

CALIFORNIA STATE BOARD OF EDUCATION

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AGENDA

May 9-10, 2001

Secretary & Executive Officer
Hon. Delaine Eastin

Executive Director
John B. Mockler

SCHEDULE OF MEETINGS

Wednesday, May 9, 2001

9:00 a.m. ±

STATE BOARD OF EDUCATION

Closed Session – IF NECESSARY

(The public may not attend.)

LOCATION

Department of Education Building

721 Capitol Mall, Room 166

Sacramento, CA 95814

(916) 657-5478

[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
- *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
- *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, 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.

- *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
- *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
- *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.

For more information concerning this agenda, please contact John B. Mockler, 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 speakers' list, please fax or mail your written request to the above-referenced address/fax number.

Wednesday, May 9, 2001

9:00 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.

Thursday, May 10, 2001

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, May 10, 2001

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.

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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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CALIFORNIA STATE BOARD OF EDUCATION

FULL BOARD
Public Session
AGENDA

May 9-10, 2001

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

WEDNESDAY, MAY 9, 2001 - 9:00 a.m. (Upon Adjournment of Closed Session, if held)

California Department of Education Building, Room 166

Call to Order

Salute to the Flag

Approval of Minutes (April 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 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; and other matters of interest.	INFORMATION ACTION
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ITEM 2	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 3	Appointment to the Child Nutrition Advisory Council pursuant to Education Code Section 49533.	ACTION
ITEM 4	Assignment of numbers for charter school petitions.	ACTION
ITEM 5	Approval of Providers of Professional Development in Mathematics (AB 1331).	ACTION
ITEM 6	Digital High School Program Revision Request – Fremont (John C.) High School.	ACTION
ITEM 7	Approval of Additional Digital High School Applications for FY 2000-2001.	ACTION
ITEM 8	California Technology Assistance Project: Review of Work and Approval of 2001-02 Funding.	INFORMATION ACTION
ITEM 9	Digital High School Project Applications – Contested Application.	ACTION

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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.

CHARTER SCHOOL ATTENDANCE

ITEM WC-1	Request by the Knightsen Elementary School District to waive Title 5 CCR Section 11960, related to charter school attendance, for the Home Smart Kids of Knightsen, a California Charter School. CDSIS-51-3-2001 (Recommended for APPROVAL WITH CONDITIONS) E.C. 33051(c) will apply	ACTION
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INSTRUCTIONAL TIME PENALTY

ITEM WC-2	Request by Newark Unified School district to waive the full longer day instructional time penalty for the 1999-00 fiscal year. CDSIS-34-2-2001 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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MILLER UNRUH READING SPECIALIST

ITEM WC-3	Request by Firebaugh-Las Deltas Unified School District to waive Education Code Section 52859(b), using the authority of Education Code Section 52863. This request relates to the prohibition of using funds coordinated under the School-based Coordinated Program (SBCP) to pay for the local share of costs associated with the employment of a Miller-Unruh Reading Specialist. CDSIS-47-3-2001 (Recommended for APPROVAL)	ACTION
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ITEM WC-4	Request by Lakeside Union Elementary School District to waive	ACTION
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	Education Code Section 52859(b), using the authority of Education Code Section 52863. This request relates to the prohibition of using funds coordinated under the School-based Coordinated Program (SBCP) to pay for the local share of costs associated with the employment of a Miller-Unruh Reading Specialist. CDSIS-46-3-2001 (Recommended for APPROVAL)	
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ITEM WC-5	Request by Los Alamitos Unified School District to waive Education Code Section 52859(b), using the authority of Education Code Section 52863. This request relates to the prohibition of using funds coordinated under the School-based Coordinated Program (SBCP) to pay for the local share of costs associated with the employment of a Miller-Unruh Reading Specialist. CDSIS-103-3-2001 (Recommended for APPROVAL)	ACTION
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ITEM WC-6	Request by Fresno Unified School District to waive Education Code Section 52859(b), using the authority of ECS 52863. This request relates to the prohibition of using funds coordinated under the School-based Coordinated Program (SBCP) to pay for the local share of costs associated with the employment of Miller-Unruh Reading/Language Arts Specialist. CDSIS-10-4-2001 (Recommended for APPROVAL)	ACTION
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NON-PUBLIC SCHOOL/AGENCY CHILD SPECIFIC (365 day rule)

ITEM WC-7	Request by Stanislaus County Office of Education to waive Education Code Section 56366.3(a) "known as the 365 day rule" to allow Local Education Agencies to contract with (NPA, Therapeutic PATHWAYS) Teresa Oden, Clinical Supervisor within 365 days of her former employment with the San Joaquin COE. (CDSIS-7-4-2001 (Recommended for APPROVAL)	ACTION
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NON-PUBLIC SCHOOL/AGENCY CHILD SPECIFIC (annual renewal certification)

ITEM WC-8	Request by El Dorado County Office of Education SELPA to waive	ACTION
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	Education Code Section 56366.1(h), the requirement for a Non Public School or Agency to apply for annual renewal of their certification between August 1 and October 31 each year. CDSIS-6-4-2001 (Recommended for APPROVAL)	
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NON-STANDARD SCHOOL YEAR

ITEM WC-9	Request by Compton Unified School District to waive Education Code Section 37200 relating to standard school year. CDSIS-43-3-2001 (Recommended for APPROVAL) E.C. 33051(c) will apply	ACTION
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RESOURCE SPECIALIST

ITEM WC-10	Request by 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. Jaime Dearman and Dorothy Stanley are the District’s resource specialists assigned at Fairfield USD and Roxanne Sawyer at Oakbrook. CDSIS-117-3-2001 (Recommended for APPROVAL WITH CONDITION)	ACTION
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ITEM WC-11	Request by 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. David Gabelko, is the District’s resource specialist assigned at Gompers Continuation School. CDSIS-78-3-2001 (Recommended for APPROVAL CONDITION)	ACTION
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SCHOOL IMPROVEMENT

ITEM WC-12	Request by Eureka City Unified School District to waive Education Code Section 52046(b) (2) pertaining to the distribution of School Improvement (SIP) funds (equalization among three junior high	ACTION
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	schools; Zane Junior High School, Eureka Secondary Community Day and Winship Junior High School). CDSIS-104-3-2001 (Recommended for APPROVAL) E.C. 33051(c) will apply	
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STATE MEAL MANDATE (original request)

ITEM WC-13	Request by Midway School District <u>original request</u> to waive the State Meal Mandate during the Summer School Session. CDSIS-87-3-2001 (Recommended for APPROVAL)	ACTION
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STATE MEAL MANDATE (renewal request)

ITEM WC-14	Request by 16 School Districts <u>renewal request</u> to waive the State Meal Mandate during the Summer School Session. (See attached summary for list of districts) (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.

ACADEMIC PERFORMANCE INDEX—ADULT TESTING IRREGULARITIES

ITEM W-1	Desert Sands Unified School District (DSUSD) Academic Performance Index (API) Waiver. Specifically, the DSUSD requests a waiver for <u>Palm Desert High School</u> of a portion of Title 5CCR, Section 1032 (c) which would in effect allow Palm Desert High School to be excluded from the API for the current year (2000), but be allowed to participate in the subsequent year (2001), due to the limited nature of the "adult testing irregularities" in the 2000 STAR test. CDSIS-50-3-2001 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
ITEM W-2	Glendale Unified School District (GUSD) Academic Performance Index (API) Waiver. Specifically, the GUSD requests a waiver for <u>Lincoln Elementary School</u> of a portion of Title 5CCR, Section 1032 (c) which would in effect allow Lincoln Elementary School to be excluded from the API for the current year (2000), but be allowed to participate in the subsequent year (2001), due to the limited nature of the "adult testing irregularities" in the 2000 STAR test. CDSIS-53-3-2001 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
ITEM W-3	Solana Beach School District (SBSD) Academic Performance Index (API) Waiver. Specifically, the SBSBD requests a waiver of a portion of Title 5CCR, Section 1032 (c) which would in effect allow <u>Solana Santa Fe Elementary School</u> (SSFES) to be given a VALID API for the current year (2000), and continue to participate in 2001, due to the VERY limited nature of the "adult testing irregularities" (one (1) question on the math section for 18 students in one 3rd grade class). CDSIS-116-3-2001 (Recommended for APPROVAL WITH CONDITIONS)	ACTION

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ITEM W-4	<p>Beverly Hills Unified School District (BSUSD) Academic Performance Index (API) Waiver. Specifically, the BHUSD requests a waiver for <u>Beverly Vista Elementary School</u> of a portion of Title 5CCR, Section 1032 (c) which would in effect allow the school to be excluded from the API for the current year (2000), but be allowed to participate in the subsequent year (2001), due to the limited nature of the "adult testing irregularities" in the 2000 SAT 9 test. CDSIS-118-3-2001 (Recommended for APPROVAL WITH CONDITIONS)</p>	ACTION
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ACADEMIC PERFORMANCE INDEX—CERTIFICATED STAFF PERFORMANCE INCENTIVE AWARDS

ITEM W-5	<p>Atwater Elementary School District Academic Performance Index (API) waiver. Specifically Atwater USD requests a waiver of the 5CCR Section 1034(c) "...each school must show improvement between the 1998 and 1999...." which would in effect allow one school, Shaffer Elementary School to qualify for the 2000 Governors Performance Award Program (Certificated Staff Performance Incentive Awards.) CDSIS-41-3-2001 (Recommended for DENIAL) per E.C. 33051(a)(1)</p>	ACTION
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ITEM W-6	<p>Healdsburg Unified School District Academic Performance Index (AP) Waiver. Specifically the Healdsburg USD requests a waiver of the 5 CCR Section 1034(c) "...each school must show improvement between the 1998 and 1999...." which would in effect allow one school, Fitch Mountain Elementary School to qualify for the 2000 Governors Performance Award Program (Certificated Staff Performance Incentive Awards.) CDSIS-74-3-2001 (Recommended for DENIAL) per E.C. 33051(a)(1)</p>	ACTION
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ITEM W-7	Weaver Union School District Academic Performance Index (AP) Waiver. Specifically the Weaver Union SD requests a waiver of the 5 CCR Section 1034(c) "...each school must show improvement between the 1998 and 1999...." which would in effect allow one school, Pioneer Elementary School to qualify for the 2000 Governors Performance Award Program (Certificated Staff Performance Incentive Awards.) CDSIS-84-3-2001 (Recommended for DENIAL) per E.C. 33051(a)(1)	ACTION
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ITEM W-8	Oxnard School District Academic Performance Index (API) Waiver. Specifically, the Oxnard SD requests a waiver of the 5 CCR Section 1034(c) "...each school must show improvement between the 1998 and 1999...." which would in effect allow one school, Haydock Intermediate School, to qualify for the 2000 Governor's Performance Award Program (Certificated Staff Performance Incentive Award). (School was CLOSED until August 1998, so had no 1998 year to check for sustained growth.) CDSIS-114-3-2001 (Recommended for DENIAL) per E.C. 33051(a)(1)	ACTION
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ACADEMIC PERFORMANCE INDEX (More Than 15% Parent Opt-Out)

ITEM W-9	Encinitas Unified School District (EUSD) Academic Performance Index (API) Waiver. Specifically, the EUSD requests the waiver 5 CCR Section 1032(d)(4), which would in effect allow one school Paul Ecke Central/Pacific View School (21%) with more than 15 % "parent opt-out" requests to receive a valid 2000 API and qualify for awards. CDSIS-83-3-2001 (Recommended for DENIAL) per E.C. 33051(a)(1)	ACTION
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ITEM W-10	Encinitas Unified School District Academic Performance Index (API) Waiver. Specifically, the EUSD requests the waiver of 5 CCR Section 1032(d)(4), which would in effect allow one school, Capri Elementary School (15.13%) with more than 15 % "parent opt-out" requests to receive a valid 2000 API and qualify for awards. CDSIS-85-3-2001 (Recommended for DENIAL) per E.C. 33051(a)(1)	ACTION
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ITEM W-11	Ventura USD Academic Performance Index (API waiver). Specifically Ventura USD requests a waiver of 5 CCR Section 1032(d)(4) which would in effect allow one school Sheridan Way Elementary School (16.95%) with more than 15 % "parent opt-out" requests to receive a valid 2000 API. CDSIS-22-3-2001 (Recommended for APPROVAL)	ACTION
ITEM W-12	Alisal Union SD Academic Performance Index (API waiver). Specifically the Alisal Union SD requests that 5 CCR Section 1032(d)(4) which would in effect allow one school, Creekside Elementary (22.71%) with more than 15 % "parent opt-out" requests to receive a valid 2000 API. CDSIS-36-3-2001 (Recommended for DENIAL) per E.C. 33051(a)(1)	ACTION
ITEM W-13	Alisal Union SD Academic Performance Index (API waiver). Specifically the Alisal Union SD requests that 5 CCR Section 1032(d)(4) which would in effect allow one school, Jesse G. Sanchez Elementary, (21.33%) with more than 15 % "parent opt-out" requests to receive a valid 2000 API. CDSIS-37-3-2001 (Recommended for APPROVAL)	ACTION
ITEM W-14	Calexico Unified School District (CUSD) Academic Performance Index (API) Waiver. Specifically, the CUSD requests the waiver of 5 CCR Section 1032(d)(4), which would in effect allow one school, Rockwood Elementary School, (29.8%) with more than 15 % "parent opt-out" requests to receive a valid 2000 API and qualify for awards. CDSIS-28-3-2001 (Recommended for DENIAL) per E.C. 33051(a)(1)	ACTION

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ITEM W-15	<p>Calexico Unified School District (CUSD) Academic Performance Index (AP) Waiver. Specifically, the CUSD requests the waiver of 5 CCR Section 1032(d)(4), which would in effect allow one school, Blanche Charles Elementary School, (23.5%) with more than 15 % "parent opt-out" requests to receive a valid 2000 API and qualify for awards. CDSIS-29-3-2001 (Recommended for DENIAL) per E.C. 33051(a)(1)</p>	ACTION
ITEM W-16	<p>Calexico Unified School District (CUSD) Academic Performance Index (API) Waiver. Specifically, the CUSD requests the waiver of 5 CCR Section 1032(d)(4), which would in effect allow one school, Jefferson Elementary School, (37.8%) with more than 15 % "parent opt-out" requests to receive a valid 2000 API and qualify for awards. CDSIS-30-3-2001 (Recommended for DENIAL) per E.C. 33051(a)(1)</p>	ACTION
ITEM W-17	<p>Calexico Unified School District (CUSD) Academic Performance Index (API) Waiver. Specifically, the CUSD requests the waiver of 5 CCR Section 1032(d)(4), which would in effect allow one school, De Anza Jr. High School, 15.2%) with more than 15 % "parent opt-out" requests to receive a valid 2000 API and qualify for awards. CDSIS-31-3-2001 (Recommended for DENIAL) per E.C. 33051(a)(1)</p>	ACTION
ITEM W-18	<p>Calexico Unified School District (CUSD) Academic Performance Index (API) Waiver. Specifically, the CUSD requests the waiver of 5 CCR Section 1032(d)(4, which would in effect allow one school (Kennedy Garden Elementary School, 28.5%) with more than 15 % "parent opt-out" requests to receive a valid 2000 API and qualify for awards. CDSIS-32-3-2001 (Recommended for DENIAL) per E.C. 33051(a)(1)</p>	ACTION

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ITEM W-19	Calexico Unified School District (CUSD) Academic Performance Index (AP) Waiver. Specifically, the CUSD requests the waiver of 5 CCR Section 1032(d)(4), which would in effect allow one school Dool Elementary School, (15.9%) with more than 15 % "parent opt-out" requests to receive a valid 2000 API and qualify for awards. CDSIS-33-3-2001 (Recommended for DENIAL) per E.C. 33051(a)(1)	ACTION
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ITEM W-20	Calexico Unified School District (CUSD) Academic Performance Index (API) Waiver. Specifically, the Calexico USD requests the waiver of 5 CCR Section 1032(d)(4), which would in effect allow one school Mains Elementary School, (35.5%) with more than 15 % "parent opt-out" requests to receive a valid 2000 API and qualify for awards. CDSIS-34-3-2001 (Recommended for DENIAL) per E.C. 33051(a)(1)	ACTION
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COMMUNITY DAY SCHOOL

ITEM W-21	Request by Shasta Union High School District for renewal of a waiver of Education Code Section 48661(b) relating to the placement of a district community day school on the same site as an elementary or high school. (See actual types of school impacted below) CDSIS-72-3-2001 (Recommended for APPROVAL) E.C. 33051(c) will apply	ACTION
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EDUCATION ACCOUNTABILITY ACT (SB1X) Waiver Authority (E.C. 52054(i) and 52057(d))

ITEM W-22	Grass Valley Elementary School District requests a Specific Waiver authorized by SB1X, the Education Accountability Act, for 3 schools all meeting the state growth target (2000 GPA awards) to waive Education Code Sections 60450(b) and 60451(b) to purchase non-adopted instructional resources (Everyday Math Program) using Schiff-Bustamante Standards Based Instructional Materials. CDSIS-50-4-2001 (Recommended for APPROVAL)	ACTION
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LANGUAGE, SPEECH, AND HEARING SPECIALIST

ITEM W-23	Request by Apple Valley Unified School District to waive California Code of Regulations 56363.3 and Title 5 – 3051.1(b) which allows the districts to exceed the maximum caseload of one to fifty-five (1-55) students for Language, Speech, and Hearing (LSH) specialist teacher. CDSIS-33-2-2001 (Recommended for DENIAL)	ACTION
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MATHEMATICS PROFESSIONAL DEVELOPMENT GRANT

ITEM W-24	Request by Twenty-two school districts and three county offices of education for a waiver of Education Code Section 44721(a) to allow use of AB 1331 Grant funds for per diem and release time for teacher training in mathematics instruction. CDSIS # (See attached list) (Recommended for APPROVAL)	ACTION
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9th GRADE CLASS SIZE REDUCTION (MORGAN-HART)

ITEM W-25	Request by Tamalpais Union High School District to waive portions of Education Code Sections 52084(a)(c) and 52086 (a) 9 th Grade Class Size Reduction (Morgan-Hart) which funds only two courses in grade nine, and that student-teacher ratios in these classes average 20 with a maximum of 22 pupils in each participating class. CDSIS-15-3-2001 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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NON-PUBLIC SCHOOL/AGENCY (Child Specific)

ITEM W-26	Request by Middletown Unified School District to waive Education Code Section 56366.1(a) certification for an uncertified nonpublic agency, Clear Lake Physical Therapy, Inc., to provide services to two special education students Jesse B., and Brian P. CDSIS-14-1-2001 (Recommended for APPROVAL)	ACTION
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OUT-OF-STATE FIELD TRIPS

ITEM W-27	Request by Eureka City School District to waive a portion of Education Code Section 35330(d) to allow expenditure of funds and transportation allowances out-of-state excursions and field trips. CDSIS-98-3-2001 (Recommended for APPROVAL)	ACTION
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PETITION TO PURCHASE NON-ADOPTED INSTRUCTIONAL MATERIALS

ITEM W-28	Petition request by Johnstonville School District to waive Education Code 60200(g) to purchase nonadopted Instructional Resources (Scribner’s Beginning to Read, Write and Listen K-3) using Instructional Materials Fund (IMF) monies. CDSIS-53-2-2001 (Recommended for APPROVAL) 2000-2001, 2001-2002 fiscal years	ACTION
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ITEM W-29	Petition request by Monson-Sultana Joint Elementary School district to waive Education Code Section 60200(g) to purchase nonadopted Instructional Resources (Houghton Mifflin Mathematics, Grade 6) using Instructional Materials Fund (IMF) monies. CDSIS-37-2-2001 (Recommended for APPROVAL) 2000-2001 fiscal year	ACTION
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PEER ASSISTANCE AND REVIEW (PAR) PROGRAM

ITEM W-30	Request by Placentia-Yorba Linda USD to waive Education Code Sections 44501(a) and 44502(c)(2) pertaining to the Peer Assistance and Review (PAR) program (to allow retired teachers to serve as PAR consulting teachers). CDSIS-18-3-2001 (Recommended for APPROVAL WITH CONDITIONS) E.C. 33051(c) will apply	ACTION
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ITEM W-31	Request by the Napa County Office of Education to waive Education Code Sections 44500(b)(1) and 44501(a) relating to the Peer Assistance and Review (PAR) program to allow ROP teachers to participate in the PAR program. CDSIS-112-3-2001 (Recommended for APPROVAL WITH CONDITIONS) E.C. 33051(c) will apply	ACTION
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SCHIFF-BUSTAMANTE STANDARDS-BASED INSTRUCTIONAL MATERIALS PROGRAM

ITEM W-32	Riverside Unified School District requests a General Waiver of portions of Education Code Sections 60450(b) and 60451(b) to purchase non-adopted instructional resources, Houghton Mifflin Mathematics for Grade 6 (a continuation of the adopted program K-5) using Schiff-Bustamante Standards Based Instructional Materials monies. CDSIS-36-2-2001 (Recommendation will come in the Supplemental Mailing Packet for the May SBE meeting)	ACTION
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STUDENT MEMBER SCHOOL BOARD TERM

ITEM W-33	Request by San Juan Unified School District to waive Education Code Section 35012(d) to allow student members of the local school board to serve one semester at a time instead of a full school year term. CDSIS-12-3-2001 (Recommended for APPROVAL)	ACTION
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STAFF DEVELOPMENT “BUY-BACK DAYS”

ITEM W-34	Request by Fontana School District to waive Education Code Section 44579.1(f)(1) to allow Staff Development “buy back days” to be secluded and paid to staff within the school year (on minimum school days). CDSIS-42-3-2001 (Recommended for DENIAL) per E.C. 33051(a)(1) and 33051(a)(6)	ACTION
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END OF WAIVER REQUESTS

ITEM 10	2000-2001 Academic Performance Index (API) Awards Eligibility for Schools with Excessive Opt-Outs in 2000.	INFORMATION
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ITEM 11	Update to the Board on proposed criteria for locally-adopted pre-post tests of achievement and plans to provide training and technical assistance for schools participating in the Alternative Schools Accountability Model.	INFORMATION
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ITEM 12	AB 908 Gender Equity Train-the-Trainer Grant Criteria.	ACTION
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ITEM 13	Report of the Curriculum Development and Supplemental Materials	INFORMATION
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	Commission.	ACTION
ITEM 14	Department Staff Report regarding 2001 Mathematics Marketing Practices.	INFORMATION ACTION
ITEM 15	Approval of Foreign Language Curriculum Framework.	ACTION
ITEM 16	Update by the Commission on Teacher Credentialing Regarding Out-Of-State Teachers' Access to California Teaching Credentials.	INFORMATION
ITEM 17	Seminar Session on Curriculum and Instruction in Reading/Language Arts.	INFORMATION ACTION

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THURSDAY, May 10, 2001 – 8:00 a.m. (Upon Adjournment of Closed Session, if held)

California Department of Education Building, Room 166

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:

ITEM 18	Legislative Item: Update and discussion on current year legislation.	INFORMATION ACTION
ITEM 19	Standardized Testing and Reporting (STAR) Program: Including, but not Limited to, California Mathematics Standards Tests for Grades 2-7.	INFORMATION ACTION
ITEM 20	Standardized Testing and Reporting (STAR) Program: Including, but not Limited to, an Update on 2001 Program.	INFORMATION ACTION
ITEM 21	California High School Exit Examination (CAHSEE): Including, but not Limited to, Update on CAHSEE Standards-Setting Activities.	INFORMATION ACTION
ITEM 22	California High School Exit Examination (CAHSEE): Including, but not Limited to, Update on CAHSEE Activities.	INFORMATION ACTION
ITEM 23	California English Language Development Test (CELDT): Including, but not Limited to, Notice of Proposed Rulemaking for Title 5 Regulations.	INFORMATION ACTION
ITEM 24	California English Language Development Test (CELDT): Including, but not limited to, Proficiency Level Setting and an Informational Program Update.	INFORMATION ACTION

PUBLIC HEARING

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BEGINS AT 10:00 A.M., OR THEREAFTER, AS THE BUSINESS OF THE STATE BOARD PERMITS

ITEM 25	Request by the Global Academy of Arts and Sciences Charter School Petitioners to Approve a Petition to Become a Charter School Under the Oversight of the State Board of Education.	PUBLIC HEARING ACTION
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END OF PUBLIC HEARING

ITEM 26	Request by the Kings River-Hardwick Union Elementary School District to Become an All-Charter District.	ACTION
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ITEM 27	Request by the Kingsburg Elementary Community Charter District to Renew its Charter as an All-Charter District.	INFORMATION ACTION
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ITEM 28	Follow-up to AB 615: Pilot Project for Categorical Education Program Flexibility.	ACTION
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PUBLIC HEARING

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

ITEM 29	Adoption of California Safe Schools Assessment Program Regulations.	PUBLIC HEARING ACTION
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END OF PUBLIC HEARING

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