

CALIFORNIA STATE BOARD OF EDUCATION

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Greg Geeting

AGENDA

November 8-9, 2000

SCHEDULE OF MEETINGS

Wednesday, November 8, 2000

9:00 a.m. ±

STATE BOARD OF EDUCATION

Closed Session – IF NECESSARY

(The public may not attend.)

LOCATION

State Capitol Building

Room 4203

Sacramento, CA 95814

[Closed session may be changed to an earlier time, may begin at this time and recessed to a later time, or delayed to a later time.]

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:

- *Amy v. California Dept. of Education, et al.*, Los Angeles County Superior Court, Case No. 99CV2644LSP
- *Brian Ho, et al., v. San Francisco Unified School District, et al.*, United States District Court, Northern District of California, Case 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, Case No. 99CS00570
- *City Council of the City of Folsom v. State Board of Education*, Sacramento County Superior Court, Case No. 96-CS00954
- *Coalition for Locally Accountable School Systems v. State Board of Education*, Sacramento County Superior Court, Case No. 96-CS00939
- *Comité de Padres de Familia v. Honig*, Sacramento County Superior Court, Case No. 281124; 192 Cal.App.3d 528 (1987)
- *Crawford v. Honig*, United States District Court, Northern District of California, C-89-0014 DLJ

For more information concerning this agenda, please contact Greg Geeting, Interim Executive Director of the California State Board of Education, or Deborah Franklin, Program Analyst, at 721 Capitol Mall, Room 558, P.O. Box 944272, Sacramento, CA 94244-2720; telephone (916) 657-5478; fax (916) 653-7016. To be added to the speaker's list, please fax or mail your written request to the above-referenced address/fax number.

- *CTA, et al. v. Wilson*, United States District Court, Central District of California, Case No. 98-9694 ER (CWx) and related appeal
- *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
- *Educational Ideas, Inc. v. State of California, et al.*, Sacramento Superior Court, Case No. 00CS00798
- *Emma C. et al. v. Delaine Eastin et al.*, United States District Court, Northern District of California, Case No. C 96 4179
- *Fresno Unified School District v. State Board of Education*, Fresno County Superior Court, Case No. 654676 6
- *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, Case 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
- *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)
- *Mitchell v. State Board of Education, et al.*, U.S. District Court, Southern District of California, Case No. 99-CV-2644K(LSP)
- *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
- *San Francisco NAACP v. San Francisco Unified School District, et al.*, United States District Court, Northern district of California, Case 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.
- *Williams, et al. v. State of California, et al.*; San Francisco Superior Court, Case No. 312236.

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)].

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

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Wednesday, November 8, 2000

9:00 a.m. ± (Upon Adjournment of Closed Session, if held)
STATE BOARD OF EDUCATION
Public Session

State Capitol Building

Room 4203
Sacramento, CA 95814

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

Thursday, November 9, 2000

8:00 a.m. ±
STATE BOARD OF EDUCATION
Closed Session -- If Necessary
(The public may not attend.)

Department of Education Building

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

Please see the Closed Session Agenda above.

Thursday, November 9, 2000

8:00 a.m. ± (Upon Adjournment of Closed Session, if held)
STATE BOARD OF EDUCATION
Public Session

Department of Education Building

721 Capitol Mall, Room 166
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(916) 657-5478

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

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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, 721 Capitol Mall, Room 558, P.O. Box 944272, Sacramento, CA, 94244-2720; telephone, (916) 657-5478; fax, (916) 653-7016.

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WEDNESDAY, NOVEMBER 8, 2000 - 9:00 a.m. (Upon Adjournment of Closed Session, if held)

Call to Order

Salute to the Flag

Approval of Minutes (October 2000 Meeting)

Announcements

Communications

REPORT OF THE SUPERINTENDENT (May be held over to the Thursday session)

SPECIAL PRESENTATIONS

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

ITEM 1	2001-01 Student Member Position on the State Board of Education: Interview Six Candidates and Select Three Finalists.	INFORMATION ACTION
ITEM 2	2000-01 Student Advisory Board on Education Report and Recommendations.	INFORMATION
ITEM 3	STATE BOARD PROJECTS, including future meeting plans; agenda items; State Board office budget, staffing and direction to staff; declaratory and commendatory resolutions; update on litigation; bylaw review and revision; and other matters of interest.	INFORMATION ACTION
ITEM 4	PUBLIC COMMENT. 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 5	Assignment of Numbers for Charter School Petitions.	ACTION
ITEM 6	Providers of Professional Development in Mathematics (AB 1331).	ACTION
ITEM 7	Revisions to the California School Accounting Manual.	ACTION

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ITEM 8	Approval of 2000-01 Consolidated Applications.	ACTION
ITEM 9	API Awards Regulations.	ACTION
ITEM 10	Report of the Curriculum Development and Supplemental Materials Commission.	INFORMATION ACTION
ITEM 11	Dissemination of Free Curriculum Frameworks for Fiscal Year 2000-2001.	INFORMATION ACTION
ITEM 12	Schiff-Bustamante Standards-Based Instructional Materials Program Waiver Policy: Proposed Revisions.	INFORMATION ACTION
ITEM 13	High School Exit Examination (HSEE), including, but not limited to, regulations.	INFORMATION ACTION
ITEM 14	Legislative Item: Update on recently enacted legislation, report on the outcomes of legislation supported by or of interest to the State Board, and discussion and/or development of legislative proposals and priorities.	INFORMATION ACTION
ITEM 15	Paper Screening of Candidates for Appointment to the Curriculum Development and Supplemental Materials Commission.	INFORMATION ACTION

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THURSDAY, November 9, 2000 – 8:00 a.m. (Upon Adjournment of Closed Session, if held)

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

SPECIAL PRESENTATIONS

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

ITEMS DEFERRED FROM PRECEDING DAY

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

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

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	Kelseyville Unified School District is requesting to waive the longer day instructional time penalty down to affected students for the 1998-99 fiscal year. (Penalty due \$292). CDSIS-47-7-2000 (Recommended for APPROVAL)	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.

ADMINISTRATOR/TEACHER RATIO

ITEM W-1	Request by Grant Joint Union High School District to waive a portion of Education Code Section 41403(a) so that Resource Teachers in the Voluntary Integration Program (VIP) would be "excepted" from being counted as "administrators" for the purposes of Education Code Section 41402 regarding limits on Administrator/Teacher Ratios. CDSIS-7-7-2000 (Recommended for DENIAL) Reason: 33051 (a) (1)	ACTION
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CALIFORNIA PEER ASSISTANCE AND REVIEW (PAR)

ITEM W-2	Request by the Tuolumne County Office of Education to waive Education Code Section 44500 and 44501 pertaining to the Peer Assistance and Review (PAR) program, to allow credentialed persons who are not classroom teacher (e.g., language, speech and hearing specialists) to take part in the PAR program and to be PAR consulting teachers. CDSIS-3-9-2000 (Recommended for DENIAL) Reason: 33051(a) (6)	ACTION
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CARL D. PERKINS VOCATION AND TECHNICAL EDUCATION ACT

ITEM W-3	Request by Muroc Joint Unified School District for a first time waiver of P.L. 105-332, Section 131(d)(1) of the Carl D. Perkins Vocational and Technical Education Act of 1998. CDSIS-6-10-2000 (Recommended for APPROVAL)	ACTION
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LEASE/PURCHASE INTERNET APPLIANCES

ITEM W-4	Request by Lemon Grove School District to waive Education Code	ACTION
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	Sections 17453 and 17545 in order to allow parents to lease/purchase Internet appliances to access the school district network and the Internet. CDSIS-10-9-2000 (Recommended for APPROVAL WITH CONDITIONS)	
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NONPUBLIC SCHOOL/AGENCY (OUT-OF-STATE)

ITEM W-5	Request by Benicia Unified School District to waive certification requirements for an out-of-state uncertified nonpublic school (Landmark School located in Massachusetts) to provide services to one special education student Nathan W. CDSIS-1-8-2000 (Recommended for DENIAL)	ACTION
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OPTION 1 CLASS SIZE REDUCTION

ITEM W-6	Request by Santa Ana Unified School District for a 3 rd year waiver renewal for (six schools) to waive Education Code Sections 52122(b)(2)(A) and 52123(c) allowing school sites with 200 or more students per acre to receive Option 1 Class Size Reduction funding, (average of 20 to 1 ratio). CDSIS-8-10-2000 (Recommended for APPROVAL)	ACTION
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OUT-OF-STATE TRAVEL

ITEM W-7	Request by Lassen Union High School District to waive a portion of Education Code Section 35330(d) to allow expenditure of funds and transportation allowances out-of-state for students engaged in out-of-state excursions and field trips. CDSIS-6-9-2000 (Recommended for APPROVAL) E.C. 33051(c) will apply	ACTION
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RESOURCE SPECIALIST

ITEM W-8	Request by Antelope Valley Union High School District to waive Education Code Section 56362(c) which allows the districts to exceed	ACTION
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	the maximum caseload of 28 students (but not more than 32) for each resource teacher. 12-9-2000 (Recommended for DENIAL)	
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SALE/LEASE OF SURPLUS REAL PROPERTY

ITEM W-9	Request by Centralia School District to waive E.C. 17455 through 17478 (with exceptions), the Property Bid and Offer Procedures for the <u>sale</u> of a small portion of the <u>Dysinger School site</u> and the <u>lease</u> of a small portion of the <u>Walter Knott School site</u> . CDSIS-3-10-2000 (Recommended for APPROVAL WITH CONDITIONS) E.C. 33051(c) will apply	ACTION
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ITEM W-10	Request by Ventura Unified School District to waive E.C. 17455 through 17478 (with exceptions), the Property Bid and Offer Procedures for the <u>Santa Clara Street Site</u> . CDSIS-4-9-2000 (Recommended for APPROVAL WITH CONDITIONS) E.C. 33051(c) will apply	ACTION
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END OF WAIVERS

ITEM 16	Digital High School Project Applications – Contested Applications.	ACTION
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ITEM 17	Teaching as a Priority Program.	ACTION
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ITEM 18	The National Board for Professional Teaching Standards.	ACTION
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ITEM 19	Standardized Testing and Reporting (STAR) – 1 Amendments for STAR Title 5 Regulations.	ACTION
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ITEM 20	Standardized Testing and Reporting (STAR) Program – 2: Other Matters, including, but not limited to, Approval of Performance Level Cut Scores for California English Language Arts Standards Tests.	ACTION
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ITEM 21	Approval of International Baccalaureate Math and Science Scores for	ACTION
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	the Governor’s Distinguished Math and Science Awards.	
ITEM 22	Update on the Development of State Board of Education (SBE) Regulations Related to the Approval and Oversight of Charter Petitions Submitted to the SBE After Denial by a Local Education Agency.	INFORMATION
ITEM 23	Update on Ridgecrest Charter School (RCS) Petitioners’ Request to Approve a Petition to Become a Charter School Under the Oversight of the State Board of Education (SBE).	INFORMATION ACTION
ITEM 24	Request by the Blue Mountain Wilderness Program (BMWP) Charter School Petitioners to Approve a Petition to Establish a Charter School Under the Oversight of the State Board of Education.	ACTION

*** PUBLIC HEARING ***

BEGINS AT 11:00 A.M., OR THEREAFTER, AS THE BUSINESS OF THE STATE BOARD PERMITS

ITEM 25	Adopt Final Title 5 Regulations to Implement AB 116 Pertaining to Instructional Materials.	PUBLIC HEARING ACTION
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*** END OF PUBLIC HEARING ***

ITEM 26	Internet Demonstration of DataQuest.	INFORMATION
ITEM 27	Mandatory Kindergarten.	INFORMATION
ITEM 28	Recent CDE Letter on the Program Quality Review.	INFORMATION

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ITEM 29	Memorandum of Understanding Between the State Board of Education and the Board of Governors of the California Community Colleges.	INFORMATION
ITEM 30	Proposed Revisions to the Criteria and Standards for School District and County Office of Education Budgets and Interim Reports.	INFORMATION

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