

Agenda--July 12-13, 2006

California State Board of Education (SBE) meeting agenda.

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

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

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
<p>Thursday, July 13, 2006 8:00 a.m. ± (Upon Adjournment of Closed Session, if held)</p> <p>STATE BOARD OF EDUCATION</p>	<p>California Department of Education 1430 N Street, Room 1101 Sacramento, California</p>

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

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	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	ACTION INFORMATION
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ITEM 2	<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
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ITEM 3	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
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ITEM 4	Legislative update, including, but not limited to information on legislation from the 2005-06 session	ACTION INFORMATION
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ITEM 5	California Fresh Start (CFS) Pilot Program, Senate Bill (SB) 281 (Maldonado) Regulations: Approve proposed amendments	ACTION INFORMATION
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ITEM 6	Reading First: Approve recommendations for Spanish assessments and teacher training that have been considered by the English Learner Advisory Committee	ACTION INFORMATION
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ITEM 7	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
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ITEM 8	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
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ITEM 9 (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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ITEM 10 (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	ACTION INFORMATION
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ITEM 11 (DOC; 69KB; 3pp.)	<p>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</p> <ul style="list-style-type: none"> • Attachment 1 (DOC; 31KB; 2pp.) 	ACTION INFORMATION
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Item 12	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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Item 13	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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Item 14	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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Item 15	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	ACTION INFORMATION
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Item 16	Chief Business Officer Training Program – Approve Training Provider	ACTION INFORMATION
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Item 17	Chief Business Officer Training Program – Approve Training Candidates	ACTION INFORMATION
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Item 18 (DOC; 62KB; 2pp.)	No Child Left Behind Act of 2001: Approve Local Educational Agency Plans, Title 1, Section 1112	ACTION INFORMATION
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ITEM 19 (DOC; 60KB; 2pp.)	Consolidated Applications 2005-06: Approval	ACTION INFORMATION
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ITEM 20	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
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ITEM 21	Mathematics and Reading Professional Development Program, Assembly Bill 466 (Chapter 737, Statutes of 2001): Approve Reimbursement Requests from Local Educational Agencies	ACTION INFORMATION
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ITEM 22 (DOC; 69KB; 5pp.)	Child Nutrition Advisory Council: Approve Amendments To Bylaws	ACTION INFORMATION
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ITEM 23	Standardized Testing and Reporting Program: Approval of the revisions to the California Alternate Performance Assessment English-language arts Blueprint for Level 1	ACTION INFORMATION
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ITEM 24 (DOC; 51KB; 1p.)	Advisory Commission on Special Education: Appointment of two commissioners	ACTION INFORMATION
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ITEM 25	Assignment of Numbers for Charter School Petitions	ACTION INFORMATION
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ITEM 26	Charter Schools: Determination of Funding Requests for 2005-06 (and beyond) for Nonclassroom-based Charter Schools	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.

ITEM 27	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

ITEM 28	State Board of Education-Approved Charter Schools: Update	ACTION INFORMATION
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ITEM 29	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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ITEM 30	Cypress Grove Charter High School for Arts and Sciences: Appeal of Renewal Denial Pursuant to <i>Education Code</i> Section 47607.5	ACTION INFORMATION
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ITEM 31	Proposed Revision of State Board of Education Waiver Policy Number 99-03 - Physical Education Requirements – Block Schedules	ACTION INFORMATION
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ADJOURNMENT OF DAY'S SESSION

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:

ITEM 32	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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ITEM 33	California High School Exit Examination: Including, but not limited to, CAHSEE Program and independent evaluation update	ACTION INFORMATION
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ITEM 34 (DOC; 222KB; 2pp.)	Standardized Testing and Reporting Program: Adopt Amendments to Title 5 Regulations	ACTION INFORMATION
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ITEM 35	Standardized Testing and Reporting Program: Including, but not limited to, program update	ACTION INFORMATION
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ITEM 36	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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ITEM 37	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

ITEM WC-1	<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>	ACTION
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RESOURCE SPECIALIST CASELOAD

ITEM WC-2	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. Waiver Number: 6-5-2006 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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ITEM WC-3	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. Waiver Number: 19-5-2006 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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SAFE AND DRUG FREE SCHOOLS AND COMMUNITIES

ITEM WC-4	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 Building Effective Schools Together (BEST) - a positive behavior support program for students in kindergarten through eighth grade. Waiver Number: 8-4-2006 (Recommended for APPROVAL WITH CONDITONS)	ACTION
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SCHOOL SITE COUNCIL

ITEM WC-5	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). Waiver Number: 28-4-2006 (Recommended for APPROVAL)	ACTION
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STATE MEAL MANDATE (Saturday School Session)

ITEM WC-6	<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>	ACTION
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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

ITEM W-1	<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>	ACTION
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CHARTER SCHOOL (Single Gender)

ITEM W-2	<p>Request by the New Village Charter School for a waiver of <i>Education Section (EC)</i> Section 47605(d)(1)(2)(A), 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>	ACTION
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CLASSIFIED SENIOR MANAGEMENT EMPLOYEES

ITEM W-3	<p>Request by the Los Angeles Unified School District (LAUSD) using the specific waiver authority of the <i>Education Code (EC)</i> 45108.7 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>	ACTION
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Waiver Number: 13-5-2006 (Recommended for APPROVAL)	
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COMMUNITY DAY SCHOOL

ITEM W-4	Request by Grant Joint Union High School District 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 & Technology High School. Waiver Number 11-6-2006 (Recommended for APPROVAL) EC 33051(c) will apply	ACTION
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EQUITY LENGTH OF TIME

ITEM W-5	Request by Temecula Valley Unified School District 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 (Recommended for APPROVAL WITH CONDITIONS) EC 33051(c) will apply	ACTION
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INSTRUCTIONAL MATERIALS

ITEM W-6	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. Waiver Number: 29-4-2006 (Recommended for APPROVAL) EC 33051(c) will not apply	ACTION
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INSTRUCTIONAL MATERIALS SUFFICIENCY (Audit Findings)

ITEM W-7	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	ACTION
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	<p>public hearing during school hours.</p> <p>Waiver Number: 7-3-2006</p> <p>(Recommended for APPROVAL)</p>	
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ITEM W-8	<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>	ACTION
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ITEM W-9	<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>	ACTION
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INSTRUCTIONAL TIME PENALTY

ITEM W-10	<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>	ACTION
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ITEM W-11	<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"> • <i>EC</i> Section 46202(b) (longer day) for offering less instructional time than the required state minimums at grades 1-3 (shortfall of 	ACTION
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	<p>2,265 minutes) and grades 4-6 (shortfall of 1,635 minutes);</p> <ul style="list-style-type: none"> • <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; • <i>EC</i> 46200(a) (longer year) for offering less than 180 days (shortfall of 4 days). <p>Waiver Number: 27-4-2006</p> <p>(Recommended for APPROVAL WITH CONDITIONS)</p>	
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INSTRUCTIONAL TIME PENALTY (Charter Schools)

ITEM W-12	<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>	ACTION
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LIMITATIONS ON SCHOOL BOUNDARIES

ITEM W-13	<p>Request by the Turlock Unified School District (USD) using the specific 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>	ACTION
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NINTH GRADE CLASS SIZE REDUCTION PROGRAM

ITEM W-14	<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

ITEM W-15	<p>Petition request under <i>Education Code</i> (EC) 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)

ITEM W-16	<p>Request by Lompoc Unified School District under the authority of <i>Education Code</i> (EC) Section 52863 to waive EC 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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ITEM W-17	<p>Request by Tulelake Basin Joint Unified School District under the authority of <i>Education Code</i> (EC) Section 52863 for a renewal waiver of 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>	ACTION
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STATE TESTING REPORTING DEADLINES

ITEM W-18	<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</i> (CCR), Title 5, Section 11517.5(b)(1)(A) regarding the California English Language Development Test (CELDT), or CCR Title 5, Section 1225(b)(2)(A) regarding the California High School Exit Examination (CAHSEE), or CCR, 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>	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 Department of Education
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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

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

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

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.)

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)

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)

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
Statewide API Rank			
Similar Schools API Rank			

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	
All Students at the School				
African American				
American Indian or Alaska Native				
Asian				
Filipino				
Hispanic or Latino				
Pacific Islander				
White (not Hispanic)				
Socioeconomically Disadvantaged				
English Learners	---	---		
Students with Disabilities	---	---		

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	
Made AYP Overall				
Met AYP Criteria	English- Language Arts	Mathematics	English- Language Arts	Mathematics
Participation Rate				
Percent Proficient				
API				
Graduation Rate				

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
Program Improvement Status		
First Year of Program Improvement		
Year in Program Improvement		
Number of Schools Currently in Program Improvement	---	
Percent of Schools Currently in Program Improvement	---	

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
Dropout Rate (1-year)			
Graduation Rate			

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 12th 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 12th 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

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

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

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.)

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.)

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.)

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]

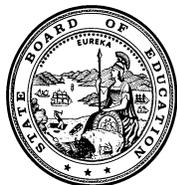
In discussions with California, the ED has insisted that all high schools must have a graduation rate, even those without a graduating class. This amendment would provide additional flexibility in determining whether these schools meet the criteria for AYP. It would pertain to traditional comprehensive 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)

Any State or LEA that does not abide by the mandates and provisions of NCLB is at risk of losing federal funding.

ATTACHMENT(S)

None.



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

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.)

1030.8. A school's API will be included whenever possible in determining "significant growth."

FISCAL ANALYSIS (AS APPROPRIATE)

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)

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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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

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

As of the May 2006 meeting, the SBE has approved a total of 1,276 LEA Plans.

SUMMARY OF KEY ISSUES

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)

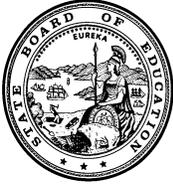
There is no fiscal impact to state operations.

ATTACHMENT(S)

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

CoDistCode	SchCode	Direct-Funded Charter Schools
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



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.

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.)

SUMMARY OF KEY ISSUES

The CDE recommends regular approval of the ConApp for 40-2 LEAs (see Attachment 1 for the list of LEAs).

FISCAL ANALYSIS (AS APPROPRIATE)

There is minimal CDE cost to track the SBE approval status of the ConApp for approximately 1,300 LEAs.

ATTACHMENT(S)

Attachment 1: ConApp List, (2005-06) Regular Approvals (3-1 Pages)



CALIFORNIA STATE BOARD OF EDUCATION

JULY 2006 AGENDA

SUBJECT Child Nutrition Advisory Council: Approve Amendments to bylaws	<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 approve revisions to the Child Nutrition Advisory Council (CNAC) bylaws.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE approved the original CNAC bylaws in November 1989 and approved amendments in May 1995 and July 2005.

SUMMARY OF KEY ISSUES

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)

No fiscal impact.

ATTACHMENT(S)

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 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

The State Board of Education is the appointing authority for five of the 15 statutorily defined positions.

SUMMARY OF KEY ISSUES

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)

There is no fiscal impact.

ATTACHMENT(S)

Names and brief biographies of individuals recommended for appointment by the Screening Committee will be provided as a Last Minute Memorandum.



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

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

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

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)

The Economic and Fiscal Impact Analysis concluded that there are no additional costs associated with the proposed amendments.

ATTACHMENT(S)

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 Standards-Based Achievement Tests.

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 25th 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 25th 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~~Language
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 14th 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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