

# CALIFORNIA STATE BOARD OF EDUCATION

## State Board Members

Robert L. Trigg, President  
Kathryn Dronenburg, Vice President

Marian Bergeson  
Susan Hammer  
Carlton J. Jenkins  
Marion Joseph  
Yvonne W. Larsen  
Monica Lozano  
Janet Nicholas  
Vicki Reynolds

Secretary & Executive Officer  
Hon. Delaine Eastin

Executive Director  
Greg Geeting

# AGENDA

SEPTEMBER 8-9, 1999

## SCHEDULE OF MEETINGS

## LOCATION

Wednesday, September 8, 1999

9:00 a.m. ∇

STATE BOARD OF EDUCATION

Closed Session

(The public may not attend.)

Department of Education

721 Capitol Mall, Room 166

Sacramento, CA 95814

(916) 657-5478

[Closed session may be postponed to a later time on this day, or may begin at this time, then be recessed and reconvened later on this day.]

## CLOSED SESSION AGENDA

Under *Government Code* section 11126(e)(1), 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, as necessary and appropriate, in closed session:

- ! *Brian Ho, et al., v. San Francisco Unified School District, et al.*, United States District Court, Northern District of California, No. C-94-2418 WHO
- ! *California Department of Education, et al., v. San Francisco Unified School District, et al.*, San Francisco Superior Court, Case No. 994049 and cross-complaint and cross-petition for writ of mandate and related actions
- ! *California State Board of Education v. Delaine Eastin, the Superintendent of Public Instruction for the State of California*, Sacramento County Superior Court, Case No. 97CS02991 and related appeal
- ! *Campbell Union High School District, et al., v. State Board of Education et al.*, Sacramento Superior Court, No. 99CS00570
- ! *City Council of the City of Folsom v. State Board of Education*, Sacramento County Superior Court, No. 96-CS00954
- ! *Coalition for Locally Accountable School Systems v. State Board of Education*, Sacramento County Superior Court, Case No. 96-CS00939

---

For more information concerning this agenda, please contact Greg Geeting, Interim Executive Director of the California State Board of Education, or Gregory McGinity, Education Policy Consultant, at 721 Capitol Mall, Room 532, P.O. Box 944272, Sacramento, CA 94244-2720; telephone (916) 657-5478; fax (916) 653-7016.

---

California State Board of Education

AGENDA . . . . .September 8-9, 1999

- ! *Comité de Padres de Familia v. Honig*, Sacramento County Superior Court, No. 281124; 192 CAL. App 3d 528 (1987)
- ! *Crawford v. Honig*, United States District Court, Northern District of California, C-89-0014 DLJ
- ! *CTA, et al. v. Wilson*, United States District Court, Central District of California, Case No. 98-9694 ER (CWx)
- ! *Daniel, et al v. State of California, et al.*, Los Angeles Superior Court, Case No. B C214156.
- ! *Donald Urista, et al. v. Torrance Unified School District, et al.*, United States District Court, Central District of California, Case No. 97-6300 ABC
- ! *Emma C. et al. v. Delaine Eastin et al.*, United States District Court, Northern District of California, Case No. C 96 4179
- ! *Laguna v. State Board of Education*, San Diego Superior Court, Case No. 78926
- ! *Larry P. v. Riles*, 495 F.Supp 926 (N.D. Ca. 1979) aff'd in part, rev'd in part, 793 F.2d 969 (9th Cir. 1986)
- ! *Maria Quiroz, et al. v. State Board of Education, et al.*, Sacramento County Superior Court, No. 97CS01793 and related appeal
- ! *Maureen Burch, et al. v. California State Board of Education*, Los Angeles County Superior Court, Case No. BS034463 and related appeal
- ! *McLaughlin, et. al., v. California State Board of Education, et al.*, Alameda Superior Court, Case No. 800810-5 and related appeal
- ! *McNeil v. State Board of Education*, San Mateo County Superior Court, Case No. 395185
- ! *Meinsen et al. v. Grossmont Unified School District et al.*, C 96 1804 S LSP, U.S. District Court, Southern District of California (pending)
- ! *Richard Wilson et al. V. State Board of Education*, San Francisco Superior Court, Case No. 995602 and related appeal
- ! *Roxanne Serna, et al., v. Delaine Eastin, State Superintendent of Public Instruction, et al.*, Los Angeles County Superior Court, Case No. BC174282
- ! *San Francisco NAACP v. San Francisco Unified School District, et al.*, United States District Court, Northern district of California, No. 78-1445 WHO
- ! *San Mateo-Foster City School District, et al., v. State Board of Education*, San Mateo County Superior Court, Case No. 387127
- ! *San Rafael Elementary School District v. State Board of Education, et. al.*, Sacramento Superior Court, Case No. 98-CS01503 and related appeal
- ! *Shevtsov v. California Department of Education*, United States District Court, Central District of California, Case No. CV 97-6483 IH (CT)
- ! *Valeria G., et al. V. Wilson, et al.*, United States District Court, Northern District of California, Case No. C-98-2252-CAL.

Under *Government Code* section 11126(e)(2), the State Board of Education hereby provides public notice that it may meet in closed session to determine whether, based on existing facts and circumstances, any matter presents a significant exposure to litigation [see *Government Code* section 11126(e)(2)(B)(ii)] and, if so, to proceed with closed session consideration and action on that matter, as necessary and appropriate [see *Government Code* section 11126(e)(2)(B)(I)]; or, based on existing facts and circumstances, if it has decided to initiate or is deciding whether to initiate litigation [see *Government Code* section 11126(e)(2)(C)], including litigation regarding the Standardized Testing and Reporting (STAR) Program, Proposition 227 and consolidated applications.

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 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 employees exempt from civil service under Article VII, Section 4(e) of the California Constitution including the executive director.

---

For more information concerning this agenda, please contact Greg Geeting, Interim Executive Director of the California State Board of Education, or Gregory McGinity, Education Policy Consultant, at 721 Capitol Mall, Room 532, P.O. Box 944272, Sacramento, CA 94244-2720; telephone (916) 657-5478; fax (916) 653-7016.

---

**California State Board of Education**

**AGENDA .....September 8-9, 1999**

Wednesday, September 8, 1999

9:15 a.m.±  
STATE BOARD OF EDUCATION  
Public Session

Department of Education  
721 Capitol Mall, Room 166  
Sacramento, CA 95814  
(916) 657-5478

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

Thursday, September 9, 1999

7:45 a.m.±  
STATE BOARD OF EDUCATION  
Closed Session – If Necessary  
(The public may not attend.)

Department of Education  
721 Capitol Mall, Room 166  
Sacramento, CA 95814  
(916) 657-5478

[Closed session may be postponed to a later time on this day, or may begin at this time, then be recessed and reconvened later on this day.]

Thursday, September 9, 1999

9:00 a.m.± upon adjournment of closed session  
STATE BOARD OF EDUCATION  
Public Session

Department of Education  
721 Capitol Mall, Room 166  
Sacramento, CA 95814  
(916) 657-5478

[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  
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, 721 Capitol Mall, Room 532, P.O. Box 944272, Sacramento, CA, 94244-2720; telephone, (916) 657-5478; fax, (916) 653-7016.

---

For more information concerning this agenda, please contact Greg Geeting, Interim Executive Director of the California State Board of Education, or Gregory McGinity, Education Policy Consultant, at 721 Capitol Mall, Room 532, P.O. Box 944272, Sacramento, CA 94244-2720; telephone (916) 657-5478; fax (916) 653-7016.

---

# CALIFORNIA STATE BOARD OF EDUCATION

## FULL BOARD Public Session AGENDA SEPTEMBER 8-9, 1999

Department of Education  
721 Capitol Mall, Room 166  
Sacramento, California 95814  
(916) 657-5478

WEDNESDAY, September 8, 1999 – 9:15 a.m.±

Call to Order

Salute to the Flag

Approval of Minutes (July & August 1999 Meeting)

Announcements

Communications

REPORT OF THE SUPERINTENDENT (May be held over to Thursday, September 9)

### SPECIAL PRESENTATIONS

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

ITEM 1	<b>State Board Projects.</b> Subjects include: direction for future agenda items; State Board office budget, staffing and direction to staff; declaratory and commendatory resolutions; appointments; Executive Director search; update on litigation; review and revision of State Board bylaws and policies; and other matters of interest.	<b>INFORMATION ACTION</b>
--------	--	-------------------------------

This day's session will begin with a brief reception honoring representatives of the Sacramento City Unified School District in recognition of the district's outstanding improvement in academic achievement during 1998-99 at 9:15 a.m., followed by remarks from District Superintendent Jim Sweeney (9:30 a.m. – 10:00 a.m.).

ITEM 2	<b>PUBLIC COMMENT.</b> Public Comment is invited on any matter not included on the printed agenda. Depending on the number of individuals wishing to address the State Board, the presiding officer may establish specific time limits on presentations.	INFORMATION
ITEM 3	<b>Appointments to WestEd Board of Directors.</b>	INFORMATION ACTION
ITEM 4	<b>Appoint Paul Warren to the Position of Deputy Superintendent for Accountability.</b>	ACTION
ITEM 5	<b>Approval of 1999-2000 Consolidated Applications.</b>	ACTION
ITEM 6	<b>1999-2000 Gifted &amp; Talented Education (GATE) Funding</b>	ACTION
ITEM 7	<b>Additional Trainer for Approved Providers of Professional Development in Reading (AB 1086).</b>	ACTION
ITEM 8	<b>Report of the Curriculum Development &amp; Supplemental Materials Commission.</b>	INFORMATION ACTION
ITEM 9	<b>Status Report on the AB 2519 Adoption.</b>	INFORMATION ACTION
ITEM 10	<b>Distribution Plan for the Reading/Language Arts (RLA) &amp; Mathematics Frameworks Sets.</b>	INFORMATION ACTION
ITEM 11	<b>Guidelines for Waivers of the Requirement that Funds Allocated Pursuant to the Schiff-Bustamante Standards-Based Instructional Materials Program be used for the Sole Purpose of Purchasing Standards-Aligned Instructional Materials.</b>	INFORMATION ACTION
ITEM 12	<b>Standardized Testing &amp; Reporting (STAR) Program.</b>	INFORMATION ACTION
ITEM 13	<b>California Assessment of Applied Academic Skills (CAAAS), Including, but not limited to, the consideration of proposals submitted in response to the request for proposals released August 6, 1999 for purposes of awarding a contract.</b>	INFORMATION ACTION
ITEM 14	<b>California Assessment of English Language Development (CA-ELD), Including, but not limited to, the consideration of proposals submitted in response to the request for proposals dated August 6, 1999 for purposes of awarding a contract.</b>	INFORMATION ACTION
ITEM 15	<b>High School Exit Examination.</b>	INFORMATION

ITEM 16	Legislative Item.	INFORMATION ACTION
---------	-------------------	--------------------

ITEM 17	Paper Screening of Candidates for Appointment to the Curriculum Development and Supplemental Materials Commission.	INFORMATION ACTION
---------	--	--------------------

THURSDAY, September 9, 1999 – 9:00 a.m.± upon adjournment of closed session

REPORT OF THE SUPERINTENDENT

SPECIAL PRESENTATIONS

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

ITEMS DEFERRED FROM PRECEDING DAY

Any matters deferred from the previous day=s meeting may be considered.

The State Board will also consider and take action on the following agenda items. A working lunch is planned for this day.

ITEM 18	Approved Providers of Mathematics Professional Development (AB 1331).	INFORMATION ACTION
---------	---	--------------------

ITEM 19	Updating Title 5 Local Staff Development Program Regulations 4100-4113.	INFORMATION ACTION
---------	---	--------------------

ITEM 20	SB 1X: Public Schools Accountability Act (PSSA) of 1999 Update.	INFORMATION ACTION
---------	---	--------------------

ITEM 21	Assignment of Numbers for Charter School Petitions.	ACTION
---------	---	--------

ITEM 22	Request by the Pioneer Union Elementary School District (PUESD) to Renew its Charter as an All-Charter District.	INFORMATION ACTION
---------	--	--------------------

ITEM 23	Policy on Retroactive Waiver Requests Related to the Repayment of Audit Exceptions.	INFORMATION ACTION
---------	---	--------------------

WAIVER REQUESTS

## CONSENT MATTERS

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

### INSTRUCTIONAL TIME PENALTY

ITEM WC-1 Postponed from July	Request by McSwain Union Elementary District to waive the full longer-day instructional time penalty for the 1994/95 fiscal year. CDSIS-134-3-99 <b>(Recommended for APPROVAL) with conditions</b>	ACTION
ITEM WC-2 Postponed from July	Request by Stone Corral School District to waive the full longer-day instructional time penalty for the 1996-97 fiscal year. CDSIS-226-3-99 <b>(Recommended for APPROVAL) with conditions</b>	ACTION
ITEM WC-3 Postponed from July	Request by Compton Unified School District to waive the longer-day instructional time penalty down to 1/5 of the penalty for the 1996/97 fiscal year. <b>(Repayment due \$2,284)</b> CDSIS-194-3-99 <b>(Recommended for APPROVAL)</b>	ACTION
ITEM WC-4 Postponed from July	Request by King City Union Elementary School District to waive the longer-day instructional time penalty down to affected students for the 1997-98 fiscal year. <b>(Repayment due \$4,465.00)</b> CDSIS-224-3-99 <b>(Recommended for APPROVAL)</b>	ACTION
ITEM WC-5 Postponed from July	Request by West Contra Costa Unified School District to waive the longer-day instructional time penalty down to 2/5 of the penalty for the 1997-98 fiscal year. <b>(Repayment due \$30,599)</b> CDSIS-221-4-99 <b>(Recommended for APPROVAL)</b>	ACTION
ITEM WC-6 Postponed from July	Request by Mattole Unified School District to waive the longer-day instructional time penalty to more accurately reflect the shortage of instructional time experienced by the students for the 1996/97 fiscal year. <b>(Repayment due \$2,157)</b> CDSIS-56-6-98 <b>(Recommended for APPROVAL)</b>	ACTION
ITEM WC-7 Postponed from July	San Bernardino City Unified School District is requesting to waive the full longer-day instructional time penalty for high school students and reduce the full longer-day instructional time penalty for 4 <sup>th</sup> – 6 <sup>th</sup> grade students down to affected students in the 1993-94 fiscal year. <b>(Repayment due \$7,322)</b>	ACTION

	CDSIS-10-5-99 (Recommended for APPROVAL)	
--	---	--

ITEM WC-8	Request by Lakespur School District to waive the full longer-day instructional time penalty and the full ADA penalty for the 1997-98 fiscal year. CDSIS-159-3-99 (Recommended for APPROVAL) with conditions	ACTION
-----------	---	--------

ITEM WC-9	Request by McFarland Unified School District to waive the full ADA penalty incurred for falling below their 1982-93 instructional minutes baseline in the 1996-97 fiscal year. (Repayment due \$47,181) CDSIS-84-3-98 (Recommended for APPROVAL)	ACTION
-----------	--	--------

ITEM WC-10	Request by Southern Trinity Joint Unified School District to waive the longer day instructional time penalty down to 3/5 of the penalty for the 1996-97 fiscal year. (Repayment due \$4,422) CDSIS-142-6-99 (Recommended for APPROVAL)	ACTION
------------	--	--------

ITEM WC-11	Glen County Office of Education is requesting to waive the longer-day instructional time penalty down to affected students for the 1997-98 fiscal year. (Repayment due \$1,912) CDSIS-62-2-99 (Recommended for APPROVAL)	ACTION
------------	--	--------

ITEM WC-12	Klamath Trinity Joint Unified School District is requesting to waive the full longer-day instructional time penalty for the 1997-98 fiscal year. CDSIS-1-7-99 (Recommended for APPROVAL) with conditions	ACTION
------------	--	--------

**MILLER-UNRUH READING SPECIALIST**

ITEM WC-13	Request by Empire Unified School District to waive ECS 52859(b), using ECS 52863. This request relates to the prohibition of using funds coordinated under the School-based Coordinated Program (SBCP) to pay for the <u>local share of costs</u> associated with the employment of a <u>reading specialist</u> . CDSIS-60-6-99 (Recommended for APPROVAL)	ACTION
------------	--	--------

ITEM WC-14	Request by Fresno Unified School District to waive ECS 52859(b), using ECS 52863. This request relates to the prohibition of using funds coordinated under the <u>School-based Coordinated Program (SBCP)</u> to pay for the <u>local share of costs</u> associated with the employment of a <u>reading specialist</u> .	ACTION
------------	--	--------

	CDSIS-58-6-99 (Recommended for APPROVAL)	
--	---	--

**RESOURCE CASELOAD SPECIALIST**

<b>ITEM WC-15</b>	Request by Bonita Unified Elementary School District to waive Education Code section 56362 (c) which allows the district to exceed the maximum caseload of 28 students (but not more than 32) for each resource teacher, Gretchen McGarigle and Brenda Nur assigned at Ekstrand Elementary, Jeff Rudy, Chris Romero, and Debbie Sims assigned at Bonita High, and Valerie Hernhol, assigned at Allen Avenue Elementary. CDSIS-77-5-99 (Recommended for APPROVAL)	<b>ACTION</b>
-------------------	--	---------------

<b>ITEM WC-16</b>	Request from Walnut Valley Unified School District to waive Education Code section 56362 (c) which allows the district to exceed the maximum caseload of 28 students (but not more than 32) for each resource teacher, Jane Wai assigned at Evergreen Elementary School. CDSIS-125-5-99 (Recommended for APPROVAL)	<b>ACTION</b>
-------------------	--	---------------

<b>ITEM WC-17</b>	Request from West Contra Costa Unified School District to waive Education Code section 56362(c) which allows the district to exceed the maximum caseload of 28 students (but not more than 32) for each resource teacher, Jane Kaasa assigned at Hanna Ranch Elementary School. CDSIS-11-6-99(A) (Recommended for APPROVAL)	<b>ACTION</b>
-------------------	---	---------------

<b>ITEM WC-18</b>	Request from Fairfield-Suisun Unified School District to waive Education Code section 56362(c) which allows the district to exceed the maximum caseload of 28 students (but not more than 32) for each resource teacher, Ellen Kisiday assigned at Amy Black School. CDSIS-14-5-99 (Recommended for APPROVAL)	<b>ACTION</b>
-------------------	---	---------------

<b>ITEM WC-19</b>	Request from Santa Rita Union School District to waive Education Code section 56362 (c) which allows the district to exceed the maximum caseload of 28 students (but not more than 32) for each resource teacher, Pat McDowell assigned at Gavilian View Middle School. CDSIS-6-6-99 (Recommended for APPROVAL)	<b>ACTION</b>
-------------------	---	---------------

<b>ITEM WC-20</b>	Request from San Ysidro School District to waive Education Code section 56362 (c) which allows the districts to exceed the maximum caseload of 28 students (but not more than 32) for each resource teacher, Carolyn Buck assigned at La Mirada and Sunset Schools. CDSIS-102-5-99	<b>ACTION</b>
-------------------	---	---------------

	<b>(Recommended for APPROVAL)</b>	
--	-----------------------------------	--

<b>ITEM WC-21</b>	Request from Merced Union High School District to waive Education Code section 56362(c) which allows the districts to exceed the maximum caseload of 28 students (but not more than 32) for each resource teacher, Ben French, assigned at Merced Union High School. CDSIS-143-5-99(B) <b>(Recommended for APPROVAL)</b>	<b>ACTION</b>
-------------------	--	---------------

**SCHOOL SITE COUNCIL**

<b>ITEM WC-22</b>	Request by Clovis Unified School District to waive ECS 52852 under the authority of ECS 52863 relating to the establishment of a school site council as required for each school participating in the School-based Coordination Act for (Enterprise School, Gateway High School and Excel High School). CDSIS-28-6-99 <b>(Recommended for APPROVAL)</b>	<b>ACTION</b>
-------------------	---	---------------

<b>ITEM WC-23</b>	Request by Clovis Unified School District to waive ECS 52852 under the authority of ECS 52863 relating to the establishment of a school site council as required for each school participating in the School-based Coordination Act for (Reyburn Intermediate School and Clovis Colony High School). CDSIS-26-6-99 <b>(Recommended for APPROVAL)</b>	<b>ACTION</b>
-------------------	--	---------------

**STATE MEAL MANDATE (Summer School Session) (ORIGINAL REQUEST)**

<b>ITEM WC-24</b>	Request from School Districts for a waiver for the State Meal Mandate Program during the (Summer School Session). <b>LISTING OF DISTRICTS IS ATTACHED</b>	<b>ACTION</b>
-------------------	--	---------------

**STATE MEAL MANDATE (Summer School Session) (RENEWAL REQUEST)**

<b>ITEM WC-25</b>	Request from School Districts for renewal of a waiver for the State Meal Mandate Program during the (Summer School Session). <b>LISTING OF DISTRICTS IS ATTACHED</b>	<b>ACTION</b>
-------------------	---	---------------

**STATE MEAL MANDATE (Saturday School Session) (ORIGINAL REQUEST)**

<b>ITEM WC-26</b>	Request from School District for renewal of a waiver for the State Meal Mandate program during the (Saturday School Session). <b>LISTING OF DISTRICTS IS ATTACHED</b>	<b>ACTION</b>
-------------------	--	---------------

**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.

**CHARTER SCHOOL ATTENDANCE**

ITEM W-1	Request by the Western Placer Unified School District to waive Title 5 CCR Section 11960, related to charter school attendance, for Horizons Instructional Systems. CDSIS-53-6-99 <b>(Recommended for APPROVAL)</b>	<b>ACTION</b>
ITEM W-2	Request by the Victor Elementary School District to waive Title 5 CCR Section 11960, related to charter school attendance, for Charter 101 Elementary School. CDSIS-119-6-99 <b>(Recommended for APPROVAL) E.C. 33051(c) will apply</b>	<b>ACTION</b>
ITEM W-3	Request by the Placerville Union School District to waive Title 5 CCR 11960, related to charter school attendance, for the Louisiana Schnell Charter School. CDSIS-56-3-99 <b>(Recommended for APPROVAL) E.C. 33051(c) will apply</b>	<b>ACTION</b>
ITEM W-4	Request by the New Jerusalem School District to waive Title 5 CCR Section 11960, related to charter school attendance, for New Jerusalem Charter School. CDSIS-43-7-99 <b>(Recommended for APPROVAL) with conditions, E.C. 33051(c) will apply.</b>	<b>ACTION</b>
ITEM W-5	Request by the Long Beach Unified School District to waive Title 5 CCR Section 11960, related to charter school attendance, for Options for Youth Charter School. CDSIS-58-7-99 <b>(Recommended for DENIAL) Reason: E.C. 33051 (a) (6)</b>	<b>ACTION</b>

**CLASS SIZE REDUCTION –9<sup>TH</sup> GRADE “MORGAN-HART”**

ITEM W-6	Request by Irvine Unified School District to renew a waiver of Education Code Sections 52084(a)(c) and 52086(a) for (University High School). CDSIS-5-7-99 <b>(Recommended for DENIAL) Reason: E.C. 33051(a)(1)</b>	<b>ACTION</b>
ITEM W-7	Request by Irvine Unified School District to waive Education Code Sections 52084(a)(c) and 52086(a) for (Northwood High School). CDSIS-4-7-99 <b>(Recommended for DENIAL) Reason: E.C. 33051(a)(1)</b>	<b>ACTION</b>
ITEM W-8	Request by Santa Ana Unified School District to waive Education Code Section 52084(a) under the Morgan-Hart Class Size Reduction Act.	<b>ACTION</b>

	CDSIS-19-7-99 (Recommended for APPROVAL)	
--	---	--

**COMMUNITY DAY—COMMINGLE GRADES K-6 WITH 7-12**

ITEM W-9	Request by Coarsegold Union School District for a waiver of Education Code section 48916.1(d) relating to district community day schools serving K-6 with 7-12 students in a combined program (K-8 district). CDSIS-27-6-99 (Recommended for APPROVAL) E.C. 33051 (c) will apply	ACTION
----------	--	--------

ITEM W-10	Request by Sonoma County Office of Education for a waiver of Education Code section 48916.1(d) relating to district community day schools serving K-6 students with 7-12 students in a combined program (grades 6-12, only, with complete separation of grades 6-8 from 9-12). CDSIS-137-6-99 (Recommended for APPROVAL) E.C. 33051(c) will apply	ACTION
-----------	---	--------

ITEM W-11	Request by Grenada School District for a waiver of Education Code section 48916.1(d) relating to district community day schools serving K-6 students with 7-12 students in a combined program (K-8 district, grades 3-8). CDSIS-51-7-99 (Recommended for APPROVAL) E.C. 33051(c) will apply	ACTION
-----------	---	--------

ITEM W-12	Request by Oak Grove School District for a waiver of Education Code section 48916.1(d) relating to district community day schools serving K-6 students with 7-12 students in a combined program (K-8 district, grades 5-8 only). CDSIS-61-7-99 (Recommended for APPROVAL) E.C. 33051(c) will apply	ACTION
-----------	--	--------

**COMMUNITY DAY—CO-LOCATION WITH REGULAR SCHOOL**

ITEM W-13	Request by Sonoma Valley Unified School District for a waiver of Education Code Section 48661 relating to the <u>placement of a community day school on a middle school site</u> . CDSIS-36-7-99 (Recommended for APPROVAL) E.C. 33051(c) will apply	ACTION
-----------	--	--------

ITEM W-14	Request by Lincoln Unified School District for a waiver of Education Code Section 48661(b) relating to the placement of a community day school on comprehensive high school site. CDSIS-67-7-99 (Recommended for APPROVAL) E.C. 33051(c) will apply	ACTION
-----------	---	--------

**COMMUNITY DAY SCHOOL—SUPPLEMENTAL APPORTIONMENTS**

ITEM W-15	Request by Red Bluff Union Elementary School District for a waiver of	ACTION
-----------	---	--------

<b>Postponed from July</b>	Education Code Sections 48663(a) and 48664(a) and (d) relating to minimum school day and supplemental funding for district community day schools. CDSIS-171-5-99 <b>(Recommended for APPROVAL) with conditions</b>	
----------------------------	--	--

<b>ITEM W-16 Postponed from July</b>	Request by the West Contra Costa Unified School District waiver of Education Code Sections 48663(a) and 48664(a) and (c) relating to minimum school day and supplemental funding for district community day schools. CDSIS-100-1-99 <b>(Recommended for APPROVAL) with conditions</b>	<b>ACTION</b>
--------------------------------------	---	---------------

<b>ITEM W-17</b>	Request by the Konocti Unified School District for a waiver of Education Code Sections 48663(a) and 48664(a) relating to minimum school day and supplemental funding for district community day schools. CDSIS-138-2-99 <b>(Recommended for APPROVAL) with conditions</b>	<b>ACTION</b>
------------------	---	---------------

<b>ITEM W-18</b>	Request by Perris Union High School District for a waiver of the limitation on supplemental apportionments for District Community Day Schools as specified in Education Code section 48664(a). CDSIS-66-5-99 <b>(Recommended for DENIAL) Reason: E.C. 33051(a)(6)</b>	<b>ACTION</b>
------------------	---	---------------

**COMMUNITY DAY SCHOOL—COUNTY OFFICE TO UTILIZE UNUSED DISTRICT CDS FUNDS**

<b>ITEM W-19</b>	Request by Merced County Office of Education for a waiver of a provision in Education Code Section 48664(a)(1). In effect, this waiver would allow the Merced COE to increase the allowable ADA for supplemental funding for its community day schools for this fiscal year in the hope that urgency legislation can be enacted for the future. CDSIS-140-5-99 <b>(Recommended for APPROVAL)</b>	<b>ACTION</b>
------------------	--	---------------

<b>ITEM W-20</b>	Request by San Bernardino County Superintendent of Schools for a renewal of a waiver of a provision in education Code Section 48664(a)(1). In effect, this waiver would allow the SBCSS to increase the allowable ADA for supplemental funding for its community day schools for the 1999-2000 fiscal year in the hope that urgency legislation will be enacted in the interim. CDSIS-49-7-99 <b>(Recommended for DENIAL) Reason: E.C. 33051(a)(6)</b>	<b>ACTION</b>
------------------	--	---------------

**INDEPENDENT STUDY—TEACHER STUDENT RATIO**

ITEM W-21 Postponed from July	Request by Wilsona Elementary School District for a waiver of Education Code section 51745.6 requirements for independent study affecting apportionment with retroactive effect. CDSIS-142-4-99 <b>(Recommended for APPROVAL)</b>	<b>ACTION</b>
ITEM W-22 Postponed from July	Request by Westwood Unified School District for a waiver of Education Code section 51745.6 requirements for independent study affecting apportionment. CDSIS-153-5-99 <b>(Recommended for APPROVAL) with conditions E.C. 33051(c) will apply</b>	<b>ACTION</b>
ITEM W-23	Request by Tehachapi Unified School District for a waiver of Education Code section 51745.6 requirements for independent study affecting apportionment, with retroactive effect. CDSIS-69-7-99 <b>(Recommended for APPROVAL) with conditions</b>	<b>ACTION</b>
ITEM W-24	Request by Loma Prieta Joint Union School District for a waiver of Education Code section 51745.6 requirements for independent study affecting apportionment, with 1-year retroactive effect. CDSIS-18-6-99 <b>(Recommended for APPROVAL) with conditions, E.C. 33051(c) will apply</b>	<b>ACTION</b>
ITEM W-25	Request by Anderson Union High School District for a waiver of Education Code section 51745.6 requirements for independent study affecting apportionment with retroactive effect. CDSIS-101-6-99 <b>(Recommended for APPROVAL)</b>	<b>ACTION</b>
ITEM W-26	Request by Parlier Unified School District for a waiver of Education Code section 51747(a) requirements for independent study affecting apportionment, with retroactive effect. <b>(Repayment due \$281,037.35)</b> CDSIS-60-9-98 <b>(Recommended for PARTIAL APPROVAL AND DENIAL for Adult Education; reason: 330519a)(6)</b>	<b>ACTION</b>

**INDEPENDENT STUDY (REQUIRED ELEMENTS)**

ITEM W-27 Postponed from July	Request by Compton Unified School District for a waiver of Education Code section 51747(c) requirements for independent study affecting apportionment, with retroactive effect. CDSIS-71-3-99 <b>(Recommended for APPROVAL) with conditions</b>	<b>ACTION</b>
-------------------------------------	---	---------------

**INSTRUCTIONAL MATERIALS PROGRAM (AVAILABILITY HEARING)**

ITEM W-28	Retroactive waivers of 60119 regarding Annual Public Hearing on availability	<b>ACTION</b>
-----------	--	---------------

	of textbooks or instructional materials. <b>(LISTING OF DISTRICTS IS ATTACHED)</b> <b>(Recommended for APPROVAL)</b>	
--	--	--

**INSTRUCTIONAL TIME PENALTY—FULL LONGER DAY**

<b>ITEM W-29</b> <b>Postponed</b> <b>from July</b>	Mulberry School District is requesting to waive the full longer day instructional time penalty and the full ADA penalty for the 1997-98 fiscal year. (Repayment due \$751.00) CDSIS-165-4-99 The Department of Education <u>recommends DENIAL on the district's request to waive the full longer day penalty and recommends approval on it's request to waive the full ADA penalty.</u>	<b>ACTION</b>
--	---	---------------

**INSTRUCTIONAL TIME AND STAFF DEVELOPMENT REFORM PROGRAM (SB1193)**

<b>ITEM W-30</b>	Request from School Districts and County Offices of Education (for country-run community school programs only) pursuant to E.C. 44579.4 from the recently implemented SB 1193, School Finance: Staff Development. This waiver allows the one time waiver for 1998-99 only, of portions of the instructional time requirements set forth in Article 8 (commencing with section 46200) of Chapter 2 of Part 26 so that these agencies may count and claim the waived number of staff development days as instructional time. <b>(LISTING OF DISTRICTS IS ATTACHED)</b> <b>(Recommended for APPROVAL for one year only)</b>	<b>ACTION</b>
------------------	--	---------------

**MENTOR TEACHER – COMBINED POSITIONS/FUNDS AND PERCENT OF CLASSROOM TIME**

<b>ITEM W-31</b>	Request by West Covina Unified School District to waive Education Code Section 44492(a)(c), 44494(a) and 44496(b) pertaining to mentor teacher. Aggregation of funds for 10 out of 20 positions to pay teacher release time. CDSIS-151-6-99 <b>(Recommended for APPROVAL)</b>	<b>ACTION</b>
------------------	---	---------------

<b>ITEM W-32</b>	Request by Glendale Unified School District to waive Education Code Section 44492(a) and (c), 44494(a), 44496(b) pertaining to mentor teacher. Aggregate funding for 12 out of 62 to fund 1 full-time mentor. CDSIS-117-6-99 <b>(Recommended for APPROVAL)</b>	<b>ACTION</b>
------------------	--	---------------

<b>ITEM W-33</b>	Request by Garden Grove Unified School District to waive Education Codes 44492(a) (c), 44494(a), and 44496(b) pertaining to mentor teacher. Aggregate 45 positions to make 3 full-time mentors. CDSIS-70-7-99 <b>(Recommended for APPROVAL)</b>	<b>ACTION</b>
------------------	---	---------------

<b>ITEM W-34</b>	Request by Capistrano Unified School District to waive Education Codes 44492(a) (c), 44494(a), and 44496(b) pertaining to mentor teacher. Aggregate 13 of 93 positions to make one full-time position. CDSIS-22-7-99 <b>(Recommended for APPROVAL)</b>	<b>ACTION</b>
------------------	--	---------------

ITEM W-35	Request by Barstow Unified School District to waive Education Code Section 44494 pertaining to mentor teachers. Allow 2 teachers to share one mentor position and 4 teachers to share a second position. CDSIS-113-6-99 (Recommended for APPROVAL)	ACTION
-----------	--	--------

ITEM W-36	Request by Maricopa Unified School District to waive Education Code 44494 pertaining to mentor teacher. Split funds among 3 or 4 teachers. CDSIS-138-6-99 (Recommended for APPROVAL)	ACTION
-----------	--	--------

ITEM W-37	Request by Mountain View Elementary School District to waive Education Code 44494 pertaining to mentor teacher. Split one position funds among 2 teachers. CDSIS-14-7-99 (Recommended for APPROVAL)	ACTION
-----------	---	--------

ITEM W-38	Request by Magnolia Elementary School District to waive Education Code 44496(3b) pertaining to mentor teacher. Waiver of 60% classroom time for 2 full-time mentors. CDSIS-21-7-99 (Recommended for APPROVAL)	ACTION
-----------	---	--------

ITEM W-39	Request by Fontana Unified School District to waive Education Code 44496(b) pertaining to mentor teacher. (Waiver of 60% classroom time for 2 full-time mentors) CDSIS-73-7-99 (Recommended for APPROVAL)	ACTION
-----------	---	--------

ITEM W-40	Request by Campbell Union Elementary School District to renew a waiver of Education Code Section 44492 and 44494 to allow mentor teacher funds to be used to free up a master teacher to coach beginning teachers one day per week. CDSIS-18-7-99 (Recommended for APPROVAL)	ACTION
-----------	--	--------

**NON-PUBLIC SCHOOL/AGENCY – SINGLE CHILD**

ITEM W-41	Request by Hacienda La Puente Unified School District to waive Education Code section 56366.1(a), which would allow partial state reimbursement for services provided by a non-certified agency to provide speech and language	ACTION
-----------	--	--------

	services to <u>forty-six students</u> . CDSIS-74-4-99 <b>(Recommended for APPROVAL)</b>	
<b>ITEM W-42</b>	Request by Los Angeles Unified School District to waive Education Code section 56366.1(a) to receive waiver of certification for services provided by Robin Burkholz, a non-certified agency, to Sam M. and Max M. CDSIS-133-5-99 <b>(Recommended for APPROVAL)</b>	<b>ACTION</b>
<b>ITEM W-43</b>	Request from San Mateo-Foster City School District for Patricia McCague to provide Behavior Intervention services for Aaron C. and Adrian P. CDSIS-161-2-99 <b>(Recommended for APPROVAL)</b>	<b>ACTION</b>
<b>ITEM W-44</b>	Request by Los Altos School District to waive Education Code Section 56366.1(a) for an uncertified Nonpublic School/Agency (Patricia McCague) to provide services to two special education students Andrew R. and Skyler R. CDSIS-11-7-99 <b>(Recommended for APPROVAL)</b>	<b>ACTION</b>

**NON-PUBLIC SCHOOL/AGENCY (application date waiver)**

<b>ITEM W-45</b>	<b>One school district and one SELPA requests 3 waivers of the requirement in E.C. section 56366.1(b), the requirement to apply for certification between January 1 and June 30 each year.</b> CDSIS-155-6-99 Anaheim Union High School District for Shiloh Treatment Center (NPS) CDSIS-13-8-99 Sonoma County SELPA for Dr. Forrest Davis (NPA) CDSIS-23-8-99 Sonoma County SELPA for Community Resources for Independence (NPA) <b>(Recommended for APPROVAL)</b>	<b>ACTION</b>
------------------	---	---------------

**PROGRAM QUALITY REVIEW**

<b>ITEM W-46</b>	Request by Long Beach Unified School District to waive Education Code section 64001(c) to conduct Program Quality Review with persons employed by the school district. CDSIS-48-6-99 <b>(Recommended for APPROVAL) of <u>one internal</u> and <u>one external</u> consultant.</b>	<b>ACTION</b>
<b>ITEM W-47</b>	Request by Ventura County Superintendent of Schools for eight school districts to waive Education Code Section 64001(c) relating to using reviewers employed by the school district for Program Quality Review. CDSIS-22-5-99 <b>(Recommended for APPROVAL) of <u>one internal</u> and <u>one external</u></b>	<b>ACTION</b>

	consultant.	
--	-------------	--

ITEM W-48	Request by Grossmont Union High School District for Chapparral High School to waive Education Code section 64001(c) to <u>delay</u> Program Quality Review for one year. CDSIS-81-6-99 (Recommended for APPROVAL)	ACTION
-----------	---	--------

**REGIONAL OCCUPATIONAL PROGRAM**

ITEM W-49	Request by North Santa Clara County Office of Education ROP to waive Education Code Section 52314.6, regarding an increase in the ROP enrollment of students under the age of 16. CDSIS139-6-99 (Recommended for APPROVAL) with conditions	ACTION
-----------	--	--------

**RESOURCE SPECIALIST CASELOAD**

ITEM W-50	Request from West Contra Costa Unified School District to waive Education code section 56362(c) which allows the district to exceed the maximum caseload of 28 students (but not more than 32) for each resource teacher, Robert Muzinich, assigned at Bayview School. CDSIS-39-5-99(A) (Recommended for DENIAL)	ACTION
-----------	--	--------

ITEM W-51	Request by Merced Union High School District to waive Education Code section 56362(c) which allows the districts to exceed the maximum caseload of 28 students (but not more than 32) for each resource teacher, Larry Junsay, Phil Schiber, James Hoover, assigned at Merced Union High School, and Derek Anderson, assigned at Atwater School. CDSIS-143-5-99(A) (Recommended for DENIAL)	ACTION
-----------	---	--------

**SALE OR LEASE OF SURPLUS REAL PROPERTY**

ITEM W-52	Request by Fremont Unified School District to waive Property Bid and Offer procedures for office building on Technology Drive which is owned by district. CDSIS-20-7-99 (Recommended for APPROVAL) E.C. 33051(c) will apply	ACTION
-----------	---	--------

**SCHOOL SITE COUNCIL**

ITEM W-53	Request by San Diego Unified School District to waive ECS 52852 under the authority of ECS 52863 relating to the composition of a school site council as required for each school participating in the School-based Coordination Act. CDSIS-14-6-99 (Recommended for APPROVAL) with condition	ACTION
-----------	---	--------

\*\*\*END OF WAIVERS\*\*\*

ITEM 24	Budget Change Proposals (BCPs) for State Fiscal Year 2000	INFORMATION ACTION
---------	---	-----------------------

ADJOURNMENT