

CALIFORNIA STATE BOARD OF EDUCATION

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John B. Mockler

AGENDA

January 9-10, 2002

SCHEDULE OF MEETINGS

LOCATION

Wednesday, January 9, 2002

9:00 a.m. ±

STATE BOARD OF EDUCATION

Closed Session – IF NECESSARY

(The public may not attend.)

California Department of Education

721 Capitol Mall, Room 166

Sacramento, California

(916) 657-5478

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

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
- *Boyd, et al. v. State of California, et al.*, Sacramento County Superior Court, Case No. 01CS00136
- *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
- *Chapman, et al., v. California Department of Education, et al.*, United States District Court, Northern District of California, Case No. C-01-1780 BZ
- *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)

For more information concerning this agenda, please contact John B. Mockler, Executive Director of the California State Board of Education, or Deborah Franklin, Education Policy Consultant, 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. **This agenda is posted on the State Board of Education's website: www.cde.ca.gov/board.**

California State Board of Education

AGENDA January 9-10, 2002

- *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) 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
- *Ephorm, et al., v. California Board of Education, et al.*, Los Angeles Superior Court, Case No. TC013485
- *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)
- *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; *Angel V. v. Davis*, Ninth Circuit No. 01-15219
- *Wilkins, et al., v. California Board of Education, et al.*, Los Angeles Superior Court, Case No. TC014071
- *Williams, et al. v. State of California, et al.*; San Francisco Superior Court, Case No. 312236.
- *Wilson, et al. v. State Board of Education, et al.*; Los Angeles Superior Court, Case No. BC254081

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, January 9, 2002

9:00 a.m. ± (Upon Adjournment of Closed Session, if held)

STATE BOARD OF EDUCATION
Public Session

California Department of Education

721 Capitol Mall, Room 166
Sacramento, California
(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, January 10, 2002

8:00 a.m. ±

STATE BOARD OF EDUCATION
Closed Session -- If Necessary
(The public may not attend.)

California Department of Education

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

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.

Thursday, January 10, 2002

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
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
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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CALIFORNIA STATE BOARD OF EDUCATION

FULL BOARD
Public Session
AGENDA

January 9-10, 2002

Wednesday, December 5, 2001 – 9:00 a.m.± (Upon adjournment of Closed Session if held)

California Department of Education, 721 Capitol Mall, Room 166, Sacramento, California

Call to Order

Salute to the Flag

Approval of Minutes (December 2001 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	STATE BOARD PROJECTS. Including future meeting plans; agenda items; State Board office budget, staffing, staff appointments, and direction to staff; declaratory and commendatory resolutions; update on litigation; bylaw review and revision; review of the status of State Board-approved charter schools as necessary; election of officers; and other matters of interest.	INFORMATION ACTION
ITEM 2	PUBLIC COMMENT. Public Comment is invited on any matter <u>not</u> included on the printed agenda. Depending on the number of individuals wishing to address the State Board, the presiding officer may establish specific time limits on presentations.	INFORMATION
ITEM 3	Standardized Testing and Reporting (STAR) Program: Including, but not limited to, Proposed California Long-Term Plan.	INFORMATION ACTION
ITEM 4	Standardized Testing and Reporting (STAR) Program: Including, but not limited to, Draft Document Request to submit for the Implementation of the STAR Program as Authorized by Senate Bill 233.	INFORMATION ACTION

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ITEM 5	California Alternate Performance Assessment (CAPA) for Students with Disabilities.	INFORMATION ACTION
ITEM 6	California High School Exit Examination (CAHSEE): Approval of New Regulations to go out for a 45-day Public Comment Period.	INFORMATION ACTION
ITEM 7	California English Language Development Test (CELDT): Status Report on Administration and Upcoming Projects.	INFORMATION ACTION

* * * RECOGNITION CEREMONIES * * *

Ceremonies to recognize the 2001-02 United States Senate Youth delegates and alternates and the 2002 California Teachers of the Year. The ceremonies will begin at approximately 11:30 a.m.

ITEM 8	United States Senate Youth Program Awards.	INFORMATION
ITEM 9	California Teachers of the Year 2002.	INFORMATION

* * * END OF RECOGNITION CEREMONIES * * *

ITEM 10	Interviews of Applicants and Appointments to the Advisory Commission on Special Education.	INFORMATION ACTION
<p>During the State Board’s lunch recess, the members of the State Board’s Screening Committee will interview applicants for appointment to the Advisory Commission on Special Education who were identified through the paper-screening of applications. The interviews will be conducted in Room 524 (Executive Conference Room). The Screening Committee intends to report its recommendations for appointment to the State Board following the lunch recess, but may defer its report to the Thursday session.</p>		
ITEM 11	Report of the Curriculum Development and Supplemental Materials Commission.	INFORMATION ACTION

For more information concerning this agenda, please contact John B. Mockler, Executive Director of the California State Board of Education, or Deborah Franklin, Education Policy Consultant, 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. **This agenda is posted on the State Board of Education’s website: www.cde.ca.gov/board.**

* * * PUBLIC HEARING * * *

A public hearing on the following agenda item will be held at 1:30 p.m. or thereafter as the business of the State Board of Education permits.

ITEM 12	Curriculum Commission Recommendations and Report on the 2002 Reading/Language Arts/English Language Development Adoption of Instructional Materials	INFORMATION ACTION PUBLIC HEARING
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* * * END OF PUBLIC HEARING * * *

ITEM 13	Draft Model Curriculum on the Life and Work of César E. Chávez.	INFORMATION
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* * * PUBLIC HEARING * * *

A public hearing on the following agenda item will be held at 3:00 p.m. or thereafter as the business of the State Board of Education permits.

ITEM 14	Draft Science Framework.	INFORMATION PUBLIC HEARING
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* * * END OF PUBLIC HEARING * * *

ITEM 15	AB 466 (Mathematics and Reading Professional Development Program) Emergency Regulations.	INFORMATION ACTION
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ADJOURNMENT OF DAY'S SESSION

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THURSDAY, January 10, 2002 – 8:00 a.m. (Upon Adjournment of Closed Session, if held)

California Department of Education, 721 Capitol Mall, Room 166, Sacramento, California

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

SPECIAL PRESENTATIONS

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

ITEMS DEFERRED FROM PRECEDING DAY

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

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

ITEM 16	Reappointment of a Member of the Child Nutrition Advisory Council.	ACTION
ITEM 17	Assignment of Numbers for Charter School Petitions.	ACTION
ITEM 18	Approval of Providers of Professional Development in Mathematics (AB 1331).	ACTION
ITEM 19	California School Information Services (CSIS) Data Dictionary Version 3.0.	ACTION
The draft data dictionary is currently available for viewing on the CSIS website (www.csis.k12.ca.us).		
ITEM 20	Gifted and Talented Education District Budgets for 2001-2002 (LATE DISTRICTS).	ACTION
ITEM 21	The \$20,000 Incentive Award for National Board Certified Teachers (NBCTs) who Teach in Low-performing Schools	ACTION
ITEM 22	High Tech High Schools: Delay Implementation of Program	ACTION

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ITEM 23	Calistoga Joint USD requests approval of joint occupancy project pursuant to Education Code Section 17524 to finance the construction and installation of a portable classroom for the continued operation of the Family Center Program.	ACTION
ITEM 24	Special Education Local Plan Area (SELPA) Revised Local Plan Content and Process.	ACTION
ITEM 25	Revision to the <i>California State Plan (1999-2004) for the Title II: Workforce Investment Act, Adult Education and Family Literacy Act</i> (revised July 2001).	INFORMATION ACTION
ITEM 26	The appointment of the Visual and Performing Arts Curriculum Framework and Criteria Committee for the revision of the 1996 Visual and Performing Arts Framework and inclusion of the 2001 Visual and Performing Arts Content Standards.	INFORMATION ACTION
ITEM 27	Legislative update, including, but not limited to, a report on clean up legislation for AB 961.	INFORMATION ACTION
ITEM 28	Seminar Session. Strategies for Improving Academic Achievement: Experience in the Compton Unified School District.	INFORMATION
ITEM 29	Approval 2001-2002 Consolidated Applications.	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.

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CARL D. PERKINS VOCATIONAL AND TECHNICAL EDUCATION ACT 1998

ITEM WC-1	Request by Julian Union High School District for a <u>renewal</u> waiver of Section 131(d)(1) of the Carl D. Perkins Vocational and Technical Education Act of 1998 (P.L. 105-332). CDSIS-6-11-2001 (Recommended for APPROVAL)	ACTION
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ITEM WC-2	Request by Los Molinos Unified School District for a <u>renewal</u> waiver of Section 131(d)(1) of the Carl D. Perkins Vocational and Technical Education Act of 1998 (P.L. 105-332). CDSIS-20-11-2001 (Recommended for APPROVAL)	ACTION
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CHARTER SCHOOL ATTENDANCE

ITEM WC-3	Request by the Big Lagoon Union School District to waive Title 5 CCR Section 11960, related to charter school attendance, for Big Lagoon Charter School. CDSIS-31-10-2001 (Recommended for APPROVAL WITH CONDITIONS) <i>Education Code</i> Section 33051(c) will apply	ACTION
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INSTRUCTIONAL MATERIALS SUFFICIENCY (Audit Findings)

ITEM WC-4	Request by sixteen districts for a retroactive waiver of <i>Education Code</i> Section 60119 regarding Annual Public Hearing on the availability of textbooks or instructional materials. These districts have an audit finding for the 1999-2000 fiscal year that they either 1) failed to hold the public hearing, or 2) failed to properly notice (10 days) the public hearing, and/or 3) failed to post the notice in the required three public places. SEE ATTACHED LIST (Recommended for APPROVAL)	ACTION
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NON-CONSENT (ACTION) MATTERS

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

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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.

ACADEMIC PERFORMANCE INDEX (API) AWARDS-MINIMUM PARTICIPATION RATE OF 95%

ITEM W-1	Riverside Unified School District (RUSD) Academic Performance Index (API) Waiver. Specifically the RUSD requests a waiver of the Title 5 CCR Section 1032(i), “For elementary and middle school, minimum participation rate for the awards programs shall be 95%...” to allow Sierra Middle School to be eligible for API awards in the current year (2001) due to the loss of answer sheets that occurred while in transit to the scoring vendor. CDSIS-35-11-2001 (Recommended for APPROVAL)	ACTION
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ACADEMIC PERFORMANCE INDEX (API) AWARDS-INCREASE OF 5 POINTS OR 5%

ITEM W-2	Request by Ojai Unified School District to waive <i>Education Code</i> Section 52057(a) and Title 5 CCR Section 1032(g)"...an API score increase of 5 points..." which would in effect allow one school, Meiners Oaks Elementary School to be "awards eligible" for the 2001 Governor’s Performance Award Program. CDSIS-14-11-2001 (Recommended for DENIAL)	ACTION
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BEGINNING-TEACHER MINIMUM SALARY INCENTIVE PROGRAM

ITEM W-3	Request by Big Valley Joint Unified School District to waive <i>Education Code</i> Section 45023.1(b)(1) and 45023.1(h) to implement the Beginning-Teacher Minimum Salary Program in fiscal year 2001-02. CDSIS-44-7-2001 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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CHILD CARE FACILITIES-PERMANENT VS RE-LOCATABLE

ITEM W-4	Request by Caruthers Unified School District to waive <i>Education Code</i> Section 8278.3 to allow for the lease/purchase of permanent facilities instead of the lease/purchase of re-locatable facilities from the state as provided by statute for the Child Care Facilities Revolving Fund. CDSIS-16-10-2001	ACTION
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California State Board of Education

AGENDA January 9-10,
2002

	(Recommended for DENIAL)	
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COMMUNITY DAY SCHOOL

ITEM W-5	Request by Cotati-Rohnert Park Unified School District for renewal of a waiver of <i>Education Code</i> Section 48661(a) relating to the placement of a community day school on the same site as the El Camino Alternative Education Center (two continuation high schools, an independent study center, and an adult education center). CDSIS-28-11-2001 (Recommended for APPROVAL)	ACTION
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EQUITY LENGTH OF TIME

ITEM W-6	Request by Brentwood Union School District to waive <i>Education Code</i> Section 37202, the equity length of time requirement for 5th grade students in the district. CDSIS-19-10-2001 (Recommended for APPROVAL)	ACTION
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EMERGENCY LOAN COUNTY OFFICE OF EDUCATION WAIVER

ITEM W-7	Request by Alameda County Office of Education to waive <i>Education Code</i> Section 41328(a) and its requirement to pay 40 percent of the compensation cost of the State Administrator assigned to Emery Unified School District. CDSIS-36-11-2001 (Recommended for APPROVAL) <i>Education Code</i> Section 33051(c) will apply	ACTION
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GOVERNOR’S SCHOLARS PROGRAM

ITEM W-8	Request by Santa Rosa High School District to waive <i>Education Code</i> Section 69995(d)(3)(b)...to be eligible to receive awards under the Governor’s Scholars Program, pupils must take both English/language arts and mathematics California Standards Test (STAR). Waiver would allow students at Maria Carillo High School to qualify for awards for the 2001 school year. CDSIS-42-11-2001 (Recommended for DENIAL)	ACTION
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INSTRUCTIONAL TIME PENALTY

ITEM W-9	Request by San Lorenzo Valley Unified School District to waive the full longer-day instructional time penalty <i>Education Code</i> Section 46201.5(a) and (c) for the 1990-91, 1992-1993, and 1993-94 fiscal years. CDSIS-23-10-2001 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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MATHEMATICS PROFESSIONAL DEVELOPMENT GRANT

ITEM W-10	Request by four districts for a waiver of <i>Education Code</i> Section 44721(a) to allow use of AB 1331 Grant funds for per diem and release time for teacher training in mathematics instruction. SEE ATTACHED LIST (Recommended for APPROVAL)	ACTION
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NONPUBLIC SCHOOL/AGENCY (OUT-OF-STATE)

ITEM W-11	Request by Santa Barbara County SELPA to waive <i>Education Code</i> Section 56366.1(a), the certification requirement for an uncertified nonpublic agency (The Learning Clinic, located in Brooklyn, Connecticut) to provide services to one special education student, Megan F. CDSIS-9-10-2001 (Recommended for APPROVAL)	ACTION
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ITEM W-12	Request by Norwalk-La Mirada Unified School District to waive <i>Education Code</i> Section 56366.1(a), the certification for an uncertified nonpublic school, (Aspen Ranch, located in Loa, Utah) to provide services to one special education student Kurtis F. CDSIS-21-7-2001 (Recommended for APPROVAL)	ACTION
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ITEM W-13	Request by Fresno Unified School District (FUSD) to waive <i>Education Code</i> Section 56366.1(a) the certification requirements for an uncertified nonpublic agency, Career Staff Unlimited (for one speech therapy therapist) to provide speech therapy services to 37 students (list attached). CDSIS-32-6-2001 (Recommended for APPROVAL)	ACTION
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OUT-OF-STATE FIELD TRIPS

ITEM W-14	Request by Salinas Union High School District for a waiver of a portion of <i>Education Code</i> Section 35330(d) to allow the expenditure of funds and transportation allowances out-of-state for students engaged in out-of-state excursions and field trips. CDSIS-39-10-2001 (Recommended for APPROVAL)	ACTION
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PEER ASSISTANCE AND REVIEW (PAR) PROGRAM

ITEM W-15	Request by the Oroville Union High School District to waive the July 1, 2001 Peer Assistance and Review (PAR) certification deadline of July 1, 2001 as stipulated in <i>Education Code</i> Sections 44504 and 44505, to “December 7, 2002”, allowing the district to reapply for certification of a PAR program and maintain other staff development funds. CDSIS-26-11-2001 (Recommended for APPROVAL)	ACTION
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ITEM W-16	Request by the Bend Elementary School District to waive the July 1, 2001 Peer Assistance and Review (PAR) certification deadline of July 1, 2001 as stipulated in <i>Education Code</i> Sections 44504 and 44505, to “June 30, 2002,” allowing the district to reapply for certification of a PAR program and maintain other staff development funds. CDSIS-36-10-2001 (Recommended for DENIAL)	ACTION
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ITEM W-17	Request by the Contra Costa County Office of Education to waive <i>Education Code</i> Sections 44500(b)(1) and 44501(a) relating to the Peer Assistance and Review (PAR) program to allow Adult Education and ROP (permanent or probationary) teachers to participate in the PAR program. CDSIS-32-10-2001 (Recommended for APPROVAL WITH CONDITIONS) <i>Education Code</i> Section 33051(c) will apply	ACTION
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For more information concerning this agenda, please contact John B. Mockler, Executive Director of the California State Board of Education, or Deborah Franklin, Education Policy Consultant, 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. **This agenda is posted on the State Board of Education’s website: www.cde.ca.gov/board.**

ITEM W-18	Request by Moraga School District to waive <i>Education Code</i> Section(s) 44500 (b)(1) and 44501(a) relating to the Peer Assistance and Review (PAR) program to allow Adult Education and ROP (permanent or probationary) teachers to participate in the PAR program. CDSIS-23-11-2001 (Recommended for APPROVAL WITH CONDITIONS) <i>Education Code</i> Section 33051(c) will apply	ACTION
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RESOURCE SPECIALIST

ITEM W-19	Request by Dos Palos Oro Loma Joint Unified School District to waive <i>Education Code</i> Section 56362(c) which allows the district to exceed the maximum caseload of 28 students (but not more than 32) for each resource specialist teacher: Chuck Finster at Dos Palos Elementary/Marks Elementary, Karen Weaver at Marks Elementary, Nikki Pigg, Bill Van Worth, and Steve Hobbs at Dos Palos High School. CDSIS-37-10-2001 (Recommended for DENIAL)	ACTION
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SCHIFF-BUSTAMANTE STANDARDS-BASED INSTRUCTIONAL MATERIALS-ENGLISH/LANGUAGE ARTS

ITEM W-20	Request by North Sacramento School District to waive <i>Education Code</i> Sections 60450(b) and 60451(b) Schiff-Bustamante Standards-Based Instructional Materials Program to purchase non-adopted Instructional Resources (Open Court 2000 Reading Program, Grade 4) using Schiff-Bustamante Funds. CDSIS-37-11-2001 (Recommended for APPROVAL)	ACTION
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END OF WAIVER REQUESTS

ITEM 30	Appeal by Chief Petitioners of the County Committee’s Denial of a Petition to Transfer Territory from the Lake Elsinore Unified School District to the Murrieta Valley Unified School District in Riverside County.	ACTION
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* * * PUBLIC HEARING * * *

A public hearing on the following agenda item will be held at 11:00 p.m. or thereafter as the business of the State Board of Education permits.

ITEM 31	Public Hearing and Adoption of Permanent English Learner Regulations.	INFORMATION ACTION PUBLIC HEARING
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* * * END OF PUBLIC HEARING * * *

ITEM 32	General Educational Development (GED): Emergency Regulations and Notice of Proposed Rulemaking.	INFORMATION ACTION
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ITEM 33	Emergency Regulations (and Notice of Proposed Rulemaking) Pertaining to Implementation of the Nonclassroom-Based Instruction Provisions of Senate Bill 740 (Chapter 892, Statutes of 2001).	INFORMATION ACTION
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ITEM 34	Proposed Amendment of Title 5, CCR Regulations Relating to Disputes Between School Districts and Charter Schools Regarding Facilities.	INFORMATION ACTION
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ITEM 35	Consideration of Appropriate Action, including, but not limited to, Revocation of a School Charter pursuant to Education Code Section 47604.5: Gateway Academy Charter School, Fresno Unified School District.	INFORMATION
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ITEM 36	Update on reauthorization legislation for the Elementary and Secondary Education Act.	INFORMATION
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ADJOURNMENT OF MEETING

For more information concerning this agenda, please contact John B. Mockler, Executive Director of the California State Board of Education, or Deborah Franklin, Education Policy Consultant, 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. **This agenda is posted on the State Board of Education's website: www.cde.ca.gov/board.**