasonableness of calculated results.	Embedded	Embedded	
2.2 Apply strategies and results from simpler problems to more complex problems.	Embedded	Embedded	
2.3 Use a variety of methods, such as words, numbers, symbols, charts, graphs, tables, diagrams, and models, to explain mathematical reasoning.	Embedded	Embedded	
2.4 Express the solution clearly and logically by using the appropriate mathematical notation and terms and clear language; support solutions with evidence in both verbal and symbolic work.	Embedded	Embedded	
2.5 Indicate the relative advantages of exact and approximate solutions to problems and give answers to a specified degree of accuracy.	Embedded	Embedded	
2.6 Make precise calculations and check the validity of the results from the context of the problem.	Embedded	Embedded	
<b>Standard Set 3.0 Students move beyond a particular problem by generalizing to other situations:</b>			
3.1 Evaluate the reasonableness of the solution in the context of the original situation.	Embedded	Embedded	
3.2 Note the method of deriving the solution and demonstrate a conceptual understanding of the derivation by solving similar problems.	Embedded	Embedded	
3.3 Develop generalizations of the results obtained and apply them in other circumstances.	Embedded	Embedded	
<b>GRADE 5 TOTAL</b>	<b>65</b>	<b>65</b>	<b>100%</b>

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**STANDARDS-BASED TESTS IN SPANISH (STS)  
GRADE 6 MATHEMATICS**

<b>CALIFORNIA CONTENT STANDARDS: GRADE 6</b>	<b>Current CST Blueprint</b>	<b>Recommended STS Blueprint</b>	<b>%</b>
<b>By the end of grade six, students have mastered the four arithmetic operations with whole numbers, positive fractions, positive decimals, and positive and negative integers; they accurately compute and solve problems. They apply their knowledge to statistics and probability. Students understand the concepts of mean, median, and mode of data sets and how to calculate the range. They analyze data and sampling processes for possible bias and misleading conclusions; they use addition and multiplication of fractions routinely to calculate the probabilities for compound events. Students conceptually understand and work with ratios and proportions; they compute percentages (e.g., tax, tips, interest). Students know about <math>\pi</math> and the formulas for the circumference and area of a circle. They use letters for numbers in formulas involving geometric shapes and in ratios to represent an unknown part of an expression. They solve one-step linear equations.</b>			
<b>Number Sense</b>	<b>25</b>	<b>25</b>	<b>39%</b>
<b>Standard Set 1.0* Students compare and order positive and negative fractions, decimals, and mixed numbers. Students solve problems involving fractions, ratios, proportions, and percentages:</b>			
1.1* Compare and order positive and negative fractions, decimals, and mixed numbers and place them on a number line.	3	3	
1.2* Interpret and use ratios in different contexts (e.g., batting averages, miles per hour) to show the relative sizes of two quantities, using appropriate notations ( $a/b$ , $a$ to $b$ , $a:b$ ).	1	1	
1.3* Use proportions to solve problems (e.g., determine the value of $N$ if $4/7 = N/21$ , find the length of a side of a polygon similar to a known polygon). Use cross-multiplication as a method for solving such problems, understanding it as the multiplication of both sides of an equation by a multiplicative inverse.	6	6	
1.4* Calculate given percentages of quantities and solve problems involving discounts at sales, interest earned, and tips.	5	5	
<b>Standard Set 2.0* Students calculate and solve problems involving addition, subtraction, multiplication, and division:</b>			
2.1 Solve problems involving addition, subtraction, multiplication, and division of positive fractions and explain why a particular operation was used for a given situation.	1/2**	1+	
2.2 Explain the meaning of multiplication and division of positive fractions and perform the calculations (e.g., $5/8$ divided by $15/16 = 5/8 \times 16/15 = 2/3$ ).	1/2**	1+	
2.3* Solve addition, subtraction, multiplication, and division problems, including those arising in concrete situations, that use positive and negative integers and combinations of these operations.	6	6	
2.4* Determine the least common multiple and the greatest common divisor of whole numbers; use them to solve problems with fractions (e.g., to find a common denominator to add two fractions or to find the reduced form for a fraction).	3	3	
<b>Algebra and Functions</b>	<b>19</b>	<b>19</b>	<b>29%</b>
<b>Standard Set 1.0 Students write verbal expressions and sentences as algebraic expressions and equations; they evaluate algebraic expressions, solve simple linear equations, and graph and interpret their results:</b>			
1.1* Write and solve one-step linear equations in one variable.	6	6	
1.2 Write and evaluate an algebraic expression for a given situation, using up to three variables.	1	1	

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Embedded: Content of standard is embedded within items in other strands.

**STANDARDS-BASED TESTS IN SPANISH (STS)  
GRADE 6 MATHEMATICS**

<b>CALIFORNIA CONTENT STANDARDS: GRADE 6</b>	<b>Current CST Blueprint</b>	<b>Recommended STS Blueprint</b>	<b>%</b>
1.3 Apply algebraic order of operations and the commutative, associative, and distributive properties to evaluate expressions; and justify each step in the process.	1	1	
1.4 Solve problems manually by using the correct order of operations or by using a scientific calculator.	1	1	
<b>Standard Set 2.0 Students analyze and use tables, graphs, and rules to solve problems involving rates and proportions:</b>			
2.1 Convert one unit of measurement to another (e.g., from feet to miles, from centimeters to inches).	1	1	
2.2* Demonstrate an understanding that <i>rate</i> is a measure of one quantity per unit value of another quantity.	6	6	
2.3 Solve problems involving rates, average speed, distance, and time.	1	1	
<b>Standard Set 3.0 Students investigate geometric patterns and describe them algebraically:</b>			
3.1 Use variables in expressions describing geometric quantities (e.g., $P = 2w + 2l$ , $A = \frac{1}{2}bh$ , $C = \pi d$ – the formulas for the perimeter of a rectangle, the area of a triangle, and the circumference of a circle, respectively).	1	1	
3.2 Express in symbolic form simple relationships arising from geometry.	1	1	
<b>Measurement and Geometry</b>	<b>10</b>	<b>10</b>	<b>15%</b>
<b>Standard Set 1.0 Students deepen their understanding of the measurement of plane and solid shapes and use this understanding to solve problems:</b>			
1.1* Understand the concept of a constant such as $\pi$ ; know the formulas for the circumference and area of a circle.	3	3	
1.2 Know common estimates of $\pi$ (3.14; 22/7) and use these values to estimate and calculate the circumference and the area of circles; compare with actual measurements.	1/2**	1+	
1.3 Know and use the formulas for the volume of triangular prisms and cylinders (area of base x height; compare these formulas and explain the similarity between them and the formula for the volume of a rectangular solid).	1/2**	1+	
<b>Standard Set 2.0 Students identify and describe the properties of two-dimensional figures:</b>			
2.1 Identify angles as vertical, adjacent, complementary, or supplementary and provide descriptions of these terms.	1	1	
2.2* Use the properties of complementary and supplementary angles and the sum of the angles of a triangle to solve problems involving an unknown angle.	4	4	
2.3 Draw quadrilaterals and triangles from given information about them (e.g., a quadrilateral having equal sides but no right angles, a right isosceles triangle).	1	1	
<b>Statistics, Data Analysis, and Probability</b>	<b>11</b>	<b>11</b>	<b>17%</b>
<b>Standard Set 1.0 Students compute and analyze statistical measurements for data sets:</b>			
1.1 Compute the range, mean, median, and mode of data sets.	1/3**	1+	
1.2 Understand how additional data added to data sets may affect these computations of measures of central tendency.	1/3**	1+	
1.3 Understand how the inclusion or exclusion of outliers affect measures of central tendency.	1/3**	1+	

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**STANDARDS-BASED TESTS IN SPANISH (STS)  
GRADE 6 MATHEMATICS**

<b>CALIFORNIA CONTENT STANDARDS: GRADE 6</b>	<b>Current CST Blueprint</b>	<b>Recommended STS Blueprint</b>	<b>%</b>
1.4 Know why a specific measure of central tendency (mean, median, mode) provides the most useful information in a given context.	NA***	NA***	
<b>Standard Set 2.0 Students use data samples of a population and describe the characteristics and limitations of the samples:</b>			
2.1 Compare different samples of a population with the data from the entire population and identify a situation in which it makes sense to use a sample.	NA***	NA***	
2.2* Identify different ways of selecting a sample (e.g., convenience sampling, responses to a survey, random sampling) and which method makes a sample more representative for a population.	3	3	
2.3* Analyze data displays and explain why the way in which the question was asked might have influenced the results obtained and why the way in which the results were displayed might have influenced the conclusions reached.	NA***	NA***	
2.4* Identify data that represent sampling errors and explain why the sample (and the display) might be biased.	NA***	NA***	
2.5* Identify claims based on statistical data and, in simple cases, evaluate the validity of the claims.	1/3**	1 <sup>+</sup>	
<b>Standard Set 3.0 Students determine theoretical and experimental probabilities and use these to make predictions about events:</b>			
3.1* Represent all possible outcomes for compound events in an organized way (e.g., tables, grids, tree diagrams) and express the theoretical probability of each outcome.	3	3	
3.2 Use data to estimate the probability of future events (e.g., batting averages or number of accidents per mile driven).	NA***	NA***	
3.3* Represent probabilities as ratios, proportions, decimals between 0 and 1, and percentages between 0 and 100 and verify that the probabilities computed are reasonable; know that if $P$ is the probability of an event, $1 - P$ is the probability of an event not occurring.	3	3	
3.4 Understand that the probability of either of two disjoint events occurring is the sum of the two individual probabilities and that the probability of one event following another, in independent trials, is the product of the two probabilities.	1/3**	1 <sup>+</sup>	
3.5* Understand the difference between independent and dependent events.	1/3**	1 <sup>+</sup>	
<b>Mathematical Reasoning</b>	<b>Embedded</b>	<b>Embedded</b>	
<b>Standard Set 1.0 Students make decisions about how to approach problems.</b>			
1.1 Analyze problems by identifying relationships, distinguishing relevant from irrelevant information, identifying missing information, sequencing and prioritizing information, and observing patterns.	Embedded	Embedded	
1.2 Formulate and justify mathematical conjectures based on a general description of the mathematical question or problem posed.	Embedded	Embedded	
1.3 Determine when and how to break a problem into simpler parts.	Embedded	Embedded	
<b>Standard Set 2.0 Students use strategies, skills, and concepts in finding solutions:</b>			
2.1 Use estimation to verify the reasonableness of calculated results.	Embedded	Embedded	
2.2 Apply strategies and results from simpler problems to more complex problems.	Embedded	Embedded	
2.3 Estimate unknown quantities graphically and solve for them by using logical reasoning and arithmetic and algebraic techniques.	Embedded	Embedded	

\* Key standards (*Mathematics Framework for California Public Schools*, chapter 3) comprise a minimum of 70% of the test.

\*\* CST: Fractional values indicate rotated standards (e.g.,  $1/2$  = rotated every two years;  $1/3$  = rotated every three years).

\*\*\* Not assessable in a multiple-choice format.

+ STS: Items for these standards are randomly rotated and will not appear on the test every year.

Embedded: Content of standard is embedded within items in other strands.

**STANDARDS-BASED TESTS IN SPANISH (STS)  
GRADE 6 MATHEMATICS**

<b>CALIFORNIA CONTENT STANDARDS: GRADE 6</b>	<b>Current CST Blueprint</b>	<b>Recommended STS Blueprint</b>	<b>%</b>	
2.4 Use a variety of methods, such as words, numbers, symbols, charts, graphs, tables, diagrams, and models, to explain mathematical reasoning.	Embedded	Embedded		
2.5 Express the solution clearly and logically by using the appropriate mathematical notation and terms and clear language; support solutions with evidence in both verbal and symbolic work.	Embedded	Embedded		
2.6 Indicate the relative advantages of exact and approximate solutions to problems and give answers to a specified degree of accuracy.	Embedded	Embedded		
2.7 Make precise calculations and check the validity of the results from the context of the problem.	Embedded	Embedded		
<b>Standard Set 3.0 Students move beyond a particular problem by generalizing to other situations.</b>				
3.1 Evaluate the reasonableness of the solution in the context of the original situation.	Embedded	Embedded		
3.2 Note the method of deriving the solution and demonstrate a conceptual understanding of the derivation by solving similar problems.	Embedded	Embedded		
3.3 Develop generalizations of the results obtained and the strategies used and apply them in new problem situations.	Embedded	Embedded		
<b>GRADE 6 TOTAL</b>	<b>65</b>	<b>65</b>		<b>100%</b>

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## STANDARDS-BASED TESTS IN SPANISH (STS) GRADE 7 MATHEMATICS

CALIFORNIA CONTENT STANDARDS: GRADE 7	Current CST Blueprint	Recommended STS Blueprint	%
By the end of grade seven students are adept at manipulating numbers and equations and understand the general principles at work. Students understand and use factoring of numerators and denominators and properties of exponents. They know the Pythagorean theorem and solve problems in which they compute the length of an unknown side. Students know how to compute the surface area and volume of basic three-dimensional objects and understand how area and volume change with a change in scale. Students make conversions between different units of measurement. They know and use different representations of fractional numbers (fractions, decimals, and percents) and are proficient at changing from one to another. They increase their facility with ratio and proportion, compute percents of increase and decrease, and compute simple and compound interest. They graph linear functions and understand the idea of slope and its relation to ratio.			
<b>Number Sense</b>	<b>22</b>	<b>22</b>	<b>34%</b>
<b>Standard Set 1.0 Students know the properties of, and compute with, rational numbers expressed in a variety of forms:</b>			
1.1 Read, write, and compare rational numbers in scientific notation (positive and negative powers of 10) with approximate numbers using scientific notation.	1	1	
1.2* Add, subtract, multiply, and divide rational numbers (integers, fractions, and terminating decimals) and take positive rational numbers to whole-number powers.	4	4	
1.3 Convert fractions to decimals and percents and use these representations in estimations, computations, and applications.	1	1	
1.4* Differentiate between rational and irrational numbers.	1	1	
1.5* Know that every rational number is either a terminating or repeating decimal and be able to convert terminating decimals into reduced fractions.	1	1	
1.6 Calculate the percentage of increases and decreases of a quantity.	1	1	
1.7* Solve problems that involve discounts, markups, commissions, and profit and compute simple and compound interest.	5	5	
<b>Standard Set 2.0 Students use exponents, powers, and roots and use exponents in working with fractions:</b>			
2.1 Understand negative whole-number exponents. Multiply and divide expressions involving exponents with a common base.	1	1	
2.2* Add and subtract fractions by using factoring to find common denominators.	1	1	
2.3* Multiply, divide, and simplify rational numbers by using exponent rules.	3	3	
2.4 Use the inverse relationship between raising to a power and extracting the root of a perfect square integer; for an integer that is not square, determine without a calculator the two integers between which its square root lies and explain why.	1	1	
2.5* Understand the meaning of the absolute value of a number; interpret the absolute value as the distance of the number from zero on a number line; and determine the absolute value of real numbers.	2	2	

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## STANDARDS-BASED TEST IN SPANISH (STS) GRADE 7 MATHEMATICS

CALIFORNIA CONTENT STANDARDS: GRADE 7	Current CST Blueprint	Recommended STS Blueprint	%
<b>Algebra and Functions</b>	<b>25</b>	<b>25</b>	<b>38%</b>
<b>Standard Set 1.0 Students express quantitative relationships by using algebraic terminology, expressions, equations, inequalities, and graphs:</b>			
1.1 Use variables and appropriate operations to write an expression, an equation, an inequality, or a system of equations or inequalities that represents a verbal description (e.g., three less than a number, half as large as area A).	1	1	
1.2 Use the correct order of operations to evaluate algebraic expressions such as $3(2x + 5)^2$ .	1	1	
1.3* Simplify numerical expressions by applying properties of rational numbers (e.g., identity, inverse, distributive, associative, commutative) and justify the process used.	5	5	
1.4 Use algebraic terminology (e.g., variable, equation, term, coefficient, inequality, expression, constant) correctly.	1/3**	1+	
1.5 Represent quantitative relationships graphically and interpret the meaning of a specific part of a graph in the situation represented by the graph.	2/3**	2+	
<b>Standard Set 2.0 Students interpret and evaluate expressions involving integer powers and simple roots:</b>			
2.1 Interpret positive whole-number powers as repeated multiplication and negative whole-number powers as repeated division or multiplication by the multiplicative inverse. Simplify and evaluate expressions that include exponents.	1	1	
2.2 Multiply and divide monomials; extend the process of taking powers and extracting roots to monomials when the latter results in a monomial with an integer exponent.	1	1	
<b>Standard Set 3.0 Students graph and interpret linear and some nonlinear functions:</b>			
3.1 Graph functions of the form $y = nx^2$ and $y = nx^3$ and use in solving problems.	2/3**	2+	
3.2 Plot the values from the volumes of three-dimensional shapes for various values of the edge lengths (e.g., cubes with varying edge lengths or a triangle prism with a fixed height and an equilateral triangle base of varying lengths).	1/3**	1+	
3.3* Graph linear functions, noting that the vertical change (change in y-value) per unit of horizontal change (change in x-value) is always the same and know that the ratio ("rise over run") is called the slope of a graph.	2	2	
3.4* Plot the values of quantities whose ratios are always the same (e.g., cost to the number of an item, feet to inches, circumference to diameter of a circle). Fit a line to the plot and understand that the slope of the line equals the quantities.	2	2	
<b>Standard Set 4.0* Students solve simple linear equations and inequalities over the rational numbers:</b>			
4.1* Solve two-step linear equations and inequalities in one variable over the rational numbers, interpret the solution or solutions in the context from which they arose, and verify the reasonableness of the results.	5	5	
4.2* Solve multistep problems involving rate, average speed, distance, and time or a direct variation.	5	5	

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**STANDARDS-BASED TESTS IN SPANISH (STS)  
GRADE 7 MATHEMATICS**

<b>CALIFORNIA CONTENT STANDARDS: GRADE 7</b>	<b>Current CST Blueprint</b>	<b>Recommended STS Blueprint</b>	<b>%</b>
<b>Measurement and Geometry</b>	<b>13</b>	<b>13</b>	<b>20%</b>
<b>Standard Set 1.0 Students choose appropriate units of measure and use ratios to convert within and between measurement systems to solve problems:</b>			
1.1 Compare weights, capacities, geometric measures, times, and temperatures within and between measurement systems (e.g., miles per hour and feet per second, cubic inches to cubic centimeters).	2/3**	2 <sup>+</sup>	
1.2 Construct and read drawings and models made to scale.	1/3**	1 <sup>+</sup>	
1.3* Use measures expressed as rates (e.g., speed, density) and measures expressed as products (e.g., person-days) to solve problems; check the units of the solutions; and use dimensional analysis to check the reasonableness of the answer.	3	3	
<b>Standard Set 2.0 Students compute the perimeter, area, and volume of common geometric objects and use the results to find measures of less common objects. They know how perimeter, area, and volume are affected by changes of scale:</b>			
2.1 Use formulas routinely for finding the perimeter and area of basic two-dimensional figures and the surface area and volume of basic three-dimensional figures, including rectangles, parallelograms, trapezoids, squares, triangles, circles, prisms, and cylinders.	1/3**	1 <sup>+</sup>	
2.2 Estimate and compute the area of more complex or irregular two- and three-dimensional figures by breaking the figures down into more basic geometric objects.	1/3**	1 <sup>+</sup>	
2.3 Compute the length of the perimeter, the surface area of the faces, and the volume of a three-dimensional object built from rectangular solids. Understand that when the lengths of all dimensions are multiplied by a scale factor, the surface area is multiplied by the square of the scale factor and the volume is multiplied by the cube of the scale factor.	1/3**	1 <sup>+</sup>	
2.4 Relate the changes in measurement with a change of scale to the units used (e.g., square inches, cubic feet) and to conversions between units (1 square foot = 144 square inches or $[1 \text{ ft}^2] = [144 \text{ in}^2]$ , 1 cubic inch is approximately 16.38 cubic centimeters or $[1 \text{ in.}^3] = [16.38 \text{ cm}^3]$ ).	1/3**	1 <sup>+</sup>	
<b>Standard Set 3.0 Students know the Pythagorean theorem and deepen their understanding of plane and solid geometric shapes by constructing figures that meet given conditions and by identifying attributes of figures:</b>			
3.1 Identify and construct basic elements of geometric figures (e.g., altitudes, midpoints, diagonals, angle bisectors, and perpendicular bisectors; central angles, radii, diameters, and chords of circles) by using a compass and straightedge.	1/3**	1 <sup>+</sup>	
3.2 Understand and use coordinate graphs to plot simple figures, determine lengths and areas related to them, and determine their image under translations and reflections.	1/3**	1 <sup>+</sup>	
3.3* Know and understand the Pythagorean theorem and its converse and use it to find the length of the missing side of a right triangle and the lengths of other line segments and, in some situations, empirically verify the Pythagorean theorem by direct measurement.	4	4	
3.4* Demonstrate an understanding of conditions that indicate two geometrical figures are congruent and what congruence means about the relationships between the sides and angles of the two figures.	2	2	

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**STANDARDS-BASED TESTS IN SPANISH (STS)  
GRADE 7 MATHEMATICS**

<b>CALIFORNIA CONTENT STANDARDS: GRADE 7</b>	<b>Current CST Blueprint</b>	<b>Recommended STS Blueprint</b>	<b>%</b>
3.5 Construct two-dimensional patterns for three-dimensional models, such as cylinders, prisms, and cones.	NA <sup>***</sup>	NA <sup>***</sup>	
3.6* Identify elements of three-dimensional geometric objects (e.g., diagonals of rectangular solids) and describe how two or more objects are related in space (e.g., skew lines, the possible ways three planes might intersect).	1	1	

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## STANDARDS-BASED TESTS IN SPANISH (STS) GRADE 7 MATHEMATICS

CALIFORNIA CONTENT STANDARDS: GRADE 7	Current CST Blueprint	Recommended STS Blueprint	%
<b>Statistics, Data Analysis, and Probability</b>	<b>5</b>	<b>5</b>	<b>8%</b>
<b>Standard Set 1.0 Students collect, organize, and represent data sets that have one or more variables and identify relationships among variables within a data set by hand and through the use of an electronic spreadsheet software program:</b>			
1.1 Know various forms of display for data sets, including a stem-and-leaf plot or box-and-whisker plot; use the forms to display a single set of data or to compare two sets of data.	1	1	
1.2 Represent two numerical variables on a scatter plot and informally describe how the data points are distributed and any apparent relationship that exists between the two variables (e.g., between time spent on homework and grade level).	1	1	
1.3* Understand the meaning of, and be able to compute, the minimum, the lower quartile, the median, the upper quartile, and the maximum of a data set.	3	3	
<b>Mathematical Reasoning</b>	<b>Embedded</b>	<b>Embedded</b>	
<b>Standard Set 1.0 Students make decisions about how to approach problems:</b>			
1.1 Analyze problems by identifying relationships, distinguishing relevant from irrelevant information, identifying missing information, sequencing and prioritizing information, and observing patterns.	Embedded	Embedded	
1.2 Formulate and justify mathematical conjectures based on a general description of the mathematical question or problem posed.	Embedded	Embedded	
1.3 Determine when and how to break a problem into simpler parts.	Embedded	Embedded	
<b>Standard Set 2.0 Students use strategies, skills, and concepts in finding solutions:</b>			
2.1 Use estimation to verify the reasonableness of calculated results.	Embedded	Embedded	
2.2 Apply strategies and results from simpler problems to more complex problems.	Embedded	Embedded	
2.3 Estimate unknown quantities graphically and solve for them by using logical reasoning and arithmetic and algebraic techniques.	Embedded	Embedded	
2.4 Make and test conjectures by using both inductive and deductive reasoning.	Embedded	Embedded	
2.5 Use a variety of methods, such as words, numbers, symbols, charts, graphs, tables, diagrams, and models, to explain mathematical reasoning.	Embedded	Embedded	
2.6 Express the solution clearly and logically by using the appropriate mathematical notation and terms and clear language; support solutions with evidence in both verbal and symbolic work.	Embedded	Embedded	
2.7 Indicate the relative advantages of exact and approximate solutions to problems and give answers to a specified degree of accuracy.	Embedded	Embedded	
2.8 Make precise calculations and check the validity of the results from the context of the problem.	Embedded	Embedded	
<b>Standard Set 3.0 Students determine a solution is complete and move beyond a particular problem by generalizing to other situations:</b>			
3.1 Evaluate the reasonableness of the solution in the context of the original situation.	Embedded	Embedded	
3.2 Note the method of deriving the solution and demonstrate a conceptual understanding of the derivation by solving similar problems.	Embedded	Embedded	

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**STANDARDS-BASED TESTS IN SPANISH (STS)  
GRADE 7 MATHEMATICS**

<b>CALIFORNIA CONTENT STANDARDS: GRADE 7</b>	<b>Current CST Blueprint</b>	<b>Recommended STS Blueprint</b>	<b>%</b>
3.3 Develop generalizations of the results obtained and the strategies used and apply them to new problem situations.	Embedded	Embedded	
<b>GRADE 7 TOTAL</b>	<b>65</b>	<b>65</b>	<b>100%</b>

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# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

SUBJECT	
California English Language Development Test: Including, but not Limited to, Update on California English Language Development Test and Review of Possible Modifications to Guidelines for Reclassification of English Learners	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

### RECOMMENDATION

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The California Department of Education (CDE) recommends that the State Board of Education (SBE) take action as deemed necessary and appropriate. The proposed modifications to Guidelines for Reclassification of English Learners are provided as information only at this time.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

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California *Education Code* Section 313(b) provides that "The State Department of Education, with the approval of the State Board of Education, shall establish procedures for conducting the assessment required pursuant to subdivision (a) and for the reclassification of a pupil from English learner to proficient in English."

In March 2006, the SBE received a report on a new standard setting for the California English Language Development Test (CELDT) and approved new performance level cut-scores. In September 2002, the SBE reviewed and adopted modified guidelines for reclassification of English learners. The original guidelines were approved by SBE in October 2001.

### SUMMARY OF KEY ISSUES

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The performance level standard cut-points for the CELDT that were originally set in 2001, were applied to scores for Listening/Speaking (combined), Reading, and Writing. The 2006 standard setting and updated performance level cut-points for the CELDT were needed to respond to the NCLB requirement to report separate scores for Listening, Speaking, Reading and Writing. Because the new performance level standards were set for the separate Listening and Speaking scores (and not for the combined Listening/Speaking score), it may be desirable to modify the reclassification guidelines to reflect this change. A possible modification is underlined in the attached document.

The new performance level cut-points for the CELDT take effect July 1, 2006. School districts will receive student reports based on the new cut-points six to eight weeks after

they are delivered to the contractor for scoring, with the bulk of the reports arriving in December 2006 or January 2007. Many school districts will review the criteria for reclassification of English learners prior to data collection for the annual language census that will occur in March 2007.

**FISCAL ANALYSIS (AS APPROPRIATE)**

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All costs for the current CELDT administration are included in the current CELDT contract (\$12 million in 2005-06).

**ATTACHMENT(S)**

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Attachment 1: Guidelines for Reclassification of English Learners

## **Guidelines for Reclassification of English Learners**

**A Report to the  
State Board of Education  
July 2006**

## Guidelines for Reclassification of English Learners

(Changes are underlined)

### Assessment of English Language Proficiency

Utilize California English Language Development Test (CELDT) as the primary criterion. Consider for reclassification those students whose overall proficiency level is *Early Advanced or higher* and;

- Listening is Intermediate or higher, and
- Speaking, is Intermediate or higher, and
- Reading is *Intermediate or higher*, and
- Writing is *Intermediate or higher*.

Those students whose overall proficiency level is in the upper end of Intermediate may also be considered for reclassification if additional measures determine the likelihood that a student is proficient in English.

- Use most recent available test data.

The above reclassification levels are the same as the initial identification levels specified by the California Department of Education (CDE).

### Comparison of Performance in Basic Skills

- Definitions
  1. **“performance in basic skills”** means the score and/or performance level resulting from a recent administration of the English-Language Arts (ELA) section of the California Standards Test (CST).
  2. **“range of performance in basic skills”** means a range of scores on the ELA CST corresponding to a performance level or a range within a performance level.
  3. **“pupils of the same age”** refers to pupils who are enrolled in the same grade as the student who is being considered for reclassification.
- Basic skills criteria:
  1. A pupil’s score on the ELA CST in the range from the beginning of Basic level up to the midpoint of the Basic level suggests that the pupil may be sufficiently prepared to participate effectively in the curriculum and should be considered for reclassification. Districts may select a cut-score in this range.

2. Pupils with scores above the cut-point selected by the district should be considered for reclassification.
3. For pupils scoring below the cut-point districts should attempt to determine whether factors other than English language proficiency are responsible for low performance on the ELA CST, and whether it is reasonable to reclassify the student.
4. For pupils in grade 12, the eleventh grade ELA CST results should be used, if available.
5. For pupils in grade 1, districts should base a decision to reclassify on CELDT results, teacher evaluation, parent consultation, and other locally available assessment results. Kindergarten students who have been identified as English learners probably should not be reclassified.
6. Districts must monitor pupil performance for two years after reclassification in accordance with existing California regulations and the federal No Child Left Behind legislation.

#### Teacher Evaluation

- Use student academic performance; and
- Note that incurred deficits in motivation and academic success unrelated to English language proficiency do not preclude a student from reclassification.

#### Parent Opinion and Consultation

- Provide notice to parents and guardians of their right and encourage them to participate in the reclassification process; and
- Provide an opportunity for a face-to-face meeting with parent or guardian.



# California State Board of Education

## Policy No. 5

**SUBJECT:**

Program Planning, Staffing, and Budgeting Policy

**REFERENCES:**

*Education Code* section 33111. The Superintendent of Public Instruction shall execute, under direction of the State Board of Education, the policies which have been decided upon by the board and shall direct, under general rules and regulations adopted by the State Board of Education, the work of all appointees and employees of the board.

*Education Code* section 33330. The department may expend the money in any appropriation, or in any special fund in the State Treasury now remaining or made available by law for the administration of the provisions of any of the statutes enumerated in this article or for the use, support, or maintenance of any board, commission, office, or officer that is abolished by the provisions of former Section 361, and whose duties, powers, and functions are, by the provisions of Section 33306, transferred to and conferred upon the Department of Education, excepting that the funds of the State Board of Education in respect to functions retained by it, including such funds as are now or may hereafter be entrusted to the State Board of Education for administration, and the funds of the Superintendent of Public Instruction shall be administered as heretofore.

**ADOPTED:** September, 1990

**REVISED:** May, 1995  
April, 1996  
June, 1997

**Budget and Expenditure Priority.** It is the policy of the State Board of Education that the State Superintendent of Public Instruction allocate to the State Board the staffing and resources determined by the State Board to be necessary for its efficient and appropriate operation in light of its responsibilities for statewide educational leadership from any items of appropriation that may be included in the state Budget Act for the direct support of the State Board and/or from any other items of appropriation from the state General Fund for the support of the California Department of Education, unless otherwise precluded by statute.

**State Board of Education Staffing.** It is the policy of the State Board of Education that the staff of the State Board of Education shall, at a minimum, consist of five full-time professional positions and three full-time clerical positions. To carry out this policy, the State Superintendent and the staff of the California Department of Education (CDE) shall submit all necessary documents to the Department of Personnel Administration, Department of Finance, State Controller's Office, and the Governor's Office to establish an/or maintain these positions. The positions should be approximately equal for salary purposes with the classifications of Deputy Superintendent of Public Instruction, Career Executive Assignment I, Staff Counsel III, Education Programs Consultant, Associate Government Program Analyst, Executive Secretary I, Secretary, and Office Technician. It is also the State Board's intent that as many of the professional positions as possible be exempt from civil service.

Any requests for work from individual State Board members (beyond routine requests for background on agenda items and clarifying questions) shall be approved by the Board President and forwarded to the Board's Executive Director.

It is the policy of the State Board of Education annually to work collaboratively with the State Superintendent to secure ongoing funding for the minimum level of State Board staffing set forth in this policy. If this level of funding is not appropriated by the Legislature in a given fiscal year, it is the policy of the State Board of Education that sufficient funding for the minimum level of staffing set forth in this policy be redirected from state General Fund resources allocated to the CDE, the expenditure of which is not otherwise prescribed by statute.

**Duty of Staff.** The State Board of Education recognized that CDE staff serve both the State Superintendent of Public Instruction and the State Board, assisting each in carrying out responsibilities set forth in federal and state law. It is the policy of the State Board that its members and staff work cooperatively with the State Superintendent and the CDE staff in addressing the various issues that come before it.

**Staff Performance Review.** It is the policy of the State Board of Education that it shall annually, beginning in July 1997, review the personnel evaluations of each Chief Deputy, the Chief Advisor, each Deputy Superintendent, and the General Counsel with the State Superintendent of Public Instruction in executive session as appropriate. Review of senior personnel will include his or her implementation of State Board policies and goals in his or her area of administrative responsibility.

**Legal Affairs Staffing.** In recognition of the fact that the State Board of Education and the State Superintendent of Public Instruction are separate entities that have a relationship to each other as part to the CDE, and that CDE, like a corporation, has a General Counsel who is the attorney for the entire organization, it is the policy of the State Board of Education that it shall be advised primarily by the counsel it appoints in keeping with this policy, but that the State Board's counsel shall work cooperatively with, assisting and being assisted by, the General Counsel's Office of the CDE.

It is the policy of the State Board of Education that, when a vacancy exists in the counsel position it appoints, provisions are to be made immediately for routine consultation and advice.

If there is a difference of legal position or the potential for such between the State Board and any other component part of the Department of Education, the State Board and the State Superintendent, in consultation with the General Counsel and the Board's staff counsel, will decide who will seek outside legal advice.



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

### General Waiver

<p><b>SUBJECT</b></p> <p>Request by <b>Stanislaus County Office of Education</b> for a renewal waiver of <i>Education Code (EC)</i> Section 52314.6(a) regarding the 3 percent limit on enrollment of students under the age of 16 in the Regional Occupational Program (ROP).</p> <p>Waiver Number: 15-5-2006</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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### **RECOMMENDATION**

Approval  Approval with conditions  Denial

That (1) All State Board of Education (SBE) waiver guidelines must be adhered to, (2) age 16 enrollment be limited to 10 percent of average daily attendance (a.d.a.) funding in the prior year Annual Apportionment, and (3) *EC* 33051(c) will apply, and the district will not be required to reapply annually if the information contained on the request remains the same.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

Waiver requests of this type have been approved by the SBE under the SBE Waiver Policy Number 00-06, Regional Occupational Centers and Programs: Percentage of Students Under the Age of 16, approved in June 2000.

### **SUMMARY OF KEY ISSUES**

Stanislaus County Office of Education (Yosemite Regional Occupational Program) is requesting this waiver. The waiver is requested to allow students recommended by their counselors/administrators to have access to, and benefit from, Regional Occupational Program (ROP) instruction in all of their participating districts.

In many cases, students are enrolled in career pathways and academy programs that begin in the ninth or tenth grade, but because of the under age 16 limitation of 3 percent, cannot participate in the learning opportunities ROPs provide. Yosemite ROP also serves students in county alternative programs, juvenile hall, charter schools, as well as comprehensive high schools. This waiver ensures the availability of ROP training and services necessary to meet the greatest needs of individual students and schools by allowing the percentage under 16 to go up to 10 percent.

Stanislaus County Office of Education (Yosemite ROP) has also provided assurances that they agree to all of the conditions specified by the SBE Policy 00-06 dated June 2000. These assurances meet all the requirements of the State Board of Education's waiver policy for a waiver of *EC* Section 52315.6.

This waiver is recommended for approval and *EC* Section 52315.6 (c) will apply, and the district will not be required to reapply annually if the information contained on the request remains the same.

**Authority for Waiver:** *EC* Section 33050

**Period of request:** July 1, 2006 to June 30, 2007

**Local board approval date(s):** May 9, 2006

**Public hearing held on date(s):** May 9, 2006

**Bargaining unit(s) consulted on date(s):** April 26, 2006

**Name of bargaining unit/representative(s) consulted:** SACP President, Rowland Shores

**Position of bargaining unit(s) (choose only one):**

Neutral                       Support                       Oppose

Comments (if appropriate):

**Public hearing advertised by (choose one or more):**

posting in a newspaper       posting at each school       other (specify) Three public notifications within the community

**Advisory committee(s) consulted:** ROP Board of Management

**Objections raised (choose one):**  None       Objections are as follows:

**Date(s) consulted:** April 11, 2006

**FISCAL ANALYSIS (AS APPROPRIATE)**

There is no fiscal impact to the Department or the ROP.

**BACKGROUND INFORMATION**

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

### Specific Waiver

<p><b>SUBJECT</b></p> <p>Request by <b>North Monterey County Unified School District</b> to waive <i>Education Code (EC) Section 56362(c)</i>, allowing the caseload of the resource specialist to exceed the maximum caseload of 28 students by no more than 4 students (32 maximum). <b>Justin Matlow</b> assigned at the <b>Prunedale Elementary School</b>.</p> <p>Waiver Number: 6-5-2006</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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### **RECOMMENDATION**

Approval  Approval with conditions  Denial

That the District will provide the resource specialist with an additional aide for six hours per day.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

Both *EC 56101* and *California Code of Regulation (CCR)*, Title 5, Section 3100, allow the State Board of Education (SBE) to approve waivers of resource specialists to exceed the maximum caseload of 28 students by no more than 4 students. However, there are specific requirements in these regulations, which must be met for approval, and if these requirements are not met, the waiver must be denied.

A resource specialist is a credentialed teacher who provides instruction and services to children with individualized education programs that are with regular education teachers for the majority of the school day. The resource specialist coordinates special education services with the regular school programs for their students. Statute limits caseload for resource specialists to no more than 28 pupils unless the SBE grants a waiver.

### **SUMMARY OF KEY ISSUES**

*EC 56362 (c)* states, "No resource specialist shall have a caseload which exceeds 28 pupils." This waiver requests that resource specialist Justin Matlow have a caseload of 32 students for school year 2005-06. Justin Matlow is assigned to North County Unified School District at Prunedale Elementary School and confirmed per telephone conversation on May 17, 2006, that he has agreed to the increase in his caseload of 28 students by no more than 4 students to 32 students. This is the first year this resource specialist has had a waiver to be worked over the legal caseload.

The collective bargaining representative also participated in this waiver request and has indicated support and the district agrees to give six hours of aide support per day.

Prunedale Elementary School does not expect this issue to repeat itself, but if this caseload is above 28 in September 2006 the district is prepared to hire another resource specialist for the 2006-07 school year to provide special education services to students. This waiver will provide a grace period to ensure special education services are not interrupted, and the department recommends approval.

**Authority for the Waiver:** EC Section 56101, and CCR, Title 5, Section 3100

**Period of request:** 4/18/06-06/09/06

**Local board approval date(s):** 05/11/06

**Bargaining unit(s) consulted on date(s):** 04/26/06

**Name of bargaining unit(s)/representative(s):** Linda Lines, SFTA/ AFT #4008

**Position of bargaining unit(s) (choose only one):**

Neutral                       Support                       Oppose

Comments (if appropriate):

**FISCAL ANALYSIS (AS APPROPRIATE)**

Should this waiver be denied the district will need to employ additional qualified staff or persons with emergency qualifications to provide services to the special education students.

**BACKGROUND INFORMATION**

Consent Item: Background materials, waiver request forms and supporting documents are available for web viewing and are available for inspection in the Waiver office



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

### Specific Waiver

<b>SUBJECT</b> Request by <b>Cucamonga School District</b> to waive <i>Education Code (EC)</i> Section 56362 (c), allowing the caseload of the resource specialist to exceed the maximum caseload of 28 students by no more than 4 students (32 maximum). <b>Donna Brazill</b> assigned at <b>Los Amigos Elementary School</b> .  Waiver Number: 19-5-2006	<input checked="" type="checkbox"/> <b>Action</b>  <input checked="" type="checkbox"/> <b>Consent</b>
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### **RECOMMENDATION**

Approval  Approval with conditions  Denial

That the District will provide the resource specialist with an additional aide for six hours per day. This waiver does not result in the resource specialist teacher having a caseload in excess of the statutory maximum for more than two school years.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

Both *EC* 56101 and, *CCR*, Title 5, Section 3100, allow the State Board of Education (SBE) to approve waivers of resource specialists to exceed the maximum caseload of 28 students by no more than 4 students. However, there are specific requirements in these regulations, which must be met for approval, and if these requirements are not met, the waiver must be denied.

A resource specialist is a credentialed teacher who provides instruction and services to children with Individualized Education Programs that are with regular education teachers for the majority of the school day. The resource specialist coordinates special education services with the regular school programs for their students. Statute limits caseload for resource specialists to no more than 28 pupils unless the SBE grants a waiver.

### **SUMMARY OF KEY ISSUES**

*EC* 56362 (c) states, "No resource specialist shall have a caseload which exceeds 28 pupils." This waiver requests under *CCR*, Title 5 is that resource specialist Donna Brazill will have a caseload of 31 (32 maximum) students for school year 2005-06 (beginning March 26, 2006). Donna Brazill is assigned at Los Amigos Elementary School and confirmed per telephone conversation on March 23, 2006, that she has agreed to the increase in her caseload of 28 students by no more than 4 students to 32 students.

*CCR*, Title 5, Section 3100 states: "The waiver stipulates that an affected resource specialist will have the assistance of an instructional aide at least five hours daily whenever that resource specialists' caseload exceeds the statutory maximum during the waiver's effective period." The district has agreed that Ms. Brazill will have an

instructional aide for at least 6 hours per day. On March 21, 2006, the collective bargaining unit supported the increase in caseload and participated in development of the waiver.

This is the first year Donna Brazill will be assigned a caseload of over 28 students at Los Amigos Elementary School, and the department recommends approval of the waiver.

**Authority for the Waiver:** *EC* Section 56101, and *CCR*, Title 5, Section 3100

**Period of request:** March 23, 2006, to June 20, 2006

**Local board approval date(s):** May 22, 2006 (Approved by West End SELPA)

**Bargaining unit(s) consulted on date(s):** March 21, 2006

**Name of bargaining unit(s)/representative(s):** Lisa Baltierra and William Lassiter

**Position of bargaining unit(s) (choose only one):**

Neutral                       Support                       Oppose

Comments: The collective bargaining unit supported the increase in caseload and participated in development of the waiver.

**FISCAL ANALYSIS (AS APPROPRIATE)**

If the waiver is denied, the Cucamonga School District will be required to hire additional qualified resource specialists or persons with emergency qualifications to provide services to the special education students. This will place a financial burden on the district.

**BACKGROUND INFORMATION**

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

### Federal Waiver

<p><b>SUBJECT</b></p> <p>Request by <b>Redding Elementary School District</b> to waive No Child Left Behind Act (NCLB); Title IV, Part A, Section 4115(a)(1)(c), to use Safe and Drug Free Schools and Communities funds to support the cost of Building Effective Schools Together (BEST) - a positive behavior support program for students in kindergarten through eighth grade.</p> <p>Waiver Number: 8-4-2006</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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### **RECOMMENDATION**

Approval  Approval with conditions  Denial

The Redding Elementary School District must submit a report to the Safe and Healthy Kids Program Office (SHKPO) no later than September 30, 2007, that describes its progress in evaluating the use of the Building Effective Schools Together (BEST) program within the District. In addition, the District must submit a report to the SHKPO, no later than September 30, 2008, that describes the progress made by the Institute on Violence and Destructive Behavior at the University of Oregon in submitting the results of their evaluation of the BEST program to (1) the National Registry of Effective Programs; (2) the University of Colorado's Center for the Study and Prevention of Violence; or (3) the California Healthy Kids Resource Center, for possible designation as a model, blueprint, or validated program. The District must be willing to take part in a formal evaluation, if requested. The District must also implement and evaluate its own comprehensive prevention program in accordance with the District's approved Local Educational Agency (LEA) Plan.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

State Board of Education (SBE) Policy 03-01 contains guidelines for approval of applications for waiver of the NCLB requirements that Title IV funds be used for "science-based" prevention programs. The SBE has not previously approved a waiver of the BEST program.

### **SUMMARY OF KEY ISSUES**

This application requests a waiver so the LEA may use the "promising" prevention program, the BEST program. In accordance with SBE Policy 03-01, there are three conditions that must be satisfied before approving the use of a "promising" prevention program:

### **1. Is the Program Innovative?**

Yes, this condition was met because the program uses innovative staff development aimed at improving school and classroom discipline and facilitates academic achievement and healthy social development.

### **2. Does the program demonstrate substantial likelihood of success?**

Yes, the program demonstrates substantial likelihood of success by citing researchers using similar techniques and documenting the effects of the intervention in a series of studies implemented by researchers at the University of Oregon.

### **3. Is there a plan and timeline for submitting the program for review and recognition?**

The third condition requires that the evaluation of the program be reviewed by one of the nationwide research groups identified in SBE Policy 03-01. The waiver request meets this criterion because the producer of the program, Sonoma State University, is currently participating in a study conducted by the University of Oregon, College of Education. The LEA's waiver request states that the University of Oregon will submit the completed study and evaluation to the California Healthy Kids Resource Center, blueprints of the University of Colorado, and the What's Working Clearinghouse to be considered as a research-validated program. Following through on this commitment to evaluation is therefore a condition for approval of the waiver.

The California Department of Education recommends that this waiver request be approved as it meets each of the three criteria identified in SBE Policy 03-01.

**Authority for Waiver:** NCLB, Title IV, Part A, Section 4115(a)(3)

**Period of request:** July 2006 - July 2008

**Local board approval date(s):** March 2006

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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Waiver approval will allow the District to use Title IV, Safe and Drug-Free Schools and Communities funds for this program. This is a programmatic change so there is no fiscal impact.

### **BACKGROUND INFORMATION**

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Consent Item: Backup materials, waiver request forms and supporting documents are not available for Web viewing but are available for inspection in the Waiver Office.



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

### Specific Waiver

<b>SUBJECT</b> Request by <b>Lassen View Union Elementary School District</b> under the authority of <i>Education Code (EC)</i> Section 52863 for a renewal waiver of <i>EC</i> Section 52852, relating to the required school site council for each school to allow one joint school site council to function for two small schools (Kindergarten through eighth and community day school).  Waiver Number: 28-4-2006	<input checked="" type="checkbox"/> <b>Action</b>  <input checked="" type="checkbox"/> <b>Consent</b>
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### RECOMMENDATION

Approval    Approval with conditions    Denial

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education (SBE) has approved many similar requests.

### SUMMARY OF KEY ISSUES

Lassen View Union Elementary School District located in Tehama County operates two small schools on the same site. The kindergarten through eighth elementary school has an enrollment of 280 students and the community day school has about 7 students. In this manner common curriculum and standards enable CDE students to re-enter the regular program more smoothly.

The schools currently operate with a common administration and one school site council. The Board has previously granted the district other renewal waivers to have one school site council for the two schools.

**Authority for the Waiver:** *EC* Section 52852

**Period of request:** September 1, 2006 to September 1, 2008

**Local board approval date(s):** April 17, 2006

**Bargaining unit(s) consulted on date(s):** March 20, 2006

**Name of bargaining unit(s)/representative(s):** Lassen View Teachers Association,  
Dave Woods

**Position of bargaining unit(s) (choose only one):**

Neutral                       Support                       Oppose

Comments (if appropriate):

**FISCAL ANALYSIS (AS APPROPRIATE)**

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Approval of this waiver renewal will not result in additional costs to the district or the State.

**BACKGROUND INFORMATION**

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Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

### General Waiver

<p><b>SUBJECT</b></p> <p>Request by <b>Bishop Union Elementary Unified School District</b> under the waiver authority of <i>Education Code (EC)</i> Section 49548 to waive <i>Education Code (EC)</i> Section 49550, the requirement that needy pupils must be provided with a nutritionally adequate free or reduced-price meal during each school day (State Meal Mandate) during the Saturday school session at the Home Street Middle School.</p> <p>Waiver Number: 20-5-2006</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
---	--

### **RECOMMENDATION**

**Approval**  **Approval with conditions**  **Denial**

That *EC* Section 33051(c) will apply and the district will not be required to reapply annually if information contained on the request remains current.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

There is a State Board of Education (SBE) Policy outlining criteria for approval, which is detailed below. This is the district's first request for a Saturday school meal waiver at any of their sites.

### **SUMMARY OF KEY ISSUES**

The SBE grants Saturday school meal waiver if **two** of the following criteria exists:

- (a) The Saturday school session is less than four hours in duration **and** is completed by noon, allowing pupils to go home during the lunch period.
- (b) Less than 10 percent of the needy pupils attending the Saturday school session are at the school site for more than three hours per day.
- (c) The Saturday school site does not have proper refrigeration facilities to enable meals to be prepared on Friday and served on Saturday.
- (d) Serving meals during the Saturday school session would result in a financial loss to the school district, documented by the district, in an amount equal to one-third of the food service net cash resources.

The Bishop Union Elementary School District has meet criteria (a) and (b) above for their Saturday school conducted at the Home Street Middle School. The Saturday school session runs three hours and students are out before noon.

**Authority for Waiver:** *EC* Section 33050

**Period of request:** August 1, 2006 to July 31, 2008

**Local board approval date(s):** May 18, 2006

**Public hearing held on date(s):** April 20, 2006

**Bargaining unit(s) consulted on date(s):** Bishop Educator's Association,  
April, 6, 2006

**Name of bargaining unit/representative(s) consulted:** Carol Howard

**Position of bargaining unit(s) (choose only one):**

Neutral                       Support                       Oppose

Comments (if appropriate):

**Public hearing advertised by (choose one or more):**

posting in a newspaper       posting at each school       other (specify)

**Advisory committee(s) consulted:** Home Street Middle School Site Council

**Objections raised (choose one):**  None       Objections are as follows:

**Date(s) consulted:** March 29, 2006

**FISCAL ANALYSIS (AS APPROPRIATE)**

Approval of the waiver may reduce the draw on Proposition 98 funds at the State level.  
Local district finances may be affected.

**BACKGROUND INFORMATION**

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

### Specific Waiver

<p><b>SUBJECT</b></p> <p>Request by <b>Sacramento City Unified School District</b> to waive <i>Education Code (EC) Section 51224.5(b)</i>, the requirement that all students be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation for seven special education student(s) based on <i>EC Section 56101</i>, the special education waiver authority.</p> <p>Waiver Number: 7-5-2006</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input type="checkbox"/> <b>Consent</b></p>
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### **RECOMMENDATION**

Approval  Approval with conditions  Denial

That this waiver removes only the requirement that these seven students successfully complete a course in Algebra I (or its equivalent) through December 31, 2006 only. These students must meet other course requirements stipulated by the governing board of the school district of enrollment and by *EC Section 51225.3* in order to receive a high school diploma. In the event a student granted this waiver does not graduate by December 31, 2006, this waiver does not relieve the student of responsibility to attempt to successfully complete a course in Algebra I (or its equivalent) in future years as required by *EC Section 51224.5(b)*.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

In 2000, legislation was enacted to require students to complete Algebra I as a condition of receiving a high school diploma. The Algebra I requirement applies beginning with students graduating in 2003-04. A number of student specific waivers have been granted by the Board in past years using the waiver authority of *EC Section 56101*.

### **SUMMARY OF KEY ISSUES**

For the review of this waiver request, the district was required to provide the following documentation:

- For each student included in the waiver request, attach a valid, current Individualized Education Program (IEP) for whom you are requesting a waiver. Highlight the areas of mathematics deficiencies and how the student's needs in mathematics were addressed.
- Information from IEPs for high school years to prove that the student was on the diploma track consistently and evidence that the IEP was written to support the student's participation in diploma track math courses, particularly algebra.
- Indicate the specific assistance the district provided to the student, such as supplementary aids, services, accommodations, modifications, and supports, to attain this diploma track goal specifically for the algebra requirement in those

years.

- Copy of the transcript for each student. Highlight all former attempts at algebra and pre-algebra classes.
- Indicate which assessment the district has used at the high school level for the student: Standardized Testing and Reporting program (STAR) or California Alternate Performance Assessment. (Use of the STAR is typically required for waiver approval recommendation.)

The above documentation specific to each students was reviewed by a Special Education Consultant in full confidentiality. Additional information was gathered from the district by telephone or fax as need to make a determination. The district has provided facts indicating that failure to approve the request would hinder implementation of the student's IEP or compliance by the district for a free, appropriate education for students with disabilities.

The California Department of Education recommends approval of the waiver for seven students on the following conditions: That this waiver removes only the requirement that these seven students successfully complete a course in Algebra I (or its equivalent) through December 31, 2006. These students must meet other course requirements stipulated by the governing board of the school district of enrollment and by EC Section 51225.3 in order to receive a high school diploma. In the event a student does not graduate by December 31, 2006, this waiver does not relieve the student of responsibility to successfully complete a course in Algebra I (or its equivalent) in future years as required by Section 51224.5(b).

**Authority for the Waiver:** EC Section 56101

**Period of request:** The California Department of Education requests that this waiver removes only the requirement that these 7 students successfully complete a course in Algebra I (or its equivalent) through December 31, 2006 only.

**Local board approval date(s):** Sacramento City Unified School District SELPA approved this waiver request on May 5, 2006

#### **FISCAL ANALYSIS (AS APPROPRIATE)**

There is no fiscal impact from granting this waiver. These seven students for whom the waiver is requested will graduate, provided they meet all other district graduation requirements by 12/31/06.

#### **BACKGROUND INFORMATION**

Action Item: Some documentation is available for web viewing. Waiver forms and other

hard copy documents are available for viewing at the Waiver Office or State Board Office.

Attachment 1: Specific Waiver Request (1 Page)



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

**General Waiver**

<p><b>SUBJECT</b></p> <p>Request by the <b>New Village Charter School</b> for a waiver of <i>Education Section (EC) Section 47605(d)(1)(2)(A)</i>, to waive the statutory prohibition on gender discrimination and the statutory requirement for charter schools to admit all pupils who wish to attend in order to operate a charter school that admits and serves only female students.</p> <p>Waiver Number: 10-5-2006</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input type="checkbox"/> <b>Consent</b></p>
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### RECOMMENDATION

**Approval**  **Approval with conditions**  **Denial**

The California Department of Education (CDE) recommends that the State Board of Education (SBE) deny this waiver request because it jeopardizes pupil protections within the meaning of *EC Section 33051(a)(4)*.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Under *EC Section 33054*, charter schools may request, and the SBE may approve, waivers of various provisions of statute. The SBE regularly considers waiver requests from charter schools, but it has not previously been requested to approve a waiver designed, in effect, to permit the establishment of an "all-girls" or "all-boys" charter school.

### SUMMARY OF KEY ISSUES

The mission of the New Village Charter School (NVCS) "will be to serve the uniquely challenging educational needs of girls who reside at St. Anne's [Maternity Home] and at-risk girls in the surrounding community." The school anticipates enrollment of approximately 240, of which about 50 would be residents at St. Anne's and the remainder would come from the surrounding community.

The waiver request asserts that a female-only school is necessary to achieve:

- Communication skills and open, constructive expression.
- Appropriate and non-aggressive behavior.
- Positive peer relationships.
- Self esteem without embarrassment regarding pregnancy and early parenthood.

The request also asserts the belief of NVCS that "the presence of adolescent boys...would constitute a major source of distraction and behavioral issues."

To achieve the desired end (exclusion of males from admission), NVCS proposes to waive the statutory requirements for charter schools to (1) not discriminate against any

pupil on the basis of gender and (2) admit all pupils who wish to attend.

## **SUMMARY OF KEY ISSUES**

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The statutory provision prohibiting charter schools from discriminating against pupils on the basis of gender, *EC* Section 47605(d)(1), is rooted in Section 31(a) of Article 1 of the State Constitution, and simply waiving the statutory provision does not alter the underlying constitutional right. Section 31(a) says:

The State shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.

Notably, though, the broad prohibition against discrimination is tempered in regard to sex by the provisions of Section 31(c) of Article 1, which says:

Nothing in this section shall be interpreted as prohibiting bona fide qualifications based on sex which are reasonably necessary to the normal operation of public employment, public education, or public contracting.

The school's proposed discrimination against males for purposes of admission, based solely on the quality of being male, is not substantiated by evidence of being a bona fide qualification necessary to the normal operation of public education. Rather, it is presented as a means of facilitating educational and social objectives that appear equally important to male and female students (e.g., communication skills and appropriate, non-aggressive behavior). Similarly, no evidence is presented to support the belief expressed by the school that the presence of males, per se, would be "a major source of distraction and behavioral issues." Therefore, the CDE recommends that the SBE deny the NVCS waiver request because it would jeopardize pupil protections within the meaning of *EC* Section 33051(a)(4).

The CDE notes that nothing prohibits the NVCS, if consistent with the provisions of its charter, from developing and pursuing a curriculum designed to meet the specialized needs of high-school-age females who are pregnant and/or parenting, and ensuring that all applicants for admission specifically acknowledge and understand the curriculum design in the application process. NVCS may also pursue approval by its charter authorizer of a preference, pursuant to *EC* Section 47605(d)(2), for the admission of individuals who are participating in specific public health or social service programs for pregnant or parenting youth. In addition, while not denying admission to males, the school may target recruitment activities in a manner that pregnant and parenting females are likely to respond. Finally, if NVCS has substantial evidence that the presence of a particular applicant for admission (whether male or female) would actually pose a danger to other students in the school, nothing prohibits NVCS from seeking a court order to preclude the admission of that particular applicant.

Through these legal means, CDE staff believes that NVCS can successfully pursue its goals without directly and overtly discriminating against pupils based solely on the quality of being male.

**Authority for Waiver:** *EC* Section 33054

**Period of request:** July 17, 2006 to July 16, 2008

If granted for two consecutive years, as requested, the provisions of *EC* Section 33051(c) would apply, and this waiver would continue to be operative as long as the information contained in the request remains current and unless the waiver is rescinded by the SBE.

**Local board approval date(s):** April 12, 2006 (NVCS Governing Board);  
April 25, 2006 (Los Angeles Unified School District Board of Education)

**Public hearing held on date(s):** April 25, 2006

**Bargaining unit(s) consulted on date(s):** N/A

**Name of bargaining unit/representative(s) consulted:** N/A

**Position of bargaining unit(s) (choose only one):**

Neutral                       Support                       Oppose

Comments (if appropriate): N/A

**Public hearing advertised by (choose one or more):**

posting in a newspaper       posting at each school       other (specify)

**Advisory committee(s) consulted:** NVCS Advisory Committee

**Objections raised (choose one):**  None       Objections are as follows:

**Date(s) consulted:** April 12, 2006

**FISCAL ANALYSIS (AS APPROPRIATE)**

Approval of this waiver would have essentially no impact on state funding, either for local assistance or state operations.

**BACKGROUND INFORMATION**

Action Item: Some documentation is available for Web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or SBE Office.

Attachment 1: General Waiver Request (3 Pages)

Attachment 2: Certification for *EC* 33054 (1 Page)

**CALIFORNIA STATE BOARD OF EDUCATION**

1430 N Street, Suite 5111  
Sacramento, CA 95814  
Phone: (916) 319-0827  
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To: State Board of Education

From: Paul L. Seave  
Chief Counsel

Date: July 11, 2006

Subject: Item W-2 - Request by New Village Charter School (NVCS) To Open a School Serving Only Female Students

**Introduction**

The New Village Charter School, scheduled to open in Los Angeles County in the fall, would like to serve female students only. The school anticipates an enrollment of 240. Approximately 50 of these students will come from St. Anne's Maternity Home, and the remainder will come from the community. The residents of St. Anne's, according to the supplemental materials submitted by NVCS on June 29, 2006 (after the California Department of Education (CDE) submitted its recommendation against waiver), are referred there from the LA County Department of Children and Family Services (70%) and the Probation Department (30%). Almost all are pregnant or have children. St. Anne's is the only program in LA County where adolescent females can keep their babies. Their profile is as follows:

- 70% experienced sexual assault or abuse before becoming pregnant;
- 80% are classified as severely emotionally disturbed;
- 95% require extensive social work and mental health treatment services;
- 80% have experienced more than five foster care placements;
- 100% are two to three years behind academically.

The Education Code prohibits charter schools from discriminating on the basis of gender (sec. 47605(d)(1)), and requires that the schools admit all pupils who wish to attend (sec. 47605(d)(2)(A)). In order to serve only female students, NCVS has requested that the State Board of Education (SBE) waive these statutory provisions (sec. 33054(a)). The SBE may do so, unless, as CDE recommends here, pupil protections are jeopardized (sec. 33051(a)(4)). Specifically, CDE states that NVCS has not presented sufficient evidence that a female-only school would be "reasonably necessary to the normal operation of public education" to justify such gender discrimination.

The purpose of this memorandum is to 1) briefly discuss the law governing the waiver request, and 2) marshal the facts submitted by NVCS, all in order to suggest that the SBE could find that there is a sufficient basis to grant the waiver request.

## **Legal Prohibitions Against Single-Gender Schools**

The principal legal barrier to opening a single-gender school, as recognized in CDE's memo, is article I, section 31 of the California Constitution (enacted as Proposition 209 in 1996):

(a) The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.

This strict prohibition, however, does have a pertinent exception: "(c) Nothing in this section shall be interpreted as prohibiting bona fide qualifications based on sex which are reasonably necessary to the normal operation of public employment, public education, or public contracting."

This exception, which has not yet been judicially interpreted, is derived from a similar exception to the federal law barring employment discrimination (Title VII). Most pertinent here, the "bona fide qualification" has been construed by courts in Title VII and other contexts to allow hiring policies based on a person's gender if necessary to provide a therapeutic community. For example, a federal court of appeals held that a hospital for emotionally disturbed children and adolescents could require that a male and female staffer always be on-hand given the needs of the patients. *Healey v. Southwood Psychiatric Hospital*, 78 F.3d 128 (3d Cir. 1996). The rationale of *Healey* certainly suggests that the concerns of California's Constitution would be met if it was reasonably necessary to educate students with therapeutic needs in a single-gender school.

## **Facts Presented By NCVS and Conclusion**

As mentioned in the Introduction, NCVS made a supplemental submission in support of its waiver request that provided more detail on the residents at St. Anne's. In addition to the facts summarized above, the submission stated as follows:

Potential students at New Village will be young women who have been raped, pregnant, beaten, abused and abandoned at an early age. Many have experienced extreme embarrassment, ridicule and estrangement in prior school experiences. After many conversations with residents at St. Anne's, with educators, and social workers, we came to believe an all-girls school will be most conducive to forming positive peer relationships, receiving emotional support and learning to share openly with friends their extraordinary issues and challenges related to issues of sex, pregnancy and mothering.

In my view, these details, if found by the SBE to be accurate, could support a Board decision to grant the requested waivers, insofar as the students came from St. Anne's. What about the other students? In my view, a waiver would be appropriate if NCVS

recruited students with similar therapeutic and educational needs. The number of such students would not have to comprise 100% of the school, but certainly a substantial portion. If the SBE were persuaded that such recruitment efforts were planned and being undertaken, then the Board could grant the requested waivers. I would recommend in that case, however, that the Board examine NVCS in one year to assess the success of the school's recruitment and educational efforts.



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

### Specific Waiver

<p><b>SUBJECT</b></p> <p>Request by the <b>Los Angeles Unified School District (LAUSD)</b> using the specific waiver authority of <i>Education Code (EC) 45108.7</i> to waive Section 45108.5(b)(4) to increase permanently the number of Classified Senior Management Employees in the district. Current: 66 permanent. Proposed: add 7 new permanent designations for a total of 73 permanent designations.</p> <p>Waiver Number: 13-5-2006</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input type="checkbox"/> <b>Consent</b></p>
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### **RECOMMENDATION**

Approval    Approval with conditions    Denial

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

Per *EC* Section 45108.7, the State Board of Education (SBE) can waive the limit on the number and type of senior management positions in a school district.

Since 1997 the LAUSD has made six requests to the SBE to increase the number of positions designated as Classified Senior Management above the number permitted in *EC* 45108.5(b)(4) which is 5 for any district with more than 50,000 units of average daily attendance (ADA).

In 1997 the LAUSD requested, and the SBE approved, 5 positions above the maximum of 5 positions allowed in *EC* Section 45108.5(b)(4). That waiver approval gave LAUSD a total of 10 positions designated as Classified Senior Management in the district.

In 2000 the LAUSD requested, and the SBE approved, two waivers. One waiver requested that 5 more permanent positions be designated Classified Senior Management, for a total of 15 permanent positions. The second waiver in 2000 requested that 5 temporary (two years) designations be made to the Classified Senior Management staff. The total then became 15 permanent designations and 5 temporary designations.

In 2001 the LAUSD requested, and the SBE approved, a waiver for 10 more permanent designations. The total then became 25 permanent designations and 5 temporary designations for a total of 30 positions designated as Classified Senior Management.

In 2002 the LAUSD requested, and the SBE approved, a waiver for 24 more permanent designations plus the conversion of the 5 temporary designations to permanent, all of which were related to the school facilities program. The total then became 54 permanent positions designated as Classified Senior Management.

In 2005 the LAUSD requested, and the SBE approved, a waiver for 12 more permanent designations. The total then became 66 permanent positions designated as Classified Senior Management.

### **SUMMARY OF KEY ISSUES**

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The LAUSD is currently requesting that 7 more positions be designated permanently as Classified Senior Management positions. If the SBE approves this waiver, the district will have 73 positions that are permanently designated as Classified Senior Management.

The main advantage of designating a position as senior management is the exemption from the civil service hiring practices for key senior management positions. As such, with the approval of this waiver, the LAUSD would be able to fill vacancies in additional key senior management positions on a more timely basis. Also, classified senior management employees may be terminated at any time by written notice from the governing board, thus permitting the district to react more immediately to changing district needs and circumstances.

The California *EC* Section 45108.5 defines a senior management employee as “(1) An employee in the highest position in a principal district program area, as determined by the governing board, which does not require certification qualifications, and which has districtwide responsibility for formulating policies or administering the program area,” or “(2) An employee who acts as a fiscal advisor to the district superintendent.” The same *EC* section also specifies the maximum number of designated senior management positions to be 5 positions for a district with more than 50,000 ADA.

Operating a school district, like LAUSD, with approximately 690,000 ADA poses more administrative challenges than operating a school district with 50,001 ADA. Hence, it seems reasonable to hold districts that are in the same class (over 50,000 ADA) but of disparate size to the same staffing ratio rather than the same staffing level. Using a staffing ratio of 5 classified senior management positions for every 50,001 ADA, the LAUSD would be permitted 69 classified senior management positions. If this waiver is approved, the LAUSD would have 4 more classified senior management positions than would be authorized if the ratio was used to calculate the maximum number of positions, and 68 more positions than is authorized by statute.

The 7 requested classified senior management positions have varying responsibilities throughout the operations of the district. Two of the positions are in the Business Services Division that provides district-wide support services. These positions are the Director of Contracts Administration and Director of Purchasing, which supervise 23 staff and 70 staff, respectively. The remaining 5 positions are in the Division of Risk Management and Insurance Services. These positions are the Chief Risk Officer – 108 staff, Deputy Chief Risk Officer – 107 staff, Director of Benefits Administration – 34 staff, Director of Insurance – 25 staff, and the Director of Integrated Disability Management – 39 staff.

As noted in the prior section, since 1997 the LAUSD has received approval to increase

its number of senior management designated positions from 5 to 66. The majority of these positions are related to facilities management (29 positions).

The department recommends approval of this waiver. The positions have district-wide responsibilities which are similar to other waiver requests approved for LAUSD in the past. The positions already exist and there is no new fiscal impact to the district. The district will evaluate the number of facilities senior management positions when facility needs have been met.

**Authority for the Waiver:** *EC* Section 45108.7

**Period of request:** Permanent

**Local board approval date(s):** May 23, 2006

**Bargaining unit(s) consulted on date(s):** According to the District, the bargaining unit does not need to be consulted because these positions are district represented.

**Name of bargaining unit(s)/representative(s):** Not required per *EC* 45108.7

**Position of bargaining unit(s) (choose only one):** Not required per *EC* 45108.7

Neutral

Support

Oppose

### **FISCAL ANALYSIS (AS APPROPRIATE)**

The operating costs will not increase beyond the currently budgeted levels. The positions already exist – only the civil service status of the specified positions will change should the SBE grant this waiver.

### **BACKGROUND INFORMATION**

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.

Attachment 1: Specific Waiver Request (2 Pages)

Attachment 2: LAUSD Board narrative (2 Pages)

Attachment A: Proposed senior management positions (1 Page)

Attachment B: Current senior management positions (1 Page)

Attachment C: Memo from LAUSD regarding proposed senior management positions  
(14 Pages)



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

**General Waiver**

<p><b>SUBJECT</b></p> <p>Request by <b>Grant Joint Union High School District</b> for a renewal waiver of portions of <i>Education Code (EC)</i> Section 48661(a) to permit the operation of a community day school (CDS) on the same site as a continuation high school, Vista Nueva Career &amp; Technology High School.</p> <p>Waiver Number: 11-6-2006</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input type="checkbox"/> <b>Consent</b></p>
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### RECOMMENDATION

**Approval**    **Approval with conditions**    **Denial**

If approved, *EC* Section 33051(c) will apply and the district will not be required to reapply annually if information contained on the request remains current.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education (SBE) has approved several similar requests to allow the colocation of a community day school (CDS) with a continuation high school when the CDS could not be located separately and the district has been able to ensure appropriate separation of students between the two schools.

### SUMMARY OF KEY ISSUES

The Grant Joint Union High School District requests renewal of a waiver of portions of *EC* Section 48661(a) which states that a CDS shall not be situated on the same site as a continuation high school. In July, 2005, the SBE approved the initial request by the district to locate Nova Community Day School on the same large site as the Vista Nueva Career & Technology (Continuation) High School. At that time, the district requested approval of the waiver for only one year to allow for re-evaluation before renewal would be considered.

The district had conducted an extensive search of facilities owned by the district and in the community and had certified that no appropriate separate facilities were available. Severe fund restrictions made it prohibitive to establish separate new school sites. This site was selected as providing the greatest possible separation from other traditional school classrooms and students. The CDS was not located on the same site as other elementary, middle, or comprehensive high school, rather with a continuation high school. The district has again certified that there are still no appropriate separate facilities.

The CDS and the continuation high school are separated from each other by a series of physical barriers (fences and "no student" zones) and security cameras. Arrival and departure are at separate times and locations to prevent intermingling of

students. There are also different bell and lunch schedules. Each school has its own restrooms. Public Safety Officers assigned to each campus ensure that students from each school are separated at all times. During the past year there have been no negative interactions between students from the two schools. Separation has been complete.

The district believes that the measures described above have provided a very high level of safety. The district's governing board voted unanimously in support of renewal of this waiver. The Site Councils and bargaining units representing students, parents, teachers, and administrators were consulted and there were no objections.

The department recommends approval of this waiver, with EC 33051(c) to apply.

**Authority for Waiver:** EC Section 33050

**Period of request:** August 1, 2006, to August 1, 2007

**Local board approval date(s):** May 17, 2006

Public hearing held on date(s): May 17, 2006

Bargaining unit(s) consulted on date(s): April 19, 2006

**Name of bargaining unit/representative(s) consulted:** California School Employees Association (CSEA) - John Ennis, Professional Educators Association of Sacramento County (PEASC) - Larry Brown, Grant District Education Association (GDEA) - Robert Upton

**Position of bargaining unit(s) (choose only one):**

Neutral  Support  Oppose

Comments (if appropriate): CSEA - Support, PEASC and GDEA - Neutral

**Public hearing advertised by (choose one or more):**

posting in a newspaper  posting at each school  other (specify)

**Advisory committee(s) consulted:** Vista Nueva School Site Council

**Objections raised (choose one):**  None  Objections are as follows:

**Date(s) consulted:** April 19, 2006

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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Approval of this waiver would not have a fiscal impact on the state. Approval of the waiver would allow for more efficient local operations and, thus, the avoidance of costs that would otherwise be borne by the district.

### **BACKGROUND INFORMATION**

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Action Item: Some documentation is available for Web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board

Office.

Attachment 1: General Waiver Request (3 Pages)

Attachment A: Vista Nueva Site Map (1 Page)



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

### General Waiver

<b>SUBJECT</b>  Request by <b>Temecula Valley Unified School District</b> for a renewal of a waiver of <i>Education Code (EC)</i> Section 37202, the equity length of time requirement, at one of the district's three high schools, Chaparral High School.  Waiver Number: 9-5-2006	<input checked="" type="checkbox"/> <b>Action</b>  <input type="checkbox"/> <b>Consent</b>
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### **RECOMMENDATION**

Approval  Approval with conditions  Denial

That *EC* Section 33051(c) will apply, and the district will not have to reapply annually if the information contained on the request remains the same.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

The State Board of Education (SBE) has approved similar waiver requests in the past at the elementary grade levels, in particular, for kindergarten classes. This is the second time for an equity length of time waiver request at this district. Great Oak High School, in this same district, has already been approved for a renewal waiver to implement late start days at that school at the March 2006 SBE meeting.

### **SUMMARY OF KEY ISSUES**

Temecula Valley Unified School District is requesting to renew a waiver of the equity length of time requirement to allow Chaparral High School, one out of their three high schools, to start school one day a week at 9:00 a.m. instead of the regular starting time of 7:30 a.m. for teacher collaboration. Working together collaboratively, the teachers used these meetings for planning strategies to improve instructional practices. They anticipated that this would strengthen the academic success of the students. Chaparral High School has maintained their 2004 statewide and similar schools ranking of nine into 2005 with an API of 769.

With the waiver, Chaparral High offered their students 65,038 annual minutes of instructional time over the state required minimum of 64,800 annual instructional minutes. The waiver allowed Chaparral High School teachers to meet for collaboration approximately twenty-five times a year instead of the five times they were meeting before the waiver. The waiver request required an evaluation to be submitted along with the district's request for renewal of the waiver. Attached is their evaluation and survey of teachers, parents and students. Teachers have implemented their strategy of collaboration and sharing information and used their time to develop common applications to use for their students. Results of the survey indicate a positive response by the three groups surveyed. There is disagreement with the teachers on whether or not the collaboration on Mondays helped them to meet the needs of the special needs

students although most teachers agreed that the collaboration time has been used effectively for developing common assessments and improved grading practices.

In the parent part of the survey, 40 parents responded (out of 92 students). While the results of the parent response are positive, it is interesting to note that 40% did not feel that their children used the extra time provided to them by the late start Mondays effectively but that the parents did feel that the late start Mondays were important for teacher collaboration and professional growth.

The students, on the other hand, found that teachers seemed to be better prepared with the addition of collaboration time and that the time for teacher collaboration has had a positive effect for the students. The overall survey results indicate that the waiver has been a success.

Therefore, the department recommends approval of this waiver request and that *EC* Section 33051(c) will apply, and the district will not have to reapply annually if the information contained on the request remains the same.

**Authority for Waiver:** *EC* Section 33050

**Period of request:** June 17, 2006 to June 15, 2007

**Local board approval date(s):** June 6, 2006

**Public hearing held on date(s):** not required for renewal

**Bargaining unit(s) consulted on date(s):** April and May 2006, May 9, 2006

**Name of bargaining unit/representative(s) consulted:** Bob Rollins, President TVEA

**Position of bargaining unit(s) (choose only one):**

Neutral                       Support                       Oppose

Comments (if appropriate):

**Public hearing advertised by (choose one or more):**

posting in a newspaper       posting at each school       other (specify)

The notice of public hearing appears in the local newspaper, at three school sites and the District Office.

**Advisory committee(s) consulted:** Chaparral PTSA and Chaparral School Site Council and Great Oak High School (GOHS) Academic Leadership Society, GOHS PTSA, GOHS School Site Councils.

**Objections raised (choose one):**  None       Objections are as follows:

**Date(s) consulted:** Temecula Valley High 01/10/06, Chaparral High 01/12/06, and Great Oak High 01/10/06.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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There is no state fiscal impact.

### **BACKGROUND INFORMATION**

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Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.

Attachment 1: General Waiver Request (3 Pages)

Attachment 2: Letter with Evaluation (1 Page)

Attachment 3: Teacher, parent and student survey results (6 Pages)



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

### General Waiver

<p><b>SUBJECT</b></p> <p>Request by <b>Hot Springs School District</b> to waive <i>Education Code (EC)</i> Section 60061(a)(3), the requirement that free instructional materials be given equally to all school districts in any state. Waiver would allow a very small school district to obtain more free instructional materials than the normal based on their size, for the adoption from the 2005 History Social Science materials list.</p> <p>Waiver Number: 29-4-2006</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input type="checkbox"/> <b>Consent</b></p>
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### **RECOMMENDATION**

**Approval**  **Approval with conditions**  **Denial**

Approval for two years less one day, *EC* 33051(c) will not apply. Granting of this waiver does not require the publisher to provide extra materials, but makes it permissible.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

This is the first waiver of this specific *EC* Section to come before the State Board of Education (SBE). There is no SBE policy on waivers of this type.

### **SUMMARY OF KEY ISSUES**

The Hot Springs School District (SD) requests a waiver of *EC* Section 60061(a)(3), to allow it to receive free copies of teacher editions of history–social science instructional materials. The SBE adopted a new instructional materials list on November 9, 2005, and *EC* Section 60422(a) requires all districts to ensure that each pupil is provided with a standards-aligned textbook or basic instructional materials, as adopted by the beginning of the first school term that commences no later than 24 months after those materials were adopted by the SBE.

Currently, most publishers provide free items with the purchase of classroom sets of twenty or more student editions. If less than a “class set” is purchased, no free set of teacher instructional materials are permitted for distribution under the statute.

The Hot Springs SD only has twenty-seven students, with between zero and six students in each grade level at each of its two schools. The district also serves many children of seasonal workers and experiences frequent shifts in enrollment within a school year.

The district would like to purchase six sets of student materials for each grade level, K-8, at its two schools. If approved, this waiver would allow publishers to provide free teacher support materials to accompany these purchases for each grade level in the History Social Science adoption.

The district had requested two consecutive years, but the department does not want *EC* 33051(c) to apply to this waiver request, so the recommended period is two years less one day.

**Authority for Waiver:** *EC* Section 33050

**Period of request:** July 1, 2006, through June 29, 2008.

**Local board approval date(s):** April 17, 2006

**Public hearing held on date(s):** April 17, 2006

**Bargaining unit(s) consulted on date(s):** No employee bargaining units in District.

**Name of bargaining unit/representative(s) consulted:** (see above)

**Position of bargaining unit(s) (choose only one):** (see above)

Neutral  Support  Oppose

Comments (if appropriate):

**Public hearing advertised by (choose one or more):**

posting in a newspaper  posting at each school  other (specify) Post Office, California Hot Springs; Ranch Bulletin Board, Johnsondale; Community Bulletin Board, Pineflat.

**Advisory committee(s) consulted:** Curriculum Advisory Committee

**Objections raised (choose one):**  None  Objections are as follows:

**Date(s) consulted:** April 6, 2006

### **FISCAL ANALYSIS (AS APPROPRIATE)**

The District submitted information for one K-6 publisher that indicated that the full cost of the student and teacher history–social science materials that it intends to purchase for those grade levels would be **\$25,965.44**. A complete price list was provided by the District and is attached to this item.

At an estimated \$55 per pupil for 2005-06, the District's Instructional Materials Funding Realignment Program (IMFRP) allotment would come to approximately **\$1,485**.

### **BACKGROUND INFORMATION**

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.

Attachment 1: General Waiver Request (3 Pages)

Attachment 2: Justification request (3 Pages)



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

### Specific Waiver

<p><b>SUBJECT</b></p> <p>Request by <b>Mono County Office of Education</b> for a retroactive waiver of the audit penalty for the 2004/2005 fiscal year of <i>Education Code (EC) Section 60119</i> regarding the annual public hearing on the availability of textbooks and instructional materials. The county office held the required public hearing during school hours.</p> <p>Waiver Number: 7-3-2006</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input type="checkbox"/> <b>Consent</b></p>
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### **RECOMMENDATION**

Approval    Approval with conditions    Denial

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

The State Board of Education (SBE) has heard and approved a Waiver Policy number 01-06 Instructional Materials Sufficiency (*EC Section 60119*) Waiver of Retroactive Audits. Mono County Office of Education has not had a prior year finding.

### **SUMMARY OF KEY ISSUES**

During an audit for fiscal year 2004-2005, the auditor found that the Mono County Office of Education (COE) held the public hearing during school hours. Senate Bill (SB) 550, Chapter 900, Statutes of 2004, took effect September 29, 2004. AB 550 modified the annual public hearing requirement in *EC Section 60119* and modified the expenditure requirements related to *Williams* instructional materials funds.

The following is part of the new requirements for *EC Section 60119*:

*(b) The governing board shall provide 10 days' notice of the public hearing or hearings set forth in subdivision (a). The notice shall contain the time, place, and purpose of the hearing and shall be posted in three public places in the school district. The hearing shall be held at a time that will encourage the attendance of teachers and parents and guardians of pupils who attend the schools in the district and shall not take place during or immediately following school hours.*

The new section of the code added that public hearings cannot be held during school hours. Usually, Mono COE has held their board meetings early in the day as the county is rural and people have to travel large distances to attend the meetings. They were unaware of the new requirement until the auditor found them out of compliance.

For the 2005-06 fiscal year the county again held the hearing on July 28, 2006, following the same past practice of having the meetings held during the day. In November 2006, they were notified of the prior year audit finding. Realizing that they were again out of compliance on the time of day, for 2005-06, they asked the auditor

what they could do to do for this fiscal year. The auditor suggested they do a second hearing, although past the 8 weeks, it was held ½ hour after school was out on January 26, 2006. The hearing was again properly noticed as required. The public hearing did not begin until 3:02 p.m. and ended at 4:20 p.m. School is dismissed at 2:30 p.m. Mono COE felt this was necessary to ensure that parents would make the meeting and not have to travel back into town to attend a meeting during winter night hours. Mono County is a rural and isolated county, the population is widespread, and parents travel long distances to attend a meeting at the county office.

As a result of examining the documents submitted by Mono COE to support their waiver request, staff in the Waiver Office requested that the county revise their board resolution to contain the new language added by the Williams lawsuit settlement. At that point a third public hearing was held, noticed and resolution was approved for the 2005-06 fiscal year with all of the proper certifications. Attached is a copy of that revised resolution that follows the current statute for the 2005-2006 fiscal year.

Staff also verified that the instructional materials used at each grade level are standards-aligned according to EC Section 60422(a). See Attachment 4, therefore the department recommends approval of this waiver request.

**Authority for the Waiver:** EC Section 41344.4

**Period of request:** July 1, 2004 to June 30, 3005

**Local board approval date(s):** January 26, 2006

**Bargaining unit(s) consulted on date(s):** February 27, 2006 and February 22, 2006

**Name of bargaining unit(s)/representative(s):** Stephen Barager, CTA and Marilyn McCurry, CSEA

**Position of bargaining unit(s) (choose only one):**

Neutral                       Support                       Oppose

Comments (if appropriate):

### **FISCAL ANALYSIS (AS APPROPRIATE)**

If this waiver request is not approved, the county will have to pay back \$6,909.

### **BACKGROUND INFORMATION**

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.

Attachment 1: Waiver Request and Certification of Compliance (4 Pages)

Attachment 2: Copy of audit finding and agency response (2 Pages)

Attachment 3: Copy of resolution 2006-08 for 2005-2006 school year (2 Pages)

Attachment 4: List of instructional materials used (2 Page)



# CALIFORNIA STATE BOARD OF EDUCATION

## SEPTEMBER 2006 AGENDA

### Specific Waiver

<p><b>SUBJECT</b></p> <p>Request by <b>Siskiyou County Office of Education</b> for a retroactive waiver of the audit penalty for the 2004/2005 fiscal year for <i>Education Code (EC) Section 60119</i> regarding the annual public hearing and board resolution on the availability of textbooks and instructional materials for all students at all grade levels and subjects. The county held their required annual public hearing during school hours.</p> <p>Waiver Number: 2-6-2006</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input type="checkbox"/> <b>Consent</b></p>
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### **RECOMMENDATION**

Approval    Approval with conditions    Denial

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

The State Board of Education (SBE) has heard and approved many waivers of the audit penalty for findings on similar topics. Siskiyou County Office of Education has not had a prior year finding.

### **SUMMARY OF KEY ISSUES**

An audit of the 2004-2005 annual public hearing for the sufficiency of instructional materials revealed that the Siskiyou County Office of Education (SCOE) held the hearing during school hours, which is a violation of *EC Section 60119*:

*(b) The governing board shall provide 10 days' notice of the public hearing or hearings set forth in subdivision (a). The notice shall contain the time, place, and purpose of the hearing and shall be posted in three public places in the school district. The hearing shall be held at a time that will encourage the attendance of teachers and parents and guardians of pupils who attend the schools in the district and shall not take place during or immediately following school hours.*

As required for the waiver to be granted for the prior year finding, the county held a fully compliant public hearing on September 22, 2005 for the 2005-06 school year. The meeting began at 6:00 pm, which is well beyond the end of school hours. The county held the hearing and adopted the resolution however; they determined that they had insufficient funds (see attached resolution).

As a result, the SCOE developed a plan to purchase sufficient materials for all students. The county has submitted their purchase order as proof of now having sufficient instructional materials. Staff has reviewed all evidence submitted by the district.

Therefore, since the SCOE has held a fully compliant public meeting that took place after school hours and has fulfilled the requirements of their plan to meet their insufficiency of instructional materials, the department recommends approval of this waiver request.

**Authority for the Waiver:** EC Section 41344.3

**Period of request:** 2004 to 2005

**Local board approval date(s):** April 27, 2006

**Bargaining unit(s) consulted on date(s):** March 22, 2006

**Name of bargaining unit(s)/representative(s):** Janie Hayes, President,  
Certificated Employees Association

**Position of bargaining unit(s) (choose only one):**

Neutral                       Support                       Oppose

Comments (if appropriate):

#### **FISCAL ANALYSIS (AS APPROPRIATE)**

The county office of education would have to return \$5,980 if the waiver request is not approved.

#### **BACKGROUND INFORMATION**

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.

Attachment 1: Waiver Request and Certification of Compliance (4 Pages)

Attachment 2: Copy of audit finding and agency response (1 Page)

Attachment 3: Resolution including a List of instructional materials used (2 Pages)



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

**Specific Waiver**

<p><b>SUBJECT</b></p> <p>Request by <b>Mendocino County Office of Education</b> for a retroactive waiver of the audit penalty for the 2004/2005 fiscal year for <i>Education Code (EC)</i> Section 60119 regarding the annual public hearing and board resolution on the availability of textbooks and instructional materials for all students at all grade levels and subjects. The county office held the hearing during school hours.</p> <p>Waiver Number: 50-3-2006</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input type="checkbox"/> <b>Consent</b></p>
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**RECOMMENDATION**

Approval    Approval with conditions    Denial

**SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

The State Board of Education (SBE) has heard and approved similar waiver requests of this type in the past. This is the first waiver request for Mendocino County Office of Education for this issue.

**SUMMARY OF KEY ISSUES**

During an audit of fiscal year 2004-2005, the auditor found the Mendocino County Office of Education (MCOE) out of compliance with *EC* Section 60119 for holding their public hearing during school hours. This is a new requirement by *EC* Section 60119 (Senate Bill 550, Chapter 900, Statutes of 2004), which was changed after the Williams lawsuit settlement adding several new requirements to the completion of public hearings for the sufficiency of instructional materials. The following is part of the new requirements for *EC* Section 60119:

*(b) The governing board shall provide 10 days' notice of the public hearing or hearings set forth in subdivision (a). The notice shall contain the time, place, and purpose of the hearing and shall be posted in three public places in the school district. The hearing shall be held at a time that will encourage the attendance of teachers and parents and guardians of pupils who attend the schools in the district and shall not take place during or immediately following school hours.*

The new section of code added that public hearings not be held during school hours. Usually, Mendocino County Office of Education has held their board meetings early in the day as the county is rural and people have to travel large distances to attend the meetings. They were unaware of the new requirement until the auditor found them out of compliance.

Beginning in 2005-2006, the county changed their procedures so this public hearing not be held during school hours, however it was still held "immediately after school" They

held a fully compliant public hearing for 2005-2006 on November 11, 2005.

The Waiver Office has asked the county to hold their next public hearing later in the day to prevent another finding for holding the meeting immediately following school hours. County staff agreed to adjust their meeting schedule for the public hearing next year. Staff reviewed the List of Instructional Materials Needed and found it to meet the requirements of the Williams settlement for sufficiency of instructional materials.

The department recommends that the waiver request be approved.

**Authority for the Waiver:** EC Section 41344.4

**Period of request:** July 1, 2004 to June 30, 2005

**Local board approval date(s):** March 13, 2006

**Bargaining unit(s) consulted on date(s):** February 24, 2006

**Name of bargaining unit(s)/representative(s):** Mendocino County Federation of School Employees, James Field, Representative

**Position of bargaining unit(s) (choose only one):**

Neutral                       Support                       Oppose

Comments (if appropriate):

**FISCAL ANALYSIS (AS APPROPRIATE)**

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Approval of this waiver will relieve the district of \$12,362 in penalties.

**BACKGROUND INFORMATION**

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Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.

Attachment 1: Waiver Request and Certification of Compliance (4 Pages)

Attachment 2: Copy of audit finding and agency response (1 Page)

Attachment 3: Copy of resolution for 2005-2006 school year (1 Page)

Attachment 4: List of instructional materials used (10 Pages)



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

### Specific Waiver

<p><b>SUBJECT</b></p> <p>Request by <b>Liberty Elementary School District</b> under the authority of Education Code (EC) Section 64206 to waive <i>Education Code (EC) Section 46200(c)</i>, the Longer Instructional Year Incentive Program audit penalty for failing to meet the requirement of 180 days of instruction for the 2004-2005 school year. Liberty Elementary School was one day short for that year.</p> <p>Waiver Number: 1-4-2006</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input type="checkbox"/> <b>Consent</b></p>
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### **RECOMMENDATION**

Approval  Approval with conditions  Denial

That the district maintain increased instructional time at Liberty Elementary School from the required 180 days per year to 181 days per year (180 days plus the one day short) for a period of two years beginning in 2006-2007 and continuing through 2007-2008, and report the increase in its yearly audits.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

The State Board of Education (SBE) has approved similar requests with conditions. *EC* Section 46206 authorizes waivers to be granted for fiscal penalties because of a shortfall in instructional time. A waiver may be granted upon the condition that the school or schools in which the minutes, days, or both, were lost, maintain minutes and days of instruction equal to those lost in addition to the amount for twice the number of years that it failed to maintain the required minimum length of time for the instructional school year, minimum number of instructional days for the school year following the year, or both.

### **SUMMARY OF KEY ISSUES**

Liberty Elementary School District mistakenly counted a day (November 19) in their annual calendar that was a Parent-Teacher Conference Day when the students were not in attendance at the school. This error triggered a penalty for offering less than the required 180 days as requirement by participation in the Longer Instructional Year Incentive Program. Only 179 days of instructional time was actually provided.

The district did not start making up the lost day in school year 2004-2005 because the error was not discovered until January. They are seeking to waive the full penalty of \$6,038.57. The district also requests approval to begin making up the shortage in 2006-2007 and continue through 2007-2008.

Attached is the calendar for 2006-2007 as adopted, and the district has promised to also adopt a 181 day calendar for 2007-2008.

The department recommends approval on the condition that the district maintains increased instructional days at Liberty Elementary School from the required 180 days per year to 181 days per year (180 days plus the one-day short) for a period of two years beginning in 2006-2007 and continuing through 2007-2008, and report the increase in its yearly audits.

**Authority for the Waiver:** EC Section 46206

**Period of request:** July 1, 2004 though June 30, 2005

**Local board approval date(s):** March 14, 2006

**Bargaining unit(s) consulted on date(s):** February 22, 2006

**Name of bargaining unit(s)/representative(s):** Char Johnson, Liberty Elementary Teachers' Association

**Position of bargaining unit(s) (choose only one):**

Neutral                       Support                       Oppose

Comments (if appropriate):

**FISCAL ANALYSIS (AS APPROPRIATE)**

The penalty calculation for not offering the required number of days is as follows: 228.95 (Average Daily Attendance) times \$4,812.98 (Base Revenue Limit) times 0.99677 (Deficit Factor (1)) times 0.98174 (Deficit Factor (2)) equals \$1,078,316.25 (Apportionment). \$1,078,316.25 (Apportionment) times 0.0056 (Factor) times one (Day Missed) equals \$6,038.57 (Penalty). The district wishes to waive the full penalty amount.

**BACKGROUND INFORMATION**

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.

Attachment 1– Specific Waiver Request (2 Pages)

Attachment 2 – Copy of the Audit Report (1 Page)

Attachment 3 – Additional Justification and copies of proposed 2006-2007 calendar (2 Pages)



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

### Specific Waiver

<b>SUBJECT</b>	
<p>Request by <b>Santa Cruz Elementary School District</b> under the authority of <i>Education Code (EC)</i> 46206 to waive three <i>EC</i> sections of audit penalties for <b>Monarch Elementary Alternative School</b> related to the Longer Instructional Day and Year Incentive program in the 2004-05 school year:</p> <ol style="list-style-type: none"><li>1) <i>EC</i> Section 46202(b) (longer day) for offering less instructional time than the required state minimums at grades 1-3 (shortfall of 2,265 minutes) and grades 4-6 (shortfall of 1,635 minutes);</li><li>2) <i>EC</i> Section 46200.5(c) (longer day) for offering less instructional time than the district offered in 1982-1983 in grades 7-8 (shortfall of 4,020 minutes) and;</li><li>3) <i>EC</i> 46200(a) (longer year) for offering less than 180 days (shortfall of 4 days).</li></ol>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input type="checkbox"/> <b>Consent</b></p>
Waiver Number: 27-4-2006	

### **RECOMMENDATION**

Approval  Approval with conditions  Denial

That the district maintains increased instructional time in grades 1-3 from the required 50,400 minutes per year to 52,665 minutes per year (50,400 plus the 2,265 minutes short), and in grades 4-6 from the required 54,000 minutes per year to 55,635 minutes (54,000 plus 1,635) for a period of two years beginning in 2005-2006 and continuing through 2006-2007. The district must also maintain increased instructional days from 180 days to 184 days for two years beginning in 2006-2007 and continuing through 2007-2008 at Monarch Elementary Alternative School and report the increases for both the instructional minutes and days in their yearly audits.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

The State Board of Education (SBE) has approved similar requests with conditions. *EC* Section 46206 authorizes waivers to be granted for fiscal penalties because of a shortfall in instructional time. A waiver may be granted upon the condition that the school or schools in which the minutes, days, or both, were lost, maintain minutes and days of instruction equal to those lost in addition to the amount for twice the number of years that it failed to maintain the required minimum length of time for the instructional school year, minimum number of instructional days for the school year following the year, or both.

### **SUMMARY OF KEY ISSUES**

Santa Cruz Elementary School District's annual audit of their 2004-2005 instructional time offered at a alternative school, Alternative-Monarch, revealed errors in the minutes

offered in the first through eighth grades. This is a small school with an enrollment of eleven students on a shared campus with the other alternative schools in the district.

The auditor found three different types of instructional time shortages. The instructional time shortages found in the first through sixth grades fell below the state minimums set in 1986-1987. Additionally, the instructional time minute shortages for the seventh through eighth grades were less than the minutes offered by the school in 1982-1983 school year. Furthermore, the auditor also found that four minimum days were below the state minimums required so the school was four days short.

Changes in the bell schedules caused the instructional time shortages made by a brand new principal. The district had combined all four alternative schools on one site with staggering schedules, and the principal changed them. The district is requesting to waive the full penalties of \$919,155.85. The reason these penalties are so high is that the average daily attendance (ADA) figures for the whole district were used in the penalty calculations (see below in fiscal analysis).

Beginning in this school year (2005-2006), the Alternative-Monarch School started to make up the instructional minute shortages plus the extra minutes required and will continue through 2006-2007 in grades 1-6. They will begin making up the extra days for the same grade levels in 2006-2007 and continue through 2007-2008. The auditor has reviewed the make up bell schedules and has approved them. The district staff has stated that the school will add four full days to the end of the school's traditional school calendar, after negotiations with the teachers' union are complete. Then the district will submit the bell schedule and the instructional minute chart to show that the requirements are met for the instructional minutes.

In 2005-2006, the school changed the grade levels it serves. The school now only serves kindergarten through sixth grades. Due to this change affected students who were in grades 6, 7 and 8 will not be able to benefit by the make up of instructional time. The number of pupils affected by the instructional time shortage was only three sixth grade students and it would be difficult to track those students at their new schools. However, the school is increasing the instructional time in the available grade levels and increasing the school year by four days for two years.

The chart below shows the brief plan for making up the missing instructional time (minutes only) for two years beginning in 2005-2006 school year and ending in 2006-2007 school year:

2005-2006 and 2006-2007 School Years	Required Minutes	Shortfall	Number of Minutes Needed to Meet Waiver Conditions	Actual Instructional Time Scheduled
Grades 1-3	50,400	2,265	52,665	54,330 (+1,665)
Grades 4-6	54,000	1,635	55,635	57,300 (+3,484)

This chart shows the plan for making up the missing instructional days for two years beginning in 2006-2007 school year and continuing through 2007-2008 school year:

2006-2007 and	Required	Shortfall	Number of Days	Actual
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2007-2008 School Years	Number of Days		Needed to Meet Waiver Conditions	Days Scheduled
Grades 1-3	180	4	184	184
Grades 4-6	180	4	184	184

The district has begun making up the instructional minutes in 2005-2006 school year and they will begin making up the instructional days starting in 2006-2007 school year. Because they started making up the minutes first, and then making up the days the following year, there will be one overlapping year when both minutes and days are being made up. In 2007-2008 school year, the instructional minutes make up will be complete and the district will only have to make up the days for one more year.

The department recommends approval on the condition that the district maintains increased instructional time in grades 1-3 from the required 50,400 minutes per year to 52,665 minutes per year (50,400 plus the 2,265 minutes short), and in grades 4-6 from the required 54,000 minutes per year to 55,635 minutes (54,000 plus 1,635) for a period of two years beginning in 2005-2006 and continuing through 2006-2007 at Alternative-Monarch School. The district must also maintain increased instructional days from 180 days to 184 days for two years beginning in 2006-2007 and continuing through 2007-2008 at Alternative-Monarch School and report the increases for both the instructional minutes and days in their yearly audits.

**Authority for the Waiver:** EC Section 46206

**Period of request:** July 1, 2004 to June 30, 2005

**Local board approval date(s):** February 22, 2006

**Bargaining unit(s) consulted on date(s):** February 10, 2006

**Name of bargaining unit(s)/representative(s):** Barry Kirschen, Co-President, GSCFT

**Position of bargaining unit(s) (choose only one):**

Neutral                       Support                       Oppose

Comments (if appropriate):

**FISCAL ANALYSIS (AS APPROPRIATE)**

The calculation of the fiscal penalties for the loss of instructional minutes is as follows:

For grades 1-3

1,058.49 (ADA) times \$4,207.97 (Base Revenue Limit) times 0.99677 (Deficit Factor (1)) times 0.98174 (Deficit Factor (2)) equals \$4,890,006.59 (Apportionment). 2,265 (Number of Minutes Short) divided by 50,400 (Required Number of Minutes) equals 4.49 percent (Percentage of Minutes Not Offered). \$4,890,006.59 (Apportionment) times 4.49 percent (Percentage of Minutes Not Offered) equals \$219,759.22 (Penalty).

For grades 4-6

951.59 (ADA) times \$4,207.97 (Base Revenue Limit) times 0.99677 (Deficit Factor (1)) times 0.98174 (Deficit Factor (2)) equals \$4,396,150.53 (Apportionment). 1,635 (Number of Minutes Short) divided by 54,000 (Required Number of Minutes) equals 3.03 percent (Percentage of Minutes Not Offered). \$4,396,150.53 (Apportionment) times 3.03 percent (Percentage of Minutes Not Offered) equals \$133,105.67 (Penalty).

For grades 7-8

684.2 (ADA) times \$5,710.12 (Base Revenue Limit) times 0.99677 (Deficit Factor (1)) times 0.98174 (Deficit Factor (2)) equals \$3,823,136.02 (Apportionment). 4,020 (Number of Minutes Short) divided by 56,385 (Required Number of Minutes) equals 7.13 percent (Percentage of Minutes Not Offered). \$3,823,136.02 (Apportionment) times 7.13 percent (Percentage of Minutes Not Offered) equals \$272,572.61 (Penalty).

The calculation of the fiscal penalty for offering less than 180 days in 2004-2005 is as follows:

For grades 1-6

2,011 (ADA) times \$4,207.97 (Base Revenue Limit) times 0.99677 (Deficit Factor (1)) times 0.98174 (Deficit Factor (2)) equals \$9,290,407.34 (Apportionment). \$9,290,407.34 (Apportionment) times 0.0056 (Factor) times 4 (Days Missed) equals \$208,105.12 (Penalty).

Grades 7-8

684 (ADA) times \$5,710.12 (Base Revenue Limit) times 0.99677 (Deficit Factor (1)) times 0.98174 (Deficit Factor (2)) equals \$3,822,018.47 (Apportionment). \$3,822,018.47 (Apportionment) times 0.0056 (Factor) times 4 (Days Missed) equals \$85,613.12 (Penalty).

The district is requesting to waive the full fiscal penalty amount of \$919,155.85

## **BACKGROUND INFORMATION**

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Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.

Attachment 1: Specific Waiver Request Form (3 Pages)

Attachment 2: Chart of Planned Make-up Minutes and Days from Monarch Elementary Alternative School (1 Page)

Attachment 3: Audit Report (1 Page)



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

### General Waiver

<p><b>SUBJECT</b></p> <p>Request by the <b>Sacramento River Discovery Charter School</b> under the authority of <i>Education Code (EC)</i> Section 47612.6 to waive <i>EC</i> 47612.5(c) the audit penalty for offering fewer than the minimum required number of annual instructional minutes in the 2004-05 fiscal year for grades 9-12 in charter schools (shortfall of 3,300 minutes).</p> <p>Waiver Number: 10-3-2006</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input type="checkbox"/> <b>Consent</b></p>
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### **RECOMMENDATION**

Approval  Approval with conditions  Denial

That the Sacramento River Discovery Charter School (SRDCS) increase its offering of annual instructional minutes in 2006-07 and 2007-08 as reflected in Attachment 1.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

*EC* Section 47612.6, as added by Assembly Bill 1610 (Chapter 543, Statutes of 2006), created a new waiver authority which allows the State Board of Education (SBE) to waive (for charter schools) the fiscal penalty for offering fewer than the minimum required number of annual instructional minutes. A waiver request may be approved only if the affected charter school agrees both to:

- Increase the number of instructional minutes it offers (above the required level) by at least the amount of the shortfall; and
- Maintain the increased number of instructional minutes for twice as many years as the period of the shortfall.

### **SUMMARY OF KEY ISSUES**

An audit of the SRDCS for 2004-05 found that the school offered 3,300 fewer annual instructional minutes than are required by *EC* Section 47612.5(a). In exchange for waiving the fiscal penalty, the school's original application proposed to make up the shortfall (and actually exceed it somewhat) in 2006-07 and 2007-08. However, the proposal was to add the minutes largely to physical education and "focus groups." It was also discovered that the 2005 Academic Performance Index for the charter was only 640, and had actually dropped between 2004 and 2005.

The California Department of Education (CDE) staff contacted the school and suggested another alternative under which the additional minutes would be allocated roughly in proportion to the school's actual (2005-06) distribution of instructional time among courses and activities. In other words, CDE staff proposed that a portion of the additional minutes be allocated to core subjects as well as to other school activities.

SRDCS staff prepared a slight adjustment to the CDE staff proposal that retained the general intent. In total, the additional minutes in the school-proposed compromise exceed the minimum required (3,300) by 150 annual minutes, and 15 minutes per day (Monday through Thursday) are added to academic periods.

CDE staff recommend this proposed compromise as the condition for approval of the waiver (see Attachment 1). The school has also provided the school calendar and the class schedule as revised (see Attachments 4 and 5).

**Authority for Waiver:** EC Section 47612.6

**Period of request:** August 2004 to June 2005 (when shortfall occurred)  
July 1, 2006, to June 30, 2008 (when condition will be fulfilled)

**Local board approval date(s):** March 2, 2006

**Public hearing held on date(s):** March 2, 2006

### **FISCAL ANALYSIS (AS APPROPRIATE)**

Approval of this waiver request would relieve the SRDCS of a fiscal penalty of approximately \$12,200, or about 2.3 percent of the school's 2004-05 general purpose entitlement (\$538,098). The overall effect on state expenditures would be negligible.

### **BACKGROUND INFORMATION**

Action Item: Some documentation is available for Web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or SBE Office.

Attachment 1: SRDCS Annual Instructional Minutes (Compromise Proposal 2006-07 and 2007-07 (1 Page)

Attachment 2: Specific Waiver Request (2 Pages)

Attachment 3: Audit Finding 2004-05 Fiscal Year (1 Page)

Attachment 4: Proposed Calendar and 2006-07 and 2007-08 (1 Page)

Attachment 5: Proposed Class Schedule (1 Page)

**SACRAMENTO RIVER DISCOVERY CHARTER SCHOOL  
 ANNUAL INSTRUCTIONAL MINUTES  
 Compromise Proposal for 2006-07 and 2007-08**

<b>Class/Activity</b>	<b>Actual Minutes, 2005-06</b>	<b>Percentage Distribution</b>	<b>Compromise Proposal, 2006-07 and 2007-08</b>	<b>Percentage Distribution</b>
<b>Monday - Thursday Schedule</b>				
Homeroom	15	3.3%	12	2.5%
Period A/D	110	24.1%	115	24.1%
Period B/E	110	24.1%	115	24.1%
Period C/F	110	24.1%	115	24.1%
PE	50	10.9%	53	11.1%
Minutes/Day	395		410	
Number of Days	145		143	
Annual Total	57,275		58,630	
<b>Friday Schedule</b>				
Homeroom	60	3.2%	60	3.3%
Focus Groups	120	6.3%	140	7.6%
PE	60	3.2%	60	3.3%
Minutes/Day	240		260	
Number of Days	35		37	
Annual Total	8,400		9,620	
Field Trips	540	0.8%	0	--
<b>Grand Total</b>				
<b>Annual Total</b>	<b>66,215</b>	<b>100.0%</b>	<b>68,250</b>	<b>100.0%</b>
Required Minutes			64,800	
2004-05 Shortfall			3,300	
Minimum Target			68,100	
<b>Compromise Proposal Above Minimum Target</b>			<b>150</b>	



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY AGENDA

**General Waiver**

### SUBJECT

Request by the **Turlock Unified School District (USD)** using the specific waiver authority of *Education Code (EC) 33050* to waive Section 15301(c), the limitations on boundaries of a school facilities improvement district, allowing the Turlock USD to form a School Facilities Improvement District that includes property in an existing Community Facilities District, for bonding purposes.

Waiver Number: 14-5-2006

**Action**

**Consent**

### RECOMMENDATION

**Approval**  **Approval with conditions**  **Denial**

Under the condition that *EC 33051(c)* will apply, but only for the November 2006 bond election and bond issuance thereafter.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

There have been no similar waivers presented to the State Board of Education (SBE) for consideration.

### SUMMARY OF KEY ISSUES

*EC* Section 15301(c) allows a district to form a School Facilities Improvement District (SFID) so it can issue general obligation bonds (GOB), but the Section also prohibits a district from including within the boundaries of the SFID, territory within an existing Community Facilities District (CFD), also known as a Mello-Roos District.

In 1991, the District was not unified. At that time, the Turlock Joint Union High School District (SD) and the Turlock Joint Union Elementary SD formed a CFD, imposing a Mello-Roos special tax. Later the two districts unified and became the Turlock Unified School District (USD), which is now requesting this waiver. Two of the elementary feeder school districts, which were part of the Turlock Joint Union High SD, chose not to become part of the new unified school district Turlock (USD). This meant that while all students within the TUSD can attend high schools operated by TUSD, not all students within the TUSD attend the TUSD's elementary schools.

Turlock USD wants to form a SFID for the purpose of placing two general obligation bond measures on the November 2006 ballot: one general obligation bond for the high schools throughout the Turlock USD, and the other for elementary schools within the former Turlock Joint Union Elementary SD. The former Turlock Joint Union Elementary SD contains a CFD, consisting of 774 parcels and representing 3 percent of the proposed SFID's evaluation. The District reasons that to exclude the voters within this

CFD from the SFID, and therefore from the right to vote on the proposed elementary bond measure, would exclude them from a voting process that would affect their schools, and themselves as taxpayers.

After review of the Turlock USD waiver request to include the existing CFD in the proposed SFID, and after review of the criteria specified in EC Section 33051 upon which denial of a waiver must be based, the California Department of Education recommends that the SBE approve the Turlock USD waiver.

**Authority for Waiver:** EC Section 33050

**Period of request:** From July 2006 through May 2008

**Local board approval date(s):** May 15, 2006

**Public hearing held on date(s):** May 15, 2006

**Bargaining unit(s) consulted on date(s):** May 12, 2006

**Name of bargaining unit/representative(s) consulted:**  
Cheryl Alves, Turlock Teachers Association  
Judy Hardie, California School Employees Association  
Karen Gardner, California School Employees Association

**Position of bargaining unit(s) (choose only one):**  
 Neutral                       Support                       Oppose  
Comments (if appropriate):

**Public hearing advertised by (choose one or more):**  
 posting in a newspaper       posting at each school       other (specify)

**Advisory committee(s) consulted:** Dutcher Elementary School Site Council, Wakefield Elementary School Site Council, Earl Elementary School Site Council, School, Crane Early Learning School Site Council

**Objections raised (choose one):**  None       Objections are as follows:

**Date(s) consulted:** 5/8/06, 5/9/06, 5/11/06

**FISCAL ANALYSIS (AS APPROPRIATE)**

The property within the CFD is comprised of 774 parcels that represent 3 percent of the proposed SFID's assessed valuation.

**BACKGROUND INFORMATION**

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Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.

Attachment 1: General Waiver Request (3 Pages)

Attachment 2: Memorandum regarding Proposed Education Code waiver (3 Pages)

Attachment 3: Map Showing the Boundaries of the Proposed School Facilities  
Improvement District (1 page)



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

### General Waiver

<p><b>SUBJECT</b></p> <p>Request by <b>Liberty Union High School District (LUHSD)</b> for a renewal of a waiver of <i>Education Code (EC) Section 52084(a)</i>, the Ninth Grade Class Size Reduction Program (Morgan-Hart), to receive funding for a full year, double period of "Intensified Algebra" for targeted low performing students, and English (three courses total).</p> <p>Waiver Number: 11-5-2006</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input type="checkbox"/> <b>Consent</b></p>
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### RECOMMENDATION

Approval  Approval with conditions  Denial

Approval with the following conditions: the total funding to the district will not exceed two times the grade 9 enrollment of the district; all classes will be held to the 20:1 ratio average (with no more than 22 in any one class); and *EC* Section 33051 (c) will apply.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE has discussed issues of Morgan-Hart Class Size Reduction previously. Waivers to increase the number of courses for the lowest performing students have been approved by the SBE as long as the total funding to the district does not exceed two times the Grade 9 enrollment of the district, and the district maintains the 20:1 ratio, with no more the 22 pupils in each participating class.

### SUMMARY OF KEY ISSUES

LUHSD is requesting a renewal of their 2005-06 waiver to offer reduced class size in three courses in 2006-07, Algebra 1 for two class periods for a full year and the required English course. The LUHSD wants to continue providing a two period "Intensified Algebra" course to selected ninth grade students. This intensive course, equivalent to Algebra 1a and 1b, will meet the Algebra graduation requirements and prepare students for the California High School Exit Exam.

The Morgan-Hart Class Size Reduction Act states in *EC* Section 52084(a) that the grade 9 course or the two grade 9 courses included in the program count toward completion of the graduation requirements established in subparagraph (A), (B), (C), or (D) of paragraph (1) of subdivision (a) of *EC* Section 51225.3; provided, that one of the courses included in the program shall be English.

The department recommends that this waiver be approved for the 2006-07 school year upon the conditions that total funding to the district will not exceed two times the grade 9 enrollment of the district, and all classes will be held to the 20:1 ratio average (with no more than 22 in any one class).

**Authority for Waiver:** EC Section 33050

**Period of request:** June 9, 2006 to July 31, 2007

**Local board approval date(s):** May 10, 2006

**Public hearing held on date(s):** May 10, 2006

**Bargaining unit(s) consulted on date(s):** February 9, 2005, February 15, 2005, March 1, 2005, March 4, 2005, and April 21, 2006

**Name of bargaining unit/representative(s) consulted:** Liberty Education Association, Aaron Simon, President

**Position of bargaining unit(s) (choose only one):**

Neutral  Support  Oppose

Comments (if appropriate): The bargaining unit was neutral last year.

**Public hearing advertised by (choose one or more):**

posting in a newspaper  posting at each school  other (specify) District Administration Building, Oakley Public Library, Brentwood Public Library

**Advisory committee(s) consulted:** Heritage High School Site Council, Liberty High School Advisory Council, and Freedom High School Advisory Council

**Objections raised (choose one):**  None  Objections are as follows:

**Date(s) consulted:** April 20, 2006, May 9, 2006 and May 4, 2006, respectively

### **FISCAL ANALYSIS (AS APPROPRIATE)**

Whether this waiver would have any fiscal impact is speculative. It depends upon what the district would do in the absence of the waiver. With the proposed condition limiting claims to two times the 9<sup>th</sup> grade enrollment in the participating schools, it is reasonable to conclude that any fiscal impact would be minor (if any).

### **BACKGROUND INFORMATION**

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.

Attachment 1: General Waiver Request (3 Pages)



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

### Petition Waiver

<p><b>SUBJECT</b></p> <p>Petition request under <i>Education Code (EC)</i> sections 60421(d) and 60200(g) by <b>Lake Tahoe Unified School District</b> to purchase Instructional Resources (<i>Everyday Mathematics</i>, Grades K-3, c.2001, and Grades 4-6, c.2002) using Instructional Materials Funding Realignment Program (IMFRP) monies.</p> <p>Waiver Number: 12-5-2006</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input type="checkbox"/> <b>Consent</b></p>
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### **RECOMMENDATION**

Approval  Approval with conditions  Denial

Approval from July 1, 2006, through June 30, 2007, with the condition that the district continue providing professional development to its teachers on the use of the *Everyday Mathematics* program. Assessment data will be required before any additional renewals are granted.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

Since 2001, four IMF petitions, 12 Schiff-Bustamante waiver requests, and 17 IMFRP petitions have been submitted to the State Board of Education (SBE) for the *Everyday Mathematics* program. Waivers for non-adopted mathematics programs were specifically addressed by the SBE's Schiff-Bustamante Waiver Policy (#99-06), but no specific policies have been adopted regarding IMFRP petitions. Thirty-two of the 33 prior waiver/petition requests were approved by the SBE, most with the condition that districts supplement the *Everyday Mathematics* program to ensure that all mathematics content standards are met.

This is the district's third request for a waiver/petition for *Everyday Mathematics*. The district submitted an IMFRP Petition for this same program and was granted it by the SBE in February 2003. The district submitted an additional request in July 2005 that was withdrawn and resubmitted for the September 2005 SBE meeting. At that meeting, the SBE agreed to grant the petition for one year, with the condition that the district submit additional assessment data at that time to determine if the petition should be extended.

The CDE recommends approval of this petition request, based upon the professional development conducted by the district as required by the SBE's action on the district's initial petition at the September 2005 SBE meeting. Furthermore, approval of this petition would allow the district to meet instructional materials sufficiency, as required under *EC* 60119, for fall 2006.

## **SUMMARY OF KEY ISSUES**

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While no SBE policy currently exists for petitions under the IMFRP, language within the Instructional Materials Funding Realignment Program in *EC* Section 60421(d) specifically authorizes the SBE to grant waivers for the purchase of non-adopted materials with IMFRP funds.

This district's six elementary schools have 2005 Academic Performance Index (API) rankings from the first through the sixth deciles. Two of the district's schools closed in the past year, and two others experienced declines of 6.0 to 8.5 percent in their API scores.

The 2005 Mathematics California Standards Test CST results showed that the third and fourth grades have made gains in the last year of approximately 6 percent. However, the second grade scores dropped by 7 points (11 percent) from 2004, and the fifth grade scores dropped 5 points (7 percent).

The district has disaggregated the data by grade level and by mathematics sub-skill to better direct the instruction for the mathematics teachers. In addition, they have developed an intervention plan for *Everyday Mathematics* for the 2005-06 and 2006-07 school years. The first year focused on the second grade curriculum. The second year will follow these students and place emphasis on the third grade curriculum.

Following the approval of its September 2005 IMFRP Petition, the district conducted extensive training for its teachers in mathematics during the 2005-06 school year. A complete list of these training activities is included in the district's supporting materials for this petition.

The district has taken additional steps to address the issues raised by the SBE when it last petitioned to use IMFRP funds to purchase *Everyday Mathematics*.

Attached is the district's assessment data for 2002 to 2005, which was the same as that presented to the SBE at its September 2005 meeting for the previous renewal (effectively the waiver was only given for the 9 months remaining on the school year).

Again, only one year approval is recommended by the department because there is no new data. Assessment results for 2006 will not be available until September, but must be reviewed before any renewal is granted for additional years.

**Authority for Petition:** *EC* 60421(d) and 60200(g)

**Period of request:** July 1, 2006, through June 30, 2008.

**Local board approval date(s):** May 9, 2006

**Public hearing held on date(s):** May 9, 2006

**Public hearing advertised by (choose one or more):**

posting in a newspaper     posting at each school     other (specify)

**FISCAL ANALYSIS (AS APPROPRIATE)**

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Annual estimated district expenditures for the *Everyday Mathematics* program, K-6 (consumables): \$60,000

District's total 2004-05 IMFRP: \$175,000

Percentage of IMFRP included in this petition request: 34%

District's estimated cost to purchase an alternative state-adopted mathematics program (Scott Foresman): \$259,997

**BACKGROUND INFORMATION**

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Action Item: Some documentation is available for Web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or SBE Office.

The next adoption of mathematics instructional materials will be in November 2007.

Attachment 1: Petition Request (8 Pages)

Attachment 2: Assessment Information (6 Pages)

Attachment 3: API Data Summary (2 Pages)



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

### Specific Waiver

<p><b>SUBJECT</b></p> <p>Request by <b>Lompoc Unified School District</b> under the authority of <i>Education Code (EC)</i> Section 52863 to waive <i>EC</i> Section 52852, to allow the schoolsite advisory team to function in place of the schoolsite council and to waive the parity requirements of this advisory group in regards to proportion of parent members to schoolsite members.</p> <p>Waiver Number: 29-2-2006</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input type="checkbox"/> <b>Consent</b></p>
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### **RECOMMENDATION**

Approval  Approval with conditions  Denial

That the waiver is for two years and only for Maple High School.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

This is the first time this specific issue has come before the State Board of Education (SBE), however other waivers have been granted for parity issues.

### **SUMMARY OF KEY ISSUES**

Lompoc Unified School District is a small school district in Santa Barbara County. Maple High School is an alternative/continuation high school with 120 students located on Vandenberg Air Force Base. *EC* Section 52852 requires that the composition of the school site council reflect parity between school personnel and community memberships.

Maple High School currently has a school site advisory team which they would like to use instead of a different school site council. The school site advisory team does not conform to the parity requirement between school personnel and community members; 95 percent of the students are from the local community and represent a very fluid population. Despite recruitment efforts of the principal, most parents are not willing to sit on the schoolsite advisory team. The principal has invited parents to join the advisory team in many ways, extending invitations during Back-To-School and Open House nights, newsletters, and even extending personal invitations.

Maple High School is located on a federal military base, and entry by parents to the school is difficult. Access is restricted and parents must provide proof of identification, insurance, and auto registration before they are allowed on the base. The access requirements combined with high transience rates of the school's student population makes it uncomfortable and inconvenient for parents to get to the school to serve on the council. The principal sees his only option as a waiver of the parity requirements, however will continue to seek out parents willing to serve on the advisory team.

The department recommends approval of this waiver for two years and the waiver applies only to Maple High School.

**Authority for the Waiver:** EC Section 52852

**Period of request:** August 24, 2005 to August 23, 2007

**Local board approval date(s):** February 14, 2006

**Bargaining unit(s) consulted on date(s):** February 1, 2006

**Name of bargaining unit(s)/representative(s):** Tony Bauer, President, Lompoc Federation of Teachers

**Position of bargaining unit(s) (choose only one):**

Neutral                       Support                       Oppose  
Comments (if appropriate):

**FISCAL ANALYSIS (AS APPROPRIATE)**

This request would maintain existing funding and would not result in additional costs.

**BACKGROUND INFORMATION**

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.

Attachment 1: Specific Waiver Request (3 Pages)



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

### Specific Waiver

<p><b>SUBJECT</b></p> <p>Request by <b>Tulelake Basin Joint Unified School District</b> under the authority of <i>Education Code (EC)</i> Section 52863 for a renewal waiver of <i>EC</i> Section 52852, allowing one joint school site council to function for three small rural schools participating in the School Based Coordinated Program, and allowing the district to continue to operate a school site council which includes two, rather than four students for each school participating in the School Based Coordination Act.</p> <p>Waiver Number: 3-5-2006</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input type="checkbox"/> <b>Consent</b></p>
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### **RECOMMENDATION**

Approval    Approval with conditions    Denial

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

The State Board of Education (SBE) has approved many renewals for this same district.

### **SUMMARY OF KEY ISSUES**

The district, located in Modoc County, operates three schools within a ten mile radius. The combined enrollment is 360 students with 115 students in grades kindergarten through two, 170 students in grades three through six, and 75 students in grades seven through twelve.

The schools currently operate with a common administration, one parent club, and one school site council. This waiver will allow the district to continue to operate with one school site council for all three schools and allow the district to continue with a reduced number of student members (two instead of four), as it has since 1994.

**Authority for the Waiver:** *EC* Section 52852

**Period of request:** July 1, 2006 through June 30, 2008

**Local board approval date(s):** April 27, 2006

**Bargaining unit(s) consulted on date(s):** April 14, 2006

**Name of bargaining unit(s)/representative(s):** California State Employees

Association (CSEA) Amanda Mahan; Tulelake Basin Teacher's Association,  
Tom Loustalet

**Position of bargaining unit(s) (choose only one):**

Neutral                       Support                       Oppose

Comments (if appropriate):

**FISCAL ANALYSIS (AS APPROPRIATE)**

This request will not result in additional costs to the district or to the state.

**BACKGROUND INFORMATION**

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.

Attachment 1: Specific Waiver Request (2 Pages)



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2006 AGENDA

### General Waiver

<p><b>SUBJECT</b></p> <p>Request by ten school districts and two charter schools to waive the State Testing Apportionment Information Report deadline of December 31<sup>st</sup> in the <i>California Code of Regulations (CCR)</i>, Title 5, Section 11517.5(b)(1)(A) regarding the California English Language Development Test (CELDT), or <i>CCR</i> Title 5, Section 1225(b)(2)(A) regarding the California High School Exit Examination (CAHSEE), or <i>CCR</i>, Title 5, Section 862(c)(2)(A) regarding the Standardized Testing and Reporting Program (STAR).</p> <p>Waiver Numbers: see attached list for specific school districts</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input type="checkbox"/> <b>Consent</b></p>
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### **RECOMMENDATION**

**Approval**  **Approval with conditions**  **Denial**

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

This is the third time that the State Board of Education (SBE) has heard this type of waiver request as the deadline was recently added to the *CCR* and approved by the SBE.

### **SUMMARY OF KEY ISSUES**

This is a new waiver request as the regulations for the State Testing Apportionment Information Report were amended in 2005 to include an annual deadline of December 31<sup>st</sup> for the return of the Apportionment Information Report for prior year testing for the STAR, the CAHSEE or the CELDT. The department sent letters announcing the new deadline in regulations to every local educational agency (LEA) advising them of this important change in the *CCR* in September of 2005. This deadline was enacted to speed the process of final reimbursement of testing costs to the LEAs.

The districts filing for this waiver request missed the deadline for requesting reimbursement due to the district closure during the holiday season or because the staff responsible for this report were new to the job and did not realize that there was a deadline of December 31<sup>st</sup> for turning in this report. A few districts reported that they did not receive the notice in time to respond to the deadline by December 31<sup>st</sup> although ninety percent of the LEAs submitted their reports on time. Staff verified that these districts needed the waiver and that each district submitted their report before the waiver request was recommended for approval.

These local educational agencies (LEAs) are now all aware of this important date and have submitted their reports to the Standard and Assessment Division office for

reimbursement. Therefore, the department recommends the approval of these waiver requests as required by regulation prior to final reimbursement.

**Authority for Waiver:** EC Section 33050

**Period of request:** December 31, 2005 to May 11, 2006

**Local board approval date(s):** various dates

**Public hearing held on date(s):** various dates

**Bargaining unit(s) consulted on date(s):** various dates

**Name of bargaining unit/representative(s) consulted:** various

**Position of bargaining unit(s) (choose only one):**

Neutral                       Support                       Oppose

Comments (if appropriate):

**Public hearing advertised by (choose one or more):**

posting in a newspaper       posting at each school       other (specify)

**FISCAL ANALYSIS (AS APPROPRIATE)**

The LEAs will not receive the funding to reimburse them for the 2004-05 tests administered. Attached is a list of the LEAs and the amounts that they will receive from the department if the waiver requests are approved.

**BACKGROUND INFORMATION**

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.

Attachment 1 – List of LEAs Requesting Waiver of State Testing Apportionment Information Report Deadline (1 page)

Attachment 2 – Template of Waiver Request for State Testing Apportionment Information Report (1 page)

LEAs Requesting Waiver of State Testing Apportionment  
Information Report Deadline – July 2006

LEA Name	Waiver No.	Test Report Missing	Report Submitted Now?	Amount of Reimbursement
Academia Semillas Del Pueblo Charter School	18-06-2006	CELDT	Yes	\$580.00
Briggs Elementary SD	01-05-2006	CELDT	Yes	\$385.00
Canyon Elementary SD	15-06-2006	STAR	Yes	\$119.72
Coast Unified SD	05-05-2006	CELDT	Yes	\$1,217.00
Delhi Unified SD	16-06-2006	CELDT	Yes	\$7095.00
Duarte Unified SD	06-06-2006	CELDT	Yes	\$5,150.00
East Whittier City SD	21-06-2006	CELDT	Yes	\$9,980.00
Edison Charter Academy	23-06-2006	CELDT	Yes	\$1,135.00
King City Union SD	10-06-2006	CELDT	Yes	\$6,705.00
Manzanita Elementary SD	20-06-2006	CELDT	Yes	\$185.00
Pacific Union SD	22-06-2006	CELDT	Yes	\$175.00
Saddleback Valley USD	33-04-2006	CELDT	Yes	\$17,690.00
TOTAL				\$50,416.72