

Agenda--May 12-14, 2004

California State Board of Education (SBE) meeting agenda.

State Board Members

Reed Hastings, President
Joe Nuñez, Vice President

AGENDA

May 12-14, 2004

Ruth Bloom
Don Fisher
Brent Godfrey
Ruth E. Green
Glee Johnson
Jeannine Martineau
Bonnie Reiss
Suzanne Tacheny
Johnathan Williams

Secretary & Executive Officer

Hon. Jack O'Connell

Executive Director

Rae Belisle

SCHEDULE OF MEETING

LOCATION

Wednesday, May 12, 2004

9:00 a.m. ±

STATE BOARD OF EDUCATION
Closed Session - IF NECESSARY
(The public may not attend.)

California Department of Education
1430 N Street, Room 1101
Sacramento , California
(916) 319-0827

The Closed Session (1) may commence earlier than 9:00 a.m.; (2) may begin at or before 9:00 a.m., be recessed, and then be reconvened later in the day; or (3) may commence later than 9:00 a.m.

CLOSED SESSION AGENDA

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:

- *Acevedo, et al. v. State of California, et al.*, Sacramento County Superior Court, Case No. 03CS00827
- *Adkins, et al. v. State of California, et al.*, Sacramento County Superior Court, Case No. 03CS00938
- *Aguayo, et al. v. State of California, et al.*, Sacramento County Superior Court, Case No. 03CS00825
- *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
- *Buckle, et al. v. State of California, et al.*, Sacramento County Superior Court, Case No 03CS00826
- *California Association of Private Special Education Schools, et al., v. California Department of Education, et al.*, Los Angeles County Superior Court, Case No. BC272983
- *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

- *Californians for Justice Education Fund, et al. v. State Board of Education*, San Francisco City/County Superior Court, Case No. CPF-03-50227
- *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.*, Alameda County Superior Court, Case No. 2002-049636
- *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)
- *Crawford v. Honig*, United States District Court, Northern District of California, Case No. 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. BC214156.
- *Donald Urista, et al. v. Torrance Unified School District, et al.*, United States District Court, Central District of California, Case No. 97-6300 ABC
- *Dutton v. State of California, et al.*, Sacramento County Superior Court, Case No. 03CS01723
- *Educational Ideas, Inc. v. State of California, et al.*, Sacramento County 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
- *EMS-BP, LLC, Options for Youth Burbank, Inc. et al. v. California Department of Education, et al.*, Sacramento County Superior Court, Case No. 03CS01078 / 03CS01079
- *Ephorm, et al. v. California Board of Education, et al.*, Los Angeles Superior Court, Case No. TC013485
- *Grant Joint Union High School District v. California State Board of Education, et al.*, Sacramento County Superior Court, Case No. 03 CS 01087
- *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)
- *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)
- *Ocean View School District, et al. v SBE, et al.*, Superior Court of San Francisco, Case No. CGC-02-406738
- *Pazmiño, et al. v. California State Board of Education, et al.*, San Francisco City/County Superior Court, Case No. CPF-03-502554
- *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 County 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, May 12, 2004
9:00 a.m. ± (Upon Adjournment of Closed Session, if held)

California Department of Education
1430 N Street, Room 1101
Sacramento , California
(916) 319-0827

STATE BOARD OF EDUCATION
Public Session

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

Thursday, May 13, 2004
8:00 a.m. ±

California Department of Education
1430 N Street, Room 1101
Sacramento , California
(916) 319-0827

STATE BOARD OF EDUCATION
Closed Session - IF NECESSARY
(The public may not attend.)

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, May 13, 2004
8:00 a.m. ± (Upon Adjournment of Closed Session, if held)

California Department of Education
1430 N Street, Room 1101
Sacramento , CA 95814
(916) 319-0827

STATE BOARD OF EDUCATION
Public Session

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

Note: The Seminar on State Assessment and Accountability Programs may be heard at the end of the day on Thursday, and the meeting adjourned on Thursday, as the meeting schedule allows.

Friday, May 14, 2004
8:00 a.m. ±

California Department of Education
1430 N Street, Room 1101
Sacramento , California
(916) 319-0827

STATE BOARD OF EDUCATION

Closed Session - IF NECESSARY
(The public may not attend.)

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Friday, May 14, 2004
8:00 a.m. ± (Upon Adjournment of Closed Session, if held)

California Department of Education
1430 N Street, Room 1101
Sacramento , CA 95814
(916) 319-0827

STATE BOARD OF EDUCATION
Public Session

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

ALL TIMES ARE APPROXIMATE AND ARE PROVIDED FOR CONVENIENCE ONLY
ALL ITEMS MAY BE RE-ORDERED TO BE HEARD ON ANY DAY OF THE NOTICED MEETING THE ORDER OF BUSINESS
MAY BE CHANGED WITHOUT NOTICE

Persons wishing to address the State Board of Education on a subject to be considered at this meeting, including any matter that may be designated for public hearing, are asked to notify the State Board of Education Office (see telephone/fax numbers below) by noon of the third working day before the scheduled meeting/hearing, stating the subject they wish to address, the organization they represent (if any), and the nature of their testimony. Time is set aside for individuals so desiring to speak on any topic NOT otherwise on the agenda (please see the detailed agenda for the Public Session). In all cases, the presiding officer reserves the right to impose time limits on presentations as may be necessary to ensure that the agenda is completed.

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973* and the *Americans with Disabilities Act of 1990* , any individual with a disability who requires reasonable accommodation to attend or participate in a meeting or function of the California State Board of Education (SBE), may request assistance by contacting the SBE Office, 1430 N Street, Room 5111, Sacramento, CA, 95814; telephone, (916) 319-0827; fax, (916) 319-0175.

FULL BOARD
Public Session

AGENDA

May 12-14, 2004

All Items within the Agenda are Portable Document Format (PDF) Files. And you'll need [Adobe Acrobat Reader](#) to open them.

Wednesday, May 12, 2004 - 9:00 a.m. ± (Upon adjournment of Closed Session if held)

California Department of Education, 1430 N Street, Room 1101, Sacramento , California

- Call to Order
- Salute to the Flag
- Approval of Minutes (January 2004 Meeting)
- Announcements
- Communications
- REPORT OF THE SUPERINTENDENT
- SPECIAL PRESENTATIONS

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

ITEM 1 (PDF; 142KB; 12pp.)	STATE BOARD PROJECTS AND PRIORITIES. Including, but not limited to, future meeting plans; agenda items; State Board office budget; staffing, appointments, and direction to staff; declaratory and commendatory resolutions; update on litigation; bylaw review and revision; review of the status of State Board-approved charter schools as necessary; election of State Board officers; and other matters of interest.	INFORMATION ACTION
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ITEM 2 (PDF; 27KB; 1p.)	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
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ITEM 3 (PDF; 30KB; 2pp.)	Special Presentation: The Improvement of Student Achievement in the Los Angeles Unified School District .	INFORMATION
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ITEM 4 (PDF; 34KB; 2pp.)	Standardized Testing and Reporting (STAR) program: Including, but not limited to, Program Update.	INFORMATION ACTION
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ITEM 5 (PDF; 31KB; 2pp.)	Standardized Testing and Reporting (STAR) Program: Approval of Apportionment for 2003 Administration of the California Alternate Performance Assessment (CAPA).	INFORMATION ACTION
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ITEM 6 (PDF; 39KB; 2pp.)	Standardized Testing and Reporting (STAR) Program: Designation of the Spanish Assessment of Basic Education, Second Edition (SABE/2) as the primary language test for the 2004-2005 school year.	INFORMATION ACTION
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** PUBLIC HEARING**

A Public Hearing on the following agenda item will commence no earlier than 10:00 a.m. The Public Hearing will be held after 10:00 a.m. as the business of the State Board permits.

<p>ITEM 7 (PDF; 150KB; 6pp.)</p>	<p>Standardized Testing and Reporting (STAR) Program: Public Hearing and Adoption of Performance Standards (Levels) for the Grade 5 California Standards Test (CST) in Science.</p> <ul style="list-style-type: none"> • Last Minute (Blue) (PDF; 69KB; 3pp.) 	<p>INFORMATION ACTION PUBLIC HEARING</p>
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** END OF PUBLIC HEARING ***

<p>ITEM 8 (PDF; 33KB; 2pp.)</p>	<p>California High School Exit Exam (CAHSEE): Including, but not limited to, Program Update.</p>	<p>INFORMATION ACTION</p>
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<p>ITEM 9 (PDF; 25KB; 1p.)</p>	<p>California English Language Development Test (CELDT): Including, but not limited to, Program Update.</p>	<p>INFORMATION ACTION</p>
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<p>ITEM 10 (PDF; 123KB; 21pp.)</p>	<p>California English Language Development Test (CELDT): Approve Commencement of the Rulemaking Process for Amendments to Title 5 California Code of Regulations.</p> <ul style="list-style-type: none"> • Last Minute (Blue) (PDF; 15KB; 1p.) 	<p>INFORMATION ACTION</p>
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<p>ITEM 11 (PDF; 70KB; 10pp.)</p>	<p>General Education Development (GED): Adopt Amendments to Title 5 Regulations.</p> <ul style="list-style-type: none"> • Last Minute (Blue) (PDF; 16KB; 4pp.) 	<p>INFORMATION ACTION</p>
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<p>ITEM 12 (PDF; 107KB; 7pp.)</p>	<p><i>No Child Left Behind (NCLB) Act of 2001:</i> Including, but not limited to, a report on the May NCLB Liaison Team meeting, Highly Qualified Teacher issues, Ed-Flex/Timeline Waiver, and the Title 1 Program Review Visit.</p>	<p>INFORMATION ACTION</p>
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<p>ITEM 13 (PDF; 43KB; 3pp.)</p>	<p><i>No Child Left Behind (NCLB) Act of 2001:</i> Title 1 Committee of Practitioners.</p>	<p>INFORMATION ACTION</p>
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<p>ITEM 14 (PDF; 40KB; 2pp.)</p>	<p><i>No Child Left Behind (NCLB) Act of 2001 :</i> Approve Local Educational Agency Plans.</p> <ul style="list-style-type: none"> • Last Minute (Blue) (PDF; 39KB; 2pp.) 	<p>INFORMATION ACTION</p>
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<p>ITEM 15</p>	<p><i>No Child Left Behind (NCLB) Act of 2001:</i> State and local accountability report</p>	<p>INFORMATION</p>
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(PDF; 331KB; 67pp.)	cards, including approval of report templates and data definitions for 2003-04, pursuant to Public Law 107-110 Section 1111(h) and California Education Code Section 33126.1(f).	ACTION
ITEM 16 (PDF; 42KB; 2pp.)	<i>No Child Left Behind (NCLB) Act of 2001:</i> Approve Supplemental Educational Service Providers required by Title 1 Section 1116(e). <ul style="list-style-type: none">• Last Minute (Blue) (PDF; 161KB; 42pp.)	INFORMATION ACTION
ITEM 17 (PDF; 217KB; 18pp.)	<i>No Child Left Behind (NCLB) Act of 2001:</i> Approve Commencement of the Rulemaking Process for Amendments to Title 5 Regulations for the No Child Left Behind Teacher Requirements. <ul style="list-style-type: none">• Last Minute (Blue) (PDF; 1MB; 6pp.)	INFORMATION ACTION
ITEM 18 (PDF; 96KB; 9pp.)	Safe and Drug Free Schools and Communities: Amendment: Board Policy 03-01 (Federal Waiver - Safe and Drug Free School Innovative Program Under No Child Left Behind (NCLB)).	INFORMATION ACTION
ITEM 19 (PDF; 144KB; 12pp.)	<i>No Child Left Behind (NCLB) Act of 2001:</i> Approve Commencement of the Rulemaking Process for Persistently Dangerous Public Elementary and Secondary Schools Regulations. <ul style="list-style-type: none">• Last Minute (Blue) (PDF; 323KB; 9pp.)	INFORMATION ACTION
ITEM 20 (PDF; 161KB; 19pp.)	Instructional Materials: Adopt Proposed Amendments to Title 5, Sections 9515 and 9517, and Addition of Section 9517.1 for Follow-up Adoptions. <ul style="list-style-type: none">• Last Minute (Blue) (PDF; 43KB; 5pp.)	INFORMATION ACTION
ITEM 21 (PDF; 283KB; 25pp.)	Textbook Weight in California : Analysis and Recommendations.	INFORMATION ACTION
ITEM 22 (PDF; 32KB; 2pp.)	Advisory Commission on Special Education: Report on Activities.	INFORMATION ACTION
ITEM 23 (PDF; 67KB; 10pp.)	Special Education: Approve amendments to proposed Title 5 Regulations regarding withholding funds. <ul style="list-style-type: none">• Last Minute (Blue) (PDF; 243KB; 7pp.)	INFORMATION ACTION

Note: Waiver Items W-7 through W-17 will be heard out of order after Item 23

[ITEM 24](#)
(PDF;
80KB;
11pp.)

Mathematics and Reading Professional Development Program (AB 466): Approve Commencement of the Rulemaking Process for Amendments to Title 5 Sections 11981 and 11985.

- [Last Minute](#) (Blue) (PDF; 673KB; 6pp.)

INFORMATION ACTION

[ITEM 25](#)
(PDF;
173KB;
7pp.)

Mathematics and Reading Professional Development Program (AB 466): Approval of Reimbursement Requests.

INFORMATION ACTION

[ITEM 26](#)
(PDF;
50KB;
4pp.)

Mathematics and Reading Professional Development Program (AB 466) (Chapter 737, Statutes of 2001): Approve Extension of Current Contract for Reviewing and Archiving AB 466 Training Materials.

INFORMATION ACTION

[ITEM 27](#)
(PDF;
39KB;
2pp.)

Mathematics and Reading Professional Development Program (AB 466) (Chapter 737, Statutes of 2001): Including, but not limited to, Approval of Training Providers and Training Curricula.

INFORMATION ACTION

[ITEM 28](#)
(PDF;
53KB;
4pp.)

The Principal Training Program (AB 75): Approval of Local Educational Agencies (LEAs) and Consortia applications for funding.

INFORMATION ACTION

[ITEM 29](#)
(PDF;
32KB;
2pp.)

Principal Training Program (AB 75): Approval of Providers.

INFORMATION ACTION

[ITEM 30](#)
(PDF;
35KB;
3pp.)

English Learner Advisory Committee: Revision of Term of Office and Appointment of Members.

INFORMATION ACTION

[ITEM 31](#)
(PDF;
29KB;
1p.)

Child Nutrition Advisory Council (Child Nutrition and Physical Activity Advisory Council): Appointment of Secondary School Student Member.

INFORMATION ACTION

[ITEM 32](#)
(PDF;
31KB;

Reading First: Approval of Round Three Grant Awards.

- [Last Minute](#) (Blue) (PDF; 50KB; 3pp.)

INFORMATION ACTION

2pp.)

ITEM 33 (PDF; 27KB; 1p.)	Reading First: Approval of Grant Appeal by the Washington Unified School District .	INFORMATION ACTION
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ADJOURNMENT OF DAY'S SESSION

Thursday, May 13, 2004 - 8:00 a.m.± (Upon adjournment of Closed Session if held)
California Department of Education, 1430 N Street, Room 1101, Sacramento , California

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

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 34 (PDF; 84KB; 3pp.)	Consolidated Applications 2003 - 2004: Approval.	INFORMATION ACTION
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ITEM 35 (PDF; 30KB; 2pp.)	Oakland Unified School District : Compliance Update	INFORMATION ACTION
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ITEM 36 (PDF; 80KB; 10 pp.)	Legislative Update: Including, but not limited to, information on legislation.	INFORMATION ACTION
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ITEM 37 (PDF; 84KB; 5pp.)	Assignment of Numbers for Charter School Petitions.	INFORMATION ACTION
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ITEM 38 (PDF; 29KB; 1p.)	Advisory Commission on Charter Schools: Appointment of Member.	INFORMATION ACTION
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[ITEM 39](#) Determination of funding requests from charter schools pursuant to Senate Bill (SB) 740 (Chapter 892, Statutes of 2001), specifically *Education Code* sections 47612.5 and 47634.2, and *California Code of Regulations* , Title 5 sections 11963 to 11963.6, inclusive: approval for 2003-04 (and beyond). INFORMATION ACTION
(PDF; 72KB; 5p.)

*** PUBLIC HEARING***

A Public Hearing on the following agenda items will commence no earlier than 8:30 a.m. The Public Hearing will be held after 8:30 a.m. as the business of the State Board permits.

[ITEM 40](#) Request by the Oak Grove Union School District to Become an All-Charter District. INFORMATION ACTION PUBLIC HEARING
(PDF; 59KB; 7pp.)
 • [Last Minute](#) (Blue) (PDF; 13KB; 1pp.)

[ITEM 41](#) Request by the Pioneer Union Elementary School District to Renew its Charter as an All-Charter District. INFORMATION ACTION PUBLIC HEARING
(PDF; 61KB; 6pp.)
 • [Last Minute](#) (Blue) (PDF; 13KB; 1p.)

[ITEM 42](#) Request by the Kings River-Hardwick Union Elementary School District to Renew its Charter as an All-Charter District. INFORMATION ACTION PUBLIC HEARING
(PDF; 61KB; 6pp.)
 • [Last Minute](#) (Blue) (PDF; 13KB; 1p.)

[ITEM 43](#) Request by the Delta View Joint Union Elementary School District to Renew its Charter as an All-Charter District. INFORMATION ACTION PUBLIC HEARING
(PDF; 63 5KB; 6 pp.)
 • [Last Minute](#) (Blue) (PDF; 7KB; 1p.)

*** END OF PUBLIC HEARING ***

[ITEM 44](#) Funding for Countywide Charter Schools (Assembly Bill 1994): Adopt Amendments to Title 5, *California Code of Regulations* . INFORMATION ACTION
(PDF; 229KB; 10 pp.)

*** PUBLIC HEARING***

A Public Hearing on the following agenda items will commence no earlier than 10:00 a.m. The Public Hearing will be held after 10:00 a.m. as the business of the State Board permits

[ITEM 45](#) Environmental Effect of Proposed Formation of Wiseburn Unified School District from Wiseburn Elementary School District and a Portion of Centinela Valley Union High School District of Los Angeles County . INFORMATION ACTION PUBLIC HEARING
(PDF; 84KB; 10pp.)

ITEM 46 (PDF; 273KB; 32pp.)	Proposed Formation of Wiseburn Unified School District from Wiseburn Elementary School District and a Portion of Centinela Valley Union High School District in Los Angeles County .	INFORMATION ACTION PUBLIC HEARING
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*** END OF PUBLIC HEARING ***

ITEM 47 (PDF; 29KB; 1p.)	Immediate Intervention/Underperforming Schools Program (II/USP): Reversal of State Board decision to deem Morningside High School state-monitored.	INFORMATION ACTION
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ITEM 48 (PDF; 77KB; 6pp.)	Immediate Intervention/Underperforming Schools Program (II/USP): Waiver Policy for higher-performing II/USP schools that do not make "significant growth" and are subject to state sanctions. <ul style="list-style-type: none">• Last Minute (Blue) (PDF; 690KB, 21pp.)	INFORMATION ACTION
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ITEM 49 (PDF; 46KB; 4pp.)	High Priority Schools Grant Program: Approve Research Questions for Program Evaluation.	INFORMATION ACTION
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ITEM 50 (PDF; 135KB; 13pp.)	Alternative Schools Accountability Model (ASAM): Including, but not limited to, approval of proposed performance standards for the ASAM performance indicators.	INFORMATION ACTION
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ITEM 51 (PDF; 510KB; 63pp.)	California Technology Assistance Project: Approve 2003-04 Summary Report of Services. <ul style="list-style-type: none">• Last Minute (Blue) (PDF; 163KB; 18pp.)	INFORMATION 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.

ADULT EDUCATION INNOVATION AND ALTERNATIVE INSTRUCTIONAL DELIVERY PROGRAM

ITEM WC-1 (PDF; 49KB; 4pp.)	Request by Monterey Peninsula Unified High School District to waive <i>Education Code</i> (<i>EC</i>) Section 52522(b) to increase from 5 percent to 7 percent the proportion of their adult education state block entitlement that may be used to implement approved adult education innovation and alternative instructional delivery programs. Waiver Number: 3-1-2004	ACTION
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(Recommended for APPROVAL)

[ITEM WC-2](#) Request by Los Angeles Unified School District to waive *Education Code (EC)* ACTION
(PDF; Section 52522(b) to increase from 5 percent to 7 percent the proportion of their adult
48KB; education state block entitlement that may be used to implement approved adult
4pp.) education innovation and alternative instructional delivery programs.
Waiver Number: 14-3-2004
(Recommended for APPROVAL WITH CONDITIONS)

ALGEBRA WAIVER MEETING ALL CONDITIONS (General Consent)

[ITEM WC-3](#) Request by 163 local educational agencies to waive *Education Code (EC)* Section ACTION
(PDF; 51224.5(b), the requirement that all students graduating in the 2003-04 year be required
308KB; to complete a course in Algebra I (or equivalent) to be given a diploma of graduation
21pp.) (waiver for 12,728 seniors.)
Waiver Number: (see attached list of districts)
(Recommended for APPROVAL)

- [Last Minute](#) (Blue) (PDF; 20KB; 3pp.)

CARL D. PERKINS VOCATIONAL AND TECHNICAL EDUCATION ACT OF 1998

[ITEM WC-4](#) Request by Kelseyville Unified School District for a waiver of Section 131(d)(1) of ACTION
(PDF; the *Carl D. Perkins Vocational and Technical Education Act of 1998* (Public Law 105-
28KB; 332).
2pp.) Waiver Number: 59-2-2004
(Recommended for APPROVAL)

FEDERAL WAIVERS - SAFE AND DRUG FREE

[ITEM WC-5](#) Request by North Monterey County Unified School District to waive No Child ACTION
(PDF; Left Behind Act (NCLB); Title IV, Part A, Section 4115 (a)(1)(c) to use Safe and Drug
31KB; Free Schools and Communities funds to support the cost of Community of Caring , a
2pp.) K-12 program that emphasizes student focus on the values of trust, caring, respect,
responsibility and family.
Waiver Number: Fed-01-2004
(Recommended for APPROVAL WITH CONDITIONS)

[ITEM WC-6](#) Request by El Monte City School District to waive No Child Left Behind Act ACTION
(PDF; (NCLB); Title IV, Part A, Section 4115 (a)(1)(c) to use Safe and Drug Free Schools and
31KB; Communities funds to support the cost of Michigan Model for Comprehensive School
2pp.) Health Education (Substance Use and Abuse Section).
Waiver Number: Fed-02-2004
(Recommended for APPROVAL WITH CONDITIONS)

INSTRUCTIONAL MATERIALS SUFFICIENCY (Audit Findings)

[ITEM WC-7](#) Request by thirteen school districts for a retroactive waiver of **Education Code** ACTION
(PDF; (EC) Section 60119 regarding the Annual Public Hearing on the availability of
55KB; textbooks or instructional materials. The district had an audit finding for fiscal year 2002-

6pp.) 2003 that they 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.

CDSIS - 06-03-2004 - Calexico Unified School District
CDSIS - 20-02-2004 - Central Unified School District
CDSIS - 19-02-2004 - El Monte City School District
CDSIS - 30-01-2004 - Gustine Unified School District
CDSIS - 02-01-2004 - Los Molinos Unified School District
CDSIS - 02-02-2004 - Millville Elementary School District
CDSIS - 17-03-2004 - Alisal Union School District
CDSIS - 06-10-2003 - Alum Rock Elementary SD
CDSIS - 24-01-2004 - Fremont Unified School District
CDSIS - 154-3-2004 - San Mateo COE
CDSIS - 141-3-2004 - Sausalito Marin City School District
CDSIS - 51-02-2004 - South Bay Union School District
CDSIS - 41-02-2004 - Yosemite Joint Union High SD
(Recommended for APPROVAL)

RESOURCE SPECIALIST

[ITEM WC-8](#) Request by Ojai Unified School District waive *Education Code* (EC) Section 56362(c); allowing the caseload of the Resource Specialist to exceed the maximum caseload of 28 students by no more than four students. (32 maximum) Rosario Lotts assigned at Mira Monte Elementary School . ACTION
(PDF; 39KB; 2pp.)
Waiver Number:62-2-2004
(Recommended for APPROVAL WITH CONDITIONS)

[ITEM WC-9](#) Request from the Carpinteria Unified School District to waive *Education Code* (EC) Section 56362(c); allowing the caseload of the resource specialist to exceed the maximum caseload of 28 students by no more than four students (32 max) for Sharon Velarde assigned at Main Elementary School . ACTION
(PDF; 39 KB; 2pp.)
Waiver Number: 7-3-2004
(Recommended for APPROVAL WITH CONDITIONS)

[ITEM WC-10](#) Request by Dos Palos Oro Loma Joint Unified School District to waive *Education Code* (EC) Section 56362 (c); allowing the caseload of resource specialist to exceed the maximum caseload of 28 students by no more than four students (Maximum 32). Kevin Jones at Dos Palos Elementary School, Charles (Chuck) Finster at Dos Palos and Marks Elementary Schools, and Karen Weaver at Marks Elementary School . ACTION
(PDF; 39KB; 2pp.)
Waiver Number: 32-12-2003
(Recommended for APPROVAL WITH CONDITIONS)

[ITEM WC-11](#) Request by Guerneville School District to waive *Education Code* (EC) Section 56362(c); allowing the caseload of the Resource Specialist to exceed the maximum caseload of 28 students by no more that four students (32 maximum). Nancy Thomas assigned at Guerneville School District . ACTION
(PDF; 38KB; 2pp.)
Waiver Number 31-1-2004
(Recommended for APPROVAL WITH CONDITIONS)

SCHOOL SITE COUNCIL

[ITEM WC-12](#) Request by Clovis Unified School District for a waiver of *Education Code* (EC) Section 52852, to allow one joint school site council to function for four small alternative education schools that occupy the same site. ACTION
(PDF; 29 KB; 2pp.)
Waiver Number: 2-12-2003
(Recommended for APPROVAL)

[ITEM WC-13](#) Request by Alview-Dairyland Union School District for a renewal waiver of *Education Code* (EC) Section 52852, relating to the establishment of a school site council as required for each school participating in the School-Based Program Coordination Act (one council for two small schools). ACTION
(PDF; 28KB; 2pp.)
Waiver Number: 45-2-2004
(Recommended for APPROVAL)

STATE MEAL MANDATE (Summer School)

[ITEM WC-14](#) Request by various school districts to waive *Education Code* (EC) Section 49550, the State Meal Mandate during Summer School Session ACTION
(PDF; 39KB; 5pp.)
Waiver No: various
(Recommended for APPROVAL)

N-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 (API)

[ITEM W-1](#) Delano Union Elementary School District (DUESD) Academic Performance Index (API) Waiver. Specifically, the DUESD requests waiver of a portion of *Title 5, CCR* Section 1032(d)(1) & (6) to allow Valle Vista Elementary School to be given a valid API for the 2002 year despite "adult testing irregularities" (English-Language Arts for 38 students in two second grade classes). ACTION
(PDF; 35KB; 3pp.)
Waiver Number: 12-9-2003
(Recommended for DENIAL)

- [Last Minute](#) (Blue) (PDF; 54KB; 2pp.)
-

[ITEM W-2](#) Merced City School District (MCSO) Academic Performance Index (API) Waiver. Specifically, the MCSO requests waiver of a portion of Title 5 , CCR Section 1032(d)(1) & (6) to allow Alicia Reyes School to be given a valid API for the 2003 year despite "adult testing irregularities" (Grade 5 California Achievement Tests, 6 th Edition [CAT/6], spelling and mathematics for 31 students). ACTION
(PDF; 34KB; 3pp.)
Waiver No: 27-3-2004
(Recommended for DENIAL)

ALGEBRA 1 GRADUATION REQUIREMENT

- [ITEM W-3](#) Request by 12 local educational agencies, to waive *Education Code* (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation (waivers for 282 seniors). These waivers were received after April 2, 2004 and more may be added in a Last Minute Memorandum
(PDF; 58KB; 4pp.)
ACTION
Waiver Number: (see attached list of districts)
(Recommended for APPROVAL WITH CONDITIONS for 12 waivers received to date)
- [Last Minute](#) (Blue) (PDF; 36KB; 3pp.)
-

ALGEBRA 1 GRADUATION REQUIREMENT (under 56101 for State Special Schools)

- [ITEM W-4](#) Requested by Yolo County SELPA to waive *Education Code* (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra 1 (equivalent) in order to give a diploma of graduation to 1 special education student attending the California School for the Deaf, Fremont (CSDF) based on EC 56101, the special education authority.
(PDF; 28KB; 2pp.)
ACTION
Waiver Number: 118-4-2004
(Recommended for APPROVAL WITH CONDITIONS)
-

- [ITEM W-5](#) Requested by Oakland Unified School District to waive *Education Code* (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra 1 (equivalent) in order to give a diploma of graduation to 2 special education students attending the California School for the Deaf, Fremont (CSDF) based on EC 56101, the special education authority.
(PDF; 29KB; 2pp.)
ACTION
Waiver Number: 119-4-2004
(Recommended for APPROVAL WITH CONDITIONS)
-

ALGEBRA 1 GRADUATION REQUIREMENT (State Special Schools)

- [ITEM W-6](#) Request by various Special Education Plan Areas (SELPA) to waive *Education Code* (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra 1 (equivalent) in order to give a diploma of graduation to special education student attending the California School for the Deaf Riverside. This is a placeholder for special education waivers to be added in a Last Minute Memorandum.
(PDF; 26KB; 1p.)
ACTION
Waiver Number: various
- [Last Minute](#) (Blue) (PDF; 23KB; 1p.)
-

Note: Waiver Items W-7 through W-17 will be heard on Wednesday, May 12, immediately after item 23.

ALGEBRA 1 GRADUATION REQUIREMENT (under 56101 - Statewide)

- [ITEM W-7](#) Request by Sacramento City Unified School District to waive *Education Code* (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (equivalent) to be given a diploma of graduation for 20 special education students based on EC 56101, the special education authority.
(PDF; 29KB; 2pp.)
ACTION
Waiver Number: 146-3-2004
(Recommended for APPROVAL WITH CONDITIONS)
-

[ITEM W-8](#) Request by Lucia Mar Unified School District to waive *Education Code* (EC) ACTION
(PDF; Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be
29KB; required to complete a course in Algebra I (equivalent) to be given a diploma of
2pp.) graduation for 18 special education students based on EC 56101, the special education
authority.
Waiver Number: 9-4-2004
(Recommended for APPROVAL WITH CONDITIONS)

[ITEM W-9](#) Request by Butte County Office of Education to waive *Education Code* (EC) ACTION
(PDF; Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be
29KB; required to complete a course in Algebra I (equivalent) to be given a diploma of
2pp.) graduation for 1 (one) special education student based on EC 56101, the special
education authority.
Waiver Number: 25-4-2004
(Recommended for APPROVAL WITH CONDITIONS)

[ITEM W-10](#) Request by Oakdale Joint Unified School District to waive *Education Code* (EC) ACTION
(PDF; Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be
30KB; required to complete a course in Algebra I (equivalent) to be given a diploma of
2pp.) graduation for 4 (four) special education students based on EC 56101, the special
education authority.
Waiver Number:45-4-2004
(Recommended for APPROVAL WITH CONDITIONS)

[ITEM W-11](#) Request by San Marcos Unified School District to waive *Education Code* (EC) ACTION
(PDF; Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be
29KB; required to complete a course in Algebra I (equivalent) to be able to give a diploma of
2pp.) graduation for 8 (eight) special education students based on EC 56101, the special
education authority.
Waiver No: 16-3-2004
(Recommended for APPROVAL WITH CONDITIONS)

[ITEM W-12](#) Request by Temple City Unified School District to waive *Education Code* (EC) ACTION
(PDF; Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be
29KB; required to complete a course in Algebra I (equivalent) to be able to give a diploma of
2pp.) graduation to 3 (three) special education students based on EC 56101, the special
education authority.
Waiver No: 14-4-2004
(Recommended for APPROVAL WITH CONDITIONS)

[ITEM W-13](#) Request by Norwalk La Mirada Unified School District to waive *Education Code* ACTION
(PDF; (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04
29KB; year be required to complete a course in Algebra I (equivalent) to be given a diploma of
2pp.) graduation for 1(one) special education student based on EC 56101, the special
education authority.
Waiver No: 30-4-2004
(Recommended for APPROVAL WITH CONDITIONS)

[ITEM W-14](#) Request by Tehachapi Unified School District to waive *Education Code* (EC) ACTION
(PDF; Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be

29KB;
2pp.) required to complete a course in Algebra I (equivalent) to be able to give a diploma of graduation to eight (3) special education students based on EC 56101, the special education authority.
Waiver No: 106-4-2004
(Recommended for APPROVAL WITH CONDITIONS)

[ITEM W-15](#) Request by East San Gabriel SELPA to waive *Education Code* (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (equivalent) to be given a diploma of graduation for 1 (one) special education student based on EC 56101, the special education authority. ACTION
(PDF;
30KB;
2pp.)
Waiver Number: 92-4-2004
(Recommended for APPROVAL WITH CONDITIONS)

[ITEM W-16](#) Request by Vista Unified School District to waive *Education Code* (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (equivalent) to be given a diploma of graduation for 33 special education students based on EC 56101, the special education authority. ACTION
(PDF;
30 KB;
2pp.)
Waiver Number: 15-3-2004
(Recommended for APPROVAL WITH CONDITIONS)

ALGEBRA 1 GRADUATION REQUIREMENT

[ITEM W-17](#) Request by various local educational agencies to waive *Education Code* (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (equivalent) to be able to give a diploma of graduation to special education students based on EC 56101, the special education authority. This is a placeholder for special education waivers to be added in a Last Minute Memorandum. ACTION
(PDF;
26KB;
1p.)
Waiver Number: various

CHARTER SCHOOLS

[ITEM W-18](#) Request by Del Norte County Office of Education for Castle Rock Charter School to waive portions of Title 5 CCR Section 11960(c)(A) and (B), related to charter school attendance, to be able to enroll new students over age 20 and to serve students that have reached 23 years and older, while continuing to receive K-12 apportionment for these students. ACTION
(PDF;
34KB;
3pp.)
Waiver Number: 85-3-204
(Recommended for DENIAL)

[ITEM W-19](#) Request by Julian Charter School under *Education Code* (EC) section 33054 to waive EC section 47605.1 (c)(2) pertaining to geographic limits on resource centers for nonclassroom-based charter schools so that Julian Charter School can continue to operate two centers in an adjacent county, and open one more center in a neighboring county. ACTION
(PDF;
33KB;
3pp.)
Waiver Number: 79-3-2004
(Recommended for DENIAL)

COMMUNITY DAY SCHOOL

[ITEM W-20](#) Request by Gridley Unified School District to waive portions of *Education Code* ACTION
(PDF; (EC) sections 48660 and 48916.1(d) to permit the establishment of a community day
30KB; school (CDS) for grades K-8 to be operated by a unified school district. (Grades 9-12
2pp.) are allowed under current statute).
Waiver Number: 39-2-2004
(Recommended for APPROVAL WITH CONDITIONS)
E.C. 33051(c) will apply

[ITEM W-21](#) Request by Anaheim Union High School District to waive *Education Code* (EC) ACTION
(PDF; Section 48661 relating to the placement of a community day school on the same site as
31KB; a continuation high school.
2pp.) Waiver Number: 82-3-2004
(Recommended for APPROVAL WITH CONDITIONS)

ENGLISH LEARNERS ADVISORY COMMITTEE

[ITEM W-22](#) Request by Alview-Dairyland Union School District for a waiver of *Education* ACTION
(PDF; Code (EC) Section 62002.5 (sunset provision) and formerly operative EC Section
30KB; 52176(b), relating to the establishment of an English Learners Advisory Committee (one
2pp.) council for two small schools), under the general waiver authority.
Waiver Number: 40-2-2004
(Recommended for APPROVAL)

EQUITY LENGTH OF TIME

[ITEM W-23](#) Request by Los Angeles Unified School District to waive Education Code (EC) ACTION
(PDF; section 37202, the equity length of time requirement, to allow a full day kindergarten
33KB; program at Various Schools.
3pp.) Waiver Number: 26-3-2004
(Recommended for APPROVAL WITH CONDITIONS)

[ITEM W-24](#) Request by Sacramento City Unified School District to waive Education Code ACTION
(PDF; Section 37202, the equity length of time requirement, to allow a full day kindergarten
30KB; program at Bear Flag Elementary School .
2pp.) Waiver Number: 26-3-2004
(Recommended for APPROVAL WITH CONDITIONS)

EXTRAORDINARY COST POOL

[ITEM W-25](#) Request by Temecula Valley Unified School District to waive Education Code ACTION
(PDF; (EC) Section 56836.21; the word "school" from this section, to allow submission of an
30KB; extraordinary cost pool claim for services provided by a nonpublic "agency". Granting the
2pp.) waiver would allow payment for services in FY 1999-2000, and 2000-2001.
Waiver Number: 19-4-2002
(Recommended for APPROVAL WITH CONDITIONS)

FEDERAL WAIVERS - SAFE AND DRUG FREE

[ITEM W-26](#) Request by Lompoc Unified School District to waive No Child Left Behind Act ACTION

(PDF;
32KB;
3pp.) (NCLB); Title IV, Part A, Section 4115(a)(1)(c) to use Safe and Drug Free Schools and Communities funds to support the cost of Here's Looking At You , a K-12 drug education program.
Waiver Number: Fed-20-2003
(Recommended for DENIAL)

INSTRUCTIONAL MATERIALS SUFFICIENCY (Audit Findings)

[ITEM W-27](#) Whittier Union High School District requests a retroactive waiver of *Education Code* (EC) Section 60119 regarding Annual Public Hearing on the availability of ACTION
(PDF; textbooks or instructional materials. The district had an audit finding for fiscal year 2002-2003 for failing to notice the public hearing for ten days. This is the second year in a row for this district as they had an audit finding in fiscal year 2001-2002 for not preparing a resolution.
30KB; Waiver No: 28-1-2004
2pp.) (Recommended for APPROVAL)

INSTRUCTIONAL TIME PENALTY

[ITEM W-28](#) Request by Lennox School District to waive *Education Code* (EC) section 46202(d), ACTION
(PDF; for the longer day incentive program penalty for the 2002-2003 fiscal year at Lennox Middle School .
31KB; Waiver No: 48-3-2004
2pp.) (Recommended for APPROVAL WITH CONDITIONS)

[ITEM W-29](#) Request by Grant Elementary School District to waive *Education Code* Section ACTION
(PDF; 46201(d), the full longer day instructional time penalty and the full ADA penalty down to the affected students (grades 4-6) only for the 2002-2003 fiscal year.
31KB; Waiver No: 26-1-2004
2pp.) (Recommended for APPROVAL WITH CONDITIONS)

LOCAL BOARD MEMBER TERM

[ITEM W-30](#) Request by Loomis Union Elementary School District to waive *Education Code* (ACTION
(PDF; EC) Section 5017(a) (curtailment of current 4 year term of some board members due to "redrawn trustee area map") and EC Section 5021(b) (curtailment of current guarantee
30KB; for board members to complete terms after a "redrawn trustee area map").
2pp.) Waiver Number: 78-3-2004
(Recommended for APPROVAL WITH CONDITIONS)

PETITION (Instructional Materials Funding Realignment Program)

[ITEM W-31](#) Petition request under *Education Code* (EC) Section 60421(d) and 60200(g) by Mill ACTION
(PDF; Valley School District to purchase Instructional Resources (Ca. Edition of Full
30KB; Option Science System (FOSS) K-5) using Instructional Materials Funding Realignment
2pp.) Program (IMFRP) monies.
Waiver Number: 128-3-2004
(Recommended for APPROVAL WITH CONDITIONS)

[ITEM W-32](#) Petition request under *Education Code* (EC) Section 60421(d) and 60200(g) by Davis ACTION
(PDF; Joint Unified School District to purchase Instructional Resources (*Everyday*
32KB; *Mathematics*, Grades 4-5) using Instructional Materials Funding Realignment Program
2pp.) (IMFRP) monies.
Waiver Number 115-3-2004
(Recommended for APPROVAL WITH CONDITIONS)

RESOURCE SPECIALIST

[ITEM W-33](#) Request by Baldwin Park Unified School District to waive *Education Code* (EC) ACTION
(PDF; Section 56362(c): allowing the caseload of the resource specialist to exceed the
30KB; maximum caseload of 28 students by no more than four students . (32 maximum)
2pp.) Lachele Strizic Margaret Heath Elementary and
Robert Gregory at Geddes Elementary/De Anza Elementary
Waiver No: 21-3-2004
(Recommended for APPROVAL WITH CONDITIONS)

[ITEM W-34](#) Request by Alhambra School District to waive *Education Code* (EC) Section ACTION
(PDF; 56362(c): allowing the caseload of the resource specialist to exceed the maximum
30KB; caseload of 28 students by no more than four students (32 max). Jennifer Mirada
2pp.) assigned at Repetto Elementary
Waiver Number: 13-1-2004
(Recommended for APPROVAL WITH CONDITIONS)

SCHOOL IMPROVEMENT PROGRAM

[ITEM W-35](#) Request by San Ramon Valley Unified School District to waive *Education Code* ACTION
(PDF; (EC) Section 62002 (sunset provision) and 52046(b)(3) in order to share and coordinate
30KB; the use of School Improvement funds between all schools in the district, including
2pp.) California High School, Monte Vista High School and San Ramon Valley
High School .
Waiver Number: 11-11-2003
(Recommended for APPROVAL)

[ITEM WC-36](#) Request by Cajon Valley Union School District to waive *Education Code* sections ACTION
(PDF; 52046 and 62002 in order to provide equal School Improvement Program (SIP) funding
29KB; support to all grade levels, K-8.
2pp.) Waiver Number: 20-12-2003
(Recommended for APPROVAL)

[ITEM WC-37](#) Request by Culver City Unified School District to waive *Education Code* (EC) ACTION
(PDF; Sections 62002 (sunset provision) and 52046(b)(3) in order to share and coordinate the
29KB; use of School Improvement funds between Culver City High School and Culver Park High
2pp.) School .
Waiver Number: 30-3-2004
(Recommended for APPROVAL) E.C. 33051(c) will apply

SENIOR MANAGEMENT POSITIONS

[ITEM W-38](#) Request by Dublin Unified School District to waive *Education Code* Section ACTION

(PDF; 45108.5(b)(1) to increase the number of positions designated as senior management.
29KB; Waiver No: 36-2-2004
2pp.) (Recommended for APPROVAL)

STATE MEAL MANDATE (Summer School DENIAL)

[ITEM W-39](#) Request by Dunsmuir Joint Union High School District to waive Education Code ACTION
(PDF; (EC) Section 49550, the State Meal Mandate during the Summer School Session.
42KB; Waiver No: 28-2-2004
2pp.) (Recommended for DENIAL)

[ITEM W-40](#) Request by Gravenstein Union School District to waive Education Code (EC) ACTION
(PDF; Section 49550, the State Meal Mandate during the Summer School Session.
40KB; Waiver No: 100-3-2004
3pp.) (Recommended for DENIAL)

[ITEM W-41](#) Request by Lassen Union High School District to waive *Education Code* (EC) ACTION
(PDF; Section 49550, the State Meal Mandate during the Summer School Session.
39KB; Waiver No: 99-3-2004
2pp.) (Recommended for DENIAL)

[ITEM W-42](#) Request by San Lorenzo Valley School District to waive *Education Code* (EC) ACTION
(PDF; Section 49550, the State Meal Mandate during the Summer School Session.
39KB; Waiver No: 102-3-2004
2pp.) (Recommended for DENIAL)

[ITEM W-43](#) Request by Arcata School District to waive *Education Code* (EC) Section 49550, ACTION
(PDF; the State Meal Mandate during the Summer School Session.
42KB; Waiver No: 69-2-2004
3pp.) (Recommended for DENIAL)

[ITEM W-44](#) Request by Fillmore Unified School District to waive *Education Code* (EC) Section ACTION
(PDF; 49550, the State Meal Mandate during the Summer School Session.
40KB; Waiver No: 9-3-2004
2pp.) (Recommended for Partial Approval/Partial Denial)

[ITEM W-45](#) Request by Rosemead School District to waive *Education Code* (EC) Section ACTION
(PDF; 49550, the State Meal Mandate during the Summer School Session.
41KB; Waiver No: 35-3-2004
3pp.) (Recommended for Partial Approval/Partial Denial)

STATE MEAL MANDATE (Summer School)

[ITEM W-46](#) Request by various school districts to waive *Education Code* (EC) Section 49550, ACTION
(PDF; the State Meal Mandate during the Summer School Session. (Duration of summer school
40KB; sessions are more than three hours and less than four hours.)

6pp.) Waiver Number: "various"
(Recommended for APPROVAL WITH CONDITIONS)

- [Last Minute](#) (Blue) (PDF; 34KB; 6pp.)

END OF WAIVER REQUESTS

ITEM 52 (PDF; 519KB; 21pp.)	California School Information Services (CSIS) Overview.	INFORMATION ACTION
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ADJOURNMENT OF DAY'S SESSION

Note: The Seminar on State Assessment and Accountability Programs may be heard at the end of the day on Thursday, and the meeting adjourned on Thursday, as the meeting schedule allows.

Friday, May 14, 2004 - 8:00 a.m.± (Upon adjournment of Closed Session if held)
California Department of Education, 1430 N Street, Room 1101, Sacramento , California

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

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 53 (PDF; 48KB; 2pp.)	Seminar on State Assessment and Accountability Programs. <ul style="list-style-type: none">• Last Minute (Blue) (PDF; 3MB; 144pp.)	INFORMATION
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ADJOURNMENT OF MEETING

For more information concerning this agenda, please contact Rae Belisle, Executive Director of the California State Board of Education, or Deborah Franklin, Education Policy Consultant, at 1430 N Street, Room 5111, Sacramento, Ca, 95814; telephone (916) 319-0827; fax (916) 319-0175. To be added to the speaker's list, please fax or mail your written request to the above referenced address/fax number. This agenda is posted on the State Board of Education's Web site at <http://www.cde.ca.gov/be/>

Questions: State Board of Education | 916-319-0827

Last Reviewed: Friday, August 05, 2011

California Department of Education
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CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT STATE BOARD PROJECTS AND PRIORITIES. Including, but not limited to, future meeting plans; agenda items; State Board office budget; staffing, appointments, and direction to staff; declaratory and commendatory resolutions; update on litigation; bylaw review and revision; review of the status of State Board-approved charter schools as necessary; election of State Board officers; and other matters of interest.	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Consider and take action (as necessary and appropriate) regarding State Board Projects and Priorities, including, but not limited to, future meeting plans; agenda items; State Board office budget; staffing, appointments, and direction to staff; declaratory and commendatory resolutions; update on litigation; bylaw review and revision; review of the status of State Board-approved charter schools as necessary; election of State Board officers; and other matters of interest.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At each regular meeting, the State Board has traditionally had an agenda item under which to address "housekeeping" matters, such as agenda planning, non-closed session litigation updates, non-controversial proclamations and resolutions, bylaw review and revision, election of State Board officers, and other matters of interest. The State Board has asked that this item be placed appropriately on each agenda.

SUMMARY OF KEY ISSUES

Election of Officers

Since January 2004, the State Board has by consensus at each meeting agreed to postpone the election of 2004 officers. At the March 2004 meeting, the State Board expressed its intent to hold the election for the 2004 president and vice president at the May 2004 meeting.

Evaluation of Board Meeting Schedule

In September 2004, the State Board began meeting every other month. When it implemented this schedule change, the State Board also requested that in May 2004, a discussion be held on the effectiveness of the new meeting schedule.

FISCAL ANALYSIS (AS APPROPRIATE)

N/A

ATTACHMENT

Attachment 1 State Board Bylaws (as amended July 9, 2003) (10 pages)

[Attachment 2](#): Agenda Planner 2004-05 (5 Pages)

[Attachment 3](#): Acronyms Chart (3 Pages)

[Attachment 4](#): California Assessment System: 2003-04 (1 Page)

AGENDA PLANNER 2004-2005

MAY 12-13, 2004 BOARD MEETING SACRAMENTO

Other Dates of Interest to the State Board:

- Advisory Commission on Charter Schools, Sacramento, May 20
- Curriculum Development and Supplemental Materials Commission, Sacramento, May 20-21
- Quality Education Committee, Sacramento, May 25-26

JUNE 2004 NO MEETING SCHEDULED

Other Dates of Interest to the State Board:

- Annual report on archives of approved AB 466 provider materials, draft due June 15
- Advisory Commission on Special Education, Sacramento, June 24-25
- Title I Committee of Practitioners, Sacramento, date to be determined
- Expiration of 2003-04 school year list of approved NCLB supplemental educational services providers

JULY 7-8, 2004..... SACRAMENTO

Board Meeting

- STAR, update/action as necessary
- CAHSEE, update/action as necessary
- CELDT, update/action as necessary
- No Child Left Behind Act, update/action as necessary
- Consolidated Applications for 2004-05, for approval
- CSIS, Data Dictionary 6.0

Other Dates of Interest to the State Board:

- 2004 Health Adoption, deliberations of Instructional Materials Advisory Panels and Content Review Panels, Sacramento, July 19-23
- Quality Education Committee meeting, Sacramento, July 28-29

AUGUST 2004..... NO MEETING SCHEDULED

Other Dates of Interest to the State Board:

- API and AYP data releases
- Model content standards for physical fitness, hearings on draft standards

SEPTEMBER 8-9, 2004 SACRAMENTO

Board Meeting

- Biennial Report to the Legislature of State Board Activities, for approval
- STAR, update/action as necessary
- CAHSEE, update/action as necessary
- CELDT, update/actions as necessary
- No Child Left Behind Act, update/action as necessary
- Consolidated Applications for 2004-05, for approval

AGENDA PLANNER 2004-2005

SEPTEMBER 8-9, 2004 CONTINUED

Other Dates of Interest to the State Board:

- Model content standards for physical fitness, hearings on draft standards
- Curriculum Development and Supplemental Materials Commission, Sacramento, September 16-17
- 2004 Health Adoption, Public Hearing at Curriculum Commission meeting
- Title I Committee of Practitioners, Sacramento, date to be determined
- Quality Education Committee meeting, Sacramento, September 29-30
- CELDT contract with CTB expires September 14
- CAHSEE Independent Evaluation contract with HumRRO expires September 30

OCTOBER 2004 NO MEETING SCHEDULED

Other Dates of Interest to the State Board:

- Curriculum Commission recommendations on 2004 Health Adoption, for information only

NOVEMBER 9-10, 2004 (TUESDAY/WEDNESDAY) SACRAMENTO

Board Meeting

- STAR, update/action as necessary
- CAHSEE, update/action as necessary
- CELDT, update/action as necessary
- No Child Left Behind Act, update/action as necessary
- 2004 Health Adoption, Public Hearing and Board action on Curriculum Commission recommendations for instructional materials adoption
- 2005 History-Social Science Adoption, appointment of members to content review panel and instructional materials advisory panel
- Model content standards for physical education, presented for adoption
- Medication Advisory, presented for action
- Accounting Manual, presented for approval
- Student Advisory Board on Education, presentation of recommendations
- Interviews of candidates for 2005-06 Student Member of the State Board
- Presentation of Presidential Awards for Excellence in Mathematics and Science Teaching

Other Dates of Interest to the State Board:

- Curriculum Development and Supplemental Materials Commission, Sacramento, November 18-19

AGENDA PLANNER 2004-2005

DECEMBER 2004 NO MEETING SCHEDULED

Other Dates of Interest to the State Board:

- Quality Education Committee meeting, Sacramento, December 1-2
- CAHSEE contract with ETS for testing through June 2004 expires December 13
- SABE/2 contract with CTB expires December 31
- GED contract with ETS expires December 31

JANUARY 12-13, 2005 SACRAMENTO

Board Meeting

- STAR, update/action as necessary
- CAHSEE, update/action as necessary
- CELDT, update/action as necessary
- No Child Left Behind Act, update/action as necessary
- Update on SAIT process at McCabe, Rubidoux, and O'Farell schools
- Career Technical Education standards for adoption
- 2007 Primary Mathematics Adoption, adoption of criteria for evaluating instructional materials
- Mathematics Framework minor revisions, for approval
- Teacher of the Year presentations
- United States Senate Youth presentations

Other Dates of Interest to the State Board:

- STAR program authorization repealed under ECS 60601, January 1
- Quality Education Committee meeting, Sacramento, January 19-20

FEBRUARY 2005 NO MEETING SCHEDULED

Other Dates of Interest to the State Board:

MARCH 9-10, 2005 SACRAMENTO

Board Meeting

- STAR, update/action as necessary
- CAHSEE, update/action as necessary
- CELDT, update/action as necessary
- No Child Left Behind Act, update/action as necessary
- 2008 Primary Reading/Language Arts/English Language Development Adoption, adoption of criteria for evaluating instructional materials
- Reading/Language Arts Framework minor revisions, for approval

Other Dates of Interest to the State Board:

AGENDA PLANNER 2004-2005

APRIL 2005NO MEETING SCHEDULED

Other Dates of Interest to the State Board:

- 2005 History-Social Science Adoption, training of instructional materials advisory panel and content review panel, Sacramento, April 4-8

MAY 11-12, 2005..... SACRAMENTO

Board Meeting

- STAR, update/action as necessary
- CAHSEE, update/action as necessary
- CELDT, update/action as necessary
- No Child Left Behind Act, update/action as necessary
- No Child Left Behind Act, initial reconstitution of list of approved of supplemental educational service providers for 2005-06 school year

Other Dates of Interest to the State Board:

- SB 964 report due to Legislature, May 1

JUNE 2005NO MEETING SCHEDULED

Other Dates of Interest to the State Board:

- STAR CAPA contract with ETS expires June 15
- STAR CST/CAT6 contract with ETS expires June 30
- Expiration of 2004-05 school year list of approved NCLB supplemental educational services providers

JULY 6-7, 2005..... SACRAMENTO

Board Meeting

- STAR, update/action as necessary
- CAHSEE, update/action as necessary
- CELDT, update/action as necessary
- No Child Left Behind Act, update/action as necessary
- Consolidated Applications for 2005-06, for approval

Other Dates of Interest to the State Board:

- 2005 History-Social Science Adoption, deliberations of instructional materials advisory panel and content review panel, Sacramento, July 11-14

AUGUST 2005.....NO MEETING SCHEDULED

Other Dates of Interest to the State Board:

- API and AYP data releases

AGENDA PLANNER 2004-2005

SEPTEMBER 7-8, 2005 SACRAMENTO

Board Meeting

- STAR, update/action as necessary
- CAHSEE, update/action as necessary
- CELDT, update/action as necessary
- No Child Left Behind Act, update/action as necessary
- Consolidated Applications for 2005-06, for approval

Other Dates of Interest to the State Board:

- 2005 History-Social Science Adoption, Public Hearings at Curriculum Commission meeting, Sacramento, date to be determined

OCTOBER 2005 NO MEETING SCHEDULED

Other Dates of Interest to the State Board:

NOVEMBER 9-10, 2005 SACRAMENTO

Board Meeting

- STAR, update/action as necessary
- CAHSEE, update/action as necessary
- CELDT, update/action as necessary
- No Child Left Behind Act, update/action as necessary
- 2005 History-Social Science Adoption, Public Hearing and Board action on Curriculum Commission recommendations for instructional materials adoption
- Student Advisory Board on Education, presentation of recommendations
- Interviews of candidates for 2006-07 Student Member of the State Board
- Presentation of Presidential Awards for Excellence in Mathematics and Science Teaching

Other Dates of Interest to the State Board:

DECEMBER 2005 NO MEETING SCHEDULED

Other Dates of Interest to the State Board:

ACRONYMS CHART

<i>ACRONYMS</i>	
AB	Assembly Bill
ACCS	Advisory Commission on Charter Schools
ACES	Autism Comprehensive Educational Services
ACSA	Association of California School Administrators
ADA	Americans with Disabilities Act
ADA	Average Daily Attendance
AFT	American Federation of Teachers
AP	Advanced Placement
API	Academic Performance Index
ASAM	Alternative Schools Accountability Model
AYP	Adequate Yearly Progress
BTSA	Beginning Teacher Support and Assessment
CAHSEE	California High School Exit Examination
CAPA	California Alternate Performance Assessment
CASBO	California Association of School Business Officials
CASH	Coalition for Adequate School Housing
CAT/6	California Achievement Test, 6th Edition
CCSESA	California County Superintendents Educational Services Association
CDE	California Department of Education
CELDT	California English Language Development Test
CFT	California Federation of Teachers
CHSPE	California High School Proficiency Exam
CNAC	Child Nutrition Advisory Council
COE	County Office of Education
ConAPP	Consolidated Applications
CRP	Content Review Panel
CSBA	California School Boards Association
CSIS	California School Information System
CST	California Standards Test
CTA	California Teachers Association
CTC	California Commission on Teacher Credentialing

ACRONYMS CHART

<i>ACRONYMS</i>	
EL	English Learner
ELAC	English Learner Advisory Committee
ESL	English as a Second Language
FAPE	Free and Appropriate Public Education
FEP	Fluent English Proficient
GATE	Gifted and Talented Education
GED	General Education Development
HPSGP	High-Priority School Grant Program
HumRRO	Human Resources Research Organization
IDEA	Individuals with Disabilities Education Act
IEP	Individualized Education Program
II/USP	Immediate Intervention/Underperforming Schools Program
IMAP	Instructional Materials Advisory Panel
IMFRP	Instructional Materials Fund Realignment Program
LEA	Local Educational Agency
LEP	Limited English Proficient
NAEP	National Assessment of Educational Progress
NEA	National Education Association
NCLB	No Child Left Behind Act of 2001
NPS/NPA	Non Public Schools/Non Public Agencies
NRT	Norm-Referenced Test
OSE	Office of the Secretary for Education
PAR	Peer Assistance and Review Program for Teachers
PSAA	Public School Accountability Act
ROP	Regional Occupation Program
RLA/ELD	Reading/Language Arts/English Language Development
SABE/2	Spanish Assessment of Basic Education, 2nd Edition
SAIT	School Assistance and Intervention Team
SARC	School Accountability Report Card
SAT 9	Stanford Achievement Test, 9th Edition

ACRONYMS CHART

ACRONYMS

SB	Senate Bill
SEA	State Educational Agency
SELPA	Special Education Local Plan Area
SBCP	School Based Coordination Program
SBE	State Board of Education
SSPI	State Superintendent of Public Instruction (Jack O'Connell)
STAR	Standardized Testing and Reporting Program
TDG	Technical Design Group (PSAA Advisory Committee)
USD	Unified School District
USDE	United States Department of Education
UTLA	United Teachers-Los Angeles
WIA	Workforce Investment Act

CALIFORNIA ASSESSMENT SYSTEM

2003-04

STAR Program										
CSTs	CAPA	CAT/6 Survey	SABE/2	CELDT	CAHSEE	EAP	PFT	CHSPE	GED	NAEP
Standards-based	Standards-based	Norm-referenced	Norm-referenced	Standards-based	Standards-based	Standards-based	Criterion-referenced	Criterion-referenced	Criterion-referenced	Criterion-referenced
Grades 2–11	Grades 2–11	Grades 2–11	Grades 2–11	Grades K–12	Grades 10–12	Grade 11*	Grades 5, 7, 9	Ages 16 and up*	Ages 18 and up*	Grades 4, 8
English-Language Arts Mathematics Grades 4, 7 Written Composition Grades 8, 10, 11 History-Social Science Grades 5, 9–11 Science	English-Language Arts Mathematics (for students with severe cognitive disabilities)	Grades 2–8 Reading/Language Spelling Mathematics Grades 9–11 Reading/Language Mathematics Science	Reading Spelling Language Mathematics	K–1 Listening Speaking Grades 2–12 Listening Speaking Reading Writing	Language Arts Mathematics 2003–04 Grade 10 only (required)	Augmentations to CSTs in: English-Language Arts Algebra II Summative High School Mathematics	Aerobic Capacity Body Composition Abdominal Strength and Endurance Trunk Extensor Strength and Flexibility Upper Body Strength and Endurance Flexibility	Reading Writing Mathematics	Reading Writing Mathematics Science Social Science	2004 Reading Math Foreign Language
Results Individual School District County State	Results Individual School District County State	Results Individual School District County State	Results Individual School District County State	Results Individual School District County State	Results Individual School District County State	Results Individual	Results Individual School District County State	Results Individual School District	Results Individual	Results National State

*Voluntary for students

Prepared by the California Department of Education
March 2004

Legend:

- | | |
|---|--|
| <p>CSTs = California Standards Tests</p> <p>CAPA = California Alternate Performance Assessment</p> <p>CAT/6 Survey = California Achievement Tests, Sixth Edition Survey</p> <p>SABE/2 = Spanish Assessment of Basic Education, Second Edition</p> <p>CELDT = California English Language Development Test</p> <p>CAHSEE = California High School Exit Examination</p> | <p>EAP = Early Assessment Program</p> <ul style="list-style-type: none"> • Early Assessment of Readiness for College English • Early Assessment of Readiness for College Mathematics <p>PFT = Physical Fitness Test</p> <p>CHSPE = California High School Proficiency Exam</p> <p>GED = General Educational Development</p> <p>NAEP = National Assessment of Educational Progress</p> |
|---|--|



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT 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.	<input type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Listen to public comment on matters not included on the agenda.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

N/A

SUMMARY OF KEY ISSUES

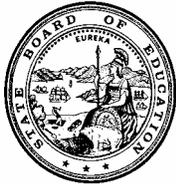
N/A

FISCAL ANALYSIS (AS APPROPRIATE)

N/A

ATTACHMENT

None



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Special Presentation: The Improvement of Student Achievement in the Los Angeles Unified School District.	<input type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

This special presentation is for information only and no State Board action is requested.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board has heard special presentations from such individuals as national experts, district superintendents, and legislators on a variety of topics.

SUMMARY OF KEY ISSUES

The Los Angeles Unified School District Superintendent Roy Romer will report on student achievement in the Los Angeles Unified School District (LAUSD) and the district's success in transforming urban education with system-wide action.

Under the leadership of Superintendent Roy Romer, schools in the Los Angeles Unified School District use state-adopted, standards-based instructional materials in every elementary classroom. For the first time in the district's recent history, common instructional programs are used in 430 elementary schools and across the 700 square miles that comprise our nation's second largest school district. Student achievement in LAUSD has increased significantly, and the district is beginning to narrow the achievement gap for Latino students who, along with African American students, have for too long scored below Asian and White students in Los Angeles. The district's diverse student population speaks 95 different home languages.

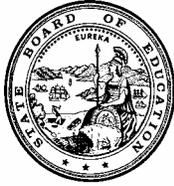
Superintendent Romer has developed a theory of action that focuses on four key components (complete instructional materials in every classroom / professional development and coaching / administrative leadership / periodic assessments) that he sees as the necessary ingredients of his success. He has used this theory of action to achieve continuous improvement. The big winners, of course, are the 700,000 students in Los Angeles whose achievement levels are near the national average in the elementary grades. While there is still room for improvement, Superintendent Romer and his leadership team are committed to improving educational achievement for thousands of our country's most underserved and needy students.

FISCAL ANALYSIS (AS APPROPRIATE)

N/A

ATTACHMENT

None



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Standardized Testing and Reporting (STAR) program: Including, but not limited to Program Update	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

The following item is provided to the State Board of Education (SBE) for information and action as deemed necessary and appropriate.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The initial California Legislation authorizing the STAR program was signed into law during September 1997. Since the initial authorization, SBE has designated the achievement test (initially the Stanford 9 and currently the California Achievement Test, Sixth Edition (CAT/6) Survey and the primary language achievement test Spanish Assessment of Basic Education, Second Edition (SABE/2), adopted regulations for the program, approved and monitored the development of the California Standards Tests (CSTs) and the California Alternate Performance Assessment (CAPA), adopted performance levels for the California Standards Tests (CSTs) and the CAPA, and approved a plan to release questions from the CSTs each year beginning with the 2003 administration. The SBE also established the test administration window for the STAR program. Annually, all students in grades two through eleven are tested within a 21-day window based on each school's or program's instructional year. The 21-day window includes the ten instructional days before and the ten instructional days after the day on which eighty-five percent of each school's or program's instructional days are completed. After the California Legislature eliminated the Golden State Examination (GSE) Program, the SBE adopted regulations for the Golden State Seal Merit Diploma so that students may use CST, as well as GSE, results to qualify for the diploma.

SUMMARY OF KEY ISSUES

Update

2004 Test Administration: CST-CAT/6 testing began the third week of February and will continue through mid-August. This year's first administration of the grade 4 and 7 writing test component of the California English-Language Arts Standards Test was completed on March 17, 2004. Schools and programs that were not in session on March 16th and May 17th will administer the grade 4 and 7 writing test component on May 10th and May 11th. Administration of the CAPA began on April 12, 2004, and will continue through May 21, 2004. Districts also began administering the SABE/2 the third week of February. All districts will complete SABE/2 testing by May 14, 2004. By the end

of April, testing will have begun or been completed in approximately ninety percent of the school districts.

2003 CST Released Questions: The 2003 CST released questions are to be posted on the Internet by the end of April. All test questions are aligned to the CST blueprints that were revised for the 2003 tests. No changes were made in the blueprints for 2004.

2005 Test Development in Process: Work has begun on the 2005 tests with staff currently reviewing sets of field-test questions that will be embedded in the operational test forms. Depending on the grade level and content area there will be up to forty-four versions of each 2005 test. The number of versions of each grade and subject area CST is determined by the number of new questions that need to be field-tested to maintain a bank of items that is sufficiently robust to develop the regular tests during subsequent years. Each CST version includes the year's regular test questions plus a randomly assigned set of six field-test questions. The field-test questions are administered to determine if they are appropriate to use on future tests.

Golden State Seal Merit Diploma: The Title 5 Regulations that were approved by the SBE in March are currently at the Office of Administrative Law (OAL) for review. Staff expects the Secretary of State to receive the regulations by mid-May. The California Department of Education (CDE) asked that the regulations become effective upon filing with the Secretary of State, so that the diploma seal can be awarded to this year's eligible seniors. A diploma seal has been designed for schools to affix to eligible students' regular high school diplomas. The two-inch seal has a poppy in the center with Golden State Seal Merit Diploma printed around it. The perimeter of the seal has State Superintendent of Public Instruction around the upper edge of the seal and SBE around the lower edge. Two seals will be provided for each student eligible for the diploma: a gold embossed seal to affix to the student's high school diploma and a black and white seal for use on the student's high school transcripts.

FISCAL ANALYSIS (AS APPROPRIATE)

All items presented in this program update are currently funded under contracts with CDE.

ATTACHMENT

None



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Standardized Testing and Reporting (STAR) Program: Approval of Apportionment for 2003 Administration of the California Alternate Performance Assessment (CAPA)	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Approve a district apportionment of \$5.00 per student assessed with the California Alternate Performance Assessment (CAPA) during spring 2003.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Previously the State Board of Education (SBE) approved the development of the California Alternate Performance Assessment (CAPA) and its use for assessing students with significant cognitive disabilities to comply with requirements in the *No Child Left Behind (NCLB) Act of 2001*.

SBE also previously approved a district apportionment of \$5.00 per student assessed with the 2004 California Alternate Performance Assessment. The \$5.00 apportionment is higher than apportionments for other tests in the STAR Program, because the assessment is administered to students individually rather than in group settings.

SUMMARY OF KEY ISSUES

CAPA was developed as a companion to the California Standards Tests and is designed to assess the achievement of students with significant cognitive disabilities on subsets of California's Academic Content Standards. CAPA was administered under a contract with the California Department of Education's (CDE) Special Education Division (SED) for the first time during spring 2003.

California Legislation to incorporate the CAPA into the STAR program became effective on January 1, 2003, and the assessment was administered to 33,556 students during spring 2003. However, funding for a district apportionment was not included in the 2002-2003 STAR program budget, and SBE was not asked to approve a district apportionment for the 2003 CAPA administration. Therefore, districts have not received an apportionment for administering the CAPA during spring 2003.

In complying with California *Education Code* Section 60640(h)(2), CDE annually requests SBE approval for the per student district apportionment for each component of the STAR program.

SED had the Department of Finance (DOF) allocate funds and approve a \$5.00 district apportionment for each student assessed with CAPA for 2003. Since CAPA is an

individually administered performance assessment, the \$5.00 was determined based on the appropriation that SBE previously had approved for the CELDT, which also is administered individually.

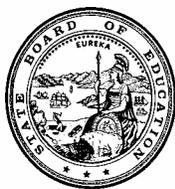
With the CAPA integration into the STAR program that is managed by the Standards and Assessment Division (SAD), SAD has been given the responsibility of processing the 2003 CAPA district apportionments. SAD believes that SBE approval of the \$5.00 per student is required before the district apportionments can be distributed.

FISCAL ANALYSIS (AS APPROPRIATE)

DOF approved \$500,000 for the 2003 and 2004 CAPA district apportionments. The actual amount needed for the 2003 apportionment is \$167,780 (\$5.00 per student x 33,556 students). 2004 CAPA materials have been ordered to assess approximately 50,000 students. This means that approximately \$250,000 will be needed for the 2004 apportionment. The \$500,000 approved by DOF is sufficient to pay the district CAPA apportionments for both 2003 and 2004.

ATTACHMENT

None.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Standardized Testing and Reporting (STAR) Program: Designation of the Spanish Assessment of Basic Education, Second Edition (SABE/2) as the primary language test for the 2004-2005 school year	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Designate the Spanish Assessment of Basic Education, Second Edition (SABE/2) as the primary language test for the 2004-2005 STAR program pending reauthorization.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education (SBE) designated the Spanish Assessment of Basic Education, Second Edition (SABE/2) as the primary language test for Spanish-speaking English learners for four years beginning with the 1998-1999 school year. At subsequent SBE meetings the SABE/2 designation was extended for the 2002-2003 and the 2003-2004 school years. The spring 2004 test administration was the sixth administration of the test.

SUMMARY OF KEY ISSUES

- California *Education Code* Section 60640(g) requires testing pupils of limited English proficiency who are enrolled in California public schools fewer than 12 months in their primary language if such a test is available.
- National achievement tests are currently available only in Spanish. This means that assessments in the state's other languages are not available.
- During spring 2003, 103,424 Spanish-speaking English learners were administered the SABE/2: 41,235 of these students had been in California public schools fewer than 12 months and were required to be tested and 62,189 of the students had been enrolled 12 months or more and were tested as a district option.

Continuing the administration of the SABE/2 for at least one additional year would provide time for the California Department of Education and the SBE to review the primary language-testing requirement, including requirements within California Legislation that has been introduced related to primary language testing and the STAR program reauthorization, and to determine the most appropriate way to comply with any legal requirements for administering primary language tests.

FISCAL ANALYSIS (AS APPROPRIATE)

SABE/2 costs of approximately \$1.7 million (including the district apportionments for administering the test) are included in the STAR program budget. No additional funding is required.

ATTACHMENT

None.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Standardized Testing and Reporting (STAR) Program: Public Hearing and Adoption of Performance Standards (Levels) for the Grade 5 California Standards Test (CST) in Science	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input checked="" type="checkbox"/> Public Hearing

RECOMMENDATION

The State Superintendent of Public Instruction (SSPI) recommends that the State Board of Education (SBE) consider comments received during the regional public hearings and take action to adopt Performance Standards (Levels) for the Grade 5 California Standards Test (CST) in science.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

- The SBE approved the development and administration of a grade 5 CST in science in December 2001 and approved the test blueprint in October 2002.
- The SBE adopted science performance standards (levels) for high school biology, chemistry, earth science, and physics in November 2001 and for integrated/coordinated science in January 2003.
- At its March 2004 meeting, pending public hearing, SBE approved recommendations for performance standards (levels) for the Grade 5 CST in science.
- At the direction of the SBE, two regional public hearings were convened with a third hearing to be held during the May Board meeting.

SUMMARY OF KEY ISSUES

California *Education Code* Section 60605 requires SBE to adopt statewide performance standards in core curriculum areas of reading, writing, mathematics, history/social science, and science and to conduct regional hearings prior to the adoption of the performance standards (levels).

In February 2004, a performance standard (level) setting panel, comprised of Content Review Panel (CRP) members, community members, and additional grade 4 and grade 5 teachers was convened. The Panel's recommendation to the SBE was based on the cut scores they set for the 5 performance standards (levels) (far below basic, below basic, basic, proficient, and advanced) for the grade 5 science test.

However, the SSPI's recommendation, based on analyses conducted by the California Department of Education (CDE) and Educational Testing Service, differed from the panel's recommendation primarily for two reasons.

The first reason regards setting the cut score between Far Below Basic and Below Basic, which is based on the lowest score above chance performance. With the panel's recommendation, students could achieve Below Basic by guessing on every test question. The SSPI recommendation adjusts the Below Basic cut score to ameliorate this situation.

Secondly, given the panel's recommendation, the percentage of students that would score Advanced on the science test is substantially lower than the percentages of students that would score Advanced on the other elementary CSTs. The SSPI recommendation adjusts the cut score to be more in line with the other adopted CST cut scores.

The approved performance standards (levels), based on the SSPI's recommendation, were distributed for public review and comment at two regional public hearings held in April 2004. A third hearing is being held in conjunction with the May Board meeting.

California *Education Code* Section 60641 requires that individual results of each pupil tested in STAR be reported to the pupil's school and teacher and be reported in writing, to the pupil's parent or guardian. In 2004, after the administration and scoring of the grade 5 science tests, the performance standards (levels) will be reported to schools, teachers, parents, and students.

FISCAL ANALYSIS (AS APPROPRIATE)

The cost incurred for completing the performance standard (level) setting is \$60,424. The cost for refining reports to include the science results to schools, teachers, and parents is \$75,000 for 2003-2004 and \$75,000 for 2004-2005. At their March meeting, the SBE approved the amendment to the ETS STAR contract contingent on the Department of Finance's approval of the contract amendment and the State Legislature's approval of Title VI funds expenditures.

ATTACHMENT

- [Attachment 1](#): Proposed Performance Standards (Levels) for Grade 5 California Standards Test in Science (1 page)
- [Attachment 2](#): Report of the Regional Public Hearings for the Proposed Performance Standards (Levels) for the Grade 5 California Standards Test in Science (1 page)
- [Attachment 3](#): Announcement of Three Regional Public Hearings (2 pages)

Proposed Performance Standards (Levels) for Grade 5 California Standards Test in Science

To be used in reporting the results of the Grade 5 California Standards Test in Science Spring 2004 and thereafter

Grade level	Far Below Basic			Below Basic			Basic			Proficient			Advanced		
	% Students	# Correct	% Items	% Students	# Correct	% Items	% Students	# Correct	% Items	% Students	# Correct	% Items	% Students	# Correct	% Items
5	12%	<17	<28%	21%	17	28%	43%	24	40%	21%	36	60%	3%	48	80%

Advanced	Advanced performance with respect to the California Science Content Standards
Proficient	Proficient performance with respect to the California Science Content Standards
Basic	Basic performance with respect to the California Science Content Standards
Below Basic	Below-basic performance with respect to the California Science Content Standards
Far Below Basic	Far-below-basic performance with respect to the California Science Content Standards

% Students	Percent of students statewide who would be placed at this performance standard (level) based on the results of the spring 2003 embedded census field test for grade 5 science
# Correct	Minimum number of correct responses needed to achieve this performance standard (level).
% Items	Minimum percent of correct responses needed to achieve this performance standard (level).

NOTE: The grade 5 California Standards Test in science has 60 items.

EXAMPLES OF HOW TO READ THIS CHART: Correct responses to fewer than 17 test items (or less than 28% correct responses) would be designated as Far Below Basic. Correct responses to at least 48 test items or (80% correct responses) would be designated as Advanced.

**Report of the Regional Public Hearings
for the Proposed Performance Standards (Levels)
for the Grade 5 California Standards Test in Science**

California Education Code Section 60605 requires the State Board of Education (SBE) to conduct regional public hearings prior to the adoption of performance standards (levels) for the purpose of giving parents and other members of the public the opportunity to comment on the proposed performance standards (levels).

Regional public hearings (videoconferences) were held at the Santa Clara County Office of Education and the Orange County Department of Education in April. No specific comments or suggestions, supportive or non-supportive, were received regarding the proposed cut scores (minimum number and percentage of correct responses) for the performance standards (levels). Questions and comments focused on the composition of the performance level setting panel, the process used to set cut scores, the similarity of the proposed cut scores to previously set cut scores for existing CSTs, and questions about other aspects of testing.

The third and final regional public hearing will be conducted Sacramento in conjunction with the SBE's regular May meeting.

STATE OF CALIFORNIA

ARNOLD SCHWARZENEGGER, *Governor***CALIFORNIA STATE BOARD OF EDUCATION**

1430 N Street, Room 5111
 Sacramento, California 95814
 (916) 319-0827



March 19, 2004

ANNOUNCEMENT OF THREE REGIONAL PUBLIC HEARINGS

California State Board of Education

Proposed Performance Standards (Levels) For Grade 5 Science Test (Grade 5 Science California Standards Test)

To be used in reporting the results of the Grade 5 Science California Standards Test administered in Spring 2004 and thereafter

<p>Wednesday, April 7, 2004 10:00 a.m. – 11:00 a.m. Bay Area/Coastal Region</p> <p>Videoconference Santa Clara County Office of Education Saratoga Room 1290 Ridder Park Drive San Jose, CA 95131 (408) 453-6500</p>	<p>Thursday, April 8, 2004 1:00 p.m. – 2:00 p.m. South/Inland Empire Region</p> <p>Videoconference Orange County Department of Education 200 Kalmus Drive Building D, Room 1002 Costa Mesa, CA 92628 (714) 966-4108</p>	<p>Wednesday, May 12, 2004 10:00 a.m. – As necessary North/Central Valley/Sierra Region</p> <p>California Department of Education 1430 N Street Room 1101 Sacramento, CA 95814 (916) 319-0827</p>
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To: County and District Superintendents
 Other Interested Parties

In 2001, California's Standardized Testing and Reporting (STAR) Program reports, for the first time, included student performance results in English-language arts.

Performance standards (levels) relate exclusively to students' scores on the California Standards Tests, which are fully aligned to California's rigorous academic content standards. The designations for these performance standards (levels) are Advanced, Proficient, Basic, Below Basic, and Far Below Basic.

For 2002 and thereafter, reporting of student achievement based on these performance standards (levels) was expanded to include the California Standards Tests in history-social science, mathematics and, in part, science. In addition, the performance standards (levels) in English-language arts were modified at grades four and seven to incorporate students' scores on the direct writing assessment conducted at those grades. For 2003 and thereafter, performance standards (levels) were reported on the

California Standards Tests in integrated science in high school.

The State Board of Education is now proposing to adopt performance standards (levels) for the new Grade 5 Science California Standards Test, which is being administered to students in grade five in 2004. The attachment displays the four "cut scores" (minimum number and percentage of correct responses) proposed to establish the performance standards (levels) for this test.

The regional public hearings are for the purpose of gathering comments from a cross-section of interested parties, including teachers, administrators, school board members and other local elected officials, business leaders, parents, guardians, and students.

- Comments and suggestions are sought on the proposed "cut scores" (minimum number and percentage of correct responses) on the respective tests that determine students' performance standards (levels).

The regional public hearings at the Orange County Department of Education and Santa Clara County Office of Education will be videoconferences (dates indicated above). State Board members (whose schedules permit them to attend) and State Board and Department of Education executive staff will be prepared to accept public comments and input on a continuous basis during the videoconferences. Individuals are not required to pre-arrange a specific time to present their comments. Oral comments will be accepted as individuals arrive. Some delays may occur if many individuals arrive at the same time, and patience in that event will be appreciated.

The third and final regional public hearing will be conducted in Sacramento (date noted above) in conjunction with the State Board's regular May meeting. It will begin as close to 10:00 a.m. as possible, but will be only as long as necessary to hear from those wishing to testify orally at that time.

Individuals need not come to one of the regional public hearings to present their comments. The State Board would be pleased to receive comments by mail, e-mail, or fax.

California State Board of Education

BY MAIL 1430 N Street, Room 5111 Sacramento, CA 95814	BY E-MAIL dfrankli@cde.ca.gov	BY FAX (916) 319-0175
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Please help us publicize these regional public hearings!

CALIFORNIA STATE BOARD OF EDUCATION

1430 N Street, Suite 5111
Sacramento, CA 95814
(916) 319-0827
(916) 319-0175 (fax)



DATE: May 11, 2004

TO: Members, State Board of Education

FROM: Deborah Franklin, Education Policy Consultant

SUBJECT: Written Comments on the Proposed Performance Standards (Levels) for the Grade 5 California Standards Test in Science (Item 7)

Background

At the March 2004 meeting, the State Board directed that staff schedule three regional public hearings on the proposed performance standard (levels) for the Grade 5 California Standards Test in Science. Two of the regional hearings were held in April and a report on those hearings was included in the agenda materials. The final regional hearing will be held during the May 2004 State Board of Education meeting under Item 7.

In the announcement for the regional public hearings, interested members of the public were encouraged to send written comments regarding the performance standards. A mailing address and an email address were included on the announcement to facilitate receipt of written comments.

Report on Written Comments

State Board staff and CDE Assessment staff received six e-mail messages and one letter from members of the public. Three of the email messages did not include comments specific to the proposed performance standards. The comments were about testing and science instruction in general. One email message stated that the proposed performance standard for proficient was too low, but offered no alternative. The other two email messages also stated that the proposed performance standard for proficient was too low and suggested a specific percent correct for setting the proficient standard. One suggestion was at least 75 percent correct, and the other suggestion was 80 percent correct.

The letter raised issues related to the number of performance levels, the weighting of assessments in the API, and the reliability and validity of cut scores in the lowest ranges of the test. The letter also stated that the proposed performance standard of 17 correct (raw score) out of 60 items for below basic was too low and should be raised to at least 20 correct (raw score) out of 60 items.

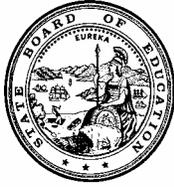
Board Staff Recommendation

The test contractor, ETS, reports that the California Standards Tests (CSTs) were developed to measure the California Content Standards, and they meet professional standards for validity and reliability. The item development and review process for the CSTs is extensive, and each CST is rigorously reviewed by the subject matter experts who serve on the Content Review Panels. The

lower standard errors of measurement at the Basic and Proficient levels are appropriate given the purposes of the CSTs.

Board staff recommends adoption of the performance standards for the Grade 5 California Standards Test in Science as proposed by Superintendent O'Connell and presented in the agenda materials. The proposed performance standards are both challenging and psychometrically sound.

The CSTs have been developed to measure the California Content Standards and they meet professional standards for validity and reliability. The item development and review process for the CSTs is extensive, and each CST is rigorously reviewed by the subject matter experts who serve on the Content Review Panels. The standard errors of measurement at the various performance level cut points for the 2003 CSTs are published in the 2003 STAR Post Test Guide, and consistently indicate slightly more accurate measurement at the Basic and Proficient cut points than at the Below Basic and Advanced cut points. This is appropriate given the primary purpose of the CSTs. It is certainly possible to include proportionally greater numbers of easier items in the CSTs to improve measurement accuracy at the lower score range. However, this would come at the cost of longer testing times or decreased measurement accuracy at other score levels. In the end, the kind of individualized diagnosis that would be needed to accurately pinpoint individual student weaknesses at the lower end of the achievement range is not possible with either the CSTs or an NRT. To truly measure and track the skills of lower performing students, more diagnostic and individualized assessment tools must be used.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT California High School Exit Exam (CAHSEE), including, but not limited to, Program Update	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

The following item is provided to the State Board of Education (SBE) for information and action as deemed necessary and appropriate.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Background: CAHSEE was established as the first high school exit exam in California (Senate Bill (SB) 2, Statutes of 1999) and initially applied to students who would graduate in the 2003-2004 school year. In July 2003, SBE approved delaying the consequences until the 2005-2006 school year based on the AB 1609 Study Report and other available information. Further, SBE also directed the California Department of Education (CDE) to shorten the test from three to two days of administration without substantively changing the academic content standards assessed with the CAHSEE. The law requires that all grade 10 students take the CAHSEE. Additionally, the CAHSEE is being used as the high school test to measure adequate yearly progress for the federal law, *No Child Left Behind (NCLB) Act of 2001*. The CAHSEE was administered on February 3-4, 2004, and March 16-17, 2004. An administration will be held on May 11-12, 2004, for any students who were absent in February or March.

SUMMARY OF KEY ISSUES

Update

CAHSEE Testing in 2003-2004: Students in the Class of 2006 took the CAHSEE for the first time as tenth graders on either February 3-4, 2004, or March 16-17, 2004. The English-language arts portion of the test is given on one day for approximately three hours and the mathematics portion of the test is given on the second day for approximately three hours. About 150,000 students in 220 school districts took the CAHSEE in February.

For March, 450 school districts ordered testing materials for about 330,000 eligible students. On May 11-12, 2004, any students who were absent in February or March will have a final opportunity to take the CAHSEE for the first time in grade 10. The May test

order is for 37,600 tests. This could include students testing only for mathematics, or only for English-language arts, or for both.

CAHSEE results are reported annually in October after all three test administrations have been analyzed. They are provided on the CDE Web site through DataQuest. The 2003-2004 results will be reported separately for February, March, and May 2004. The CAHSEE data will also be used for calculating Adequate Yearly Progress (AYP) and Academic Performance Index (API).

CAHSEE Test Contractor: Educational Testing Service (ETS) is the successful bidder for the CAHSEE Administration 2004-2007 contract. CDE is working with ETS to finalize the contract. Harcourt Assessment and Pearson Educational Measurement also submitted proposals.

SB 964 Study: Proposals were due on March 19, 2004, from bidders interested in conducting the SB 964 Study. Two proposals were received by the deadline and they were reviewed on April 15, 2004. The Intent to Award will be posted on our CDE Web Site beginning Monday, April 19, 2004. SB 964 Study Report must recommend options for graduation requirements and assessments, if any, for students with an Individualized Education Program (IEP) or Section 504 Plan; identify provisions of state and federal law and regulations that are relevant to graduation requirements and assessments for students with an IEP or Section 504 Plan; and recommend steps, to the extent applicable, to bring California into compliance with state and federal law and regulations. SB 964 Study Report is due no later than May 1, 2005.

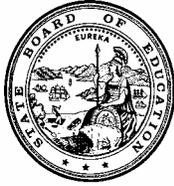
CAHSEE Materials: Released test questions for both mathematics and ELA were posted on the Internet in March 2004. These documents are a compilation of test questions released in 2001 and 2002, and newly released questions for 2003. All test questions are aligned to the revised test blueprints approved by SBE in July 2003.

FISCAL ANALYSIS (AS APPROPRIATE)

All items discussed in this program update are either currently funded under contracts with CDE or will be funded if the SB 964 Study Report proposal is reviewed and approved.

ATTACHMENT

None.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT California English Language Development Test (CELDT): Including, but not limited to, Update on CELDT Program	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

The State Board of Education (SBE) will take action as deemed necessary and appropriate.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In March 2004 the SBE received a briefing on assessment results for 2003. This is a placeholder item placed on the agenda in the event that an update or action is warranted. The time will be withdrawn from the SBE agenda if there is no update to provide the SBE, nor SBE action needed.

SUMMARY OF KEY ISSUES

Because this is a placeholder item there are no key issues at this time.

FISCAL ANALYSIS (AS APPROPRIATE)

Because this is a placeholder item no fiscal analysis is appropriate at this time.

ATTACHMENT

None.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT California English Language Development Test (CELDT): Approve Commencement of the Rulemaking Process for Amendments to Title 5 California Code of Regulations	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the proposed amendments to the regulations, the Initial Statement of Reasons, and Notice of Proposed Rulemaking, and direct staff to commence the rulemaking process.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In February of 2003, SBE adopted amendments to the CELDT regulations that clarified definitions, modified data reported for analysis of pupil proficiency regarding time enrolled in school, and adjusted the period of time for reporting counts of CELDT examinees for apportionment calculations.

SUMMARY OF KEY ISSUES

The proposed amendments to the regulations refine definitions and clarify that school districts must provide specific data elements, provide receiving districts information for transferred students, and maintain a specified process for implementing test accommodations and alternate assessments for special education students in order to comply with the accountability requirements under Title III, Part A, Section 3122 of the Elementary and Secondary Education Act (Public Law 107-110).

FISCAL ANALYSIS (AS APPROPRIATE)

Fiscal analysis of the regulations will be provided by Fiscal and Administrative Services Division of CDE in a Last Minute Memorandum.

ATTACHMENT

[Attachment 1](#): Initial Statement of Reasons (1 Page)

[Attachment 2](#): Title 5, California Code of Regulations, California State Board of Education Notice of Proposed Rulemaking, California English Language Development Test (4 Pages)

Attachment 3: Title 5, California Code of Regulations Education, Division 1, State Department of Education, Chapter 11, Special Programs, Subchapter 7.5 California English Language Development Test, Article1 General (13 Pages)

Fiscal analysis of the regulations will be provided a Last Minute Memorandum.

Initial Statement of Reasons

California English Language Development Test (CELDT) Test Regulations

SPECIFIC PURPOSE OF THE REGULATIONS

The proposed amendments to the regulations are intended to clarify that schools districts must provide specific data elements, adhere to a specified testing and apportionment schedule, provide receiving districts information for transferred students, and adhere to a specified process for implementing test accommodations and alternate assessments for special education students in order to comply with the accountability requirements under Title III, Part A, Section 3122 of the Elementary and Secondary Education Act (Public Law 107-110). The proposed amendments to the regulations are intended to clarify terms necessary for the continued successful implementation of the CELDT.

NECESSITY/RATIONALE

The CELDT has consequences for individual students, schools, and school districts. Identification of a student's English language proficiency level may affect the instructional program. Identification of students as English learners affects district funding. The regulations are designed to assure that the test is administered in a consistent, reliable, valid, and fair manner statewide.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS

No reports are required by these proposed regulations.

REASONABLE ALTERNATIVES TO THE REGULATIONS AND THE AGENCY'S REASONS FOR REJECTING THOSE ALTERNATIVES

No other alternatives were presented to or considered by State Board of Education.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

The State Board of Education has not identified any alternatives that would lessen any adverse impact on small business.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS

The proposed regulations would not have a significant adverse economic impact on any business because they relate only to local school districts and not to small business practices.

CALIFORNIA STATE BOARD OF EDUCATION

1430 N Street; Room 5111
Sacramento, CA 95814



TITLE 5. EDUCATION
CALIFORNIA STATE BOARD OF EDUCATION
NOTICE OF PROPOSED RULEMAKING

California English Language Development Test (CELDT)

[Notice published May 21, 2004]

The State Board of Education (State Board) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PUBLIC HEARING

Program staff will hold a public hearing beginning at **8:00 a.m. on July 6, 2004**, at 1430 N Street, Room 1801, Sacramento. The room is wheelchair accessible. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The State Board requests that any person desiring to present statements or arguments orally notify the Regulations Coordinator of such intent. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. No oral statements will be accepted subsequent to this public hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Regulations Coordinator. The written comment period ends at **5:00 p.m. on July 5, 2004**. The Board will consider only written comments received by the Regulations Coordinator or at the Board Office by that time (in addition to those comments received at the public hearing). Written comments for the State Board's consideration should be directed to:

Debra Strain, Regulations Coordinator
California Department of Education
LEGAL DIVISION
1430 N Street, Room 5319
Sacramento, California 95814
Email: dstrain@cde.ca.gov
Telephone: (916) 319-0860
FAX: (916) 319-0155

AUTHORITY AND REFERENCE

Authority: Section 33031, Education Code.

Reference: Sections 306, 313, 37200, 48985, 49068, 52164.1, 60810, 60812, Education Code; 34 CFR 300.138(b)(1)(2).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The proposed amendments to the regulations are intended to clarify what is required of school districts and to clarify terms in order to administer the assessment of English language proficiency required by Education Code sections 313 and 60810, et seq. In existing regulations, the English language proficiency assessment is the California English Language Development Test (CELDT). The proposed amendments are necessary for the continuing successful administration of the CELDT program and to bring the CELDT into compliance with federal Title III No Child Left Behind (NCLB) accountability requirements.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: TBD

Cost or savings to any state agency: TBD

Costs to any local agency or school district that must be reimbursed in accordance with Government Code Section 17561: TBD

Other non-discretionary cost or savings imposed on local educational agencies: TBD

Cost or savings in federal funding to the state: TBD

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: TBD.

Cost impacts on a representative private person or businesses: TBD

Adoption of these regulations will not:

- (1) create or eliminate jobs within California;
- (2) create new businesses or eliminate existing businesses within California; or
- (3) affect the expansion of businesses currently doing business within California.

Significant effect on housing costs: TBD.

Effect on small businesses: TBD

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the State Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the State Board, would be more effective in carrying out the purpose for which the

action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The State Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the substance of the proposed regulations should be directed to:

Jeanette Ganahl, Education Program Consultant
Standards and Assessment Division
California Department of Education
1430 N STREET, 5TH FLOOR
E-mail: jganahl@cde.ca.gov
Sacramento, CA 95814
Telephone: (916) 445-9441

Requests for a copy of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, or other technical information upon which the rulemaking is based or questions on the proposed administrative action may be directed to the Regulations Coordinator, or to the backup contact person, Najia Rosales, at (916) 319-0860.

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Regulations Coordinator will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at her office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. A copy may be obtained by contacting the Regulations Coordinator at the above address.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, the State Board may adopt the proposed regulations substantially as described in this notice. If the State Board makes modifications that are sufficiently related to the originally proposed text, the modified text (with changes clearly indicated) will be available to the public for at least 15 days before the State Board adopts the regulations as revised. Requests for copies of any modified regulations should be sent to the attention of the Regulations Coordinator at the address indicated above.

The State Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the Final Statement of Reasons may be obtained by contacting the

Regulations Coordinator at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, the text of the regulations in underline and strikeout, and the Final Statement of Reasons, can be accessed through the California Department of Education's website at <http://www.cde.ca.gov/regulations>.

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973*, the *Americans with Disabilities Act of 1990*, and the *Unruh Civil Rights Act*, any individual with a disability who requires reasonable accommodation to attend or participate in a public hearing on proposed regulations, may request assistance by contacting Jeanette Ganahl, Standards and Assessment Division, 1430 N Street, Sacramento, CA, 95814; telephone, (916) 445-9441; fax, (916) 319-0967. It is recommended that assistance be requested at least two weeks prior to the hearing.

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TITLE 5. Education
Division 1. State Department of Education
Chapter 11. Special Programs
Subchapter 7.5. California English Language Development Test
Article 1. General

Amend Sections 11510, 11511, 11511.5, 11512, 11512.5, 11513, 11513.5, 11514, 11516, 11516.5, and 11517 to read:

§11510. Definitions.

For the purposes of the test required by Education Code Section 313(a), referred to as the California English Language Development Test, the following definitions shall apply:

(a) "Accommodation" is any variation in the assessment environment or process that does not fundamentally alter what the test measures or affect the comparability of scores. "Accommodations" may include variations in scheduling, setting, aids, equipment, and presentation format.

~~(b)(a)~~ An "administration" means a pupil's attempt to take all sections of the California English Language Development Test, including ~~speaking~~, listening, speaking, reading, and writing.

(c) "Alternate Assessment" is the alternate means to measure the English language proficiency of pupils with disabilities whose Individualized Education Program Team has determined unable to participate in the CELDT even with accommodations or variations.

~~(d)(b)~~ "Annual assessments" are administrations of the California English Language Development Test to enrolled pupils who are currently identified as English learners.

~~(e)(c)~~ "Annual assessment window" ~~means the period of time designated by the Superintendent of Public Instruction and the State Board of Education for the annual assessments conducted using the California English Language Development Test~~ begins on July 1 and ends on October 31 of each school year. Initial assessments, as defined in subdivision (g), may be administered during the annual assessment window.

~~(f)(d)~~ "Date of first enrollment" is the date on which the pupil is scheduled to be in attendance in a California public school for the first time. "Eligible pupil" means one who is enrolled in a California public school in kindergarten or any of grades 1 through 12 with a native language other than English or who is currently identified as an English learner.

(g) "Excessive materials" is the difference between the sum of the number of tests scored

1 and 90 percent of the tests ordered by the district.

2 ~~(h)(e)~~ “Grade level” ~~means~~ is the grade assigned to the pupil by the school district.

3 ~~(i)(f)~~ “Home language survey” is a form administered by the school district to be completed
4 by the pupil's parent or guardian at the time of first enrollment in a California public school
5 indicating language use in the home ~~by the pupil or family~~ which, if completed, ~~would fulfill~~s the
6 school district's obligation required by Education Code ~~s~~Section 52164.1.

7 ~~(j)(g)~~ “Initial assessment” is the ~~are~~ administrations of the California English Language
8 Development Test to a ~~pupils who are identified as having a native language other than English,~~
9 ~~based on the home language survey, and for whom there is no record of English language~~
10 ~~development assessment results whose primary language is other than English, as determined~~
11 by the Home Language Survey, and who has not previously been assessed for English
12 language proficiency in a California public school.

13 ~~(k)~~ “Modification” is any variation in the assessment environment or process that
14 fundamentally alters what the test measures or affects the comparability of scores.

15 ~~(l)~~ “Primary” language is the language first learned by the pupil, most frequently used at
16 home, or most frequently spoken by the parents or adults in the home.

17 ~~(m)~~ “Proctor” is an employee of a school district who has received training specifically
18 designed to prepare him or her to assist the test examiner in administration of the California
19 English Language Development Test.

20 ~~(n)~~ “Records of results” are:

21 (1) Documents from the pupil's cumulative file;

22 (2) Parent notification letter of student results;

23 (3) Previous or current school district pupil data files;

24 (4) Student Proficiency Level Reports; and

25 (5) Verification from prior school district.

26 ~~(o)(h)~~ “School district” is a :

27 (1) Sschool district;

28 (2) Ceounty office of education; ~~and any~~

29 (3) Ceharter school that does not elect to be part of the school district or county office of
30 education that granted the charter, and any

31 (4) Charter school chartered by the State Board of Education.

32 ~~(p)~~ “Scribe” is an employee of the school district, or a person assigned by a nonpublic
33 school to implement a pupil's Individualized Education Program (IEP) and is required to

1 transcribe a pupil's responses to the format required by the test. The pupil's parent or guardian
2 is not eligible to be a scribe.

3 (q) "Test" is the California English Language Development Test.

4 (r) "Test Examiner" is an employee of the school district who is proficient in English and has
5 received training specifically designed to prepare him or her to administer the California English
6 Language Development Test.

7 (s)(i) "Test materials" are materials necessary for administration of the California English
8 Language Development Test, including but not limited to audio-cassettes, test manuals, pupil
9 test booklets, forms for recording pupil responses and background information, video tapes,
10 answer keys, and scoring rubrics.

11 (t) "Variation" is a change in the manner in which a test is presented or administered, or in
12 how a test taker is allowed to respond, and includes, but is not limited to, accommodations and
13 modifications.

14 NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306, 313, 52164.1
15 and 60810, Education Code.

16
17 **Article 2. Administration**
18 **§11511. English Language Development Initial and Annual Assessments.**

19 (a) Initial assessments shall be administered as follows:

20 (1)(a) Any pupil whose native primary language is other than English as determined by the
21 home language survey and who has not previously been identified as an English Learner by a
22 California public school or for whom there is no record of results from an administration of an
23 English language development proficiency test, shall be assessed for English language
24 proficiency with the California English Language Development Test within 30 calendar days
25 after the date of first enrollment in the school district a California public school, or within 60
26 calendar days before the date of first enrollment, but not before July 1 of that school year.

27 (b) Annual assessments shall be administered as follows:

28 (1)(b) The English language development proficiency of all currently enrolled English
29 learners shall be assessed by administering the California English Language Development Test
30 during the annual assessment window.

31 (c) Initial and Annual assessments shall be administered as follows:

32 (1)(c) The California English Language Development Test shall be administered school
33 district shall administer test in accordance with the test publisher's contractor's directions,
34 except as provided for in by Sections 11516.5, 11516.5 and 11516.6.

1 ~~(2)(d) If the school district places an order for tests for any school that is excessive, the~~
2 ~~school district is responsible for the cost of materials for the difference between the sum of the~~
3 ~~number of pupil tests scored and 90 percent of the tests ordered. The school district is~~
4 ~~responsible for the cost of excessive materials ordered by the school district.~~ In no event shall
5 the cost to the school district for replacement or excessive materials exceed the amount per test
6 booklet and accompanying material that is paid to the test ~~publisher~~ contractor by the California
7 Department of Education as part of the contract with the test ~~publisher~~ contractor for the current
8 year.

9 NOTE: Authority cited: Section 33031, Education Code. Reference: Section 306 (a), 313 and
10 37200, Education Code.

11
12 **§11511.5. Reporting to Parents.**

13 For each pupil assessed using the California English Language Development Test, each
14 school district shall notify parents or guardians of the pupil's results within 30 calendar days
15 following receipt of results of testing from the test ~~publisher~~ contractor. ~~Such~~ The notification
16 shall comply with the requirements of Education Code Section 48985.

17 NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306 (a), 313 and
18 48985, Education Code.

19
20 **§11512. District Documentation and Pupil Records.**

21 (a) The school district shall maintain a record of all pupils who participate in each
22 administration of the California English Language Development Test. This record shall include
23 the following information for each administration:

- 24 (1) The name of each pupil who took the test.
25 (2) The grade level of each pupil who took the test.
26 (3) The date on which the administration of the test was completed for each pupil.
27 (4) The test results obtained for each pupil.

28 (b) The school district shall enter in each pupil's record the following information for each
29 administration of the test:

- 30 (1) The date referred to by subdivision (a)(3).
31 (2) The pupil's test results.

32 (c) The record required by subdivision (a) shall be created and the information required by
33 subdivision (b) of this section shall be entered in each pupil's record prior to the subsequent

1 administration of the California English Language Development Test.

2 (d) In order to comply with the accountability requirements under Title III of No Child Left
3 Behind, part A, Section 3122 of the Elementary and Secondary Education Act (Public Law 107-
4 110), whenever a pupil transfers from one school district to another, the pupil's CELDT records
5 including the information specified in Section 11512(a) shall be transferred by the sending
6 district within 20 calendar days upon a request from the receiving district where the pupil
7 intends to enroll.

8 NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306 (a), 313(b),
9 49068 and 60810(d), Education Code.

10
11 **§11512.5. Data for Analysis of Pupil Proficiency.**

12 (a) Each school district shall provide the ~~publisher~~ contractor of the California English
13 Language Development Test the following information for each pupil tested for purposes of the
14 analyses and reporting required pursuant to Education Code sections 60810(c) and 60812, and
15 for accountability requirements under Title III of No Child Left Behind, Part A, Section 3122 of
16 the Elementary and Secondary Education Act (Public Law 107-110):

17 (1) Pupil's full name;

18 ~~(2)~~(1) Date of birth;

19 (3) County, district, school code;

20 ~~(4)~~(2) Date that testing is was completed;

21 ~~(5)~~(3) Grade level;

22 ~~(6)~~(4) Gender;

23 ~~(7)~~(5) Native Primary language;

24 ~~(6)~~ English language fluency, if known;

25 ~~(8)~~(7) Special pProgram participation;

26 ~~(9)~~(8) Special education and 504 plan status;

27 (10) Primary Disability or Handicapping condition ;

28 ~~(9)~~ Nonstandard Test administration;

29 ~~(11)~~(10) Ethnicity;

30 ~~(12)~~(11) Time Year first enrolled in a United States schools; and

31 ~~(13)~~(12) District and sSchool mobility;

32 (14) CELDT scores from the previous administration;

33 (15) Purpose: an initial assessment or an annual assessment;

1 (16) Grade level from the previous CELDT administration;

2 (17) Test modifications and/or accommodations;

3 (18) Alternate Assessment(s); and

4 (19) California School Information Services identifier beginning July 1, 2004.

5 (b) The demographic information required by subdivision (a) is for the purposes of
6 aggregate analyses and reporting only.

7 ~~(c) School districts shall provide the same information for each eligible pupil enrolled in an~~
8 ~~alternative or off-campus program as is provided for all other eligible pupils.~~

9 NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 313, 60810 and
10 60812, Education Code.

11
12 **§11513. California English Language Development Test District Coordinator.**

13 (a) ~~Sixty~~ Ninety calendar days before the beginning of the annual assessment window of
14 each school year, the superintendent of each school district shall designate from among the
15 employees of the school district a California English Language Development Test district
16 coordinator. The superintendent shall notify the ~~publisher~~ contractor ~~of~~ for the California English
17 Language Development Test of the identity and contact information for the California English
18 Language Development Test district coordinator. The California English Language Development
19 Test district coordinator, or the school district superintendent or his or her designee, shall be
20 available throughout the year and shall serve as the liaison between the school district and the
21 California Department of Education for all matters related to the California English Language
22 Development Test.

23 (b) The California English Language Development Test district coordinator's responsibilities
24 shall include, but are not limited to, the following:

25 (1) Responding to correspondence and inquiries from the ~~publisher~~ contractor in a timely
26 manner and as provided in the ~~publisher's~~ contractor's instructions.

27 (2) Determining school district and individual school test and test material needs in
28 conjunction with the test ~~publisher~~ contractor.

29 (3) Overseeing the acquisition and distribution of tests and test materials to individual
30 schools and sites.

31 (4) Maintaining security over the California English Language Development Test and test
32 data using the procedure set forth in Section 11514. The California English Language
33 Development Test district coordinator shall sign the Test Security Agreement set forth in Section

1 11514 prior to receipt of the test materials.

2 (5) Overseeing the administration of the California English Language Development Test to
3 eligible pupils.

4 (6) Overseeing the collection and return of all test materials and test data to the ~~publisher~~
5 contractor.

6 (7) Assisting the test ~~publisher~~ contractor in the resolution of any discrepancies in the test
7 information and materials.

8 (8) Ensuring that all test materials are received from school test sites within the school
9 district in sufficient time to satisfy the requirements of subdivision (10).

10 (9) Ensuring that all tests and test materials received from school test sites within the school
11 district have been placed in a secure school district location upon receipt of those tests.

12 (10) Ensuring that all test materials are inventoried, packaged, and labeled in accordance
13 with instructions from the ~~publisher~~ contractor. The test materials shall be returned to the test
14 contractor no more than ten (10) working days after the close of the testing window for the
15 annual assessment, and at the date specified monthly by the test contractor for initial
16 assessments of pupils.

17 (11) Ensuring that the California English Language Development Tests and test materials
18 are retained in a secure, locked location, in the unopened boxes in which they were received
19 from the test ~~publisher~~ contractor, from the time they are received in the school district until the
20 time they are delivered to the test sites.

21 (c) The California English Language Development Test district coordinator shall certify to the
22 California Department of Education at the time of each shipment of materials to the ~~publisher~~
23 contractor that the school district has maintained the security and integrity of the test, collected
24 all data and information as required, and returned all test materials, answer documents, and
25 other materials included as part of the California English Language Development Test in the
26 manner and as otherwise required by the ~~publisher~~ contractor.

27 NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 313 and 60810
28 (d), Education Code.

29

30 **§11513.5. California English Language Development Test Site Coordinator.**

31 (a) Annually, the superintendent of the school district shall designate a California English
32 Language Development Test site coordinator for each test site, including, but not limited to,
33 each charter school, each court school, and each school or program operated by a school

1 district, from among the employees of the school district. The California English Language
2 Development Test site coordinator, or the site principal or his or her designee, shall be available
3 to the California English Language Development Test district coordinator for the purpose of
4 resolving issues that arise as a result of the administration of the California English Language
5 Development Test.

6 (b) The California English Language Development Test site coordinator's responsibilities
7 shall include, but not be limited to, all of the following:

8 (1) Determining site test and test material needs.

9 (2) Arranging for test administration at the site.

10 (3) Completing the Test Security Agreement and Test Security Affidavit prior to the receipt of
11 test materials.

12 (4) Overseeing test security requirements, including collecting and filing all Test Security
13 Affidavit forms from the test examiners and other site personnel involved with testing.

14 (5) Maintaining security over the test and test data as required by Section 11514.

15 (6) Overseeing the acquisition of tests from the school district and the distribution of tests to
16 the test ~~administrator(s)~~ examiner(s).

17 (7) Overseeing the administration of the California English Language Development Test to
18 ~~eligible~~ pupils at the test site.

19 (8) Overseeing the collection and return of all testing materials to the California English
20 Language Development Test district coordinator.

21 (9) Assisting the California English Language Development Test district coordinator and the
22 test ~~publisher~~ contractor in the resolution of any discrepancies between the number of tests
23 received from the California English Language Development Test district coordinator and the
24 number of tests collected for return to the California English Language Development Test
25 district coordinator.

26 (10) Overseeing the collection of all pupil data required by Sections 11512 and 11512.5.

27 NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 313 and
28 60810(d), Education Code.

29
30 **§11514. Test Security.**

31 (a) The California English Language Development Test site coordinator shall ensure that
32 strict supervision is maintained over each pupil while the pupil is being administered the
33 California English Language Development Test.

1 (b) Access to the California English Language Development Test materials is limited to
2 pupils being administered the California English Language Development Test and employees of
3 the school district directly responsible for administration of the California English Language
4 Development Test.

5 (c) All California English Language Development Test district and test site coordinators shall
6 sign the California English Language Development Test Security Agreement set forth in
7 subdivision (d).

8 (d) The California English Language Development Test Security Agreement shall be as
9 follows:

10 CALIFORNIA ENGLISH LANGUAGE DEVELOPMENT TEST
11 TEST SECURITY AGREEMENT

12 (1) I will take all necessary precautions to safeguard all tests and test materials by limiting
13 access to persons within the school district with a responsible, professional interest in the test'
14 security.

15 (2) I will keep on file the names of persons having access to tests and test materials. I will
16 require all persons having access to the material to sign the California English Language
17 Development Test Security Affidavit that will be kept on file in the school district office.

18 (3) I will keep the tests and test materials in a secure, locked location, limiting access to only
19 those persons responsible for test security, except on actual testing dates.

20 By signing my name to this document, I am assuring that I ~~and anyone having access to the~~
21 ~~test materials~~ will abide by the above conditions.

22 By: _____

23 Title: _____

24 School District: _____

25 Date: _____

26 (e) Each California English Language Development Test site coordinator shall deliver the
27 tests and test materials only to those persons actually administering the California English
28 Language Development Test on the date of testing and only upon execution of the California
29 English Language Development Test Security Affidavit set forth in subdivision (g).

30 (f) All persons having access to the California English Language Development Test,
31 including but not limited to the California English Language Development Test site coordinator,
32 test administrators examiners, and test proctors, shall acknowledge the limited purpose of their
33 access to the test by signing the California English Language Development Test Security

1 Affidavit set forth in subdivision (g).

2 (g) The California English Language Development Test Security Affidavit shall be completed
3 by each test examiner and test proctor:

4 CALIFORNIA ENGLISH LANGUAGE DEVELOPMENT TEST
5 SECURITY AFFIDAVIT

6 I acknowledge that I will have access to the California English Language Development Test
7 for the purpose of administering the test. I understand that these materials are highly secure,
8 and it is my professional responsibility to protect their security as follows:

9 (1) I will not divulge the contents of the test to any other person.

10 (2) I will not copy any part of the test or test materials.

11 (3) I will keep the test secure until the test is actually distributed to pupils.

12 (4) I will limit access to the test and test materials by test examinees to the actual testing
13 periods.

14 (5) I will not permit pupils to remove test materials from the room where testing takes place.

15 (6) I will not disclose, or allow to be disclosed, the contents of, or the scoring keys to, the
16 test instrument.

17 (7) I will return all test materials to the designated California English Language Development
18 Test site coordinator upon completion of the test.

19 (8) I will not interfere with the independent work of any pupil taking the test and I will not
20 compromise the security of the test by means including, but not limited to:

21 (A) Providing ~~eligible~~ pupils with access to test questions prior to testing.

22 (B) Copying, reproducing, transmitting, distributing or using in any manner inconsistent with
23 test security all or any portion of any secure California English Language Development Test
24 booklet or document.

25 (C) Coaching ~~eligible~~ pupils during testing or altering or interfering with the pupil's responses
26 in any way.

27 (D) Making answer keys available to pupils.

28 (E) Failing to follow security rules for distribution and return of secure tests as directed, or
29 failing to account for all secure test materials before, during, and after testing.

30 (F) Failing to follow test administration directions specified in test administration manuals.

31 (G) Participating in, directing, aiding, counseling, assisting in, or encouraging any of the acts
32 prohibited in this section.

33 Signed: _____

1 Print Name: _____

2 Position: _____

3 School: _____

4 School District: _____

5 Date: _____

6 (h) To maintain the security of the California English Language Development Test, all
7 California English Language Development Test district and test site coordinators are
8 responsible for inventory control and shall use appropriate inventory control forms to monitor
9 and track test inventory.

10 (i) The security of the test materials that have been duly delivered to the school district by
11 the test ~~publisher~~ contractor is the sole responsibility of the school district until all test materials
12 have been inventoried, accounted for, and delivered to the common or private carrier
13 designated by the test ~~publisher~~ contractor.

14 (j) Secure transportation within a school district is the responsibility of the school district
15 once materials have been duly delivered to the school district by the test ~~publisher~~ contractor.

16 NOTE: Authority cited: Section 33031, Education Code. Reference: Section 313, Education
17 Code.

18

19 Article 3. California English Language Development Test Variations/Accommodations

20 **§ 11516. Variations Timing/Scheduling.**

21 ~~All pupils shall have sufficient time to complete the test as provided in the directions for test~~
22 ~~administration.~~

23 (a) School district may provide all pupils the following variations:

24 (1) Test directions that are simplified or clarified in English for the Reading and Writing
25 sections.

26 (b) School districts may provide all pupils the following variations if regularly used in the
27 classroom:

28 (1) Special or adaptive furniture;

29 (2) Special lighting or acoustics;

30 (3) An individual carrel or study enclosure; and

31 (4) Markers, masks, manipulative devices or other means to maintain visual attention to the
32 examination or test items consistent with contractor's test directions.

33 (c) In addition to the variations listed in Section 11516 (a) and (b), a pupil's IEP Team may

1 determine variations based on the pupil's unique needs pursuant to definition Section 11516.5.

2 NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306, 313, and
3 ~~60840(e)~~ 37200, Education Code.

4
5 **§ 11516.5. Pupils with Disabilities Accommodations.**

6 (a) Pupils with disabilities shall be permitted to take the California English Language
7 Development Test with those accommodations listed in subsections (b) through (e), if specified
8 in the for testing that the pupil has regularly used during instruction and classroom assessments
9 as delineated in the pupil's IEP or 504 plan for use on the California English Language
10 Development Test, standardized testing, or for use during classroom instruction and
11 assessments that are appropriate and necessary to address the pupil's identified individual
12 needs.

13 (b) Presentation accommodations:

14 (1) Braille transcriptions provided by the test contractor, or designee.

15 (2) Large print versions reformatted from regular print version;

16 (3) Test items enlarged through electronic means;

17 (4) Audio or oral presentation of questions or items for the writing section;

18 (5) Use of Manually Coded English or American Sign Language to present directions for
19 administration; and

20 (6) Use of Manually Coded English or American Sign Language to present test questions for
21 the writing section.

22 (c) Response accommodations:

23 (1) For grades 3-12, Listening, Reading and Writing sections, student marks responses in
24 test booklet and the responses are transferred to the answer document by a school or school
25 district employee who has signed the Test Security Affidavit;

26 (2) For grades 2-12, Listening, Reading and Writing sections, responses dictated to a scribe
27 for selected response items or multiple-choice items;

28 (3) For kindergarten and grades 1-12, Speaking section, responses dictated to a scribe for
29 selected response items or multiple-choice items;

30 (4) For the Writing section, responses dictated to a scribe, audio recorder or speech to text
31 converter and the pupil indicates all spelling and language conventions; and

32 (5) For the Writing section, use word processing software with the spell and grammar check
33 tools turned off.

1 (d) For the Writing section, use of an assistive device that does not interfere with the
2 independent work of the pupil.

3 (e) Setting accommodations include:

4 (1) Test at home or in hospital, by a test examiner.

5 (f) In addition to the accommodations listed, in Section 11516.5 listed in subsections (b)
6 through (e), a pupil's IEP Team may determine accommodations based on the pupil's unique
7 needs pursuant to definition 11516.5

8 NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306(a), 313, and
9 ~~60840(d)~~ 37200, Education Code.

10
11 *Add Section 11516.6 to read:*

12 **§ 11516.6. Modifications/Alternate Assessments for Pupils with Disabilities.**

13 (a) A pupil's language proficiency cannot be measured by administration of the CELDT with
14 modifications. Modifications are not permitted in the administration of the test.

15 (b) Pupils with disabilities who are unable to participate in the CELDT with accommodations
16 or variations shall be administered alternate assessments for English language proficiency as
17 determined by the pupil's IEP team.

18 (c) Pupils who participate in the California English Language Development Test Program
19 using alternate assessment procedures shall receive a score marked not valid for the sections
20 of the test in which alternate assessments were administered.

21 NOTE: Authority cited: Section 33031, Education Code. Reference: 34CFR §300.138 (b) (1) (2)
22

23 **Article 4. Apportionment**

24 **§11517. Apportionment Reporting Schedule.**

25 (a) Each school district shall report to the California Department of Education the
26 unduplicated count of the number of pupils to whom the California English Language
27 Development Test was administered for annual or initial assessment from November 1,
28 2002 through June 30, 2003. Thereafter, each school district shall report the
29 unduplicated count of the number of pupils to whom the California English Language
30 Development Test was administered for annual or initial assessment during the twelve-
31 month period prior to June 30 of each year.

32 (b) The superintendent of each school district shall certify the accuracy of all information

1 submitted to the California Department of Education.

2 (c) The report for the twelve month period prior to June 30 of each year required by
3 subdivision (a) shall be postmarked and filed with the State Superintendent of Public
4 Instruction ~~within thirty (30) calendar days after June 30 of each year~~ no later than
5 October 15. Reports postmarked after October 15 must be accompanied by a waiver
6 request as provided by Education Code section 33050. Reports postmarked after June
7 30 of the following fiscal year will not be processed.

LAST MINUTE MEMORANDUM

DATE: May 2004

TO: MEMBERS, STATE BOARD OF EDUCATION

FROM: Geno Flores, Deputy Superintendent
Assessment and Accountability Branch

RE: Item No. 10

SUBJECT: California English Language Development Test (CELDT): Approve Commencement of the Rulemaking Process for Amendments to Title 5 California Code of Regulations

The proposed amendments to the regulations refine definitions and clarify that school districts must provide specific data elements, provide receiving districts information for transferred students, and maintain a specified process for implementing test accommodations and alternate assessments for special education students in order to comply with the accountability requirements under Title III, Part A, Section 3122 of the Elementary and Secondary Education Act (Public Law 107-110).

Attachments:

Attachment 4: Economic and Fiscal Impact Analysis, Proposed Amendment of Title 5, CCR, Regulations, Relating to California English Language Development Test (6 Pages)

This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT General Educational Development (GED): Adopt Amendments to Title 5 Regulations	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Consider comments received during the public comment period and at the public hearing and take action to adopt the regulations.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education (SBE) approved the Notice of Proposed Rulemaking, the proposed Title 5 Regulations for the General Educational Development (GED) Program, and the beginning of the 45-day comment process at its meeting on March 10, 2004. The Public Hearing was held on May 10, 2004. SBE last amended the *California Code of Regulations*, Title 5, Section 11530(e), on May 10, 1996, increasing the fee to \$12.00.

SUMMARY OF KEY ISSUES

The proposed amendment to the regulations is intended to increase the amount of the fee that is needed to cover the administration costs for the State's GED Program. In California, the GED test is administered by 207 local GED Testing Centers. California *Education Code* Section 51420 requires the State Superintendent of Public Instruction (SSPI) to issue California high school equivalency certificates and official score reports. Each examinee that takes the GED pays a fee to the local GED Testing Center. California *Education Code* Section 51322 requires each testing center to forward to the SSPI a portion of the fee for each applicant who has taken the GED.

The first GED Tests were developed in 1942 to help returning World War II veterans finish their studies and re-enter civilian life. The GED Testing Service, a program of the American Council on Education, sponsors the GED Program. GED Testing Service develops and norms the GED Tests, develops national policy guidelines, and contracts with agencies to administer the testing program. California first adopted regulations for a GED Program in 1974. Fees paid by examinees fund the administration of the GED Program at the State Level. The fees are used to cover the cost of monitoring contracts with each of the testing centers, monitoring the contract with the GED Testing Service, and monitoring the contract for scoring tests with Educational Testing Service. The fees cover costs incurred in training examiners, inspecting and certifying testing sites, processing test center and examinee data, and processing requests for records from examinees. Annual expenses to provide follow-up services have increased 60 percent since the previous fee increase in 1996. An increase in the fee is now needed to cover increased administration costs of providing these services including increased costs for

personnel, communications, facilities, general expense, office supplies, printing, postage, travel, and data processing.

The GED is used by examinees to apply for college admission or employment. Examinee fees paid to test centers are the sole source of funding for the State's GED Program. No Federal or State general funds are provided. The increase is needed to cover increased administration costs so that the program can continue to operate.

FISCAL ANALYSIS (AS APPROPRIATE)

A fee increase is needed to provide California Department of Education's funding for the program beginning in the 2004-2005 school year. Test centers collect fees from examinees to cover the costs of administration. Therefore, there is no fiscal impact on school districts. The size of the proposed increase, from \$12 to \$20 is unlikely to discourage access.

ATTACHMENT

Attachment 1: Fiscal Analysis (7 pages)*

[Attachment 2](#): Title 5. Education, California State Board of Education, Notice of Proposed Rulemaking, General Educational Development (GED) (4 pages)

[Attachment 3](#): Proposed Regulations, Title 5. Education, Division 1, State Department of Education, Chapter 11. Special Programs, Subchapter 8. High School Proficiency Certificates, Article 2. High School Equivalency Certificate (G.E.D.) For Persons 18 Years of Age or Older, Section 11530. Definitions (1 page)

[Attachment 4](#): Amended GED Initial Statement of Reasons (3 pages)

A Last Minute Memorandum will be provided that will include a summary of the comments received during the public comment period and at the public hearing.

*This attachment is not available for web viewing. A printed copy is available for viewing in the SBE Office.

CALIFORNIA STATE BOARD OF EDUCATION

1430 N Street, Room 5111
Sacramento, CA 95814



TITLE 5. EDUCATION
CALIFORNIA STATE BOARD OF EDUCATION
NOTICE OF PROPOSED RULEMAKING

General Educational Development Test (GED)

[Notice published March 26, 2004]

The State Board of Education (State Board) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PUBLIC HEARING

Program staff will hold a public hearing beginning at **9:00 a.m. on May 10, 2004**, at 1430 N Street, Room 1101, Sacramento. The room is wheelchair accessible. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The State Board requests that any person desiring to present statements or arguments orally notify the Regulations Coordinator of such intent. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. No oral statements will be accepted subsequent to this public hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Regulations Coordinator. The written comment period ends at **5:00 p.m. on May 10, 2004**. The Board will consider only written comments received by the Regulations Coordinator or at the Board Office by that time (in addition to those comments received at the public hearing). Written comments for the State Board's consideration should be directed to:

Debra Strain, Regulations Coordinator
California Department of Education
LEGAL DIVISION
1430 N Street, Room 5319
Sacramento, California 95814
E-mail: dstrain@cde.ca.gov
Telephone : (916) 319-0860
FAX : (916) 319-0155

AUTHORITY AND REFERENCE

Authority: Section 51426, Education Code.

References: Section 51420, 51421, 51425, Education Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The proposed amendment to the regulations is intended to specify the fee that must accompany each application for an equivalency certificate. The fee was last raised in 1996. These fees fund the administration of the State GED program, including coordination with the national GED office (the American Council on Education), and assistance to government agencies, to over 200 local testing centers, to examinees, and to the public.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: None

Cost or savings to any state agency: None

Costs to any local agency or school district which must be reimbursed in accordance with Government Code section 17561: None

Other non-discretionary cost or savings imposed on local educational agencies: None

Cost or savings in federal funding to the state: None

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.

Cost impacts on a representative private person or businesses: The State Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Adoption of these regulations will not:

- (1) create or eliminate jobs within California;
- (2) create new businesses or eliminate existing businesses within California; or
- (3) affect the expansion of businesses currently doing business within California.

Significant effect on housing costs: None.

Affect on small businesses: The proposed regulations would not have a significant adverse economic impact on any business because individual examinees must pay the State fee as a condition of taking the GED under the auspices of a public school district, a community college district, or correctional facility. Businesses do not play a role in the administration of the GED.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the State Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the State Board, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The State Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the substance of the proposed regulations should be directed to:

Monte Blair, Consultant
California Department of Education
Standards and Assessment Division
1430 N Street
Sacramento, California 95814
Telephone: (916) 319-0357
Email: mblair@cde.ca.gov

Requests for a copy of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, or other technical information upon which the rulemaking is based or questions on the proposed administrative action may be directed to the Regulations Coordinator, or to the backup contact person, Najia Rosales, Regulations Analyst, at (916) 319-0860.

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Regulations Coordinator will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at her office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. A copy may be obtained by contacting the Regulations Coordinator at the above address.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, the State Board may adopt the proposed regulations substantially as described in this notice. If the State Board makes modifications that are sufficiently related to the originally proposed text, the modified text (with changes clearly indicated) available to the public for at least 15 days before the State Board adopts the regulations as revised. Requests for copies of any modified regulations should be sent to the attention of the Regulations Coordinator at the address indicated above. The State Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the Final Statement of Reasons may be obtained by contacting the Regulations Coordinator at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, the text of the regulations in underline and strikeout, and the Final Statement of Reasons, can be accessed through the California Department of Education's website at <http://www.cde.ca.gov/regulations>.

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973*, the *Americans with Disabilities Act of 1990*, and the *Unruh Civil Rights Act*, any individual with a disability who requires reasonable accommodation to attend or participate in a public hearing on proposed regulations, may request assistance by contacting Monte Blair, Standards and Assessment Division, 1430 N Street, Sacramento, CA, 95814; telephone (916) 445-9441; fax, (916) 319-0967. It is recommended that assistance be requested at least two weeks prior to the hearing.

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TITLE 5. Education
Division 1. State Department of Education
CHAPTER 11. SPECIAL PROGRAMS
Subchapter 8. High School Proficiency Certificates
Article 2. High School Equivalency Certificate (G.E.D.)
For Persons 18 Years of Age or Older

Amend Section 11530(e) to read:

§ 11530. Definitions

(e) "Fee" to accompany each application for an equivalency certificate shall be ~~\$12.00~~ \$20.00 and shall be nonrefundable irrespective of whether or not a California High School Equivalency Certificate is granted. This fee shall be charged only once for a given series of the General Educational Development Test.

NOTE: Authority cited: Section 51426, Education Code. Reference: Sections 51420, 51421 and 51425, Education Code.

Amended Initial Statement of Reasons
General Educational Development (GED) Test Regulations

SPECIFIC PURPOSE OF THE REGULATIONS

The proposed amendment to the regulations is intended to specify the amount of the fee authorized by Education Code section 51421(a).

NECESSITY/RATIONALE

The GED is used by many examinees to apply for college admission or employment. The first GED Tests were developed in 1942 to help returning World War II veterans finish their studies and re-enter civilian life. California first adopted regulations for a GED Program in 1974. Since that time CDE estimates that over 1,500,000 examinees have successfully completed the battery and received certificates issued by the California Department of Education. The GED Tests measure the academic skills and knowledge expected of high school graduates. The GED Testing Service, a division of the national not-for-profit American Council on Education, sponsors the GED program. GED Testing Service develops the GED Tests, develops national policy guidelines, and contracts with agencies to administer the testing program.

Education Code section 51421(a) states: "The superintendent may charge a one-time only fee, established by the State Board of Education, to be submitted by an examinee when registering for the test sufficient in an amount not greater than the amount required to pay the cost of administering this article and for the cost of providing all followup services related to the completion of the general educational development test. The amount of each fee may not exceed twenty dollars (\$20) per person." The amount of the fee was last revised in 1996. An increase in the fee is now needed to cover increased costs. CDE estimates that there will be a maximum of 40,000 examinees registering for the test in fiscal year 2003-04. If the fee is set at \$20, the estimated income will be \$800,000. Although CDE believes that program expenses could exceed the income generated by a \$20 fee, the Education Code currently does not permit a higher amount.

Each year there is a new cohort of GED examinees who are entitled to follow-up services, including duplicate score reports and certificates for those who are in the GED database (post 1990 examinees), and time-consuming research of paper or microfilm records for those who are not in the database (pre 1990 examinees). The yearly growth in the number of individuals requesting follow-up services causes a steadily increasing workload. Since 1995-96 an estimated additional 450,000 examinees have taken the GED Test and will potentially request follow-up services. However, CDE only receives

income from the initial assessment. The resources required to service an examinee's request may be considerable, depending on particular needs and the availability of historical records.

The annual number of examinees registering varies depending on demographics and changes in educational programs and policies. For example, the number of examinees registering increased in 2001 because they wished to take the test before a new version of GED test was introduced the next year. The number registering decreased in 2002. As a result, the revenues for the GED Unit vary from year to year.

Specific reasons for the increase are:

1. Administration costs including personnel, communications, facilities, general expense, office supplies, printing, postage, data processing and travel have increased since 1995-96 due to inflation and increased demand for services.
2. An Education Programs Consultant was added to the GED Unit in order to monitor a new centralized scoring contract with regard both to the contractor and its impact on over 200 California testing centers. The contract was required by the national owner of the GED Test, the GED Testing Service of the American Council on Education. The Educational Programs Consultant also resolves particularly sensitive and complex problems for examinees, local testing centers, and education agencies.
3. An obsolete database program was replaced in 2002, and the unit is paying the Department's Technical Services Division ongoing costs for database and programming services. The old data system could no longer be supported and was unreliable. The new program was required to maintain a reasonable level of services to examinees. The database and programming costs are estimated at \$100,000 per year. However, it is not uncommon for these costs to increase unpredictably in response to new requirements for examinee services or unexpected programming problems.

Examinee fees are paid by local testing centers based on the number of first-time registrations. These fees are the sole source of funding for the State's GED Program. No Federal or State general funds are provided.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS

The State Board relied on CDE's Unit Manager's Summary Cost Reports for the GED Unit in proposing the adoption of this regulation.

**REASONABLE ALTERNATIVES TO THE REGULATIONS AND THE AGENCY'S
REASONS FOR REJECTING THOSE ALTERNATIVES**

No other alternatives were presented to or considered by the State Board.

**REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION
THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS**

The State Board has not identified any alternatives that would lessen any adverse impact on small business.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC
IMPACT ON ANY BUSINESS**

The proposed regulations would not have a significant adverse economic impact on any business because they relate only to local school districts and not to small business practices.

LAST MINUTE MEMORANDUM

DATE: May 10, 2004
TO: MEMBERS, STATE BOARD OF EDUCATION
FROM: Geno Flores, Deputy Superintendent
Assessment and Accountability Branch
RE: Item No. 11
SUBJECT: General Educational Development (GED): Adopt Amendments to Title 5 Regulations

At its March 2004 meeting, the State Board of Education (SBE) approved commencement of the rulemaking process for adopting proposed Title 5 Regulations for the General Educational Development (GED) Program. The public comment notice was published on March 10, 2004 and a public hearing was held on May 10, 2004.

Consistent with the requirements of the Administrative Procedure Act, the public hearing regarding the proposed amendments was scheduled for Monday, May 10, at the California Department of Education (CDE), 1430 N Street, Room 1101, Sacramento, California, beginning at 9 a.m. An audiotape of the public hearing was made, and a copy is available for review.

The public hearing was called to order at 9 a.m. and was adjourned at 9:32 a.m.

There were two speakers at the public hearing and no written comments were received during the public comment period that ended at 5:00 p.m. on Monday, May 10, 2004. The comments have been summarized and responses provided to the SBE in Attachment 5.

The recommendation is that the SBE adopt the regulations with no changes.

Attachments:

[Attachment 5:](#) Final Statement of Reasons
(including summary and responses to Public Hearing Comment Period)
(2 Pages)

[Attachment 6:](#) Table 1: Estimated GED Program Cost Increase (1 Page)

FINAL STATEMENT OF REASONS

UPDATE OF INITIAL STATEMENT OF REASONS

SECTION 11530(E)

The proposed regulations state that the fee charged for each application for an equivalency certificate shall be increased from \$12 to \$20. The fee shall be charged only once for a given series of the GED test. Two comments were received asking that the fee not be increased.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE PUBLIC HEARING COMMENT PERIOD OF MARCH 26, 2004 THROUGH MAY 10, 2004, AND THE PUBLIC HEARING, MAY 10, 2004.

Comments:

Clement Anaibe, Chief Examiner, Los Angeles Unified School District, presented the following comment at the Public Hearing on May 10, 2004: Those who take the GED have a low economic background; they are poor and have disproportionate high crime rates and illiteracy. They and their families do not have B.A. degrees. To most of them, the GED is the only way out. Increasing the fee charged to the examinees by 67% could have a negative impact. I propose that the increase be done incrementally, at two dollars per year for four years. In this manner, the increase would not decline the number of examinees.

Vanessa Adolphson, Chief Examiner, Winterstein Adult School, San Juan Unified School District, Sacramento presented the following comment at the Public Hearing on May 10, 2004: The proposed increase of the fee charged to examinees will have an adverse effect on those attempting to get their GED certificate and on the ability of programs such as the Winterstein Adult School to continue to provide the GED exam. I am aware that other GED test centers in this area are shutting down. I agree with Mr. Anaibe's suggestion that the fee be increased more slowly.

Response:

The fee paid by examinees and forwarded to the CDE is the only source of income for the CDE GED Office. This fee, received by CDE for each new examinee, is a part of the total fee charged by local GED test centers. The fee was established in 1974 and mandated in 1990 at a rate of \$8. It was amended in 1996 to a rate of \$12. Now, eight years later, the fee would be increased to \$20.

Local GED test centers charge each new examinee a fee between \$50 and \$120. The increase of the fee received by CDE from \$12 to \$20 is actually equivalent to an increase of between 7% and 16%. It is possible that the \$8 increase will not in all cases be passed on to the test-takers.

This fee is a one-time fee charged to examinees when they register for the GED tests. The CDE has no other source of income for the GED program. If the fee were increased by \$2 each year, the funds would not increase enough to cover the expenses. Even with the proposed increase, which is the maximum permitted by statute; it is anticipated that expenses will exceed income (\$875,000 vs. \$800,000). (See attachments 4, 6).

ALTERNATIVES DETERMINATION

The State Board of Education has determined that no alternative would be effective in carrying out the purpose for which the regulation is proposed.

LOCAL MANDATE DETERMINATION

The proposed regulations do not impose any mandate on local agencies or school districts.

REGULATIONS TO BECOME EFFECTIVE UPON FILING

Education Code Section 51421(a) allows that the fee may not exceed twenty dollars (\$20) per person. Examinee fees are paid by local testing centers based on the number of first-time registrations. These fees are the sole source of funding for the State's GED Program. No Federal or State general funds are provided. Expenses for the GED Office have increased. In order to arrange local GED test centers to charge the new fee effective the beginning of the new fiscal year, the proposed regulations need to become effective upon filing.

Table 1: Estimated GED Program Cost Increase

	1995-96 (Actual)	2001-02 (Actual)	2003-04* (Estimated)	Change 1995-6 to 2003-04
Fixed Cost				
Personal Services	\$189,391.67	\$260,011.20	\$370,411.65	
Communications	\$14,207.85	\$5,760.79	\$5,991.22	
Facilities Operation	\$18,345.59	\$29,355.84	\$30,530.07	
Indirect - General Management	\$51,733.28	\$86,468.64	\$89,927.39	
Total for Fixed Cost	\$273,678.39	\$381,596.47	\$496,860.33	81.5%
Variable Cost				
Civil Service - Temporary Help	\$11,688.09	\$42,852.88	\$44,567.00	
Overtime	\$6,534.61	\$1,367.58	\$1,422.28	
General Expense	\$25,370.83	\$69,462.42	\$72,240.92	
Printing	\$9,698.81	\$23,717.61	\$24,666.31	
Cellular Phone		\$539.88	\$561.48	
Postage	\$42,948.70	\$70,002.78	\$72,802.89	
Travel: In State	\$5,524.65	\$11,965.23	\$12,443.84	
Travel: Out of State	\$2,278.96	\$1,067.36	\$1,110.05	
Training		\$3,369.20	\$3,503.97	
C&P Services-Interdepartmental		\$9,964.10	\$10,362.66	
C&P Services -External	\$2,494.46	\$2,128.24	\$2,213.37	
Duplicating	\$4,288.15	\$3,728.07	\$3,877.19	
Publication Distribution	\$159.95	\$94.01	\$97.77	
Publication Services	\$1,146.75	\$6,490.05	\$6,749.65	
EDP Services	\$107,165.00	\$996.50	\$1,036.36	
Office Supplies	\$905.90	\$1,176.39	\$1,223.45	
Data Processing	\$2,030.02	\$20,539.63	\$120,539.63	
Other		\$14.95	\$15.55	
Total for Variable Cost	\$222,234.88	\$269,476.88	\$379,434.37	70.7%
Total	\$495,913.27	\$651,073.35	\$876,294.70	76.7%

*Expenses for 2003-04 are estimated as increasing four percent from 2001-02, plus additional staffing (1 Education Programs Consultant) and \$100,000 for programming and data processing services need to support the data system.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT <i>No Child Left Behind (NCLB) Act of 2001</i> – Including, but not limited to, a report on the May NCLB Liaison Team meeting, Highly Qualified Teacher issues, Ed-Flex/Timeline Waiver, and the Title 1 Program Review Visit.	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Hear an update on current NCLB activities and NCLB Liaison Team recommendations. Take action as deemed necessary and appropriate.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION & ACTION

This standing item will allow CDE and SBE staff to brief the Board on timely topics related to NCLB.

SUMMARY OF KEY ISSUES

NCLB Liaison Team Report

NCLB Liaison Team met on May 11, 2004. The Chair will report recommendations to the SBE and the Superintendent on the following issues:

- Identification of Program Improvement Districts
- Title I Set-aside
- Assessment for English Learners and Special Education Students
- Persistently Dangerous Schools
- Ed-Flex
- Individuals with Disabilities Education Act Reauthorization and how it relates to NCLB

Highly Qualified Teacher

Update on technical assistance to the field on highly qualified teacher.

Ed-Flex-Timeline Waiver

Update on California's Improving America's School Act (IASA) timeline waiver and how it relates to our Ed-Flex application.

Title I Program Review

In late summer, the federal Student Achievement and School Accountability Program (SASA) Monitoring visit will take place. The monitoring visit is conducted in order to ensure that all children have a fair, equal, and significant opportunity to obtain a high quality education and become proficient in core academic subjects. Monitoring assesses the extent to which the California Department of Education provides leadership and guidance for local educational agencies (LEAs) and schools in implementing policies and procedures that complying with the provisions of the Title I, Part A, statute and regulations.

Attached is the summary of critical monitoring elements for your information. Staff will inform the board on more specific details of the visit.

FISCAL ANALYSIS (AS APPROPRIATE)

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

ATTACHMENTS

[Attachment 1](#): AB 312 No Child Left Behind Liaison Team, Preliminary Agenda for May 11, 2004, meeting (2 pages)

[Attachment 2](#): SASA Monitoring Plan, Summary of Critical Monitoring Elements (3 pages)

No Child Left Behind (NCLB)
Public Notification
AB 312 NCLB Liaison Team Meeting

TUESDAY, MAY 11, 2004
9:00 a.m. to 3:00 p.m. *
California Department of Education
1430 N Street
Sacramento, CA 95814

AGENDA

1. **Call to order**
2. **Welcome and introductions**
3. **Administration of the oath for new appointees and /or alternates** (if needed)
4. **Approval of agenda**
5. **Approval of minutes**
6. **Public comment:** This agenda item is included for the purpose of giving anyone in attendance an opportunity to ask questions or discuss non-agenda items with the committee.
7. **Report from Rae Belisle**, Executive Director, State Board Of Education
8. **Information/action items:**
 - 8.1 **Identification of Program Improvement LEAs** (Barankin/Just)
 - 8.2 **Proposal for Title I set-aside to support under-performing schools** (Harris)
 - 8.3 **Assessment for English Learners and Special Ed Students** (Sigman)
 - 8.4 **Persistently Dangerous Schools** (Brynelson)
 - 8.5 **Ed-Flex** (Maben)
 - 8.6 **IDEA Reauthorization and how it relates to NCLB** (Parker)
 - 8.8 **Legislative update** (Burns)
 - 8.9 **Future meeting dates and pending agenda items** (Weis)

Lunch and break periods are to be determined at the discretion of the presiding officer.

The meeting time may be extended at the discretion of the Chair.

Visitor parking is available in State Parking Lot #14, located at 1517 13th Street (between 13th & 14th streets). The entrance to the parking structure is on 13th Street. There are approximately 80 rooftop spaces that have been identified for visitors to use. The rate is \$1.25 per half an hour. Parking hours are from 6:00 a.m. to 7:00 p.m., and a parking attendant is on site.

The meetings of the advisory NCLB Liaison Team are staffed by the California Department of Education (CDE). For questions regarding the meetings or role of the NCLB Liaison Team, please contact Camille Maben, Senior Policy Advisor to the State Superintendent, (916) 319-0582 or cmaben@cde.ca.gov.

This agenda is posted on the CDE Web site at <http://www.cde.ca.gov>.

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 NCLB Liaison Team may request assistance by contacting the California Department of Education, 1430 N Street, Suite 5602, Sacramento, CA 95814-5901, telephone (916) 319-0792; fax (916) 319-0100

Student Achievement and School Accountability (SASA) Program Monitoring Plan

Summary of Critical Monitoring Elements

Monitoring Area 1: Accountability	
Critical element 1.1	<ul style="list-style-type: none"> SEA has approved academic content standards for all required subjects or an approved timeline for developing them.
Critical element 1.2	<ul style="list-style-type: none"> The SEA has approved academic achievement standards and alternate academic achievement standards in required subject areas and grades or an approved timeline to create them.
Critical element 1.3	<ul style="list-style-type: none"> The SEA has approved assessments and alternate assessments in required subject areas and grades or an approved timeline to create them.
Critical element 1.4	<ul style="list-style-type: none"> The SEA has implemented all required components as identified in its accountability workbook N.B. Report card requirements are addressed separately (1.7)
Critical element 1.5	<ul style="list-style-type: none"> The SEA has published annual report card and ensured that LEAs have published annual report card as required.
Critical element 1.6	<ul style="list-style-type: none"> SEA indicates how funds received under Grants for State Assessments and related activities (§6111) will be or have been used to meet the 2005-06 and 2007-08 assessment requirements of NCLB.
Critical element 1.7	<ul style="list-style-type: none"> SEA ensures that LEAs meet all requirements for identifying and assessing the academic achievement of limited English proficient students.

Monitoring Area 2: Instructional Support	
Critical element 2.1	<ul style="list-style-type: none"> The SEA designs and implements policies and procedures that ensure the hiring and retention of highly qualified staff.
Critical element 2.2	<ul style="list-style-type: none"> The SEA provides, or provides for, technical assistance for LEAs and schools as required.
Critical element 2.3	<ul style="list-style-type: none"> The SEA establishes a Committee of Practitioners and involves the committee in decision making as required.
Critical element 2.4	<ul style="list-style-type: none"> The SEA ensures that the LEA and schools meet parental involvement requirements.

Critical element 2.5	<ul style="list-style-type: none"> ▪ The SEA ensures that schools and LEAs are identified for improvement, corrective action, or restructuring as required and that subsequent, required steps are taken.
Critical element 2.6	<ul style="list-style-type: none"> ▪ The SEA ensures that requirements for public school choice are met.
Critical element 2.7	<ul style="list-style-type: none"> ▪ The SEA fulfills the statutory requirements for the provision of supplemental educational services (SES) are met.
Critical element 2.8	<ul style="list-style-type: none"> ▪ The SEA ensures that LEAs and schools develop schoolwide programs that use the flexibility provided to them by law to improve the academic achievement of all students in the school.
Critical element 2.9	<ul style="list-style-type: none"> ▪ The SEA ensures that LEAs and schools develop and maintain targeted assistance programs that meet all required components.

Monitoring Area 3: SEA Fiduciary responsibilities	
Critical element 3.1	<ul style="list-style-type: none"> ▪ The SEA ensures that its component LEAs are audited annually, if required, and that all corrective actions required through this process are fully implemented.
Critical element 3.2	<ul style="list-style-type: none"> ▪ The SEA complies with the allocation, reallocation, and carryover provisions of Title I.
Critical element 3.3	<ul style="list-style-type: none"> ▪ The SEA complies with the maintenance of effort provisions of Title I.
Critical element 3.4	<ul style="list-style-type: none"> ▪ The SEA ensures that the LEA complies with the comparability provisions of Title I.
Critical element 3.5	<ul style="list-style-type: none"> ▪ The SEA ensures that LEAs provide Title I services to eligible children attending non-public schools.
Critical element 3.6	<ul style="list-style-type: none"> ▪ The SEA has a system for ensuring and maximizing the quality, objectivity, utility, and integrity of information disseminated by the agency.
Critical element 3.7	<ul style="list-style-type: none"> ▪ The SEA has an accounting system for administrative funds that includes (1) state administration, (2) reallocation, and (3) reservation of funds for school improvement.
Critical element 3.8	<ul style="list-style-type: none"> ▪ The SEA has a system for ensuring fair and prompt resolution of complaints.
Critical element 3.9	<ul style="list-style-type: none"> ▪ The SEA ensures that the LEA complies with the rank order procedures for the eligible school attendance area.
Critical element 3.10	<ul style="list-style-type: none"> ▪ The SEA conducts monitoring of its subgrantees sufficient to ensure compliance with Title I program requirements.

Critical element 3.11	<ul style="list-style-type: none">▪ The LEA complies with the provision for submitting an annual plan to the SEA.
Critical element 3.12	<ul style="list-style-type: none">▪ The SEA and LEA comply with requirements regarding the reservation of administrative funds.
Critical element 3.13	<ul style="list-style-type: none">▪ The SEA ensures that Title I funds are used only to supplement or increase non-Federal sources used for the education of participating children and not to supplant funds from non-Federal sources.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT <i>No Child Left Behind Act of 2001: Title I Committee of Practitioners.</i>	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Approve policy governing the Title I Committee of Practitioners as authorized by the *No Child Left Behind Act of 2001* (NCLB), Section 1903.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The Title I Committee of Practitioners is an advisory body required by NCLB, the 2001 reauthorization of the *Elementary and Secondary Education Act of 1965*. The State Board of Education appointed 18 new members to the Committee in November 2003 and three new members in March 2004, bringing current membership to 28.

SUMMARY OF KEY ISSUES

The attached governing policy establishes the composition and term of office, frequency of meetings, rules of governance, purpose, and administrative policies of the committee.

FISCAL ANALYSIS (AS APPROPRIATE)

The committee will meet approximately three times each year at an estimated cost of \$18,000 per meeting to cover travel costs of the members, and salaries of department staff with responsibility for the committee. These funds are budgeted and paid out of Title I, Part A administrative funds.

ATTACHMENT

Title I Committee of Practitioners Governing Policy (2 pages)

Title I Committee of Practitioners *Governing Policy*

Background. Title I of the No Child Left Behind Act (PL107-110, Section 1903; 20 USC 6573) requires each State educational agency that receives Title I funds to create a State Committee of Practitioners to advise the State in carrying out its responsibilities under Title I.

Composition. Members are appointed by the State Board of Education. The majority of members shall be representatives from local educational agencies. The Committee shall have a total membership of 30 positions (excluding the ex officio members) representing the following categories:

- Administrators (10 positions)
- Teachers, including vocational educators (6 positions)
- Parents (4 positions)
- Members of local school boards (4 positions)
- Representatives of private school children (3 positions)
- Pupil services personnel (3 positions)

Representatives will be appointed to ensure appropriate representation among the six membership categories. Agency liaisons from Department of Corrections and Department of Youth Authority will serve as ex officio members.

Purpose. The purpose of this committee shall be to review any State rules, regulations, and policies relating to Title I of the Elementary and Secondary Education Act in order to ensure that they conform to the purposes of Title I.

Term of office. Members will serve for a term of three years. Members may be re-appointed. Terms of office should be staggered to avoid the need to replace the majority of members at the same time. Missing two consecutive meetings may result in removal from the Committee.

Frequency of Meetings. Regular meetings of the Committee will be conducted three times per calendar year. The State Board of Education and/or California Department of Education may call special meetings of the Committee, as needed.

Rules of Governance. The administrator of the Title I Policy and Partnerships Office shall serve as Committee chair. A vice-chair shall be elected from nominations by the members of the Committee.

The chair shall preside at all meetings of the Committee; prepare the agenda for each meeting, in consultation with CDE and SBE staff; and perform other necessary activities to assist the Committee. The vice-chair shall conduct meetings in the absence of the chair.

Each member of the Committee shall have one vote. Actions by the Committee shall be taken by a majority of Committee membership present during a scheduled meeting.

Unless otherwise specified, *Robert's Rules of Order, Revised* shall govern the procedures of Committee Meetings.

Applicability of Bagley-Keene Open Meeting Act. In accordance with law, meetings of the Title I Committee of Practitioners are subject to the requirements of the *Bagley-Keene Open Meeting Act*.

Travel, Lodging, and Other Expenses. Committee members shall be reimbursed for travel and per diem expenses related to Committee meetings only, at the same rate applicable for CDE staff. No reimbursement will be made for other activities.

Staff to the Committee of Practitioners. The CDE Title I staff will summarize the Committee's recommendations and present them to the SBE staff and CDE administrators for consideration and further action, as appropriate.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT <i>No Child Left Behind (NCLB) Act of 2001: Approve Local Educational Agency Plans</i>	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Staff recommends approval of Local Educational Agency (LEA) Plans that have met the requirements for full approval status.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

As of the March 2004 meeting, the State Board of Education (SBE) had approved a total of 1,133 LEA Plans: 647 in July 2003, 358 in September 2003, 94 in November 2003, 10 in January 2004, and 24 in March 2004. The remaining LEAs are either making appropriate modifications for completeness or are in the process of submitting their Plans.

SUMMARY OF KEY ISSUES

The Last Minute Memorandum will include a list of additional LEA Plans from districts, county offices of education, and direct funded charter schools recommended for full approval status. The purpose of the LEA Plan is to develop an integrated, coordinated plan that describes all educational services for all learners that can be used to guide implementation and resource allocation. The Plan addresses the five major NCLB goals.

FISCAL ANALYSIS (AS APPROPRIATE)

LEAs with incomplete Plans will not be eligible to receive federal education categorical aid until they receive SBE full approval of their Plans at a later date.

ATTACHMENT

[Attachment 1](#): LEA Plans for Districts and Direct Funded Charters Recommended for Full SBE Approval, May 2004.

A list of additional LEAs recommended for approval will be attached to the Last Minute Memorandum.

LEA Plans for Districts and Direct Funded Charters
Recommended for Full SBE Approval, May 2004.

Co/Dist Code	Sch Code	Districts
0661606	0000000	Maxwell Unified
2766142	0000000	Salinas City Elementary
2866282	0000000	Pope Valley Union Elementary
5572413	0000000	Summerville Union High
Co/Dist Code	Sch Code	Direct Funded Charters
0761796	0101477	Leadership Public School Richmond
1062539	1030881	Rosalyn Charter School
1875036	6010763	Long Valley Charter School
1964733	1995836	Palisades Charter High School
2765961	6119663	Oasis Charter Public School
3768106	3731023	Escondido Charter High School
3868478	3830437	Gateway High School
4168999	6114953	East Palo Alto Charter (Elementary)
4870581	6116255	Mare Island Technology Academy Middle School

LAST MINUTE MEMORANDUM

DATE: May 13, 2004

TO: MEMBERS, STATE BOARD OF EDUCATION

FROM: Geno Flores, Deputy Superintendent
Assessment and Accountability Branch

RE: Item No. 14

SUBJECT: *No Child Left Behind Act of 2001*: Local Educational Agency Plans

Attached for Board approval is a list of 26 LEA Plans for districts and direct funded charter schools. Thirteen of these LEA Plans were previously submitted to SBE as a SBE Agenda Item for the May 2004 meeting. These Plans are required under *No Child Left Behind* (NCLB) so that LEAs may receive federal categorical aid for educational programs.

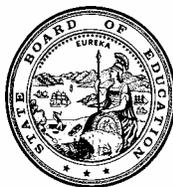
With the Board's approval of these 26 Plans, 1,159 LEAs will have fully approved Plans. The Board has fully approved **647** in July, **358** in September, **94** in November 2003, and **10** in January, **24** in March 2004.

CDE continues to work with the 48 LEAs (10 districts/counties and 38 direct funded charter schools) whose Plans are not yet ready for recommendation to the SBE for approval. There are 47 remaining LEAs (2 districts and 45 direct funded charter schools) that have not yet submitted LEA Plans. Staff will be working with these LEAs to obtain their Plans for review and future recommendation for Board approval.

Attachment 1: LEA Plans for Districts and Direct funded Charters Recommended for Full Approval, May 2004.

**Local Educational Agency Plans for District and Direct Funded Charters
Recommended for Full Approval
May 2004**

Previously Submitted		
Co/Dist Code	Sch Code	Districts
0661606	0000000	Maxwell Unified
2766142	0000000	Salinas City Elementary
2866282	0000000	Pope Valley Union Elementary
5572413	0000000	Summerville Union High
Previously Submitted		
Co/Dist Code	Sch Code	Direct Funded Charters
0761796	0101477	Leadership Public School Richmond
1062539	1030881	Rosalyn Charter School
1875036	6010763	Long Valley Charter School
1964733	1995836	Palisades Charter High School
2765961	6119663	Oasis Charter Public School
3768106	3731023	Escondido Charter High School
3868478	3830437	Gateway High School
4168999	6114953	East Palo Alto Charter (Elementary)
4870581	6116255	Mare Island Technology Academy Middle School
Co/Dist Code	Sch Code	Districts/Counties
1162646	0000000	Princeton Joint Unified
1262745	0000000	Cutten Elementary
1764055	0000000	Middletown Unified
2765995	0000000	Chualar Uniion Elementary
3810389	0000000	San Francisco County Office of Education
4970706	0000000	Geyserville Unified
5371779	0000000	Trinity Union High School District
5472108	0000000	Saucelito Elementary
Co/Dist Code	Sch Code	Direct Funded Charters
1910199	0102020	Today's Fresh Start Charter School
1964733	1933746	Granada Hills Charter
1964733	0100297	Cornerstone Prep Charter School
2773825	2730182	Liberty Family Academy
5071134	6118178	University Charter School



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT <i>No Child Left Behind (NCLB) Act of 2001</i> : State and local accountability report cards, including approval of report templates and data definitions for 2003-04, pursuant to Public Law 107-110 Section 1111 (h) and California Education Code Section 33126.1 (f)	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Approve data definitions and template for the School Accountability Report Card for 2003-04 (to be published in 2004-05) and the template for the State Report Card for 2003-04.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education annually approves data definitions and report templates for local accountability report cards in accordance with requirements of federal and state laws. In 2003, the Board approved a model template for local accountability report cards that for the first time incorporated requirements specified in the federal *No Child Left Behind (NCLB) Act of 2001* into the existing School Accountability Report Card (SARC) template that is required by state law.

SUMMARY OF KEY ISSUES

The California Education Code requires the State Board of Education to annually approve data definitions and adopt a report template that local educational agencies (LEAs) may use to prepare School Accountability Report Cards (SARCs). In 2003, additional elements were added to the report template to meet new requirements outlined in *No Child Left Behind*.

This item includes updated data definitions and a revised report template for the SARCs that will report data collected during the 2003-04 school year. The data definitions and report template are largely unchanged from last year. The changes that were made were done to improve readability and comprehension of the report cards, and increase consistency in the way in which data are reported on the SARC and elsewhere. These changes include: restructuring of the tables that report data from the California Standards Tests (CSTs), reformatting of the table that reports on Awards and Interventions, adding an overall AYP designation for the school and district across three years, and adding data on highly qualified teachers.

In addition, the CDE requests Board approval of a template for a State Report Card that is required by NCLB. The State Report Card template is presented to the Board for the first time. To facilitate consideration and decision making by the Board, an issue paper is provided regarding alternatives for reporting some elements of the State Report Card. Once approved, a State Report Card will be completed for the 2002-03 and 2003-04 school years, posted on the Internet, and distributed to LEAs as appropriate.

FISCAL ANALYSIS (AS APPROPRIATE)

There are no new costs associated with the proposed action.

Federal and state law requires local accountability reports. State law requires the Board to approve definitions and a model template, and requires the CDE to prepare templates with data included, to the extent that it is available to the state. LEAs utilizing templates prepared by the CDE realize significant savings compared to the cost of preparing the entire report locally. Federal law requires the CDE to prepare the State Report Card as part of its responsibilities for state administration and oversight of federal programs.

ATTACHMENT

- [Attachment 1](#): School Accountability Report Card, Data Element Definitions and Sources (29 Pages)
- [Attachment 2](#): School Accountability Report Card, Reported for School Year 2003-04 (13 Pages)
- [Attachment 3](#): Developing the State Report Card Required Under NCLB (3 Pages)
- [Attachment 4](#): California Department of Education, State Report Card, 2003-04 (20 Pages)

School Accountability Report Card

Data Element Definitions and Sources

Notes regarding the source and currency of data: Data included in reports prepared by local educational agencies during the 2004-05 school year must adhere to the following definitions, which have been approved by State Board of Education. Most data presented in this report were collected from the 2003-04 school year or from the two preceding years in order to show trends. Due to the certification timelines for graduation, dropout, and fiscal information, the most current data for these sections of the report were collected in 2002-03.

	Specific Requirement	Definition(s)	Guidelines and Data Sources
General Information			
1.	Contact information pertaining to any organized opportunities for parental involvement. EC Sec. 33126 (b)(22)	Contact person name Contact person phone number Description of organized opportunities for parental involvement	Information and narrative are developed by the local educational agency/school. Data provided by LEA

	Specific Requirement	Definition(s)	Guidelines and Data Sources
School Safety and Climate for Learning			
2.	<p>Each school shall adopt its comprehensive school safety plan by March 1, 2000, and shall review and update its plan by March 1, every year thereafter.</p> <p>(b) Commencing in July 2000, and every July thereafter, each school shall report on the status of its school safety plan, including a description of its key elements in the annual school accountability report card</p> <p>prepared pursuant to Sections 33126 and 35256.</p> <p>EC Sec. 35294.6.</p>	<p>The dates that the School Safety plan was last reviewed, updated and discussed with school faculty as well as a brief description of key elements included in the plan.</p>	<p><i>Safe Schools: A Planning Guide for Action, 2002 Edition</i> provides a two-component model and step-by-step guidance for schools to develop a comprehensive safe school plan. It also reviews the legal requirements and the benefits of safety planning to help schools annually revise and amend their safe school plan. The document and a list of regional safe school plan development training sessions are located on the Safe Schools and Violence Prevention Web site at: http://www.cde.ca.gov/spbranch/safety</p> <p>Data provided by LEA</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
3.	<p>Safety, cleanliness, and adequacy of school facilities.</p> <p>EC Sec. 33126 (b)(9)</p>	<p>Description of the school’s efforts to keep students safe on school grounds before, during, and after the school day.</p> <p>Description of the degree to which the school facility supports teaching and learning.</p> <p>Description of the condition and cleanliness of the school grounds, buildings, and restrooms.</p>	<p>Narrative is developed by the local educational agency/school. Are students safe on school grounds before, during, and after school?</p> <ul style="list-style-type: none"> • Before and after school supervision • Limiting/controlling unauthorized access during school day (e.g., entrances, procedures for check-in/visitors, supervision of grounds and buildings) <p>Does the school facility support teaching and learning?</p> <ul style="list-style-type: none"> • Classroom space • Playground space • Space for staff <p>What is the condition and cleanliness of the school?</p> <ul style="list-style-type: none"> • Age of school/buildings • Maintenance and repair • Cleaning process and schedule for classrooms, restrooms, grounds <p>Data provided by LEA</p>
4.	<p>Classroom discipline and climate for learning, including suspension and expulsion rates for the most recent three-year period.</p> <p>EC Sec. 33126 (b)(11)</p>	<p>List of school programs and practices that promote a positive learning environment.</p> <p>For the most recent three-year period: The numbers and rates of suspensions and of expulsions (by comparison against enrollment) reported per 100 students. Data must include district-level comparisons.</p>	<p>Narrative is developed by the local educational agency/school. Schools programs and practices may include, for example,</p> <ul style="list-style-type: none"> • School discipline policy • Peer counseling • School/home communication • Tutoring, after-school programs <p>The rate of suspensions and expulsions is the total number of incidents divided by the school’s CBEDS total enrollment for the given year. In unified school districts, a comparison between a particular type of school (elementary, middle, high) and the district average may be misleading. Schools/districts have the option of comparing school-level data with the district average for the same type of school.</p> <p>Data provided by LEA</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
Academic Information			
5.	<p>Pupil achievement by grade level, as measured by the standardized testing and reporting programs pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33.</p> <p>EC Sec. 33126 (b)(1) (A)</p>	<p>Norm-Referenced Test (NRT)</p> <p>For the most recent three-year period: Data are provided for math and reading (and must be disaggregated for specific subgroups if they are numerically significant at the school level) for each grade level as the percentage of students taking the state-approved norm-referenced test that scored at or above the 50th percentile. These subgroups <i>are</i>: gender, race/ethnicity, English learner, economically disadvantaged status, students with disabilities status (as defined by STAR), and program participation in Migrant Education.</p> <p>In lieu of providing grade level data, a link to the STAR Web site may be provided to the reader, where these data are available.</p>	<p>Reading and mathematics results from the NRT adopted by the State Board of Education (this was the Stanford 9 test until 2002, but was changed to the California Achievement Test 6 in 2003) are reported for each grade level as the percentage of tested students scoring at or above the 50th percentile (the national average). School results are compared to results at the district and state levels. Data are reported for 2003 and 2004, but not the Stanford 9 results from 2002.</p> <p>Data are reported from STAR and may be obtained at the following Web site: http://star.cde.ca.gov/.</p> <p>Data provided by CDE</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
		<p>California Standards Test (CST)</p> <p>For the most recent three-year period: Data are provided for each content area for which the State Board of Education has established performance levels. Data are reported as the percentage of students achieving at the proficient or advanced levels.</p> <p>Data are disaggregated for specific subgroups (if they are numerically significant at the school level). These subgroups <i>are</i>: gender, race/ethnicity, English learner, economically disadvantaged status, students with disabilities status (as defined by STAR), and program participation in Migrant Education.</p> <p>In lieu of providing grade level data, a link to the STAR Web site may be provided to the reader, where these data are available.</p>	<p>Subject areas and grade levels for which CST data will be available and required to be included in reports prepared in the 2003-04 school year include:</p> <ul style="list-style-type: none"> • English-Language Arts in grades 2-11 for 2001-02, 2002-03 and 2003-04 • Mathematics in grades 2-11 for 2001-02, 2002-03 and 2003-04 • Science in grades 9-11 for 2001-02, 2002-03 and 2003-04 • History/Social Science in grades 9-11 for 2001-02; and grades 8 and 10-11 for 2002-03 and 2003-04. <p>Data provided by CDE</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
6.	<p>Information, in the aggregate, on student achievement at each proficiency level on the State academic assessments described in subsection (b)(3) (disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged, except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student).</p> <p>PL 107-110 Section 1111(h)(2)(B)</p> <p>Section 1111 (h)(1)(C)</p>	<p>California Standards Test (CST)</p> <p>For the most recent three-year period: Data are provided for each content area for which the State Board of Education has established performance levels. Data are reported as the percentage of students achieving at each proficiency level.</p> <p>Data are disaggregated for specific subgroups (if they are numerically significant at the school level). These subgroups <i>are</i>: gender, race/ethnicity, English learner, economically disadvantaged status, students with disabilities status (as defined by STAR), and program participation in Migrant Education.</p> <p>In lieu of providing specific results for each proficiency level, a link to the STAR Web site may be provided to the reader, where these data are available.</p>	<p>Subject areas and grade levels for which CST data will be available and required to be included in reports prepared in the 2003-04 school year include:</p> <ul style="list-style-type: none"> • English-Language Arts in grades 2-11 for 2001-02, 2002-03 and 2003-04 • Mathematics in grades 2-11 for 2001-2002, 2002-2003 and 2003-04 • Science in grades 9-11 for 2001-02, 2002-03 and 2003-04 • History/Social Science in grades 9-11 for 2001-02; and grades 8 and 10-11 for 2002-03 and 2003-04. <p>Data are reported from STAR and may be obtained at the following Web site: http://star.cde.ca.gov/.</p> <p>Data provided by CDE</p>
7.	<p>The percentage of students not tested (disaggregated by the same categories and subject to the same exception described in clause (i)).</p> <p>PL 107-110 Section 1111(h)(2)(B)(i)(I)</p> <p>PL 107-110 Section 1111(h)(1)(C)(iii)</p>	<p>California Standards Test (CST)</p> <p>The percentage of students not tested. Data are disaggregated for specific subgroups (if they are numerically significant at the level being reported). These subgroups <i>are</i>: gender, race/ethnicity, English learner, economically disadvantaged status, students with disabilities status (as defined by STAR), and program participation in Migrant Education.</p> <p>In lieu of providing specific results for each level, a link to the STAR Web site may be provided to the reader, where these data are available.</p>	<p>Subject areas and grade levels for which CST data will be available and required to be included in reports prepared in the 2003-04 school year include:</p> <ul style="list-style-type: none"> • English-Language Arts in grades 2-11 for 2001-02, 2002-03 and 2003-04 • Mathematics in grades 2-11 for 2001-02, 2002-03 and 2003-04 • Science in grades 9-11 for 2001-02, 2002-03 and 2003-04 • History/Social Science in grades 9-11 for 2001-02; and grades 8 and 10-11 for 2002-03 and 2003-04. <p>Data are reported from STAR and may be obtained at the following Web site: http://star.cde.ca.gov/.</p> <p>Data provided by CDE</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
8.	<p>The most recent 2-year trend in student achievement in each subject area, and for each grade level, for which assessments under this section are required;</p> <p>PL 107-110 Section 1111(h)(2)(B)(i)(I) PL 107-110 Section 1111(h)(1)(C)(iv)</p>	<p>California Standards Test (CST)</p> <p>For the most recent three-year period:</p> <p>Data are provided for each content area for which the State Board of Education has established performance levels. Data are reported as the percentage of students achieving at each proficiency level.</p> <p>Data are disaggregated for specific subgroups (if they are numerically significant at the level being reported). These subgroups <i>are</i>: gender, race/ethnicity, English learner, economically disadvantaged status, students with disabilities status (as defined by STAR), and program participation in Migrant Education.</p> <p>In lieu of providing grade level data and specific results for each proficiency level, a link to the STAR Web site may be provided to the reader, where these data are available.</p>	<p>Subject areas and grade levels for which CST data will be available and required to be included in reports prepared in the 2004-05 school year include:</p> <ul style="list-style-type: none"> • English-Language Arts in grades 2-11 for 2001-02, 2002-03 and 2003-04 • Mathematics in grades 2-11 for 2001-02, 2002-03 and 2003-04 • Science in grades 9-11 for 2001-02, 2002-03 and 2003-04 • History/Social Science in grades 9-11 for 2001-02; and grades 8 and 10-11 for 2002-03 and 2003-04. <p>Data are reported from STAR and may be obtained at the following Web site: http://star.cde.ca.gov/.</p> <p>Data provided by CDE</p>
9.	<p>After the state develops a statewide assessment system pursuant to Chapter 5 (commencing with Section 60600) and Chapter 6 (commencing with Section 60800) of Part 33, pupil achievement by grade level, as measured by the results of the statewide assessment.</p> <p>EC Sec. 33126 (b)(1)(C)</p>	<p>For the most recent year reported: The percentage of students scoring in the healthy fitness zone on all six fitness standards reported by total and disaggregated by gender.</p> <p>Data are to be reported for the school and include district and statewide results for the purpose of comparison.</p>	<p>Note: EC 60800 refers to a requirement that schools with grades 5, 7, and 9 shall administer to each pupil in those grades the physical performance test designated by the State Board of Education.</p> <p>Data provided by CDE</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
10.	<p>Pupil achievement in and progress toward meeting reading, writing, arithmetic, and other academic goals, including results by grade level from the assessment tool used by the school district using percentiles when available for the most recent three-year period.</p> <p>EC Sec. 33126 (b)(1)(B)</p>	<p>For the most recent three-year period: Data are provided by grade level for reading, writing and mathematics, as the percentage of students achieving at the proficiency level (either meeting or exceeding the standard).</p>	<p>If the local school is utilizing an assessment tool other than the state approved NRT or CST, the results should be reported for any grade levels in which there are data and a brief description of the assessment tool should be included. If no assessment tools other than state approved NRT and CST are being utilized, this table may be excluded from the SARC.</p> <p>Data provided by LEA</p>
11.	<p>The Academic Performance Index, including the disaggregation of subgroups as set forth in Section 52052 and the decile rankings and a comparison of schools.</p> <p>EC Sec. 33126 (b)(18)</p> <p>EC Sec. 52056. (a)</p>	<p>For the most recent three year period:</p> <ul style="list-style-type: none"> • The percentage of students tested at the school • The base API score • The schoolwide growth target • The school's statewide API rank • The similar schools rank • The schoolwide growth API score • Actual growth • Subgroup scores for specific ethnic groups defined for the API (when they are numerically significant) including the subgroup growth target, Base API score, the API growth score, the growth target and the actual growth. 	<p>Data are reported from API and may be obtained at the following Web site: http://api.cde.ca.gov/.</p> <p>Data provided by CDE</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
12.	<p>Aggregate information on any other indicators used by the State to determine the adequate yearly progress of students in achieving State academic achievement standards;</p> <p>PL 107-110 Section 1111(h)(2)(B)(i)(I) PL 107-110 Section 1111(h)(1)(C)(v)</p>	<p>For the most recent three year period:</p> <ul style="list-style-type: none"> • The percentage of students tested at the school • The base API score • The schoolwide growth target • The school's statewide API rank • The similar schools rank • The schoolwide growth API score • Actual growth • Subgroup scores for specific ethnic groups defined for the API (when they are numerically significant) including the subgroup growth target, Base API score, the API growth score, the growth target and the actual growth. 	<p>This item is a requirement of No Child Left Behind. California uses the API to meet the AYP requirement for a second indicator. See item #11 above for information regarding the California requirement pertaining to the API.</p> <p>Data are reported from API and may be obtained at the following Web site: http://api.cde.ca.gov/.</p> <p>Data provided by CDE</p>
13.	<p>Whether the school qualifies for the Governor's Performance Award Program.</p> <p>EC Sec. 33126 (b)(20)</p>	<p>Indicate whether the school qualifies for the Governor's Performance Award Program.</p>	<p>Data are reported from API and may be obtained at the following Web site: http://www.cde.ca.gov/ope/awards/.</p> <p>Data provided by CDE</p>
14.	<p>Whether a school qualified for the Immediate Intervention Underperforming Schools Program pursuant to Section 52053 and whether the school applied for, and received a grant pursuant to, that program.</p> <p>EC Sec. 33126 (b)(19)</p>	<p>Indicate whether a school qualified for the Immediate Intervention Underperforming Schools Program pursuant to Section 52053 and whether the school applied for, and received a grant pursuant to, that program.</p>	<p>Data are reported from Low Performing Schools and may be obtained at the following Web site: http://www.cde.ca.gov/iiusp/.</p> <p>Data provided by CDE</p>
15.	<p>In the case of a school, whether the school has been identified for school improvement.</p> <p>PL 107-110 Section 1111(h)(2)(B)(ii)(I)</p>	<p>Indicate whether the school has been identified for school improvement.</p>	<p>Additional information and data regarding Title 1 Program Improvement may be obtained at the following Web site: http://www.cde.ca.gov/ayp/titleone/TI_disclaimer1.htm</p> <p>Data provided by CDE</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
16.	<p>Information on the performance of local educational agencies in the State regarding making adequate yearly progress (AYP), including the number and names of each school identified for school improvement under Section 1116.</p> <p>PL 107-110 Section 1111(h)(2)(B)(i)(I) PL 107-110 Section 1111(h)(1)(C)(vii)</p>	<p>Indicate whether the local educational agency has met its AYP requirement for each of the following subgroups; gender, race/ethnicity, English learner/not English learner, socioeconomically disadvantaged status, students with disabilities status (as defined by AYP), and program participation in Migrant Education.</p>	<p>The federal No Child Left Behind Act requires that all students perform at or above the proficient level on the State’s standards-based assessment by 2014. Prior to 2014, in order to achieve this goal and meet annual requirements for improved performance, LEAs and schools must improve each year according to set requirements. The AYP requirement in 2003 for English-Language Arts is 13.6 percent at or above proficient. For mathematics the target is 16.0 percent. Data are reported from API and may be obtained at the following Web site: http://www.cde.ca.gov/ayp/.</p> <p>To fulfill the AYP requirement for a second indicator, California utilizes the API (See Item #12 above).</p> <p>Data regarding Program Improvement schools may be obtained at the following Web site: http://www.cde.ca.gov/ayp/titleone/TI_disclaimer1.htm</p> <p>Data provided by CDE</p>
17.	<p>In the case of a local educational agency, the number and percentage of schools identified for school improvement under section 1116(c) and how long the schools have been so identified.</p> <p>PL 107-110 Section 1111(h)(2)(B)(i)(I)</p>	<p>The number and percentage of schools identified for Title 1 school improvement within the LEA. The percentage should be calculated as the number of Title 1 school improvement schools divided by the total number of schools in the district regardless of whether they are receiving Title 1 funds. Indicate whether the school has been identified for school improvement and how long it has been so identified.</p>	<p>Additional information and data regarding Title 1 Program Improvement may be obtained at the following Web site: http://www.cde.ca.gov/ayp/titleone/TI_disclaimer1.htm.</p> <p>Data provided by CDE</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
18.	<p>In the case of a school, information that shows how the school's students achievement on the statewide academic assessments and other indicators of adequate yearly progress compared to students in the local educational agency and the State as a whole.</p> <p>PL 107-110 Section 1111(h)(2)(B)(ii)(II)</p>	<p>For the most recent three-year period:</p> <ul style="list-style-type: none"> • Data are provided for each content area for which the State Board of Education has established performance levels. • Data are reported as the percentage of students achieving at the proficient or advanced levels. Data are compared to local educational agency and state averages. • Data are disaggregated for specific subgroups (if they are numerically significant at the school level). Subgroups include: gender, race/ethnicity, English learners, economically disadvantaged status, students with disabilities status, and program participation in Migrant Education. 	<p>Subject areas and grade levels for which CST data will be available and required to be included in reports prepared in the 2004-05 school year include:</p> <ul style="list-style-type: none"> • English-Language Arts in grades 2-11 for 2001-02, 2002-03 and 2003-04 • Mathematics in grades 2-11 for 2001-02, 2002-03 and 2003-04 • Science in grades 9-11 for 2001-02, 2002-03 and 2003-04 • History/Social Science in grades 9-11 for 2001-02; and grades 8 and 10-11 for 2002-03 and 2003-04. <p>Data provided by CDE</p>
19.	<p>In the case of a local educational agency, information that shows how students served by the local educational agency achieved on the statewide academic assessment compared to students in the State as a whole.</p> <p>PL 107-110 Section 1111(h)(2)(B)(i)(II)</p>	<p>For the most recent three-year period:</p> <ul style="list-style-type: none"> • Data are provided for each content area for which the State Board of Education has established performance levels. • Data are reported as the percentage of students achieving at the proficient or advanced levels. Data are compared to local educational agency and state averages. • Data are disaggregated for specific subgroups (if they are numerically significant at the school level). Subgroups include: gender, race/ethnicity, English learners, economically disadvantaged status, students with disabilities status, and program participation in Migrant Education. 	<p>Subject areas and grade levels for which CST data will be available and required to be included in reports prepared in the 2004-05 school year include:</p> <ul style="list-style-type: none"> • English-Language Arts in grades 2-11 for 2001-02, 2002-03 and 2003-04 • Mathematics in grades 2-11 for 2001-02, 2002-03 and 2003-04 • Science in grades 9-11 for 2001-02, 2002-03 and 2003-04 • History/Social Science in grades 9-11 for 2001-02; and grades 8 and 10-11 for 2002-03 and 2003-04. <p>Data provided by CDE</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
School Completion and Secondary Schools			
20.	<p>When available, the percentage of pupils, including the disaggregation of subgroups as set forth in Section 52052, completing grade 12 who successfully complete the high school exit examination, as set forth in Sections 60850 and 60851, as compared to the percentage of pupils in the district and statewide completing grade 12 who successfully complete the examination.</p> <p>EC Sec. 33126 (b)(21)</p>	<p>The reporting of these data will be required in 2006 when the first complete set of results is in from the California High School Exit Exam (CAHSEE) for a graduating class.</p>	<p>Information about the California High School Exit Exam may be obtained at the following Web site: http://cahsee.cde.ca.gov/.</p> <p>Data provided by CDE</p>
21.	<p>Progress toward reducing dropout rates, including the one-year dropout rate listed in the California Basic Education Data System or any successor data system for the school site over the most recent three-year period, and the graduation rate, as defined by the State Board of Education, over the most recent three-year period when available pursuant to Section 52052.</p> <p>EC Sec. 33126 (b)(2)</p>	<p>For the most recent three-year period: Data provided regarding progress toward reducing dropout rates include: grade 9-12 enrollment, the number of dropouts, and the one-year dropout rate listed in the California Basic Educational Data System (CBEDS).</p> <p>Until statewide student-level longitudinal data are available, data reported regarding graduation rates will be reported in accordance with the formula negotiated with the United States Department of Education for No Child Left Behind. (See item 22)</p>	<p>The formula for the one-year dropout rate is: (Grades 9-12 Dropouts/Grades 9-12 Enrollment) x 100.</p> <p>State certification/release dates for dropout data occur too late for inclusion of 2003-04 data with other data from that year. Therefore, 2002-03 data are utilized for SARCs prepared during 2004-05.</p> <p>Since these data are older than those of other elements of the report, a brief narrative to explain resulting anomalies may be added, if appropriate.</p> <p>Data provided by CDE</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
22.	<p>Graduation rates for secondary school.</p> <p>PL 107-110 Section 1111(h)(2)(B)(i)(I) PL 107-110 Section 1111(h)(1)(C)(vi)</p>	<p>The No Child Left Behind graduation rate is calculated by dividing the number of high school graduates by the sum of dropouts for grades 9 through 12, respectively, in consecutive years, plus the number of high school graduates.</p>	<p>The No Child Left Behind graduation rate approved for California is a high school four-year completion rate. The rate incorporates four years' worth of data and thus, is an estimated cohort rate. Put simply, this rate asks, "of those students who have left school, what proportion have done so as graduates?" If a hypothetical graduating class began as 9th-graders in Year 1, this four-year "graduation" rate would look like:</p> <p>(High school graduates Year 4) divided by {dropouts (Grade 9 Year 1 + Grade 10 Year 2 + Grade 11 Year 3 + Grade 12 Year 4) + high school graduates Year 4}</p> <p>Since these data are older than those of other elements of the report, a brief narrative to explain resulting anomalies may be added, if appropriate.</p> <p>Data provided by CDE</p>
23.	<p>Progress toward reducing class sizes and teaching loads, including the distribution of class sizes at the school site by grade level, the average class size, and, if applicable, the percentage of pupils in kindergarten and grades 1 to 3, inclusive, participating in the Class Size Reduction Program established pursuant to Chapter 6.10 (commencing with Section 52120) of Part 28, using California Basic Education Data System or any successor data system information for the most recent three-year period.</p> <p>EC Sec. 33126 (b)(4)</p>	<p>For the most recent three-year period, as defined by CBEDS:</p> <ul style="list-style-type: none"> • Distribution of class sizes at the school site by grade level or by department (as appropriate) • Average class size, by grade level • Percentage of pupils in grades K-3, inclusive, participating in the Class Size Reduction Program 	<p>Note: CBEDS calculation of the average class size by grade level, and the class size distribution by grade level, excludes classrooms of 50 or more students from the equation.</p> <p>For schools/grades organized in self-contained classrooms (e.g. K-6 grades in elementary schools) data are reported as the number of classrooms within each of the following class sizes: 1-20, 21-32, and 33 or more.</p> <p>For high schools and middle schools with departmentalized programs, data are reported as the number of classrooms with a distribution of teaching loads and the average teaching load for each of the following four subject areas: English, mathematics, science and social science.</p> <p>Data provided by CDE and LEA</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
24.	<p>The availability of qualified personnel to provide counseling and other pupil support services, including the ratio of academic counselors per pupil.</p> <p>EC Sec. 33126 (b)(7)</p>	<p>Full-time equivalent (FTE) and type of counselors and pupil support personnel.</p>	<p>Data are derived from CBEDS based on data collected on the Professional Assignment Information Form (PAIF).</p> <p>Results may be found at the following Web site: http://data1.cde.ca.gov/dataquest/.</p> <p>Data provided by LEA</p>
Teacher and Staff Information			
25.	<p>The total number of the school's fully credentialed teachers, the number of teachers relying upon emergency credentials, the number of teachers working without credentials, and any assignment of teachers outside their subject areas of competence for the most recent three-year period.</p> <p>EC Sec. 33126 (b)(5)</p>	<p>For the most recent three-year period:</p> <ul style="list-style-type: none"> • Total Number of Teachers • Full Credential (fully credentialed and teaching in subject area) • Teaching Outside Subject Area (fully credentialed but teaching outside subject area) • Emergency Credential (includes District Internship, University Internship, Pre-interns and Emergency Permits) • Teachers with Waivers (do not have credential and do not qualify for an Emergency Permit) 	<p>Data are derived from the Professional Assignment Information Form in CBEDS except for data regarding the assignment of teachers outside their subject areas of competence, which must be determined from local data sources.</p> <p>Results may be found at the following Web site: http://data1.cde.ca.gov/dataquest/.</p> <p>Data provided by CDE and LEA</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
26.	<p>The professional qualifications of teachers in the local educational agency and school, the percentage of such teachers teaching with emergency or provisional credentials.”</p> <p>PL 107-110 Section 111(h)(2)(B)(i)(I) PL 107-110 Section 111(h)(1)(C)(viii)</p>	<ul style="list-style-type: none"> • The percentage of teachers teaching courses in core academic subject areas (as defined by NCLB) by education level (i.e. Doctorate, Master’s Degree +30, Master’s Degree, Bachelor’s Degree +30, Bachelor’s Degree, less than a Bachelor’s Degree or none reported. • The percentage of teachers teaching with emergency or provisional credentials (See item 25 above for the equivalent requirement in the California Education code). 	<p>The No Child Left Behind Act (NCLB) requires that all teachers teaching in core academic subjects within the State are to be “highly qualified” not later than the end of the 2005-06 school year. In general, NCLB requires that to be designated as highly qualified, a teacher must meet the following three criteria:</p> <ul style="list-style-type: none"> • Possession of a Bachelor’s degree • Possession of an appropriate California teaching credential • Demonstrated core academic subject area competence by means of exam, coursework, advanced certification or completion of the California High Objective Uniform State Standard of Evaluation (HOUSSE) in the subject area being taught. <p>Additional information about NCLB definitions, requirements and procedures pertaining to highly qualified teachers are contained in the “March 1, 2004 NCLB Teacher Requirement Resource Guide” available at the following Web site: http://www.cde.ca.gov/pr/nclb/teachqual/not03teacherguide</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
27.	<p>The percentage of classes in the State not taught by highly qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools which, for the purpose of this clause, means schools in the top quartile of poverty and the bottom quartile of poverty in the State.</p> <p>PL 107-110 Section 1111(h)(1)(C)(viii)</p>	<p>For the school and the local educational agency, the percentage of classes in core academic subject areas (as defined by NCLB) taught by highly qualified teachers.</p> <p>For the school and the local educational agency, the percentage of classes in core academic subject areas (as defined by NCLB) taught by highly qualified teachers, disaggregated by high-poverty compared to low-poverty schools which, for the purpose of this clause, means schools in the top quartile of poverty and the bottom quartile of poverty.</p>	<p>The No Child Left Behind Act (NCLB) requires that all teachers teaching in core academic subjects are to be “highly qualified” not later than the end of the 2005-06 school year. In general, NCLB requires that to be designated as highly qualified, a teacher must meet the following three criteria:</p> <ul style="list-style-type: none"> • Possession of a Bachelor’s degree • Possession of an appropriate California teaching credential • Demonstrated core academic subject area competence by means of exam, coursework, advanced certification or completion of the California High Objective Uniform State Standard of Evaluation (HOUSSE) in the subject area being taught. <p>Additional information about NCLB definitions, requirements and procedures pertaining to highly qualified teachers are contained in the “March 1, 2004 NCLB Teacher Requirement Resource Guide” available at the following Web site: http://www.cde.ca.gov/pr/nclb/teachqual/not03teacherguide.</p> <p>Data are reported on the Consolidated Application. Information about the consolidated application is available at the following Web site: http://www.cde.ca.gov/demographics/csis/conapp</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
28.	<p>Adequacy of teacher evaluations and opportunities for professional improvement, including the annual number of school days dedicated to staff development for the most recent three-year period.</p> <p>EC Sec. 33126 (b)(10)</p>	<p>Description of the procedures and criteria for teacher evaluation.</p>	<p>Are teacher evaluation procedures and criteria defined (1) in the bargaining unit contract, (2) through district-wide procedures, (3) at the school site, or (4) other?</p> <p>How often are teachers evaluated?</p> <ul style="list-style-type: none"> • Differences among tenured, probationary, emergency-permit teachers • Special/unscheduled evaluations <p>What are the evaluation criteria?</p> <ul style="list-style-type: none"> • Differences among tenured, probationary, emergency-permit teachers • Specified versus open <p>Who gets the results of teacher evaluations?</p> <ul style="list-style-type: none"> • Confidentiality • Satisfactory versus in need of improvement versus unsatisfactory <p>Data provided by LEA</p>
29.	<p>Availability of qualified substitute teachers.</p> <p>EC Sec. 33126 (b)(8)</p>	<p>Statement regarding whether the school has had any difficulties in securing qualified substitute teachers. If so, a statement regarding whether the lack of available credentialed substitute teachers has had an impact upon the instructional program.</p>	<p>Narrative is developed by the local educational agency/school.</p> <p>Data provided by LEA</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
Curriculum and Instruction			
30.	<p>Quality of school instruction and leadership.</p> <p>EC Sec. 33126 (b)(13)</p>	<p>School Leadership: Description of the experience and tenure of the principal. If the school has a designated leadership team, description of its membership, roles, and purpose.</p> <p>Instruction: Description of the instructional program for all students, the supports and services for students with special needs and the process for monitoring student progress toward standards.</p>	<p>Narrative is developed by the local educational agency/school. What are the experience and tenure of the principal?</p> <p>How does the administrator involve parents and staff in decision-making?</p> <p>Does the school have a “recognized” leadership team? If yes:</p> <ul style="list-style-type: none"> • Members • Purpose/roles and responsibilities <p>What is the instructional program for all students?</p> <ul style="list-style-type: none"> • Instructional focus (schoolwide) • Standards-based instruction • Access to core curriculum <p>What supports and services are available for students with special needs?</p> <ul style="list-style-type: none"> • GATE students • At-risk students • English-language learners • Students with disabilities • After-school programs • Tutoring • Peer tutoring <p>How do we know how students are doing?</p> <ul style="list-style-type: none"> • Processes for monitoring student performance and progress • Reporting student progress to staff, students, parents, the school community <p>Data provided by LEA</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
31.	<p>Teacher and staff training, and curriculum improvement programs.</p> <p>EC Sec. 33126 (b)(12)</p>	<p>Description of how teachers and staff are trained for instructional improvement.</p> <p>The number of days for professional development and continuous professional growth.</p>	<p>Narrative is developed by the local educational agency/school.</p> <p>How do teachers and staff participate in staff development to help them improve instruction:</p> <ul style="list-style-type: none"> • All classroom teachers • New teachers (e.g., BTSA) • Non-classroom teachers • National Board Certified Teachers • Teachers experiencing difficulty/in need of improvement (e.g., Peer Assistance and Review) • Paraprofessionals (e.g., instructional aides, teacher assistants) • Non-instructional support staff (e.g., clerical, custodial) <p>List the primary/major areas of focus of staff development and specify how they were selected. (For example, were student achievement data used to determine the need for professional development in reading instruction?)</p> <p>What are the methods by which professional development is delivered (for example, after-school workshops, conference attendance, individual mentoring)?</p> <p>How are teachers supported during implementation (for example, through in-class coaching, teacher-principal meetings, and student performance data reporting)?</p> <p>Data provided by LEA</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
32.	<p>Quality and currency of textbooks and other instructional materials, including whether textbooks and other materials meet state standards and have been adopted by the State Board of Education for kindergarten and grades 1 to 8, inclusive, and adopted by the governing boards of school districts for grades 9 to 12, inclusive, and the ratio of textbooks per pupil and the year the textbooks were adopted.</p> <p>EC Sec. 33126 (b)(6)</p>	<p>List of the textbooks/instructional materials used in the core subjects (English-language arts, mathematics, science, and history/social science), including:</p> <ul style="list-style-type: none"> • The year in which they were adopted, and • Whether they were selected from the most recent list of standards-based materials adopted by the State Board of Education (Kindergarten and grades 1 to 8, inclusive) or the local governing board (grades 9 to 12, inclusive), consistent with the state textbook adoption cycle. <p>For textbooks and instructional materials that are not from the most recent state-approved list, explanation of why non-adopted materials are being used and how they are aligned with state standards.</p> <p>Description of how each student has access to current, standards-based textbooks and other instructional materials.</p>	<p>List and narrative are developed by the local educational agency/school.</p> <p>For subject areas in which there has not yet been a standards-aligned state adoption:</p> <ul style="list-style-type: none"> • In which year is the state expected to adopt such materials? • In which year does the district expect to select and implement new materials from the state-approved list? <p>Do all students have access to textbooks and other instructional materials in each core subject area that are current and in good condition? If not,</p> <ul style="list-style-type: none"> • What are the reasons? • What is being done or planned to provide such access? <p>Data provided by LEA</p>
33.	<p>The total number of instructional minutes offered in the school year, separately stated for each grade level, as compared to the total number of the instructional minutes per school year required by state law, separately stated for each grade level.</p> <p>EC Sec. 33126 (b)(15)</p>	<p>List of the total number of overall instructional minutes by grade level in comparison to 36,000 minutes for Kindergarten; 50,400 minutes for grades 1 to 3 inclusive; 54,000 minutes for grades 4 to 8, inclusive; and 64,800 minutes for grades 9 to 12, inclusive.</p>	<p>The Education Code section governing instructional minutes is EC 46201.</p> <p>On-campus passing times between classes (up to 10 minutes) are considered part of the total of instructional minutes.</p> <p>Data provided by LEA</p>
34.	<p>The total number of minimum days, as specified in Sections 46112, 46113, 46117, and 46141, in the school year.</p> <p>EC Sec. 33126 (b)(16)</p>	<p>Statement regarding the number of days that students attended school on a shortened day schedule (less than a regular school day).</p> <p>Description of the reasons for the shortened day schedule.</p>	<p>Information and narrative are developed by the local educational agency/school.</p> <p>Data provided by LEA</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
Post-Secondary Preparation			
35.	<p>The number of Advanced Placement courses offered, by subject.</p> <p>EC Sec. 33126 (b)(17)</p>	<p>The number of Advanced Placement courses and classes offered, and the enrollment in various Advanced Placement (AP) or International Baccalaureate (IB) courses, by subject.</p>	<p>Data are reported from CBEDS and may be obtained at the following Web site: http://www.cde.ca.gov/dataquest.</p> <p>Data provided by CDE</p>
36.	<p>For secondary schools, the percentage of graduates who have passed course requirements for entrance to the University of California and the California State University pursuant to Section 51225.3 and the percentage of pupils enrolled in those courses, as reported by the California Basic Education Data System or any successor data system.</p> <p>EC Sec. 33126 (b)(23)</p>	<p>The percentage of pupils enrolled in courses required for UC and/or CSU admission is calculated by dividing the total number of pupils in courses required for UC and/or CSU admission (duplicated count) by the total number of pupils in all courses (also a duplicated count) for the most recent year.</p> <p>The percentage of graduates is the number of graduates who have passed course requirements for UC and/or CSU admission divided by the school's California Basic Educational Data Systems (CBEDS) total graduates for the most recent year.</p>	<p>Data are reported from CBEDS and may be obtained at the following Web site: http://www.cde.ca.gov/dataquest.</p> <p>Data provided by CDE</p>
37.	<p>Secondary schools with high school seniors shall list both the average verbal and math Scholastic Assessment Test scores to the extent provided to the school and the percentage of seniors taking that exam for the most recent three-year period.</p> <p>EC Sec. 33126 (b)(1)(D)</p>	<p>For the most recent three-year period: Grade 12 enrollment from CBEDS, percentage of students taking the SAT-1, average verbal and average math score compared to the district and state average.</p>	<p>Some schools may wish to include American College Test (ACT) results in addition to those from the Scholastic Assessment Test (SAT).</p> <p>SAT results may be found at the following Web site: http://www.cde.ca.gov/ope/research/sat/.</p> <p>ACT results may be found at the following Web site: http://www.cde.ca.gov/ope/research/act/.</p> <p>Data provided by CDE</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
38.	Whether the school has a college admission test preparation course program. EC Sec. 33126 (b)(24)	Indicate whether the school has a college admission test preparation course program. If so, describe the program.	Narrative is developed by the local educational agency/school. Data provided by LEA

	Specific Requirement	Definition(s)	Guidelines and Data Sources
39.	<p>The degree to which pupils are prepared to enter the workforce.</p> <p>EC Sec. 33126 (b)(14)</p>	<p>Description of:</p> <ul style="list-style-type: none"> • Programs and classes offered by the school that are specifically focused on career preparation and/or preparation for work • How these programs and classes are integrated with academic courses and how they support academic achievement • How the school addresses the needs of all students in career preparation and/or preparation for work, including needs unique to defined special populations of students • The measurable outcomes of these programs and classes, and how they are evaluated for effectiveness in attaining those outcomes <p>Provide enrollment, concentration and completion data on all career-technical education programs and classes, including academic and skills achievement, as reported in Carl D. Perkins Vocational and Technical Education Act program data.</p>	<p>Description of the size and scope of the career-technical programs (CTE) and courses offered:</p> <ul style="list-style-type: none"> • Directly at the school • Through Regional Occupational Centers and Programs (ROCPs) • In Partnership Academies and career academies • In Specialized Secondary Programs, etc. <p>Description of how these programs and classes support academic achievement as evidenced by:</p> <ul style="list-style-type: none"> • Courses that have been revised to incorporate state-adopted academic standards • Courses that satisfy the district’s graduation requirements • Courses that satisfy the A-G entrance requirements for the UC and CSU systems <p>Description of steps the school takes to assure equitable access and successful outcomes for all students in career-technical programs and courses by:</p> <ul style="list-style-type: none"> • Counseling and guidance • Professional development • Additional support services such as child care, transportation, etc. • Collaborating with youth development and economic development systems in the region <p>Description of the outcomes or criteria utilized by the school to measure the effectiveness of these programs and courses, such as:</p> <ul style="list-style-type: none"> • Mastery of “employment readiness standards,” both basic and industry-specific • Results of career-technical skills assessments • Business, labor, and other community stakeholder support • Participation in career-technical student organizations • Placement of program completers in employment, postsecondary education, or the military <p>Statistical data may be found in <i>Report of Student Enrollment and Program Completion in Career/Technical Education Programs Conducted by Unified and Union High School Districts, County Offices of Education, Adult Education and ROCPs.</i></p> <ul style="list-style-type: none"> • Enrollment-Page 1 • Number Secondary CTE Students <p>Concentrators-Page 3, Column A</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
Fiscal and Expenditure Data			
40.	<p>The beginning, median, and highest salary paid to teachers in the district, as reflected in the district's salary scale.</p> <p>EC Sec. 41409.3 (a)</p>	<p>The beginning, median, and highest salary paid to teachers in the district, as reflected in the district's salary scale. Average salary data are based on salaries actually paid to teachers.</p>	<p>State certification/release dates for fiscal data occur in middle to late spring, precluding the inclusion of 2002-03 data in most cases. Therefore, 2002-03 data are utilized for SARCs prepared during 2004-05. Additional information regarding the calculation of average salary data may be obtained at the following Web site: http://www.cde.ca.gov/fiscal/financial/.</p> <p>Since these data are older than those of other elements of the report, a brief narrative to explain resulting anomalies may be added, if appropriate.</p> <ul style="list-style-type: none"> • Beginning teachers are those teachers in their first year of teaching • For mid-range teacher salaries, districts should select a teacher with ten years of experience and a bachelor's degree plus 60 semester units. • For the highest teachers' salary, districts should select the highest paid teacher in the district • Districts that did not employ a teacher in one of these categories during the fiscal year should review their salary schedule and determine what salary they would have paid a teacher in the appropriate category <p>Data provided by CDE</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
41.	<p>The average salary for schoolsite principals in the district.</p> <p>EC Sec. 41409.3 (b)</p>	<p>The average annualized salary for school site principals reported in Section IV: "Other Salary Data" on Form J-90.</p>	<p>State certification/release dates for fiscal data occur in middle to late spring, precluding the inclusion of 2003-04 data in most cases. Therefore, 2002-03 data are utilized for SARCs prepared during 2004-05.</p> <p>Additional information regarding the calculation of average salary data may be obtained at the following Web site: http://www.cde.ca.gov/fiscal/financial/.</p> <p>Since these data are older than those of other elements of the report, a brief narrative to explain resulting anomalies may be added, if appropriate.</p> <p>Data provided by CDE</p>
42.	<p>The salary of the district superintendent.</p> <p>EC Sec. 41409.3 (c)</p>	<p>The district superintendent's annualized salary reported in Section IV: "Other Salary Data" on Form J-90.</p>	<p>State certification/release dates for fiscal data occur in middle to late spring, precluding the inclusion of 2003-04 data in most cases. Therefore, 2002-03 data are utilized for SARCs prepared during 2004-05.</p> <p>Additional information regarding the calculation of average salary data may be obtained at the following Web site: http://www.cde.ca.gov/fiscal/financial/.</p> <p>Since these data are older than those of other elements of the report, a brief narrative to explain resulting anomalies may be added, if appropriate.</p> <p>Data provided by CDE</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
43.	<p>Based upon the state summary information provided by the Superintendent of Public Instruction pursuant to subdivision (b) of Section 41409, the statewide average salary for the appropriate size and type of district for beginning, midrange, and highest salary paid to teachers.</p> <p>EC Sec. 41409.3 (d)(1)</p>	<p>Definition and information provided by the California Department of Education and reported to county offices of education and school districts by means of an annual management bulletin from the fiscal branch of the California Department of Education.</p> <p>Statewide salary averages are derived from information collected on Form J-90, Salary and Benefits Schedule for the Certificated Bargaining Unit (Form J-90). The averages reflect only those salaries in school districts that submitted Form J-90. A weighted methodology was used to determine average paid salaries.</p>	<p>State certification/release dates for fiscal data occur in middle to late spring, precluding the inclusion of 2003-04 data in most cases. Therefore, 2002-03 data are utilized for SARCs prepared during 2004-05.</p> <p>Additional information regarding the calculation of average salary data may be obtained at the following Web site: http://www.cde.ca.gov/fiscal/financial/.</p> <p>Since these data are older than those of other elements of the report, a brief narrative to explain resulting anomalies may be added, if appropriate.</p> <p>Data provided by CDE</p>
44.	<p>Based upon the state summary information provided by the Superintendent of Public Instruction pursuant to subdivision (b) of Section 41409, the statewide average salary for the appropriate size and type of district for schoolsite principals.</p> <p>EC Sec. 41409.3 (d)(2)</p>	<p>Definition and information provided by the California Department of Education and reported to county offices of education and school districts by means of an annual management bulletin from the fiscal branch of the California Department of Education.</p> <p>Statewide salary averages are derived from information collected on Form J-90, Salary and Benefits Schedule for the Certificated Bargaining Unit (Form J-90). The averages reflect only those salaries in school districts that submitted Form J-90. A weighted methodology was used to determine average paid salaries.</p>	<p>State certification/release dates for fiscal data occur in middle to late spring, precluding the inclusion of 2003-04 data in most cases. Therefore, 2002-03 data are utilized for SARCs prepared during 2004-05.</p> <p>Additional information regarding the calculation of average salary data may be obtained at the following Web site: http://www.cde.ca.gov/fiscal/financial/.</p> <p>Since these data are older than those of other elements of the report, a brief narrative to explain resulting anomalies may be added, if appropriate.</p> <p>Data provided by CDE</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
45.	<p>Based upon the state summary information provided by the Superintendent of Public Instruction pursuant to subdivision (b) of Section 41409, the statewide average salary for the appropriate size and type of district for district superintendents.</p> <p>EC Sec. 41409.3 (d)(3)</p>	<p>Definition and information provided by the California Department of Education and reported to county offices of education and school districts by means of an annual management bulletin from the fiscal branch of the California Department of Education.</p> <p>Statewide salary averages are derived from information collected on Form J-90, Salary and Benefits Schedule for the Certificated Bargaining Unit (Form J-90). The averages reflect only those salaries in school districts that submitted Form J-90. A weighted methodology was used to determine average paid salaries.</p>	<p>State certification/release dates for fiscal data occur in middle to late spring, precluding the inclusion of 2003-04 data in most cases. Therefore, 2002-03 data are utilized for SARCs prepared during 2004-05.</p> <p>Additional information regarding the calculation of average salary data may be obtained at the following Web site: http://www.cde.ca.gov/fiscal/financial/.</p> <p>Since these data are older than those of other elements of the report, a brief narrative to explain resulting anomalies may be added, if appropriate.</p> <p>Data provided by CDE</p>
46.	<p>The statewide average of the percentage of school district expenditures allocated for the salaries of administrative personnel for the appropriate size and type of district for the most recent fiscal year, provided by the Superintendent of Public Instruction Per subdivision (a) of Section 41409.</p> <p>EC Sec. 41409.3 (e)</p>	<p>Definition and information provided by the California Department of Education and reported to county offices of education and school districts by means of an annual management bulletin from the fiscal branch of the California Department of Education.</p> <p>Percentage of expenditures allocated to salaries of administrative personnel, as defined in object of expenditure classifications 1200, 1300, 1700, 1800, and 2200 (Objects 1300 and 2300 using the standardized account code structure coding) of the California School Accounting Manual.</p>	<p>State certification/release dates for fiscal data occur in middle to late spring, precluding the inclusion of 2003-04 data in most cases. Therefore, 2002-03 data are utilized for SARCs prepared during 2004-05.</p> <p>Additional information regarding the calculation of average salary data may be obtained at the following Web site: http://www.cde.ca.gov/fiscal/financial/.</p> <p>Since these data are older than those of other elements of the report, a brief narrative to explain resulting anomalies may be added, if appropriate.</p> <p>Data provided by CDE</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
47.	<p>The percentage allocated under the district's corresponding fiscal year expenditure for the salaries of administrative personnel, as defined in Sections 1200, 1300, 1700, 1800, and 2200 of the California School Accounting Manual published by the State Department of Education.</p> <p>EC Sec. 41409.3 (f)</p>	<p>The sum of California Accounting Manual Object of Expenditure Accounts 1200, 1300, 1700, 1800, and 2200 divided by total general fund accounts 1000 through 7999.</p>	<p>State certification/release dates for fiscal data occur in middle to late spring, precluding the inclusion of 2003-04 data in most cases. Therefore, 2002-03 data are utilized for SARCs prepared during 2004-05.</p> <p>Additional information regarding the calculation of average salary data may be obtained at the following Web site: http://www.cde.ca.gov/fiscal/financial/.</p> <p>Since these data are older than those of other elements of the report, a brief narrative to explain resulting anomalies may be added, if appropriate.</p> <p>Data provided by CDE</p>
48.	<p>The statewide average of the percentage of school district expenditures allocated for the salaries of teachers for the appropriate size and type of district for the most recent fiscal year, provided by the Superintendent of Public Instruction, pursuant to subdivision (a) of Section 41409.</p> <p>EC Sec. 41409.3 (g)</p>	<p>Definition and information provided by the California Department of Education and reported to county offices of education and school districts by means of an annual management bulletin from the fiscal branch of the California Department of Education.</p> <p>Percentage of expenditures allocated to salaries of teachers, as defined in object of expenditure classification 1100 of the California School Accounting Manual.</p>	<p>State certification/release dates for fiscal data occur in middle to late spring, precluding the inclusion of 2003-04 data in most cases. Therefore, 2002-03 data are utilized for SARCs prepared during 2004-05.</p> <p>Additional information regarding the calculation of average salary data may be obtained at the following Web site: http://www.cde.ca.gov/fiscal/financial/.</p> <p>Since these data are older than those of other elements of the report, a brief narrative to explain resulting anomalies may be added, if appropriate.</p> <p>Data provided by CDE</p>

	Specific Requirement	Definition(s)	Guidelines and Data Sources
49.	<p>The percentage expended for the salaries of teachers, as defined in Section 1100 of the California School Accounting Manual published by the State Department of Education.</p> <p>EC Sec. 41409.3 (h)</p>	<p>Definition and information provided by the California Department of Education and reported to county offices of education and school districts by means of an annual management bulletin from the fiscal branch of the California Department of Education.</p> <p>Total expenditures reported in California School Accounting Manual Object of Expenditure Account 1100 divided by total General Fund accounts 1000 through 7999.</p>	<p>State certification/release dates for fiscal data occur in middle to late spring, precluding the inclusion of 2003-04 data in most cases. Therefore, 2002-03 data are utilized for SARCs prepared during 2004-05.</p> <p>Additional information regarding the calculation of average salary data may be obtained at the following Web site: http://www.cde.ca.gov/fiscal/financial/.</p> <p>Since these data are older than those of other elements of the report, a brief narrative to explain resulting anomalies may be added, if appropriate.</p> <p>Data provided by CDE</p>
50.	<p>Estimated expenditures per pupil and types of services funded.</p> <p>EC Sec. 33126 (3)</p>	<p>Total district expenditures from the General Fund as well as categorical funds, district average expenditures per pupil, district average expenditures per pupil for districts in the same category, and state average expenditures per pupil for all districts.</p> <p>Description of the programs and supplemental services that are provided at the school either through categorical funds or other sources.</p>	<p>Schools may wish to provide additional site-specific information if their site expenditures differ significantly from the district average (e.g., due to additional grants or participation/nonparticipation in certain categorical programs).</p> <p>Data provided by LEA</p>

School Accountability Report Card
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Mod: 3/23/04

Notes regarding the source and currency of data:

Data included in this School Accountability Report Card (SARC) are consistent with State Board of Education guidelines, which are available at the California Department of Education Web site at <http://www.cde.ca.gov/ope/sarc/data.htm>. Most data presented in this report were collected from the 2003-04 school year or from the two preceding years (2001-02 and 2002-03). Due to the certification timelines for graduation, dropout, and fiscal information, the data for these sections of the report were collected in 2002-03. A glossary of terms is available at <http://www.cde.ca.gov/demographics/glossary>.

School Information		District Information	
School Name		District Name	
Principal		Superintendent	
Street		Street	
City, State, Zip		City, State, Zip	
Phone Number		Phone Number	
Fax Number	<i>To be provided by Local Educational Agency (LEA)</i>	Fax Number	
Web Site		Web Site	<i>To be provided by LEA</i>
E-mail Address		E-mail Address	
CDS Code		SARC Contact	

School Description and Mission Statement

Narrative to be provided by LEA

Opportunities for Parental Involvement

Contact Person Name	<i>To be provided by LEA</i>	Contact Person Phone Number	<i>To be provided by LEA</i>
<i>Narrative to be provided by LEA</i>			

I. Demographic Information

Student Enrollment, by Grade Level

Data reported are the number of students in each grade level as reported by the California Basic Educational Data System (CBEDS).

Grade Level	Enrollment	Grade Level	Enrollment
Kindergarten		Grade 9	
Grade 1		Grade 10	
Grade 2		Grade 11	
Grade 3		Grade 12	
Grade 4		Ungraded Secondary	
Grade 5			
Grade 6			
Grade 7			
Grade 8			
Ungraded Elementary		Total Enrollment	

Student Enrollment, by Ethnic Group

Data reported are the number and percent of students in each racial/ethnic category as reported by CBEDS.

Racial/Ethnic Category	Number of Students	Percent of Students	Racial/Ethnic Category	Number of Students	Percent of Students
African-American			Hispanic or Latino		
American Indian or Alaska Native			Pacific Islander		
Asian			White (Not Hispanic)		
Filipino			Multiple or No Response		

II. School Safety and Climate for Learning

School Safety Plan

Date of Last Review/Update	<i>To be provided by LEA</i>	Date Last Discussed with Staff	<i>To be provided by LEA</i>
<i>Narrative to be provided by LEA</i>			

School Programs and Practices that Promote a Positive Learning Environment

<i>Narrative to be provided by LEA</i>
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Suspensions and Expulsions

Data reported are the number of suspensions and expulsions (i.e., the total number of incidents that result in a suspension or expulsion). The rate of suspensions and expulsions is the total number of incidents divided by the school's total enrollment as reported by CBEDS for the given year. In unified school districts, a comparison between a particular type of school (elementary, middle, high) and the district average may be misleading. Schools have the option of comparing their data with the district-wide average for the same type of school.

	School			District		
	2002	2003	2004	2002	2003	2004
Number of Suspensions						
Rate of Suspensions	<i>To be provided by LEA</i>			<i>To be provided by LEA</i>		
Number of Expulsions						
Rate of Expulsions						

School Facilities

<i>Narrative to be provided by LEA</i>
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III. Academic Data

Standardized Testing and Reporting (STAR)

Through the California Standardized Testing and Reporting (STAR) program, students in grades 2-11 are tested annually in various subject areas. Currently, the STAR program includes California Standards Tests (CST) in English-language arts and mathematics in grades 2-11, science in grades 9-11 and history/social science in grades 8, 10-11, and a norm-referenced test, which tests reading, language, and mathematics in grades 2-11, spelling in grades 2-8, and science in grades 9-11.

California Standards Tests (CST)

The California Standards Tests (CST) show how well students are doing in relation to the state content standards. Student scores are reported as performance levels. The five performance levels are Advanced (exceeds state standards), Proficient (meets state standards), Basic (approaching state standards), Below Basic (below state standards), and Far Below Basic (well below state standards). Students scoring at the Proficient or Advanced level meet state standards in that content area. Students with significant cognitive disabilities that are unable to take the CST are tested using the California Alternate Performance Assessment (CAPA). Detailed information regarding CST and CAPA results for each grade and proficiency level can be found at the California Department of Education Web site at <http://star.cde.ca.gov/> or by speaking with the school principal. *Note: To protect student privacy, scores are not shown when the number of students tested is 10 or less.*

CST - All Students

Data reported are the percent of students achieving at the Proficient or Advanced level (meeting or exceeding the state standards).

Subject	School			District			State		
	2002	2003	2004	2002	2003	2004	2002	2003	2004
English-Language Arts									
Mathematics									
Science									
History/Social Science									

CST - Racial/Ethnic Groups

Data reported are the percent of students achieving at the Proficient or Advanced level (meeting or exceeding the state standards).

Subject	African-American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White (not Hispanic)
English-Language Arts							
Mathematics							
Science							
History/Social Science							

CST – Subgroups

Data reported are the percent of students achieving at the Proficient or Advanced level (meeting or exceeding the state standards).

Subject	Male	Female	English Learners	Socioeconomically Disadvantaged		Students With Disabilities		Migrant Education Services
				Yes	No	Yes	No	
English-Language Arts								
Mathematics								
Science								
History/Social Science								

Norm Referenced Test (NRT)

Reading and mathematics results from the California Achievement Test, Sixth Edition (CAT-6), the current NRT adopted by the State Board of Education, are reported for each grade level as the percent of tested students scoring at or above the 50th percentile (the national average). School results are compared to results at the district and state levels. The CAT-6 was adopted in 2003; therefore, no data are reported for 2002. Detailed information regarding results for each grade level can be found at the California Department of Education Web site at <http://star.cde.ca.gov/> or by speaking with the school principal. *Note: To protect student privacy, scores are not shown when the number of students tested is 10 or less.*

Academic Performance Index (API)

The **Academic Performance Index (API)** is a score on a scale of 200 to 1000 that annually measures the academic performance and progress of individual schools in California. On an interim basis, the state has set 800 as the API score that schools should strive to meet.

Growth Targets: The annual growth target for a school is 5 percent of the distance between its Base API and 800. The growth target for a school at or above 800 is to remain at or above 800. Actual growth is the number of API points a school gained between its base and growth years. Schools that reach their annual targets are eligible for awards. Schools that do not meet their targets and have a statewide API rank of one to five are eligible to participate in the Immediate Intervention/Underperforming Schools Program (II/USP), which provides resources to schools to improve their academic achievement. There was no money allocated to the II/USP Program in 2002 or 2003.

Subgroup APIs and Targets: In addition to a schoolwide API, schools also receive API scores for each numerically significant subgroup in the school (i.e., racial/ethnic subgroups and socioeconomically disadvantaged students). Growth targets, equal to 80 percent of the school's target, are also set for each of the subgroups. Each subgroup must also meet its target for the school to be eligible for awards.

Percent Tested: In order to be eligible for awards, elementary and middle schools must test at least 95 percent of their students in grades 2-8 and high schools must test at least 90 percent of their students in grades 9-11 on STAR.

Statewide Rank: Schools receiving a Base API score are ranked in ten categories of equal size (deciles) from one (lowest) to ten (highest), according to type of school (elementary, middle, or high school).

Similar Schools Rank: Schools also receive a ranking that compares that school to 100 other schools with similar demographic characteristics. Each set of 100 schools is ranked by API score from one (lowest) to ten (highest) to indicate how well the school performed compared to schools most like it.

API criteria are subject to change as new legislation is enacted into law. Detailed information about the API and the Public Schools Accountability Act (PSAA) can be found at the California Department of Education Web site at <http://cde.ca.gov/psaa/api/> or by speaking with the school principal.

Schoolwide API

API Base Data				API Growth Data			
	2001	2002	2003		From 2001 to 2002	From 2002 to 2003	From 2003 to 2004
Percent Tested				Percent Tested			
API Base Score				API Growth Score			
Growth Target				Actual Growth			
Statewide Rank							
Similar Schools Rank							

API Subgroups – Racial/Ethnic Groups

API Base Data				API Growth Data			
	2001	2002	2003		From 2001 to 2002	From 2002 to 2003	From 2003 to 2004
African-American				African-American			
API Base Score				API Growth Score			
Growth Target				Actual Growth			
American Indian or Alaska Native				American Indian or Alaska Native			
API Base Score				API Growth Score			
Growth Target				Actual Growth			
Asian				Asian			
API Base Score				API Growth Score			
Growth Target				Actual Growth			
Filipino				Filipino			
API Base Score				API Growth Score			
Growth Target				Actual Growth			
Hispanic or Latino				Hispanic or Latino			
API Base Score				API Growth Score			
Growth Target				Actual Growth			
Pacific Islander				Pacific Islander			
API Base Score				API Growth Score			
Growth Target				Actual Growth			
White (not Hispanic)				White (not Hispanic)			
API Base Score				API Growth Score			
Growth Target				Actual Growth			

API Subgroups – Socioeconomically Disadvantaged

API Base Data				API Growth Data			
	2001	2002	2003		From 2001 to 2002	From 2002 to 2003	From 2003 to 2004
API Base Score				API Growth Score			
Growth Target				Actual Growth			

State Award and Intervention Programs

Although state intervention and awards programs are currently in the California Education Code, the programs were not funded for the period addressed by this report. Therefore there are currently no data available to report.

Federal Intervention Program

Schools receiving Title I funding enter federal Program Improvement (PI) if they do not make Adequate Yearly Progress (AYP) for two consecutive years. After entering PI, schools advance to the next level of intervention with each additional year that they do not make AYP. Information about PI, including a list of all PI schools, can be found at the California Department of Education Web site at http://www.cde.ca.gov/ayp/titleone/TI_disclaimer1.htm or by speaking with the district superintendent's office.

	School	District
Year Identified for Program Improvement		
Years in Program Improvement		
Year Exited Program Improvement		
Number of Schools Identified for Program Improvement	--	
Percent of Schools Identified for Program Improvement	--	

Adequate Yearly Progress (AYP)

The federal No Child Left Behind Act (NCLB) requires that all students perform at or above the Proficient level on the state's standards-based assessments by 2014. In order to achieve this goal and meet annual performance objectives, districts and schools must improve each year according to set requirements. A "Yes" in the following table displaying Overall AYP Status indicates that AYP was met for all students and all subgroups, or that exception criteria were met, or that an appeal of the school or district's AYP status was approved. Additional data by subgroup show whether all groups of students in the school and district made the annual measurable objectives for the percent Proficient or above and the participation rate required under AYP. Detailed information about AYP can be found at the California Department of Education Web site at <http://www.cde.ca.gov/ayp/> or by speaking with the school principal.

	School			District		
	2002	2003	2004	2002	2003	2004
Overall AYP Status	---	---		---	---	

AYP Status by Subgroup	School			District		
	2002	2003	2004	2002	2003	2004
All Students	---	---		---	---	
African American	---	---		---	---	
American Indian or Alaska Native	---	---		---	---	
Asian	---	---		---	---	
Filipino	---	---		---	---	
Hispanic or Latino	---	---		---	---	
Pacific Islander	---	---		---	---	
White (not Hispanic)	---	---		---	---	
Socioeconomically Disadvantaged	---	---		---	---	
English Learners	---	---		---	---	
Students with Disabilities	---	---		---	---	

Average Teaching Load and Teaching Load Distribution

Data reported are the average class size and the number of classrooms that fall into each size category (i.e., number of students), by subject area as reported by CBEDS.

Subject	2002				2003				2004			
	Avg. Class Size	Number of Classrooms			Avg. Class Size	Number of Classrooms			Avg. Class Size	Number of Classrooms		
		1-22	23-32	33+		1-22	23-32	33+		1-22	23-32	33+
English												
Mathematics												
Science												
Social Science												

Class Size Reduction

California's K-3 Class Size Reduction Program began in 1996 for children in kindergarten and grades one through three. Funding is provided to participating school districts to decrease the size of K-3 classes to 20 or fewer students per certificated teacher. Data reported are the percent of students in each grade level in the school that are in a class size reduction classroom.

Percent of Students Participating			
Grade Level	2002	2003	2004
K			
1	<i>To be provided by LEA</i>		
2			
3			

VI. Teacher and Staff Information

Highly Qualified Teachers

The No Child Left Behind Act (NCLB) requires that all teachers teaching in core academic subjects are to be "highly qualified" not later than the end of the 2005-06 school year. In general, NCLB requires that each teacher must have: (1) a Bachelor's degree, (2) a state credential or an Intern Certificate/Credential for no more than three years, and (3) demonstrated subject matter competence for each core subject they teach. More information on teacher qualifications required under NCLB can be found at the California Department of Education's Web site at <http://www.cde.ca.gov/pr/nclb/teachqual/>.

Teacher Credentials

Data reported are the number of teachers (full-time and part-time) as reported by the California Basic Educational Data System (CBEDS). Each teacher is counted as '1'. If a teacher works at two schools, he/she is only counted at one school. Data are not available for teachers with a full credential and teaching outside his/her subject area.

	2002	2003	2004
Total Teachers			
Teachers with Full Credential (full credential and teaching in subject area)			
Teachers Teaching Outside Subject Area (full credential but teaching outside subject area)	<i>To be provided by LEA</i>		
Teachers with Emergency Credential (includes District Internship, University Internship, Pre-Interns, and Emergency Permits)			
Teachers with Waivers (does not have credential and does not qualify for an Emergency Permit)			

Teacher Education Level

Data reported are the percent of teachers teaching in core content areas (as defined by NCLB) at each education level.

	School	District
Doctorate		
Master's Degree + 30		
Master's Degree		
Bachelor's Degree + 30		
Bachelor's Degree		
Less than Bachelor's		
None Reported		

The Percentage of Core Academic Courses Taught by Highly Qualified Teachers

Data reported are the percent of classes in core content areas taught by highly qualified teachers (as defined by NCLB).

	School	District
Total		
In High-Poverty Schools	N/A	
In Low-Poverty Schools	N/A	

Teacher Evaluations

Narrative to be provided by LEA

Substitute Teachers

Narrative to be provided by LEA

Counselors and Other Support Staff

Data reported are in units of full-time equivalents (FTE). One FTE is defined as a staff person who is working 100 percent (i.e., full time). Two staff persons who each work 50 percent of full time also equal one FTE.

Title	FTE
Counselor	
Librarian	
Psychologist	
Social Worker	
Nurse	
Speech/Language/Hearing Specialist	
Resource Specialist (non-teaching)	
Other	

Academic Counselors

Data reported are in units of full-time equivalents (FTE). One FTE is defined as a staff person who is working 100 percent (i.e., full time). Two staff persons who each work 50 percent of full time also equal one FTE. The ratio of students per academic counselor is defined as enrollment as reported by CBEDS divided by the full-time-equivalent academic counselors.

Number of Academic Counselors (FTE)	Ratio of Students Per Academic Counselor

VII. Curriculum and Instruction

School Instruction and Leadership

Narrative to be provided by LEA

Professional Development

Narrative to be provided by LEA

Quality and Currency of Textbooks and Other Instructional Materials

Narrative to be provided by LEA

Instructional Minutes

The California *Education Code* establishes a required number of instructional minutes per year for each grade. Data reported compares the number of instructional minutes offered at the school level to the state requirement for each grade.

Grade Level	Instructional Minutes	
	Offered	State Requirement
K		36,000
1		50,400
2		50,400
3		50,400
4	<i>To be provided by LEA</i>	54,000
5		54,000
6		54,000
7		54,000
8		54,000
9		64,800
10		64,800
11		64,800
12		64,800

Continuation School Instructional Days

Data reported are the number of instructional days offered at the school level compared to the state requirement for each grade.

Grade Level	Instructional Days With At Least 180 Instructional Minutes	
	Offered	State Requirement
9		180 days
10	<i>To be provided by LEA</i>	180 days
11		180 days
12		180 days

Total Number of Minimum Days

Narrative to be provided by LEA

College Admission Test Preparation Course Program

Narrative to be provided by LEA

Degree to Which Students Are Prepared to Enter Workforce

Narrative to be provided by LEA

Enrollment and Program Completion in Career/Technical Education (CTE) Programs

Data reported are from the *Report of Career-Technical Education Enrollment and Program Completion for School Year 2002-2003 (CDE 101 E-1)*. Data have been aggregated to the district level.

CTE Participants Total Course Enrollment	Secondary CTE Students			Grade 12 CTE Students		
	Number of Concentrators	Number of Completers	Completion Rate	Number of Completers	Number Earning Diploma	Graduation Rate
	<i>To be provided by LEA</i>			<i>To be provided by LEA</i>		

IX. Fiscal and Expenditure Data

Average Salaries (Fiscal Year 2002-2003)

Data reported are the district average salary for teachers, principals, and superintendents, compared to the state average salaries for districts of the same type and size, as defined by *Education Code* Section 41409. The district average principal salary is shown separately for elementary, middle, and high schools, but the state average principal salary is combined. Detailed information regarding salaries may be found at the California Department of Education Web site at <http://www.cde.ca.gov/fiscal/financial/certsalary/> and <http://www.cde.ca.gov/ope/sarc/salary01-02.pdf>.

	District Amount	State Average For Districts In Same Category
Beginning Teacher Salary		
Mid-Range Teacher Salary		
Highest Teacher Salary		
Average Principal Salary (Elementary)		
Average Principal Salary (Middle)		
Average Principal Salary (High)		
Superintendent Salary		
Percent of Budget for Teachers' Salaries		
Percent of Budget for Administrative Salaries		

Expenditures (Fiscal Year 2002-2003)

Data reported are total dollars expended in the district, and the dollars expended per student at the district compared to the state average. Detailed information regarding expenditures may be found at the California Department of Education Web site at <http://www.cde.ca.gov/fiscal/financial/>.

District	District	State Average For Districts In Same Category	State Average All Districts
Total Dollars	Dollars per Student (ADA)	Dollars Per Student (ADA)	Dollars Per Student (ADA)

Types of Services Funded

Narrative to be provided by LEA

Developing the State Report Card Required Under NCLB

An Issue Paper

Purpose:

The purpose of this paper is to describe the elements NCLB requires all states to include in their state report cards and to evaluate options for how this requirement may be met in California.

Background:

The No Child Left Behind Act of 2001 (NCLB) requires each state to annually produce a report card that summarizes assessment results of students statewide in the aggregate and disaggregated by certain subgroups, graduation rates, teacher qualifications, and other indicators used in each state's definition of Adequate Yearly Progress (AYP). NCLB requires states to produce these report cards not later than the beginning of the 2002-03 school year.

School Accountability Report Cards (SARCs) have been required in California since 1988. Significant work was undertaken in 2000 to generate a SARC template with common data definitions to be used statewide. In 2002-03, additional changes were made to the SARC template so that the data reported for schools was consistent with that required by NCLB. In addition, district data was added to the SARC, when necessary, to meet new NCLB requirements for district level report cards. California has never produced a state report card.

NCLB Section 1111(h)(1) requires each state's report card to include data on six main elements:

- a. Information in the aggregate on student achievement at each proficiency level on the State academic assessments required/used under NCLB and disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged;
- b. Information on the most recent two-year trend in student achievement in each subject area and for each grade level for which assessments under this section are required;
- c. Aggregate information on any other indicators used by the State to determine the adequate yearly progress of students in achieving State academic achievement standards;
- d. Graduation rates for secondary school students;
- e. Information on the performance of local educational agencies in the State regarding making adequate yearly progress, including the number and names of each school identified for school improvement; and
- f. The professional qualifications of teachers in the State, the percentage of such teachers teaching with emergency or provisional credentials, and the percentage of classes in the State not taught by highly qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools which, for the purpose of this clause, means schools in the top quartile of poverty and the bottom quartile of poverty in the State.

Additional optional information, described in NCLB Section 1111(h)(1)(D), may also be included in the state report card.

Issues:

1. Should this document be viewed as a “roll up” of the SARC to the state level or a stand-alone document that includes only the elements required by NCLB?

The current SARC template (used to report at the school level) includes much more information than NCLB requires for the State report card. A simple “roll up” would produce a lengthy and complex document that would be difficult for the majority of the general public to utilize effectively. While some state level information is included on the current SARC template, significant changes would be necessary to accommodate additional data elements required by NCLB.

Recommendation: Develop a stand-alone state report card template that includes only the information required by NCLB. This approach would be simple, concise, and more understandable than rolling up unnecessary elements included in the current SARC template.

2. Should assessment results be reported for all grades or should one grade be selected from each grade level for reporting purposes?

All students in grades 2-11 are required to participate in the Standardized Testing and Reporting (STAR) system. Adequate Yearly Progress (AYP) decisions for California schools are based on results from the California Standards Tests (CSTs) in English language arts and mathematics for grades 2-8 and results of the California High School Exit Exam (CAHSEE) in grade 10.

Recommendation: To maintain consistency with what is reported for AYP, the state report card should include data on the CSTs for each of grades 2-8 and data on the CAHSEE for grade 10 in both English language arts and mathematics.

3. Should results from the California Alternate Performance Assessment (CAPA) be reported?

The California Alternate Performance Assessment or CAPA is the alternate assessment designed for the most significantly cognitively disabled students. Currently statewide CAPA results are reported separately from other STAR assessments and are reported by test level (I, II, III, or IV), not grade level. Aggregating the CAPA results across test levels to arrive at a grade level summary may be inappropriate (i.e. comparing apples to oranges) and may not result in the most advantageous reporting of those results.

Recommendation: The state report card will refer to the CAPA web site where aggregated and disaggregated CAPA data are available for the interested reader by grade level within test level.

4. Should the State report card be made available in languages other than English?

NCLB requires the annual state report card to be presented in an understandable and uniform format and, to the extent practicable, provide in a language that the parents can understand. According to CDE's Language Policy and Leadership Office, Spanish is the language spoken most often by California's Limited English Proficient (LEP) students (84.3%). After Spanish, the next most frequently spoken languages by California LEP students are: Vietnamese (2.3%), Hmong (1.6%), Cantonese (1.5%), Filipino or Tagalog (1.3%), Korean (1.1%), Mandarin (0.8%), Armenian (0.7%), Khmer/Cambodian (0.7%), and Punjabi (0.5%).

Recommendation: Because the overwhelming majority of California's Limited English Proficient (LEP) students speak Spanish, the State Accountability Report Card should be translated into Spanish so that it can be more understandable to a greater proportion of the population.

California Department of Education State Report Card

2003-04

The No Child Left Behind Act of 2001 requires each state to produce an annual report card that summarizes assessment results of students statewide and disaggregated by student subgroup. Information must also be included on high school graduation rates, teacher qualifications, other indicators used in each state's definition of Adequate Yearly Progress (AYP), and the AYP status of all schools and districts in the state.

**Grade 2
English-Language Arts**

The California Standards Tests show how well students are doing in relation to the state content standards. Student scores are reported as performance levels. The five performance levels are Advanced (exceeds state standards), Proficient (meets state standards), Basic (approaching state standards), Below Basic (below state standards), and Far Below Basic (well below state standards). Students scoring at the Proficient or Advanced level meet state standards in that content area. More information can be found at the California Department of Education Web site at <http://star.cde.ca.gov/>.

California Standards Test Results in English-Language Arts, 2002-03 and 2003-04

Year	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
2002-03								
2003-04								

**California Standards Test Results in English-Language Arts
Disaggregated by Student Subgroup, 2003-04**

	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
Ethnic Group								
African American								
American Indian or Alaska Native								
Asian								
Filipino								
Hispanic or Latino								
Pacific Islander								
White (not Hispanic)								
Subgroup								
Socioeconomically Disadvantaged								
English Learners								
Students with Disabilities								
Migrant Education Services								
Gender								
Male								
Female								

Note: The state goal for Adequate Yearly Progress for English-Language Arts is 13.6% of students at or above Proficient.

**Grade 2
Mathematics**

The California Standards Tests show how well students are doing in relation to the state content standards. Student scores are reported as performance levels. The five performance levels are Advanced (exceeds state standards), Proficient (meets state standards), Basic (approaching state standards), Below Basic (below state standards), and Far Below Basic (well below state standards). Students scoring at the Proficient or Advanced level meet state standards in that content area. More information can be found at the California Department of Education Web site at <http://star.cde.ca.gov/>.

California Standards Test Results in Mathematics, 2002-03 and 2003-04

Year	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
2002-03								
2003-04								

**California Standards Test Results in Mathematics
Disaggregated by Student Subgroup, 2003-04**

	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
Ethnic Group								
African American								
American Indian or Alaska Native								
Asian								
Filipino								
Hispanic or Latino								
Pacific Islander								
White (not Hispanic)								
Subgroup								
Socioeconomically Disadvantaged								
English Learners								
Students with Disabilities								
Migrant Education Services								
Gender								
Male								
Female								

Note: The state goal for Adequate Yearly Progress for Mathematics is 16.0% of students at or above Proficient.

**Grade 3
English-Language Arts**

The California Standards Tests show how well students are doing in relation to the state content standards. Student scores are reported as performance levels. The five performance levels are Advanced (exceeds state standards), Proficient (meets state standards), Basic (approaching state standards), Below Basic (below state standards), and Far Below Basic (well below state standards). Students scoring at the Proficient or Advanced level meet state standards in that content area. More information can be found at the California Department of Education Web site at <http://star.cde.ca.gov/>.

California Standards Test Results in English-Language Arts, 2002-03 and 2003-04

Year	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
2002-03								
2003-04								

**California Standards Test Results in English-Language Arts
Disaggregated by Student Subgroup, 2003-04**

	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
Ethnic Group								
African American								
American Indian or Alaska Native								
Asian								
Filipino								
Hispanic or Latino								
Pacific Islander								
White (not Hispanic)								
Subgroup								
Socioeconomically Disadvantaged								
English Learners								
Students with Disabilities								
Migrant Education Services								
Gender								
Male								
Female								

Note: The state goal for Adequate Yearly Progress for English-Language Arts is 13.6% of students at or above Proficient.

**Grade 3
Mathematics**

The California Standards Tests show how well students are doing in relation to the state content standards. Student scores are reported as performance levels. The five performance levels are Advanced (exceeds state standards), Proficient (meets state standards), Basic (approaching state standards), Below Basic (below state standards), and Far Below Basic (well below state standards). Students scoring at the Proficient or Advanced level meet state standards in that content area. More information can be found at the California Department of Education Web site at <http://star.cde.ca.gov/>.

California Standards Test Results in Mathematics, 2002-03 and 2003-04

Year	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
2002-03								
2003-04								

**California Standards Test Results in Mathematics
Disaggregated by Student Subgroup, 2003-04**

	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
Ethnic Group								
African American								
American Indian or Alaska Native								
Asian								
Filipino								
Hispanic or Latino								
Pacific Islander								
White (not Hispanic)								
Subgroup								
Socioeconomically Disadvantaged								
English Learners								
Students with Disabilities								
Migrant Education Services								
Gender								
Male								
Female								

Note: The state goal for Adequate Yearly Progress for Mathematics is 16.0% of students at or above Proficient.

**Grade 4
English-Language Arts**

The California Standards Tests show how well students are doing in relation to the state content standards. Student scores are reported as performance levels. The five performance levels are Advanced (exceeds state standards), Proficient (meets state standards), Basic (approaching state standards), Below Basic (below state standards), and Far Below Basic (well below state standards). Students scoring at the Proficient or Advanced level meet state standards in that content area. More information can be found at the California Department of Education Web site at <http://star.cde.ca.gov/>.

California Standards Test Results in English-Language Arts, 2002-03 and 2003-04

Year	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
2002-03								
2003-04								

**California Standards Test Results in English-Language Arts
Disaggregated by Student Subgroup, 2003-04**

	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
Ethnic Group								
African American								
American Indian or Alaska Native								
Asian								
Filipino								
Hispanic or Latino								
Pacific Islander								
White (not Hispanic)								
Subgroup								
Socioeconomically Disadvantaged								
English Learners								
Students with Disabilities								
Migrant Education Services								
Gender								
Male								
Female								

Note: The state goal for Adequate Yearly Progress for English-Language Arts is 13.6% of students at or above Proficient.

**Grade 4
Mathematics**

The California Standards Tests show how well students are doing in relation to the state content standards. Student scores are reported as performance levels. The five performance levels are Advanced (exceeds state standards), Proficient (meets state standards), Basic (approaching state standards), Below Basic (below state standards), and Far Below Basic (well below state standards). Students scoring at the Proficient or Advanced level meet state standards in that content area. More information can be found at the California Department of Education Web site at <http://star.cde.ca.gov/>.

California Standards Test Results in Mathematics, 2002-03 and 2003-04

Year	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
2002-03								
2003-04								

**California Standards Test Results in Mathematics
Disaggregated by Student Subgroup, 2003-04**

	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
Ethnic Group								
African American								
American Indian or Alaska Native								
Asian								
Filipino								
Hispanic or Latino								
Pacific Islander								
White (not Hispanic)								
Subgroup								
Socioeconomically Disadvantaged								
English Learners								
Students with Disabilities								
Migrant Education Services								
Gender								
Male								
Female								

Note: The state goal for Adequate Yearly Progress for Mathematics is 16.0% of students at or above Proficient.

**Grade 5
English-Language Arts**

The California Standards Tests show how well students are doing in relation to the state content standards. Student scores are reported as performance levels. The five performance levels are Advanced (exceeds state standards), Proficient (meets state standards), Basic (approaching state standards), Below Basic (below state standards), and Far Below Basic (well below state standards). Students scoring at the Proficient or Advanced level meet state standards in that content area. More information can be found at the California Department of Education Web site at <http://star.cde.ca.gov/>.

California Standards Test Results in English-Language Arts, 2002-03 and 2003-04

Year	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
2002-03								
2003-04								

**California Standards Test Results in English-Language Arts
Disaggregated by Student Subgroup, 2003-04**

	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
Ethnic Group								
African American								
American Indian or Alaska Native								
Asian								
Filipino								
Hispanic or Latino								
Pacific Islander								
White (not Hispanic)								
Subgroup								
Socioeconomically Disadvantaged								
English Learners								
Students with Disabilities								
Migrant Education Services								
Gender								
Male								
Female								

Note: The state goal for Adequate Yearly Progress for English-Language Arts is 13.6% of students at or above Proficient.

**Grade 5
Mathematics**

The California Standards Tests show how well students are doing in relation to the state content standards. Student scores are reported as performance levels. The five performance levels are Advanced (exceeds state standards), Proficient (meets state standards), Basic (approaching state standards), Below Basic (below state standards), and Far Below Basic (well below state standards). Students scoring at the Proficient or Advanced level meet state standards in that content area. More information can be found at the California Department of Education Web site at <http://star.cde.ca.gov/>.

California Standards Test Results in Mathematics, 2002-03 and 2003-04

Year	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
2002-03								
2003-04								

**California Standards Test Results in Mathematics
Disaggregated by Student Subgroup, 2003-04**

	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
Ethnic Group								
African American								
American Indian or Alaska Native								
Asian								
Filipino								
Hispanic or Latino								
Pacific Islander								
White (not Hispanic)								
Subgroup								
Socioeconomically Disadvantaged								
English Learners								
Students with Disabilities								
Migrant Education Services								
Gender								
Male								
Female								

Note: The state goal for Adequate Yearly Progress for Mathematics is 16.0% of students at or above Proficient.

**Grade 6
English-Language Arts**

The California Standards Tests show how well students are doing in relation to the state content standards. Student scores are reported as performance levels. The five performance levels are Advanced (exceeds state standards), Proficient (meets state standards), Basic (approaching state standards), Below Basic (below state standards), and Far Below Basic (well below state standards). Students scoring at the Proficient or Advanced level meet state standards in that content area. More information can be found at the California Department of Education Web site at <http://star.cde.ca.gov/>.

California Standards Test Results in English-Language Arts, 2002-03 and 2003-04

Year	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
2002-03								
2003-04								

**California Standards Test Results in English-Language Arts
Disaggregated by Student Subgroup, 2003-04**

	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
Ethnic Group								
African American								
American Indian or Alaska Native								
Asian								
Filipino								
Hispanic or Latino								
Pacific Islander								
White (not Hispanic)								
Subgroup								
Socioeconomically Disadvantaged								
English Learners								
Students with Disabilities								
Migrant Education Services								
Gender								
Male								
Female								

Note: The state goal for Adequate Yearly Progress for English-Language Arts is 13.6% of students at or above Proficient.

**Grade 6
Mathematics**

The California Standards Tests show how well students are doing in relation to the state content standards. Student scores are reported as performance levels. The five performance levels are Advanced (exceeds state standards), Proficient (meets state standards), Basic (approaching state standards), Below Basic (below state standards), and Far Below Basic (well below state standards). Students scoring at the Proficient or Advanced level meet state standards in that content area. More information can be found at the California Department of Education Web site at <http://star.cde.ca.gov/>.

California Standards Test Results in Mathematics, 2002-03 and 2003-04

Year	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
2002-03								
2003-04								

**California Standards Test Results in Mathematics
Disaggregated by Student Subgroup, 2003-04**

	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
Ethnic Group								
African American								
American Indian or Alaska Native								
Asian								
Filipino								
Hispanic or Latino								
Pacific Islander								
White (not Hispanic)								
Subgroup								
Socioeconomically Disadvantaged								
English Learners								
Students with Disabilities								
Migrant Education Services								
Gender								
Male								
Female								

Note: The state goal for Adequate Yearly Progress for Mathematics is 16.0% of students at or above Proficient.

**Grade 7
English-Language Arts**

The California Standards Tests show how well students are doing in relation to the state content standards. Student scores are reported as performance levels. The five performance levels are Advanced (exceeds state standards), Proficient (meets state standards), Basic (approaching state standards), Below Basic (below state standards), and Far Below Basic (well below state standards). Students scoring at the Proficient or Advanced level meet state standards in that content area. More information can be found at the California Department of Education Web site at <http://star.cde.ca.gov/>.

California Standards Test Results in English-Language Arts, 2002-03 and 2003-04

Year	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
2002-03								
2003-04								

**California Standards Test Results in English-Language Arts
Disaggregated by Student Subgroup, 2003-04**

	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
Ethnic Group								
African American								
American Indian or Alaska Native								
Asian								
Filipino								
Hispanic or Latino								
Pacific Islander								
White (not Hispanic)								
Subgroup								
Socioeconomically Disadvantaged								
English Learners								
Students with Disabilities								
Migrant Education Services								
Gender								
Male								
Female								

Note: The state goal for Adequate Yearly Progress for English-Language Arts is 13.6% of students at or above Proficient.

**Grade 7
Mathematics**

The California Standards Tests show how well students are doing in relation to the state content standards. Student scores are reported as performance levels. The five performance levels are Advanced (exceeds state standards), Proficient (meets state standards), Basic (approaching state standards), Below Basic (below state standards), and Far Below Basic (well below state standards). Students scoring at the Proficient or Advanced level meet state standards in that content area. More information can be found at the California Department of Education Web site at <http://star.cde.ca.gov/>.

California Standards Test Results in Mathematics, 2002-03 and 2003-04

Year	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
2002-03								
2003-04								

**California Standards Test Results in Mathematics
Disaggregated by Student Subgroup, 2003-04**

	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
Ethnic Group								
African American								
American Indian or Alaska Native								
Asian								
Filipino								
Hispanic or Latino								
Pacific Islander								
White (not Hispanic)								
Subgroup								
Socioeconomically Disadvantaged								
English Learners								
Students with Disabilities								
Migrant Education Services								
Gender								
Male								
Female								

Note: The state goal for Adequate Yearly Progress for Mathematics is 16.0% of students at or above Proficient.

**Grade 8
English-Language Arts**

The California Standards Tests show how well students are doing in relation to the state content standards. Student scores are reported as performance levels. The five performance levels are Advanced (exceeds state standards), Proficient (meets state standards), Basic (approaching state standards), Below Basic (below state standards), and Far Below Basic (well below state standards). Students scoring at the Proficient or Advanced level meet state standards in that content area. More information can be found at the California Department of Education Web site at <http://star.cde.ca.gov/>.

California Standards Test Results in English-Language Arts, 2002-03 and 2003-04

Year	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
2002-03								
2003-04								

**California Standards Test Results in English-Language Arts
Disaggregated by Student Subgroup, 2003-04**

	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
Ethnic Group								
African American								
American Indian or Alaska Native								
Asian								
Filipino								
Hispanic or Latino								
Pacific Islander								
White (not Hispanic)								
Subgroup								
Socioeconomically Disadvantaged								
English Learners								
Students with Disabilities								
Migrant Education Services								
Gender								
Male								
Female								

Note: The state goal for Adequate Yearly Progress for English-Language Arts is 13.6% of students at or above Proficient.

**Grade 8
Mathematics**

The California Standards Tests show how well students are doing in relation to the state content standards. Student scores are reported as performance levels. The five performance levels are Advanced (exceeds state standards), Proficient (meets state standards), Basic (approaching state standards), Below Basic (below state standards), and Far Below Basic (well below state standards). Students scoring at the Proficient or Advanced level meet state standards in that content area. More information can be found at the California Department of Education Web site at <http://star.cde.ca.gov/>.

California Standards Test Results in Mathematics, 2002-03 and 2003-04

Year	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
2002-03								
2003-04								

**California Standards Test Results in Mathematics
Disaggregated by Student Subgroup, 2003-04**

	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages				
				Far Below Basic	Below Basic	Basic	Proficient	Advanced
Ethnic Group								
African American								
American Indian or Alaska Native								
Asian								
Filipino								
Hispanic or Latino								
Pacific Islander								
White (not Hispanic)								
Subgroup								
Socioeconomically Disadvantaged								
English Learners								
Students with Disabilities								
Migrant Education Services								
Gender								
Male								
Female								

Note: The state goal for Adequate Yearly Progress for Mathematics is 16.0% of students at or above Proficient.

**Grade 10
English-Language Arts**

The California High School Exit Exam (CAHSEE) shows whether students have mastered the skills necessary for high school graduation. Results from the tenth grade administration of the CAHSEE are used to evaluate the Adequate Yearly Progress (AYP) of high schools. More information on the CAHSEE can be found at the California Department of Education's Web site at www.cde.ca.gov/statetests/cahsee.

**California High School Exit Exam Results in English-Language Arts,
2002-03 and 2003-04**

Year	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages		
				Not Proficient	Proficient	Advanced
2002-03						
2003-04						

California High School Exit Exam Results in English-Language Arts Disaggregated by Student Subgroup, 2003-04

	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages		
				Not Proficient	Proficient	Advanced
Ethnic Group						
African American						
American Indian or Alaska Native						
Asian						
Filipino						
Hispanic or Latino						
Pacific Islander						
White (not Hispanic)						
Subgroup						
Socioeconomically Disadvantaged						
English Learners						
Students with Disabilities						
Migrant Education Services						
Gender						
Male						
Female						

Note: The state goal for Adequate Yearly Progress for English-Language Arts is 11.2% of students at or above Proficient.

**Grade 10
Mathematics**

The California High School Exit Exam (CAHSEE) shows whether students have mastered the skills necessary for high school graduation. Results from the tenth grade administration of the CAHSEE are used to evaluate the Adequate Yearly Progress (AYP) of high schools. More information on the CAHSEE can be found at the California Department of Education's Web site at www.cde.ca.gov/statetests/cahsee.

California High School Exit Exam Results in Mathematics, 2002-03 and 2003-04

Year	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages		
				Not Proficient	Proficient	Advanced
2002-03						
2003-04						

**California High School Exit Exam Results in Mathematics
Disaggregated by Student Subgroup, 2003-04**

	Total Enrollment	Number Tested	Percent Tested	Proficiency Percentages		
				Not Proficient	Proficient	Advanced
Ethnic Group						
African American						
American Indian or Alaska Native						
Asian						
Filipino						
Hispanic or Latino						
Pacific Islander						
White (not Hispanic)						
Subgroup						
Socioeconomically Disadvantaged						
English Learners						
Students with Disabilities						
Migrant Education Services						
Gender						
Male						
Female						

Note: The state goal for Adequate Yearly Progress for Mathematics is 9.6% of students at or above Proficient.

Academic Performance Index

The Academic Performance Index (API) is a score ranging from 200 to 1000 that annually measures the academic performance and progress of individual schools in California. More information on the API can be found at the California Department of Education Web site at <http://cde.ca.gov/psaa/api>.

The API is one component of California's definition of Adequate Yearly Progress (AYP), required under the No Child Left Behind Act of 2001 (NCLB). A procedure established by NCLB determined the statewide API goal of 560. The API goal under AYP will increase over time so that all schools are expected to reach 800 by 2013-14.

Actual Statewide API Compared to Statewide API Goal, 2003-04

Statewide API	Statewide API Goal
	560

High School Graduation Rate

The high school graduation rate is a required component of California's definition of Adequate Yearly Progress (AYP), required under the No Child Left Behind Act of 2001 (NCLB). The graduation rate is calculated by dividing the number of high school graduates by the sum of dropouts for grades 9 through 12, in consecutive years, plus the number of graduates. A procedure established by NCLB determined the statewide graduation rate goal of 82.8%.

Actual Statewide Graduation Rate Compared to the Statewide Graduation Rate Goal, 2002-03

Statewide Graduation Rate	Statewide Graduation Rate Goal
	82.8%

Adequate Yearly Progress Status

The federal No Child Left Behind Act (NCLB) requires that all students perform at or above the Proficient level on the state's standards-based assessments by 2013-14. In order to achieve this goal, districts and schools must make Adequate Yearly Progress (AYP) in meeting minimum annual measurable objectives in English-Language arts and mathematics. Detailed information about AYP can be found at the California Department of Education Web site at <http://www.cde.ca.gov/ayp>.

Schools and local education agencies (LEAs) that do not make AYP for two consecutive years enter Program Improvement (PI). PI is a federal intervention program where schools and LEAs are subject to increasingly severe sanctions for each year they do not make AYP. The list of all schools and LEAs identified for PI can be found at the California Department of Education Web site at <http://www.cde.ca.gov/ayp>.

Note: LEA refers to school districts, county offices of education that operate schools, and direct-funded charter schools.

**Adequate Yearly Progress and Program Improvement Status
of Local Education Agencies and Schools, 2003-04**

	Total Number	Adequate Yearly Progress (AYP) Status		Program Improvement (PI) Status	
		Number making AYP	Percent making AYP	Number in PI	Percent in PI
Local Education Agencies (LEAs)					
Schools					

Teacher Qualifications

The No Child Left Behind Act (NCLB) requires that all teachers teaching in core academic subjects be “highly qualified” not later than the end of the 2005-06 school year. In general, NCLB requires that each teacher must have: (1) a Bachelor’s degree, (2) a state credential or an Intern Certificate/Credential for no more than three years, and (3) demonstrated subject matter competence for each core subject they teach. More information on teacher qualifications required by NCLB can be found at the California Department of Education’s Web site: <http://www.cde.ca.gov/pr/nclb/teachqual/>.

Type of Credential for Teachers Teaching Core Academic Courses, 2002-03

Type of Credential	Percent*
Full	
Emergency (University Intern, District Intern, Pre-Intern, Emergency Permits)	
Waiver	

*Teacher credential data may not have been submitted or a teacher may hold more than one type of credential. As a result, percentages reported in this table may not add to 100%.

Education Level for Teachers Teaching Core Academic Courses, 2002-03

Education Level	Percent
Doctorate	
Master’s Degree + 30 Units	
Master’s Degree	
Bachelor’s Degree + 30 Units	
Bachelor’s Degree	
Less than Bachelor’s	
None Reported	

Percentage of Core Academic Courses Taught by Highly Qualified Teachers, 2002-03

	Percent of core courses taught by highly qualified teachers
Statewide	
In High-Poverty Schools	
In Low-Poverty Schools	



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT <i>No Child Left Behind (NCLB) Act of 2001: Approve Supplemental Educational Service Providers required by Title I Section 1116(e)</i>	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Staff recommends approval of the list of providers for supplemental services for the 2004-05 school year.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education (SBE) adopted, at the May 2003 meeting, the emergency regulations, annual notice to potential providers, and the revised providers' application.

SUMMARY OF KEY ISSUES

Supplemental educational services to low-achieving, low-income students are required by Section 1116(e) of the *No Child Left Behind (NCLB) Act of 2001*. The California Department of Education (CDE) is responsible for establishing a list of approved providers, as described in Section 1116 (e)(4) of NCLB.

Supplemental educational services include "tutoring and other academic enrichment services" that are:

- Chosen by parents.
- Provided outside the school day.
- Research-based and demonstrate program effectiveness.
- Designed specifically to increase the academic achievement of eligible children.

The application process occurs on an on-going basis. CDE evaluates each application against a four-point rubric based on the SBE-adopted criteria. Each application must address the following four elements of the criteria:

- Element I. Program
- Element II. Staff
- Element III. Research-based and high quality program effectiveness
- Element IV. Evaluation/Monitoring

CDE also considers the June 2003 results of the contracted WestEd survey about supplemental educational services for re-applicants. CDE then recommends applicants

for approval by the SBE.

The process for reviewing the applications is as follows:

- Title I Policy and Partnerships Office (TIPP) date stamps all applications when received.
- TIPP office logs in all applications.
- TIPP program consultants review each application twice using Supplemental Services rubric based on SBE criteria and the WestEd evaluation of 2002-2003 providers.
- Manager reviews applications that have deficiencies and a low rating.
- Education Program Consultants provide technical assistance to applications with deficiencies. Technical assistance is ongoing until deficiencies are corrected.
- Application program descriptions are prepared and compiled for the State Board.

FISCAL ANALYSIS (AS APPROPRIATE)

Federal revenues are apportioned to LEAs to support the use of supplemental educational services. LEAs must use a minimum of five percent and a maximum of 15 percent of the Title I, Part A allocation for supplemental educational services, unless a lesser amount is needed. Title V, Part A Innovative Program funds can be also used to support supplemental educational services.

ATTACHMENT

A list of recommended supplemental providers to be effective from July 1, 2004 through June 30, 2005 will be attached to the Last Minute Memorandum.

LAST MINUTE MEMORANDUM

DATE: May 10, 2004
TO: MEMBERS, STATE BOARD OF EDUCATION
FROM: Geno Flores, Deputy Superintendent
Assessment and Accountability Branch
RE: Item No. 16
SUBJECT: *No Child Left Behind Act of 2001*(NCLB), Approve Supplemental Educational Services Providers required by Title I Section 1116(e)

The attached items includes a list of 136 supplemental educational services provider applicants recommended for approval. During this application period 143 applications were reviewed against the four-point rubric based on the State Board of Education's adopted criteria.

The current list of 186 approved providers is effective through June 30, 2004. After State Board approval of this list of recommended providers, CDE will post it on the Web site. This list of approved providers will be in effective from July 1, 2204 through June 30, 2005.

Attachment:

- [Attachment 1](#): Renewal Applicants for Supplemental Education Services Providers' Approved List (28 pages)
- [Attachment 2](#): New Applicants for Supplemental Education Services Providers' Approved List (13 pages)

**RENEWAL APPLICANTS FOR SUPPLEMENTAL EDUCATION SERVICES PROVIDERS'
APPROVED LIST**

APPLICANT	CONTACT
A+ Educational Centers	Jennifer Valdman 20929 Ventura Blvd. Suite 7 Woodland Hills, CA 91364 Phone: (310) 457-7657 Fax: (310) 457-7623 Jennifer@aplus4u.com
Status: Renewal	Program Description: Provides tutoring in all subjects, test preparation, English as a second language, and counseling services. Reading comprehension, spelling, vocabulary, writing, grammar, and math through Calculus are taught by professional teachers on an individual basis or in small groups.
School Districts Served: Los Angeles Unified, Glendale Unified, Santa Monica-Malibu Unified, Las Virgenes Unified, Oxnard Union High, and Simi Valley Unified	

APPLICANT	CONTACT
A Tutoring Place (high school)	Judy Muetz 2781 Stonecrest Court Placerville, CA 95667 Phone: (530) 642-3018 Fax: (530) 622-8317 atutor@cwnet.com
Status: Renewal	Program Description: Provides after-school tutorial services in El Dorado County and the Placerville area, in reading, English language arts, and mathematics for students in grades 9-12.
School Districts Served: El Dorado County and Placerville	

APPLICANT	CONTACT
ABC-Learn, Inc.	Debra Greenfield P.O. Box 10173 Canoga Park, CA 91309 Phone: (818) 347-8092 Fax: (818) 347-8094 dgreenfield@earthlink.net
Status: Renewal	Program Description: Provides primarily reading, writing and English language development; some mathematics in grades K-12 in small groups of up to five and one-on-one.
School Districts Served: Statewide	

APPLICANT	CONTACT
ACE Tutoring Services, Inc	Jeff Wang 18780 Amar Road, #105 Walnut, CA 91789 Phone: (626) 965-5751 Fax: (909) 279-9575 acetutoring@cs.com
Status: Renewal	Program Description: Provides tutorial services in southern California in mathematics, reading, writing, grammar, social studies, science, test preparation, ESL, and study skills for students in grades K-12. Tutoring takes place after school for students individually and in small groups.
School Districts Served: Los Angeles Unified, Orange Unified, San Bernardino City Unified, and Riverside Unified	

APPLICANT	CONTACT
Achievement Technologies, Inc.	Caryn Schreiner 10400 Little Patuxent Pkwy, Suite 310 Columbia, MD 21044 Phone: (866) 571-0830 Fax: (617) 969-3597 cshreiner@achievementtech.com
Status: Renewal	Program Description: The Internet-based programs are age specific and provide individualized instruction to help students review, refresh, or relearn basic skills. Skills Tutor is a self-diagnostic program with pre-tests in skills commonly found on standardized tests. The program automatically assigns lessons based on assessed needs of students. Student reports can be generated by the school administrator and distributed to parents. A school administrator or teacher manages the program.
School Districts Served: Statewide	

APPLICANT	CONTACT
Action Learning Systems, Inc.	Kit Marshall 174 West Foothill Blvd. PMB306 Monrovia, CA 91016 Phone: (626) 357-8041 Fax: (626) 357-5031 kmarshall@actionlearningsystems.com
Status: Renewal	Program Description: Focuses on California state standards for reading, writing, speaking and mathematics; High School Exit Examination preparation and targeted intervention for test retakes; and diagnostics for early reading and mathematics for English learners and disadvantaged students in grades K-12
School Districts Served: Los Angeles Unified, San Juan Unified, Sacramento City Unified, and Stockton City Unified	

APPLICANT	CONTACT
Advanced Academics, Inc	Russell Randolph 100 East California Avenue, Suite 200 Oklahoma City, OK 73104 Phone: (405) 239-1900 Fax: (405) 239-1911 rrandolph@advancedacademics.com
Status: Renewal	Program Description: Provides on-line instruction for students in grades 7-12 in math, English language arts, sciences, and other secondary subjects.
School Districts Served: Statewide	

APPLICANT	CONTACT
Alvord Unified School District	Robert Shorb 10365 Keller Avenue Riverside, CA 92505 Phone: (909) 509-5055 Fax: (909) 351-6604 rshorb@ausd.k12.ca.us
Status: Renewal	Program Description: The district will provide reading, English language arts, and mathematics tutoring using computer assigned learning in small group instruction.
School Districts Served: Alvord USD	

APPLICANT	CONTACT
ARC Associates	Sau-Lim Tsang 1212 Broadway, Suite 400 Oakland, CA 94612 Phone: (510) 834-9455 Fax: (510) 763-1490 stsang@arcassociates.org
Status: Renewal	Program Description: Individual and small-group (maximum of five students) instruction and tutoring focus on reading and mathematics. Project-based learning activities enhance the students' learning experience.
School Districts Served: Statewide	

APPLICANT	CONTACT
Babbage Net School	Clifford Dittrich P.O. Box 517 Port Jefferson, NY 11777 Phone: (631) 642-2029 Fax: (631) 642-2029 SES@BabbageNetSchool.com
Status: Renewal	Program Description: Provides online instruction.
School Districts Served: Statewide	

APPLICANT	CONTACT
Bakersfield City School District	1300 Baker Street Bakersfield, CA 93305 Phone: (661) 631-4625 Fax: (661) 631-4643 williamsb@bcsd.com
Status: Renewal	Program Description: Provides district tutorial services in reading for students in grades K-8 after school and on Saturday. Services are provided one-on-one and in small groups.
School Districts Served: Bakersfield City SD	

APPLICANT	CONTACT
Blazers Youth Services Community Club	Carlton Davenport 1517 West 48th Street Los Angeles, CA 90062 Phone: (323) 292-2261 Fax: (323) 292-1021 carltondport@hotmail.com
Status: Renewal	Program Description: Provides tutorial services for students in math and reading, English language arts after school, and on Saturdays and Sundays in small groups.
School Districts Served: Los Angeles USD	

APPLICANT	CONTACT
Bloom Education	Richard Flor 7332 B Bright Avenue Whittier, CA 90602 Phone: (888) 410-1472 Fax: (562) 696-5351 rflor@bloomeducation.com
Status: Renewal	Program Description: Provides one-on-one tutoring or small group instruction in reading, writing, and math as well as homework assistance.
School Districts Served: Los Angeles County	

APPLICANT	CONTACT
Boys & Girls Club of America	Kevin McCartney 5941 Silver Ridge Lane Placerville, CA 95667 Phone: (530) 647-0758 Fax: (530) 647-1245 kmccartney@bgca.org
Status: Renewal	Program Description: Project Learn, is the educational enhancement program based on high yield learning activities, including the Power Hour tutoring program. Individual and group tutoring help students in selected areas become self-directed learners. Includes daily homework assistance, collaboration with school to link to the curriculum and state standards, enrichment activities, and daily youth development activities.
School Districts Served: Statewide	

APPLICANT	CONTACT
BrainFuse Online Instruction	Alex Sztuden 271 Madison Avenue New York, NY 10016 Phone: (888) 272-4638 Fax: (212) 481-4972 asztuden@brainfuse.com
Status: Renewal	Program Description: Focuses on math, reading, and English as a second language. Students and tutors communicate in real-time through an easy-to-use online classroom. Spanish-speaking tutors and customer service representatives are also available.
School Districts Served: Statewide	

APPLICANT	CONTACT
Bresee Foundation	Rev. Jeff Carr 184 South Bimini Place Los Angeles, CA 90004 Phone: (213) 387-2822 x166 Fax: (213) 385-8482 jcarr@bresee.org
Status: Renewal	Program Description: Provides tutorial services in the English-language arts, mathematics, algebra 1, geometry, algebra II, trigonometry, mathematical analysis probability/statistics and calculus. Online services are offered for students in grades 6-12. Tutoring is provided one on one and in small groups.
School Districts Served: Los Angeles County, City of Los Angeles, and Los Angeles USD	

APPLICANT	CONTACT
Bungy Jumping LLC	Sue Coats 5720 Panorama Crest Dr. Bakersfield, CA 93306 Phone: (661) 871-8785 Fax: none Sue-warren.1@Juno.com
Status: Renewal	Program Description: Provides remedial reading tutorial services after school in small groups of three.
School Districts Served: Statewide	

APPLICANT	CONTACT
Cajon Valley Union School District	Alice J. Rodriguez 189 Roanoke Road, P.O. Box 1007 El Cajon, CA 92022-1007 Phone: (619) 588-3278 Fax: (619) 579-4800 rodriguez@cajonvalley.net
Status: Renewal	Program Description: Provides district tutorial services in reading, English language arts, and mathematics for students in grades K-8. Services are offered after school, one on one and in small groups.
School Districts Served: Cajon Valley USD	

APPLICANT	CONTACT
California Institute on Human Services	Julie McClure 1801 East Cotati Avenue Rohnert Park, CA 94928 Phone: (707) 664-4232 Fax: (323) 664-2417 juliemcclure@sonoma.edu
Status: Renewal	Program Description: Provides Sonoma County Region I tutorial services in literacy, mathematics, and homework. At-risk students are served after school in small groups.
School Districts Served: Bellevue Union Elementary, Roseland Elementary, and Wright Elementary	

APPLICANT	CONTACT
Century/Learning Initiatives For Today	Cynthia Amos 1000 Corporate Pointe Culver City, CA 90230 Phone: (310) 642-2011 Fax: (310) 642-2083 cmamos@centuryhousing.org
Status: Renewal	Program Description: Provides individual and small group tutoring for grades K-12.
School Districts Served: Los Angeles County	

APPLICANT	CONTACT
City of Sacramento START	Andee Press-Dawson 8795 Folsom Blvd. Sacramento, CA 95826 Phone: (916) 808-6196 Fax: (916) 808-2314 APDawson@cityofsacramento.org
Status: Renewal	Program Description: Staff works with children in small groups. After conducting an educational assessment, children are grouped according to their subject areas and skill areas. Students are expected to work with their instructor for an hour block of time, two to three days per week. Services reflect the district's math and reading programs.
School Districts Served: Sacramento USD, Del Paso USD, Elk Grove USD, Natomas USD, North Sacramento USD, and Rio Linda USD	

APPLICANT	CONTACT
Club Z!	Marti Clarke 988 Briarcrest Way Sacramento, CA 95831 Phone: (916) 391-0132 Fax: (916) 391-9179 mclark@clubztutoring.com
Status: Renewal	Program Description: Provides tutorial services in reading, writing, mathematics, and all core subjects, as well as study skills for students in grades K-12.
School Districts Served: Statewide	

APPLICANT	CONTACT
Compass Learning Inc.	David E. Huck 7878 N. 16th Street, Suite100 Phoenix, AZ 85020 Phone: (800) 422-4339 Fax: (602) 230-7034 bids@compasslearning.com
Status: Renewal	Program Description: Provides statewide online tutorial service for students in grades PreK-8, in reading, English language arts, science and social studies.
School Districts Served: Statewide	

APPLICANT	CONTACT
Cullinan Education Center, The	Joanne Cullinan 6700 N. First #117 Fresno, CA 93710 Phone: (866) 685-3276 Fax: (559) 435-7290 jc43learn@aol.com
Status: Renewal	Program Description: Provides regional tutorial services in English language arts and reading for students in grades K-12. Multimodality services are provided one on one after school.
School Districts Served: Fresno, Madera, Kings, and Tulare Counties	

APPLICANT	CONTACT
Da Vinci Learning Center	Josh Wallman 4144 Winding Way, Ste. 8 Sacramento, CA 95841 Phone: (916) 482-3852 Fax: (916) 482-3852 info@davincilearningcenter.org
Status: Renewal	Program Description: Provides one-on-one and small group instruction in math, reading, and English language arts for students in grades K-12.
School Districts Served: Sacramento County	

APPLICANT	CONTACT
Desert Sands Unified School District	Judith Irving 47-950 Dune Palms Road La Quinta, CA 92253 Phone: (760) 771-8685 Fax: (760) 771-8608 judyi@dsusd.k12.ca.us
Status: Renewal	Program Description: Provides direct instruction, computer-instructed assistance, and group instruction.
School Districts Served: Desert Sands USD	

APPLICANT	CONTACT
Dream Builders	Howard Holt 100 East Nutwood Street, Suite 201 Inglewood, CA 90301 Phone: (310) 673-0737 Fax: (310) 672-5786 dreambyfai@aol.com
Status: Renewal	Program Description: Provides two-hour sessions of tutoring.
School Districts Served: Los Angeles, Riverside, San Bernardino and Orange Counties	

APPLICANT	CONTACT
Ebony Counseling Center	Cory Doxey 1301 California Avenue Phone: (661) 324-4756 Fax: (661) 324-1652
Status: Renewal	Program Description: One-on-one and small study groups include study strategies and time management skill development.
School Districts Served: Bakersfield City Elementary, Greenfield Union Elementary, and Lamont Elementary	

APPLICANT	CONTACT
Educational & Tutorial Services	Adele Plotkin 4010 Palos Verdes Drive, North #206 Rolling Hills Estate, CA 90274 Phone: (310) 544-1555 Fax: (310) 544-8756 adelplot@aol.com
Status: Renewal	Program Description: Provides one-on-one tutoring.
School Districts Served: Los Angeles COE, Long Beach Unified, Torrance Unified, and Los Angeles Unified	

APPLICANT	CONTACT
Educational Change Management, Inc.	Clyde O. Balaam 4832 Sherlock Way Carmichael, CA 95608 Phone: (916) 708-5395 Fax: (916) 570-3389 cyldeb@winfirst.com
Status: Renewal	Program Description: Provide tutorial services in reading, writing, mathematics, and study skills. Services are provided in small groups for students in grades K-12 after school in small groups.
School Districts Served: Washington USD and Sacramento City USD	

APPLICANT	CONTACT
El Dorado County Office of Education	Kate Doyle 6767 Green Valley Road Placerville, CA 95667 Phone: (530) 295-2241 Fax: (530) 295-2241 kdoyle@edcoe.k12.ca.us
Status: Renewal	Program Description: Provides countywide tutorial services in reading and mathematics. Services are provided after school one-on-one and in small groups for students in grades 1-12.
School Districts Served: El Dorado County	

APPLICANT	CONTACT
Elk Grove Unified School District	Nancy Lucia 9510 Elk Grove-Florin Road Elk Grove, CA 95624 Phone: (916) 686-7712 Fax: (916) 686-5095 nlucia@edcenter.egusd.k12.ca.us
Status: Renewal	Program Description: Provides district tutorial services in reading, English language arts, and mathematics for students in grades 2-6. Tutoring is provided four days per week individually and in small groups.
School Districts Served: Sacramento County, Elk Grove USD	

APPLICANT	CONTACT
Encourage Tomorrow	Suzanne Moreno 1067 N. Fulton Street Fresno, CA 93728 Phone: (559) 233-2880 Fax: (559) 233-2870 suzanne@encouragetomorrow.org
Status: Renewal	Program Description: Provides comprehensive tutorial services and co-curricula educational programs in reading, writing, and basic mathematics for students in grades K-12. Services are provided one-on-one and in small groups after school.
School Districts Served: Fresno County	

APPLICANT	CONTACT
Escondido Union School District	Pat Peterson 1330 East Grand Avenue Escondido, CA 92027 Phone: (760) 432-2183 Fax: (760) 735-2875 ppeterson@eusd4kids.org
Status: Renewal	Program Description: Provides tutoring instruction by certificated teachers in small-group setting.
School Districts Served: Escondido Union Elementary SD	

APPLICANT	CONTACT
Extreme Learning, Inc.	David Payne 155 East Main Avenue, #170 Morgan Hill, CA 95037 Phone: (408) 782-5045 Fax: (408) 782-5073 dpayne@extremelearningcenter.com
Status: Renewal	Program Description: Provides K-12 reading and mathematics tutoring assistance via online instruction.
School Districts Served: Statewide	

APPLICANT	CONTACT
Franklin-McKinley School District	Charlene J. Berg 645 Wool Creek Drive San Jose, CA 95112 Phone: (408) 283-6053 Fax: (408) 283-6482 charlene.berg@fmsd.org
Status: Renewal	Program Description: Provides Instruction in reading and mathematics.
School Districts Served: Franklin-McKinley SD	

APPLICANT	CONTACT
Fresno Covenant Foundation	Luis Santana 2727 North First Street Fresno, CA 93703 Phone: (559) 226-4672 Fax: (559) 226-3008 fcfoundatn@sbcglobal.net
Status: Renewal	Program Description: Provides instruction in reading, English language arts for grades K-8.
School Districts Served: Alvina, American Union, Big Creek and Burrel Union Elem., Caruthers, Central Unified, Clay Joint Elem., Coalinga-Huron Joint, Firebaugh-Las Deltas Joint, Fowler Unified, Fresno County Office of Education, Fresno Unified, Golden Plains Unified, Kerman Unified, Kings Canyon Joint Unified, Kingsburg Joint Union Elem., Kingsburg Joint Union High, West Fresno Elem., West Park Elem., Westside Elem.	

APPLICANT	CONTACT
Good News Hope/Help Inc.	Ira K. Gray 178 Iowa Avenue Riverside, CA Phone: (909) 683-2916 Fax: (909) 276-1707 igray27@earthlink.net
Status: Renewal	Program Description: Provides tutorial services in reading and math after school, one-on-one and small groups
School Districts Served: Riverside USD, Alvord USD, and San Bernardino City USD	

APPLICANT	CONTACT
The Homework Club	Susan Everingham 1 St. Vincent Drive San Rafael, CA 94903 Phone: (415) 491-0142 Fax: (415) 491-0143 susan@homeworkclub.org
Status: Renewal	Program Description: Provides instruction in reading, English language arts, and mathematics.
School Districts Served: Marin, Sonoma, Contra Costa, Alameda, San Mateo, and San Francisco	

APPLICANT	CONTACT
Huntington Learning Centers, Inc.	Julie DeLucca 496 Kinderkamack Road Oradell, NJ 07649 Phone: (201) 261-8400 x486 Fax: (201) 261-3233 deluccaj@huntingtonlearningcenter.com
Status: Renewal	Program Description: Provides instruction one-on-one and in small group of up to four students to one teacher.
School Districts Served: Sacramento, Stanislaus, Contra Costa, Santa Barbara, San Diego, Alameda, Ventura, Los Angeles, Santa Clara, Orange, and Riverside	

APPLICANT	CONTACT
KnowledgePoints Central San Diego	Michael Garber 2780 Carriagedale Row La Jolla, CA 92037 Phone: (858) 454-7766 Fax: (858) 454-4246 michael@kpcsd.com
Status: Renewal	Program Description: Serves grades K-12 with no limit to the number of students served. Each instructor works with three students at a time so that children get high quality, individualized instruction.
School Districts Served: Statewide	

APPLICANT	CONTACT
Kumon Math and Reading Centers	Matthew Lupsha 300 Frank Burr Blvd., 5th Fl., Glenpoint Ctr. E. Teaneck, NJ 07666 Phone: (201) 928-0444x369 Fax: (201) 928-4162 _educate@kumon.com
Status: Renewal	Program Description: Serves grades K-12. Students visit the Center twice a week for about 30 minutes per subject and students complete brief homework assignments the other five days.
School Districts Served: Statewide	

APPLICANT	CONTACT
Lancaster School District	Dr. Ruth Holton 44711 N. Cedar Avenue Lancaster, CA 93534 Phone: (661) 948-4661 Fax: (661) 940-0641 holtonr@do.lancaster.k12.ca.us
Status: Renewal	Program Description: Offers reading and English language arts curriculum to a small group of students in grades 6-8, two days per week.
School Districts Served: Lancaster Elementary SD	

APPLICANT	CONTACT
Lassen County Office of Education	Robin Banker 472-013 Johnstonville Road, N Susanville, CA 96130 Phone: (530) 257-2196 Fax: (530) 257-2196 rbanker@lassencoe.org
Status: Renewal	Program Description: Offers reading, writing, English language arts, and math curriculum in small group and one-on-one after school tutoring.
School Districts Served: Lassen County Office of Education	

APPLICANT	CONTACT
Learner's Link/O Period Tutoring	Lisa Regina 3201 Del Paso Blvd. Sacramento, CA 95851 Phone: (916) 416-6562 Virgen1416@aol.com
Status: Renewal	Program Description: K-12 math instruction using computer software.
School Districts Served: Grant Joint USD and Sacramento City USD	

APPLICANT	CONTACT
The Learning Advantage	Denise Cottrell 120 West Court Street, Suite B Woodland, CA 95695 Phone: (530) 666-6644 Fax: (530) 666-6664 learning@cal.net
Status: Renewal	Program Description: The program utilizes a diagnostic-prescriptive instructional approach that pinpoints students' strengths and weaknesses. On-going assessment and instructional adjustment allow activities to be tailored to students' needs.
School Districts Served: Yolo County	

APPLICANT	CONTACT
Learning Excitement, Inc. (Reading Revolution)	Mark Lemyre 458 Santa Clara Avenue Oakland, CA 94610 Phone: (510) 208-7323 x102 Fax: (510) 208-5599 marklemyre@readingrevolution.com
Status: Renewal	Program Description: Programs are available in classroom instruction (before, during, and after school hours), in the home, and at reading centers (8 a.m. to 6 p.m.) for grades K-12.
School Districts Served: Statewide	

APPLICANT	CONTACT
Lincoln School District	Bev Clark 2010 W. Swain Road Stockton, CA 95207-4055 Phone (209) 953-8734 Fax: (209) 478-2543 bclark@lusd.net
Status: Renewal	Program Description: Focuses on reading and English language arts for grades 1-8.
School Districts Served: Lincoln USD	

APPLICANT	CONTACT
Lindamood-Bell Learning Processes	Paul Worthington 416 Higuera Street San Luis Obispo, CA 93401 Phone: (805) 541-3836 Fax: (805) 541-9332 pworthington@lblp.com
Status: Renewal	Program Description: Focus on reading, and math comprehension for grades PreK-12. Uses one-on-one instruction at the school site; before, during and after school as well as in summer terms for two hours daily for about eight weeks.
School Districts Served: Statewide	

APPLICANT	CONTACT
The Literacy Center	Sharon Avitia 1311 Whitley Avenue Corcoran, CA 93212 Phone: (559) 992-8008 Fax: (559) 992-8009 sharonavitia@yahoo.com
Status: Renewal	Program Description: Provides instruction in reading, English language arts, and mathematics for grades K-8.
School Districts Served: Corcoran USD	

APPLICANT	CONTACT
Long Beach Unified School District	Carolyn Jensen 1515 Hughes Way Long Beach, CA 90810 Phone (562) 997-8310 Fax (562) 997-8302 cjensen@lbusd.k12.ca.us
Status: Renewal	Program Description: Provides district tutorial services in English language arts and mathematics for students in grades 1-8 before and after school, on Saturdays, and during intercession and summer school.
School Districts Served: Long Beach USD	

APPLICANT	CONTACT
Los Angeles Unified School District, Beyond the Bell Branch	John Liechty 333 S. Beaudry Avenue, 28th Floor Los Angeles, CA 90017 Phone: (213) 241-7900 Fax: (213) 241-7562 john.liechty@lausd.net
Status: Renewal	Program Description: Focuses on grades 1-8 reading, English as a second language, and mathematics; grades 9-12 reading and mathematics content to prepare for the CA High School Exit Exam.
School Districts Served: Los Angeles USD	

APPLICANT	CONTACT
Modesto City Schools	Cynthia Church Alba 426 Locust Street Modesto, CA 95351 Phone: (209) 569-2869 Fax: (209) 569-2748 alba.c@monet.k12.ca.us
Status: Renewal	Program Description: Provides instruction in reading and mathematics for grades K-12.
School Districts Served: Modesto City SD	

APPLICANT	CONTACT
Monterey Peninsula Unified School District	Martha Froke 200 Coe Avenue, Room 5 Seaside, CA 93955 Phone: (831) 899-1066 Fax: (831) 899-7027 mfroke@mpusd.k12.ca.us
Status: Renewal	Program Description: Provides instruction in reading, English language arts and mathematics for grades 1-8.
School Districts Served: Monterey Peninsula USD	

APPLICANT	CONTACT
Mt. Diablo Unified School District	Margot Tobias 1936 Carlotta Drive Concord, CA 94519 Phone: (925) 682-8000 x3908 Fax: (925) 937-6052 tobiasm@mdusd.k12.ca.us
Status: Renewal	Program Description: Provides instruction in mathematics and reading for grades K-8.
School Districts Served: Central Contra Costa County, and Mt. Diablo USD	

APPLICANT	CONTACT
Murrieta Valley Unified School District	Susan Reynolds 41870 McAlby Court Murrieta, CA 92562 Phone: (909) 696-1600x1028 Fax: (909) 696-1518 sreynolds@murrieta.k12.ca.us
Status: Renewal	Program Description: Offers reading intervention for grades K-5. Approximately 100 students receive direct instruction in small groups of four or five.
School Districts Served: Murrieta Valley USD	

APPLICANT	CONTACT
Napa Valley Unified School District	Olive McArdle Kulas 1015 Kaiser Road Napa, CA 94558 Phone: (707) 253-3561 Fax: (707) 253-3947 omkulas@nvusd.k12.ca.us
Status: Renewal	Program Description: Provides instruction in reading and mathematics for grades K-12.
School Districts Served: Napa Valley Unified	

APPLICANT	CONTACT
Neighborhood Youth Association	Vendela Barnett 3877 Grandview Blvd. Los Angeles, CA 90066 Phone: (310) 751-0232 Fax: (310) 391-1948 vbarnett@nyayouth.org
Status: Renewal	Program Description: Focuses on reading comprehension in grades 1-3. Offers small groups using Open Court and other reading programs.
School Districts Served: Los Angeles USD	

APPLICANT	CONTACT
New Life Learning Center	Elijah Solomon Singletary 1322 North Medical Center Drive San Bernardino, CA 92411 Phone: (909) 885-7655 Fax: (909) 381-9405 esbible@aol.com
Status: Renewal	Program Description: Provides Instruction in English language arts and mathematics for grades K-12.
School Districts Served: San Bernardino County, Adelanto, Apple Valley, Victorville, and Hesperia USD	

APPLICANT	CONTACT
Newton Learning	Joel Rose 521 Fifth Avenue, 15th Floor New York, NY 10175 Phone: (877) 265-3195 Fax: (212) 419-1726 jrose@edisonschools.com
Status: Renewal	Program Description: Provides unique statewide tutorial services for in grades K-12 as after-school care and an academic boost/diagnostic approach in reading and mathematics for students.
School Districts Served: Statewide	

APPLICANT	CONTACT
Olive Crest	Donald Verleur 2130 East Fourth Street, Suite 200 Santa Ana, CA 92705 Phone: (714) 543-5437 Fax: (714) 543-5463 donald-verleur@olivecrest.org
Status: Renewal	Program Description: Provides instruction in reading, English language arts, and mathematics for grades 1-12 in group homes, foster homes, transitional housing apartments, and libraries.
School Districts Served: Riverside County, Los Angeles County, and Orange County	

APPLICANT	CONTACT
Pajaro Valley Unified School District	Mark S. Rogers 294 Green Valley Road Watsonville, CA 95076 Phone: (831) 786-2100 Fax: (831) 786-2100 mark_rogers@pvusd.net
Status: Renewal	Program Description: Provides district tutorial services in English language arts and reading for grades 2-8.
School Districts Served: Pajaro Valley USD	

APPLICANT	CONTACT
Paradigm Learning Center	Steve A. Everett 248 East Highland Avenue, Ste 15 San Bernardino, CA 92404 Phone: (909) 883-3636 Fax: (909) 883-3080 paradigmlearningcenters@msn.com
Status: Renewal	Program Description: Provides instruction in reading, English language arts, and mathematics for grades K-12.
School Districts Served: San Bernardino City Unified	

APPLICANT	CONTACT
Pomona Unified School District	Irene O'Brien 800 South Garey Pomona, CA 91766 Phone: (909) 397-4800 Fax: (909) 397-4640 Irene.O'Brien@pomona.k12.ca.us
Status: Renewal	Program Description: Provides district tutorial services for special education in English language arts and math after school and on weekends in small groups for grades 3-12.
School Districts Served: Pomona USD	

APPLICANT	CONTACT
The Princeton Review	Kevin Crossman 2176 Shattuck Avenue San Francisco, CA 94707 Phone: (510) 845-7900 Fax: (510) 845-7959 kevinc@review.com
Status: Renewal	Program Description: Offers small group discussion.
School Districts Served: Statewide	

APPLICANT	CONTACT
Principal's Exchange LLC	Estella Ramirez PMB 132 13502 Whittier Blvd. Ste H Whittier, CA 90605 Phone: 562-789-0729 Fax: 562-789-0727 estella@principals-exchange.com
Status: Renewal	Program Description: Provides tutorial services in reading, English language arts during school, after school, in summer school, on Saturday, and during intercessions one-on-one and in small groups for grades PreK-12.
School Districts Served: Statewide	

APPLICANT	CONTACT
Professional Tutors of America	Bob Harraka 595-C Tamarack Avenue Brea, CA 92821 Phone: (800) 832-2487 Fax: (714) 671-1887 bob@professionaltutors.com
Status: Renewal	Program Description: Provides K-12 instruction in mathematics and reading, English language arts.
School Districts Served: Statewide	

APPLICANT	CONTACT
Progressive Learning	Bob Harraka 2525 Michigan Ave, Bldg A6 Santa Monica, CA 90404 Phone: (310) 315-1444 Fax: (310) 264-5500 ralphfagen@progressivelearning.com
Status: Renewal	Program Description: Instruction is available in mathematics, English language arts, science and social studies for grades 5-12. Subject matter ranges from basic reading skills to advanced calculus.
School Districts Served: Statewide	

APPLICANT	CONTACT
Project Impact	Naomi Sherfield 2640 Industry Way, Suite G &H Lynwood, CA 90262 Phone: (310) 631-9763 Fax: (310) 631-6680 impact2610@aol.com
Status: Renewal	Program Description: Provides instruction in reading, English language arts, and mathematics for grades 3-12.
School Districts Served: Lynwood, Compton, Los Angeles, Pomona and Inglewood Unified	

APPLICANT	CONTACT
Pro-Youth	Laurie Isham P.O. Box 387 Visalia, CA Phone (559) 624-5810 lisham@kdhcd.org
Status: Renewal	Program Description: Provides direct instruction in individual, small, and large groups
School Districts Served: Lynwood, Compton, Los Angeles, Pomona, and Inglewood Unified	

APPLICANT	CONTACT
Quantum	Donald Gregory 619 North Vermont Avenue Dinuba, CA 93618 Phone: (559) 591-0237 quantumre@comast.net
Status: Renewal	Program Description: Uses electronic modularized courses in mathematics and English language arts (also available in Spanish). High school students can independently complete the courses to improve academic performance.
School Districts Served: Statewide	

APPLICANT	CONTACT
Rio Linda Union School District	Brad Lofthus 6450 20th Street Rio Linda, CA 95673 Phone: (916) 991-1704x60 Fax: (916) 991-9695 blofthus@rlusd.org
Status: Renewal	Program Description: Using its Academic Enrichment Program, the district will be providing tutoring and small group instruction in reading, English language arts, and math.
School Districts Served: Rio Linda Union Elementary, Robla Elementary, Elverta Joint Elementary, and North Sacramento Elementary	

APPLICANT	CONTACT
Rowland Adult/Community Education	Rocky Bettar 2100 Lerona Rowland Heights, CA 91748 Phone: (626) 965-5975 Fax: (626) 854-1191 rbettar@mail.rowlad.k12.ca.us
Status: Renewal	Program Description: Provides intensive tutorial services in reading, English language arts, and math after school, one-on-one and in small groups.
School Districts Served: Rowland USD	

APPLICANT	CONTACT
San Diego Univ. Foundation	Director, Sponsored Research Development Cty Heights Ed. Collaborati 5250 Campanile Drive San Diego, CA Phone: (619) 594-5731 Fax: (619) 594-5731 awards@foundation.sdsu.edu
Status: Renewal	Program Description: Provides instruction in reading, English language arts, and mathematics for grades 6-10.
School Districts Served: San Diego City USD	

APPLICANT	CONTACT
San Francisco Unified School District	Trish Bascom 1515 Quintara Street San Francisco, CA 94116 Phone: (415) 242-2615 Fax: (415) 242-2618 tbascom@muse.sfusd.edu
Status: Renewal	Program Description: Provides district tutorial services in primary literacy, English language arts, mathematics, science, history and social studies for students in grades K-12. Services are provided after school, one-on-one and in small groups.
School Districts Served: San Francisco USD	

APPLICANT	CONTACT
San Juan Unified School District	Rose Erickson 8301 Madison Avenue Fair Oaks, CA 95628 Phone: (916) 971-5060 Fax: (916) 971-5070 rerickson@sanjuan.edu
Status: Renewal	Program Description: Provides instruction in mathematics, and reading, English language arts for students in an independent study program.
School Districts Served: San Juan USD	

APPLICANT	CONTACT
San Juan Unified School District-Office of Student Assistance	Michael Koerner 7200 Fair Oaks Blvd., Suite 100 Carmichael, CA 95608 Phone: (916) 971-7022 Fax: (916) 971-7022 mkoerner@sanjuan.edu
Status: Renewal	Program Description: Provides instruction in reading, English language arts and mathematics for grades 1-8.
School Districts Served: San Juan USD	

APPLICANT	CONTACT
Santa Ana Unified School District	Rebecca Portales 1601 East Chestnut Avenue Santa Ana, CA 92701 Phone: (714) 558-5542 Fax: (714) 558-5527 rportales@sausd.k12.ca.us
Status: Renewal	Program Description: Provides instruction before school, after school, extended day, on Saturday; time varies depending on need.
School Districts Served: Santa Ana USD	

APPLICANT	CONTACT
Say Yes to Life	Richard Byrd 7825 S. Western Avenue Los Angeles, CA 90047 Phone: (323) 759-7657 Fax: (323) 759-9909 richardbyrd1@earthlink.net
Status: Renewal	Program Description: Provides one teacher per ten students, for individual and group tutoring in all subjects.
School Districts Served: Los Angeles County	

APPLICANT	CONTACT
SCORE! Educational Centers, Inc.	Steve Johnson 30 S. Wacker Drive, 24th Floor Chicago, IL 60606 Phone: (312) 894-0500 Fax: (312) 894-0622 Steve_Johnson@kaplan.com
Status: Renewal	Program Description: SCORE! combines computer-based mathematics and reading curriculum with direct instruction to provide a tailored learning experience. SCORE!'s motivation system provides student positive reinforcement for their effort and achievement
School Districts Served: Alameda, Contra Costa, Los Angeles, Marin, Orange, Sacramento, San Bernardino, San Diego, San Francisco, San Mateo, Santa Clara and Ventura	

APPLICANT	CONTACT
SkyLearn Digital Systems	Robert iel 675 Hartz Avenue, #109 Danville, CA 94526 Phone: (925) 838-2171 Fax: (925) 820-5374 SkyLearn@aol.com
Status: Renewal	Program Description: Provides online instruction in reading, English language arts
School Districts Served: Statewide	

APPLICANT	CONTACT
Smart Kids Tutoring & Learning Center, Inc	Chi Fai Mak P.O. Box 80862 San Marino, CA 91118 Phone: (909) 597-8969 Fax: (909) 597-8969 _smarkidscenters@yahoo.com
Status: Renewal	Program Description: Provides instruction one-on-one, semi-private, and small groups; in-home, at library locations, or in school.
School Districts Served: Statewide	

APPLICANT	CONTACT
Summerville Elementary School District	Leigh Shampain 18451 Carter Street Tuolumne, CA 95379 Phone: (209) 928-4291 Fax: None lshampain@sumek.k12 .
Status: Renewal	Program Description: Provides instruction in English language arts and mathematics for grades 2-8.
School Districts Served: Summerville Elementary SD	

APPLICANT	CONTACT
Sylvan Education Solutions, LLC	Michael Maloney 1001 Fleet Street Baltimore, MD 21202 Phone: (410) 843-8346 Fax: (410) 843-8556 Michael.maloney@educate.com
Status: Renewal	Program Description: Provides instruction in reading, English language arts and mathematics for grades K-12.
School Districts Served: Statewide	

APPLICANT	CONTACT
The Talking Page-Literacy Organization	Martin Chekel 1738 Tradewinds Lane Newport Beach, CA 92660 Phone: (949) 222-9800 Fax: (949) 222-9800 talkingpage@hotmail.com
Status: Renewal	Program Description: Provides instruction for students in K-11 in the area of English language development, and literacy skills.
School Districts Served: Los Angeles County	

APPLICANT	CONTACT
Tutor Works, Inc.	Deanna Terzian 118 Winslow Street Redwood City, CA 94063 Phone: (650) 679-9669 Fax: (650) 649-2395 dterzian@tutorworks.org
Status: Renewal	Program Description: The TutorWorks program uses a computer-aided curriculum, Web-based motivational and assessment tools, and an incentive-based approach. Teachers and paraprofessionals act as academic coaches, providing academic assistance, one-on-one tutoring and encouragement.

School Districts Served: Jefferson Elementary, Bayshore Elementary, Belmont-Redwood Shores Elementary, Brisbane Elementary, Burlingame Elementary, Cabrillo Unified, Hillsborough City Elementary, Jefferson Union High, La Honda-Pescadero Unified, Laguna Salada Union Elementary, Las Lomas Elementary, Menlo Park City Elementary, Millbrae Elementary, San Mateo-Foster City Elementary, Portola Valley Elementary, Ravenswood City Elementary, Redwood City Elementary, San Bruno Park Elementary, San Carlos Elementary, San Mateo County Office of Education, San Mateo Union High, San Mateo-Foster City Elementary, Sequoia Union High, South San Francisco Unified, Woodside Elementary, Morgan Hill Unified, Alum Rock Union Elementary, Berryessa Union Elementary, Cambrian Elementary, Campbell Union Elementary, Campbell Union High, College Elementary, Cupertino Union Elementary, East Side Union High, Evergreen Elementary, Franklin-McKinley Elementary, Fremont Union High, Gilroy Unified, Lakeside Joint Elementary, Loma Prieta Joint Union Elementary, Los Altos Elementary, Los Gatos Union Elementary, Los Gatos-Saratoga Joint Union High, Luther Burbank Elementary, Milpitas Unified, Montebello Elementary, Moreland Elementary, Mountain View-Los Altos Union High, Mountain View-Whisman Elementary, Mt. Pleasant Elementary, Oak Grove Elementary, Orchard Elementary, Palo Alto Unified, San Jose Unified, Santa Clara County Office of Education, Santa Clara Elementary, Santa Clara Unified, Saratoga Union Elementary, Sunnyvale Elementary, Union Elementary, Apple Valley Unified, San Francisco Unified

APPLICANT	CONTACT
Tutors of the Inland Empire	Carl Benson 31542 Railroad Cyn. Rd., Ste. 7 Canyon Lake, CA 92587 Phone: (909) 240-2055/246-2036 Fax: (909) 246-2054 tutorsofinlandempire.tie@verizon.net
Status: Renewal	Program Description: Provides one-on-one tutoring in the residence of the student.
School Districts Served: Delano USD	

APPLICANT	CONTACT
Vacaville Unified School District	Peggy Alexander 751 School Street Vacaville, CA 95688 Phone: (707) 453-6140 Fax: (707) 453-7290 peggya@vacavilleusd.org
Status: Renewal	Program Description: Provides district tutorial services before/after school and lunch time. Computer assisted in small groups or one-on-one.
School Districts Served: Vacaville USD	

APPLICANT	CONTACT
Valley Center-Pauma USD	Olivia Leschick 28751 Cole Grande Road Valley Center, CA 92082 Phone: 760-749-0464 Fax: 760-749-1208 leschick.ol@vcpusd.k12.ca.us
Status: Renewal	Program Description: Provides district tutorial services in reading, English language arts, and math for students in grades 1-8, after school on Tuesdays and Thursday's.
School Districts Served: Valley Center-Pauma USD	

APPLICANT	CONTACT
Voyager Expanded Learning, Inc.	Frederik Dissel 1125 Longpoint Avenue Dallas, TX 75247 Phone: (801) 942-2778 Fax: (801) 947-9470 fdissel@voyagerlearning.com
Status: Renewal	Program Description: Instruction is based on grade-level specific curriculum; ration of six students for every teacher.
School Districts Served: Statewide	

Additionally, staff recommend that the following providers be approved.

APPLICANT	CONTACT
MATH*Ability	Michael Green 22298 Davenrich Salinas, CA 93908 Phone: (831) 235-1133 Fax: (831) 789-1761 michael@mathability.com
Status: Renewal	Program Description: Provides structured arithmetic practice service. The staff provides individually tailored practice sheets that focus on specific targeted practice in key arithmetic skills for grades K-8.
School Districts Served: Statewide	

APPLICANT	CONTACT
SMARTHINKING, Inc.	Neil Allison 1900 L Street NW, Suite 301 Washington, DC 20036 Phone: (202) 543 5034 x 201 Fax: none nallison@smarthinking.com
Status: Renewal	Program Description: Students are connected to qualified educators from any internet connection and are provided live one-on-one tutoring instruction for grades K-12.
School Districts Served: Statewide	

**NEW APPLICANTS FOR SUPPLEMENTAL EDUCATION SERVICES PROVIDERS'
APPROVED LIST**

APPLICANT	CONTACT
A Place Called Home	Thyonne Gordon 2830 South Central Avenue Los Angeles, CA 90012 Phone: (323)-232-7653 Fax: (323)-232-0139 thyonne@apch.org
Status: New	Program Description: Provides one-to-one instruction in mathematics and English-language arts.
School Districts Served: Los Angeles County and Los Angeles USD	

APPLICANT	CONTACT
A + Tutors' Club	Michael Brokim 1964 Westwood Blvd., Suite 240 West Los Angeles, CA 90025 Phone: 1-(866)-7-TUTORS Fax:1(800)-299-1988 michael@thetutorsclub.com
Status: New	Program Description: Provides one-to-one instruction in mathematics and English language arts at the school or student's home.
School Districts Served: Los Angeles, Ventura, and Orange Counties	

APPLICANT	CONTACT
Academic Excellence Plus	Annjennette McFarlin 1100 Orange Drive Chula Vista, CA 91911 Phone: (619) 422-7053 Fax: (619) 582-0840 mcfarlin@cox.net
Status: New	Program Description: Provides after school one-on-one to small group instruction in mathematics and English supported by computer-based instruction.
School Districts Served: San Diego Unified, National, and Lemon Grove Elementary	

APPLICANT	CONTACT
African American Unity Center	Charisse Bremond 944 West 53rd Street Los Angeles, CA 90037 Phone: (323) 971-7344 Fax: (323) 971-4188 cbremond@earthlink.net
Status: New	Program Description: Provides small group after school instruction in mathematics and English-language arts supported by computer technology.
School Districts Served: Los Angeles USD	

APPLICANT	CONTACT
Anaheim City School District	Randy Wiethron 1001 S. East Street Anaheim, CA 92805 Phone: (714) 517-7521 Fax: (714) 517-9225 rwiethron@acsd.k12.ca.us
Status: New	Program Description: Small group instruction after school in grades K-6 for mathematics and English-language arts and will use a computer lab for additional support.
School Districts Served: Anaheim City SD	

APPLICANT	CONTACT
Anaheim Family YMCA	Todd Ament 240 S. Euclid Anaheim, CA 92802 Phone: 714-635-9622 Fax: 714-239-2046 toddament@anaheimymca.org
Status: New	Program Description: Provides individualized one-on-one and small group tutoring after school in mathematics and literacy skills.
School Districts Served: Anaheim City SD and Magnolia SD	

APPLICANT	CONTACT
Bay Area Education Support Systems	Nancy Zawadzki 1345 Grand Avenue Piedmont, CA 94610 Phone: (510)-428-4125 Fax: (510)-420-9044 nz@sylvanpiedmont.com
Status: New	Program Description: Provides after school instruction in mathematics and English-language arts in small groups setting for grades K-12.
School Districts Served: Hayward, Castro Valley, San Lorenzo, San Leandro, Oakland, Emeryville, Albany, Kensington, West Contra Costa, Vallejo, Benicia, Fairfield-Suisun, Travis, and Vacaville school districts.	

APPLICANT	CONTACT
Berkeley Unified School District	Carla Basom 2134 Martin Luther King Jr Way Berkeley, CA 94704 Phone: (510) 644-6202 Fax: (510) 644-8815 carla_basom@berkeley.k12.ca.us
Status: New	Program Description: Provides small group and one-to-one instruction.
School Districts Served: Berkeley USD	

APPLICANT	CONTACT
Brain Hurricane, LLC	Reed Howard 11715 Avon Way, Suite 18 Los Angeles, CA 90066 Phone: (310)-902-1327 Fax: (773)-598-0566 support@educationkits.com
Status: New	Program Description: For grades K-8, provides hands on instruction in mathematics and reading skills in small group at the school site.
School Districts Served: Statewide	

APPLICANT	CONTACT
Chapman University, School of Education	Michael Madrid One University Drive Orange, CA 92866 Phone: (714) 628-7381 Fax: (714) 744-7035 Madrid@chapman.edu
Status: New	Program Description: Provide one-on-one, tutoring in mathematics and English language arts after school at the university.
School Districts Served: Orange County	

APPLICANT	CONTACT
The Community College Foundation	Peter Sibbison 3530 Wilshire Blvd, Suite 610 Los Angeles, CA 90020 Phone: (213) 427-6910 Fax: (213) 383-7913 psibbison@communitycollege.org
Status: New	Program Description: Provides small group instruction after school in English language arts and mathematics at the school site for grades K-8 using a computer program.
School Districts Served: Statewide	

APPLICANT	CONTACT
Easton Educational Services (Legal Entity)	Arthur Easton 1111 Valley Spring LN Colton, CA 92324-4724 Phone: (909)-884-8241 Fax: (909)-884-3230 easton2@adelphia.net
Status: New	Program Description: Provides one-on-one tutoring, small group, and integrated technology services in grades K-12 in mathematics and English language arts
School Districts Served: San Bernardino County	

APPLICANT	CONTACT
Educating Young Minds	Angeles Echols 3400 West Sixth St., Ste. 200 Los Angeles, CA 90020 Phone: (213) 487-2310 Fax: (213) 487-4104 aechols@educatingyoungminds.org
Status: New	Program Description: Provides one-on-One and small group instruction in mathematics and reading after school and on Saturday for grades K-12.
School Districts Served: Los Angeles USD	

APPLICANT	CONTACT
Education Foundation of the Green Meadows/Jack L. Boyd Outdoor School	Sharon Twitty 632 West 13th Street Merced, CA 95340 Phone: (209) 381-6634 Fax: (209) 381-3773 stwitty@mcoe.org
Status: New	Program Description: Provides direct instruction at the school site for students in grades 2-12 in mathematics.
School Districts Served: Merced, Mariposa, and Madera Counties	

APPLICANT	CONTACT
Enterprise Companies dba The CyberStudy101.com,	William J. Morris 1929 Ewing Ave S Minneapolis, MN 55416 Phone: (612)-280-0865 Fax: (612)-331-0080 wmorris@cyberstudy101.com
Status: New	Program Description: Provides online tutoring in mathematics and reading for grades K-12.
School Districts Served: Statewide	

APPLICANT	CONTACT
Failure Free Reading	Vincent Vezza 140 Cabarrus Avenue, West Concord, NC 28025 Phone: (704) 786-7838 Fax: (704) 785-8940 Vince.Vezza@failurefree.com
Status: New	Program Description: Provides individualized and small group instruction in reading and mathematics with computer assistance for grades K-12 after school.
School Districts Served: Statewide	

APPLICANT	CONTACT
First Nations Tribal Family Center, Inc.	Pamelalee Shimizu 2210 Highland Avenue, Suite 116 San Bernardino, CA 92404 Phone: (909) 864-8884 Fax: (909) 864-8885 FNTER@Yahoo.com
Status: New	Program Description: Provides one-on-one tutoring at the school site in reading and mathematics for grades K-12 after school.
School Districts Served: Statewide	

APPLICANT	CONTACT
Great Expectations Learning Center	Stacy Black P.O. Box 6942 Chico, CA 95927 Phone: (530) 345-7972 Fax: none sblack@learningcenter.org
Status: New	Program Description: Provides tutoring for grades K-12 in mathematics and English language arts; after school in small groups and one-on-one.
School Districts Served: Butte, Tehama, Lassen, and Plumas Counties	

APPLICANT	CONTACT
Greenfield Union Elementary	Carolyn Martin 1624 Fairview Road Bakersfield, CA 93307 Phone: (661)-837-6000 Fax: (661)-837-6015 martin@gfusd.k12.ca.us
Status: New	Program Description: Provides reading instruction for grades 3-8. after school, two hours per day, four days per week at each site; approximately 14-24 students per site ant 9 sites.
School Districts Served: Greenfield Union Elementary SD	

APPLICANT	CONTACT
Inner City College Prep of Los Angeles	Florence Jackson 6625th 4th Avenue Los Angeles, CA 90043 Phone: (323) 752-0944 Fax: (323)-778-3928 iccpofla@aol.com
Status: New	Program Description: Provides small group instruction in mathematics and reading after school and on Saturday for grades 1-12.
School Districts Served: Los Angeles USD	

APPLICANT	CONTACT
Lake County Citizens' Committee on Indian Affairs, Inc.	John W. Johnson P.O. Box 632/2626 S. Main St. Lakeport, CA 95453 Phone: (707) 263-8424 Fax: (707) 263-0120 nacec@mchsi.com
Status: New	Program Description: Provides one-on-One academic assistance in academic content areas for grades K-12 at the school site or after school at the Center.
School Districts Served: Lake County	

APPLICANT	CONTACT
Lighthouse Learning Academy	David Choi 2330 Cinema Drive, Suite 110 Valencia, CA Phone (310) 338-2344 Fax (310) 338-3000 dchoi@lmu.edu
Status: New	Program Description: Provides instruction in reading and mathematics for grades K-12.
School Districts Served: Los Angeles USD	

APPLICANT	CONTACT
Mathnasium	David Ullendorff 468 N. Camden Drive Beverly Hills, CA 90210 Phone : (310) 475-0222 Fax: (310) 475-0222 davidu@mathnasium.com
Status: New	Program Description: Provides mathematics instruction in small group for grades 2-12.
School Districts Served: Los Angeles County and Orange County	

APPLICANT	CONTACT
Mono County Office of Education	Linda Irving P.O. Box 130 Mammoth Lakes, CA 93546 Phone: (760)-934-0031 Fax: (760)-934-1443 lirving@monocoe.org
Status: New	Program Description: Provides on school site tutoring in reading and mathematics for grades 2-12.
School Districts Served: Mono County	

APPLICANT	CONTACT
Multicultural Learning and Development Services	Yohannes Truneh 737 De La Toba Road Chula Vista, CA 91911 Phone: (619)-388-2388 Fax: (619)-584-8833 ytruneh2000@yahoo.com
Status: New	Program Description: Provides one-on-one and small group tutoring for grades K-12 in reading and mathematics after school at the Center.
School Districts Served: San Diego Mid-City Area	

APPLICANT	CONTACT
National School District	Christopher D. Oram 1500 N Avenue National City, CA 91950 Phone: (619) 336-7740 Fax: (619) 336-7505
Status: New	Program Description: Teachers will provide after school tutoring one-on-one and or in small groups for grades K-6 in English language arts and mathematics at the school site.
School Districts Served: National SD	

APPLICANT	CONTACT
New Century Education Services Corp.	Karen Brandhorst 800 S. Pacific Coast Hwy 8 Redondo Beach, CA 90277 Phone: (800) 992-1755 Fax: (310) 540-2151 kbrandhorst@ncecorp.com
Status: New	Program Description: Provides a one-on-one self-paced computer based program in mathematics and English language arts at the school site for grades K-12
School Districts Served: Statewide	

APPLICANT	CONTACT
Open Door Enrichment Center	Garon Harden 132 E. Artesia Blvd Long Beach, CA 90805 Phone: (562) 984-2278 Fax: (213) 422-7826 patrick73211@netzero.com
Status: New	Program Description: Provides instruction in reading, English language arts and mathematics for grades K-12.
School Districts Served: Compton USD and Long Beach USD	

APPLICANT	CONTACT
Oxford Tutoring Center	Matthew Phung 14225 Culver Drive Irvine, CA 92507 Phone: (949) 681-0388 Fax: (661) 452-2806 matt@oxfordtutoring.com
Status: New	Program Description: Provides after school and weekend small groups and one-on-one tutoring in English language arts and mathematics for grades K-12 at the center or school site.
School Districts Served: Riverside, San Bernardino, and Orange County	

APPLICANT	CONTACT
Pazzaz Inc. Educational Enrichment Center	Zoneice Z. Jones 1744 N. Euclid Avenue San Diego, CA 92105 Phone: (619)-264-6870 Fax: (619)-264-6870 info@pazzaz.org
Status: New	Program Description: Provides after school tutoring for grades K-12 in small groups and one-on-one at the center for English language arts and mathematics with computer support.
School Districts Served: San Diego County	

APPLICANT	CONTACT
People Making Progress	John Adam Causey, President/CEO 6709 La Tijera Blvd., Ste. 333 Los Angeles, CA 90045 Phone: (310) 849-5362 Fax: none jac3@aol.com
Status: New	Program Description: Provides interactive software to improve achievement in math, English language arts, science and computer literacy; uses a chess tutoring program in small groups for students in grades K-12.
School Districts Served: Statewide	

APPLICANT	CONTACT
Platform Learning Inc.	55 Broad Street, 25th Floor New York, NY 10004 Phone: (646)-442-2525 Fax: (646)-442-2501 gene@platformlearning.com
Status: New	Program Description: Offers small group instruction in mathematics and reading to students in grades K-12 at the school site.
School Districts Served: Statewide	

APPLICANT	CONTACT
PLATO Learning Inc.	Bernice Stafford 10140 Campus Point Drive San Diego, CA 92121 Phone: 1 (888)-425-5543, x8356 Fax: (858)-824-8010 bstafford@plato.com
Status: New	Program Description: Provides instruction in reading and mathematics via computer to groups after school.
School Districts Served: Statewide	

APPLICANT	CONTACT
Reading and Beyond	Margaret Jean Bagle 1135 Pine St. Suite 110 Redding, CA 96001 Phone (530) 229-9326 Fax: none jbagley@shastalink.k12.ca.us
Status: New	Program Description: Provides instruction in reading for grades K-12.
School Districts Served: Counties in Northern California	

APPLICANT	CONTACT
The Reading Center	Nick Maricic 38005 Pinnacle Court Murrieta, CA 92562 Phone: (909) 485-5828 Fax: (909) 677-0703 Nmaricic@aol.com
Status: New	Program Description: Provides direct instruction in language arts for grades K-12, after school at the center.
School Districts Served: Moreno Valley Unified and Riverside County	

APPLICANT	CONTACT
Sacramento City Unified School District	Graciela Albiar-Gates 5735 47th Avenue Sacramento, CA 95824 Phone: (916)-643-9077 Fax: (916)-643-9476 gracieal@sac-city.k12.ca.us
Status: New	Program Description: Provides tutoring in English language arts and mathematics after school in small group and one-on-one instructional settings for grades 2-12.
School Districts Served: Sacramento City USD	

APPLICANT	CONTACT
San Diego Youth & Community Services	Barbara Hansen 3255 Wing Street San Diego, CA 92110 Phone: (619)-221-8600 x277 Fax: (619)-221-8611 bhansen@sdycs.org
Status: New	Program Description: Provides individualize instruction in reading and mathematics for grades 2-12, after school at various youth centers.
School Districts Served: San Diego USD	

APPLICANT	CONTACT
The Smartel Learning Links	Marianne R. Steverson 3500 W. Manchester Blvd. Suite 47 Inglewood, CA 90305 Phone: (310) 419-8996 Fax: (310) 419-8996 bmrsteverson@smartel.net
Status: New	Program Description: Provides small group instruction, and one-on-one tutoring in English language arts in grades K-12 at the school site.
School Districts Served: Los Angeles, Orange, and Alameda Counties	

APPLICANT	CONTACT
Spectra Services, Mosaica Education Inc.	Dr. Otho Tucker 1050 Northgate Drive Ste 190 San Rafael, CA 94903 Phone: (919) 499-1357 Fax: (919) 499-1457 Otucker@Mosaica Education.com
Status: New	Program Description: Provides small group instruction in English language arts and mathematics for grades K-8 after school.
School Districts Served: Statewide	

APPLICANT	CONTACT
Total Education Solutions	Nancy Lavelle 1137 Huntington Drive South Pasadena, CA 91030 Phone: (323) 341-7777 Fax: (323) 257-0284 njlavelleQ@tesidea.com
Status: New	Program Description: Provides small group and one-on-one tutoring in English language arts and mathematics at the school site or in community centers for grades K-12.
School Districts Served: Statewide	

APPLICANT	CONTACT
Tracy Joint Unified School District	Harold Kushins 1875 West Lowell Tracy, CA 95376 Phone: (209) 830-3275 Fax: (209) 830-3209 hkushins@tusd.net
Status: New	Program Description: Provides small group instruction in English language arts and mathematics for grades K-12 at local school sites.
School Districts Served: Tracy USD	

APPLICANT	CONTACT
Tulare City School District	Dr. Clare Gist 600 North Cherry Street Tulare, CA 93274 Phone: (559) 685-7236 Fax: (559) 685-7236 cgist@tcsd.K12.ca.us
Status: New	Program Description: Provides small group instruction in mathematics and English language arts for grades 6-8, after school at the school site.
School Districts Served: Tulare County	

APPLICANT	CONTACT
Vision 2000, Educational Foundation	Hazel Mahone 2816 Robinson Creek Elk Grove, CA 95758 Phone: (916) 691-9180 Fax: (916) 752-9696 hmahone@aol.com
Status: New	Program Description: Provides small group instruction in mathematics and English language arts for grades K-12, after school at the school site.
School Districts Served: Sacramento, San Juan USD, and Elk Grove USD	

APPLICANT	CONTACT
The Voice Empowered Technology Organization	Alicia C. Kelly 5022 Bailey Loop Drive #110 McClellan, CA 95652 Phone: (916) 921-8386 Fax: (916) 641-7526 _vetoackj@aol.com
Status: New	Program Description: Provides one-on-one tutoring in mathematics and English language arts using computer technology for grades 4-12 after school at the school site and in community centers.
School Districts Served: Sacramento Unified and Elk Grove USD	

APPLICANT	CONTACT
WestEd	Steven A. Schneider 4240 Farm Hill Blvd. Redwood City, CA 94061 Phone: (650) 381-6410 Fax: (650) 381-6401 sschnei@wested.org
Status: New	Program Description: Individual and small group tutoring in mathematics for grades 6-12, after school at the school site.
School Districts Served: Sequoia Union SD	

APPLICANT	CONTACT
Wm. Finch School/Glenn COE	Ann Lambert 111 E. Walker Street Orland, CA 95963 Phone: (530) 865-1277x201 Fax: (530)-865-1178 alambert@glenncoe.org
Status: New	Program Description: Provides one-on-one and small group instruction in mathematics and reading at the school site for grades K-12.
School Districts Served: Glenn County	



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT <i>No Child Left Behind Act (NCLB) of 2001: Approve Commencement of the Rulemaking Process for Amendments to Title 5 Regulations for the No Child Left Behind Teacher Requirements</i>	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE) (1) approve the amended Title 5 Regulations for the No Child Left Behind Teacher Requirements, Initial Statement of Reasons, Notice of Proposed Rulemaking, and direct staff to commence the public rulemaking process; and (2) approve the revision to the High Objective Uniform State Standard of Evaluation (HOUSSE) forms for the Certificate of Compliance.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE approved the Title 5 Regulations for the No Child Left Behind Teacher Requirements at the November 2003 meeting. The Title 5 Regulations were approved by the Office of Administrative Law on February 27, 2004. The proposed amendments to the Title 5 regulations for the No Child Left Behind Teacher Requirements and the revision to the HOUSSE forms were submitted to the SBE in April 2004 as an Information Item. The CDE is now requesting that the SBE take action to approve these amended regulations and forms.

SUMMARY OF KEY ISSUES

The amended regulations reflect the new guidance received in the January 16, 2004, *U. S. Department of Education Non-Regulatory Guidance for the NCLB Title II, Part A, Improving Teacher Quality State Grants* for the NCLB Teacher Requirements related to the following:

- (1) Elementary, middle and high school designation by course;
- (2) Supplementary authorizations and local teaching assignment options for teacher verification of subject matter competency through HOUSSE;
- (3) Credentials and date issued by other states to define teachers as new and not new;
- (4) International teachers: Definition and equivalent HOUSSE process;
- (5) Minor revisions to the HOUSSE forms that are incorporated by reference in the Title 5 Regulations.

FISCAL ANALYSIS (AS APPROPRIATE)

The CDE fiscal analysis will be submitted as a Last Minute Memorandum.

ATTACHMENT

[Attachment 1](#): Amended Regulations: Title 5 No Child Left Behind Teacher Requirements (3 Pages)

[Attachment 2](#): HOUSSE Forms (4 Pages)

[Attachment 3](#): Informative Digest (1 Page)

[Attachment 4](#): Initial Statement of Reasons: Title 5 Regulations: No Child Left Behind Teacher Requirements (3 Pages)

[Attachment 5](#): Notice of Proposed Rulemaking (5 Pages)

The CDE fiscal analysis will be submitted as a Last Minute Memorandum.

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Title 5. EDUCATION

Division 1. State Department of Education

Chapter 6. Certified Personnel

Subchapter 7. No Child Left Behind Teacher Requirements

Article 1. General

Amend Section 6100(d) and (j) to read:

§ 6100. Definitions.

(d) Elementary, Middle and High School: The local educational agency shall determine, based on curriculum taught, ~~by school site; or by each grade at the school site; or by each course,~~ if appropriate, whether a teacher course is hired to teach elementary, middle or high school.

(j) International Teacher: A credentialed teacher prepared in a country other than the United States.

NOTE: Authority cited: Section 12001, Education Code. Reference: 20 USC 7801(23), 20 USC 6319(a); Section 44275.4, Education Code; and Improving Teacher Quality State Grants Title II, Part A Non-Regulatory Guidance ~~December 19, 2002~~ January 16, 2004.

Amend Article 4, Section 6115 to read:

Article 4. ~~Teachers~~ State Certification Not Meeting NCLB Teacher Requirements

§ 6115. ~~Teachers~~ State Certification Not Meeting NCLB Teacher Requirements.

A teacher does not meet the NCLB teacher requirements for the core academic subject taught if:

(1) Teaching with an Emergency Permit, or

1 ~~(2) Teaching with a supplemental authorization (except where the supplemental~~
2 ~~authorization is based on a major or a major equivalent in the subject taught) or~~

3 ~~(2)(3) Teaching with state or local waivers for the grade or subject taught, or~~

4 ~~(3)(4) Teaching as a pre-intern pursuant to Education Code Section 44305 et seq.~~

5 NOTE: Authority cited: Section 12001, Education Code. Reference: 20 USC 7801(23), 20
6 USC 6319(a); Section 44275.4, Education Code; and Improving Teacher Quality State
7 Grants Title II, Part A Non-Regulatory Guidance ~~December 19, 2002~~ January 16, 2004.

8

9 *Add Section 6116 to read:*

10 **§ 6116. Teachers with Supplementary Authorizations and Local Teaching**

11 **Assignment Options.**

12 Teachers with a supplementary authorization or a local teaching assignment option who
13 meet the NCLB Teacher Requirements are those who:

14 (1) hold certification; and

15 (2) have demonstrated subject matter competency for the grade span and subject
16 matter taught.

17 NOTE: Authority cited: Section 12001, Education Code. Reference: 20 USC 7801(23), 20
18 USC 6319(a) and Improving Teacher Quality State Grants Title II, Part A Non-Regulatory
19 Guidance January 16, 2004.

20 *Amend Section 6125 to read:*

21 **§ 6125. Teachers from Out-of-State.**

22 Teachers who have been found to meet met the subject matter competency
23 requirements of NCLB in states outside of California shall also be considered to have met
24 the requirements for that ~~particular~~ subject and/or grade span in California. California's

1 credentialing reciprocity is not affected by the requirements of NCLB.

2 The date of issuance of a valid teaching credential issued by states outside of California
3 shall be used to identify a teacher as new or not new to the profession in California.

4 NOTE: Authority cited: Section 12001, Education Code. Reference: 20 USC 7801(23), 20
5 USC 6319(a); Section 44275.4, Education Code; and Improving Teacher Quality State
6 Grants Title II, Part A Non-Regulatory Guidance ~~December 19, 2002~~ January 16, 2004.

7

8 *Add Section 6126 to read:*

9 **§ 6126. International Teachers.**

10 A teacher from another country who meets the NCLB Teacher Requirements is one
11 who:

12 (1) Holds a degree from a foreign college or university that is at least equivalent to a
13 bachelor's degree offered by an American institution of higher education.

14 (2) Has a teaching credential that meets the California Commission on Teacher
15 Credentialing requirements for out-of-country trained teachers.

16 (3) Demonstrates subject matter competency for the grade span and subjects taught
17 through the same or equivalent processes and methods required of California Teachers.

18 NOTE: Authority cited: Section 12001, Education Code. Reference: 20 USC 7801(23), 20
19 USC 6319(a) and Improving Teacher Quality State Grants Title II, Part A Non-Regulatory
20 Guidance January 16, 2004.

21 4-7-04

NCLB TEACHER REQUIREMENTS: Certificate of Compliance

Teacher's Name: _____ School/District _____

Core Academic Subject Area Assignment _____

- *All teachers: To become NCLB compliant you must complete the three requirements listed below.*
- *Middle/High school teachers: One certificate must be completed for each core academic subject taught.*
- *Elementary teachers: Complete one certificate for multiple subjects.*

If you have questions, see the Instructions for completing the *NCLB Teacher Requirements: Certificate of Compliance*. (Sec. 3.1-3.3)

1. I have a bachelor's degree (Sec. 3.2.1)

2. I have an appropriate California Credential. (Sec. 3.2.2) Type _____
Date of issuance _____

3. I have demonstrated core academic subject area competence by completing: (Sec. 3.2.3)

✓ **Check one box to determine the appropriate option/s:**

- I am a "New" to the profession teacher. (Credential issued on or after July 1, 2002)
"New" elementary teachers must select Exam option.
"New" middle/high school teachers may select Exam or Coursework option.
- I am a "Not new" to the profession teacher. (Credential issued before July 1, 2002)
"Not new" elementary teachers may select Exam or HOUSSE option.
"Not new" middle/high school teachers may select the Exam, Coursework, Advanced Certification or HOUSSE options.

✓ **Check one box from the option/s available.**

EXAM

- I have passed a CCTC approved subject matter exam, including but not limited to CSET, MSAT, or NTE, in the core subject that I teach.

This certificate relates to the following NCLB Core Academic Subject: (Check one)

- English
- Reading/Language Arts
- Mathematics
- Science
- Civics and Government
- Economics
- Arts
- Foreign Language
- History
- Geography

Self-Contained/Elementary
Multiple subjects

COURSEWORK

- I have completed a CCTC approved subject matter program in the core subject that I teach.
- I have an undergraduate major in the core subject I teach.
- I have an undergraduate major equivalent in the core subject I teach (32 non-remedial semester units).
- I have a graduate degree in the core subject I teach.

ADVANCED CERTIFICATION

- National Board Certification in the core subject I teach

HOUSSE

- I have completed California's High Objective Uniform State Standard of Evaluation in the core subject I teach. (See Sec. 3.3, Form 2 and/or Form 3.)

Teacher's Signature: _____ **Date:** _____

Verified by:
(Superintendent/designee) _____ **Date:** _____

- ✓ **Attach appropriate documentation and evidence.**
- ✓ **The teacher retains a signed copy of this form.**
- ✓ **LEAs/districts retain a signed original of this form for NCLB data reporting purposes.**

**CALIFORNIA HIGH OBJECTIVE UNIFORM STATE STANDARD of EVALUATION
CALIFORNIA HOUSSE – PART 1
Assessment of Qualifications and Experience**

Teacher's Name _____

Current Core Academic Assignment _____

I have accumulated the 100 Points required for the California HOUSSE. (Attach evidence)

HOUSSE-PART 1: PRIOR EXPERIENCE IN ASSIGNED AREA	Total Points
Experience in teaching core area - 10 pts per school year (Five years maximum) Circle years teaching this core academic subject: 1 2 3 4 5	50 pts. Max. ____pts
HOUSEE-PART 1: CORE ACADEMIC COURSEWORK IN ASSIGNED AREA	Points
<p>Elementary teachers Core Academic Coursework: Select one if appropriate</p> <p>A. Completed 18 semester units in each of four core areas: 1) Reading/ Language Arts, 2) Mathematics and Science, 3) History and Social Sciences and 4) the Arts. - 50 pts, or</p> <p>B. Completed a CCTC approved Liberal Studies Waiver Program - 50 pts, or</p> <p>C. National Board Certification in grade span - 60 pts, or</p> <p>D. Completed an advanced degree in teaching, curriculum instruction, or assessment in core academic area [e.g., MAT/MEd/MA/MS]</p> <p>Middle /High School Core Academic Coursework: Select one if applicable</p> <p>A. Completed CCTC-Supplementary Authorization – 50 pts. or</p> <p>B. Completed 15-21 Units of Core – 30 pts., or</p> <p>C. Completed 22-30 Units of Core – 50 pts., or</p> <p>D. Completed an advanced degree in teaching/curriculum/assessment in core academic area {e.g., MAT/MEd/MA/MS} – 60 pts.</p>	____pts

HOUSSE-PART 1: STANDARDS ALIGNED PROFESSIONAL DEVELOPMENT IN ASSIGNED AREA	Points
<p>Aligned Professional Development (20 hrs = 5 pts, 40 hrs = 10 pts....)</p> <ul style="list-style-type: none"> • Reading and Mathematics Professional Development Program (AB466 Training) • Beginning Teacher Support and Assessment (BTSA) Programs • Participate, but not yet certified, in National Board Certification program. <p>Note: This list is not exhaustive. Professional development activities that are used for the HOUSSE evaluation must be activities that increase teachers' knowledge of core academic subjects, are standards-aligned, sustained, intensive and classroom-focused and are not 1-day or short-term workshops or conferences. NCLB requires that the list of professional development activities is available to the public. (See Section 3.2.3.1)</p>	<p>(Within last six years) (Since 1997)</p> <p>_____pts</p>
HOUSSE PART 1 LEADERSHIP AND SERVICE TO THE PROFESSION IN ASIGNED AREA	Points
<p>Service leadership roles within Core academic content area 1 yr = 30 pts, 2 yr = 60 pts, 3 yrs = 90 pts</p> <p>Mentor, Academic Curriculum Coach, Supervising Teacher, College / University instructor in content area/content methodology, BTSA Support Provider, Department Chair, National/State Recognition as "Outstanding Educator" in Content Area</p> <p>Note: This list is not exhaustive. NCLB requires that the list of qualified service and leadership activities is available to the public. (See Section 3.2.3.1)</p>	<p>_____pts</p>

Signed by Teacher _____ Date _____

Verified by LEA (Superintendent/designee) _____ Date _____

Attach appropriate documentation.

Attach a copy of HOUSSE-PART 1 to Certificate of Compliance (Form 1)

Go to HOUSSE-PART 2 (Form 3) only if more points are necessary to reach a total of 100.

INFORMATIVE DIGEST
No Child Left Behind Teacher Requirements

Federal law under No Child Left Behind Act (NCLB) requires that all teachers of core academic subjects meet the federal definition of “highly qualified teacher” no later than the end of the 2005-2006 school year. Schools that receive Title I funds are currently required to hire only teachers that meet the federal definition of “highly qualified teacher.” Core academic subjects include English, reading/language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography (NCLB Section 9101).

While federal law defines the requirements for “highly qualified teacher”, some details regarding how the definition is applied in each State must also be determined. Existing State law and these proposed regulations are intended to provide the detail necessary to meet the NCLB Teacher Requirements in California.

Specifically, these proposed Title 5 regulations amend the existing regulations related to the No Child Left Behind Teacher Requirements and address new guidance received in the January 16, 2004 U. S. Department of Education Non-Regulatory Guidance for the NCLB Title II, Part A, Improving Teacher Quality State Grants related to the NCLB Teacher Requirements that identify the “rigorous state test” that federal law requires each new to the profession elementary teacher pass, and outlines the “high objective uniform state standard of evaluation” that can be used to qualify “not new to the profession” teachers as “highly qualified”. The proposed regulations also define several key phrases to assist school districts in complying with the federal law.

INITIAL STATEMENT OF REASONS
No Child Left Behind Teacher Requirements

SECTIONS 6100, 6101, 6102, 6103, 6104, 6110, 6111, 6112, 6115, 6116, 6120, 6125, and 6126.

SPECIFIC PURPOSE OF THE REGULATIONS.

The proposed regulations identify the “rigorous state test” that federal law requires each new to the profession elementary teacher pass, and outlines the “high objective uniform state standard of evaluation” that can be used to qualify “not new to the profession teachers as “highly qualified.” The proposed regulations also define several key phrases to assist school district in complying with the federal law.

NECESSITY/RATIONALE

Federal law under the No Child Left Behind Act (NCLB) requires that all teachers of core academic subjects meet the federal definition of “highly qualified teacher” no later than the end of the 2005-2006 school year. Schools that receive Title I funds are currently required to hire only teachers that meet the federal definition of “highly qualified teacher.” Core academic subjects include English, reading/language arts, mathematics, science, foreign languages, civics and government, economics arts, history, and geography (NCLB Section 9101).

While federal law defines the requirements for “highly qualified teacher,” some details regarding how the definition is applied in each State must also be determined. Existing State law and these proposed regulations are intended to provide the detail necessary to meet the NCLB Teacher Requirements in California.

The proposed regulations are necessary to implement the requirements of the federal No Child Left Behind Act. Specifically, the proposed regulations are necessary to identify the “rigorous state test” that federal law requires each new to the profession elementary teacher pass, and outline the “high objective uniform state standard of evaluation” that federal law provides to qualify “not new to the profession” teachers as “highly qualified.” The proposed regulations also define several key phrases to assist school districts in complying with the federal law. These details are necessary to assist school districts meet the federal law and allow California to receive and retain federal funding under the federal Title I, Part A.

The proposed regulations are:

ARTICLE 1. GENERAL

Article 1 provides California specific definitions of key words and phrases in the federal law.

ARTICLE 2. ELEMENTARY LEVEL TEACHERS

Article 2 provides California specific details for meeting the federal requirements for “new” and “not new” to the profession elementary teachers.

ARTICLE 3. MIDDLE AND HIGH SCHOOL LEVEL TEACHERS

Article 3 provides California specific details for meeting the federal requirements for “new” and “not new” to the profession middle and high school teachers.

ARTICLE 4. TEACHERS NOT MEETING NCLB TEACHER REQUIREMENTS

Article 4 identifies the California permits and authorizations that would not meet the federal requirements.

ARTICLE 5. ONE TIME COMPLIANCE ARTICLE

Article 5 clarifies that compliance with the federal requirements must only be accomplished once per subject or grade span taught.

ARTICLE 6. TEACHERS FROM OUT-OF –STATE

Article 6 clarifies that California will accept another State’s determination that a teacher has met the NCLB Teacher Requirements for a particular subject or grade span taught.

TECHNICAL, THEORETICAL, AND/OR EMIRICAL STUDY, REPORTS, OR DOCUMENTS.

The State Board has not identified any adverse impact on small business that would necessitate developing alternatives to the proposed regulatory action.

REASONABLE ALTERNATIVES TO THE REGULATIONS AND THE AGENCY’S REASONS FOR REJECTING THOSE ALTERNATIAVES.

The proposed regulations would not have a significant adverse economic impact on any business because they relate only to local school districts. No requirements are place on small businesses.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.

The State Board has not identified any alternatives that would lessen any adverse impact on small business.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.

The State Board has made an assessment and determined that the adoption of the proposed regulations would not have a significant adverse economic impact on any business in the State of California.

CALIFORNIA STATE BOARD OF EDUCATION

1430 N Street, Suite 5111
Sacramento, CA 95814
(916) 319-0827
(916) 319-0175 (fax)



TITLE 5. EDUCATION

CALIFORNIA STATE BOARD OF EDUCATION NOTICE OF PROPOSED RULEMAKING

NCLB Teacher Requirements

[Notice published May 21, 2004]

The State Board of Education (State Board) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PUBLIC HEARING

Program staff will hold a public hearing beginning at **1:00 p.m. on July 6, 2004**, at 1430 N Street, Room 1101, Sacramento. The room is wheelchair accessible. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The State Board requests that any person desiring to present statements or arguments orally notify the Regulations Coordinator of such intent. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. No oral statements will be accepted subsequent to this public hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Regulations Coordinator. The written comment period ends at **5:00 p.m. on July 5, 2004**. The Board will consider only written comments received by the Regulations Coordinator or at the Board Office by that time (in addition to those comments received at the public hearing).

Written comments for the State Board's consideration should be directed to:

Debra Strain, Regulations Coordinator
California Department of Education
LEGAL DIVISION
1430 N Street, Room 5319
Sacramento, California 95814
Email: *dstrain@cde.ca.gov*
Telephone: (916) 319-0860
FAX: (916) 319-0155

AUTHORITY AND REFERENCE

Authority: Section 12201, Education Code.

Reference: Section 44275.4, Education Code; 20 USC 7801(23), 20 USC 6319(a); Improving Teacher Quality State Grants Title II, Part A Non-Regulatory Draft Guidance January 16, 2004.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Federal law under No Child Left Behind Act (NCLB) requires that all teachers of core academic subjects meet the federal definition of "highly qualified teacher" no later than the end of the 2005-2006 school year. Schools that receive Title I funds are currently required to hire only teachers that meet the federal definition of "highly qualified teacher." Core academic subjects include English, reading/language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography (NCLB Section 9101).

While federal law defines the requirements for "highly qualified teacher," some details regarding how the definition is applied in each State must also be determined. Existing State law and these proposed regulations are intended to provide the detail necessary to meet the NCLB Teacher Requirements in California.

Specifically, these proposed regulations identify the "rigorous state test" that federal law requires each new to the profession elementary teacher pass, and outlines the "high objective uniform state standard of evaluation" that can be used to qualify "not new to the profession" teachers as "highly qualified." The proposed regulations also define several key phrases to assist school districts in complying with the federal law.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: TBD

Cost or savings to any state agency: TBD

Costs to any local agency or school district that must be reimbursed in accordance with Government Code Section 17561: TBD

Other non-discretionary cost or savings imposed on local educational agencies: TBD

Cost or savings in federal funding to the state: TBD

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: TBD

Cost impacts on a representative private person or businesses: The State Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Adoption of these regulations will not:

- (1) create or eliminate jobs within California;
- (2) create new businesses or eliminate existing businesses within California; or
- (3) affect the expansion of businesses currently doing business within California.

Significant effect on housing costs: TBD

Effect on small businesses: TBD

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the State Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the State Board, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The State Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the substance of the proposed regulations should be directed to:

Sandra Frank, Consultant
Curriculum Leadership Unit
California Department of Education
1430 N STREET
E-mail: sfrank@cde.ca.gov
Sacramento, CA 95814
Telephone: (916) 323-6244

Requests for a copy of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, or other technical information upon which the rulemaking is based or questions on the proposed administrative action may be directed to the Regulations Coordinator, or to the backup contact person, Najia Rosales, at (916) 319-0860.

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Regulations Coordinator will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at her office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. A copy may be obtained by contacting the Regulations Coordinator at the above address.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, the State Board may adopt the proposed regulations substantially as described in this notice. If the State Board makes modifications that are sufficiently related to the originally proposed text, the modified text (with changes clearly indicated) will be available to the public for at least 15 days before the State Board adopts the regulations as revised. Requests for copies of any modified regulations should be sent to the attention of the Regulations Coordinator at the address indicated above.

The State Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the Final Statement of Reasons may be obtained by contacting the Regulations Coordinator at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, the text of the regulations in underline and strikeout, and the Final Statement of Reasons, can be accessed through the California Department of Education's website at <http://www.cde.ca.gov/regulations>.

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973*, the *Americans with Disabilities Act of 1990*, and the *Unruh Civil Rights Act*, any individual with a disability who requires reasonable accommodation to attend or participate in a public hearing on proposed regulations, may request assistance by contacting Sandra Frank, Curriculum Leadership Unit, 1430 N Street, Sacramento, CA, 95814; telephone, (916) 323-6244; fax, (916) 323-2807. It is recommended that assistance be requested at least two weeks prior to the hearing.

LAST MINUTE MEMORANDUM

DATE: May 5, 2004

TO: MEMBERS, STATE BOARD OF EDUCATION

FROM: Sue Stickel, Deputy Superintendent
Curriculum and Instruction Branch

RE: Item No. 17

SUBJECT: *No Child Left Behind Act (NCLB) of 2001: Approve Commencement of the Rulemaking Process for Amendments to the Title 5 Regulations for the No Child Left Behind Teacher Requirements*

This Last Minute Memorandum is for the purpose of providing the Economic and Fiscal Impact Analysis of the proposed regulations.

The Office of Administrative Law requires that a state agency submitting proposed regulations prepare an analysis detailing any economic or fiscal impact the regulations may impose upon the State of California, private businesses, or the public. The California Department of Education's Fiscal and Administrative Services Division has conducted a comprehensive review of the proposed regulations and has made the following key determinations:

- ✓ Actions required by the proposed regulations are attributable to statute. Therefore, the proposed regulations do not impose a local cost mandate.
- ✓ The proposed regulations would not create a new program or higher level of service in an existing state program.
- ✓ The proposed regulations should have no impact on local business.
- ✓ The proposed regulations should have no impact on individuals.

[Attachment 1](#): Economic and Fiscal Impact Analysis (5 pages)

**Economic and Fiscal Impact Analysis
Proposed Amendment of Title 5, CCR, Regulations
Relating to the High Quality Teachers**

The Fiscal Policy Office has reviewed for economic and fiscal impact the proposed (version 04/07/04) regulation adding Sections 6116 and 6126, and amending Sections 6100, 6115, and 6125, of Article 1, Subchapter 7, Chapter 6, Division 1, Title 5, of the California Code of Regulations, relating to Highly Qualified Teachers (HQT).

What would the proposed regulations do?

The proposed amended regulations identify the "rigorous state test" that federal law requires each new to the profession elementary teacher pass, and outlines the "high objective uniform state standard of evaluation" that can be used to qualify "not new to the profession teachers as "highly qualified." The proposed regulations also define several key phrases to assist school district in complying with the federal law.

Do the proposed regulations impose a local cost mandate?

The proposed amended regulations would not create a new program or higher level of service in an existing program. The mandates are required by a Federal mandate, contained in Public Law 107-110 "No Child Left Behind Act of 2001," the mandates are not reimbursable in accordance with Section 6, Article XIII B, of the California Constitution.

Do the proposed regulations impose costs upon the state?

The proposed regulations do not impose costs upon the state. The activities specified in the regulations are necessary in order to implement the federal statute; therefore, costs associated with the activities are attributable to the federal statute.

Do the proposed regulations impact local business?

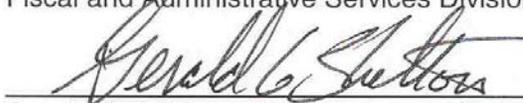
The proposed regulations should have no impact on local business.

This analysis reflects the attached Economic and Fiscal Impact Statement.



Donald E. Killmer, Consultant
Fiscal and Administrative Services Division

07/16/04
Date



Gerald C. Shelton, Director
Fiscal and Administrative Services Division

4/22/04
Date

Note: The purpose of the Department's review of regulations for Economic or Fiscal Impact is in part to, determine prior to the Department's submission of the Notice of Proposed Rulemaking to the Office of Administrative Law (OAL), if the regulations impose a mandate upon the locals and if so if there is a cost or savings. Additionally, the review may make a determination of what the cost or savings "may" be and if there is precedence in the determination of the potential costs through previous claims reimbursable through the mandate process authorized in state statute and set forth by the CSM.

If the Department determines that a potential mandate and an additional cost exists, the Department is required to forward that information (via the STD. 399 and this analysis) to the Department of Finance (DOF) for their review. The review by DOF does not need to be completed prior to the Department's submission of the Notice of Proposed Rulemaking to OAL but must be completed prior to the closing of the "Rulemaking Record" and prior to OAL forwarding of the "Record" to the Secretary of State. The DOF review contains an approval or disapproval; typically regulations that impose or could potentially impose an additional cost upon the state are disapproved and the department is required to amend the regulation to eliminate the cost or pull the "Record".

STATE OF CALIFORNIA

**ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 2-98)

See SAM Sections 6600 - 6680 for Instructions and Code Citations

DEPARTMENT NAME Education	CONTACT PERSON Don Killmer	TELEPHONE NUMBER 323-2591
DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400 Highly Qualified Teachers (version 04/07/04)		NOTICE FILE NUMBER Z

ECONOMIC IMPACT STATEMENT

A. ESTIMATED PRIVATE SECTOR COST IMPACTS (Include calculations and assumptions in the rulemaking record.)

1. Check the appropriate box(es) below to indicate whether this regulation:

- | | |
|---|---|
| <input type="checkbox"/> a. Impacts businesses and/or employees | <input type="checkbox"/> e. Imposes reporting requirements |
| <input type="checkbox"/> b. Impacts small businesses | <input type="checkbox"/> f. Imposes prescriptive instead of performance standards |
| <input type="checkbox"/> c. Impacts jobs or occupations | <input type="checkbox"/> g. Impacts individuals |
| <input type="checkbox"/> d. Impacts California competitiveness | <input type="checkbox"/> h. None of the above (Explain below. Complete the Fiscal Impact Statement as appropriate.) |

h. (cont.) _____

(If any box in Items 1 a through g is checked, complete this Economic Impact Statement.)

2. Enter the total number of businesses impacted: _____ Describe the types of businesses (Include nonprofits): _____

Enter the number or percentage of total businesses impacted that are small businesses: _____

3. Enter the number of businesses that will be created: _____ eliminated: _____

Explain: _____

4. Indicate the geographic extent of impacts: Statewide Local or regional (list areas): _____

5. Enter the number of jobs created: _____ or eliminated: _____ Describe the types of jobs or occupations impacted: _____

6. Will the regulation affect the ability of California businesses to compete with other states by making it more costly to produce goods or services here?

Yes No If yes, explain briefly: _____

B. ESTIMATED COSTS (Include calculations and assumptions in the rulemaking record.)

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime? \$ _____

a. Initial costs for a small business: \$ _____ Annual ongoing costs: \$ _____ Years: _____

b. Initial costs for a typical business: \$ _____ Annual ongoing costs: \$ _____ Years: _____

c. Initial costs for an individual: \$ _____ Annual ongoing costs: \$ _____ Years: _____

d. Describe other economic costs that may occur: _____

ECONOMIC AND FISCAL IMPACT STATEMENT cont. (STD. 399, Rev. 2-98)

2. If multiple industries are impacted, enter the share of total costs for each industry: _____
3. If the regulation imposes reporting requirements, enter the annual costs a typical business may incur to comply with these requirements. (Include the dollar costs to do programming, record keeping, reporting, and other paperwork, whether or not the paperwork must be submitted.): \$ _____
4. Will this regulation directly impact housing costs? Yes No If yes, enter the annual dollar cost per housing unit: \$ _____ and the number of units: _____
5. Are there comparable Federal regulations? Yes No Explain the need for State regulation given the existence or absence of Federal regulations: _____
- Enter any additional costs to businesses and/or individuals that may be due to State - Federal differences: \$ _____

C. ESTIMATED BENEFITS (Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.)

1. Briefly summarize the benefits that may result from this regulation and who will benefit: _____
2. Are the benefits the result of: specific statutory requirements, or goals developed by the agency based on broad statutory authority?
 Explain: _____
3. What are the total statewide benefits from this regulation over its lifetime? \$ _____

D. ALTERNATIVES TO THE REGULATION (Include calculations and assumptions in the rulemaking record. Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.)

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: _____
2. Summarize the total statewide costs and benefits from this regulation and each alternative considered:
- | | | |
|----------------|-------------------|----------------|
| Regulation: | Benefit: \$ _____ | Cost: \$ _____ |
| Alternative 1: | Benefit: \$ _____ | Cost: \$ _____ |
| Alternative 2: | Benefit: \$ _____ | Cost: \$ _____ |

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives: _____
4. Rulemaking law requires agencies to consider performance standards as an alternative, if a regulation mandates the use of specific technologies or equipment, or prescribes specific actions or procedures. Were performance standards considered to lower compliance costs? Yes No
 Explain: _____

E. MAJOR REGULATIONS (Include calculations and assumptions in the rulemaking record.)
 Cal/EPA boards, offices and departments are subject to the following additional requirements per Health and Safety Code section 57005.

ECONOMIC AND FISCAL IMPACT STATEMENT cont. (STD. 399, Rev. 2-98)

1. Will the estimated costs of this regulation to California business enterprises exceed \$10 million? Yes No (If No, skip the rest of this section)

2. Briefly describe each equally as effective alternative, or combination of alternatives, for which a cost-effectiveness analysis was performed:

Alternative 1: _____

Alternative 2: _____

3. For the regulation, and each alternative just described, enter the estimated total cost and overall cost-effectiveness ratio:

Regulation: \$ _____ Cost-effectiveness ratio: _____

Alternative 1: \$ _____ Cost-effectiveness ratio: _____

Alternative 2: \$ _____ Cost-effectiveness ratio: _____

FISCAL IMPACT STATEMENT

A. FISCAL EFFECT ON LOCAL GOVERNMENT (Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years)

1. Additional expenditures of approximately \$ _____ in the current State Fiscal Year which are reimbursable by the State pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code. Funding for this reimbursement:

a. is provided in (Item _____, Budget Act of _____) or (Chapter _____, Statutes of _____)

b. will be requested in the _____ (FISCAL YEAR) Governor's Budget for appropriation in Budget Act of _____ TBA

2. Additional expenditures of approximately \$ _____ in the current State Fiscal Year which are not reimbursable by the State pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code because this regulation:

a. implements the Federal mandate contained in Public Law 107-110 "No Child Left Behind Act of 2001"

*** See Attached Analysis ***

b. implements the court mandate set forth by the _____

court in the case of _____ vs. _____

c. implements a mandate of the people of this State expressed in their approval of Proposition No. _____ at the _____ election; (DATE)

d. is issued only in response to a specific request from the _____, which is/are the only local entity(s) affected;

e. will be fully financed from the _____ (FEES, REVENUE, ETC.) authorized by Section _____

_____ of the _____ Code;

f. provides for savings to each affected unit of local government which will, at a minimum, offset any additional costs to each such unit.

3. Savings of approximately \$ _____ annually.

4. No additional costs or savings because this regulation makes only technical, non-substantive or clarifying changes to current law and regulations.

*** See Attached Analysis ***

ECONOMIC AND FISCAL IMPACT STATEMENT cont. (STD. 399, Rev. 2-98)

5. No fiscal impact exists because this regulation does not affect any local entity or program.
6. Other.

B. FISCAL EFFECT ON STATE GOVERNMENT (Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)

1. Additional expenditures of approximately \$ _____ in the current State Fiscal Year. It is anticipated that State agencies will:
- a. be able to absorb these additional costs within their existing budgets and resources.
- b. request an increase in the currently authorized budget level for the _____ fiscal year.
2. Savings of approximately \$ _____ in the current State Fiscal Year.
3. No fiscal impact exists because this regulation does not affect any State agency or program.
4. Other.

C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS (Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)

1. Additional expenditures of approximately \$ _____ in the current State Fiscal Year.
2. Savings of approximately \$ _____ in the current State Fiscal Year.
3. No fiscal impact exists because this regulation does not affect any federally funded State agency or program.
4. Other.

SIGNATURE



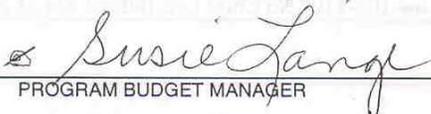
TITLE

Ed. Fiscal Services Consultant

04/16/04

AGENCY SECRETARY ¹

APPROVAL/CONCURRENCE


 PROGRAM BUDGET MANAGER

Deputy Superintendent

DATE

4/23/04

DATE

DEPARTMENT OF FINANCE ²

APPROVAL/CONCURRENCE



- The signature attests that the agency has completed the STD. 399 according to the instructions in SAM sections 6600-6680, and understands the impacts of the proposed rulemaking. State boards, offices, or departments not under an Agency Secretary must have the form signed by the highest ranking official in the organization.
- Finance approval and signature is required when SAM sections 6600-6670 require completion of the Fiscal Impact Statement in the STD. 399.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Safe and Drug Free Schools and Communities: Amendment: Board Policy 03-01 (Federal Waiver – Safe and Drug Free School Innovative Program Under No Child Left Behind (NCLB))	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Adopt amended California State Board of Education (SBE) Policy 03-01 (Federal Waiver – Safe and Drug Free School Innovative Program Under NCLB).

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At the September 2003 Board meeting, the SBE adopted Policy 03-01 (Federal Waiver – Safe and Drug Free School Innovative Program Under NCLB) that included lists of science-based and promising programs referenced as Attachments A and B. SBE Policy 03-01 provides a waiver opportunity to local educational agencies (LEAs) wanting to use NCLB, Title IV, Part A – Safe and Drug Free Schools and Communities (SDFSC) funds to support the cost of using a promising program rather than an effective science-based program in accordance with NCLB section 4115.

SUMMARY OF KEY ISSUES

When the SBE adopted Policy 03-01, it also adopted an Attachment A listing science-based programs for which no waiver is needed and an Attachment B listing promising programs for which a waiver is required. As new research and program evaluations become available, the list of science-based programs is growing. There is an immediate need to update these program lists and to establish a process for updating such lists in the future without burdening the SBE with repeated requests for amendments.

The California Department of Education (CDE) proposes to amend the SBE policy to remove the Attachments A and B from the actual policy and instead transfer the process for updating the lists of science-based and promising programs to CDE staff. CDE will then maintain and regularly update program lists on its Web site. Doing so will eliminate the need for taking Policy 03-01 to the SBE for frequent and regular amendments.

FISCAL ANALYSIS (AS APPROPRIATE)

If adopted, the fiscal impact of this amendment will result in significant savings of staff time and costs by relieving CDE and the SBE office staff from having to repeatedly prepare policy amendments each time the lists are updated.

ATTACHMENT

[Attachment 1](#): Revised California State Board of Education Policy (4 Pages)

[Attachment 2](#): Attachment A (to be eliminated) (2 Pages)

[Attachment 3](#): Attachment B (to be eliminated) (2 Pages)



California State Board of Education Policy

WAIVER GUIDELINES Federal Waiver – Safe and Drug Free School Innovative Programs Under NCLB	03-01
	DATE JULY 2003
REFERENCES: Authority: “No Child Left Behind Act” (NCLB) Title IV, Part A, Section 4115 (a)(3)	
HISTORICAL NOTES 2002 HR 1 “No Child Left Behind” authorized several waivers to be approved by the “SEA”	

Federal Section involved:

NCLB Title IV, Part A, Section 4115 (a)(1)(C): For a program or activity developed pursuant to this subpart to meet the principles of effectiveness, such program or activity shall be based on scientifically based research that provides evidence that the program to be used will reduce violence and illegal drug use.

Federal Waiver Authority:

NCLB Title IV, Part A, Section 4115 (a)(3): A local educational agency may apply to the State for a waiver of the requirement of subsection (a)(1)(C) to allow innovative activities or programs that demonstrate substantial likelihood of success.

Background:

The United State Department of Education issued Guidance for State and Local Implementation of Safe and Drug Free Schools and Communities Programs with the following frequently asked question:

“May a local educational agency (LEA) apply for a waiver of the requirement to implement programs that are scientifically based?”

Consistent with Section 4115(a)(3) of the SDFSCA, LEAs may apply to their SEA for a waiver of the requirement to implement programs that are scientifically based. However, LEAs applying for waivers must demonstrate that funded programs or activities are innovative and have a substantial likelihood of success. The Department encourages SEAs, in considering requests for waivers, to apply criteria that will permit the implementation of services and activities highly likely to be successful. For example, SEAs may want to consider to what extent proposed programs address the elements of the definition of scientifically based research.”

In the NCLB, Title IX, Part A, Section 9105 (37) the term “scientifically based research”—



California State Department of Education

WAIVER GUIDELINES

Federal Waiver – Safe and Drug Free School Innovative Programs Under NCLB

Policy #03-01

Date: July 2003

(A) means research that involves the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs; and

(B) includes research that—

- (i) employs systematic, empirical methods that draw on observation or experiment;
- (ii) involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;
- (iii) relies on measurements or observational methods that provide reliable and valid data across evaluators and observers, across multiple measurements and observations, and across studies by the same or different investigators;
- (iv) is evaluated using experimental or quasi-experimental designs in which individuals, entities, programs, or activities are assigned to different conditions and with appropriate controls to evaluate the effects of the condition of interest, with a preference for random-assignment experiments, or other designs to the extent that those designs contain within-condition or across-condition controls;
- (v) ensures that experimental studies are presented in sufficient detail and clarity to allow for replication or, at a minimum, offer the opportunity to build systematically on their findings; and
- (vi) has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review.

Safe and Drug Free Schools and Communities (SDFSC) funds must be used to support programs or activities that effectively reduce alcohol, tobacco, other drug use, or violence, based on evidence provided by scientific research. The Local Educational Agency Plan (LEAP) requires the Local Educational Agency (LEA) to use one or more science-based programs listed in Attachment A (formerly LEAP Appendix C) recognized for effectively preventing alcohol, tobacco, other drug use or violence. The California Department of Education maintains up-to-date lists of authorized science-based and promising programs on its Web site at: <http://www.cde.ca.gov/waiver/policies.htm>.

In order to use SDFSC funds to support any of the promising programs listed in the department's list of promising programs, ~~Attachment B (formerly LEAP Appendix E)~~, or to support any program not otherwise listed by the department as a science-based program in Attachment A, the LEA must submit a waiver.

The programs listed as promising ~~listed in Attachment B~~ are often not afforded top recognition because such programs do not yet have sufficient scientific support to meet criteria set for "effective" status. In some cases such programs were not evaluated in multiple trials or have not yet collected longitudinal data. The chance that ~~these~~ promising programs will prove to be effective when used is less than for the science-based programs listed by the department in Attachment A. When any ~~Attachment B~~ a



California State Department of Education

WAIVER GUIDELINES

Federal Waiver – Safe and Drug Free School Innovative Programs Under NCLB

Policy #03-01

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promising program is implemented, there must be a commitment to conduct an outcome evaluation. The LEA using an ~~Attachment B~~ a promising program under waiver will need to contact program providers or developers and volunteer to take part in any clinical evaluation or research designed to evaluate the program's effectiveness.

Waiver Guidelines

The LEA must apply for a waiver of NCLB, Title IV, Part A, Section 4115 (a)(1)(C) in order to use SDFSC funds to support the cost of any promising program listed in ~~Attachment B~~ by the department, or any other wise program not listed as science-based by the department in Attachment A. If approved, this waiver will allow the LEA to use such funds to support the cost of an innovative program that demonstrates substantial likelihood of success. The innovative program covered by the waiver should be taking part in scientifically based research as defined in the NCLB Section 9105. The developers or publishers of the program must commit to submitting the program for review by one of the agencies cited in the department's list of science-based programs in Attachment A that use a rigorous process to recognize science-based programs. Biennial waiver renewal will be based on adequate progress being made towards submitting the program for such a review.

Required Documentation:

Waiver approval will be based on the extent to which proposed programs address the elements of scientifically based research as defined in the NCLB. Since the State Board of Education's authority to grant a waiver is based on an innovative program demonstrating substantial likelihood of success, a waiver request must address the following three criteria:

1. Is the program innovative? Provide a description of the program's target population, activities, lessons, or strategies sufficient to establish that the program is innovative relative to other commonly used prevention programs. Provide a time line and history of program development or implementation to establish that the program is innovative in terms of being a new program. Provide a rationale for why the applicant believes the program is innovative and deserving of evaluation.
2. Does the program demonstrate substantial likelihood of success? Provide a rationale for why the applicant believes the program has substantial likelihood of success for preventing alcohol, tobacco, other drug use or violence. Describe outcome measures based on preliminary or concurrent program evaluation. If an evaluation report is available from program developers or publishers, then the applicant may cite information from the report or attach the report to the application.



California State Department of Education

WAIVER GUIDELINES

**Federal Waiver – Safe and Drug Free School
Innovative Programs Under NCLB**

Policy #03-01
Date: July 2003

3. Describe the program developer's or publisher's plan and timeline for submitting the program for review and recognition by one of the reputable groups: California Healthy Kids Resource Center: Research-Validated Programs; University of Colorado: Blueprints; Center for Substance Abuse Prevention: Model Programs; or United States Department of Education: Expert Panel. The description should establish the applicant's commitment to supporting the scientific evaluation of the program and willingness to take part in clinical trials designed to measure program effectiveness. A report describing adequate progress for submitting the program for recognition as a science-based program must be annually submitted to the ~~Waiver~~ California Healthy Kids Program Office.

Who Should Apply:

Applicants who want to support the evaluation or clinical trial of prevention programs that are genuinely innovative and that are committed to demonstrating substantial likelihood of success for preventing alcohol, tobacco, other drug use or violence. The program must be subject to scientifically based research with the intent to submit the program for review in order to be added to the lists of recognized science-based programs.

Period of Request:

Waivers will be granted for a maximum of two years, contingent upon the LEA submitting an annual report describing adequate progress, as noted in Item 3 above. A previously approved waiver may be submitted for renewal.

ATTACHMENT A

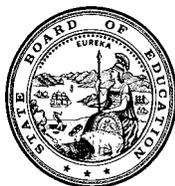
Science-Based Programs							
<p>Science-based research has provided evidence of effectiveness for the following school-based prevention programs. Each of the listed programs have been identified as a research-validated, exemplary, or model program by one or more of the following agencies: The California Healthy Kids Resource Center, the Center for Substance Abuse Prevention, United States Department of Education's Expert Panel, or the University of Colorado's Center for the Study and Prevention of Violence. Some of these programs are also discussed in the California Department of Education's publication Getting Results. Websites where additional information can be found about each program's description, target population, and outcomes are listed below. The code in the last column of the menu provides a quick reference indicating which websites have information specific to each program.</p> <p>A: < http://www.californiahealthykids.org > (California Healthy Kids Resource Center: Research-Validated Programs)</p> <p>B: < http://www.colorado.edu/cspv/blueprints/model/overview.html > (University of Colorado: Blueprints)</p> <p>C: < http://modelprograms.samhsa.gov/model_prog.cfm > (Center for Substance Abuse Prevention: Model Programs)</p> <p>D: < http://www2.edc.org/msc/model.asp > (United States Department of Education: Expert Panel)</p> <p>E: < http://www.gettingresults.org/ > (Getting Results)</p>							
School-Based Programs							
Intended program outcomes and target grade levels. See research for proven effectiveness							
Name	Grade	Alcohol	Tobacco	Drugs	Violence	Youth Dev.	Website
Across Ages	4 to 8	x	x	x		x	C,
AI's Pals: Kids Making Healthy Choices	Pre K to 2				x		C, D
All Stars™	6 to 8	x	x	x			A, C, D, E
ATLAS (Athletes Training and Learning to Avoid Steroids)	9 to 12	x		x			A, B, C, D,
Border Binge Drinking Reduction Program	K to 12	x			x		C,
Child Development Project/Caring School Community	K to 6	x		x	x	x	A, B, C, D, E
Cognitive Behavioral Therapy for Child Sexual Abuse	Families				x		C
Cognitive Behavioral Therapy for Child Traumatic Stress	Families				x		C
Coping Power	5 to 8			x	x		C
DARE To Be You	Pre-K	x		x	x	x	A, C,
Early Risers Skills for Success	K to 6				x		C,
East Texas Experiential Learning Center	7	x	x	x	x	x	C
Friendly PEERSuasion	6 to 8	x					C
Good Behavior Game	1 to 6				x		B, C
High/Scope Perry Preschool Project	Pre-K				x	x	B, C, E
I Can Problem Solve	Pre-K				x		A, B, D
Incredible Years	K to 3				x	x	B, C,
Keep A Clear Mind	4 to 6	x	x				A, C,
Leadership and Resiliency	9 to 12					x	C,
Botvin's LifeSkills™ Training	6 to 8	x	x	x	x		A, B, C, D, E
Lions-Quest Skills for Adolescence	6 to 8					x	D, C, E
Minnesota Smoking Prevention Program	6 to 8		x				A, D, E
Olweus Bullying Prevention	K to 8				x		B, C, E
Positive Action	K to 12	x	x	x	x	x	C, D,
Project ACHIEVE	Pre-K to 8				x	x	A, C, E
Project ALERT	6 to 8	x	x	x			A, C, D, E
Project Northland	6 to 8	x		x			A, B, C, D, E
Project PATHE	9 to 12					x	B, E
Project SUCCESS	9 to 12	x	x	x			C,

Project Toward No Drug Abuse (TND)	9 to 12	x	x	x	x		C,
Project Toward No Tobacco Use (TNT)	5 to 8		x				A, C, D, E
Promoting Alternative Thinking Strategies (PATHS)	K to 6				x		A, B, C, D,
Protecting You/Protecting Me	K to 5	x					C,
Quantum Opportunities	9 to 12					x	B, E
Reconnecting Youth	9 to 12	x		x	x	x	A, C, E
Responding in Peaceful and Positive Ways	6 to 12			x	x		C, D, E
Rural Educational Achievement Project	4				x		C
School Violence Prevention Demonstration Program	5 to 8				x		C
Second Step	Pre-K to 8				x		A, C, D,
Skills, Opportunities, and Recognition (SOAR): Seattle Social Development Project:	K to 6	x			x	x	B, C, D, E
SMART Leaders	9 to 12			x			C
Social Competence Promotion Program for Young Adolescents (SCPP-YA)	5 to 7			x			C
Start Taking Alcohol Risks Seriously (STARS) for Families	6 to 8	x					C,
Students Managing Anger and Resolution Together (SMART) Team	6 to 9				x		C, D,
Too Good for Drugs	K to 12	x	x	x	x		C
Community and Family-based Programs							
Intended program outcomes and target setting. See research for proven effectiveness							
Name	Target Population	Alcohol	Tobacco	Drugs	Violence	Youth Dev.	Website
Big Brothers Big Sisters	Community					x	B, E
Brief Strategic Family Therapy	Families			x			B, C,
CASASTART	Community			x	x		B, C, D,
Communities Mobilizing for Change	Community	x					C
Creating Lasting Family Connections	Families (6 to 12)	x		x		x	A, C, D,
Families That Care – Guiding Good Choices	Families	x		x			C
Families And Schools Together (FAST)	Families				x		C,
Family Development Research Project	Families				x		C
Family Effectiveness Training	Families				x		C,
Family Matters	Families	x	x				C
FAN (Family Advocacy Network) Club	Families			x		x	C
Functional Family Therapy	Families	x		x	x		B, E
Home-Based Behavioral Systems Family Therapy	Families				x		C
Houston Parent-Child Development Program	Parents					x	C
Multisystemic Therapy	Parents			x	x		B, C, E
Nurse-Family Partnership	Parents		x				B, C,
Parenting Wisely	Parents				x		C,
Preparing for the Drug Free Years	Parents (4 to 7)	x		x		x	A, B, C, D,
Project Star (Students Taught Awareness and Resistance): Midwestern Prevention Project	Community	x	x	x			B, D, C, E
Schools and Families Educating Children (SAFE Children)	Families					x	C
Stopping Teenage Addiction to Tobacco	Community		x				C
Strengthening Families Program	Families (4 to 6)	x		x	x	x	A, C, D,

ATTACHMENT B

Promising or Favorable Programs							
<p>Either the United States Department of Education's Expert Panel, the University of Colorado's Center for the Study and Prevention of Violence, or the Center for Substance Abuse Prevention has identified the programs listed below as producing a consistent positive pattern of results (CSAP) or have evidence of a deterrent effect (Blueprints) but otherwise did not match all of the criteria established by these agencies to be identified as an exemplary or model program. The code in the last column of the chart provides a quick reference indicating which web sites have information specific to each program.</p> <p>A: < http://www.californiahealthykids.org > (California Healthy Kids Resource Center)</p> <p>B: < http://www.colorado.edu/cspv/blueprints/model/overview.html > (University of Colorado: Blueprints)</p> <p>C: < http://modelprograms.samhsa.gov/model_prog.cfm > (Center for Substance Abuse Prevention)</p> <p>D: < http://www2.edc.org/msc/model.asp > (United States Department of Education: Expert Panel)</p> <p>E: < http://www.gettingresults.org/ > (Getting Results)</p>							
Name	Grade, or Setting	Alcohol	Tobacco	Drug	Violence	Youth Dev.	Web site
Adolescent Alcohol Prevention Trial	5 to 7			x			C
Aggression Replacement Training	School				x		D
Aggressors, Victims, and Bystanders	6 to 9				x		D
Asain Youth Alliance	Teens			x		x	C
Baby Safe (Substance Abuse Free Environment) Hawaii	Families	x	x	x			C
Basement Bums	6 to 8		x				A
Be a Star	K to 6					x	C
Behavioral Monitoring and Reinforcement	7 to 8			x	x		C
Bilingual/Bicultural Counseling and Support Services	Communities	x		x			C
Brain Power	Elementary				x		C
Bully Proofing Your School	K to 8				x		B
CAPSLE (Creating a Peaceful School Learning Environment)	K to 5				x		B
Club Hero	6					x	C
Coca-Cola Valued Youth Program (CCVYP)	School					x	B
Colorado Youth Leadership Project	7	x				x	C
Comer School Development Program (CSDP)	School					x	B
Communities of Caring	K to 12	x		x	x		D
Dando Fuerza a La Familia	Families			x		x	C
Earlscourt Social Skills Group Program	K to 6					x	B
Effective Black Parenting Program (EBPP)	Families				x		B
Facing History and Ourselves	7 to 12				x		D
Family Health Promotion	Families	x	x	x		x	C
FAST Track	1 to 6				x		B
Get Real About Violence	K to 12				x		C
Growing Healthy	K to 6	x	x	x			D
Great Body Shop	K-8	x	x	x	x		C
Intensive Protective Supervision Program	Community				x		B
Iowa Strengthening Families Program	Family	x					B
Kids Intervention with Kids in School (KIKS)	6 to 12	x	x	x	x	x	C
Let Each One Teach One	Mentoring					x	D
Linking the Interests of Families and Teachers (LIFT)	1 to 5				x		B, C, D

Lion's Quest Working Toward Peace	5 to 9				x		D
Massachusetts Tobacco Control Program	7 to 12		x				C
Michigan Model for Comprehensive School Health Education	K to 12	x	x	x			D
Multi modal Substance Abuse Prevention	Adjudicated Adolescents				x		C
Open Circle Curriculum	K to 5				x	x	D
Parent-Child Assistance Program (P-CAP)	Families	x			x		C
PeaceBuilders	K to 8				x		D
Peacemakers Program	4 to 8				x		D
Peer Assistance and Leadership	9 to 12				x		C
Peer Coping Skills (PCS)	1 to 3				x		B
Peers Making Peace	K to 12				x		D
<u>Personal/Social Skills Lessons</u>	6 to 12		x				A
Plan A Safe Strategy (PASS)	10	x					C
Preventive Alcohol Education Program	9-12	x					C
Preventive Intervention	6 to 8				x		B
Preventive Treatment Program	Parents				x	x	B
Primary Mental Health Project	Pre k to 3						D
<u>Project Alive</u>	K to 12		x				A
Project BASIS	6 to 8				x	x	C
Project Break Away	6 to 8		x		x		C
Project Life	9 to 12		x				A
Project PACE	4					x	C
<u>Project SCAT</u>	4 to 12		x				A
Project Status	6 to 12				x	x	B
Project Venture	9 to 12 Native Americans	x	x	x	x	x	C
Safe Dates	School				x		B
Say It Straight (SIS) Training	6 to 12	x					D
SCARE Program	Teens				x		D
School Transitional Environmental Program	9 to 12				x	x	B
<u>Smokeless School Days</u>	9 to 12		x				A
Social Decision Making and Problem Solving	1 to 6	x			x		D
Social Decision Making and Problem Solving Program (SDM/PS)	K to 5					x	B
Socio-Moral Reasoning Development Program (SMRDP)	School				x		B
Storytelling for Empowerment	6 to 8	x			x		C
Strengthening Hawaii Families	Families				x		C
Strengthening the Bonds of Chicano Youth & Families	Communities	x			x		C
Syracuse Family Development Program	Family				x		B
Teams-Games-Tournaments Alcohol Prevention	10 to 12	x					C
Teenage Health Teaching Modules	6 to 12		x				C, D
Teens Tackle Tobacco! - Triple T	6 to 12		x				A
The Scare Program	School				x		D
The Think Time Strategy	K to 9				x		D
Tinkham Alternative High School	9 to 12					x	C
<u>Tobacco-Free Generations</u>	8 to 12		x				A
Viewpoints	9 to 12				x		B
Woodrock Youth Development Project	K to 8	x	x	x		x	C
Yale Child Welfare Project	Families				x		B



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT <i>No Child Left Behind (NCLB) Act of 2001: Approve Commencement of the Rulemaking Process for Persistently Dangerous Public Elementary and Secondary Schools Regulations</i>	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Approve the proposed regulations, the Initial Statement of Reasons, and the Notice of Proposed Rulemaking, and direct staff to commence the rulemaking process.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In April 2004, the State Board received the proposed regulations package (proposed regulations, Initial Statement of Reasons, and Informative Digest) as an Information Memorandum.

SUMMARY OF KEY ISSUES

The purpose of the regulations is to set forth guidelines for implementation of the State Board definition for designating persistently dangerous public elementary and secondary schools.

Federal Statute

Provisions of Title IX, Section 9532 of the NCLB Act require that: "...a student attending a persistently dangerous public elementary or secondary school, as determined by the State in consultation with a representative sample of local educational agencies,...be allowed to attend a safe public elementary or secondary school within the local educational agency, including a public charter school."

In March 2004, the State Board adopted a revision to the definition it adopted in May 2002 for designating persistently dangerous public elementary and secondary schools under the Unsafe School Choice Option (USCO) provisions of Section 9532. The statewide USCO advisory committee, which was convened by the California Department of Education, was instrumental in the development of the initial definition and the definition revision proposal that was adopted by the State Board on March 10, 2004.

Persistently Dangerous School Policy Revision

The existing definition was revised to make it technically clearer and to strengthen it by incorporating incidents of firearm violations committed by non-students on school campuses, as an additional criterion, along with student expulsions, in determining persistently dangerous schools.

SUMMARY OF KEY ISSUES continued

Beginning July 1, 2004, incidents of firearm violations committed by non-students on school grounds during school hours or during a school sponsored activity will be used in determining whether a school is persistently dangerous, along with the nine offenses for which students are expelled that are already being used to identify persistently dangerous schools. Thus, *beginning with the 2004-05 school year*, a school will be considered to be “persistently dangerous if, in each of three-consecutive fiscal years (2004-05, 2003-04, and 2002-03), one of the following criteria has been met:

- (a) for a school of fewer than 300 enrolled students, the number of incidents of firearm violations committed by non-students on school grounds during school hours or during a school sponsored activity, plus the number of student expulsions for any of the *California Education Code* violations delineated in the policy, is greater than three;
- (b) for a larger school, the number of incidents of firearm violations committed by non-students on school grounds during school hours or during a school sponsored activity, plus the number of student expulsions for any of the California Education Code violations delineated in the policy, is greater than one per 100 enrolled students or fraction thereof.

For the 2003-04 school year, a school will continue to be designated “persistently dangerous” if for three consecutive fiscal years (2003-04, 2002-03, and 2001-02) the total number of expulsions, for the offenses delineated in the policy, for students enrolled in the school exceeds one of the following rates:

- (a) for a school of fewer than 300 enrolled students, three expulsions; or
- (b) for a larger school, one expulsion for every 100 enrolled students or fraction thereof.

State Board approval of the proposed regulations will facilitate implementation of the statewide definition for designating persistently dangerous public elementary and secondary schools by the local educational agencies.

FISCAL ANALYSIS (AS APPROPRIATE)

Fiscal analysis is pending review and will be provided as a Last Minute Memorandum.

ATTACHMENT

[Attachment 1](#): Draft Notice of Proposed Rulemaking for Public Hearings (4 Pages)

[Attachment 2](#): Initial Statement of Reasons (2 Pages)

[Attachment 3](#): Proposed Regulations (4 Pages)

Fiscal analysis is pending review and will be provided as a Last Minute Memorandum.

CALIFORNIA STATE BOARD OF EDUCATION

1430 N Street; Room 5111
Sacramento, CA 95814



TITLE 5. EDUCATION

CALIFORNIA STATE BOARD OF EDUCATION

NOTICE OF PROPOSED RULEMAKING

Defining Persistently Dangerous Public Elementary and Secondary Schools

[Notice published May 21, 2004]

The State Board of Education (State Board) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PUBLIC HEARING

Program staff will hold a public hearing beginning at **9:00 a.m. on July 6, 2004**, at 1430 N Street, Room 1101, Sacramento. The room is wheelchair accessible. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The State Board requests that any person desiring to present statements or arguments orally notify the Regulations Coordinator of such intent. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. No oral statements will be accepted subsequent to this public hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Regulations Coordinator. The written comment period ends at **5:00 p.m. on July 5, 2004**. The Board will consider only written comments received by the Regulations Coordinator or at the Board Office by that time (in addition to those comments received at the public hearing). Written comments for the State Board's consideration should be directed to:

Debra Strain, Regulations Coordinator
California Department of Education
LEGAL DIVISION
1430 N Street, Room 5319
Sacramento, CA 95814
Email: dstrain@cde.ca.gov
Telephone: (916) 319-0860
FAX: (916) 319-0155

AUTHORITY AND REFERENCE

Authority: Section 33031, *Education Code*

Reference: Sections 48900.3, 48915(a)(1), 48915(a)(4), 48915 (c)(1), 48915 (c)(2), 48915 (c)(3), 48915 (c)(4), and 48915 (c)(5), *Education Code*; Sections 11063-11058, *Health and Safety Code*; Sections 71, 211, 212, 240, 242, 243, 243(f)(4), 243.4, 261, 2669c), 286, 288, 288(a), 289, 422.6, 422.7, 422.75, 518, and 519, *Penal Code*; Public Law 107-110, Title IX, Part E, Subpart 2, Section 9532; 18 USC Section 921; 20 USC Section 7911.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Unsafe School Choice Option (USCO) provisions in the federal No Child Left Behind Act of 2001 require that each state receiving funds under this Act must establish and implement a statewide policy that allows students attending a persistently dangerous public elementary school or secondary school to attend a safe public elementary school or secondary school within the local educational agency (LEA), including a public charter school. USCO also requires that the State implement a method of identifying such persistently dangerous schools.

The California State Board of Education has adopted a definition to be used in designating persistently dangerous public schools. Such designations will be based on student expulsion information, as specified in the policy, and incidents of non-student firearm violations. Guidance published by the United States Department of Education with regard to the USCO provisions require states to identify persistently dangerous schools in sufficient time to allow an affected local educational agency to offer the required transfer option to students at least 14 days before the start of the school year, and before the start of each school annually thereafter.

The purpose of these regulations is to clarify and provide guidance on the implementation of the statewide definition for designating persistently dangerous schools and to establish related data reporting requirements for public elementary and secondary schools, including charter schools.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: TBD

Cost or savings to any state agency: TBD

Costs to any local agency or school district that must be reimbursed in accordance with *Government Code* Section 17561: TBD

Other non-discretionary cost or savings imposed on local educational agencies: TBD

Cost or savings in federal funding to the state: TBD

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: TBD.

Cost impacts on a representative private person or on businesses: TBD

Adoption of these regulations will not:

- (1) create or eliminate jobs within California;
- (2) create new businesses or eliminate existing businesses within California; or
- (3) affect the expansion of businesses currently doing business within California.

Significant effect on housing costs: TBD.

Effect on small businesses: There is no effect on small businesses because the proposal pertains only to schools. No requirements are placed on small businesses.

CONSIDERATION OF ALTERNATIVES

In accordance with *Government Code* Section 11346.5(a)(13), the State Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the State Board, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The State Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the substance of the proposed regulations should be directed to:

Jerry Hardenburg, Consultant
California Department of Education
Safe and Healthy Kids Program Office
1430 N Street, 6th Floor
Sacramento, CA 95814
Telephone: (916) 319-0920
E-mail: jhardenb@cde.ca.gov

Requests for a copy of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, or other technical information upon which the rulemaking is based or questions on the proposed administrative action may be directed to the Regulations Coordinator, or to the backup contact person, Najia Rosales, at (916) 319-0860.

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Regulations Coordinator will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at her office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. A copy may be obtained by contacting the Regulations Coordinator at the above address.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, the State Board may adopt the proposed regulations substantially as described in this notice. If the State Board makes modifications that are sufficiently related to the originally proposed text, the modified text (with changes clearly indicated) will be available to the public for at least 15 days before the State Board adopts the regulations as revised. Requests for copies of any modified regulations should be sent to the attention of the Regulations Coordinator at the address indicated above.

The State Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the Final Statement of Reasons may be obtained by contacting the Regulations Coordinator at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, the text of the regulations in underline and strikethrough, and the Final Statement of Reasons, can be accessed through the California Department of Education's Web site at <http://www.cde.ca.gov/regulations>.

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973*, the *Americans with Disabilities Act of 1990*, and the *Unruh Civil Rights Act*, any individual with a disability who requires reasonable accommodation to attend or participate in a public hearing on proposed regulations, may request assistance by contacting Jerry Hardenburg, Safe and Healthy Kids Program Office, 1430 N Street, Sacramento, CA, 95814; telephone, (916) 319-0920; fax, (916) 319-0218. It is recommended that assistance be requested at least two weeks prior to the hearing.

INITIAL STATEMENT OF REASONS

SECTION 11991. PURPOSE OF REGULATIONS DEFINING PERSISTENTLY DANGEROUS PUBLIC ELEMENTARY AND SECONDARY SCHOOLS

SECTION 11992. POLICY PROVISIONS

SECTION 11993. DEFINITIONS

SECTION 11994. DATA COLLECTION

SPECIFIC PURPOSE OF THE REGULATIONS.

The purpose of the regulations is to clarify and provide guidance on the implementation of the statewide definition for designating persistently dangerous schools as required by the federal No Child Left Behind Act of 2001 and to establish related data reporting requirements for public elementary and secondary schools, including charter schools.

NECESSITY/RATIONALE.

The Unsafe School Choice Option provisions of the federal No Child Left Behind Act of 2001 (Title IX, Part E, Subpart 2, Section 9532; 20 USC Section 7911), was signed into law in January 2002. The provisions include the requirement that each state receiving funds under this Act must establish and implement a statewide policy requiring that a student attending a persistently dangerous public elementary school or secondary school, as determined by the state in consultation with a representative sample of local educational agencies (LEAs), be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school. As a condition of receiving funds under this Act, a state must certify in writing to the Secretary that the state is in compliance with this section.

In April 2002, the California Department of Education (CDE) convened an advisory committee of representatives from approximately 20 LEAs around the state, both small and large, that helped develop California's statewide definition for designating "persistently dangerous" schools. The California State Board of Education adopted the definition in May 2002. It requires all LEAs, including public charter schools, to submit annually to the CDE specified student expulsion information that will be used in conjunction with student enrollment to designate persistently dangerous schools in coordination with the State Board. The Notice of Final Deadlines for Implementation of the USCO provisions included in the June 16, 2003 Federal Register (Vol. 68, No. 115), published by the U.S. Department of Education, requires states to identify persistently dangerous schools in sufficient time to allow an affected LEA to offer the required transfer option to students at least 14 days before the start of the 2003-04 school year, and before the start of each school year annually thereafter.

To ensure compliance with this requirement, the CDE began requiring all of the LEAs to

electronically submit pertinent student expulsion data retroactively for each school to the CDE on a reporting form included in the 2003-04 Consolidated Application for Funding Categorical Aid Programs, Part I. In March 2004, the State Board adopted a revision to the persistently dangerous school definition that had been recommended by the USCO advisory committee. The revision strengthens the policy by adding incidents of non-student firearm violations to the criteria for designating persistently dangerous schools. Implementation of the revised policy provisions begins July 1, 2004.

These regulations are being proposed to:

- specify provisions of the State Board definition for designating persistently dangerous schools;
- clarify and define language pertinent to the interpretation and implementation of the definition; and
- identify the relevant violent offenses that must be reported annually to the CDE by school districts, county offices of education, and charter schools in accordance with the definition.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.

The State Board of Education relied on the recommendations of the statewide USCO advisory committee, that were supported by the CDE staff, in adopting the statewide definition for designating persistently dangerous K-12 public schools.

REASONABLE ALTERNATIVES TO THE REGULATION AND THE AGENCY'S REASONS FOR REJECTING THOSE ALTERNATIVES.

Because federal law requires the identification of persistently dangerous schools by the state, regulations must be adopted. Other definitions of persistently dangerous schools were considered, but they were rejected as requiring new and costly data collection systems or because they would not have been as accurate in identifying persistently dangerous schools.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.

The State Board of Education has not identified any adverse impact on small business that would necessitate developing alternatives to the proposed regulatory action.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.

This proposal affects schools only. No requirements are placed on small businesses.

1 (c) Applicable California Education Code violations include:

2 (1) Assault or battery upon a school employee (Section 48915(a)(5));

3 (2) Brandishing a knife (Section 48915(c)(2));

4 (3) Causing serious physical injury to another person, except in self-defense
5 (Section 48915(a)(1));

6 (4) Hate violence (Section 48900.3);

7 (5) Possessing, selling or furnishing a firearm (Section 48915(c)(1));

8 (6) Possession of an explosive (Section 48915(c)(5));

9 (7) Robbery or extortion (Section 48915(a)(4));

10 (8) Selling a controlled substance (Section 48915(c)(3)); and

11 (9) Sexual assault or sexual battery (Section 48915(c)(4)).

12 (d) In instances where a student has committed a California Education Code violation,
13 but has not been expelled because the student has died, that violation must be reported
14 as a non-student firearm violation.

15 NOTE: Authority cited: Section 33031, Education Code; Reference: Sections 48900.3,
16 48915(a)(1), 48915(a)(4), 48915(a)(5), 48915(c)(1), 48915(c)(2), 48915(c)(3),
17 48915(c)(4), and 48915(c)(5), Education Code; Public Law 107-110, Title IX, Part E,
18 Subpart 2, Section 9532; 20 USC Section 7911.

19 **§ 11993. Definitions.**

20 (a) "Fiscal year" means the period of July 1 through June 30 (California Education
21 Code Section 37200).

22 (b) "Non-student" means a person, regardless of age, not enrolled in the school or
23 program reporting the violation.

24 (c) "Firearm" means handgun, rifle, shotgun or other type of firearm (Section 921(a)
25 of Title 18, United States Code).

26 (d) "Firearm violation" means unlawfully bringing or possessing a firearm, as defined
27 above, on school grounds or during a school-sponsored activity.

28 (e) "Expulsion" means an expulsion ordered by the local educational agency's
29 governing board regardless of whether it is suspended or modified.

1 (f) “Assault” means an unlawful attempt, coupled with a present ability, to commit a
2 violent injury on the person of another (California Penal Code Section 240).

3 (g) “Battery” means any willful and unlawful use of force or violence upon the person
4 of another (California Penal Code Sections 242 and 243).

5 (h) “Knife” means any dirk, dagger, or other weapon as defined in California
6 Education Code Section 48915(g).

7 (i) “Serious physical injury” means serious physical impairments of physical
8 condition, such as loss of consciousness, concussion, bone fracture, protracted loss or
9 impairment of function of any bodily member or organ, a wound requiring extensive
10 suturing, and serious disfigurement (this is the same definition as described for “serious
11 bodily injury” in California Penal Code Section 243(f)(4)).

12 (j) “Hate violence” means any act punishable under California Penal Code Sections
13 422.6, 422.7, and 422.75).

14 (k) “Explosive” means a destructive device (Title 18, Section 921, United States
15 Code).

16 (l) “Robbery” means acts described in California Penal Code Sections 211 and 212.

17 (m) “Extortion” means acts described in California Penal Code Sections 71, 518, and
18 519.

19 (n) “Controlled substance” means drugs and other substances listed in Chapter 2 of
20 Division 10 of the California Health and Safety Code (commencing with Section 11053).

21 (o) “Sexual assault” means acts defined in California Penal Code Sections 261,
22 266(c), 286, 288, 288(a), and 289.

23 (p) “Sexual battery” means acts defined in California Penal Code Section 243.4.

24 (q) “Enrolled students” means students included in the most current California Basic
25 Educational Data System (CBEDS) report for the school.

26 NOTE: Authority cited: Section 33031, Education Code; Reference: Sections 37200 and
27 48915(g), Education Code; Sections 11053–11058, Health and Safety Code; Sections
28 71, 211, 212, 240, 242, 243, 243(f)(4), 243.4, 261, 266(c), 286, 288, 288(a), 289, 422.6,
29 422.7, 422.75, 518, and 519, Penal Code; 18 USC Section 921; Public Law 107-110,
30 Title IX, Part E, Subpart 2, Section 9532; 20 USC Section 7911.

1 **§ 11994. Data Collection.**

2 Local educational agencies will submit to the California Department of Education the
3 number of incidents of non-student firearm violations and student expulsion violations
4 specified in Section 11992 above for determining persistently dangerous schools. The
5 California Department of Education will use the information collected to designate
6 persistently dangerous schools, in coordination with the California State Board of
7 Education, in accordance with these regulations.

8 NOTE: Authority cited: Section 33031, Education Code; Reference: Public Law 107-
9 110, Title IX, Part E, Subpart 2, Section 9532; 20 USC Section 7911.

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LAST MINUTE MEMORANDUM

DATE: April 26, 2004

TO: MEMBERS, STATE BOARD OF EDUCATION

FROM: Sue Stickel, Deputy Superintendent
Curriculum and Instruction Branch

RE: Item No. 19

SUBJECT: *No Child Left Behind (NCLB) Act of 2001: Approve Commencement of the Rulemaking Process for Persistently Dangerous Public Elementary and Secondary Schools Regulations*

Attached is a copy of the Economic and Fiscal Impact Analysis completed by the Fiscal Policy Office pertaining to proposed Persistently Dangerous Public Elementary and Secondary Schools Regulations. The analysis indicates that the proposed regulations do not impose a local cost mandate or costs upon the state and they do not impact local business or individuals.

[Attachment 1](#): Economic and Fiscal Impact Analysis (8 pages)

**ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 2-98)

See SAM Sections 6600 - 6680 for Instructions and Code Citations

DEPARTMENT NAME	CONTACT PERSON	TELEPHONE NUMBER
DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400		NOTICE FILE NUMBER Z

ECONOMIC IMPACT STATEMENT**A. ESTIMATED PRIVATE SECTOR COST IMPACTS** *(Include calculations and assumptions in the rulemaking record.)*

1. Check the appropriate box(es) below to indicate whether this regulation:

- | | |
|---|--|
| <input type="checkbox"/> a. Impacts businesses and/or employees | <input type="checkbox"/> e. Imposes reporting requirements |
| <input type="checkbox"/> b. Impacts small businesses | <input type="checkbox"/> f. Imposes prescriptive instead of performance standards |
| <input type="checkbox"/> c. Impacts jobs or occupations | <input type="checkbox"/> g. Impacts individuals |
| <input type="checkbox"/> d. Impacts California competitiveness | <input type="checkbox"/> h. None of the above <i>(Explain below. Complete the Fiscal Impact Statement as appropriate.)</i> |

h. (cont.) _____

*(If any box in Items 1 a through g is checked, complete this Economic Impact Statement.)*2. Enter the total number of businesses impacted: _____ Describe the types of businesses *(Include nonprofits)*: _____

Enter the number or percentage of total businesses impacted that are small businesses: _____

3. Enter the number of businesses that will be created: _____ eliminated: _____

Explain: _____

4. Indicate the geographic extent of impacts: Statewide Local or regional *(list areas)*: _____

5. Enter the number of jobs created: _____ or eliminated: _____ Describe the types of jobs or occupations impacted: _____

6. Will the regulation affect the ability of California businesses to compete with other states by making it more costly to produce goods or services here?

 Yes No

If yes, explain briefly: _____

B. ESTIMATED COSTS *(Include calculations and assumptions in the rulemaking record.)*

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime? \$ _____

a. Initial costs for a small business: \$ _____ Annual ongoing costs: \$ _____ Years: _____

b. Initial costs for a typical business: \$ _____ Annual ongoing costs: \$ _____ Years: _____

c. Initial costs for an individual: \$ _____ Annual ongoing costs: \$ _____ Years: _____

d. Describe other economic costs that may occur: _____

ECONOMIC AND FISCAL IMPACT STATEMENT cont. (STD. 399, Rev. 2-98)

2. If multiple industries are impacted, enter the share of total costs for each industry: _____

3. If the regulation imposes reporting requirements, enter the annual costs a typical business may incur to comply with these requirements. (Include the dollar costs to do programming, record keeping, reporting, and other paperwork, whether or not the paperwork must be submitted.): \$ _____

4. Will this regulation directly impact housing costs? Yes No If yes, enter the annual dollar cost per housing unit: \$ _____ and the number of units: _____

5. Are there comparable Federal regulations? Yes No Explain the need for State regulation given the existence or absence of Federal regulations: _____

Enter any additional costs to businesses and/or individuals that may be due to State - Federal differences: \$ _____

C. ESTIMATED BENEFITS (Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.)

1. Briefly summarize the benefits that may result from this regulation and who will benefit: _____

2. Are the benefits the result of: specific statutory requirements, or goals developed by the agency based on broad statutory authority?
Explain: _____

3. What are the total statewide benefits from this regulation over its lifetime? \$ _____

D. ALTERNATIVES TO THE REGULATION (Include calculations and assumptions in the rulemaking record. Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.)

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: _____

2. Summarize the total statewide costs and benefits from this regulation and each alternative considered:

Regulation:	Benefit: \$ _____	Cost: \$ _____
Alternative 1:	Benefit: \$ _____	Cost: \$ _____
Alternative 2:	Benefit: \$ _____	Cost: \$ _____

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives: _____

4. Rulemaking law requires agencies to consider performance standards as an alternative, if a regulation mandates the use of specific technologies or equipment, or prescribes specific actions or procedures. Were performance standards considered to lower compliance costs? Yes No

Explain: _____

E. MAJOR REGULATIONS (Include calculations and assumptions in the rulemaking record.)
Cal/EPA boards, offices and departments are subject to the following additional requirements per Health and Safety Code section 57005.

ECONOMIC AND FISCAL IMPACT STATEMENT *cont. (STD. 399, Rev. 2-98)*

1. Will the estimated costs of this regulation to California business enterprises exceed \$10 million ? Yes No *(If No, skip the rest of this section)*

2. Briefly describe each equally as effective alternative, or combination of alternatives, for which a cost-effectiveness analysis was performed:

Alternative 1: _____

Alternative 2: _____

3. For the regulation, and each alternative just described, enter the estimated total cost and overall cost-effectiveness ratio:

Regulation: \$ _____ Cost-effectiveness ratio: _____

Alternative 1: \$ _____ Cost-effectiveness ratio: _____

Alternative 2: \$ _____ Cost-effectiveness ratio: _____

FISCAL IMPACT STATEMENT

A. FISCAL EFFECT ON LOCAL GOVERNMENT *(Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years)*

1. Additional expenditures of approximately \$ _____ in the current State Fiscal Year which are reimbursable by the State pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code. Funding for this reimbursement:

a. is provided in (Item _____, Budget Act of _____) or (Chapter _____, Statutes of _____)

b. will be requested in the _____ Governor's Budget for appropriation in Budget Act of _____
(FISCAL YEAR)

2. Additional expenditures of approximately \$ _____ in the current State Fiscal Year which are not reimbursable by the State pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code because this regulation:

a. implements the Federal mandate contained in _____

b. implements the court mandate set forth by the _____
court in the case of _____ vs. _____

c. implements a mandate of the people of this State expressed in their approval of Proposition No. _____ at the _____
election; (DATE)

d. is issued only in response to a specific request from the _____
_____, which is/are the only local entity(s) affected;

e. will be fully financed from the _____ authorized by Section
(FEES, REVENUE, ETC.)
_____ of the _____ Code;

f. provides for savings to each affected unit of local government which will, at a minimum, offset any additional costs to each such unit.

3. Savings of approximately \$ _____ annually.

4. No additional costs or savings because this regulation makes only technical, non-substantive or clarifying changes to current law and regulations.

ECONOMIC AND FISCAL IMPACT STATEMENT *cont. (STD. 399, Rev. 2-98)*

- 5. No fiscal impact exists because this regulation does not affect any local entity or program.
- 6. Other.

B. FISCAL EFFECT ON STATE GOVERNMENT *(Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)*

- 1. Additional expenditures of approximately \$ _____ in the current State Fiscal Year. It is anticipated that State agencies will:
 - a. be able to absorb these additional costs within their existing budgets and resources.
 - b. request an increase in the currently authorized budget level for the _____ fiscal year.
- 2. Savings of approximately \$ _____ in the current State Fiscal Year.
- 3. No fiscal impact exists because this regulation does not affect any State agency or program.
- 4. Other.

C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS *(Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)*

- 1. Additional expenditures of approximately \$ _____ in the current State Fiscal Year.
- 2. Savings of approximately \$ _____ in the current State Fiscal Year.
- 3. No fiscal impact exists because this regulation does not affect any federally funded State agency or program.
- 4. Other.

SIGNATURE	TITLE
AGENCY SECRETARY ¹	DATE
APPROVAL/CONCURRENCE	
DEPARTMENT OF FINANCE ²	DATE
APPROVAL/CONCURRENCE	

1. *The signature attests that the agency has completed the STD. 399 according to the instructions in SAM sections 6600-6680, and understands the impacts of the proposed rulemaking. State boards, offices, or departments not under an Agency Secretary must have the form signed by the highest ranking official in the organization.*
2. *Finance approval and signature is required when SAM sections 6600-6670 require completion of the Fiscal Impact Statement in the STD. 399.*

**Economic and Fiscal Impact Analysis
Proposed Amendment of Title 5, CCR, Regulations
Persistently Dangerous Schools**

The Fiscal Policy Office has reviewed for economic and fiscal impact the proposed regulations (version 04/01/04) adding Section 11991, 11992, 11993, and 11994, of Subchapter 23, Chapter 11, Division 1, Title 5, California Code of Regulations relating to the Persistently Dangerous Schools (PDS).

What would the proposed regulations do?

The purpose of the regulations is to clarify and provided guidance on the implementation of the statewide policy definition for designating persistently dangerous schools as required by the federal No Child Left Behind Act of 2001 and to establish related data reporting requirements for public elementary and secondary schools, including charter schools.

Do the proposed regulations impose a local cost mandate?

We have determined that actions required by the proposed regulations *are attributable to federal statute* and therefore the proposed regulations *do not* impose a local cost mandate.

As part of California’s submission of the Consolidated State Application for state grants under Title IX, Part C, Section 9302 of the Elementary and Secondary Education Act (Public Law 107 – 110) the California Department of Education (CDE) has required that all Local Education Agencies (LEAs), including public charter schools annually submit to the CDE specified data as outlined in NCLB—Title IV, Part A, Subpart 1, Section 4112, 20 USC 7112. This includes student expulsion information that will be used in conjunction with student enrollment to designate persistently dangerous schools as outlined in NCLB—Part E, Subpart 2, Section 9532; 20 USC 7912.

NCLB requires the State to establish a Uniform Management Information and Reporting System for the collection of the required information from the LEAs.

Public Law 107-110 "No Child Left Behind (NCLB) Act of 2001" Title IV, Part A, Subpart 1, Section 4112, 20 USC 7112:

“SEC. 4112. RESERVATION OF STATE FUNDS FOR SAFE AND DRUG-FREE SCHOOLS.

“(a) STATE RESERVATION FOR THE CHIEF EXECUTIVE OFFICER OF A STATE—

“(1) IN GENERAL—The chief executive officer of a State may reserve not more than 20 percent of the total amount allocated to a State under section 4111(b) for each fiscal year to award competitive grants and contracts to local educational agencies, community-based organizations (including community anti-drug coalitions) other public entities and private organizations, and consortia thereof. Such grants and contracts shall be used to carry out the comprehensive State plan described in

section 4113(a) through programs or activities that complement and support activities of local educational agencies described in section 4115(b). Such officer shall award grants based on —

“(A) the quality of the program or activity proposed; and

“(B) how the program or activity meets the principles of effectiveness

described in section 4115(a).

“(2) PRIORITY—In making such grants and contracts under this section, a chief executive officer shall give priority to programs and activities that prevent illegal drug use and violence for —

“(A) children and youth who are not normally served by State educational agencies or local educational agencies; or

“(B) populations that need special services or additional resources (such as youth in juvenile detention facilities, runaway or homeless children and youth, pregnant and parenting teenagers, and school dropouts).

“(3) SPECIAL CONSIDERATION—In awarding funds under paragraph (1), a chief executive officer shall give special consideration to grantees that pursue a comprehensive approach to drug and violence prevention that includes providing and incorporating mental health services related to drug and violence prevention in their program.

“(4) PEER REVIEW—Grants or contracts awarded under this section shall be subject to a peer review process.

“(5) USE OF FUNDS—Grants and contracts under this section shall be used to implement drug and violence prevention activities, including —

“(A) activities that complement and support local educational agency activities under section 4115, including developing and implementing activities to prevent and reduce violence associated with prejudice and intolerance;

“(B) dissemination of information about drug and violence prevention; and

“(C) development and implementation of community-wide drug and violence prevention planning and organizing.

“(6) ADMINISTRATIVE COSTS—The chief executive officer of a State may use not more than 3 percent of the amount described in paragraph (1) for the administrative costs incurred in carrying out the duties of such officer under this section.

“(b) IN STATE DISTRIBUTION—

“(1) IN GENERAL—A State educational agency shall distribute not less than 93 percent of the amount made available to the State under section 4111(b), less the amount reserved under subsection (a) of this section, to its local educational agencies.

“(2) STATE ADMINISTRATION COSTS—

“(A) IN GENERAL—A State educational agency may use not more than 3 percent of the amount made available to the State under section 4111(b) for each fiscal year less the amount reserved under subsection (a) of this section, for State educational agency administrative costs, including the implementation of the uniform management information and reporting system as provided for under subsection (c)(3).

“(B) ADDITIONAL AMOUNTS FOR THE UNIFORM MANAGEMENT INFORMATION SYSTEM—In the case of fiscal year 2002, a State educational agency may, in addition to amounts provided for in subparagraph (A), use 1 percent of the amount made available to the State educational agency under section 4111(b) for each fiscal year less the amount reserved under subsection (a) of this section, for implementation of the uniform management information and reporting system as provided for under subsection (c)(3).

“(c) STATE ACTIVITIES—

“(1) IN GENERAL—A State educational agency may use not more than 5 percent of the amount made available to the State under section 4111(b) for each fiscal year

less the amount reserved under subsection (a) of this section, for activities described in this subsection.

“(2) ACTIVITIES—A State educational agency shall use the amounts described in paragraph (1), either directly, or through grants and contracts, to plan, develop, and implement capacity building, technical assistance and training, evaluation, program improvement services, and coordination activities for local educational agencies, community-based organizations, and other public and private entities. Such uses —

“(A) shall meet the principles of effectiveness described in section 4115(a);

“(B) shall complement and support local uses of funds under section 4115(b);

“(C) shall be in accordance with the purposes of this part; and

“(D) may include, among others activities —

“(i) identification, development, evaluation, and dissemination of drug and violence prevention strategies, programs, activities, and other information;

“(ii) training, technical assistance, and demonstration projects to address violence that is associated with prejudice and intolerance; and

“(iii) financial assistance to enhance drug and violence prevention resources available in areas that serve large numbers of low-income children, are sparsely populated, or have other special needs.

“(3) UNIFORM MANAGEMENT INFORMATION AND REPORTING SYSTEM—

“(A) INFORMATION AND STATISTICS- A State shall establish a uniform management information and reporting system.

“(B) USES OF FUNDS—A State may use funds described in subparagraphs (A) and (B) of subsection (b)(2), either directly or through grants and contracts, to implement the uniform management information and reporting system described in subparagraph (A), for the collection of information on —

“(i) truancy rates;

“(ii) the frequency, seriousness, and incidence of violence and drug-related offenses resulting in suspensions and expulsions in elementary schools and secondary schools in the State;

“(iii) the types of curricula, programs, and services provided by the chief executive officer, the State educational agency, local educational agencies, and other recipients of funds under this subpart; and

“(iv) the incidence and prevalence, age of onset, perception of health risk, and perception of social disapproval of drug use and violence by youth in schools and communities.

“(C) COMPILATION OF STATISTICS—In compiling the statistics required for the uniform management information and reporting system, the offenses described in subparagraph (B)(ii) shall be defined pursuant to the State's criminal code, but shall not identify victims of crimes or persons accused of crimes. The collected data shall include incident reports by school officials, anonymous student surveys, and anonymous teacher surveys.

“(D) REPORTING—The information described under subparagraph (B) shall be reported to the public and the data referenced in clauses (i) and (ii) of such subparagraph shall be reported to the State on a school-by-school basis.

“(E) LIMITATION—Nothing in this subsection shall be construed to authorize the Secretary to require particular policies, procedures, or practices with respect to crimes committed on school property or school security.

Public Law 107-110 "No Child Left Behind (NCLB) Act of 2001" Part E, Subpart 2, Section 9532; 20 USC 7912:

“SEC. 9532. UNSAFE SCHOOL CHOICE OPTION.

“(a) UNSAFE SCHOOL CHOICE POLICY.—Each State receiving funds under this Act shall establish and implement a statewide policy requiring that a student

attending a persistently dangerous public elementary school or secondary school, as determined by the State in consultation with a representative sample of local educational agencies, or who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school.

“(b) CERTIFICATION.—As a condition of receiving funds under this Act, a State shall certify in writing to the Secretary that the State is in compliance with this section.”

Do the proposed regulations impose costs upon the state?

No. The proposed amendment to the regulations would not create a new program or higher level of service in an existing state program.

Do the proposed regulations impact local business?

No. The proposed amendment to the regulations should have no impact on local business.

Do the proposed regulations impact individuals?

No. The proposed amendment to the regulations should have no impact on individuals.

This analysis reflects the attached Economic and Fiscal Impact Statement.

Donald E. Killmer, Consultant
Fiscal and Administrative Services Division

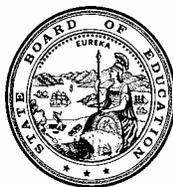
Date

Gerald C. Shelton, Director
Fiscal and Administrative Services Division

Date

Note: The purpose of the Department’s review of regulations for Economic or Fiscal Impact is in part to, determine prior to the Department’s submission of the Notice of Proposed Rulemaking to the Office of Administrative Law (OAL), if the regulations impose a mandate upon the locals and if so if there is a cost or savings. Additionally, the review may make a determination of what the cost or savings “may” be and if there is precedence in the determination of the potential costs through previous claims reimbursable through the mandate process authorized in state statute and set forth by the CSM.

If the Department determines that a potential mandate and an additional cost exists, the Department is required to forward that information (via the STD. 399 and this analysis) to the Department of Finance (DOF) for their review. The review by DOF does not need to be completed prior to the Department’s submission of the Notice of Proposed Rulemaking to OAL but must be completed prior to the closing of the “Rulemaking Record” and prior to OAL forwarding of the “Record” to the Secretary of State. The DOF review contains an approval or disapproval; typically regulations that impose or could potentially impose an additional cost upon the state are disapproved and the department is required to amend the regulation to eliminate the cost or pull the “Record”.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Instructional Materials: Adopt Proposed Amendments to Title 5, Sections 9515 and 9517, and Addition of Section 9517.1 for Follow-up Adoptions	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Consider comments received during the public comment period and at the public hearing and take action to adopt regulations.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At the March 2004 meeting, the State Board of Education approved commencement of the rulemaking process for regulations regarding follow-up adoptions. Written comments must be received by 5:00 p.m. on May 10, 2004. A public hearing will be conducted by staff on May 10, 2004.

SUMMARY OF KEY ISSUES

The State Board of Education is charged under Article IX, Section 7.5 of the *California Constitution* with the responsibility for adopting instructional materials for grades one through eight. Kindergarten was added to the adoption by *Education Code* Section 60200. In 1927, the Legislature established an advisory body, the Curriculum Development and Supplemental Materials Commission (commonly referred to as the Curriculum Commission) to assist the Board with this function.

Education Code Section 60200(b)(1) calls for adoptions to occur “not less than two times every six years” for language arts, mathematics, science, and history-social science and “not less than two times every eight years” in other subjects. The first instructional materials adoption following the State Board of Education adoption of new evaluation criteria is termed a “primary adoption” and creates a new adoption list. A follow-up adoption is any additional adoption conducted during the six- or eight-year time frame and is conducted using the same evaluation criteria as the primary adoption. A follow-up adoption adds instructional materials to the existing adoption list for the remainder of the list’s term.

Due to significant budget cuts to the Department, the follow-up adoptions that had been scheduled for 2003 (in history-social science, science, and visual and performing arts) have yet to be conducted. Additional follow-up adoptions had been planned for 2004 in mathematics and reading/language arts.

Senate Bill 1058 (Chapter 806, Statutes of 2003) gives the Department the authority to collect a fee from publishers and manufacturers of instructional materials to participate in a follow-up adoption and partially offset the follow-up adoption's cost. It also includes provisions for a reduction of the fee for small publishers and manufacturers. This bill provides greater flexibility in funding to conduct follow-up adoptions and add materials to existing adoption lists.

The proposed regulations to implement Senate Bill 1058:

- Clarify that follow-up adoptions use the same *Invitation to Submit* document and evaluation criteria as that used in the primary adoption.
- Define the term "primary adoption."
- Include the publisher and manufacturer fee of \$5,000 per program per grade level submitted for review.
- List the documentation required to establish that a publisher or manufacturer meets the definition of "small publisher" or "small manufacturer" for consideration by the Board to qualify for a reduction of the otherwise-required fee.

The Department's experience has been that the actual cost of a follow-up adoption (involving multiple submissions) ranged from \$120,000-\$150,000 depending on the number of programs submitted for review. The costs included travel and meeting expenses for reviewers and commissioners to attend training/re-training and deliberations. This overall figure does not take into account staff costs of approximately \$475,000 to conduct follow-up adoptions. Based on these approximations, we recommend that the follow-up adoption fee for an individual submission be set at \$5,000 per grade level.

The proposed fee was developed based upon this reasonable estimate of the historical costs of follow-up adoptions and is designed to be partial and not result in any profit (fee revenue in excess of costs) being made on programs submitted for follow-up adoption. The proposed fee reflects savings that are likely because training/re-training costs should be substantially lower than for a primary adoption, as should travel and meeting costs. However, reviewers will be paid a stipend for participating in the follow-up adoption, and there will continue to be some travel and meeting costs. Even with modification of the process, we anticipate no reduction in the need for staff and state operations costs required to conduct the follow-up adoptions.

If action is taken at this meeting, the regulations could likely go into effect by October 2004 and follow-up adoptions could begin shortly thereafter.

The process and estimated time line for approval of these regulations includes the following steps:

- March 11, 2004 – Board action to approve proposed regulations for purposes of beginning the rule making
- March 26, 2004 – Notice for publication in the Notice Register (published on Fridays)

- May 10, 2004 – 45-day public comment period ends
- May 10, 2004 – Public hearing conducted, response to comments prepared
- May 13, 2004 – Board action to adopt regulations or approve changes based on comments received
- May 26, 2004 – Additional 15-day public comment period required if substantive changes are made to the proposed regulations with resubmission to the Board in September
- Once approved by the Board, the Office of Administrative Law (OAL) has 30 working days to review and approve/disapprove the regulations.
- Once approved by OAL, the Secretary of State's Office (SOS) has 30 calendar days to put the regulations into effect.

FISCAL ANALYSIS (AS APPROPRIATE)

Under SB 1058, the Department is authorized to collect a fee to cover the cost of follow-up adoptions. The proposed fee represents a reasonable estimate of the cost to conduct a review and will be based on the number of programs submitted and the number of grade levels covered by each program. The bill gives the Board authority to reduce the fee for small publishers and manufacturers.

ATTACHMENTS

[Attachment 1](#): Proposed Title 5 Regulations to Implement Follow-up Adoptions
(6 Pages)

[Attachment 2](#): Initial Statement of Reasons (2 Pages)

[Attachment 3](#): Informative Digest (1 Page)

[Attachment 4](#): Notice of Proposed Rulemaking (4 Pages)

[Attachment 5](#): Economic and Fiscal Impact Statement (2 Pages)

(This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board office.)

[Attachment 6](#): Senate Bill 1058 (Chapter 806, Statutes of 2003) (2 Pages)

[Attachment 7](#): Schedule for Curriculum Framework Development and Adoption of K-8 Instructional Materials (1 Page)

Last Minute Memorandum will include:

- Summary of Written Comments Received
- Report on Public Hearing

1 **DRAFT**

2 **CALIFORNIA CODE OF REGULATIONS**

3 **TITLE 5. EDUCATION**

4 **Division 1. State Department of Education**

5 **Chapter 9. Instructional Materials**

6 **Subchapter 1. Elementary Instructional Materials**

7 **Article 2.1. Adoption of Curriculum Frameworks and Instructional Materials –**

8 **Procedures**

9 *Amend Sections 9515 and 9517 to read:*

10 **§9515. Definitions.**

11 (a) “Board” means the State Board of Education.

12 (b) “Curriculum Commission” means the Curriculum Development and Supplemental
13 Materials Commission.

14 (c) “Department” means the California Department of Education.

15 (d) “Schedule of Significant Events” means the dates promulgated by the
16 Department in the “Invitation to Submit Basic Instructional Materials for Adoption in
17 California.”

18 (e) “Period of Adoption” means the period of time that the instructional materials
19 shall remain in adoption. This time period shall be specified in the “Schedule of
20 Significant Events.”

21 (f) “Primary Adoption” means the first instructional materials adoption following the
22 approval of new evaluation criteria by the Board.

23 NOTE: Authority cited: Sections 33031 and ~~60004~~60206, Education Code. Reference:
24 ~~Sections 33539, 60019, 60020 and 60200~~Chapter 2 of Part 33 (commencing with
25 Section 60200), Education Code.

26
27 **§9517. Invitation to Submit Basic Instructional Materials for Adoption.**

28 The Board shall ensure that a written notice of an upcoming primary and follow-up
29 adoption of instructional materials is posted on the Department Website and mailed to
30 every person or firm who has submitted a request for notice to the Department and to

1 any person or firm whom the Department, in its judgment, deems to be interested in the
2 notice. This notice shall be known as the Invitation to Submit Basic Instructional
3 Materials for Adoption in California. The failure to mail an invitation to any person as
4 provided in this section shall not invalidate any action taken by the Board, Curriculum
5 Commission, or Department.

6 With respect to the submission of instructional materials for adoption by the Board,
7 publishers and manufacturers shall comply with the following requirements:

8 (a) Instructional materials may be submitted in any language, but essential teachers'
9 materials shall be included in English.

10 (b) Publishers and manufacturers shall indicate, either in the teacher's edition or in
11 the student's edition or both, which literary works contained in the student's edition or
12 teacher's edition have been abridged, adapted, or excerpted. Publishers and
13 manufacturers shall provide detailed descriptions of these changes upon request by the
14 Department or local educational agencies.

15 (c) Publishers and manufacturers shall list, either in the teacher's edition or in the
16 student's edition or both, only authors, reviewers, consultants, advisors, field-test
17 teachers, and others who actually contributed to the development of the materials and
18 shall indicate, for those who are listed, in what capacity they served. Publishers and
19 manufacturers shall provide additional related information upon request by the
20 Department or local educational agencies.

21 (d) Education Code sections 32060-32066 prohibit the purchase of toxic art or craft
22 supplies for grades kindergarten through six and allow their purchase for grades seven
23 through twelve only if they display a warning label. Publishers and manufacturers shall
24 ensure that all art or craft materials included or suggested in their instructional materials
25 comply with the requirements of these Education Code sections.

26 (e) On or before 5:00 P.M. of the date specified in the Schedule of Significant
27 Events, which is included in the Invitation to Submit Basic Instructional Materials for
28 Adoption, publishers and manufacturers shall provide to the Department a list of all
29 instructional materials that will be submitted for adoption. Receipt of submission
30 information after this deadline shall result in disqualification of the instructional materials

1 from further consideration in the current adoption unless publishers or manufacturers
2 can show extenuating and compelling circumstances beyond their control.

3 (f) On or before 5:00 P.M. of the date specified in the Schedule of Significant Events,
4 publishers and manufacturers shall deliver samples of instructional materials to the
5 evaluators and locations specified by the Department. Failure to meet the deadline for
6 delivery of samples shall result in disqualification of the instructional materials from
7 further consideration in the current adoption unless the publisher or manufacturer can
8 show extenuating and compelling circumstances involving natural disasters or
9 independent carriers beyond the control of the publishers and manufacturers. In
10 addition:

11 (1) Publishers and manufacturers shall deliver all samples in final form (i.e., a form
12 that will be offered for purchase over the period of adoption) unless written permission
13 to submit a sample in other than final form is obtained from the Department before any
14 samples are shipped.

15 (2) Publishers and manufacturers shall deliver all samples free of shipping, handling,
16 sampling, or other charges.

17 (3) After the final date for delivery of samples, changes or modifications to
18 instructional materials during the adoption review period by the publisher or
19 manufacturer shall result in disqualification of the materials from the adoption unless
20 those changes or modifications are made pursuant to the Board's social content review
21 or educational content review.

22 (4) Publishers and manufacturers shall retrieve samples of nonadopted instructional
23 materials from display centers during the first thirty (30) days following the date of Board
24 adoption. The deadline for retrieval shall be specified in the Schedule of Significant
25 Events in the invitation. All materials shall be retrieved without any cost to the display
26 center or its staff. Display center directors may dispose of or donate for educational use
27 any samples of instructional materials not retrieved within the 30-day period. Board and
28 Curriculum Commission members, instructional materials reviewers, and Department
29 staff may offer their samples back to publishers and manufacturers, retain their

1 samples, or donate them, provided that the materials are used to benefit public
2 education in California.

3 (g) On or before 5:00 P.M. of the date specified in the Schedule of Significant
4 Events, publishers and manufacturers shall submit to the Department price quotations
5 (bids) for the sale of completed materials, including all transportation costs.

6 (h) Publishers and manufacturers are discouraged from withdrawing from a state
7 adoption after the submission of their materials. No publisher or manufacturer may
8 withdraw their submitted instructional materials from a state adoption within seven
9 working days prior to the beginning of the ~~Instructional Resources Evaluation~~ Materials
10 Advisory Panel educational content deliberations, which date(s) shall be specified in the
11 Schedule of Significant Events. Publishers and manufacturers withdrawing prior to this
12 date shall be so noted in the Curriculum Commission's report of adoption
13 recommendations.

14 (i) Other than during the times specified in the Schedule of Significant Events,
15 publishers and manufacturers shall not contact ~~Instructional Resources Evaluation~~
16 Materials Advisory Panel members during their tenure to discuss anything related to the
17 state evaluation or state adoption of materials. Contact initiated by publishers or
18 manufacturers regarding the evaluation or adoption of materials may lead to
19 disqualification of the publisher's or manufacturer's materials from further consideration
20 in the current adoption, legal action, or both. ~~Instructional Resources Evaluation~~
21 Materials Advisory Panel members shall not discuss materials under adoption
22 consideration with publishers or manufacturers or their spokespeople or
23 representatives.

24 (j) Publishers and manufacturers shall not publicize in printed marketing materials
25 any part of the ~~Instructional Resources Evaluation~~ Materials Advisory Panel Report.

26 (k) Follow-up adoptions shall be based on the Invitation to Submit Basic Instructional
27 Materials and evaluation criteria issued for the primary adoption. A new Schedule of
28 Significant Events shall be approved prior to implementing a follow-up adoption.

1 NOTE: Authority cited: Sections 33031 and ~~60004~~60206, Education Code. Reference:
2 Sections ~~32060-32066, 60071 and 60200-60222~~and Chapter 2 of Part 33 (commencing
3 with Section 60200), Education Code.

4

5 *Add Section 9517.1 to read:*

6 **§9517.1 Follow-up adoptions: notice to publishers and manufacturers, intent to**
7 **submit, fee, list of adopted materials.**

8 Follow-up adoptions shall be conducted according to the following requirements:

9 (a) The Board shall ensure that a written notice of an upcoming follow-up adoption in
10 a given subject is posted on the Department Website and mailed to all publishers or
11 manufacturers known to produce instructional materials in that subject. The notice shall
12 include:

13 (1) A "Schedule of Significant Events."

14 (2) Specifications for "Intent to Submit."

15 (b) Each publisher or manufacturer shall provide an "Intent to Submit" that specifies
16 the following:

17 (1) Number of programs that the publisher or manufacturer will submit.

18 (2) Number of grade levels covered by each program.

19 (c) Based on the specifications in subdivision (b) as reported in the "Intent to
20 Submit," the Department shall assess a fee of \$5,000 per grade level submitted for
21 review.

22 (d) A "small publisher" or "small manufacturer," as defined in Education Code
23 Section 60227(f)(3), may request a reduction of the fee by submitting documentation
24 that includes, but is not limited to, the following:

25 (1) A statement of earnings for the most recent three fiscal years.

26 (2) Number of full-time employees excluding contracted employees.

27 (3) A statement verifying that the small publisher or small manufacturer is not
28 dominant in its field for the subject matter being submitted for follow-up adoption.

1 (e) Instructional materials approved by the Board in a follow-up adoption shall be
2 added to the existing adoption list for that subject and remain on the list until the
3 established expiration date for that list.

4 NOTE: Authority cited: Section 33031 and 60206, Education Code. Reference: Chapter
5 2 of Part 33 (commencing with Section 60200), Education Code.

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INITIAL STATEMENT OF REASONS

SECTIONS 9515, 9517 and 9517.1

SPECIFIC PURPOSE OF THE AMENDED REGULATIONS

The proposed amendments provide clarification regarding primary and follow-up adoptions and minor revisions that reflect current practice. The new section provides for the implementation of *Education Code* Section 60227. Specifically, the regulations clarify the steps and requirements for conducting a follow-up adoption, including the fee to be assessed the publishers and manufacturers to participate in a follow-up adoption.

NECESSITY/RATIONALE

The existing regulations in the *California Code of Regulations* sections 9515 and 9517 were last amended in 1994. Since that time there have been changes in practice that were not reflected in the existing regulations. *Education Code* Section 60227, recently enacted into law, specifically provides for payment of a fee by publishers and manufacturers to participate in follow-up adoptions. The revisions proposed include changes to reflect current practice, definition of primary adoptions, clarification of the process to be used and the fee to be assessed for the follow-up adoptions.

Section 9515. Definitions

The amendments include the definition of “primary adoption.”

Section 9517. Invitation to Submit Basic Instructional Materials for Adoption

The amendments reflect changes in practice and terminology including that notices of upcoming adoptions are posted on the Department Web site and the review panels are now called Instructional Materials Advisory Panels (IMAP).

The amendments clarify that the follow-up adoptions are based on the same Invitation to Submit and evaluation criteria as the primary adoption.

Section 9517.1. Follow-up adoptions

The regulations specify the distribution of a notice of an upcoming follow-up adoption by the Department and the requirements for publishers and manufacturers to participate in the follow-up adoption.

The regulations establish a fee for publisher and manufacturer participation in the follow-up adoption and requirements to qualify for a reduction in the fee for a “small publisher” or “small manufacturer.”

The regulations clarify that materials are added to an existing adoption list through the follow-up adoption process and do not create a new adoption list or a new expiration date.

Note: Authority cited: Sections 33031 and 60206, *Education Code*. Reference: Chapter 2 of Part 33 (commencing with Section 60200), *Education Code*.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS

The State Board did not rely on any other technical, theoretical, or empirical studies, reports, or documents in proposing the adoption of this regulation.

REASONABLE ALTERNATIVES TO THE REGULATION AND THE AGENCY'S REASONS FOR REJECTING THOSE ALTERNATIVES

There are no other reasonable alternatives to the creation of rules of general application. *Education Code* Section 60206 empowers the State Board of Education to adopt appropriate regulations concerning the adoption of instructional materials.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

The statute requires payment of a fee by a publisher or manufacturer for participation in the follow-up adoption. However, it also provides for a reduction of the fee for small publishers and manufacturers. This reduction of the fee lessens the impact on small business.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS

The proposed regulations reflect the requirements of the statute, *Education Code* Section 60227, and would not have a significant adverse impact on any business.

INFORMATIVE DIGEST

The Board proposes to amend Sections 9515 and 9517 of and add Section 9517.1 to the *California Code of Regulations* (CCR). These sections concern the adoption of instructional materials for California public schools in grades K-8 and the implementation of follow-up adoptions.

The purpose of the regulations is to establish the process for follow-up adoptions and the fee to be paid by publishers and manufacturers for participation in follow-up adoptions of instructional materials for grades K-8.

Education Code Section 60200(b)(1) calls for adoptions to occur “not less than two times every six years” for language arts, mathematics, science, and social science and “not less than two times every eight years” in other subjects. The first instructional materials adoption following the State Board of Education adoption of new evaluation criteria is termed a “primary adoption” and creates a new adoption list. A “follow-up adoption” is any additional adoption conducted during the six- or eight-year time frame and is conducted using the same evaluation criteria as the primary adoption.

Education Code Section 60227 gives the Department the authority to collect a fee from publishers and manufacturers of instructional materials to participate in follow-up adoptions. The fee collected is to be used to offset the cost of conducting the adoption. Small publishers and small manufacturers may request a reduction in the fee from the Board.

CCR, Title 5, Section 9515 is proposed to be amended to define “primary adoption.”

CCR, Title 5, Section 9517 is proposed to be amended to reflect changes in practice and terminology. It also clarifies that follow-up adoptions are based on the same Invitation to Submit and evaluation criteria as the primary adoption.

CCR, Title 5, Section 9517.1 is proposed to be added to clarify the procedures for the follow-up adoption, including the distribution of a notice to publishers and manufacturers and the establishment of a fee for the review.

CALIFORNIA STATE BOARD OF EDUCATION

1430 N Street; Room 5111
Sacramento, CA 95814



TITLE 5. EDUCATION

CALIFORNIA STATE BOARD OF EDUCATION

NOTICE OF PROPOSED RULEMAKING

Instruction Materials Follow-Up Adoptions
[Notice published March 26, 2004]

The State Board of Education (State Board) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PUBLIC HEARING

Program staff will hold a public hearing beginning at **1:00 p.m. on Monday, May 10, 2004** at 1430 N Street, Room 1101, Sacramento, California. The room is wheelchair accessible. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The State Board requests that any person desiring to present statements or arguments orally notify the Regulations Coordinator of such intent. The State Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. No oral statements will be accepted subsequent to this public hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Regulations Coordinator. The written comment period ends at **5:00 p.m. on Monday, May 10, 2004**. The State Board will consider only written comments received by the Regulations Coordinator by that time (in addition to those comments received at the public hearing). Written comments for the State Board's consideration should be directed to:

Debra Strain, Regulations Adoption Coordinator
California Department of Education
LEGAL DIVISION
1430 N Street, Room 5319
Sacramento, California 95814
E-mail: dstrain@cde.ca.gov
Telephone: (916) 319-0860
FAX: (916) 319-0155

AUTHORITY AND REFERENCE

Authority cited: Sections 33031 and 60206, Education Code.

Reference: Sections 32060-32066 and Chapter 2 of Part 33 (commencing with Section 60200), Education Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Board proposes to amend Sections 9515 and 9517 of and add Section 9517.1 to the *California Code of Regulations* (CCR). These sections concern the adoption of instructional materials for California public schools in grades K-8 and the implementation of follow-up adoptions.

The purpose of the regulations is to establish the process for follow-up adoptions and the fee to be paid by publishers and manufacturers for participation in follow-up adoptions of instructional materials for grades K-8.

Education Code Section 60200(b)(1) calls for adoptions to occur “not less than two times every six years” for language arts, mathematics, science, and social science and “not less than two times every eight years” in other subjects. The first instructional materials adoption following the State Board of Education adoption of new evaluation criteria is termed a “primary adoption” and creates a new adoption list. A “follow-up adoption” is any additional adoption conducted during the six- or eight-year time frame and is conducted using the same evaluation criteria as the primary adoption.

Education Code Section 60227 gives the Department the authority to collect a fee from publishers and manufacturers of instructional materials to participate in follow-up adoptions. The fee collected is to be used to offset the cost of conducting the adoption. Small publishers and small manufacturers may request a reduction in the fee from the Board.

CCR, Title 5, Section 9515 is proposed to be amended to define “primary adoption.”

CCR, Title 5, Section 9517 is proposed to be amended to reflect changes in practice and terminology. It also clarifies that follow-up adoptions are based on the same Invitation to Submit and evaluation criteria as the primary adoption.

CCR, Title 5, Section 9517.1 is proposed to be added to clarify the procedures for the follow-up adoption, including the distribution of a notice to publishers and manufacturers and the establishment of a fee for the review.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: None

Cost or savings to any state agency: Minor. Amount not covered by fee is absorbable within existing resources.

Costs to any local agency or school district that must be reimbursed in accordance with Government Code Section 17561: None

Other non-discretionary cost or savings imposed on local educational agencies: None

Cost or savings in federal funding to the state: None

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None

Cost impacts on a representative private person or businesses: The State Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. The imposition of fees assessed on publishers and manufacturers is attributable to statute; therefore the regulations do not impose a fiscal impact on the private sector.

Adoption of this regulation will not:

- (1) create or eliminate jobs within California;
- (2) create new businesses or eliminate existing businesses within California; or
- (3) affect the expansion of businesses currently doing business within California.

Significant effect on housing costs: None

Effect on small businesses: The proposed regulations do not have an effect on small business because they reflect the requirements of Education Section 60227.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the State Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the State Board, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The State Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the substance of the proposed regulations should be directed to:

Patrice Roseboom, Associate Governmental Program Analyst
California Department of Education
Curriculum Frameworks and Instructional Resources
1430 N Street, 3rd Floor
Sacramento, CA 95814
E-mail: proseboo@cde.ca.gov
Telephone: (916) 319-0881
FAX: (916) 319-0172

Requests for a copy of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, or other technical information upon which the rulemaking is based or questions on the proposed administrative action may be directed to the Regulations Coordinator, or to the backup contact person, Najia Rosales, at (916) 319-0860.

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Regulations Coordinator will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at her office at the above address. As of the date this

notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, and the Initial Statement of Reasons. A copy may be obtained by contacting the Regulations Coordinator at the above address.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, the State Board may adopt the proposed regulations substantially as described in this notice. If the State Board makes modifications that are sufficiently related to the originally proposed text, the modified text (with changes clearly indicated) will be available to the public for at least 15 days before the State Board adopts the regulation as revised. Requests for copies of any modified regulations should be sent to the attention of the Regulations Coordinator at the address indicated above. The State Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the Final Statement of Reasons may be obtained by contacting the Regulations Coordinator at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, the text of the regulations in underline and strikeout, and the Final Statement of Reasons, can be accessed through the California Department of Education's Website at <http://www.cde.ca.gov/regulations>.

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973*, the *Americans with Disabilities Act of 1990*, and the *Unruh Civil Rights Act*, any individual with a disability who requires reasonable accommodation to attend or participate in a public hearing on proposed regulations, may request assistance by contacting Patrice Roseboom, Curriculum Frameworks and Instructional Resources, 1430 N Street, Sacramento, CA, 95814; telephone, (916) 319-0881; fax, (916) 319-0172. It is recommended that assistance be requested at least two weeks prior to the hearing.

BILL NUMBER: SB 1058 CHAPTERED
BILL TEXT

CHAPTER 806
FILED WITH SECRETARY OF STATE OCTOBER 11, 2003
INTRODUCED BY Senator Torlakson

FEBRUARY 27, 2003

An act to add and repeal Section 60227 to the Education Code, relating to children, and making an appropriation therefor.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 60227 is added to the Education Code, to read:

60227. (a) For purposes of this section, a followup adoption is any adoption other than the primary adoption that occurs within a six- or eight-year cycle established pursuant to subdivision (b) of Section 60200.

(b) Before conducting a followup adoption in a given subject, the department shall provide notice, pursuant to subdivision (c), to all publishers or manufacturers known to produce basic instructional materials in that subject, post an appropriate notice on the department's Internet site, and take other reasonable measures to ensure that appropriate notice is widely circulated to potentially interested publishers and manufacturers.

(c) The notice shall specify that each publisher or manufacturer choosing to participate in the followup adoption shall be assessed a fee based upon the number of programs the publisher or manufacturer indicates will be submitted for review and the number of grade levels proposed to be covered by each program.

(d) The fee shall offset the cost of conducting the followup adoption process and shall reflect the department's best estimate of the cost. The department shall take reasonable steps to limit costs of the followup adoption and to keep the fee modest, recognizing that some of the work necessary for the primary adoption need not be duplicated.

(e) The department, prior to incurring substantial costs for the followup adoption, shall require that a publisher or manufacturer who wishes to participate in the followup adoption first declare the intent to submit one or more specific programs for the followup adoption and specify the specific grade levels to be covered by each program. After a publisher or manufacturer has declared the intent to submit one or more programs and the grade levels to be covered by

each program, a fee shall be assessed by the department. The fee shall be payable by the publisher or manufacturer even if the publisher subsequently chooses to withdraw a program or reduce the number of grade levels covered. A submission by a publisher or manufacturer may not be reviewed for purposes of adoption, either in a followup adoption or in any other primary or followup adoption conducted thereafter, until the fee assessed has been paid in full.

(f) (1) It is the intent of the Legislature that the fee not be so substantial that it prevents small publishers or manufacturers from participating in a followup adoption.

(2) Upon the request of a small publisher or manufacturer, the State Board of Education may reduce the fee for participation in the followup adoption.

(3) For purposes of this section, "small publisher" and "small manufacturer" mean an independently owned or operated publisher or manufacturer who is not dominant in its field of operation, and who, together with its affiliates, has 100 or fewer employees, and has average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years.

(g) Notwithstanding subdivision (b) of Section 60200, if the department determines that there is little or no interest in participating in a followup adoption by publishers and manufacturers, it shall recommend to the State Board of Education that the followup adoption not be conducted, and the State Board of Education may choose not to conduct the followup adoption.

(h) Notwithstanding Section 13340 of the Government Code, revenue derived from fees charged pursuant to subdivision (c) is hereby continuously appropriated and available to the department from year to year until expended. Revenue derived from fees charged pursuant to subdivision (c) may be used to pay costs associated with any followup adoption and any costs associated with the review of instructional materials.

(i) This section shall remain in effect only until January 1, 2007, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2007, deletes or extends that date.

SEC. 2. Notwithstanding any other provision of law, funds appropriated pursuant to Provision 17 of Item 6110-161-0890 of the Budget Act of 2003 (Ch. 157, Stats. 2001) shall not be used by the Controller for recoupment of prior year audit findings.

Schedule for Curriculum Framework Development and Adoption of K-8 Instructional Materials															
Calendar Year		99	00	01	02	03	04	05	06	07	08	09	10	11	12
Have rigorous academic content standards and SBE-adopted Instructional Materials	History-Social Science	A		F		a* c		A			F a			A	
	Science	c	A		F	a*	c		A			F a			A
	Mathematics	c (A)		A			a F c			A			F a		
	Reading/Language Arts/ELD	c (A)			A		a	F c			A		a	F	
Has content standards and SBE-adopted Instructional Materials	Visual & Performing Arts					a* F c			A			a		F	
Have no standards but have SBE-adopted Instructional Materials	Foreign Language			F c		A			a			F c			A
	Health				F c		A			a			F		
Have neither standards nor SBE-adopted Instructional Materials	Physical Education						F								F

(A) = AB 2519 Additional Adoptions Process*

A = Primary adoption

a = Follow-up adoption as scheduled prior to enactment of SB 1058 (Chapter 806, Statutes of 2003). The follow-up adoptions planned in 2003 (a*) have not yet occurred. The follow-up adoption schedule will be revised once implementing regulations for SB 1058 are operative.

F = Framework

f = Framework update

c = Evaluation criteria

SBE = State Board of Education

ELD = English Language Development

* The AB 2519 Adoptions were added to existing adoption lists; the list to which AB 2519 Mathematics materials were added expired June 30, 2003, while the list to which AB 2519 Reading/Language Arts materials were added expires June 30, 2005.

LAST MINUTE MEMORANDUM

DATE: May 10, 2004
TO: MEMBERS, STATE BOARD OF EDUCATION
FROM: Sue Stickel, Deputy Superintendent
Curriculum and Instruction Branch
RE: Item No. 20
SUBJECT: Instructional Materials: Adopt Proposed Amendments to Title 5, Sections 9515 and 9517, and Addition of Section 9517.1 for Follow-up Adoptions

Background

At its March 2004 meeting, the State Board approved commencement of the rulemaking process for adopting proposed Title 5 Regulations for Follow-up Adoptions. The proposed regulations were made available for a 45-day public comment period that ended at 5:00 p.m. on May 10, 2004. A public hearing was held on May 10, 2004.

Report on Public Hearing

Consistent with the requirements of the Administrative Procedure Act, the public hearing regarding the proposed amendments was scheduled for Monday, May 10, 2004, at the California Department of Education, 1430 N Street, Room 1101, Sacramento, California, beginning at 1:00 p.m. An audiotape of the public hearing was made and is available for review.

The public hearing was called to order at 1:00 p.m. on the prescribed date and at the prescribed location. Ten persons provided comments at the public hearing. The public hearing was adjourned at 1:44 p.m.

Fifty-nine written comments were received during the public comment period that ended at 5:00 p.m. on Monday, May 10, 2004.

The comments have been summarized and responses provided to the Board in this memorandum.

Summary of Public Comments/Key Issues

The comments received did not address the proposed regulations or the rulemaking procedures followed and for that reason did not justify amendments to the proposed regulations.

Summary and response to comments received during the 45-day public comment period.

As of May 10, 2004, fifty-nine written comments were received and ten persons presented comments at the public hearing. None of the comments were directed at the proposed regulations or the rulemaking procedures followed. The content of the comments are summarized below.

Comment Regarding: English Language Development Materials

Fifty-eight of the fifty-nine written comments and all of the comments presented at the public hearing requested that the following language be added to the proposed regulations:

“If a school district has already adopted state approved English Language Arts materials, they are permitted to use their state follow-up adoption materials funds flexibly to purchase English Language Development materials that are aligned to the California ELD standards and have passed social and legal compliance”.

Response:

The proposed follow-up adoption regulations do not change the use of funding allocated to districts for instructional materials under the Instructional Materials Funding Realignment Program (IMFRP).

The 2002 Reading/Language Arts/English Language Development Adoption list has a Reading Intervention Program for English Learners that can be purchased with IMFRP funds. In addition, once districts have certified that they have provided all students in kindergarten through grade twelve with standards-aligned materials in the four core subjects pursuant to *Education Code* Section 60422, and have met the sufficiency requirement in *Education Code* Section 60119, they can use remaining IMFRP funds to purchase additional English Language Development materials that are not on the State adopted list.

Also, the follow-up adoption process and collection of publisher fees will permit publishers to submit programs not currently on the State Board adopted lists. However, any programs submitted for follow-up adoption must adhere to the same evaluation criteria as used in the primary adoption of that subject matter.

Comment Regarding: Written Notice of Follow-up Adoption

One of the presenters at the public hearing requested that additional language be added to Section 9517.1(a) of the proposed regulations to make the language for written notification of follow-up adoptions consistent with the written notification of primary adoptions in Section 9517.

Response:

These regulations already contain a proposed amendment to Section 9517 to change the language to include the same written notification for both primary and follow-up adoptions.

Comment Regarding: Adoption Cycle

One comment expressed concerns regarding *Education Code* Section 60200(b)(1) and the way the adoption cycle is determined as a result. The current adoption cycle schedule calls for adoption of the four core subjects over the next four years, History-Social Science in 2005, Science in 2006, Mathematics in 2007 and Reading/Language Arts in 2008. The concern expressed that this cycle was self defeating for a number of reasons:

- The process of materials selection, piloting, adoption, purchase and training, for a major subject area cannot be accomplished within the confines of one school year, especially where there are no staff development days and may not be buy back days.
- The cost of a major adoption in any of the these areas is generally more than the allocations that come from the CDE, thus requiring a district to build a financial reserve prior to a major adoption.

Response:

The purpose of the regulations is to establish the process for follow-up adoptions and the fee to be paid by publishers and manufacturers for participation in follow-up adoptions of instructional materials for grades K-8, not the schedule of primary adoptions. Changes to *Education Code* Section 60200(b)(1) would require Legislative action and approval of the Governor.

Staff Recommendation

Recommend that the State Board adopt the regulations with no changes and direct staff to complete the rulemaking file and submit it to the Office of Administrative Law.

Attachments

[Attachment 1: Final Statement of Reasons \(2 Pages\)](#)

FINAL STATEMENT OF REASONS

UPDATE OF INITIAL STATEMENT OF REASONS

SECTIONS 9515, 9517 AND 9517.1

During the 45-day public comment period ending May 10, 2004, fifty-nine written comments were received and ten persons presented comments at the public hearing for the proposed amendments to Sections 9515 and 9517 of and addition of 9517.1 to the *California Code of Regulations*. The purpose of these regulations is to establish the process for follow-up adoptions and the fee to be paid by publishers and manufacturers for participation in follow-up adoptions of instructional materials for grades K-8. The comments received did not address the proposed regulations or the rulemaking procedures followed and for that reason did not justify amendments to the proposed regulations.

The content of the comments are summarized below.

Comment Regarding: English Language Development Materials

Fifty-eight of the fifty-nine written comments and all of the comments presented at the public hearing requested that the following language be added to the proposed regulations:

“If a school district has already adopted state approved English Language Arts materials, they are permitted to use their state follow-up adoption materials funds flexibly to purchase English Language Development materials that are aligned to the California ELD standards and have passed social and legal compliance”.

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Also, the follow-up adoption process and collection of publisher fees will permit publishers to submit programs not currently on the State Board adopted lists. However, any programs submitted for follow-up adoption must adhere to the same evaluation criteria as used in the primary adoption of that subject matter.

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Response:

These regulations already contain a proposed amendment to Section 9517 to change the language to include same written notification for both primary and follow-up adoptions.

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One comment expressed concerns regarding *Education Code* Section 60200(b)(1) and the way the adoption cycle is determined as a result. The current adoption cycle schedule calls for adoption of the four core subjects over the next four years, History-Social Science in 2005, Science in 2006, Mathematics in 2007 and Reading/Language Arts in 2008. The concern expressed that this cycle was self defeating for a number of reasons:

- The process of materials selection, piloting, adoption, purchase and training, for a major subject area cannot be accomplished within the confines of one school year, especially where there are no staff development days and may not be buy back days.
- The cost of a major adoption in any of the these areas is generally more than the allocations that come from the CDE, thus requiring a district to build a financial reserve prior to a major adoption.

Response:

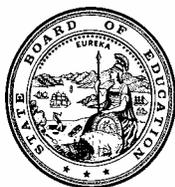
The purpose of the regulations is to establish the process for follow-up adoptions and the fee to be paid by publishers and manufacturers for participation in follow-up adoptions of instructional materials for grades K-8, not the schedule of primary adoptions. Changes to *Education Code* Section 60200(b)(1) would require Legislative action and approval of the Governor.

ALTERNATIVES DETERMINATION

The State Board has determined that no alternative would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.

LOCAL MANDATE DETERMINATION

The proposed regulations do not impose any mandate on local agencies or school districts.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Textbook Weight in California: Analysis and Recommendations	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Review the final recommendations of the Curriculum Commission, and take action as deemed appropriate.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

An initial version of the "Textbook Weight in California" report was presented to the State Board at its meeting on July 9, 2003, to serve as a starting point for dialogue between the State Board, the Superintendent of Public Instruction, the education community, the publishing industry, and other interested parties. Various options were discussed to move toward a system of textbook weight standards. The State Board forwarded the initial report to the Curriculum Commission, so that the Commission would report back to the Board in early 2004 to meet the statutory deadline of July 1, 2004.

SUMMARY OF KEY ISSUES

Assembly Bill 2532 authored by Assemblymember Pacheco, Chapter 1096 of the Statutes of 2002, requires the State Board to adopt maximum weight standards for elementary and secondary school textbooks by July 1, 2004. This legislation specifically requires the Board to take into consideration the health risks to students when devising these new standards.

Following the State Board's initial examination of this issue at its July 2003 meeting, a "working group" of stakeholders, members of the Curriculum Commission, and California Department of Education staff convened to discuss the data findings and options. The Executive Committee of the Curriculum Commission discussed the issue at its November 2003 meeting, and at its meeting of January 15, 2004, received a presentation from MeadWestvaco on the implication of using lighter basis weight papers in textbooks. Finally, at their meeting of April 9, 2004, the Commission reviewed a revised version of the textbook weight report that incorporated recommendations developed by the Department of Education, and moved to adopt final recommendations to forward to the State Board of Education at its May 2004 meeting.

The findings and recommendations of the Commission are as follows:

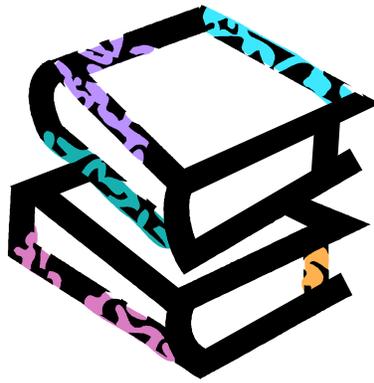
- ◆ **No single program is excessive, but together all present a danger.** The initial version of the accompanying report on textbook weight demonstrated that the combined weight of instructional materials in the four core areas exceed the maximum recommended weight for students to carry on a regular basis.
- ◆ **Setting an absolute weight cap alone is not the answer to the complicated issue of student burdens.** Putting strict caps on textbook weight raises new problems of cost, durability, and accessibility for local districts, and may in fact hinder the ability of students to gain access to high quality materials.
- ◆ Instead, **the State Board should consider requiring publishers to provide local districts with options for lighter-weight materials**, such as split volumes, electronic editions, or classroom sets. Many of these options already exist, but by disseminating information about these alternatives to districts, and by requiring publishers to provide this option, then districts, which are in the best position to judge the needs of their students, can choose the solutions that are best suited to their particular situation.
- ◆ Based on the study of current textbooks included in the accompanying report, **the Commission recommends the following threshold weights for requiring a lighter-weight option.** Any textbooks that are over the recommended weight for the appropriate grade level would have to be accompanied by a lighter-weight option that districts would have the option to purchase for their students.
 - **Grades K-4: 3 lbs**
 - **Grades 5-8: 4 lbs**
 - **Grades 9-12: 5 lbs**
- ◆ Furthermore, the Commission moved to **append the following additional recommendations** to the report:
 - Inform districts/parents of the textbook weight standards, the risks to student health from carrying heavy backpacks, and the options for lighter weight instructional materials;
 - Encourage districts to seek other alternative solutions to backpack weight, including utilizing lockers, maintained by school or community groups;
 - Periodically review adopted policy and textbook weight standards.

FISCAL ANALYSIS (AS APPROPRIATE)

The recommendations by the Curriculum Commission are anticipated to be cost-neutral with reference to instructional materials. Administrative costs for CDE would include staff time and mailing costs (approximately \$3500) for preparing notification of publishers, districts, and other interested parties in the field regarding the textbook weight standards.

ATTACHMENT

[Attachment 1](#): Textbook Weight in California: Data and Analysis (22 pages)



Textbook Weight in California: Data and Analysis

**Revised with Feedback from the Curriculum Commission,
the Education Community, and the Publishing Industry**

**A Report Prepared for the State Board of Education
Dr. Thomas Adams, Director
Suzanne Rios, Administrator
Dr. Kenneth McDonald, Adoption Analyst
Curriculum Framework and Instructional Resources Division
California Department of Education**

April 14, 2004

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Executive Summary On AB 2532: Textbook Weight Legislation

Introduction:

Assembly Bill 2532 by Assemblymember Pacheco, Chapter 1096 of the Statutes of 2002, requires the State Board of Education to adopt maximum weight standards for elementary and secondary school textbooks by July 1, 2004. This legislation specifically requires the Board to take into consideration the health risks to students when devising these new standards.

This report outlines some of the major issues surrounding the topic of heavy textbooks and the impact on student health, including the research into student back injuries as a result of heavy backpacks. The report focuses on data collected by weighing State Board-adopted textbooks for the core subjects of Reading/Language Arts, Mathematics, History-Social Science, and Science for grades K-8, as well as a sampling of locally-adopted materials for grades 9-12 in the core areas. This data collection was conducted in order to establish a baseline understanding of the scope of the problem.

Analysis of Data Collection:

- ◆ **This report only analyzes the weight of textbooks**, and does not take into account the other materials that students may be carrying in their backpacks.
- ◆ **Pediatricians and chiropractors recommend that students not carry more than fifteen percent of their body weight in a backpack**, or risk negative health impacts.
- ◆ **The data demonstrates that the *individual weight* of State Board-adopted (for grades 1-8) and locally adopted (for grades 9-12) textbooks in the four core subjects of History-Social Science, Mathematics, Reading/Language Arts, and Science does not exceed the maximum weight that students should carry, as recommended by health professionals.** A selection of textbooks was weighed at various Sacramento area schools and Learning Resource Display Center (LRDC) sites.
- ◆ **However, the *combined average weight* of the textbooks in the four core areas does exceed this recommended maximum at nearly all grade levels from 1-12, presenting a health hazard for students.** For this grade range, the combined average weight of the four core textbooks ranges from just over 8 pounds at 1st grade to over 20 pounds at 11th grade. These totals represent as little as 11.3% of body weight for 12th grade boys to as much as 17.7% of body weight for 2nd grade girls. In the data summary, the combined average textbook weight for every grade level except for 10th grade boys and 12th grade boys and girls is over this recommended level.

Summary of Action:

An initial version of this report was presented to the State Board of Education at their meeting on July 9, 2003, to serve as a starting point for the dialogue between the State Board of Education, the Superintendent of Public Instruction, the education community, the publishing industry and other interested parties to discuss the options and the best interests of the students of California in moving toward a system of textbook weight standards. The State Board elected to forward the initial report to the Curriculum Development and Supplemental Materials Commission (Curriculum Commission), to report back to the Board in early 2004 in anticipation of final adoption of weight standards by the Legislative deadline of July 1, 2004.

A “working group” of stakeholders, members of the Curriculum Commission, and California Department of Education staff, convened to discuss the data findings and options related to this issue. The Executive Committee of the Curriculum Commission discussed the issue at their November 2003 meeting, and at their meeting of January 15, 2004, received a presentation from MeadWestvaco on the implication of using lighter basis weight papers in textbooks. Finally, at their meeting of April 9, 2004, the Commission reviewed a revised version of the textbook weight report that incorporated recommendations developed by the Department of Education, and moved to adopt final recommendations to be forward to the State Board of Education at its May 2004 meeting.

Recommendations:

- ◆ **No single program is excessive, but together all present a danger.** The initial version of this report on textbook weight demonstrated that the combined weight of instructional materials in the four core areas exceed the maximum recommended weight for students to carry on a regular basis.
- ◆ **Setting an absolute weight cap alone is not the answer to the complicated issue of student burdens.** Putting strict caps on textbook weight raises new problems of cost, durability, and accessibility for local districts, and may in fact hinder the ability of students to gain access to high quality materials.
- ◆ Instead, **the State Board should consider requiring publishers to provide local districts with options for lighter-weight materials**, such as split volumes, electronic editions, or classroom sets. Many of these options already exist, but by disseminating information about these alternatives to districts, and by requiring publishers to provide this option, then districts, which are in the best position to judge the needs of their students, can choose the solutions that are best suited to their particular situation.

- ◆ Based on the study of current textbooks included in this report, **the Commission recommends the following threshold weights for requiring a lighter-weight option.** Any textbooks that are over the recommended weight for the appropriate grade level would have to be accompanied by a lighter-weight option that districts would have the option to purchase for their students.
 - **Grades K-4: 3 lbs**
 - **Grades 5-8: 4 lbs**
 - **Grades 9-12: 5 lbs**
- ◆ Furthermore, at its meeting of April 9, 2004, the Commission moved to **append the following additional recommendations** to the report:
 - Inform districts/parents of the textbook weight standards, the risks to student health from carrying heavy backpacks, and the options for lighter weight instructional materials;
 - Encourage districts to seek other alternative solutions to backpack weight, including utilizing lockers, maintained by school or community groups;
 - Periodically review adopted policy and textbook weight standards.

The Scope of the Problem

Although the research on the subject of backpack-related injuries to students is fairly recent, there already exists conflicting views on the significance of the problem. The California legislation, Assembly Bill 2532, cited the raw data on various categories of injuries collected by the United States Consumer Product Safety Commission (CPSC) from emergency rooms, and concluded that in 1999, “more than 3,400 pupils between 5 and 14 years of age, inclusive, sought treatment in hospital emergency rooms for injuries related to backpacks or book bags.” According to the CPSC data, over the period from 1994-2000, more than 23,000 youths ages 6 to 18 were treated in emergency rooms for backpack-related injuries.¹

However, a recent article by Brent Wiersema, Eric Wall, and Susan Foad, entitled “Acute Backpack Injuries in Children,” in the journal Pediatrics has raised some questions about this data. A panel of medical researchers analyzed the CPSC’s data and found that only a small percentage of backpack injuries treated in emergency rooms are related to the weight of the backpack. According to this study, most backpack-related injuries correspond to “nonstandard” use of a pack, including tripping over it or getting hit with one. The study found that the most common means of injury were tripping over the backpack (28%), followed by wearing (13%), and getting hit by the backpack (13%). Back injuries comprised only 11% of the injuries suffered by students, with head injuries most common at 22%.²

This study raises doubts about the health dangers of heavy backpacks. However, it too fails to completely illuminate the scope of the problem. Both the often-cited CPSC data and the Pediatrics study deal only with emergency room data, while back injuries tend to be chronic and treated in a doctor’s office rather than in an emergency room. In addition, the Pediatrics study dealt with a very small sample of injuries, including only 247 students in its results. No studies exist that examine the broader picture of student back injuries, so ultimately it is primarily anecdotal evidence and media coverage that have shaped this debate.³

One issue is the general trend of removing lockers where students can store books in between classes. Lockers have been removed in many schools due to the proliferation

¹ Assembly Bill 2532, Chapter 1096. See also Kathy Boccella, “Some see a book ban as the cure for backpack bloat,” Philadelphia Inquirer, 15 November 2002 (story online at <<http://www.philly.com/mlid/inquirer/4522888.htm>>, 24 February 2003). CPSC data can be accessed directly online at <<http://63.74.109.9/neiss/default.html>> (24 February 2003).

² Brent Wiersema, Eric Wall, and Susan Foad, “Acute Backpack Injuries in Children,” Pediatrics vol 111, no. 1 (January 2003), 163-166. See also “Study: ER backpack pains rarely involve backs,” CNN.com, <<http://www.cnn.com/2003/EDUCATION/01/06/backpack.injuries.ap/>> (25 February 2003); Bill Lindelof, “Packs may be a pain, just not in the back,” Sacramento Bee, 29 Wednesday 2003, available online at <<http://www.sacbee.com/content/news/education/story/6017951p-6973953c.html>> (25 February 2003).

³ For example, see Bocella, “Some see a book ban...”; Sam Dillon, “Heft of Students’ Backpacks Turns Into Textbook Battle,” New York Times, 24 December 2002, A1; Michael Flaherty, “Textbook Torture for Students,” San Francisco Examiner, 19 September 2002, available online at <<http://www.examiner.com/news/default.jsp?story=n.backpacks.0919w>> (25 February 2003).

of both weapons and drugs in schools. Districts face a double-edged sword in terms of locker searches; if they conduct searches without adequate cause, they risk a lawsuit claiming violation of a student's Fourth Amendment protections, but if they fail to conduct a search and a student later conducts violence with a weapon, sells drugs, etc., the district faces liability suits from the parents of victims affected by those crimes.⁴ Confronted with these difficulties, some districts decide that having lockers is simply not worth this cost.

Another issue that must be kept in mind is the fact that many of the items found in students' backpacks today are not textbooks. Again, without lockers that can serve as a storage space, students even at the elementary grades may be carrying food, additional clothing, electronic devices such as cellular phones, pagers, and game machines, binders, assorted school supplies, and various personal effects. While it may appear that a solution would be to ban unnecessary personal items on school campuses, this would be extremely unpopular, and impossible to implement without backpack searches that would likely run into the legal minefield of Fourth Amendment suits mentioned above. Efforts to ban just cellular phones on school campuses, for instance, have often run into difficulties.⁵

Assembly Bill 2532 added Section 49415 to the California Education Code. This section requires the State Board of Education to adopt maximum weight standards for student textbooks in elementary and secondary schools by July 1, 2004. The following section of this report provides data on the actual weight of textbooks adopted by the State Board for grades 1-8, and by local districts for grades 9-12, to assist the Board as it prepares to meet this mandate.

The Data

The following tables were compiled by weighing textbooks at various locations during January and February 2003.⁶ The primary focus was on student edition textbooks for the four core content areas (Reading/Language Arts, Mathematics, History-Social

⁴ The current standard defined by Supreme Court decisions is that school officials must have a "reasonable suspicion" that they will find something that is illegal or against school rules. Some districts create rules specifically defining the locker as school property and granting officials the right of search, but even these policies are no guarantee that a district will win an expensive lawsuit filed after the fact. See, for example, *New Jersey v. T.L.O.*, 468 U.S. 1214 (1984).

⁵ For examples of the debates over cell phones in schools, see Patti Ghezzi, "Cellphone ban likely will be softened," Atlanta Journal-Constitution, 30 July 2002, online at <<http://www.accessatlanta.com/ajc/metro/backtoschool/dekalb/cell.html>> (25 February 2003); also Michelle Galley, "Cellphone Bans Get a Second Look," Education Week, 31 October 2001, online at <<http://www.edweek.org/ew/newstory.cfm?slug=09cellphone.h21>> (25 February 2003).

⁶ Textbooks were weighed at the following locations: California Department of Education, 1430 N Street, Sacramento, CA 95814; Elk Grove Unified School District, 9510 Elk Grove-Florin Road, Elk Grove, CA 95624; Sacramento County Office of Education, 9738 Lincoln Village Drive, Sacramento, CA 95827; Mira Loma High School, 4000 Edison Avenue, Sacramento, CA 95821. The books were weighed with a Pelouze 10lb. digital scale provided by the California Department of Education. The CFIR Division is grateful for the assistance of those individuals who made their collections of materials available for this project, particularly Carol Teresi, Andrea Fiske, and Edith Crawford.

Science, and Science) for grades 1-12. Kindergarten materials were not weighed due to the fact that there is typically not a single student edition textbook for most programs at that grade level. Due to the incredible variety of supplemental materials, workbooks, homework assignments, literature libraries, experiment kits, and other materials that are included in these programs, ancillary materials were not weighed.

Grades 1-8

Materials from grades 1-8 were taken from the State Board's adoption lists from the four most recent standards-aligned adoptions: 1999 History-Social Science, 2000 Science, 2001 Mathematics, and 2002 Reading/Language Arts/English Language Development. An effort was made to be comprehensive; however, programs that did not rely primarily on a text, or reflect a regular course of study (e.g. the Reading/Language Arts/English Language Development Intervention Programs), were not included in the data summaries.

Grades 9-12

Data from grades 9-12 reflects more of a general sampling than a comprehensive list of available materials. Materials at these grade levels are adopted at the local level by resolution of the governing board of a local education agency (LEA), and no centralized listing of such materials is maintained by the State Board or the Department of Education. As a result, there is a broader range of materials available at these grade levels. The data provided for grades 9-12 demonstrates a selection of materials that includes both regular and honors high school texts.

Publisher names are anonymous throughout the data tables; however, a full listing of all publishers cited in this report is provided in Appendix 1.

Programs that contained more than one text per grade level (i.e. a multi-volume series) were averaged and that average entered in the data field for that grade level. Such programs have been marked with a footnote.

Table 1: Reading/Language Arts, Grades 1-8

Grade Level	1	2	3	4	5	6	7	8
Publisher								
Publisher A	11.2oz ⁷	2lbs, 14oz ⁷	2lbs, 6.6oz ⁷	4lbs, 0.6oz	3lbs, 14.2oz	3lbs, 11.2oz		
Publisher B	2lbs, 2.5oz ⁷	2lbs, 9.2oz ⁷	2lbs, 2.4oz ⁷	3lbs, 8.0oz	3lbs, 14.6oz	4lbs, 0.6oz		
Publisher C						4lbs, 7.4oz	4lbs, 10.0oz	4lbs, 13.6oz
Publisher D						3lbs, 12.2oz	3lbs, 13.8oz	4lbs, 0.4oz
Publisher E						4lbs, 12.6oz	4lbs, 14.4oz	5lbs, 3.8oz
Publisher F						4lbs, 2.6oz	4lbs, 4.4oz	4lbs, 12.0oz
Average for grade level	1lb, 6.9oz	2lbs, 11.6oz	2lbs, 4.5oz	3lbs, 12.3oz	3lbs, 14.4oz	4lbs, 2.4oz	4lbs, 6.7oz	4lbs, 11.5oz

⁷ This program has a multiple-volume set of textbooks at this grade level; the value provided here is an average of those volumes.

Table 2: Mathematics, Grades 1-8

Grade Level	1	2	3	4	5	6	7	8
Publisher								
Publisher A	3lbs, 6.6oz	3lbs, 6.8oz	3lbs, 10.0oz	3lbs, 10.8oz	3lbs, 8.8oz			
Publisher E ⁸						2lbs, 3.8oz	2lbs, 7.2oz	3lbs, 3.6oz
Publisher E						⁹	4lbs, 3.4oz	3lbs, 2.0oz ⁷
Publisher F							4lbs, 3.0oz	3lbs, 6.0oz
Publisher G	3lbs, 5.4oz	3lbs, 4.4oz	3lbs, 10.0oz	3lbs, 10.8oz	3lbs, 13.2oz	4lb, 1.0oz		
Publisher H	2lbs, 14.6oz	2lbs, 15.8oz	3lbs, 12.2oz	3lbs, 14.2oz	3lbs, 14.8oz	3lbs, 14.4oz		
Publisher I	1lb, 14.8oz	1lb, 14.8oz	2lbs, 11.0oz	2lbs, 11.2oz	2lbs, 10.8oz			
Publisher J	2lbs, 13.8oz	2lbs, 13.4oz	2lbs, 8.4oz	2lbs, 8.8oz	2lbs, 10.4oz	2lbs, 12.0oz		
Publisher K			2lbs, 8.6oz	2lbs, 10.8oz	3lbs, 5.0oz	4lbs, 4.0oz		
Average for grade level	2lbs, 14.2oz	2lbs, 14.2oz	3lbs, 2.0oz	3lbs, 3.1oz	3lbs, 5.2oz	3lbs, 7.0oz	3lbs, 9.9oz	3lbs, 3.9oz

Table 3: History-Social Science, Grades 1-8

Grade Level	1	2	3	4	5	6	7	8
Publisher								
Publisher A			2lbs, 4.2oz	2lbs, 6.4oz	3lbs, 11.0oz	3lbs, 3.2oz	3lbs, 4.4oz	4lbs, 2.4oz
Publisher C								4lbs, 7.4oz
Publisher D								4lbs, 11.4oz
Publisher D								2lbs, 15.0oz
Publisher F								4lbs, 5.4oz

⁸ This publisher submitted two programs that were both adopted.

⁹ The student edition textbook for this grade level was not available for weighing.

Grade Level	1	2	3	4	5	6	7	8
Publisher								
Publisher G	1lb, 12.4oz	1lb, 14.0oz	2lbs, 8.0oz	2lbs, 12.8oz	3lbs, 11.0oz	2lbs, 15.2oz		
Publisher H	2lbs, 1.0oz	2lbs, 4.4oz	2lbs, 8.8oz	3lbs, 0.8oz	3lbs, 15.8oz	3lbs, 8.2oz		
Publisher L								3lbs, 15.6oz
Publisher M ¹⁰					1lb, 9.2oz			1lb, 9.2oz
Publisher N ¹¹	10.4oz	10.4oz	13.4oz		14.4oz	6.9oz		
Average for grade level	1lb, 7.9oz	1lb, 9.6oz	2lbs, 0.6oz	2lbs, 12.0oz	2lbs, 12.3oz	2lbs, 8.4oz	3lbs, 4.4oz	3lbs, 11.8oz

Table 4: Science, Grades 1-8

Grade Level	1	2	3	4	5	6	7	8
Publisher								
Publisher A	1lbs, 14.0oz	1lbs, 14.0oz	2lbs, 9.4oz	10.2oz ¹²	10.9oz ¹²			
Publisher C						3lbs, 1.8oz ⁷	3lbs, 5.0oz ⁷	3lbs, 0.2oz ⁷
Publisher D						3lbs, 8.8oz	3lbs, 13.0oz	3lbs, 10.2oz
Publisher F						4lbs, 1.8oz	4lbs, 5.4oz	4lbs, 10.4oz
Publisher G	2lbs, 4.6oz	2lbs, 6.0oz	2lbs, 10.8oz	2lbs, 13.6oz	3lbs, 2.2oz	3lbs, 3.4oz		
Publisher H	2lbs, 7.4oz	2lbs, 7.0oz	2lbs, 10.4oz	2lbs, 12.8oz	3lbs, 0.6oz			
Average for grade level	2lbs, 3.3oz	2lbs, 3.7oz	2lbs, 10.2oz	2lbs, 1.5oz	2lbs, 4.6oz	3lbs, 8.0oz	3lbs, 13.1oz	3lbs, 12.3oz

¹⁰ This program was adopted for grades 5 and 8 and consists of an eleven volume series. The value given is an average of these titles.

¹¹ This publisher's programs are multimedia-based. The values given are for the student activity books that accompany the program.

¹² This program has unit books for this grade level, rather than a single text. The value given is an average of the different books.

Table 5: Reading/Language Arts, Grades 9-12¹³

Grade Level	9	10	11	12
Publisher				
Publisher D	4 lbs, 14.6oz	4lbs, 9.2oz	5lbs, 10.2oz	5lbs, 1.0oz
Publisher H				2lbs, 10.0oz ¹⁴
Average for grade level	4lbs, 14.6oz	4lbs, 9.2oz	5lbs, 10.2oz	3lbs, 13.5oz

Table 6: Mathematics, Grades 9-12¹⁵

Domain	Algebra	Geometry	Trigo- nometry/ Algebra II	Precalculus/ Calculus/ Advanced Mathematics
Publisher				
Publisher A			3lbs, 0.8oz	6lbs, 3.4oz
Publisher C	4lbs, 10.4oz	4lbs, 14.6oz	5lbs, 8.2oz	4lbs, 10.0oz
Publisher E	3lbs, 3.6oz	4lbs, 3.4oz		3lbs, 11.6oz
Publisher F	3lbs, 6.0oz			
Publisher O				4lbs, 6.4oz
Average for grade level	3lbs, 12.0oz	4lbs, 9.0oz	4lbs, 4.5oz	4lbs, 11.9oz

¹³ Frequently, high school reading/language arts programs focus primarily on reading novels, rather than a single unified student edition textbook.

¹⁴ This is an anthology for an honors literature course.

¹⁵ The *Mathematics Content Standards* and the *Mathematics Framework for California Public Schools* do not mandate which domains are covered at each grade level, instead providing a range of levels at which each domain may be taught. Since there is such a range of students at the secondary level, and great variety between programs, the categories here offer only one possible progression from grades 9-12.

Table 7: History-Social Science, Grades 9-12

Grade Level	9	10	11	12
Publisher				
Publisher C	4lbs, 5.8oz		5lbs, 4.4oz	3lbs, 14oz ¹⁶
Publisher E		4lbs, 0.6oz	6lbs, 0.0oz	
Publisher F		4lbs, 11.6oz	4lbs, 15.6oz	
Publisher G		5lbs, 0.6oz		
Publisher P				3lbs, 8.2oz
Average for grade level	4lbs, 5.8oz	4lbs, 9.6oz	5lbs, 6.7oz	3lbs, 11.1oz

Table 8: Science, Grades 9-12¹⁷

Domain	Earth Science	Chemistry/ Physical Science	Biology/ Life Science	Physics
Publisher				
Publisher C	4lbs, 5.4oz	4lbs, 5.4oz	5lbs, 4.4oz ¹⁸	3lbs, 9.8oz
Publisher D		4lbs, 3.0oz	4lbs, 5.8oz ¹⁸	
Publisher F			5lbs, 12.2oz	4lbs, 14.4oz
Publisher H		5lbs, 13.4oz		
Publisher O		4lbs, 2.4oz	6lbs, 6.6oz	2lbs, 13.2oz
Publisher Q		3lbs, 2.4oz		
Average for domain	4lbs, 5.4oz	4lbs, 5.3oz	5lbs, 7.3oz	3lbs, 12.5oz

¹⁶ This publisher offers both a government and an economics text at this grade level; the value given here is an average of these two.

¹⁷ The *Science Content Standards* are not defined by grade level, but rather by domain. Thus the exact progression of grades through these subjects may vary by LEA; the progression given here is only a common example for grades 9-12.

¹⁸ This publisher offered more than one program for this grade level (including both honors and standard level programs). The value given here is an average of the publisher's offerings at this level.

The data support the conclusion that textbooks are a significant percentage of a student's overall backpack weight. Chiropractors, physical therapists, and pediatricians have recommended that backpacks do not exceed fifteen percent of a child's body weight.¹⁹ Table 9 offers a comparison of the combined weight of textbooks in the four core content areas with the average weight of a student at each grade level. The ratio of these two weights is provided as a percentage, which can be compared with the fifteen percent goal. Since average student weight data per grade level varies by gender, results for both genders was provided in this table. While statistically the difference in weights across gender is minor (<5%) through the elementary and middle grades, it becomes quite significant in high school.

Table 9: Combined Weight of Average Textbooks as a Percentage of Average Student Weight

Grade Level	Average Textbook Weight, Four Core Content Areas	Average Student Weight, Boys ²⁰ (pounds)	Book Weight as Percentage of Student Weight, Boys	Average Student Weight, Girls (pounds)	Book Weight as Percentage of Student Weight, Girls
1	8lbs, 0.3oz	48.5	16.5%	47.5	16.9%
2	9lbs, 7.1oz	54.5	17.3%	53.5	17.7%
3	10lbs, 1.3oz	61.25	16.5%	60.75	16.6%
4	11lbs, 12.9oz	69	17.1%	69	17.1%
5	12lbs, 4.5oz	74.5	16.5%	77	15.9%
6	13lbs, 9.8oz	85	16.0%	87.5	15.6%
7	15lbs, 2.1oz	89	17.0%	94	16.1%
8	15lbs, 7.5oz	99	15.6%	103	15.0%
9	17lbs, 5.8oz	112	15.5%	109	15.9%
10	18lbs, 1.1oz	123	14.7%	114	15.8%
11	20lbs, 12.7oz	134	15.5%	118	17.6%
12	16lbs, 1.0oz	142	11.3%	121	13.3%

The most basic conclusion evident in this table is immediately clear: the combined average weight of **student textbooks in just the four core subjects meets or exceeds the recommended total backpack weight for students in grades 1-9, for girls in grade 10, and both genders in grade 11.** For 10th grade boys and both genders in grade 12, the weight of the four books did not exceed the fifteen percent

¹⁹ Assembly Bill 2532, Chapter 1096 of the Statutes of 2002, Section 1.(d); Flaherty, "Textbook Torture..."

²⁰ Source: National Center for Health Statistics in collaboration with the National Center for Chronic Disease Prevention and Health Promotion (2000), charts available at <<http://www.cdc.gov/growthcharts>> (25 February 2003).

threshold, but still represented a considerable burden exclusive of all other backpack content.

It must be kept in mind that the textbooks weighed indicate only a portion of a student's total backpack weight, and that the values given are an average. Textbooks for other subjects, novels, homework assignments, gym clothes, food, school supplies, and personal possessions are all commonly found in a student's backpack but are beyond the scope of this report. Thus, it would not be surprising to find students carrying backpacks heavier than recommended by health professionals.

The Challenges of Reducing Textbook Weight

This report has demonstrated that current textbook weights exceed the maximum total burden recommended by health professionals, when books from the four core subjects are carried all at once by a student in a backpack. But simply mandating that publishers reduce the weight of their books is a problematic solution.

Content

Part of the issue with the weight of textbooks is the requirement placed upon publishers by the State Board to include instruction tailored to California's rigorous content standards. Thirty months before an adoption of instructional materials, publishers are presented with an evaluation criteria that outlines the bases upon which a submitted program will be evaluated. These criteria documents can be quite extensive. For example, the evaluation criteria adopted by the State Board and used in the 2002 Reading Language Arts/English Language Development Primary Adoption included nearly one hundred individual items in five criteria categories, the overwhelming majority of which were required to be provided in materials suitable for state adoption. This criteria included requirements for publishers to include materials tailored to the educational requirements of special needs students and English learners, in addition to the regular curriculum. This has placed publishers in the position of having to provide materials that thoroughly cover the content standards and meet the requirements of the State Board-adopted criteria, while maintaining standards of quality for their books and keeping them affordable for their customers. Publishers themselves have stated that the increase in the weight of their materials has been driven by the content requirements established by the state.²¹ However, no study has been conducted directly comparing the weight of standards-based vs. non-standards-based instructional materials.

Lighter Materials

If content cannot reasonably be reduced, what about reducing the weight of the material from which the book is made?

²¹ Flaherty, "Textbook Torture..."

The publishing industry has responded that it cannot reduce the weight of textbooks without compromises in terms of cost and quality. At its meeting of January 15, 2004, the Curriculum Commission heard a presentation by Gene Malarsky of MeadWestvaco. MeadWestvaco is the largest textbook paper producer in the nation, and provides paper for the majority of textbook publishers that sell instructional materials in California. Mr. Malarsky examined the specific question of whether reducing the weight of paper used from the current basis of weight of 45 lbs., to a lighter weight of 40 lbs. would be a workable step in reducing the overall weight of student textbooks.

The publishing industry follows the national manufacturing standards adopted by the National Association of School Textbook Administrators (NASTA), which is comprised of state textbook adoption boards, publishers, and book manufacturers. NASTA sets specifications for paper to be used in elementary and secondary student texts. These specifications include targets for quality, readability, and durability, by setting basis weight, opacity, and tear strength standards. In his presentation to the Commission, Mr. Malarsky noted that lighter weight papers are difficult to manufacture, more expensive, and less durable than the paper in current use. Furthermore, the lighter paper may impact both the opacity of the paper and the surface smoothness, features that both affect the readability of the text. Mandating a switch to 40 lb. paper would involve both a difficult switchover in the paper manufacturing process and a higher cost passed on to the publishers, which would most likely have to be passed on to districts, for at most a marginal gain in terms of lighter overall weight. Therefore, it is unlikely that such a reduction would be a workable solution to the problem of heavy textbooks.²²

Alternative Solutions

However, other solutions do exist, and are currently available to districts purchasing state-adopted programs. One strategy for the Board to adopt would be to notify districts of these alternative solutions, and to encourage publishers to continue developing these lower-weight alternatives when marketing textbooks for sale in California.

Split Volumes

The tactic of dividing large textbooks into multiple volumes is already frequently practiced, and several of the programs adopted by the State Board of Education at the K-8 level already use this strategy. In particular, textbooks from the State Board-adopted programs at the lower elementary grades are frequently split into multiple volumes. While splitting volumes obviously reduces the weight that must be carried by the student, as the unused volume(s) can be left at the school site or at home, this practice creates additional impacts that must be considered. Some extent of the weight is duplicated in the split volumes, both in terms of absolute physical concerns like covers and binding, and in terms of duplicate content that appears in every volume, like

²² PowerPoint Presentation, "Textbook Paper Presentation," by MeadWestvaco, presented to the Executive Committee of the Curriculum Development and Supplemental Materials Commission on January 15, 2004.

tables of contents and glossaries. In almost all cases, the weight of the split volumes collectively is significantly greater than a single-volume text would otherwise be. Care must be taken in the preparation of lesson plans to reflect the split in the material; if a student is frequently required to reference earlier material for review, for instance, and that material is only found in the earlier volume, the intent of splitting volumes may actually backfire as the student ends up carrying both volumes to and from the school site and home.

A related concern is the impact in terms of cost. Since the multiple volumes must each be bound, the cost for producing a multi-volume text may be greater than the cost of producing an equivalent single-volume edition. This additional cost may be passed on to districts. For example, the two K-6 reading programs adopted in the 2002 Reading/Language Arts/English Language Development adoption each offer a split-volume 3rd grade student anthology, and a single-volume 4th grade student anthology. The first publisher's two third grade books contain only 105% of the page count of the fourth grade book, but their combined cost is 149% as much as the fourth grade text. The second publisher's third grade books contain 102% of the page count of the fourth grade book, and cost 137% as much. Similarly, one of the Board-adopted mathematics programs has an 8th grade algebra book that comes in a single-volume and two-volume edition; the two volumes, purchased separately, cost 152% the price of the single volume.²³

The split volume does offer a solution when single volume editions of a given text are excessively heavy. The State Board could encourage this solution by mandating that particularly large books that are over a particular weight be split into smaller volumes or offer another of the solutions discussed in detail below. These solutions include the Board requiring publishers to inform districts of their low-weight options.

Electronic Publishing

Currently, a lot of attention is being paid to the possibilities offered by technology to alleviate the problem of weighty, expensive textbooks. Indeed, programs already exist that utilize computer-based or multimedia presentation in lieu of traditional textbooks. Sun Valley High, a public charter school near San Diego, uses a combination of online services and CD-ROM based programs that has eliminated the need for textbooks in some subjects. Many of the currently adopted programs at the K-8 levels already have significant elements that are technology based, and it is anticipated that more fully technology-based programs will be developed in future years. In addition, improvements in "e-book" technology offers students the prospect of carrying all of their instructional materials and supplemental readings in a single portable electronic device that is lighter than a single current textbook.²⁴

²³ Price quotes for the Board-adopted K-8 programs are contained on the CDE Web site at <<http://www.cde.ca.gov/cfir/pl/index.asp>> (18 February 2004).

²⁴ Denis Poroy, "Electronic assignments eliminate a pain the... back," USA Today, 10 November 2002, online at <http://www.usatoday.com/tech/news/2002-10-10-kids-computers_x.htm> (27 February 2003).

While technology-based programs seem to offer a perfect solution to the problem of weighty backpacks—since a single CD-ROM can contain all of the information contained in a hefty hardbound text—there are still important concerns involved with this approach. Perhaps the most significant issue is the fact that these programs require a computer. While computers are increasingly common at schools, they are not always available for a student at home. This situation is particularly pronounced in low-wealth urban and rural districts, where the rate of computer ownership at home is very low in comparison to middle-class suburban districts. Thus the utilization of computer-based curriculum on a broad scale raises a substantial equity issue that will have to be addressed as these programs become more widely available.

However, having publishers offer an e-text alternative of their program, either via a CD-ROM or the Internet, may give local districts added flexibility in addressing the issue of students burdened with weighty textbooks. Furthermore, online or CD-ROM based texts can furthermore provide the opportunity for interactive assignments and/or assessments that can help the student in assimilating the curriculum.

Classroom Sets

A final option to the problem of overweight backpacks that is currently available to districts is the purchase of more than one set of materials, one for the classroom and another that students could take home for an entire term. This solution has been already implemented in a number of districts, but can be expensive. However, this may actually save districts some money in the long run, as the use of classroom sets of textbooks may reduce wear-and-tear on books and make them last longer. And when applied on the scale of an entire district, the marginal increase of an additional set can be mitigated. For instance, if a course is taught five times a day in a given room, then the cost of an additional set of books for the room is only 20% greater than the cost of just providing books to the five groups of students that take the course.

Those who support the concept of classroom sets and wish to mitigate the cost impacts have suggested working with publishers to make second sets of instructional materials available to districts at a reduced cost and eliminate gratis components. This may be an option that the State Board may wish to facilitate, allowing publishers with books that are heavier than the maximum standard to meet the requirement for lighter options by providing classroom sets of their programs to districts at a discounted rate.

Conclusions

This report has shown that textbooks in the four core areas exceed the maximum recommended weight for students to carry on a regular basis. With this information, it is clear that the actual weight of backpacks, given the presence of other materials carried by an average student, far exceeds the recommendations of health professionals.

However, it is not clear that the solution to this problem is imposing a strict maximum weight standard, as required by the Legislature with the passage of AB2532. First off,

consultation with publishers and the review of this subject by the Curriculum Commission has indicated that reducing the raw weight of texts is not feasible without sacrificing durability, readability, and cost. Even if publishers switch to lighter basis weight papers and alternative cover materials, for example, the improvement in terms of lessening weight would be at best marginal, in exchange for structurally weaker books that would also cost more.

While this report has demonstrated that the information about injuries related to heavy textbooks is at best anecdotal, it does not deny that a problem exists. However, the issue of weighty backpacks is primarily a local one, and the solutions that come from Sacramento should ideally facilitate local solutions. Mandating that books be lighter is not going to reduce the quantity of additional materials that students carry around in their backpacks, nor is it going to address the problem of backpacks that are worn improperly, or the absence of lockers or other convenient places to store books when a student is in the classroom. The best course is likely to promote the options that are available to districts right now, and to encourage publishers to develop and facilitate these options so that districts are in a position to choose the materials that best meet the needs of their students.

Appendix 1: Publisher Key

The following table lists the publishers referenced in the data tables within this report.

Publisher A	Houghton Mifflin
Publisher B	SRA/McGraw-Hill
Publisher C	Glencoe/McGraw-Hill
Publisher D	Holt, Reinhart and Winston
Publisher E	McDougal Littell
Publisher F	Prentice Hall
Publisher G	McGraw-Hill School Division
Publisher H	Harcourt
Publisher I	CSL Associates
Publisher J	Sadlier
Publisher K	Saxon
Publisher L	Scott Foresman
Publisher M	Oxford University Press
Publisher N	Decision Development Corporation
Publisher O	Addison Wesley
Publisher P	Longman
Publisher Q	Brooks/Cole

Appendix 2: Assembly Bill 2532

BILL NUMBER: AB 2532 CHAPTERED
BILL TEXT

CHAPTER 1096
FILED WITH SECRETARY OF STATE SEPTEMBER 29, 2002
APPROVED BY GOVERNOR SEPTEMBER 29, 2002
PASSED THE ASSEMBLY AUGUST 28, 2002
PASSED THE SENATE AUGUST 27, 2002
AMENDED IN SENATE AUGUST 15, 2002
AMENDED IN ASSEMBLY MAY 23, 2002
AMENDED IN ASSEMBLY MAY 1, 2002

INTRODUCED BY Assembly Members Rod Pacheco, Bogh, and Frommer
(Principal coauthor: Senator Speier)
(Coauthors: Assembly Members Longville, Reyes, and Zettel)

FEBRUARY 21, 2002

An act to add Section 49415 to the Education Code, relating to pupil health.

LEGISLATIVE COUNSEL'S DIGEST

AB 2532, Rod Pacheco. Textbook weight.
Existing law requires the governing board of a school district to give diligent care to the health and physical development of pupils.

This bill would require the State Board of Education, on or before July 1, 2004, to adopt maximum weight standards for elementary and secondary school textbooks.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) Backpacks of elementary and secondary school pupils often contain textbooks, binders, calculators, personal computers, lunches, a change of clothing, sports equipment, and more.

(b) Elementary and secondary school pupils are carrying backpacks weighing as much as 40 pounds.

(c) Chiropractors, physical therapists, and pediatricians are seeing an increased number of children for spinal column injuries, nontraumatic back pain, and significant postural changes from overloaded backpacks.

(d) Chiropractors and pediatricians recommend that backpacks not exceed more than 15 percent of a pupil's body weight.

(e) In 1999, more than 3,400 pupils between 5 and 14 years of age, inclusive, sought treatment in hospital emergency rooms for injuries related to backpacks or book bags according to the United States Consumer Product Safety Commission.

SEC. 2. Section 49415 is added to the Education Code, to read:

49415. On or before July 1, 2004, the State Board of Education shall adopt maximum weight standards for textbooks used by pupils in elementary and secondary schools. The weight standards shall take into consideration the health risks to pupils who transport textbooks to and from school each day.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Advisory Commission on Special Education: Report on Activities	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Consider the report of activities of the Advisory Commission on Special Education regarding issues affecting students with disabilities and take action as deemed necessary and appropriate.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Following a brief report from the Advisory Commission on Special Education given during the March Board's public comment period, the Executive Director of the State Board of Education proposed that the Advisory Commission on Special Education be placed on the agenda at future State Board meetings to provide reports of information and updates on activities. This is consistent with opportunities provided to other state Commissions. The Advisory Commission on Special Education is meeting four times during the 2003-2004 school year during the months of October, March, April and June.

SUMMARY OF KEY ISSUES

The Advisory Commission on Special Education is required by both Federal statute paragraph (21) of subdivision (a) of Section 1412 of Title 20 of the United States Code and state statute, Education Code Sections 33590-33596.

Pursuant to Education Code Section 33590, the Advisory Commission on Special Education consists of fifteen public members of which five are appointed by the State Board of Education, four are appointed by the governor, three are appointed by the Speaker of the Assembly and three are appointed by the Senate Committee on Rules. A majority of the members of the commission are individuals with disabilities or parents of children with disabilities who are knowledgeable about the wide variety of disabling conditions that require special programs. Commission membership is selected to ensure that it is a representative group of the state population composed of individuals involved in, or concerned with, education of children with disabilities.

Pursuant to Education Code Section 33595 (a) and (b) the commission studies and provides assistance and advice to the State Board of Education, the State Superintendent of Public Instruction, the Legislature, and the Governor in new or continuing areas of research, program development, and evaluation in special education. The commission also does the following: (1) Comment publicly on any rules

or regulations proposed by the state regarding the education of individuals with exceptional needs, (2) Advise the State Superintendent of Public Instruction in developing evaluations and reporting on data to the Secretary for Education in the United States Department of Education (3) Advise the State Superintendent of Public Instruction in developing corrective action plans to address findings identified in federal monitoring reports under the Individuals with Disabilities Education Act (20 U.S.C. Sec.1400 et seq.). (4) Advise the State Superintendent of Public Instruction and the State Board of Education in developing and implementing policies relating to the coordination of services for individuals with exceptional needs.

The commission shall report to the State Board of Education, the State Superintendent of Public Instruction, the Legislature, and the Governor not less than once a year on the following with respect to special education: (1) Activities enumerated in Section 56100 that are necessary to be undertaken regarding special education for individuals with exceptional needs. (2) The priorities and procedures utilized in the distribution of federal and state funds. (3) The unmet educational needs of individuals with exceptional needs within the state. (4) Recommendations relating to providing better education services to individuals with exceptional needs, including, but not limited to, the development, review, and revision, of the definition of "appropriate" as that term is used in the phrase "free and appropriate public education" for the purposes of the federal *Individuals with Disabilities Education Act*.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal impact caused by the State Board receiving reports from the Advisory Commission on Special Education.

ATTACHMENT

None



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Special Education: Approve amendments to proposed Title 5 Regulations regarding withholding funds	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Amend proposed regulations 3088.1 and 3088.2 regarding withholding funds to enforce special education compliance and direct staff to send out the proposed amendment for a 15-day comment period.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education at the January 2004 meeting approved the commencement of the rule making process for the proposed regulations. Staff was directed to conduct a public hearing that was held on March 8, 2004 at 8:00 a.m. A summary of the public comments received by March 8, 2004 and written responses to those comments is presented in the Final Statement of Reasons. Changes are proposed to the regulations. If the recommended changes are approved by the State Board, a 15-Day Notice of Modifications to the Text of Proposed Regulations must be sent to persons who testified at the public hearing or submitted written comments during the 45-Day public comment period.

SUMMARY OF KEY ISSUES

20 USC Section 1413 requires, among other things, that state education agencies monitor local education agencies to assure compliance with special education laws. 34 CFR 300.197 and *Education Code* Section 56845 (a) and (b) authorize the Superintendent to withhold state and federal funds from a local education agency after reasonable notice and opportunity for a hearing if the superintendent finds the agency out of compliance with special education laws.

The proposed regulations are developed in response to the U.S. Department of Education Office of Special Education Policy (OSEP) expectation that state education agencies have a full continuum of enforcement options to compel compliance with special education laws.

Section 3088.1 of the proposed regulations specifies the required contents of a hearing notice and the timelines for conducting the hearing prior to making a decision whether to withhold funds. Section 3088.2 specifies funds shall be withheld if the hearing officer determines that a preponderance of the evidence supports the Department's findings of

noncompliance and withholding of funds is appropriate in the particular circumstance. This section also stipulates that the superintendent may apportion state and federal funds previously withheld from the local education agency when it is determined that substantial progress toward compliance with special education laws has been made.

FISCAL ANALYSIS (AS APPROPRIATE)

The original regulation was determined to have no adverse fiscal impact against the state. The Economic and Fiscal Impact Statement on the modified regulation is pending review and will be submitted as a Last Minute Memorandum.

ATTACHMENT

[Attachment 1](#): 15-Day Notice of Modifications to Text of Proposed Regulations (1 Page)

[Attachment 2](#): Final Statement of Reasons (2 Pages)

[Attachment 3](#): Proposed Regulations 3088.1 and 3088.2 (5 Pages)

The fiscal analysis is pending review and will be provided as a Last Minute Memorandum.

STATE OF CALIFORNIA

ARNOLD SCHWARZENEGGER, Governor

CALIFORNIA STATE BOARD OF EDUCATION

1430 N Street, Room 5111
Sacramento, CA 95814



May 19, 2004

**15-DAY NOTICE OF MODIFICATIONS TO TEXT OF
PROPOSED REGULATIONS
Withholding Funds – Special Education Mandates**

Pursuant to the requirements of Government Code section 11346.8(c), and Section 44 of Title 1 of the California Code of Regulations, the State Board of Education (State Board) is providing notice of changes made to the above-entitled proposed regulation which was the subject of a regulatory hearing on March 8, 2004. These changes are in response to comments received regarding the proposed regulation.

If you have any comments regarding the proposed changes that are the topic of this 15-Day Notice, the State Board will accept written comments between **May 19, 2004 and June 2, 2004**, inclusive. All written comments must be submitted to the Regulations Coordinator via facsimile at (916) 319-0155; or via email at dstrain@cde.ca.gov, or mailed to the following address no later than **5:00 p.m. on June 2, 2004**, and addressed to:

Debra Strain, Regulations Coordinator
California Department of Education
LEGAL DIVISION
1430 N Street, Suite 5319
Sacramento, California 95814
Telephone: (916) 319-0860

All written comments received by **5:00 p.m. on June 2, 2004**, which pertain to the indicated changes will be reviewed and responded to by California Department of Education staff as part of the compilation of the rulemaking file. Please limit your comments to the modifications to the text.

The State Board has illustrated changes to the original text in the following manner: regulation language originally proposed is underlined. The 15-Day Notice illustrates deletions from the language originally proposed using a "~~strikeout~~"; and additions to the language originally proposed using a **bold underline**.

FINAL STATEMENT OF REASONS

UPDATE OF INITIAL STATEMENT OF REASONS

SECTION 3088.1

The initial proposed regulation did not allow local educational agencies (LEAs) to have a full evidentiary hearing on all findings of noncompliance with the laws related to special education before funds could be withheld by the Department of Education to encourage compliance. The initial regulations, rather, allowed for a hearing before withholding funds, but only on the issues of what the LEA had done to comply or the mitigating circumstances that prevented full compliance. The revised regulation now expands the scope of the hearing and allows an LEA to present a full response to the underlying findings of noncompliance made by the Department. The regulation also prescribes procedures for providing LEAs with notice of the reasons for withholding, an opportunity to review the full record, a hearing before a hearing officer, and a final written decision prior to the actual withholding of funds from the LEA.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE INITIAL NOTICE PERIOD OF JANUARY 23, 2004 THROUGH MARCH 8, 2004.

Comment: Kevin Reed, Acting General Counsel for the Los Angeles Unified School District, and Ronald Wenkart, General Counsel for the Orange County Office of Education, each submitted substantial legal arguments why funds should not be withheld unless an LEA has been afforded the opportunity for a full evidentiary hearing on the underlying findings of noncompliance made by the Department of Education. Those arguments were based upon both federal and state statutes and case law interpreting a similar hearing requirement applied to the cutoff of funds to a State by the U.S. Department of Education. Those comments were supported in more summary fashion by five separate school districts and the Sonoma County Office of Education. In addition, the same comments were made by the California School Boards Association, the Coalition for Adequate Funding for Special Education, the California Association of School Business Officers, and the Association of California School Administrators.

Response: As described above, these comments are persuasive and the regulations have been revised to expand the scope of the hearing to allow LEAs to contest the underlying compliance findings.

Comment: Stephen Rosenbaum of Protection and Advocacy, Inc. suggested that the hearing officer's qualifications should be specified, or the Special Education Hearing Office should conduct the hearings. The California School Boards Association made a related comment that hearing officers should be "neutral."

Response: Given the change in the scope of the hearing, it is likely that the hearings will be factually and legally more complex than originally anticipated. It therefore seems appropriate to ensure that the hearing officer is qualified to conduct such a hearing. The

regulation has been revised to require experience with special education and also with administrative hearing practice. In addition, the timelines for LEA response to the notice of hearing and the time to prepare for hearing have been lengthened. Further, the revised regulation gives the hearing officer discretion to grant continuances in appropriate circumstances. As to the neutrality of the hearing officer, the California Department of Education (CDE) believes that an appropriately qualified employee of this department, who was not involved in making the underlying noncompliance findings, is sufficiently neutral to provide a fair hearing on the merits of the controversy.

Comment: Protection and Advocacy, Inc. also suggested that the hearing should not be limited to one hour; that the hearings should be open to the public; and that an LEA should be required to notify its local community that it has received a notice of hearing.

Response: Given the expanded scope of the hearing, the provision limiting the hearing to one hour has been deleted. The revised regulation also states that the hearing shall be open to the public. Given the other changes that have been made, and the requirement of 20 USC §1416 (d)(2) and 34 CFR §300.197 (b) regarding an LEA's obligation to bring the pendency of the withholding action to the attention of the public, it is unnecessary to include a public notice requirement in the regulation.

COMMENTS RECEIVED DURING THE PERIOD THE 15-DAY NOTICE AND PROPOSED REGULATION TEXT WAS AVAILABLE TO THE PUBLIC

The modified text is made available to the public from May 19, 2004 through June 2, 2004.

ALTERNATIVES DETERMINATION

The State Board has determined that no alternative would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.

LOCAL MANDATE DETERMINATION

The proposed regulations (do/do not) impose any mandate on local agencies or school districts (to be determined by fiscal analysis before May Board Meeting).

3/29/04

1 Title 5. EDUCATION

2 Division 1. State Department of Education

3 Chapter 3. Handicapped Children

4 SUBCHAPTER 1. SPECIAL EDUCATION

5 Article 7. Procedural Safeguards

6
7 Add §§ 3088.1 and 3088.2 to read:

8 **§ 3088.1. Sanctions: Withholding Funds to Enforce Special Education Compliance.**

9 ~~(a) Prior to withholding funds pursuant to subdivision (a) of Education Code Section 56845,~~
10 ~~the Superintendent shall provide a local education agency with a reasonable notice and an~~
11 ~~opportunity for a hearing as follows:~~

12 ~~(1) The department shall send the agency a written notice by certified mail:~~

13 ~~(A) Stating the intent to withhold funds for noncompliance;~~

14 ~~(B) Describing the nature of the noncompliance, and the specific corrective action (or~~
15 ~~actions) that the agency must take by an exact date (or dates) to come into compliance;~~

16 ~~(C) Summarizing efforts to verify that required corrective actions have not already been~~
17 ~~taken by the agency;~~

18 ~~(D) Specifying the approximate amount of funds to be withheld and the anticipated timing of~~
19 ~~the withholding; and~~

20 ~~(E) Advising the agency of the opportunity for a hearing prior to the withholding, and the~~
21 ~~date by which the agency must deliver to the department in writing a request for a hearing,~~
22 ~~which date may be no less than 20 calendar days after the notice is received by the agency.~~

23 ~~(2) If an agency requests a hearing pursuant to subparagraph (E) of paragraph (1):~~

24 ~~(A) The department shall schedule the hearing within 20 calendar days of the receipt of the~~
25 ~~request and shall notify the agency of the time and place of the hearing;~~

26 ~~(B) A hearing officer shall be assigned by the department to conduct the hearing;~~

27 ~~(C) An audiotape of the hearing shall be made;~~

28 ~~(D) The time allotted for the hearing shall be one hour;~~

29 ~~(E) Technical rules of evidence shall not apply at the hearing, but relevant written evidence~~
30 ~~or oral testimony may be submitted;~~

31 ~~(F) Facts and arguments presented by the agency shall focus exclusively on what the~~
32 ~~agency has done to correct the noncompliance and/or whether mitigating factors have~~
33 ~~prevented the~~
34 ~~agency from initiating or completing corrective action(s);~~

35 ~~(3) A hearing conducted pursuant to paragraph (2) shall not reopen any finding of~~
36 ~~noncompliance or any corrective action that has been ordered. The hearing officer's purpose~~
37 ~~shall be to determine whether the agency presents sufficient proof of corrective action (s)~~
38 ~~having been taken or of the presence of mitigating factors to justify either no withholding of~~
39 ~~funds or a modification of intended withholding of funds.~~

40 ~~(b) If a hearing is held pursuant to subdivision (a), the hearing officer shall submit a~~
41 ~~recommendation to the Superintendent within 20 calendar days of the hearing's conclusion.~~
42 ~~Upon considering the hearing officer's recommendation, the Superintendent shall proceed with~~
43 ~~the withholding of funds (pursuant to the notice of intent), modify the amount and/or timing of the~~
44 ~~withholding of funds, or not withhold funds, and the affected local education agency shall be~~
45 ~~notified accordingly by the department.~~

46 ~~(c) If a hearing is not held pursuant to subdivision (a), the withholding of funds shall take~~
47 ~~place pursuant to the written notice of intent delivered to the local education agency.~~

48 **(a) When a district, special education local plan area, or county office of education**
49 **fails to comply substantially with a provision of law regarding special education and**
50 **related services, the superintendent may withhold funds allocated to such local agency**
51 **under Chapter 7.2 (commencing with Section 56836) of Part 30 of the Education Code**
52 **and the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.). Such**

53 noncompliance may result from failure of the local agency to substantially comply with
54 corrective action orders issued by the Department of Education in monitoring findings or
55 complaint investigation reports. “Substantial noncompliance” means an incident of
56 significant failure to provide a child with a disability with a free appropriate public
57 education, a history of chronic noncompliance in a particular area, or a systemic agency-
58 wide problem of noncompliance.

59 (b) Prior to withholding funds, the department shall provide written notice to the local
60 educational agency, by certified mail, of the noncompliance findings that are the basis of
61 the Department’s intent to withhold funds. The notice shall also inform the local agency
62 of the opportunity to request a hearing to contest the findings and the proposed
63 withholding of funds.

64 (c) The notice shall include the following information:

65 (1) The specific past and existing noncompliance that is the basis of the withholding
66 of funds.

67 (2) The efforts that have been made by the Department to verify that all required
68 corrective actions have been taken.

69 (3) The specific actions that must be taken by the local educational agency to bring it
70 into compliance by an exact date to avoid the withholding of funds.

71 (d) The local educational agency shall have 30 calendar days from the date of the
72 notice to make a written request for a hearing. The department shall schedule a hearing
73 within 30 days of receipt of a request for hearing, and notify the local agency of the time
74 and place for hearing. A hearing officer with experience in special education and with
75 administrative hearing procedures shall be assigned by the department to conduct the
76 hearing and make an audio recording of the proceeding. The hearing officer may grant
77 continuances of the date for hearing for good cause.

78 (e) The local education agency shall have the opportunity, prior to the hearing, to
79 obtain all documentary evidence maintained by the Department's Special Education
80 Division that supports the findings of noncompliance at issue in the notice of intent to
81 withhold funds.

82 (f) Technical rules of evidence shall not apply to the hearing, but relevant written
83 evidence or oral testimony may be submitted, as appropriate. Local education agencies
84 may be represented by counsel and the hearings will be open to the public.

85 (g) If a hearing is not requested, the Department shall withhold funds as stated in the
86 notice. If a hearing is held, a written decision shall be rendered within 30 calendar days
87 from the date the hearing is held.

88 NOTE: Authority cited: Section 33031 56400, Education Code. Reference: Section 56845(a),
89 Education Code.

90

91 **§ 3088.2. Enforcement and Withholding of Funds.**

92 ~~(a) If funds are withheld from a local education agency pursuant to subdivision (a) of~~
93 ~~Education Code Section 56845, the funds may subsequently be apportioned to the agency~~
94 ~~pursuant to subdivision (b) of Education Code Section 56845 upon the submission to the~~
95 ~~department of:~~

96 ~~(a) A written request by the agency; and~~

97 ~~(b) Evidence that the agency has met the condition for apportionment specified in~~
98 ~~subdivision (b) of Education Code Section 56845.~~

99 **(a) The hearing officer shall determine, based on the totality of the evidence, whether**
100 **a preponderance of the evidence supports the Department's findings of noncompliance**
101 **and the determination that withholding of funds is appropriate in the particular**
102 **circumstances of the case. The hearing officer's decision shall be the final decision of**

103 the Department of Education.
104 (b) If the Superintendent of Public Instruction determines, subsequent to withholding
105 funds, that a local educational agency has made substantial progress toward compliance
106 with the state law, federal law, or regulations governing the provision of special
107 education and related services to individuals with exceptional needs, the superintendent
108 may apportion the state or federal funds previously withheld to the local educational
109 agency.

110 NOTE: Authority cited: Section ~~33031~~ 56400, Education Code. Reference: Section 56845(b),
111 Education Code.

112

113 03-29-04

LAST MINUTE MEMORANDUM

DATE: April 30, 2004

TO: MEMBERS, STATE BOARD OF EDUCATION

FROM: Sue Stickel, Deputy Superintendent
Curriculum and Instruction

RE: Item No. 23

SUBJECT: Special Education: Approve amendments to proposed Title 5 Regulations regarding withholding funds

The Economic and Fiscal Impact Statement on the modified regulation has been reviewed. The analysis was received too late to submit with the agenda item and is being submitted now as a Last Minute Memorandum.

The original proposed regulation submitted in January 2004 was determined to have no adverse fiscal impact against the state and that implementation of this regulation is required by Federal Law, so there is no new state mandate involved. As a result of input received during the 45-Day comment period, changes were made to the original regulation that necessitated a new Economic and Fiscal Impact Statement Analysis.

Though there may be some costs involved with the implementation of the proposed amended regulation, the Economic and Fiscal Impact Statement concludes that these costs can be absorbed within the existing budget.

[Attachment 1](#): Economic and Fiscal Impact Statement (6 pages)

**Economic and Fiscal Impact Analysis
Proposed Amendment of Title 5, CCR, Regulations
Relating to the Withholding Funds—Special Education Mandates**

The Fiscal Policy Office has reviewed for economic and fiscal impact the proposed (version 03/29/04) regulation adding Sections 3088.1 and 3088.2, of Article 7, Subchapter 1, Chapter 3, Division 1, Title 5, of the California Code of Regulations, relating to Withholding Funds—Special Education Mandates.

What would the proposed regulations do?

The proposed regulations will establish procedures consistent with Federal and State law that enable the Superintendent of Public Instruction (SPI) to withhold funds from a local education agency (LEA) when noncompliance with special education mandates has been determined. The regulation also establishes that the SPI shall continue funding when it is determined that a non-complaint LEA has made substantial progress toward compliance with special education mandates.

Do the proposed regulations impose a local cost mandate?

The proposed regulations *would* create a new program or higher level of service in an existing program, however, the activities specified in the regulations are necessary in order to implement the federal and state statute; therefore, any costs associated with the activities are attributable to the federal and state statute and are therefore *not reimbursable*.

Do the proposed regulations impose costs upon the state?

The proposed regulations *would* impose costs upon the state, however, the activities specified in the regulations are necessary in order to implement the federal and state statute; therefore, any costs associated with the activities are attributable to the federal statute. It is further believed that the department will be able to absorb these additional costs within their existing budgets and resources.

Do the proposed regulations impact local business?

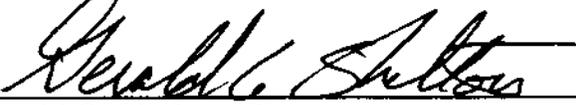
The proposed regulations should have no impact on local business.

This analysis reflects the attached Economic and Fiscal Impact Statement.



Donald E. Killmer, Consultant
Fiscal and Administrative Services Division

04/16/04
Date



Gerald C. Shelton, Director
Fiscal and Administrative Services Division

4/22/04
Date

Note: The purpose of the Department's review of regulations for Economic or Fiscal Impact is in part to, determine prior to the Department's submission of the Notice of Proposed Rulemaking to the Office of Administrative Law (OAL), if the regulations impose a mandate upon the locals and if so if there is a cost or savings. Additionally, the review may make a determination of what the cost or savings "may" be and if there is precedence in the determination of the potential costs through previous claims reimbursable through the mandate process authorized in state statute and set forth by the CSM.

If the Department determines that a potential mandate and an additional cost exists, the Department is required to forward that information (via the STD. 399 and this analysis) to the Department of Finance (DOF) for their review. The review by DOF does not need to be completed prior to the Department's submission of the Notice of Proposed Rulemaking to OAL but must be completed prior to the closing of the "Rulemaking Record" and prior to OAL forwarding of the "Record" to the Secretary of State. The DOF review contains an approval or disapproval; typically regulations that impose or could potentially impose an additional cost upon the state are disapproved and the department is required to amend the regulation to eliminate the cost or pull the "Record".

STATE OF CALIFORNIA

ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)

STD. 399 (Rev. 2-06)

See SAM Sections 6600 - 6680 for Instructions and Code Citations

DEPARTMENT NAME Education	CONTACT PERSON Don Killmer	TELEPHONE NUMBER 323-2591
DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400 Withholding Funds - Special Education Mandates (version 03/29/04)		NOTICE FILE NUMBER Z

ECONOMIC IMPACT STATEMENT

A. ESTIMATED PRIVATE SECTOR COST IMPACTS (Include calculations and assumptions in the rulemaking record.)

1. Check the appropriate box(es) below to indicate whether this regulation:

- | | |
|---|---|
| <input type="checkbox"/> a. Impacts businesses and/or employees | <input type="checkbox"/> e. Imposes reporting requirements |
| <input type="checkbox"/> b. Impacts small businesses | <input type="checkbox"/> f. Imposes prescriptive instead of performance standards |
| <input type="checkbox"/> c. Impacts jobs or occupations | <input type="checkbox"/> g. Impacts individuals |
| <input type="checkbox"/> d. Impacts California competitiveness | <input type="checkbox"/> h. None of the above (Explain below. Complete the Fiscal Impact Statement as appropriate.) |

h. (cont.) _____

(If any box in Items 1 a through g is checked, complete this Economic Impact Statement.)

2. Enter the total number of businesses impacted: _____ Describe the types of businesses (Include nonprofits): _____

Enter the number or percentage of total businesses impacted that are small businesses: _____

3. Enter the number of businesses that will be created: _____ eliminated: _____

Explain: _____

4. Indicate the geographic extent of impacts: Statewide Local or regional (list areas): _____

5. Enter the number of jobs created: _____ or eliminated: _____ Describe the types of jobs or occupations impacted: _____

6. Will the regulation affect the ability of California businesses to compete with other states by making it more costly to produce goods or services here?

Yes No If yes, explain briefly: _____

B. ESTIMATED COSTS (Include calculations and assumptions in the rulemaking record.)

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime? \$ _____

- | | | |
|--|--------------------------------|--------------|
| a. Initial costs for a small business: \$ _____ | Annual ongoing costs: \$ _____ | Years: _____ |
| b. Initial costs for a typical business: \$ _____ | Annual ongoing costs: \$ _____ | Years: _____ |
| c. Initial costs for an individual: \$ _____ | Annual ongoing costs: \$ _____ | Years: _____ |
| d. Describe other economic costs that may occur: _____ | | |

ECONOMIC AND FISCAL IMPACT STATEMENT cont. (STD. 399, Rev. 2-00)

2. If multiple industries are impacted, enter the share of total costs for each industry: _____

3. If the regulation imposes reporting requirements, enter the annual costs a typical business may incur to comply with these requirements. (Include the dollar costs to do programming, record keeping, reporting, and other paperwork, whether or not the paperwork must be submitted.): \$ _____
4. Will this regulation directly impact housing costs? Yes No If yes, enter the annual dollar cost per housing unit: \$ _____ and the number of units: _____
5. Are there comparable Federal regulations? Yes No Explain the need for State regulation given the existence or absence of Federal regulations: _____

- Enter any additional costs to businesses and/or individuals that may be due to State - Federal differences: \$ _____

C. ESTIMATED BENEFITS (Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.)

1. Briefly summarize the benefits that may result from this regulation and who will benefit: _____

2. Are the benefits the result of: specific statutory requirements, or goals developed by the agency based on broad statutory authority?
Explain: _____
3. What are the total statewide benefits from this regulation over its lifetime? \$ _____

D. ALTERNATIVES TO THE REGULATION (Include calculations and assumptions in the rulemaking record. Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.)

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: _____

2. Summarize the total statewide costs and benefits from this regulation and each alternative considered:
- | | | |
|----------------|-------------------|----------------|
| Regulation: | Benefit: \$ _____ | Cost: \$ _____ |
| Alternative 1: | Benefit: \$ _____ | Cost: \$ _____ |
| Alternative 2: | Benefit: \$ _____ | Cost: \$ _____ |

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives: _____

4. Rulemaking law requires agencies to consider performance standards as an alternative, if a regulation mandates the use of specific technologies or equipment, or prescribes specific actions or procedures. Were performance standards considered to lower compliance costs? Yes No
Explain: _____

E. MAJOR REGULATIONS (Include calculations and assumptions in the rulemaking record.)
Cal/EPA boards, offices and departments are subject to the following additional requirements per Health and Safety Code section 57005.

ECONOMIC AND FISCAL IMPACT STATEMENT cont. (STD. 399, Rev. 2-98)

1. Will the estimated costs of this regulation to California business enterprises exceed \$10 million? Yes No (If No, skip the rest of this section)

2. Briefly describe each equally as effective alternative, or combination of alternatives, for which a cost-effectiveness analysis was performed:

Alternative 1: _____

Alternative 2: _____

3. For the regulation, and each alternative just described, enter the estimated total cost and overall cost-effectiveness ratio:

Regulation: \$ _____ Cost-effectiveness ratio: _____

Alternative 1: \$ _____ Cost-effectiveness ratio: _____

Alternative 2: \$ _____ Cost-effectiveness ratio: _____

FISCAL IMPACT STATEMENT

A. FISCAL EFFECT ON LOCAL GOVERNMENT (Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years)

1. Additional expenditures of approximately \$ _____ in the current State Fiscal Year which are reimbursable by the State pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code. Funding for this reimbursement:

a. is provided in (Item _____, Budget Act of _____) or (Chapter _____, Statutes of _____)

b. will be requested in the _____ Governor's Budget for appropriation in Budget Act of _____
(FISCAL YEAR)

2. Additional expenditures of approximately \$ _____ in the current State Fiscal Year which are not reimbursable by the State pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code because this regulation:

a. implements the Federal mandate contained in Public Law 107-110 "No Child Left Behind Act of 2001"

b. implements the court mandate set forth by the _____
court in the case of _____ vs. _____

c. implements a mandate of the people of this State expressed in their approval of Proposition No. _____ at the _____
election; (DATE)

d. is issued only in response to a specific request from the _____,
which is/are the only local entity(s) affected:

e. will be fully financed from the _____ (FEES, REVENUE, ETC.) authorized by Section _____
of the _____ Code;

f. provides for savings to each affected unit of local government which will, at a minimum, offset any additional costs to each such unit.

3. Savings of approximately \$ _____ annually.

4. No additional costs or savings because this regulation makes only technical, non-substantive or clarifying changes to current law and regulations.

ECONOMIC AND FISCAL IMPACT STATEMENT cont. (STD. 399, Rev. 2-98)

- 5. No fiscal impact exists because this regulation does not affect any local entity or program.
- 6. Other.

B. FISCAL EFFECT ON STATE GOVERNMENT *(Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)*

- 1. Additional expenditures of approximately \$ Unknown in the current State Fiscal Year. It is anticipated that State agencies will:
 - a. be able to absorb these additional costs within their existing budgets and resources.
 - b. request an increase in the currently authorized budget level for the _____ fiscal year.

- 2. Savings of approximately \$ _____ in the current State Fiscal Year.
- 3. No fiscal impact exists because this regulation does not affect any State agency or program.
- 4. Other.

C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS *(Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)*

- 1. Additional expenditures of approximately \$ _____ in the current State Fiscal Year.
- 2. Savings of approximately \$ _____ in the current State Fiscal Year.
- 3. No fiscal impact exists because this regulation does not affect any federally funded State agency or program.
- 4. Other.

SIGNATURE 07/16/04	TITLE Ed. Fiscal Services Consultant
AGENCY SECRETARY ¹ APPROVAL/CONCURRENCE DEPARTMENT OF FINANCE ² APPROVAL/CONCURRENCE	DATE 4/23/04 DATE
PROGRAM BUDGET MANAGER	

1. The signature attests that the agency has completed the STD. 399 according to the instructions in SAM sections 6600-6680, and understands the impacts of the proposed rulemaking. State boards, offices, or departments not under an Agency Secretary must have the form signed by the highest ranking official in the organization.
2. Finance approval and signature is required when SAM sections 6600-6670 require completion of the Fiscal Impact Statement in the STD. 399.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Mathematics and Reading Professional Development Program (AB 466): Approve Commencement of the Rulemaking Process for Amendments to Title 5 Sections 11981 and 11985	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve proposed amended regulations, Informative Digest, Initial Statement of Reasons, and Notice of Proposed Rulemaking and direct staff to commence the rulemaking process.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

These proposed regulations were submitted to the SBE in April as an Information Memorandum. The CDE is now requesting that the SBE take action to move forward with the rulemaking process.

SUMMARY OF KEY ISSUES

The proposed regulations clarify the intent of the legislation and stipulate that program funding shall be limited to providing professional development to teachers, paraprofessionals, and instructional aides eligible to receive instruction as set forth in *Education Code* Section 99233 and *California Code of Regulations, Title 5, Section 11981*, in one instructional materials program per subject area (reading/language arts and mathematics) for 120 hours divided into 40 hours of initial training and 80 hours of follow-up professional development.

FISCAL ANALYSIS (AS APPROPRIATE)

Fiscal information will be submitted as a Last Minute Memorandum.

ATTACHMENT

- [Attachment 1: Proposed Regulations \(1 page\)](#)
- [Attachment 2: Informative Digest \(1 page\)](#)
- [Attachment 3: Initial Statement of Reasons \(3 pages\)](#)
- [Attachment 4: Notice of Proposed Rulemaking \(5 pages\)](#)

Fiscal information will be submitted as a Last Minute Memorandum.

1
2
3 **Title 5. EDUCATION**

4 **Division 1. State Department of Education**

5 **Chapter 11. Special Programs**

6 **Subchapter 21. Mathematics and Reading Professional Development Program**

7
8 *Amend Sections 11981 and 11985 to read:*

9 **§ 11981. Teacher Eligibility.**

10 In addition to those identified in Education Code Section 99233, (a) Teachers who hold
11 a multiple-subject credential, whose primary assignment is to teach in a classroom that is
12 not self-contained, and who are employed in a public school, will be eligible to receive
13 instruction in mathematics if their primary teaching assignment is mathematics and/or
14 science and may receive instruction in reading/language arts if their primary teaching
15 assignment is reading/language arts or social science.

16 NOTE: Authority cited: Section 99236, Education Code. Reference: Section 99233,
17 Education Code.

18 **§ 11985. Participation Requirement.**

19 (a) The Superintendent of Public Instruction shall award funding to local educational
20 agencies for each participant that fully meets the hour requirements of the Mathematics and
21 Reading Professional Development Program (Article 3, Chapter 5, of Part 65 of the
22 Education Code [Sections 99234(h) and 99237(b)] and Subchapter 21, Chapter 11, Division
23 1 of Title 5, California Code of Regulations [Section 11980(c)]).

24 (b) Beginning in 2004-05 fiscal year, such funding shall be limited to one 120 hour
25 sequence of professional development divided into 40 hours of initial training and 80 hours
26 of follow-up professional development per subject area for each teacher eligible to receive
27 instruction as set forth in Education Code Section 99233 and Title 5, California Code of
28 Regulations, Section 11981.

29 (c) Beginning in the 2004-05 fiscal year, such professional development funding shall be
30 limited to one training per subject area for each paraprofessional and instructional aide
31 eligible to receive instruction as set forth in Education Code Section 99233.

32 NOTE: Authority cited: Section 99236, Education Code. Reference: Sections 99234(h) and
33 99237(b), Education Code.

34
35 4-26-04

INFORMATIVE DIGEST

AB 466 (Mathematics and Reading Professional Development Program)

Assembly Bill 466 (Chapter 737, Statutes of 2001) established the Mathematics and Reading Professional Development Program. The Program greatly assists efforts to increase academic performance in California schools by enabling teachers, instructional aides, and paraprofessionals to participate in high-quality professional development activities in mathematics and reading/language arts over an extended time period.

In addition to addressing the items specifically required by *Education Code* Section 99236, the proposed regulations clarify the intent of the legislation and limit program funding reimbursement to providing professional development to teachers eligible to receive instruction via the Mathematics and Reading Professional Development Program as set forth in *Education Code* Section 99233 and Title 5, *California Code of Regulations*, Section 11981, to one training per subject area (reading/language arts and mathematics). Such professional development shall consist of one 120-hour sequence divided into 40 hours of initial training and 80 hours of follow-up professional development per subject area.

Beginning in the 2004-05 fiscal year, such funding shall be limited to providing professional development to paraprofessionals and instructional aides eligible to receive instruction via the Mathematics and Reading Professional Development Program as set forth in *Education Code* Section 99233, to one training per subject area (reading/language arts and mathematics).

The regulations will ensure that program funding is allocated to participating local educational agencies on an equal basis. These regulations will also assist efforts to increase the number of California teachers, paraprofessionals, and instructional aides who may receive high-quality professional development in reading/language arts and mathematics.

INITIAL STATEMENT OF REASONS

Section 11981. ADDITION OF CLARIFYING LANGUAGE REGARDING TEACHER ELIGIBILITY

SPECIFIC PURPOSE OF THE REGULATION

This language is added for the purpose of clarifying that Education Code Section 99233 already specifies a number of classes of eligible teachers in addition to that added in this section.

NECESSITY/RATIONALE

This addition is necessary in order to clarify that Section 11981 does not describe the only set of criteria used to determine teacher eligibility.

Section 11985 (b) and (c). REIMBURSEMENT FOR PROFESSIONAL DEVELOPMENT LIMITED TO ONE TRAINING PER SUBJECT AREA

SPECIFIC PURPOSE OF THE REGULATION

These proposed regulations limit Mathematics and Reading Professional Development Program (program) funding to providing professional development to teachers eligible to receive instruction as set forth in *Education Code* Section 99233 and Title 5, *California Code of Regulations*, Section 11981, in one training per subject area (reading/language arts and mathematics). Such professional development shall consist of one 120 hour sequence divided into 40 hours of initial training and 80 hours of follow-up professional development per subject area.

Beginning in the 2004-05 fiscal year, program funding shall be limited to providing professional development to paraprofessionals and instructional aides eligible to receive instruction via the Mathematics and Reading Professional Development Program as set forth in *Education Code* section 99233, to one training per subject area (reading/language arts and mathematics).

These proposed regulations will help ensure that program funding is allocated to participating local educational agencies (LEAs) on an equal basis. These regulations will also assist efforts to increase the number of California teachers, paraprofessionals, and instructional aides, who may receive high-quality professional development in reading/language arts and mathematics.

NECESSITY/RATIONALE

Assembly Bill 466 (Chapter 737, Statutes of 2001) established the Mathematics and Reading Professional Development Program. *Education Code* Section 99236 authorizes the Superintendent of Public Instruction to design, and the State Board of Education to approve, regulations for the implementation and monitoring of the program.

Subsequent to passage of Chapter 737, President Bush signed into law No Child Left Behind legislation that established the Reading First Program, a kindergarten through third grade (K-3) reading/language arts program. Mathematics and Reading Professional Development Program professional development is included as part of the requirements for LEAs receiving a Reading First grant. However, the Reading First grantees receive professional development beyond the basic Mathematics and Reading Professional Development Program training available to K-3 teachers in non-Reading First schools.

Chapter 737 is unclear as to the number of hours of professional development a teacher may receive per instructional materials program. Currently, LEAs receiving a Reading First grant are allocated funding to provide professional development to K-3 teachers in Reading First schools each year for three years on the LEA's State Board of Education adopted reading/language arts instructional materials program. There is confusion about whether AB 466 program reimbursements also extend to cover three years of professional development or to cover multiple trainings in several different sets of instructional materials.

The proposed regulations are necessary to clarify the intent of the legislation and limit program funding reimbursements to providing professional development to teachers eligible to receive instruction to one training per subject area (reading/language arts and mathematics). These proposed regulations would ensure that program funding is allocated to participating LEAs on an equitable basis and will maximize the number of teachers, paraprofessionals, and instructional aides trained.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS

The State Board did not rely upon any technical, theoretical or empirical studies, reports, or documents in proposing the adoption of this regulation.

REASONABLE ALTERNATIVES TO THE REGULATION AND THE AGENCY'S REASONS FOR REJECTING THOSE ALTERNATIVES

Only one alternative was submitted to the State Board because it is most consistent with a goal of allocating program funding to participating local educational agencies on an equitable basis.

**REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION
THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS**

The State Board has not identified any adverse impact on small business that would necessitate developing alternatives to the proposed regulatory action.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC
IMPACT ON ANY BUSINESS**

The proposed regulations would not have a significant adverse economic impact on any business because they relate only to local school districts. No requirements are placed on small businesses.

CALIFORNIA STATE BOARD OF EDUCATION

1430 N Street; Room 5111
Sacramento, CA 95814



STATE OF CALIFORNIA
Governor

ARNOLD SCHWARZENEGGER,

TITLE 5. EDUCATION

CALIFORNIA STATE BOARD OF EDUCATION

NOTICE OF PROPOSED RULEMAKING

Math and Reading Professional Development Program

[Notice published May 21, 2004]

The State Board of Education (State Board) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PUBLIC HEARING

Program staff will hold a public hearing beginning at **10:00 a.m. on July 6, 2004**, at 1430 N Street, Room 4101, Sacramento. The room is wheelchair accessible. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The State Board requests that any person desiring to present statements or arguments orally notify the Regulations Coordinator of such intent. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. No oral statements will be accepted subsequent to this public hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Regulations Coordinator. The written comment period ends at **5:00 p.m. on July 5, 2004**. The Board will consider only written comments received by the Regulations Coordinator or at the Board Office by that time (in addition to those comments received at the public hearing). Written comments for the State Board's consideration should be directed to:

Debra Strain, Regulations Coordinator
California Department of Education
LEGAL DIVISION
1430 N Street, Room 5319
Sacramento, California 95814
Email: dstrain@cde.ca.gov
Telephone: (916) 319-0860
FAX: (916) 319-0155

AUTHORITY AND REFERENCE

Authority: Section 33031 and 99326, *Education Code*.

Reference: Sections 99233, 99234(g), and 99237(b), *Education Code*.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Assembly Bill 466 (Chapter 737, Statutes of 2001) established the Mathematics and Reading Professional Development Program. The Program greatly assists efforts to increase academic performance in California schools by enabling teachers, instructional aides, and paraprofessionals to participate in high-quality professional development activities in mathematics and reading/language arts over an extended time period.

In addition to addressing the items specifically required by *Education Code* Section 99236, the proposed regulations clarify the intent of the legislation and limit program funding reimbursement to providing professional development to teachers eligible to receive instruction via the Mathematics and Reading Professional Development Program as set forth in *Education Code* Section 99233 and Title 5, *California Code of Regulations*, Section 11981, to one training (i.e., one 120 hour sequence of professional development divided into 40 hours of initial training and 80 hours of follow-up professional development) per subject area (reading/language arts and mathematics).

Beginning in the 2004-05 fiscal year, such funding shall be limited to providing professional development to paraprofessionals and instructional aides eligible to receive instruction via the Mathematics and Reading Professional Development Program as set forth in *Education Code* Section 99233, to one training (i.e., one 120 hour sequence divided into 40 hours of initial training and 80 hours of follow-up professional development) per subject area (reading/language arts and mathematics).

The regulations will ensure that program funding is allocated to participating local educational agencies on an equal basis. These regulations will also assist efforts to increase the number of California teachers, paraprofessionals, and instructional aides who may receive high-quality professional development in reading/language arts and mathematics.

Notice of Proposed Rulemaking
Attachment 4
Page 3 of 5

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: TBD

Cost or savings to any state agency: TBD

Costs to any local agency or school district that must be reimbursed in accordance with Government Code Section 17561: TBD

Other non-discretionary cost or savings imposed on local educational agencies: TBD

Cost or savings in federal funding to the state: TBD

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: TBD.

Cost impacts on a representative private person or businesses: TBD

Adoption of these regulations will not:

- (1) create or eliminate jobs within California;
- (2) create new businesses or eliminate existing businesses within California; or
- (3) affect the expansion of businesses currently doing business within California.

Significant effect on housing costs: TBD.

Effect on small businesses: There is no effect on small businesses because the proposal pertains only to schools. No requirements are placed on small businesses.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the State Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the State Board, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The State Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the substance of the proposed regulations should be directed to:

Kathie Scott, Education Program Consultant
California Department of Education
Professional Development and Curriculum Support Division
1430 N Street, 4th Floor
Sacramento, CA 95814
Telephone: (916) 323-6440
E-mail: kscott@cde.ca.gov

Requests for a copy of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, or other technical information upon which the rulemaking is based or questions on the proposed administrative action may be directed to the Regulations Coordinator, or to the backup contact person, Najia Rosales, at (916) 319-0860.

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Regulations Coordinator will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at her office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. A copy may be obtained by contacting the Regulations Coordinator at the above address.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, the State Board may adopt the proposed regulations substantially as described in this notice. If the State Board makes modifications that are sufficiently related to the originally proposed text, the modified text (with changes clearly indicated) will be available to the public for at least 15 days before the State Board adopts the regulations as revised. Requests for copies of any modified regulations should be sent to the attention of the Regulations Coordinator at the address indicated above.

The State Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the Final Statement of Reasons may be obtained by contacting the Regulations Coordinator at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, the text of the regulations in underline and strikeout, and the Final Statement of Reasons, can be accessed through the California Department of Education's website at <http://www.cde.ca.gov/regulations>.

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973*, the *Americans with Disabilities Act of 1990*, and the *Unruh Civil Rights Act*, any individual with a disability who requires reasonable accommodation to attend or participate in a public hearing on proposed regulations, may request assistance by contacting Kathie Scott, Professional Development and Curriculum Support Division, 1430 N Street, Sacramento, CA, 95814; telephone, (916) 323-6440; fax, (916) 323-2806. It is recommended that assistance be requested at least two weeks prior to the hearing.

LAST MINUTE MEMORANDUM

DATE: May 5, 2004

TO: MEMBERS, STATE BOARD OF EDUCATION

FROM: Sue Stickel, Deputy Superintendent
Curriculum and Instruction Branch

RE: Item No. 24

SUBJECT: Mathematics and Reading Professional Development Program (AB 466):
Approve Commencement of the Rulemaking Process for Amendments to
Title 5 Sections 11981 and 11985

This Last Minute Memorandum is for the purpose of providing the Economic and Fiscal Impact Analysis of the proposed regulations.

The Office of Administrative Law requires that a state agency submitting proposed regulations prepare an analysis detailing any economic or fiscal impact the regulations may impose upon the State of California, private businesses, or the public. The California Department of Education's Fiscal and Administrative Services Division has conducted a comprehensive review of the proposed regulations and has made the following key determinations:

- ✓ Actions required by the proposed regulations are attributable to statute. Therefore, the proposed regulations do not impose a local cost mandate.
- ✓ The proposed regulations would not create a new program or higher level of service in an existing state program.
- ✓ The proposed regulations should have no impact on local business.
- ✓ The proposed regulations should have no impact on individuals.

[Attachment 1](#): Economic and Fiscal Impact Analysis (5 pages)

**Economic and Fiscal Impact Analysis
Proposed Amendment of Title 5, CCR, Regulations
Mathematics and Reading Professional Development Program**

The Fiscal Policy Office has reviewed for economic and fiscal impact the proposed regulations (version 04/21/04) amending Sections 1981 and 11985, of Subchapter 21, Chapter 11, Division 1, Title 5, California Code of Regulations relating to the Mathematics and Reading Professional Development Program.

What would the proposed regulations do?

These proposed regulations limit the use of Mathematics and Reading Professional Development Program funding to the provision of professional development to teachers eligible to receive instruction in one instructional materials program per subject area (reading/language arts and mathematics) as set forth in Education Code Section 99233 and Title 5, California Code of Regulations, Section 11981. The proposed regulations will also help ensure that program funding is allocated to participating LEAs on an equal basis. These regulations will additionally assist efforts to increase the number of California teachers, paraprofessionals, and instructional aides, who may receive high-quality professional development in reading/language arts and mathematics.

Do the proposed regulations impose a local cost mandate?

We have determined that actions required by the proposed regulations *are attributable to statute* and therefore the proposed regulations *do not* impose a local cost mandate.

Do the proposed regulations impose costs upon the state?

The proposed amendment to the regulations would not create a new program or higher level of service in an existing state program.

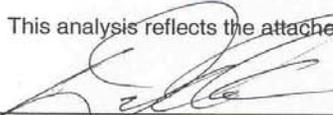
Do the proposed regulations impact local business?

The proposed amendment to the regulations should have no impact on local business.

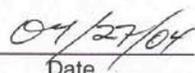
Do the proposed regulations impact individuals?

The proposed amendment to the regulations should have no impact on individuals.

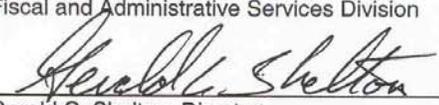
This analysis reflects the attached Economic and Fiscal Impact Statement.



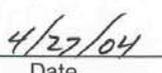
Donald E. Killmer, Consultant
Fiscal and Administrative Services Division



Date



Gerald C. Shelton, Director
Fiscal and Administrative Services Division



Date

Note: The purpose of the Department's review of regulations for Economic or Fiscal Impact is in part to, determine prior to the Department's submission of the Notice of Proposed Rulemaking to the Office of Administrative Law (OAL), if the regulations impose a mandate upon the locals and if so if there is a cost or savings. Additionally, the review may make a determination of what the cost or savings "may" be and if there is precedence in the determination of the potential costs through previous claims reimbursable through the mandate process authorized in state statute and set forth by the CSM.

If the Department determines that a potential mandate and an additional cost exists, the Department is required to forward that information (via the STD. 399 and this analysis) to the Department of Finance (DOF) for their review. The review by DOF does not need to be completed prior to the Department's submission of the Notice of Proposed Rulemaking to OAL but must be completed prior to the closing of the "Rulemaking Record" and prior to OAL forwarding of the "Record" to the Secretary of State. The DOF review contains an approval or disapproval; typically regulations that impose or could potentially impose an additional cost upon the state are disapproved and the department is required to amend the regulation to eliminate the cost or pull the "Record".

STATE OF CALIFORNIA
ECONOMIC AND FISCAL IMPACT STATEMENT
 (REGULATIONS AND ORDERS)

STD. 369 (Rev. 2-98)

See SAM Sections 6600 - 6680 for Instructions and Code Citations

DEPARTMENT NAME Education	CONTACT PERSON Don Killmer	TELEPHONE NUMBER 323-2591
DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400 Mathematics and Reading Professional Development Program (version 04/21/04)		NOTICE FILE NUMBER Z

ECONOMIC IMPACT STATEMENT

A. ESTIMATED PRIVATE SECTOR COST IMPACTS (Include calculations and assumptions in the rulemaking record.)

1. Check the appropriate box(es) below to indicate whether this regulation:
- | | |
|---|---|
| <input type="checkbox"/> a. Impacts businesses and/or employees | <input type="checkbox"/> e. Imposes reporting requirements |
| <input type="checkbox"/> b. Impacts small businesses | <input type="checkbox"/> f. Imposes prescriptive instead of performance standards |
| <input type="checkbox"/> c. Impacts jobs or occupations | <input type="checkbox"/> g. Impacts individuals |
| <input type="checkbox"/> d. Impacts California competitiveness | <input type="checkbox"/> h. None of the above (Explain below. Complete the Fiscal Impact Statement as appropriate.) |

h. (cont.) _____

(If any box in Items 1 a through g is checked, complete this Economic Impact Statement.)

2. Enter the total number of businesses impacted: _____ Describe the types of businesses (Include nonprofits): _____

Enter the number or percentage of total businesses impacted that are small businesses: _____

3. Enter the number of businesses that will be created: _____ eliminated: _____
 Explain: _____

4. Indicate the geographic extent of impacts: Statewide Local or regional (list areas): _____

5. Enter the number of jobs created: _____ or eliminated: _____ Describe the types of jobs or occupations impacted: _____

6. Will the regulation affect the ability of California businesses to compete with other states by making it more costly to produce goods or services here?
 Yes No If yes, explain briefly: _____

B. ESTIMATED COSTS (Include calculations and assumptions in the rulemaking record.)

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime? \$ _____
- | | | |
|---|--------------------------------|--------------|
| a. Initial costs for a small business: \$ _____ | Annual ongoing costs: \$ _____ | Years: _____ |
| b. Initial costs for a typical business: \$ _____ | Annual ongoing costs: \$ _____ | Years: _____ |
| c. Initial costs for an individual: \$ _____ | Annual ongoing costs: \$ _____ | Years: _____ |
- d. Describe other economic costs that may occur: _____

ECONOMIC AND FISCAL IMPACT STATEMENT cont. (STD. 399, Rev. 2-98)

2. If multiple industries are impacted, enter the share of total costs for each industry: _____
-
3. If the regulation imposes reporting requirements, enter the annual costs a typical business may incur to comply with these requirements. (Include the dollar costs to do programming, record keeping, reporting, and other paperwork, whether or not the paperwork must be submitted.): \$ _____
4. Will this regulation directly impact housing costs? Yes No If yes, enter the annual dollar cost per housing unit: \$ _____ and the number of units: _____
5. Are there comparable Federal regulations? Yes No Explain the need for State regulation given the existence or absence of Federal regulations: _____
- Enter any additional costs to businesses and/or individuals that may be due to State - Federal differences: \$ _____

C. ESTIMATED BENEFITS (Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.)

1. Briefly summarize the benefits that may result from this regulation and who will benefit: _____
-
2. Are the benefits the result of: specific statutory requirements, or goals developed by the agency based on broad statutory authority? Explain: _____
3. What are the total statewide benefits from this regulation over its lifetime? \$ _____

D. ALTERNATIVES TO THE REGULATION (Include calculations and assumptions in the rulemaking record. Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.)

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: _____
-
2. Summarize the total statewide costs and benefits from this regulation and each alternative considered:
- | | | |
|----------------|-------------------|----------------|
| Regulation: | Benefit: \$ _____ | Cost: \$ _____ |
| Alternative 1: | Benefit: \$ _____ | Cost: \$ _____ |
| Alternative 2: | Benefit: \$ _____ | Cost: \$ _____ |

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives: _____
-
4. Rulemaking law requires agencies to consider performance standards as an alternative, if a regulation mandates the use of specific technologies or equipment, or prescribes specific actions or procedures. Were performance standards considered to lower compliance costs? Yes No
- Explain: _____

E. MAJOR REGULATIONS (Include calculations and assumptions in the rulemaking record.)
 Cal/EPA boards, offices and departments are subject to the following additional requirements per Health and Safety Code section 57005.

ECONOMIC AND FISCAL IMPACT STATEMENT cont. (STD. 399, Rev. 2-98)

1. Will the estimated costs of this regulation to California business enterprises exceed \$10 million? Yes No (If No, skip the rest of this section)

2. Briefly describe each equally as effective alternative, or combination of alternatives, for which a cost-effectiveness analysis was performed:

Alternative 1: _____

Alternative 2: _____

3. For the regulation, and each alternative just described, enter the estimated total cost and overall cost-effectiveness ratio:

Regulation: \$ _____ Cost-effectiveness ratio: _____

Alternative 1: \$ _____ Cost-effectiveness ratio: _____

Alternative 2: \$ _____ Cost-effectiveness ratio: _____

FISCAL IMPACT STATEMENT

A. FISCAL EFFECT ON LOCAL GOVERNMENT (Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years)

1. Additional expenditures of approximately \$ _____ in the current State Fiscal Year which are reimbursable by the State pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code. Funding for this reimbursement:

a. is provided in (Item _____, Budget Act of _____) or (Chapter _____, Statutes of _____)

b. will be requested in the _____ (FISCAL YEAR) Governor's Budget for appropriation in Budget Act of _____

2. Additional expenditures of approximately \$ _____ in the current State Fiscal Year which are not reimbursable by the State pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code because this regulation:

a. implements the Federal mandate contained in _____

b. implements the court mandate set forth by the _____ court in the case of _____ vs. _____

c. implements a mandate of the people of this State expressed in their approval of Proposition No. _____ at the _____ election; (DATE)

d. is issued only in response to a specific request from the _____, which is/are the only local entity(s) affected;

e. will be fully financed from the _____ (FEES, REVENUE, ETC.) authorized by Section _____ of the _____ Code;

f. provides for savings to each affected unit of local government which will, at a minimum, offset any additional costs to each such unit.

3. Savings of approximately \$ _____ annually.

4. No additional costs or savings because this regulation makes only technical, non-substantive or clarifying changes to current law and regulations.

*** See Attached Analysis ***

ECONOMIC AND FISCAL IMPACT STATEMENT cont. (STD. 399, Rev. 2-98)

- 5. No fiscal impact exists because this regulation does not affect any local entity or program.
- 6. Other.

B. FISCAL EFFECT ON STATE GOVERNMENT *(Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)*

- 1. Additional expenditures of approximately \$ _____ in the current State Fiscal Year. It is anticipated that State agencies will:
 - a. be able to absorb these additional costs within their existing budgets and resources.
 - b. request an increase in the currently authorized budget level for the _____ fiscal year.
- 2. Savings of approximately \$ _____ in the current State Fiscal Year.
- 3. No fiscal impact exists because this regulation does not affect any State agency or program.
- 4. Other.

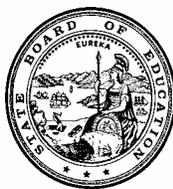
C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS *(Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)*

- 1. Additional expenditures of approximately \$ _____ in the current State Fiscal Year.
- 2. Savings of approximately \$ _____ in the current State Fiscal Year.
- 3. No fiscal impact exists because this regulation does not affect any federally funded State agency or program.
- 4. Other.

SIGNATURE 	TITLE Ed. Fiscal Services Consultant
AGENCY SECRETARY APPROVAL/CONCURRENCE <input checked="" type="checkbox"/> <i>Susie Lang</i> DEPARTMENT OF FINANCE ² APPROVAL/CONCURRENCE <input checked="" type="checkbox"/>	DATE 04/27/04 Deputy Superintendent DATE 4/27/04

1. The signature attests that the agency has completed the STD. 399 according to the instructions in SAM sections 6600-6680, and understands the impacts of the proposed rulemaking. State boards, offices, or departments not under an Agency Secretary must have the form signed by the highest ranking official in the organization.

2. Finance approval and signature is required when SAM sections 6600-6670 require completion of the Fiscal Impact Statement in the STD. 399.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Mathematics and Reading Professional Development Program (AB 466): Approval of Reimbursement Requests	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the attached lists of local educational agencies (LEAs) that have complied with required assurances for the AB 466 Program, pursuant to *Education Code* Section 99234(g).

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Education Code Section 99234(g) stipulates that funding may not be provided to an LEA until the SBE approves the agency's certified assurance. During 2003-04 the SBE has approved the required assurances when the LEA submitted a Request for Reimbursement.

SUMMARY OF KEY ISSUES

As a condition of the receipt of funds, *Education Code* Section 99237(a) requires that an LEA submit to the SBE a statement of assurance certified by the appropriate agency official and approved in a public session by the governing body of the agency. LEAs participating in the AB 466 program provide this proof of compliance with assurances by submitting a signed application. LEAs submitting a Request for Reimbursement form additionally provide summary information regarding credentials held by each teacher who has successfully complete training.

The specific amounts for each LEA will be determined by CDE staff in accordance with the established practice for this program. In particular, the CDE will gather information from LEAs to pay claims for training that will be completed by June 30, 3004. This will allow CDE to maximize the use of available 2003-04 funding.

FISCAL ANALYSIS (AS APPROPRIATE)

The Legislature appropriated \$31.7 million for the AB 466 program for 2003-04. This reimbursement request plus previously approved payments leaves an appropriation balance of approximately \$27.7 million. Most of the reimbursement requests for 2003-04 are expected in the next several months.

ATTACHMENT

[Attachment 1](#): List of LEAs submitting certification of assurance via a Signed Application:
Fiscal Year 2003-04 (May 2004) (3 pages)

[Attachment 2](#): List of LEAs submitting certificaion of assurance via a Request for
Reimbursement Form: Fiscal Year 2003-04 (May 2004) (2 pages)

**The following local education agencies have submitted certification of assurance via a Signed Application:
Fiscal Year 2003-04 (May 2004)**

COUNTY	LEA NAME
Alameda	Alameda City Unified
Alameda	Alameda COE
Alameda	Albany City Unified
Alameda	Berkeley Unified
Alameda	Castro Valley Unified
Alameda	Dublin Unified
Alameda	Emery Unified
Alameda	Hayward Unified
Alameda	Livermore Valley Joint Unified
Alameda	Mountain House
Alameda	New Haven Unified
Alameda	Newark Unified
Alameda	Piedmont City Unified
Alameda	Pleasanton Unified
Alameda	San Leandro Unified
Alameda	San Lorenzo Unified
Alameda	Sunol Glen Unified
Alpine	Alpine County Unified
Butte	Bangor Union
Butte	Feather Falls Union
Butte	Pioneer Union
Butte	Thermalito Union
Contra Costa	Lafayette
Contra Costa	Mt. Diablo Unified
Contra Costa	Orinda Union
Contra Costa	Walnut Creek

COUNTY	LEA NAME
Del Norte	Del Norte COE
El Dorado	Black Oak Mine Unified
El Dorado	Buckeye Union
El Dorado	Camino Union
El Dorado	El Dorado Union High
El Dorado	Gold Oak Union
El Dorado	Gold Trail Union
El Dorado	Indian Diggings
El Dorado	Lake Tahoe Unified
El Dorado	Latrobe
El Dorado	Mother Lode Union
El Dorado	Pioneer Union
El Dorado	Placerville Union
El Dorado	Pollock Pines
El Dorado	Rescue Union
El Dorado	Silver Fork
Fresno	Central Unified
Fresno	Firebaugh-Las Deltas Joint Unified
Fresno	Kings Canyon Joint Unified
Fresno	Kingsburg Joint Union High
Fresno	Parlier Unified
Fresno	Sanger Unified
Glenn	Capay Joint Union
Glenn	Hamilton Union

COUNTY	LEA NAME
Humboldt	Northern Humboldt Union High
Humboldt	South Bay Union
Imperial	Brawley
Imperial	Brawley Union High
Imperial	Calexico Unified
Imperial	Calipatria Unified
Imperial	Central Union High
Imperial	El Centro
Imperial	Heber
Imperial	Holtville Unified
Imperial	Imperial Unified
Imperial	Magnolia Union
Imperial	McCabe Union
Imperial	Meadows Union
Imperial	Mulberry
Imperial	San Pasqual Valley Unified
Imperial	Seeley Union
Imperial	Westmorland Union
Kern	South Fork Union
Kings	Delta View Joint Union
Lake	Konocti Unified
Lake	Lakeport Unified
Los Angeles	Alhambra City
Los Angeles	Azusa Unified
Los Angeles	Bassett Unified

**The following local education agencies have submitted certification of assurance via a Signed Application:
Fiscal Year 2003-04 (May 2004)**

COUNTY	LEA NAME
Los Angeles	Bellflower Unified
Los Angeles	Beverly Hills Unified
Los Angeles	El Monte City
Los Angeles	El Segundo Unified
Los Angeles	Hacienda-La Puente Unified
Los Angeles	Henry Hearn Charter
Los Angeles	Lynwood Unified
Los Angeles	Montebello Unified
Los Angeles	Palmdale
Los Angeles	Redondo Beach Unified
Los Angeles	Santa Monica-Malibu Unified
Los Angeles	Today's Fresh Start Charter
Los Angeles	Wilsona
Mendocino	Willits
Merced	Atwater
Merced	Delhi Unified
Merced	Dos Palos Oro Loma Joint Unified
Merced	El Nido
Merced	Gustine Unified
Merced	Livingston Union
Merced	Los Banos Unified
Merced	Merced City
Merced	Merced River Union

COUNTY	LEA NAME
Merced	Winton
Monterey	King City Union
Monterey	North Monterey County Unified
Napa	Napa Valley Unified
Orange	Anaheim City
Orange	Capistrano Unified
Orange	La Habra City
Orange	Newport-Mesa Unified
Orange	Santa Ana Unified
Placer	Auburn Union
Placer	Western Placer Unified
Riverside	Palo Verde Unified
Riverside	Perris
Sacramento	Grant Joint Union
Sacramento	River Delta Joint Unified
Sacramento	Sacramento City Unified
San Bernardino	Apple Valley Unified
San Bernardino	Chino Valley Unified
San Bernardino	Colton Joint Unified
San Bernardino	Cucamonga

COUNTY	LEA NAME
San Bernardino	Fontana Unified
San Bernardino	Redlands Unified
San Bernardino	San Bernardino COE
San Diego	Borrego Springs Unified
San Diego	Encinitas Union
San Diego	Santee
San Joaquin	Linden Unified
San Joaquin	Lodi Unified
San Joaquin	New Hope
San Mateo	East Palo Alto Charter
Santa Barbara	Santa Barbara
Santa Clara	East Side Union High
Santa Cruz	Live Oak
Santa Cruz	San Lorenzo Valley
Santa Cruz	Santa Cruz City
Santa Cruz	Santa Cruz City High
Santa Cruz	Scotts Valley Unified
Santa Cruz	Soquel Union
Shasta	Gateway Unified
Sierra	Sierra COE
Sierra	Sierra-Plumas Joint Unified
Solano	Fairfield-Suisun Unified
Solano	Vallejo City Unified

**The following local education agencies have submitted certification of assurance via a Signed Application:
Fiscal Year 2003-04 (May 2004)**

COUNTY	LEA NAME
Sonoma	Roseland
Sonoma	Windsor Unified
Stanislaus	Ceres Unified
Stanislaus	Empire Union
Stanislaus	Salida Union
Stanislaus	Sylvan Union
Stanislaus	Turlock Joint
Tulare	Dinuba Unified
Tulare	Exeter Union
Tulare	Exeter Union High
Tulare	Porterville Unified
Tulare	Tulare COE
Ventura	Fillmore Unified
Ventura	Ocean View
Ventura	Oxnard Union High
Ventura	Santa Paula
Yolo	Winters Joint Unified

**The following local education agencies have submitted certification of assurance via a Request for Reimbursement Form:
Fiscal Year 2003-04 (May 2004)**

COUNTY	LEA NAME	NUMBER OF TEACHERS				PROVIDER	MATERIALS
		Reading 40 Hours	Reading 80 Hours	Math 40 Hours	Math 80 Hours		
Contra Costa	Contra Costa COE	1				RIC Sacramento COE	Open Court 2002
Fresno	Parlier Unified	60				Calabash	A Legacy of Literacy
Fresno	Parlier Unified			6		CSU Fresno	Concepts and Skills
Fresno	Raisin City	2				RIC Sacramento COE	Open Court 2002
Kings	Kit Carson Union	7				RIC San Joaquin COE	A Legacy of Literacy
Los Angeles	Bonita Unified	5				RIC Los Angeles COE	A Legacy of Literacy
Los Angeles	Lynwood Unified	28				CORE, Inc.	Open Court 2002
Los Angeles	Pasadena Unified	220				RIC Sacramento COE	Open Court 2000 and 2002
Los Angeles	West Covina Unified	19				SRA/McGraw Hill	Open Court 2002
Marin	Laguna Joint	3				RIC Alameda COE	A Legacy of Literacy
Marin	Union Joint	2				RIC Alameda COE	A Legacy of Literacy
Placer	Roseville City	43				RIC Sacramento COE	Open Court 2002
Riverside	Banning Unified	14				Calabash	A Legacy of Literacy
Riverside	Banning Unified	7				RIC San Diego COE	A Legacy of Literacy
Riverside	Desert Sands	52				Calabash	A Legacy of Literacy
Riverside	Desert Sands	44				RIC San Diego COE	Open Court 2002
Riverside	Menifee Union	6				Sacramento COE	Literature and Language Arts 2002
Riverside	Palm Springs Unified	6				RIC Sacramento COE	Open Court 2000
Sacramento	North Sacramento	1				RIC Sacramento COE	Open Court 2002
San Bernardino	Barstow Unified	10				RIC San Diego COE	A Legacy of Literacy
San Bernardino	Etiwanda	24				Calabash	A Legacy of Literacy

The following local education agencies have submitted certification of assurance via a Request for Reimbursement Form:
Fiscal Year 2003-04 (May 2004)

COUNTY	LEA NAME	NUMBER OF TEACHERS				PROVIDER	MATERIALS
		Reading 40 Hours	Reading 80 Hours	Math 40 Hours	Math 80 Hours		
San Bernardino	Etiwanda		56			District	A Legacy of Literacy and Reading and Language Arts
San Diego	Cajon Valley Union	15				Calabash	A Legacy of Literacy
San Diego	Cajon Valley Union	21				RIC San Diego COE	A Legacy of Literacy
San Diego	Carlsbad Unified	2				RIC San Diego COE	A Legacy of Literacy
San Diego	Escondido Union	10				RIC San Diego COE	A Legacy of Literacy
San Diego	Fallbrook Union	3				RIC San Diego COE	Open Court 2002
San Diego	Ramona City Unified	6				RIC San Diego COE	A Legacy of Literacy
San Diego	Valley Center-Pauma Unified	1				RIC San Diego	A Legacy of Literacy
Santa Clara	Alum Rock	214				RIC Sacramento COE	Open Court 2002
Santa Clara	Franklin-McKinley			11	8	Cal Poly Pomona	McGraw-Hill Mathematics
Santa Clara	Mount Pleasant	32				SRA/McGraw Hill	Open Court 2002
Santa Clara	San Jose Unified	1				RIC Alameda COE	A Legacy of Literacy
Santa Clara	Sunnyvale	50				RIC Sacramento COE	Open Court 2002
Siskiyou	Junction	1	1			RIC Butte COE	A Legacy of Literacy
Trinity	Mountain Valley Unified	3				RIC Butte COE	A Legacy of Literacy
Ventura	Ojai Unified	6				Calabash	A Legacy of Literacy
Yolo	Washington Unified	55				RIC Sacramento COE	Open Court 2002
	TOTALS	974	57	17	8		



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Mathematics and Reading Professional Development Program (AB 466)(Chapter 737, Statutes of 2001): Approve Extension of Current Contract for Reviewing and Archiving AB 466 Training Materials.	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Approve the extension of the current contract with Orange County Department of Education through June 30, 2005, to create an archive of approved training curricula, produce quarterly reports on the contents of the archive, and manage the review of training curricula submitted for Board approval.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Since March 2002, the State Board has contracted with county offices of education for the management of the review of AB 466 training curricula submitted for State Board approval and maintenance of a publicly accessible archive of approved training curricula. In September 2003, the State Board approved the Board staff recommendation to contract with the Orange County Department of Education for this work through June 30, 2004.

SUMMARY OF KEY ISSUES

In the last several months, as the demand for AB 466 professional development has increased, a number of potential providers of AB 466 training have begun developing AB 466 training curricula for submission. Because of the amount of time needed to create high-quality training curricula, many of these potential providers will be unable to submit their training curricula for review by the last submission date (May 21, 2003) under the current contract.

To meet the increased the demand for AB 466 professional development, State Board staff recommends extending the current contract with the Orange County Department of Education through June 30, 2005.

FISCAL ANALYSIS (AS APPROPRIATE)

For services through February 2004, the Orange County Department of Education has invoiced \$15,848.00 and anticipates invoicing for several additional review sessions through June 30, 2004. Based on costs in previous years, the cost of extending the contract though June 2005 will be under \$150,000.

ATTACHMENT

[Attachment 1](#): AB 466 Contract Scope of Work and Detailed Budget (3 Pages).

*AB 466 Contract Scope of Work and Budget
Orange County Department of Education
June 1, 2003 to June 30, 2004*

Scope of Work

The Orange County Department of Education (OCDE) will prepare for the State Board quarterly reports on the materials archived to date and an annual report to be delivered June 15, 2004. The annual report will be a comprehensive report of materials available in the model AB 466 training curricula archive, cross-referenced by instructional materials program title, grade level, and approved AB 466 provider.

OCDE will create an archive of State Board-approved AB 466 training curricula, maintain the archived material, and make the archived material available to the public. The model AB 466 training curricula archive will be available to the public and serve as exemplars for standard-based professional development for teachers, paraprofessionals, and instructional aides.

To facilitate the State Board's approval of training curricula that will be archived, OCDE will manage the process of reviewing training curricula submitted to the State Board of Education for approval as a provider of professional development under AB 466, the Mathematics and Reading Professional Development Program. Specifically, OCDE will:

- On a quarterly basis, OCDE will prepare a written report for the State Board on materials available in the model AB 466 training curricula archive.
- OCDE will prepare an annual report, due June 15, 2004, to be distributed to the State Board and appropriate CDE staff. The annual report will be a comprehensive report of materials available, cross-referenced by instructional materials program title, grade level, and approved AB 466 provider. To be fully accessible to the public, the annual report will be posted on the State Board web site.
- Create a model AB 466 training curricula archive of State Board-approved AB 466 training curricula. From June 1, 2003 to September 30, 2003 OCDE will archive previously approved training curricula. The model AB 466 training curricula archive will serve as exemplars for standards-based professional development. The archive will be established in an area that is fully accessible to the public.

- On an ongoing basis, OCDE will add State Board-approved AB 466 training curricula to the model AB 466 training curricula archive.
- Meet with State Board staff in mid-June 2003 to finalize the timeline for delivery of quarterly and annual reports on the model AB 466 training curricula archive.
- To facilitate State Board approval of AB 466 training curricula that will be archived in the model AB 466 training curricula archive, OCDE will finalize in mid-June 2003 the timeline for training curricula submittal due dates. Due dates for submission of training curricula by potential AB 466 providers will be scheduled in July 2003, September 2003, November 2003, January 2004, March 2004, and May 2004.
- Convene five meetings each of the review panels for mathematics and reading to review training curricula (a total of 10 meetings). Schedule meetings of the review panels to meet the deadlines for delivery of recommendations to the State Board for the following meetings: September 2003, November 2003, January 2004, March 2004, May 2004, and July 2004.
- Recruit and train any new review panel members on the rubric using the State Board approved criteria for approving training curricula.
- Provide review panel documentation to the State Board, documenting both the recommendations and non-recommendations from each review panel. This documentation will have specific due dates so that recommendations are received in time for the State Board meeting immediately following the review.

Detailed Budget for 2003-04

Please note that this proposed budget includes costs that will be incurred for the training curricula review panels for both reading and math. Each subject area panel will be convened five times within the June 1, 2003, and June 30, 2004 time period.

1906 (a) Exempt Employees (daily rate for reviewers: \$450) \$ 81,000
9 reviewers with each panel session, 2 days
5 scheduled panel sessions each for reading and math

1906 (b) Exempt Employees (daily rate for specialist: \$450) \$ 9,000
2 Curriculum Specialists (Reading/Math) 2 days per
session, 5 scheduled panel sessions each for reading and math

5200 Travel/Conference Costs
\$ 40,000
Travel for Reviewers (\$400x9) 5 scheduled panel
sessions each for reading and math *and*
Conference (AV Equipment/Meeting Rooms, \$200/day)
2 days per session, 5 scheduled panel sessions each
for reading and math

5700 Copying of Materials (Archival Purposes)
\$ 2,650

\$ 132,650

Indirect Costs (9.03)
\$ 11,978

Total Cost **\$144,628**



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Mathematics and Reading Professional Development Program (AB 466) (Chapter 737, Statutes of 2001): Including, but not Limited to, Approval of Training Providers and Training Curricula.	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Approve the recommended providers and training curricula for the purposes of providing professional development under the provisions of the Mathematics and Reading Professional Development Program (AB 466).

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At the February 2002 meeting, the Board approved criteria for the approval of training providers and training curricula. The State Board has approved AB 466 training providers and training curricula at previous meetings.

SUMMARY OF KEY ISSUES

AB 466 established the Mathematics and Reading Professional Development Program, which provides incentive funding to districts to train teachers, instructional aides, and paraprofessionals in mathematics and reading. Once the providers and their training curricula are determined to have satisfied the State Board-approved criteria and been approved by the State Board, local education agencies may contract with the approved providers for AB 466 professional development.

The AB 466 review panel recommends approval of the attached list of providers and training curricula.

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of additional AB 466 providers allows more LEAs to access training for which \$31.7 million was allocated for Fiscal Year 2003-04. Approval of additional providers does not affect the total dollars available.

ATTACHMENT

[Attachment 1](#): List of Recommended AB 466 Training Providers and Training Curricula (1 Page)

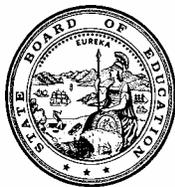
List of Recommended AB 466 Training Providers and Training Curricula

Mathematics

Publisher	Instructional Materials	Grade Level(s)	Provider
Harcourt School Publishers	Harcourt Math	K and 2	Technology in Learning
Harcourt School Publishers	Harcourt Math	2	Tulare, Fresno, Ventura, Los Angeles, and Sacramento County Offices of Education
Scott Foresman	Scott Foresman California Mathematics	2	Sacramento and Los Angeles County Offices of Education
Saxon Publishers, Inc.	Math 76	5	Sacramento and Los Angeles County Offices of Education

Reading/Language Arts

Publisher	Instructional Materials	Grade Level(s)	Provider
Houghton Mifflin	Lectura	K through 6	San Diego County Office of Education
SRA/Open Court	Foro abierto para la lectura	K through 3	San Diego County Office of Education
Houghton Mifflin	Lectura	K through 2	Los Angeles Unified School District
SRA/Open Court	Foro abierto para la lectura	K through 3	Los Angeles Unified School District



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT The Principal Training Program (AB 75): Approval of Local Educational Agencies (LEAs) and Consortia applications for funding	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education approve the attached list of local educational agencies (LEAs) and Consortia that have submitted applications for funding under The Principal Training Program (AB 75), with specific amounts for each LEA or Consortium to be determined by CDE staff in accordance with the established practice for this program.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education approved criteria and requirements for The Principal Training Program applications at the February 2002 meeting.

SUMMARY OF KEY ISSUES

The Principal Training Program requires the State Board of Education to approve all applications for funding.

FISCAL ANALYSIS (AS APPROPRIATE)

Administration of funding is dependent upon further information to be provided by LEAs and Consortia, such as names of administrator participants, and number of hours in actual training. It is feasible that initial award requests will be amended throughout the life of the Principal Training Program. The estimated allocation resulting from approval of these applications in this agenda item is \$30,000.

ATTACHMENT

[Attachment 1](#): Local Educational Agencies Recommended for State Board of Education Approval (1 Page)

[Attachment 2](#): Consortia Members Recommended for State Board of Education Approval (1 Page)

[Attachment 3](#): Program Summary (1 Page)

PRINCIPAL TRAINING PROGRAM
Local Educational Agencies Recommended
For State Board of Education Approval
May 2004

(Applications received during the months of February and March 2004)

LOCAL EDUCATIONAL AGENCIES	Total Number of Site Administrators	Total Amount of State Funding Requested
ALAMEDA Piedmont City Unified	3	\$9,000
BUTTE Bangor Union Elementary	2	\$6,000
CONTRA COSTA John Swett Unified	1	\$3,000
SACRAMENTO Arcohe Union Elementary	1	\$3,000
STANISLAUS Newman-Crows Landing Unified	1	\$3,000
VENTURA Briggs	2	\$6,000
TOTAL	10	\$30,000
	(10 x \$3000)	

PRINCIPAL TRAINING PROGRAM
Local Educational Agencies Recommended to
Participate in Established Consortiums
For State Board of Education Approval
May 2004

(Applications received during the months of February and March 2004)

LOCAL EDUCATIONAL AGENCIES Requested as Consortium Members	Total Number of Site Administrators	Total Amount of State Funding Requested
None to report		
TOTAL		

**PRINCIPAL TRAINING PROGRAM
Program Summary
May 2004**

CURRENT REQUEST SUMMARY

Total number of LEAs recommended for May Approval: 6

Total number of administrators: 10

Total state funds requested by Single LEAs for May approval: \$30,000
(10 x \$3000)

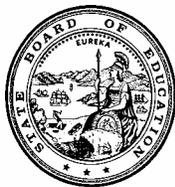
Total number of new consortia recommended for May approval: **None**

Total State Funds Requested \$30,000
(10 LEA participants) x \$3000

SUMMARY TO DATE

Total number of participating LEAs
(393 Single LEA + 247 LEAs included in 20 SBE-approved Consortia): 640

Total number of administrators anticipated for program participation: 10,449



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Principal Training Program (AB 75): Approval of Providers	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

The California Department of Education recommends that the State Board of Education (SBE) approve the list of Recommended Training Providers for The Principal Training Program (AB 75).

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

SBE approved the original criteria and requirements for The Principal Training Program applications at the February 2002 meeting. The training provider criteria were revised for clarification in February 2003. Applications to become an SBE approved provider are reviewed using the approved criteria as revised.

SUMMARY OF KEY ISSUES

The Principal Training Program requires the SBE to approve training providers.

FISCAL ANALYSIS (AS APPROPRIATE)

This item is solely for approval of training providers. Approval of the providers does not directly result in the expenditure of any funds. There are relatively minor state costs associated with the review of submissions by prospective training providers.

ATTACHMENT

[Attachment 1](#): Principal Training Program: Recommended List of Training Providers
(1 Page)

**PRINCIPAL TRAINING PROGRAM
RECOMMENDED LIST OF PROVIDERS - MAY 2004**

MODULE 1 – Leadership and Support of Instructional Programs

Contra Costa County Office of Education

High School Level

Hampton Brown	Hampton Brown, High Point (4-8)
Day 1 and Day 5	CDE Module 1: High School Level

Los Angeles County Office of Education

(In partnership with Sacramento County Office of Education)

Middle School Level

Hampton Brown	Hampton Brown, High Point (4-8)
Holt, Rinehart and Winston	Literature and Language Arts (6-8)
McDougal Littell	Reading and Language Arts (6-8)
Prentice Hall	Timeless Voices, Timeless Themes (6-8)
SRA/McGraw Hill	SRA/REACH (4-8)

Orange County Office of Education

Middle School Level

Prentice Hall	Prentice Hall Pre-Algebra, CA Edition (7)
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Sacramento County Office of Education

High School Level

Prentice Hall	Timeless Voices, Timeless Themes (9-10)
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Santa Cruz County Office of Education

High School Level

Hampton Brown	Hampton Brown, High Point (4-8)
---------------	---------------------------------

San Diego County Office of Education

(In partnership with Sacramento County Office of Education)

Middle School Level

Hampton Brown	Hampton Brown, High Point (4-8)
Holt, Rinehart and Winston	Literature and Language Arts (6-8)
McDougal Littell	Reading and Language Arts (6-8)
Prentice Hall	Timeless Voices, Timeless Themes (6-8)
SRA/McGraw Hill	SRA/REACH (4-8)

Santa Barbara County Office of Education

Middle School Level

McDougal Littell	Concepts & Skills (8)
Hampton Brown	Hampton Brown, High Point (4-8)

Stanislaus County Office of Education

High School Level

Prentice Hall	Timeless Voices, Timeless Themes (9-10)
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CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT English Learner Advisory Committee: Revision of Term of Office and Appointment of Members.	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Approve the proposed revision to the English Learner Advisory Committee (ELAC) term of office and appoint members of the English Learner Advisory Committee.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

On December 9, 1999, the State Board of Education (State Board) established the English Learner Advisory Committee. The role of the ELAC is to provide the State Board with information, guidance, and advice on issues related to English learners.

SUMMARY OF KEY ISSUES

The term of office for the ELAC members were initially set for three years. Each State Board member recommended an individual to serve on the ELAC, with the Board President appointing the committee chair. The full Board voted to appoint the members and to fill vacancies as they arose. Because the term of office of the initial ELAC members were not staggered, the terms of all ELAC members expired in December 2003. There are now 11 vacancies to fill.

State Board staff recommends that the State Board revise the appointment process to allow for staggered term of office. For purposes of establishing staggered terms, State Board staff suggests that in 2004 only, six ELAC members be appointed to three-year terms and five members be appointed to two-year terms. The chair of the committee would be appointed to one of the three-year terms. The term of office for full-term appointments made in 2006 and beyond would be three years.

The attached proposal for revision to the original ELAC term of office allows for continuity on the committee and ensures smoother transitions when terms expire.

FISCAL ANALYSIS (AS APPROPRIATE)

The ELAC meets at the direction of the State Board, no more than three times a year. The ELAC members are not paid, but are reimbursed for travel expenses. Historically, travel expenses have been minimal.

ATTACHMENT

[Attachment 1](#): Proposal for Revision of English Learner Advisory Committee Term of Office (1 Page)

Information on the recommended applicants, if any, will be provided at the May 2004 meeting.

Proposal for Revision of the English Learner Advisory Committee Term of Office

When the State Board of Education established the English Learner Advisory Committee on December 9, 1999, the Board also established a process for appointment of members and the term of office. The following language is the current appointment process:

Membership: Each member of the State Board of Education will recommend one member. The president of the Board will appoint the chair. The full Board will vote to appoint members and to fill vacancies. Staff will be provided by the Board Office.

Term of Office: It is anticipated that the term will be for three years. Missing three meetings will result in being removed.

Under the current appointment process and term of office, there are no staggered terms of office. Thus, in 2003 the terms of office for all ELAC members expired. The current appointment process does not allow for continuity or smooth transition when terms expire. To facilitate the effectiveness of the ELAC, State Board staff recommends revising the current term of office language to establish staggered terms.

For purposes of establishing staggered terms, State Board staff suggests that in 2004 only, six ELAC members be appointed to three-year terms and five members be appointed to two-year terms. The chair of the committee would be appointed to one of the three-year terms. The term of office for full-term appointments made in 2006 and beyond would be three years.

The following proposed revisions to the current policy are recommended:

Membership: Each member of the State Board of Education will recommend one member. The president of the Board will appoint the chair. The full Board will vote to appoint members and to fill vacancies. Staff will be provided by the Board Office.

Term of Office: It is anticipated that the term will be for three years. In 2004 only, six ELAC members will be appointed to three-year terms and five members be appointed to two-year terms. The chair of the committee would be appointed to one of the three-year terms. The term of office for full-term appointments made in 2006 and beyond would be three years. Missing three meetings will result in being removed.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Child Nutrition Advisory Council (Child Nutrition and Physical Activity Advisory Council): Appointment of Secondary School Student Member.	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Appoint a secondary school student as a member of the Child Nutrition and Physical Activity Advisory Council, pursuant to Education Code Section 49533, for a one-year term commencing April 1, 2004.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board appoints members to the Child Nutrition Advisory Council (Child Nutrition and Physical Activity Advisory Council) pursuant to Education Code Section 49533. Though formally known as the Child Nutrition Advisory Council, the Council has informally added physical activity to the issues on which it provides guidance and advice to the State Board of Education. The Council is composed, by statute, of 13 members who serve three-year, staggered terms (except for a student representative, who serves a one-year term). Each member is to represent a special interest area within child nutrition, except for one member who is to be a "lay person."

Informally (without appointment by the State Board), the Council has added several "advisory members" to its composition, two being experts in physical education and activity and one being a school business official.

SUMMARY OF KEY ISSUES

The secondary school student representative position is currently vacant.

It is anticipated that the State Board of Education Student Member (Brent Godfrey) will recommend a candidate for appointment to a one-year term (April 1, 2004 to March 31, 2005)

FISCAL ANALYSIS (AS APPROPRIATE)

Members are not paid, but are reimbursed for travel expenses, which are minimal.

ATTACHMENT

Information on the recommended applicant will be provided at the May 2004 meeting.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Reading First: Approval of Round Three Grant Awards	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the list of local educational agencies (LEAs) for funding for Round Three of the Reading First Program.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE has approved two previous rounds of Reading First grants. Seventy-three LEAs have received grants, and students at 651 schools are being served.

SUMMARY OF KEY ISSUES

Reading First is a federally funded program designed to have every student proficient in reading by the end of third grade. California's plan has as its foundation the SBE adopted standards and SBE adopted instructional materials. We have concentrated our resources in districts with large numbers second and third grade students scoring "below basic" and "far below basic" on the California Standards Test.

Due to passage of AB 1485, this round of grant awards gives priority in funding to applications that include *Education Code* Section 310 Spanish language waiver classrooms. In order to qualify, LEAs must submit an application that receives a passing score in each of 12 areas. When funds set aside specifically for this priority are exhausted, all applications will be ranked and funded based on composite scores. Members of the Reading First Partnership or their designees will read the applications.

The actual scoring of applications and recommendation development will occur after the printing deadline for the May 2004 agenda. (The list of LEAs scored and recommended for funding will be submitted as a last-minute memorandum.)

FISCAL ANALYSIS (AS APPROPRIATE)

An estimated \$15 to \$20 million will be available for Round Three sub-grants. This total is approximate for several reasons, including a proposed budget change (still pending) and the potential addition of some waiver classrooms (that use Spanish-language materials).

ATTACHMENT

The list of LEAs recommended for funding will be submitted as a last-minute memorandum.

LAST MINUTE MEMORANDUM

DATE: May 2004
TO: MEMBERS, STATE BOARD OF EDUCATION
FROM: Sue Stickel, Deputy Superintendent
Curriculum and Instruction Branch
RE: Item No. 32
SUBJECT: Reading First: Approval of Round Three Grant Awards

Education Code Section 51701 (added by Assembly Bill 1485, Chapter 773, Statutes of 2003) requires that approximately \$13.6 million in 2003-04 Reading First funding be allocated on a priority basis to districts that include Section 310 waiver classrooms in their applications.

This \$13.6 million will first be distributed to districts that initially received grants in Rounds One and Two and now propose to add Section 310 waiver classrooms. These districts will receive approximately \$7.7 million.

The remaining amount of approximate \$5.9 million will then be allocated to Round Three districts that included Section 310 waiver classrooms in their applications. They will be funded in rank order until the approximate \$5.9 million is exhausted.

Attachment 1 shows Round Three districts that did include Section 310 waiver classrooms in their applications, ranked by score. Attachment 2 shows Round Three districts that did not include Section 310 waiver classrooms in their applications, also ranked by score.

Once the highest-ranking districts on Attachment 1 exhaust the approximate \$5.9 million in available funds, the remaining districts on Attachment 1 will then be merged with the districts on Attachment 2 and funded in overall rank order until all funding for Round Three is exhausted.

Subsequent to State Board of Education approval, applying districts will be notified and the list of districts receiving grants will be posted on our Web site.

[Attachment 1](#): Reading First Round Three Districts That Did Include Section 310 Bilingual Waiver Classrooms in Their Applications, Ranked by Score (1 Page)

[Attachment 2](#): Reading First Round Three Districts That Did Not Include Section 310 Bilingual Waiver Classrooms in Their Applications, Ranked by Score (1 Page)

**Reading First Round Three Districts
That Did Include
Section 310 Bilingual Waiver Classrooms in Their Applications
Ranked by Score**

County	Local Educational Agency
Tehama	Corning Union Elementary School District
San Diego	Escondido Union Elementary School District
Riverside	Desert Sands Unified School District
Riverside	Banning Unified School District
Los Angeles	El Rancho Unified School District
Sonoma	Santa Rosa City Elementary School District
Los Angeles	Palmdale Elementary School District
Tulare	Richgrove Elementary School District
Los Angeles	Compton Unified School District
San Diego	South Bay Union Elementary School District
Monterey	Alisal Union Elementary School District
Mendocino	Arena Union Elementary School District
Los Angeles	Lancaster Elementary School District
Monterey	Greenfield Union Elementary School District
Ventura	Rio Elementary School District
Santa Cruz	Pajaro Valley Unified School District

**Reading First Round Three Districts
That Did Not Include
Section 310 Bilingual Waiver Classrooms in Their Applications
Ranked by Score**

County	Local Educational Agency
Kern	Delano Union Elementary School District
Imperial	Heber Elementary School District
Merced	Delhi Unified School District
Imperial	Westmoreland Union Elementary School District
Los Angeles	Lynwood Unified School District
Fresno	Raisin City Elementary School District
Los Angeles	Santa Monica Boulevard Community Charter
Los Angeles	Wilsona Elementary School District
San Diego	Vista Unified School District
San Bernardino	Oro Grande Elementary School District
Stanislaus	Keyes Union Elementary School District
Riverside	Alvord Unified School district
San Mateo	Ravenswood City Elementary School District
Kern	Taft City Elementary School District
Merced	Gustine Unified School District
Lake	Konocti Unified School District
Fresno	Selma Unified School District
Stanislaus	Waterford Unified School District
Trinity	Lewiston Elementary School District
Kern	Wasco Union Elementary School District
Monterey	Chualar Union Elementary School District



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Reading First: Approval of Grant Appeal by the Washington Unified School District	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

The California Department of Education recommends that the State Board of Education approve a Reading First grant award for Washington Unified School District based on the district's round two application.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Washington Unified School District was originally denied round two funding for Reading First based upon a determination in the original review process that the district's application did not meet all of the evaluation criteria.

SUMMARY OF KEY ISSUES

The district appealed the original determination. An Appeals Committee again reviewed the application and found that it met or exceeded the evaluation criteria in each of the scored areas. Therefore, a round two grant award for the district is now recommended for approval.

FISCAL ANALYSIS (AS APPROPRIATE)

The grant award for Washington Unified School District is \$253,499 per year for three years.

ATTACHMENT

None



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Consolidated Applications 2003 – 2004: Approval	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the 2003-2004 Consolidated Application (Con Apps) submitted by Local Educational Agencies (LEAs).

SUMMARY OF STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Each year the CDE, in compliance with *California Code of Regulations* Title 5, Section 3920, recommends that SBE approve applications for funding Consolidated Categorical Aid Programs submitted by LEAs. To date, the SBE has approved Con Apps for 1264 LEAs. This is the third year LEAs have completed, and submitted the Con App via a software package downloaded from the Internet. This mechanism substantially decreased calculation errors and the time needed for review and approval.

There are 17 state and federal programs that LEAs may apply for in the Con App. Approximately \$2.4 billion is distributed annually through the Con App process. The state funding sources include: School Improvement Program, Economic Impact Aid (which is used for State Compensatory Education (SCE) and/or English Learners), Miller-Unruh, Tobacco Use Prevention Education, 10th Grade Counseling, Peer Assistance Review, Instructional Time and Staff Development Reform, and School Safety (AB 1113). The federal funding sources include: Title I, Part A Basic Grant (Low Income); Title I, Part A (Neglected); Title I, Part D, (Delinquent); Title II, Part A (Teacher Quality); Title II, Part D (Technology); Title III, Part A (LEP Students); Title IV, Part A (SDFSC); and Title V, Part A (Innovative); and Title VI, Part B (Rural, Low-Income).

CDE provides the State Board of Education with two types of approval recommendations. Regular approval is recommended when an LEA has submitted a correct and complete Consolidated Application, Part I and have no serious noncompliant issues over 365 days. Conditional approval is recommended when an LEA has submitted a correct and complete Consolidated Application, Part I, but has one or more serious noncompliant issues over 365 days. Conditional approval provides authority to the LEA to spend its categorical funds on the condition that it resolves or makes significant progress toward resolving noncompliant issues. In extreme cases, conditional approval may include the withholding of funds.

At its meeting in January, the SBE granted conditional approval for the Consolidated Application for Oakland Unified School District (USD). The district has longstanding noncompliant issues related to services for English learners. No action was recommended to withhold funds. The SBE requested an update on the progress of Oakland USD at the May SBE Meeting.

SUMMARY OF KEY ISSUES

CDE recommends regular approval of the Consolidated Application for five charter schools (see Attachment 1 for the list of charter schools).

Oakland USD has made significant strides toward resolving its noncompliant issues for English learners. In 2001, there were 15 noncompliant issues related to services for English learners. The district has participated in a multi-year, follow-up process with CDE and the Office of Civil Rights (OCR) to address noncompliance. Of the 15 noncompliant issues in 2001, the district has resolved all, except two. The most recent follow-up visit to Oakland was at the end of March. The report from that visit will be available by the May SBE Meeting. No further SBE action is recommended at this time.

FISCAL ANALYSIS (AS APPROPRIATE)

Minimal CDE cost to track the SBE approval status of the Consolidated Applications for approximately 1,300 LEAs.

ATTACHMENT

[Attachment 1](#): Consolidated Application list (1 Page).

It is likely that a few more Charter Schools will submit a Con App, in which case a Last Minute Memorandum will be necessary.

**Recommended for
Regular Approval:**

The following LEAs have submitted a correct and complete Consolidated Application, Part I, and have no compliance issues crucial to student achievement outstanding for more than 365 days. The Department recommends regular approval of these applications.

CD Code	School Code	Local Educational Agency Name	2002 STAR Data						
			2002-2003			Percent of Students Scoring At or Above			
			2002-2003 ConApp Entitlement	2002-2003 Entitlement Per Student	2002-2003 Entitlement Per Low Income Student	Mathematics		Reading	
			Advanced or Basic	Advanced or Proficient	Advanced or Basic	Advanced or Proficient			
4369583	0100131	Advent Academy	0	0.00	0.00	0.0	0.0	0.0	0.0
1964733	0101675	Animo Boyle Heights Charter School	0	0.00	0.00	0.0	0.0	0.0	0.0
1975663	6120158	New West Charter Middle	0	0.00	0.00	0.0	0.0	0.0	0.0
1964733	6018642	Pacoima Charter Elementary	0	0.00	0.00	23.6	15.4	22.0	5.3
1910199	0102145	Progressive Education Entrepreneurial Charter	0	0.00	0.00	0.0	0.0	0.0	0.0

5 Total Number of LEAs in the report
 \$0 Total ConApp entitlement for districts receiving regular approval
 \$0 Total ConApp entitlement for districts receiving conditional approval
 \$0 Total ConApp entitlement



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Oakland Unified School District: Compliance Update	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

This compliance update for Oakland Unified School District is presented for information only upon request of the State Board of Education (SBE).

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

To date, the SBE has approved Consolidated Applications for 1264 Local Education Agency (LEA). California Department of Education (CDE) provides the SBE with two types of approval recommendations. Regular approval is recommended when an LEA has submitted a correct and complete Consolidated Application, Part I and have no serious noncompliant issues over 365 days. Conditional approval is recommended when an LEA has submitted a correct and complete Consolidated Application, Part I, but has one or more serious noncompliant issues over 365 days. Conditional approval provides authority to the LEA to spend their categorical funds on the condition that they resolve or make significant progress toward resolving noncompliant issues. In extreme cases, conditional approval may include the withholding of funds.

At the meeting in January, the SBE granted conditional approval for the Consolidated Application for Oakland Unified School District. (USD) The district has longstanding noncompliant issues related to services for English learners. No action was recommended to withhold funds. The SBE requested an update on the progress of Oakland USD at the May SBE Meeting.

SUMMARY OF KEY ISSUES

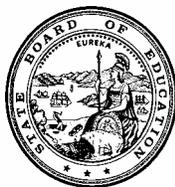
Oakland USD has made significant strides toward resolving their noncompliant issues for English learners. In 2001, there were 15 noncompliant issues related to services for English learners. The district has participated in a multi-year, follow-up process with CDE and the Office of Civil Rights (OCR) to address their noncompliant issues. Of the 15 noncompliant issues in 2001, the district has resolved all, except two issues. The district is still resolving an issue of access to English language development (ELD) for all English learners and targeted intervention for English learners with academic deficits. The most recent follow-up visit to Oakland was at the end of March. No further SBE action is required or recommended at this time.

FISCAL ANALYSIS (AS APPROPRIATE)

Minimal CDE cost to track the SBE approval status of the Consolidated Applications for approximately 1,300 LEAs.

ATTACHMENT

None



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Legislative Update: Including, but not limited to, information on legislation.	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

The following items are presented to the State Board of Education (SBE) for information and action as deemed necessary and appropriate.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In the April 2004 informational memorandum an update of legislative measures that fall under the six core principals adopted by the board at the November 2003 meeting was provided.

SUMMARY OF KEY ISSUES

The legislative measures presented to the board include only bills that fall under the six SBE adopted principals. The status of each measure is included in the legislative update. The first attachment is an update of legislative measures provided to the SBE in the April memorandum. The second attachment is an analysis of Assembly Bill 1897 authored by Assemblywoman Reyes to assist the board in determining its position on a resolution presented by student member Brent Godfrey. This analysis was prepared by the California Department of Education (CDE) Government Affairs staff. The third attachment is the text of AB 1897. April 23, 2004 was the last day for policy committees to hear and report Assembly fiscal bills for referral to fiscal committees and we will continue to update the board as the second half of the 2003-2004 legislative session progresses.

FISCAL ANALYSIS (AS APPROPRIATE)

The fiscal impact is noted in the attached legislative update.

ATTACHMENT

- [Attachment 1](#): Legislative update (5 pages)
- [Attachment 2](#): Analysis of AB 1897 (1 page)
- [Attachment 3](#): Text of AB 1897 (2 pages)

Legislative Update

1. **Preserve the existing assessment system including the Standardized Testing and Reporting (STAR) Program, the California High School Exit Exam (CAHSEE), and the California English Language Development Test (CELDT).**

SB 1448 (Alpert): reauthorizes the STAR program.

In its current form, this bill, sponsored by the Superintendent of Public Instruction, extends the repeal date of the act to January 1, 2011; adds that the results of the California Standardized Testing (CST) be correlated and predictive of National Assessment of Educational Progress (NAEP) at grades 4 and 8; includes intent for CST at high school to be more aligned to courses that meet A-G; and directs that results from high school CST be used for higher education placement purposes.

Proposed amendments would:

- delete the NAEP amendment
- clarify with intent language, standards-based assessments vs. diagnostic tests and the function of each
- change the Norm Referenced Test from grades 3 and 8 to grades 3 and 7
- include authority for a pupil or pupil's parent or guardian to release test scores to a postsecondary institution
- release 25% of CST items each year and provide added flexibility for primary language assessments.

This bill passed the Assembly education Committee on April 21, 2004.

AB 2413 (Diaz): English Learners: Testing

This bill would require CDE, beginning on January 1, 2005, to develop the California Standards Tests of language arts and mathematics in the 2 primary written languages of limited-English-proficient pupils, as identified in the annual language census. It would:

- require that the primary language assessments be administered to limited-English-proficient pupils who receive instruction in their primary language or who enroll in public school;
- require the assessments to be phased in by specified grade levels beginning on July 1, 2006, and require pupil data from those assessments be included in the Academic Performance Index. The bill would require CDE to use Title VI federal funds for this purpose;
- provide for the development of other primary language assessments if additional funds become available.
- Provide that the tests only be administered if sufficient funding is available for that purpose
- specify that a limited-English-proficient pupil who has attended public school in the United States for 3 or more consecutive years be administered the assessments in English, beginning on July 1, 2006
- This bill was heard in the Assembly Education Committee on April 21, 2004, and passed out on Special Consent.

2. Maintain the accountability system, making only those minor conforming changes necessary to comply with the No Child Left Behind (NCLB) Act.

SB 1419 (Vasconcellos): School accountability: Opportunity to Learn Index:

This bill creates the Opportunities for Teaching and Learning (OTL) index as a component of the Public School Performance Accountability Program (E.C.52051). The OTL index would:

- measure the access to high-quality learning resources, conditions, and opportunities, based on specified criteria.
- include criteria such as the number of fully and properly credentialed teachers employed at the school, the availability of adequate and appropriate instructional materials, and the physical condition and maintenance of school facilities, among other things.

Scheduled to be heard on April 21, 2004, in the Senate Education Committee.

Note: SB 1419 is the same bill as SB 495 that was vetoed by Governor Davis in 2003.

AB 2360 (Daucher): Special Education: Progress

This bill would require that an interagency contract between a school district, a county office of education and/or a special education local plan area and a non-public non-sectarian school (NPS), for special education and related services to include specified provisions. The contract should include a requirement that the NPS shall test each of its pupils, placed by a school district, special education local plan area or county office of education, in accordance with the Public School Performance Accountability Program. (The provision to require the NPS to report the progress made towards pupils' individualized education plan (IEP) goals as a condition of its services being continued was deleted). The bill specifies that:

- the assessments used to determine the progress shall be the same as those used by the public schools;
- the school shall participate in the Public School Performance Accountability Program (E.C. 52051), just like the public school;
- the NPS shall test each of its pupils in accordance with the accountability program and would further be required to report the scores to the district in which it is located, in order that the results can be included in that district's reports.
- The school shall prepare a school accountability report card in accordance with E.C. Section 33126. (new provision)
- The author agreed in committee on April 21, 2004, to limit the education code reference to the testing and reporting components of the Public School Performance Accountability Program, as she only intended the bill to require certain NPSs to provide and report testing for specified students.

The bill passed out of the Assembly Education Committee with a 11-0 vote on April 21, 2004, with technical amendments. The bill will be referred to the Assembly Appropriations Committee.

3. Encourage more submission of instructional materials by publishers that will meet California's rigorous requirements.

SB 1405 (Karnette): High School Reform: high school instructional materials: This bill, sponsored by the Superintendent of Public Instruction, would improve high school instructional materials by creating a State of California “seal of approval” to identify materials aligned to California’s world-class standards.

The bill was heard in the Senate Education Committee on April 21, 2004, and placed on suspense. The bill was released from the suspense file on April 22, 2004, after the author agreed to accept the following amendments:

- The State Superintendent of Public Instruction shall commence the advisory review of instructional materials for grades 9 through 12, inclusive, by soliciting recommendations from local education agencies which include high schools. The State Superintendent of Public Instruction shall present and make these recommendations available throughout the review process.
- In the development of advisory recommendations, the State Superintendent of Public Instruction shall consider that high schools use multiple instructional media and sources in the development of instructional materials that provide a standards-based program in the various content areas. The published list shall include, where appropriate, both individual and bundled instructional materials that provide the basis for rigorous standards-based instruction and learning.

4. Safeguard the academic content standards as the foundation of California's K-12 educational system.

AB 2744 (Goldberg): Testing: Content Standards. This bill would remove the authority of the State Board of Education to modify proposed content and performance standards and instead would require the Superintendent of Public Instruction to appoint content standards review panels in each subject area to review content standards every 3 years.

- Members of each panel shall consist of public school teachers, of diverse grade levels, geographic areas and diverse teaching backgrounds, i.e. special education and English language,
- Members shall be appointed based upon their nomination by subject area professional organizations (need not be a member),
- Member’s shall revise these standards as they deem necessary,
- Member's term expires upon completion of review of content standards.

Upon the establishment of content standards the Superintendent of Public Instruction shall also appoint a content standards panel. The adoption of these standards is subject to the rulemaking requirements and procedures set forth in the Administrative Procedure Act.

This was heard in the Assembly Education Committee on April 21, 2004, and was passed out on Special Consent.

AB 1922 (Nation): Instructional Materials: funding: This bill authorizes a school district to expend 30 percent of its IMF allowance to purchase instructional materials that are not adopted by the state board of education.

Not yet scheduled to be heard in the Assembly Education Committee.

5. Strengthen coordination between K-12 and higher education.

SB 905 (Chesbro): Educational Enrichment: As introduced, January 26, 2004, this bill revises current law on educational enrichment as it relates to concurrent enrollment of pupils in high school and community college. This bill makes changes to current law by eliminating specified requirements for and restrictions upon the admission of K-12 students to a community college summer session as special part-time or full-time students. Specifically, SB 905 would:

- delete the requirement that a student recommended for admission by the principal of a school must demonstrate adequate preparation in the discipline to be studied.
- eliminate the restriction, currently 5% of the total number of students who completed a particular grade level, on the number of students a principal may recommend for a community college summer session.

Funding may be an issue if the bill results in the redirection of fiscal resources to support increased summer concurrent enrollment

On January 27, 2004, the Senate passed this measure 35-1. Currently, the bill is awaiting action on the Assembly floor.

AB 1819 (La Malfa): Concurrent Enrollment: This bill would remove enrollment caps on the number of high school students who may enroll in community colleges as special admit students.

- This bill would delete current limitations on the authority of a principal to recommend a pupil for community college summer session.
- This bill would delete the 5% cap on the number of special admit students who may be recommended by a principal for a community college summer session attendance.
- This bill would delete the 10% cap on the enrollment of special admit students in physical education classes.
- This bill would delete the 5% cap on the amount of state apportionment that a community college district may claim for total reported full-time equivalent (FTE) enrollment of special admit students in physical education classes.
- This bill is an urgency measure and will require a 2/3 floor vote for passage.

CDE recommends that a task force consisting of Community College Chancellor's Office, California Department of Education, Office of the Secretary of Education be formed to review all of the issues involved with concurrent enrollment and establish a comprehensive set of standards and policies.

This bill recently passed the Assembly Higher Education Committee 7-0. Amendments included the removal of the section relating to the physical education cap and the measure is scheduled to be heard in the Assembly Education Committee on May 5, 2004.

6. Encourage only high-quality charter schools

About 16 charter school bills have been introduced, many of which are spot bills. They cover various issues recommended by the Legislative Analyst, such as:

- specifying categorical programs included in the charter school block grant
- removing the cap on the number of charter schools in the state
- clarifying and capping the oversight fees that a charter authorizer may charge a charter school.

A few charter schools bills of interest are:

AB 1860 (Reyes): Charter Schools: A spot bill for now, but the author intends to address many of the Legislative Analyst's recommendations, including requirements for charter authorizers.

Currently, this bill is awaiting a hearing date in Assembly Education Committee.

AB 2764 (Bates, co-author Alpert): Charter Schools: Ms. Bates' second attempt to expand the types of charter authorizers. This bill would expand authorizers to include community colleges, California State Universities and Universities of California.

The measure was heard in the Assembly Education Committee on April 14, 2004, where the bill received sufficient votes to pass out of committee, however, some committee members stated that they did not know if they will vote for the bill went it reaches the Assembly Floor. One concern is that provisions in AB 2764 (i.e., to expand the pool of charter school authorizers) conflict with provisions of AB 1994 (Reyes, Chapter 1058, Statutes of 2002), which specified which entities may authorize a charter school (primarily local school districts) under specified conditions.

On April 21, 2004, the bill passed the Assembly Higher Education Committee. In the Higher Education Committee, Ms. Bates accepted amendments to her bill to create a pilot program under which each university system would be allowed to authorize a total of 10 charter schools.

AB 1726 (Ashburn): This bill, sponsored by the California Association of Charter Schools, would expand charter schools' eligibility for facility funds.

The bill will be heard in Senate Education Committee on April 21, 2004.

SB 1531 (Knight): This bill would remove the restriction on the number of charter schools that are authorized to operate in California each year, pursuant to recommendations made recently by the Rand Report and the Legislative Analyst's

Office. The measure failed passage in Senate Education Committee on April 14, 2004. Dissenting members commented that there's no need to remove the cap since the number of charter schools has never come close to meeting the statutory number, and charter schools are still "experimental" since they have not (collectively) proven to be superior to traditional public schools.

CDE Government Affairs Analysis of Assembly Bill 1897 (Reyes)

Prepared by: Mary Ann Goodwin, Education Program Consultant, School Improvement Division

Existing law requires the governing board of a school district to appoint to its membership one or more non-voting or preferential voting pupil members, as defined, *if pupils petition the governing board* to make those appointments. High school students must submit a petition to the local school board to request representation.

AB 1897 would require school district governing boards that maintain one or more high schools to appoint to its membership one or more preferential voting pupil members. The measure would delete the non-voting option and the requirement for high school students to petition for their representation.

- The governing board would be required to continue to grant each pupil member "preferential voting privileges," meaning a formal expression of opinion that is recorded in the minutes and cast prior to the official vote of the governing board. A preferential vote will not serve in determining the final numerical outcome of a vote or be made on matters subject to closed session discussion.
- The governing board may adopt a resolution authorizing the non-voting pupil member or members to make motions that may be acted upon by the governing board, except on matters dealing with employer-employee relations.
- Each pupil member shall have the right to attend all meetings of the governing board, except executive sessions. The pupil member must be chosen by the pupils enrolled in the high school or high schools of the district in accordance with procedures prescribed by the governing board.

Pros:

- This bill would strengthen the voice of the high school students, in that an opinion would be sought before each vote.
- High school students would not have to petition to be represented on the board.
- The high school representative would have a "preferential vote" allowing him or her to express the student body's needs or concerns.

Cons:

- School districts may incur new costs associated with notifying the high school(s) student bodies of board representation opportunity, such as letters to homes.
- This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

BILL NUMBER: AB 1897 AMENDED BILL TEXT
AMENDED IN ASSEMBLY MARCH 24, 2004
INTRODUCED BY Assembly Member Reyes
FEBRUARY 9, 2004

An act to amend Section 35012 of the Education Code, relating to school districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1897, as amended, Reyes. School district governing boards: pupil members.

Existing law requires the governing board of a school district to appoint to its membership one or more nonvoting or preferential voting pupil members, as defined, if pupils petition the governing board to make those appointments.

This bill would delete those provisions and would instead require the governing board of a school district to appoint to its membership one or more preferential voting pupil members, as defined.

This bill would make that duty operative commencing on July 1, 2005.

By imposing additional duties on school districts, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 35012 of the Education Code is amended to read:

35012. (a) Except as otherwise provided, the governing board of a school district shall consist of five members elected at large by the qualified voters of the district. The terms of the members shall, except as otherwise provided, be for four years and staggered so that as nearly as practicable one-half of the members shall be elected in each odd-numbered year.

(b) A unified school district may have a governing board of seven members in the event the proposal for unification has specified a governing board of seven members. The members of the board shall be elected at large or by trustee areas as designated in the proposal for unification and shall serve four-year terms of office.

(c) Notwithstanding subdivision (a), and except as provided in this subdivision and Section 5018, the governing board of an elementary school district, other than a union or joint union elementary school district, shall consist of three members selected at large from the territory comprising the district. If, in that elementary school district the average daily attendance during the preceding fiscal year is 300 or more, the procedures prescribed by Section 5018 shall be undertaken.

(d) (1) ~~Each~~ *Commencing July 1, 2005, each* governing board of a school district maintaining one or more high schools shall appoint one or more preferential voting pupil members to the governing board of the school district. The pupil shall be included within the membership of the governing board, in addition to the number of members otherwise prescribed.

(2) The governing board shall grant each pupil member preferential voting privileges as defined in paragraph (3).

(3) "Preferential voting," as used in the section, means a formal expression of opinion that is recorded in the minutes and cast prior to the official vote of the governing board. A preferential vote will not serve in determining the final numerical outcome of a vote. No preferential vote will be solicited on matters subject to closed session discussion.

(4) The governing board may adopt a resolution authorizing each preferential voting pupil member to make motions that may be acted upon by the governing board, except on matters dealing with employer-employee relations pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.

(5) Each pupil member shall have the right to attend each and all meetings of the governing board, except executive sessions.

(6) Each pupil selected to serve as a preferential voting member of the governing board shall be enrolled in a high school of the district, may be less than 18 years of age, and shall be chosen by the pupils enrolled in the high school or high schools of the district in accordance with procedures prescribed by the governing board. *The procedures shall ensure that each high school within the school district has one pupil member on the board at least once every two years.* The term of each pupil member shall be one year commencing on July 1 of each year.

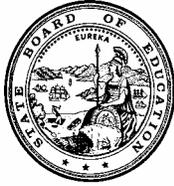
(7) ~~Each~~ A preferential voting pupil member ~~shall be~~ *is not* entitled to the mileage allowance to the same extent as regular members, ~~but~~ *and* is not entitled to the compensation prescribed by Section 35120.

(8) Each preferential voting pupil member shall be seated with the members of the governing board and shall be recognized as a full member of the board at the meetings, including receiving all materials presented to the board members and participating in the questioning of witnesses and the discussion of issues.

(9) The preferential voting pupil member shall not be included in determining the vote required to carry any measure before the board.

(10) The preferential voting pupil member is not liable for any acts of the governing board.

SEC. 2. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Assignment of Numbers for Charter School Petitions	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

California Department of Education (CDE) staff recommends that the State Board of Education (SBE) assign charter numbers to the charter schools identified on the attached list.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE is responsible for assigning a number to each approved charter petition. On the advice of legal counsel, CDE staff is presenting this routine request for a charter number as a standard action item.

Since the charter school law was enacted in 1992, the SBE has assigned numbers to 616 charter schools, including nine approved by SBE after denial by the local agencies. Of these 616 schools, approximately 471 are estimated to be operating in the 2003-04 school year.

SUMMARY OF KEY ISSUES

The law allows for the establishment of charter schools. A charter school typically is approved by a local school district or county office of education. The entity that approves a charter is also responsible for ongoing oversight. A charter school must comply with all the contents of its charter, but is otherwise exempt from most other laws governing school districts.

Education Code Section 47602 requires the SBE to assign a number to each charter school that has been approved by a local entity in the chronological order in which it was received. This numbering ensures that the state is within the cap on the total number of charter schools authorized to operate. As of July 1, 2003, the number of charter schools that may be authorized to operate in the state is 750. This cap may not be waived. This item will assign numbers to 22 more charter schools. Copies of the charter petitions are on file in the Charter School Division.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal impact resulting from the assignment of numbers to recently authorized charter schools.

ATTACHMENT

[Attachment 1](#): Assignment of Numbers for Charter School Petitions (3 Pages)

MAY 2004 STATE BOARD OF EDUCATION MEETING

Assignment of Numbers for Charter School Petitions

NUMBER	CHARTER SCHOOL NAME	CHARTER SCHOOL COUNTY	AUTHORIZING ENTITY	CHARTER SCHOOL CONTACT
616	Mark West Charter School	Sonoma	Mark West Union School District	Joan Gibson 373 Baile de Ciervos Santa Rosa, CA 95403 (707) 579-4570
617	Global Youth Charter High School	Sacramento	Center Unified School District	Paul Keefer 8725 Watt Avenue Antelope, CA 95843 (916) 339-4697
618	Nia Educational Charter School	Los Angeles	Pasadena Unified School District	Naima Olugbala-Knox 470 East Claremont Street Pasadena, CA 91109 (626) 795-6981
619	Ivy Academia Charter School	Los Angeles	Los Angeles Unified School District	Eugene Selivanov 6221 Follbrook Woodland Hills, CA 91367 (818) 332-4136
620	Gateway to College Early College High School	Riverside	Riverside Unified School District	Shelagh Camak 4800 Magnolia Avenue Riverside, CA 92506 (909) 222-8671
621	Southern California Connections Academy	San Diego	San Diego Unified School District	Dr. Franci Sassin 26440 Via California Capistrano Beach, CA 92624 (949) 489-1219 (949) 306-8498

Assignment of Numbers for Charter School Petitions

Attachment 1

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622	High Tech Media Arts	San Diego	San Diego Unified School District	Larry Rosenstock 2861 Womble Road San Diego, CA 92106-6025 (619) 243-5014
623	High Tech International	San Diego	San Diego Unified School District	Larry Rosenstock 2861 Womble Road San Diego, CA 92106-6025 (619) 243-5014
624	P.R.I.D.E. Charter High School	San Diego	San Diego Unified School District	Sharon Whitehurst-Payne P.O. Box 880235 San Diego, CA 92168 (619) 527-7169 (619) 944-1097
625	Stockton Elementary School	San Joaquin	Stockton Unified School District	Elise Darwish 3 Twin Dolphin Dr. Suite 200 Redwood City, CA 94065 (650) 637-2060 X 133
626	East Palo Alto Elementary School	San Mateo	Ravenswood City School District	Elise Darwish 3 Twin Dolphin Dr. Suite 200 Redwood City, CA 94605 (650) 637-2060 X 133
627	Guajome Park SIA Tech	San Diego	Vista Unified School District	Mike Hadjiaghai 217 Escondido Ave #7 Vista, CA 92084 (760) 945-1227
628	KIPP Heartwood Academy	Santa Clara	Alum Rock Union Elementary District	Senba Zhumkhawala 1747 Blossom Hill Rd. San Jose, CA 95124 (408) 234-7063
629	KIPP Academy Fresno	Fresno	Fresno Unified School District	Chi Tschang 2124 West Altuvial Ave. Fresno, CA 93711 (559) 307-8989

Assignment of Numbers for Charter School Petitions

Attachment 1

Page 3 of 3

630	Leadership Public Schools-Oakland Independent Charter	Alameda	Oakland Unified School District	Mark Kushner P.O. Box 29527 San Francisco, CA 94129 (415) 561-3397
631	Merced Community Scholars	Merced	Merced County Office of Education	Annette Palmer 1850 Wardrobe Ave. Merced, CA 95340 (209) 381-1416
632	Therapeutic Education Center	Orange	Santa Ana Unified School District	Theresa Dubois 2130 East Fourth St. Santa Ana, CA 92705 (714) 543-5437
633	Diamond Mountain Charter High School	Lassen	Lassen Union High School District	Dan Lewis 55 South Weatherlow Susanville, CA 96130 (530) 257-5134
634	William Finch Charter School	Glenn	Glenn County Office of Education	Ann Lambert 924 Second Street Orland, CA 95963 (530) 865-1277 X 201
635	Camino Nuevo High School	Los Angeles	Los Angeles Unified School District	Ana Ponce 3500 W. Temple Street Los Angeles, CA 90004 (213) 736-5542 x 106
636	Synergy Charter Academy	Los Angeles	Los Angeles Unified School District	Randy Palisoc P.O. Box 78391 Los Angeles, CA 90016 (323) 931-3298
637	Golden Eagle Charter School	Siskiyou	Siskiyou Union High School District	Shelly Adams P.O. Box 508 McCloud, CA 96057 (530) 964-2635



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Advisory Commission on Charter Schools: Appointment of Member.	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Appoint a member of the Advisory Commission on Charter Schools, representing school district superintendents, pursuant to Education Code Section 47634.2(b) and State Board Policy 01-04. The district superintendent representative is to serve a two-year term commencing January 1, 2004.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board appoints members to the Advisory Commission on Charter Schools (ACCS) pursuant to Education Code Section 47634.2(b) and State Board Policy 01-04. The ACCS is composed of nine members, eight of whom serve two-year, staggered terms. The ninth member is a designee of the State Superintendent. Members represent specific interest areas within the education community, including school district superintendents, charter schools, teachers, parents (guardians), members of the governing boards of school districts, and county superintendents of schools.

SUMMARY OF KEY ISSUES

The district superintendent representative position is currently vacant.

It is anticipated that the State Board's charter school liaisons (Reed Hastings and Don Fisher) will recommend an individual for appointment to the position.

FISCAL ANALYSIS (AS APPROPRIATE)

The ACCS members are reimbursed for their travel expenses. These costs are minimal.

ATTACHMENT

Information on the recommended applicant will be provided at the May 2004 meeting.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Determination of funding requests from charter schools pursuant to Senate Bill (SB) 740 (Chapter 892, Statutes of 2001), specifically <i>Education Code</i> sections 47612.5 and 47634.2, and <i>California Code of Regulations</i> , Title 5 sections 11963 to 11963.6, inclusive: approval for 2003-04 (and beyond)	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Approve various 2003-04 (and beyond) determination of funding requests from charter schools pursuant to *Education Code* sections 47612.5 and 47634.2, and *California Code of Regulations*, Title 5 sections 11963 to 11963.6, inclusive, based upon the recommendations of the Advisory Commission on Charter Schools (ACCS) and the California Department of Education (CDE).

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

SB 740 enacted (possible) funding reductions for charter schools that offer nonclassroom-based instruction. Nonclassroom-based instruction occurs when a charter school does not require attendance of its pupils at the school site under the direct supervision and control of a qualified teaching employee of the school for at least 80 percent of the required instructional time. For 2003-04 and each fiscal year thereafter, the law states that funding reductions of 30 percent of qualifying charter schools' nonclassroom-based average daily attendance (ADA) shall be made unless the State Board of Education (SBE) determines that a greater or lesser percentage is appropriate for a particular charter school. Furthermore, pursuant to SB 740, a charter school is prohibited from receiving any funding for nonclassroom-based instruction unless the SBE determines its eligibility for funding.

SB 740 also established the ACCS to develop the criteria for the SBE to use in making funding determinations. The ACCS also provides recommendations to the SBE on appropriate funding determinations for nonclassroom-based charter schools and on other aspects of the SBE's duties under the Charter Schools Act.

The SBE adopted permanent regulations that became operative in November 2003 that specified the criteria that a nonclassroom-based charter school must meet in order for the SBE to determine that the school shall receive 100 percent funding. For 2003-04 and each fiscal year thereafter, the full funding criteria are that at least 50 percent of the school's public revenues must be spent on certificated employee salaries and benefits, at least 80 percent of all revenues must be spent on instruction and instruction-related costs, and the student-to-teacher ratio may not exceed the student-to-teacher ratio of the largest unified school district in the county in which the charter school is located. Schools must spend a minimum of 40 percent on certificated employee salaries and benefits and 60 percent on instruction and instruction-related costs or the funding

percentage is zero. Pursuant to the regulations, the SBE may approve a higher or lower funding level than the criteria would prescribe based upon mitigating circumstances of the school that indicate that a higher or lower funding level is appropriate.

At the March 2004 meeting, the SBE approved several 2003-04 (and beyond) funding determination requests.

SUMMARY OF KEY ISSUES

Pursuant to the SB 740 regulations, all funding determination requests are required to be submitted to the CDE by February 1. Following is a list of recommendations from ACCS meetings on March 18, 2004 and April 16, 2004, which contain the majority of the remaining funding determination requests to be considered for 2003-04.

FISCAL ANALYSIS (AS APPROPRIATE)

A determination of funding request approved at less than the 100 percent level may result in reduced apportionment claims to the state. The reductions in claims would result in a proportionate reduction in expenditure demands for Proposition 98 funds. All Proposition 98 funds, by law, must be expended each fiscal year. Thus, a reduction in apportionment claims may be more accurately characterized as an expenditure shift than as absolute savings under typical circumstances. In 2002-03, funding determination requests approved by the SBE at less than 100 percent resulted in over \$30 million in reduced apportionment claims. The reduction in 2003-04 is expected to be smaller; however, the amount will not be known until after the Second Principal Apportionment in June 2004.

ATTACHMENT

[Attachment 1](#): 2003-2004 Funding Determination Requests (3 Pages)

**2003-2004 Funding Determination Requests
May 2004**

2003-2004 (AND BEYOND)

The following determination of funding request is recommended for approval by the State Board of Education for three years (2003-2004, 2004-2005, and 2005-2006) at the 100 percent level. The reasons justifying a level higher than 70 percent in 2003-2004 and beyond are that (1) the school met the minimum criteria specified in regulation for the 100 percent level, and (2) the school presented sufficient evidence (taking the totality of the request into account along with any other credible information that may have been available) that the 100 percent funding determination level is necessary for the school to maintain nonclassroom-based instruction that is conducted for the instructional benefit of the student and is substantially dedicated to that function.

Charter Number	Charter Name	2003-2004	2004-2005	2005-2006
#020	Santa Barbara Elementary Charter School	100%	100%	100%
#120	River Valley Charter School	100%	100%	100%
#257	Sanger Hallmark Charter School	100%	100%	100%
#357	Denair Charter Academy	100%	100%	100%

The following determination of funding request is recommended for approval by the State Board of Education for two years (2003-2004 and 2004-2005) at the 100 percent level. The reasons justifying a level higher than 70 percent in 2003-2004 and beyond are that (1) the school met the minimum criteria specified in regulation for the 100 percent level, and (2) the school presented sufficient evidence (taking the totality of the request into account along with any other credible information that may have been available) that the 100 percent funding determination level is necessary for the school to maintain nonclassroom-based instruction that is conducted for the instructional benefit of the student and is substantially dedicated to that function.

Charter Number	Charter Name	2003-2004	2004-2005
#320	Long Valley Charter School	100%	100%
#332	Valley Oaks Charter School (Kern)	100%	100%
#500	Applied Sciences and Technology Academy	100%	100%
#501	Valley Oak Charter School (Ventura)	100%	100%

The following determination of funding request is recommended for approval by the State Board of Education for one year only (2003-2004) at the 100 percent level. The reasons justifying a level higher than 70 percent in 2003-2004 and beyond are that (1) the school met the minimum criteria specified in regulation for the 100 percent level, and (2) the school presented sufficient evidence (taking the totality of the request into account along with any other credible information that may have been available) that the 100 percent funding determination level is necessary for the school to maintain nonclassroom-based instruction that is conducted for the instructional benefit of the student and is substantially dedicated to that function.

Charter Number	<i>Charter Name</i>	2003-2004
#015	Horizon Instructional Systems	100%
#061	Choice 2000 Charter School	100%
#067	HomeTech Charter School	100%
#069	Nevada City Charter School	100%
#110	Learning Community Charter School	100%
#155	Paradise Charter Network	100%
#159	Mattole Valley Charter School	100%
#160	Liberty Family Academy	100%
#163	New Millennium Institute of Education	100%
#196	Fresno Prep Academy	100%
#199	The Classical Academy	100%
#247	Pacific View Charter School (San Diego)	100%
#250	Charter Home School Academy	100%
#277	Pacific View Charter School (Humboldt)	100%
#362	Learning for Life Charter School	100%
#366	Shenandoah High School	100%
#375	La Vida Independent Study Charter	100%
#386	University Prep Charter School	100%
#392	Gold Rush Home Study Charter School	100%
#492	Pathways Charter School	100%
#516	Coastal Academy	100%
#527	Mountain Oaks Charter School	100%
#528	Archway Academy	100%
#591	Oasis Charter Academy	100%

The following determination of funding request is recommended for approval by the State Board of Education for one year only (2003-2004) at the 85 percent level.

The reasons justifying a level higher than 70 percent in 2003-2004 and beyond are that (1) the school met the minimum criteria specified in regulation for the 85 percent level, and (2) the school presented sufficient evidence (taking the totality of the request into account along with any other credible information that may have been available) that the 85 percent funding determination level is necessary for the school to maintain nonclassroom-based instruction that is conducted for the instructional benefit of the student and is substantially dedicated to that function.

Charter Number	<i>Charter Name</i>	2003-2004
#024	Vantage Point Charter School	85%
#370	Wheatland Charter Academy	85%

The following determination of funding request is recommended for approval by the State Board of Education for one year only (2003-2004) at the 70 percent level.

Charter Number	<i>Charter Name</i>	2003-2004
#262	California Charter Academy – San Bernardino	70%
#377	California Charter Academy - Affiliates	70%



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Request by the Oak Grove Union School District to Become an All-Charter District	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input checked="" type="checkbox"/> Public Hearing

RECOMMENDATION

CDE recommends that the State Board of Education (SBE) approve the Oak Grove Union School District (OGUSD) request to become an all-charter district for a period of three years commencing on July 1, 2004 and continuing to June 30, 2007.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

A petition for an all-charter district can be “approved only by joint action of the Superintendent of Public Instruction and the State Board of Education.” At its March 1999 meeting, the SBE approved a process for reviewing and renewing districtwide charter petitions (Attachment 5). The SBE has previously approved eight requests for all-charter districts: the Pioneer Union Elementary School District in Kings County, the Kingsburg Joint Union Elementary School District in Fresno County, the Delta View Joint Union School District in Kings County, the Hickman Elementary School District in Stanislaus County, the Alvina Elementary School District in Fresno County, the Island Union School District in Kings County, the Kings River-Hardwick Union Elementary School District in Kings County and the Jacoby Creek Elementary School District in Humboldt County. To date, the SBE has approved renewal of two all-charter districts for an additional five years: the Pioneer Union Elementary School District’s charter (September 1999) and the Kingsburg Joint Union Elementary School District’s charter (May 2001).

Consistent with agreed upon policy, individual charter schools in all-charter districts are not numbered and do not count against the statutory cap on the number of charter schools allowed. The all-charter districts are given a separate number for recordkeeping purposes and if approved, the OGUSD charter will be number D-9.

SUMMARY OF KEY ISSUES

On January 6, 2004, the CDE received a request from the Oak Grove Union School District (OGUSD) to review and approve the district’s petition to become an all-charter district. Pursuant to *Education Code* Section 47606, a school district may convert all of its schools to charter schools if the charter petition meets the general requirements for charter schools. Further, a petition for an all-charter district can be “approved only by joint action of the Superintendent of Public Instruction and the State Board of Education.” As the result of this approval, the SBE becomes the authorizing entity and must provide oversight as specified under Charter School law.

The reasons stated by OGUSD for becoming an all-charter district include: retain low class size, provide more parent/pupil choice, increase parental involvement in the educational process and better meet the needs of English language learners in their academic program. In accordance with SBE approved procedures, CDE staff has taken the petition under review to insure that it meets the requirements set forth in *Education Code* Section 47606 and by reference subdivisions (b), (c), (d), (e), and (f) of Section 47605. A copy of this review is provided as Attachment 7. A statement of findings is also provided as Attachment 6. The API scores for Oak Grove Elementary (826) and Willowside Middle School (776) provide evidence that the OGUSD educational program is both viable and successful (see Attachment 8). The CDE's Coordinated Compliance Review (CCR) Management Unit has confirmed that the district is in full compliance with all state and federal programs.

CDE staff did note an item in the findings regarding deficit spending in unrestricted resources. Subsequent follow-up with the Sonoma County Office of Education confirms that the OGUSD has provided a sufficient corrective action plan to address the deficit spending and that OGUSD will meet its financial obligations during this fiscal year and satisfy its multiyear financial commitments. In meeting the oversight requirements as the authorizing entity, CDE staff shall conduct annual site visits, ensure compliance with all reporting requirements and provisions of the charter and monitor the fiscal condition of OGUSD (§47604.32.). In addition to other required reporting, OGUSD shall prepare and submit annual fiscal reports as required under *Education Code* section 47604.33. The Advisory Commission on Charter Schools reviewed and unanimously recommended approval of the OGUSD charter petition at their April 16, 2004 meeting.

Findings:

CDE staff finds that OGUSD has developed a reasonably comprehensive proposal that addresses all required charter elements, presents a sound educational program and will likely succeed as an all-charter district. The Advisory Commission on Charter Schools reviewed and unanimously recommended approval of the OGUSD charter petition at their April 16, 2004 meeting.

FISCAL ANALYSIS (AS APPROPRIATE)

The Sonoma County Office of Education has provided a positive statement of fiscal health for OGUSD and additional affirmation that OGUSD fiscal activity is closely monitored. Approval of this single all-charter district petition has minimal fiscal impact on the Division. However, the cumulative impact of approving all-charter district renewal requests and new petitions over time will be to create a significant additional workload for division staff.

ATTACHMENT

- Attachment 1: The Oak Grove Union School District Charter petition (20 Pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board of Education office.)
- Attachment 2: The Oak Grove Union School District Certificated Faculty Resolution (petition signatures) (4 Pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board of Education office.)

- Attachment 3: Letter specifying alternative public school attendance arrangements (1 Page) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board of Education office.)
- Attachment 4: Sonoma County Office of Education statement of fiscal health (2 Pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board of Education office.)
- [Attachment 5](#): Adopted Process for Reviewing Districtwide Charter Petitions and Evaluating All-Charter Districts (2 pages)
- [Attachment 6](#): California Department of Education Findings (2 pages)
- Attachment 7: All-Charter District Review Form 2003-04 (16 pages)
- Attachment 8: Academic Performance Index results (1 page)

California Department of Education

ADOPTED PROCESS FOR REVIEWING DISTRICTWIDE CHARTER PETITIONS AND EVALUATING ALL-CHARTER DISTRICTS

Introduction

The Superintendent of Public Instruction (SPI) and the State Board of Education (SBE) have joint responsibilities regarding the approval of districtwide charter petitions. This proposal describes the process that will be used to review an application for all-charter district status. It also specifies the responsibilities of the SPI and the SBE in the ongoing oversight of all-charter districts.

Review of Districtwide Charter Petitions

The authority for the SPI and the SBE to approve a petition for an all-charter district, and the requirements for submitting the petition for approval are found in *Education Code* Section 47606. Basically, there are three requirements:

1. Fifty percent of the teachers within the school district must sign the charter petition.
2. The petition must specify the alternative attendance arrangements for pupils residing within the school district who choose not to attend charter schools.
3. The petition must contain all the requirements set forth in subdivisions (b), (c), (d), (e), and (f) of Section 47605 (copy attached). (Note: All petitions for the establishment of charter schools must meet these requirements.)

Once the California Department of Education (CDE) receives a petition to form an all-charter district, staff will review the petition to ensure that it addresses the three requirements. Particular attention will be paid to those elements in subdivisions (b), (c), (d), (e), and (f) of Section 47605 which relate to the proposed education program. Specifically, the proposal will be reviewed to determine how all pupils of the district will be asked to demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the district's educational program. Staff also will focus on how the proposal addresses the requirement that charter schools meet all statewide standards and conduct the pupil assessments required by Section 47605(e)(1) (relating to the Standardized Testing and Reporting Program) and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. The CDE will also ask the county superintendent to comment on the fiscal health of the district.

After the initial review has been completed, CDE will work cooperatively with the district to complete any areas of the proposal that appear inadequate.

Evaluating Existing All-charter Districts

Education Code Section 47607 states that a charter, or renewal of a charter (including districtwide charter petitions) may be granted for no more than five years. While no interim evaluations are required, the section does provide that the charter granting authority may inspect or observe any part of the charter school at any time. The CDE is proposing to visit each all-charter district approximately half way through the length of the charter's term, and again immediately prior to renewal, unless facts come to the attention of CDE staff that warrant additional visits.

The CDE recommends that the district request renewal of its charter petition a year in advance of the end of the charter's term so that there will be sufficient time for CDE staff to schedule a visit, and for CDE staff and district staff to cooperatively resolve any issues that may be identified as a result of the visit.

During the visit, CDE staff will look to see if the district is operating in accordance with the terms of its original charter, specifically those terms required by *Education Code* Section 47605, identified earlier.

After each visit CDE staff will report to the SPI and indicate any terms of the district's charter required by *Education Code* Section 47605, that in the opinion of CDE staff, after working with district staff to resolve them, are still not being met. The SPI will then make a determination as to whether she will approve the continuation or renewal of the charter. The SPI's determination, and the basis for it, will then be reported to the SBE.

Revocation of a Districtwide Charter

According to *Education Code* Section 47607 a districtwide charter may be revoked if the SBE and the SPI determine that the district:

1. Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.
2. Failed to meet or pursue any of the pupil outcomes identified in the charter.
3. Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
4. Violated any provision of law.

Education Code Section 47607(c) requires that, if the SBE and the SPI make the determination, they must notify the district of the violation and give it a reasonable opportunity to cure the violation, unless the SBE and the SPI determine in writing that the violation constitutes a severe and imminent threat to the health or safety of the pupils.

**California Department of Education Findings
Oak Grove Union School District's
Petition to Become an All-Charter District**

Background

On January 6, 2004, the CDE received a request from the Oak Grove Union School District (OGUSD) to review and approve the district's petition to become an all-charter district. The Oak Grove Union School District (ADA 623) is located in Sonoma County, and includes the Oak Grove School Campus (K-5) and Willowside Middle School (6-8). Pursuant to *Education Code* Section 47606, a school district may convert all of its schools to charter schools if the charter petition meets the general requirements for charter schools. Further, a petition for an all-charter district can be "approved only by joint action of the Superintendent of Public Instruction and the State Board of Education." Consistent with our agreed upon policy, charter schools in all-charter districts are not numbered and do not count against the statutory cap on the number of charter schools allowed.

The review of the OGUSD petition was conducted in accordance with the requirements specified in *Education Code* Section 47606 and the *Adopted Process for Reviewing Districtwide Charter Petitions and Evaluating All-Charter Districts* approved by the SBE in March 1999 (attached). Basically, there are three requirements:

1. Fifty percent of the teachers within the school district must sign the charter petition.

Finding 1: CDE finds that the OGUSD districtwide petition meets the requirement set forth in *Education Code* Section 47606. The OGUSD petition contains signatures of more than 80% of the district teachers.

2. The petition must specify the alternative attendance arrangements for pupils residing within the school district who choose not to attend charter schools.

Finding 2: CDE finds that the OGUSD districtwide petition meets all the requirements set forth in *Education Code* Section 47606 and *Education Code* Section 47605 subdivisions (b) and (f) regarding the alternative attendance arrangements for pupils residing within the school district who choose not to attend charter schools. The petition includes a letter from the neighboring Sebastopol Union School District agreeing to accept students from the Oak Grove Union School District.

3. The petition must contain all the requirements set forth in subdivisions (b), (c), (d), (e), and (f) of Section 47605. (Note: All petitions for the establishment of charter schools must meet these requirements.)

Finding 3: CDE finds that the OGUSD districtwide petition meets all the requirements set forth in subdivisions (b), (c), (d), (e), and (f) of *Education Code* Section 47605 and meets the intent of the Charter Schools Act. The OGUSD districtwide petition ensures that its schools will provide a sound educational program, meet all statewide standards and conduct the pupil assessments required pursuant to Section 60605 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in

noncharter public schools. The CDE's Coordinated Compliance Review (CCR) Management Unit has confirmed that the district is in full compliance with all state and federal programs.

The *Adopted Process for Reviewing Districtwide Charter Petitions and Evaluating All-Charter Districts* also specifies that CDE shall ask the county superintendent to comment on the fiscal health of the district.

Finding 4: A letter from the Sonoma County Office of Education has been received verifying the fiscal stability and health of the district. In that letter, CDE staff noted an item regarding deficit spending in unrestricted resources and subsequently contacted the County Office for additional information. In her response, the Director of Fiscal Services for the County Office affirmed that the District has provided a sufficient corrective action plan to address the deficit spending and that they closely monitor the District. She also restated their determination that the District will meet its financial obligations during this fiscal year and satisfy its multiyear financial commitments.

Conclusion

OGUSD has complied with all of the requirements stated in our *Adopted Process for Reviewing Districtwide Charter Petitions and Evaluating All-Charter Districts*. Further, OGUSD has a proven record of providing a viable and successful educational program as evidenced in its API data (Oak Grove Elementary, 826; Willowside Middle, 776) and its CCR review. Based on our review, CDE finds that OGUSD has developed a reasonably comprehensive proposal that addresses all required charter elements, presents a sound educational program and will likely succeed as an all-charter district. Therefore, CDE recommends that the SBE approve the OGUSD request to become an all-charter district for a period of three years commencing on July 1, 2004 and continuing to June 30, 2007. In the numbering system established for all-charter districts, the OGUSD charter will be number D-9.

LAST MINUTE MEMORANDUM

DATE: May 4, 2004

TO: MEMBERS, STATE BOARD OF EDUCATION

FROM: William J. Ellerbee, Jr., Deputy Superintendent
School and District Operations Branch

RE: Item No. 40

SUBJECT: Request by the Oak Grove Union School District to Become an All-Charter District

This Last Minute Memorandum contains the most recent subgroup performance data from the API Base Report for the Oak Grove Union School District.

Attachment 9: Academic Performance Index (API) Base Report (7 pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board of Education Office.)



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Request by the Pioneer Union Elementary School District to Renew its Charter as an All-Charter District	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input checked="" type="checkbox"/> Public Hearing

RECOMMENDATION

We recommend that the State Board of Education (SBE) approve the Pioneer Union Elementary School District (PUESD) request and renew the charter as an all-charter district for an additional five-year term commencing on September 1, 2004 and continuing to August 31, 2009.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Pursuant to *Education Code* Section 47606, a school district may convert all of its schools to charter schools if the charter petition meets the general requirements for charter schools. Further, a petition for an all-charter district can be “approved only by joint action of the State Superintendent of Public Instruction (SSPI) and the SBE.” At its March 1999 meeting, the SBE approved a process for reviewing and renewing districtwide charter petitions (Attachment 4). The SBE has previously approved eight requests for all-charter districts: the Pioneer Union Elementary School District in Kings County, the Kingsburg Joint Union Elementary School District in Fresno County, the Delta View Joint Union School District in Kings County, the Hickman Elementary School District in Stanislaus County, the Alvina Elementary School District in Fresno County, the Island Union School District in Kings County, the Kings River-Hardwick Union Elementary School District in Kings County and the Jacoby Creek Elementary School District in Humboldt County. To date, the SBE has renewed two all-charter districts for an additional five years: the Pioneer Union Elementary School District’s charter (September 1999) and the Kingsburg Joint Union Elementary School District’s charter (May 2001).

The SBE and the SSPI jointly approved the PUESD petition to become an all-charter district in November 1993 and their first five-year renewal in September 1999.

SUMMARY OF KEY ISSUES

Pursuant to *Education Code* Section 47607, a charter granted by a school district governing board, a county board of education or the SBE, may be granted one or more subsequent renewals by that entity. Each renewal shall be for a period of five years. Renewals and material revisions of charters shall be governed by the standards and criteria in Section 47605. On February 24, 2004, the CDE received a request from the PUESD to renew its Charter as an All-Charter District. This would be the second five-year renewal of this charter.

By mutual agreement, the Kings County Office of Education conducted a site visit review of the PUESD and returned a report to CDE staff in early April (Attachment 6). Based upon a review of this report and an analysis of the petition and renewal documents, CDE staff has determined that the district is operating in accordance with the law and the terms of its charter. The Academic Performance Index for the schools in the district indicates continuing improvement and success. CDE findings are included as Attachment 5 and API data in Attachment 7. The Advisory Commission on Charter Schools reviewed and unanimously approved the PUESD renewal request at their April 16, 2004 meeting. In accordance with general provisions in the *Education Code*, CDE staff shall conduct annual site visits, ensure compliance with all reporting requirements and provisions of the charter and monitor the fiscal condition of PUESD (§47604.32.). In addition to other required reporting, PUESD shall prepare and submit annual fiscal reports as required under *Education Code* section 47604.33.

Findings:

CDE staff finds that the PUESD All-Charter District is operating in accordance with the law and terms of its charter. The Advisory Commission on Charter Schools reviewed and unanimously approved the PUESD request at their April 16, 2004 meeting.

FISCAL ANALYSIS (AS APPROPRIATE)

The Kings County Office of Education has provided a Positive Financial Certification for PUESD. Approval of this Renewal has minimal fiscal impact on the Division. However, the cumulative impact of approving all-charter district renewal requests and new petitions over time will be to create a significant additional workload for division staff.

ATTACHMENT

- Attachment 1: The Pioneer Union Elementary School District Charter Document (26 Pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board of Education office.)
- Attachment 2: Letters specifying alternative public school attendance arrangements (2 Pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board of Education office.)
- Attachment 3: Kings County Office of Education Positive Financial Certification (2 Pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board of Education office.)
- [Attachment 4](#): Adopted Process for Reviewing Districtwide Charter Petitions and Evaluating All-Charter Districts (2 pages)
- [Attachment 5](#): California Department of Education Findings (2 pages)
- Attachment 6: All-Charter District Review Form 2003-04 (16 pages)
- Attachment 7: 2003 Academic Performance Index (API) Base (5 pages)

California Department of Education

ADOPTED PROCESS FOR REVIEWING DISTRICTWIDE CHARTER PETITIONS AND EVALUATING ALL-CHARTER DISTRICTS

Introduction

The Superintendent of Public Instruction (SPI) and the State Board of Education (SBE) have joint responsibilities regarding the approval of districtwide charter petitions. This proposal describes the process that will be used to review an application for all-charter district status. It also specifies the responsibilities of the SPI and the SBE in the ongoing oversight of all-charter districts.

Review of Districtwide Charter Petitions

The authority for the SPI and the SBE to approve a petition for an all-charter district, and the requirements for submitting the petition for approval are found in *Education Code* Section 47606. Basically, there are three requirements:

1. Fifty percent of the teachers within the school district must sign the charter petition.
2. The petition must specify the alternative attendance arrangements for pupils residing within the school district who choose not to attend charter schools.
3. The petition must contain all the requirements set forth in subdivisions (b), (c), (d), (e), and (f) of Section 47605 (copy attached). (Note: All petitions for the establishment of charter schools must meet these requirements.)

Once the California Department of Education (CDE) receives a petition to form an all-charter district, staff will review the petition to ensure that it addresses the three requirements. Particular attention will be paid to those elements in subdivisions (b), (c), (d), (e), and (f) of Section 47605 which relate to the proposed education program. Specifically, the proposal will be reviewed to determine how all pupils of the district will be asked to demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the district's educational program. Staff also will focus on how the proposal addresses the requirement that charter schools meet all statewide standards and conduct the pupil assessments required by Section 47605(e)(1) (relating to the Standardized Testing and Reporting Program) and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. The CDE will also ask the county superintendent to comment on the fiscal health of the district.

After the initial review has been completed, CDE will work cooperatively with the district to complete any areas of the proposal that appear inadequate.

Evaluating Existing All-charter Districts

Education Code Section 47607 states that a charter, or renewal of a charter (including districtwide charter petitions) may be granted for no more than five years. While no interim evaluations are required, the section does provide that the charter granting authority may inspect or observe any part of the charter school at any time. The CDE is proposing to visit each all-charter district approximately half way through the length of the charter's term, and again immediately prior to renewal, unless facts come to the attention of CDE staff that warrant additional visits.

The CDE recommends that the district request renewal of its charter petition a year in advance of the end of the charter's term so that there will be sufficient time for CDE staff to schedule a visit, and for CDE staff and district staff to cooperatively resolve any issues that may be identified as a result of the visit.

During the visit, CDE staff will look to see if the district is operating in accordance with the terms of its original charter, specifically those terms required by *Education Code* Section 47605, identified earlier.

After each visit CDE staff will report to the SPI and indicate any terms of the district's charter required by *Education Code* Section 47605, that in the opinion of CDE staff, after working with district staff to resolve them, are still not being met. The SPI will then make a determination as to whether she will approve the continuation or renewal of the charter. The SPI's determination, and the basis for it, will then be reported to the SBE.

Revocation of a Districtwide Charter

According to *Education Code* Section 47607 a districtwide charter may be revoked if the SBE and the SPI determine that the district:

1. Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.
2. Failed to meet or pursue any of the pupil outcomes identified in the charter.
3. Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
4. Violated any provision of law.

Education Code Section 47607(c) requires that, if the SBE and the SPI make the determination, they must notify the district of the violation and give it a reasonable opportunity to cure the violation, unless the SBE and the SPI determine in writing that the violation constitutes a severe and imminent threat to the health or safety of the pupils.

**California Department of Education Findings
Related to the Pioneer Union Elementary School District
Request to Renew its Charter as an All-Charter District**

Background

On February 24, 2004, the CDE received a request from the Pioneer Union Elementary School District (PUESD) to renew its Charter as an All-Charter District. Pursuant to *Education Code* Section 47607, a charter granted by a school district governing board, a county board of education or the State Board of Education, may be granted one or more subsequent renewals by that entity. Each renewal shall be for a period of five years.

The State Board of Education (SBE) and the State Superintendent of Public Instruction (SSPI) jointly approved the Pioneer Union Elementary School District's (PUESD) petition to become an all-charter district in November 1993 and their first five-year renewal in September 1999. This would be the second five-year renewal of this charter.

PUESD is located in Kings County, serves nearly 1300 pupils and includes the Pioneer Elementary and Pioneer Middle Schools. PUESD was California's first All-Charter District. The review of the PUESD renewal request was conducted in accordance with the requirements specified in *Education Code* Section 47607 and the *Adopted Process for Reviewing Districtwide Charter Petitions and Evaluating All-Charter Districts* approved by the SBE in March 1999 (attached). It should be noted that by mutual agreement, the Kings County Office of Education arranged to conduct the most recent site visit review of the PUESD and returned a report to CDE staff (attached). Basically, the requirements specify that:

Renewals and material revisions of charters shall be governed by the standards and criteria in Section 47605 and that CDE staff will look to see if the district is operating in accordance with the terms of its original charter, specifically those terms required by *Education Code* Section 47605.

Finding 1: Based upon review of the documents submitted by the PUESD and the site visit report from the Kings County Office of Education, CDE finds that the PUESD All-Charter District is operating in accordance with the law and terms of its charter.

The CDE Charter Schools Division conducted a review of documents submitted by the PUESD including an updated charter, API data, AYP reports, a comprehensive plan for student achievement, specific alternative public school attendance agreements, Board minutes and a positive financial certification from the Kings County Office of Education. The CDE's Coordinated Compliance

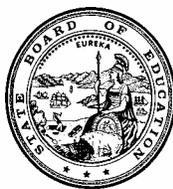
Review (CCR) Management Unit has confirmed that the district is in full compliance with all state and federal programs. The Kings County Office of Education conducted a site visit in May 2004 and submitted a comprehensive report to the CDE Charter Schools Division indicating that the District is currently meeting all the standards and criteria as required in *Education Code* Section 47605. The Academic Performance Index for the schools in the district also indicates continuing improvement and success.

School	2003 API (Base)	2003 API Target	2003 Statewide Rank	2003 Sim. School Rank	2002 API (Base)
Pioneer Elementary	830	A*	9	7	803
Pioneer Middle	762	741	8	3	738

* "A" means the school scored at or above the statewide performance target of 800.

Conclusion

PUESD has been providing a challenging and successful educational program to its students since becoming an all-charter district. CDE staff finds that the PUESD All-Charter District is operating in accordance with the law and terms of its charter. Therefore, we recommend that the SBE approve the PUESD request and renew the charter as an all-charter district for an additional five-year term commencing on September 1, 2004 and continuing to August 31, 2009.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Request by the Kings River-Hardwick Union Elementary School District to Renew its Charter as an All-Charter District.	<input type="checkbox"/> Action
	<input type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

We recommend that the State Board of Education (SBE) approve the Kings River-Hardwick Union Elementary School District (KRHUESD) request and renew the charter as an all-charter district for an additional five-year term commencing on July 1, 2004 and continuing to June 30, 2009.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Pursuant to *Education Code* Section 47606, a school district may convert all of its schools to charter schools if the charter petition meets the general requirements for charter schools. Further, a petition for an all-charter district can be “approved only by joint action of the Superintendent of Public Instruction (SSPI) and the SBE.” At its March 1999 meeting, the SBE approved a process for reviewing and renewing districtwide charter petitions (Attachment 4). The SBE has previously approved eight requests for all-charter districts: the Pioneer Union Elementary School District in Kings County, the Kingsburg Joint Union Elementary School District in Fresno County, the Delta View Joint Union School District in Kings County, the Hickman Elementary School District in Stanislaus County, the Alvina Elementary School District in Fresno County, the Island Union School District in Kings County, the Kings River-Hardwick Union Elementary School District in Kings County and the Jacoby Creek Elementary School District in Humboldt County. To date, the SBE has renewed two all-charter districts for an additional five years: the Pioneer Union Elementary School District’s charter (September 1999) and the Kingsburg Joint Union Elementary School District’s charter (May 2001).

The SBE and the SSPI jointly approved the Kings River-Hardwick Union Elementary School District’s petition to become an all-charter district in May 2001 for a three-year term.

SUMMARY OF KEY ISSUES

Pursuant to *Education Code* Section 47607, a charter granted by a school district governing board, a county board of education or the SBE, may be granted one or more subsequent renewals by that entity. Each renewal shall be for a period of five years. Renewals and material revisions of charters shall be governed by the standards and criteria in Section 47605. On February 24, 2004, the CDE received a request from the Kings River-Hardwick UESD to renew its Charter as an All-Charter District.

By mutual agreement, the Kings County Office of Education conducted a site visit review of the KRHUESD and returned a report to CDE staff in early April (Attachment 6). Based upon a review of this report and an analysis of the petition and renewal documents, CDE staff has determined that the district is operating in accordance with the law and the terms of its charter. The Academic Performance Index for the district indicates continuing improvement and currently exceeds the state standard. CDE findings are included as Attachment 5 and API data in Attachment 7. The Advisory Commission on Charter Schools reviewed and unanimously approved the KRHUESD renewal request at their April 16, 2004 meeting. In accordance with general provisions in the *Education Code*, CDE staff shall conduct annual site visits, ensure compliance with all reporting requirements and provisions of the charter and monitor the fiscal condition of KRHUESD (§47604.32.). In addition to other required reporting, KRHUESD shall prepare and submit annual fiscal reports as required under *Education Code* section 47604.33.

Findings:

CDE staff finds that the KRHUESD All-Charter District is operating in accordance with the law and terms of its charter. The Advisory Commission on Charter Schools reviewed and unanimously approved the KRHUESD request at their April 16, 2004 meeting.

FISCAL ANALYSIS (AS APPROPRIATE)

The Kings County Office of Education has provided a Positive Financial Certification for KRHUESD. Approval of this Renewal has minimal fiscal impact on the Division. However, the cumulative impact of approving all-charter district renewal requests and new petitions over time will be to create a significant additional workload for division staff.

ATTACHMENT

- Attachment 1: The Kings River-Hardwick Union Elementary School Districtwide Charter (13 Pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board of Education office.)
- Attachment 2: Letters specifying alternative public school attendance arrangements (4 Pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board of Education office.)
- Attachment 3: Kings County Office of Education Positive Financial Certification (2 Pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board of Education office.)
- [Attachment 4:](#) Adopted Process for Reviewing Districtwide Charter Petitions and Evaluating All-Charter Districts (2 pages)
- [Attachment 5:](#) California Department of Education Findings (2 pages)
- Attachment 6: All-Charter District Review Form 2003-04 (16 pages)
- Attachment 7: 2003 Academic Performance Index (API) Base (1 page)

California Department of Education

ADOPTED PROCESS FOR REVIEWING DISTRICTWIDE CHARTER PETITIONS AND EVALUATING ALL-CHARTER DISTRICTS

Introduction

The Superintendent of Public Instruction (SPI) and the State Board of Education (SBE) have joint responsibilities regarding the approval of districtwide charter petitions. This proposal describes the process that will be used to review an application for all-charter district status. It also specifies the responsibilities of the SPI and the SBE in the ongoing oversight of all-charter districts.

Review of Districtwide Charter Petitions

The authority for the SPI and the SBE to approve a petition for an all-charter district, and the requirements for submitting the petition for approval are found in *Education Code* Section 47606. Basically, there are three requirements:

1. Fifty percent of the teachers within the school district must sign the charter petition.
2. The petition must specify the alternative attendance arrangements for pupils residing within the school district who choose not to attend charter schools.
3. The petition must contain all the requirements set forth in subdivisions (b), (c), (d), (e), and (f) of Section 47605 (copy attached). (Note: All petitions for the establishment of charter schools must meet these requirements.)

Once the California Department of Education (CDE) receives a petition to form an all-charter district, staff will review the petition to ensure that it addresses the three requirements. Particular attention will be paid to those elements in subdivisions (b), (c), (d), (e), and (f) of Section 47605 which relate to the proposed education program. Specifically, the proposal will be reviewed to determine how all pupils of the district will be asked to demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the district's educational program. Staff also will focus on how the proposal addresses the requirement that charter schools meet all statewide standards and conduct the pupil assessments required by Section 47605(e)(1) (relating to the Standardized Testing and Reporting Program) and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. The CDE will also ask the county superintendent to comment on the fiscal health of the district.

After the initial review has been completed, CDE will work cooperatively with the district to complete any areas of the proposal that appear inadequate.

Evaluating Existing All-charter Districts

Education Code Section 47607 states that a charter, or renewal of a charter (including districtwide charter petitions) may be granted for no more than five years. While no interim evaluations are required, the section does provide that the charter granting authority may inspect or observe any part of the charter school at any time. The CDE is proposing to visit each all-charter district approximately half way through the length of the charter's term, and again immediately prior to renewal, unless facts come to the attention of CDE staff that warrant additional visits.

The CDE recommends that the district request renewal of its charter petition a year in advance of the end of the charter's term so that there will be sufficient time for CDE staff to schedule a visit, and for CDE staff and district staff to cooperatively resolve any issues that may be identified as a result of the visit.

During the visit, CDE staff will look to see if the district is operating in accordance with the terms of its original charter, specifically those terms required by *Education Code* Section 47605, identified earlier.

After each visit CDE staff will report to the SPI and indicate any terms of the district's charter required by *Education Code* Section 47605, that in the opinion of CDE staff, after working with district staff to resolve them, are still not being met. The SPI will then make a determination as to whether she will approve the continuation or renewal of the charter. The SPI's determination, and the basis for it, will then be reported to the SBE.

Revocation of a Districtwide Charter

According to *Education Code* Section 47607 a districtwide charter may be revoked if the SBE and the SPI determine that the district:

1. Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.
2. Failed to meet or pursue any of the pupil outcomes identified in the charter.
3. Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
4. Violated any provision of law.

Education Code Section 47607(c) requires that, if the SBE and the SPI make the determination, they must notify the district of the violation and give it a reasonable opportunity to cure the violation, unless the SBE and the SPI determine in writing that the violation constitutes a severe and imminent threat to the health or safety of the pupils.

**California Department of Education Findings
Related to the Kings River - Hardwick Union Elementary School District
Request to Renew its Charter as an All-Charter District**

Background

On February 24, 2004, the CDE received a request from the Kings River - Hardwick Union Elementary School District (KRHUESD) to renew its Charter as an All-Charter District. Pursuant to *Education Code* Section 47607, a charter granted by a school district governing board, a county board of education or the State Board of Education, may be granted one or more subsequent renewals by that entity. Each renewal shall be for a period of five years.

The State Board of Education (SBE) and the State Superintendent of Public Instruction (SSPI) jointly approved the Kings River - Hardwick Union Elementary School District's (KRHUESD) petition to become an all-charter district in May 2001 for a three-year term beginning July 1, 2001.

KRHUESD is located in Kings County, serves approximately 650 pupils in one K -8 school, the Kings River – Hardwick Union Elementary School. The review of the KRHUESD renewal request was conducted in accordance with the requirements specified in *Education Code* Section 47607 and the *Adopted Process for Reviewing Districtwide Charter Petitions and Evaluating All-Charter Districts* approved by the SBE in March 1999 (attached). It should be noted that by mutual agreement, the Kings County Office of Education arranged to conduct the most recent site visit review of the KRHUESD and returned a report to CDE staff (attached). Basically, the requirements specify that:

Renewals and material revisions of charters shall be governed by the standards and criteria in Section 47605 and that CDE staff will look to see if the district is operating in accordance with the terms of its original charter, specifically those terms required by *Education Code* Section 47605.

Finding 1: Based upon review of the documents submitted by the KRHUESD and the site visit report from the Kings County Office of Education, CDE finds that the KRHUESD All-Charter District is operating in accordance with the law and terms of its charter.

The CDE Charter Schools Division conducted a review of documents submitted by the KRHUESD including an updated charter, API data, AYP reports, specific alternative public school attendance agreements, Board minutes and a positive financial certification from the Kings County Office of Education. The CDE's Coordinated Compliance Review (CCR) Management Unit has confirmed that the district is in full compliance with all state and federal programs. The Kings County Office of Education conducted a site visit in May 2004 and submitted a

comprehensive report to the CDE Charter Schools Division indicating that the District is currently meeting all the standards and criteria as required in *Education Code* Section 47605. The Academic Performance Index for the one school in the district also indicates continuing modest improvement.

School	2003 API (Base)	2003 API Target	2003 Statewide Rank	2003 Sim. School Rank	2002 API (Base)
KRHUES	807	800	8	6	799

Conclusion

KRHUESD has been providing a reasonably successful educational program to its students since becoming an all-charter district. CDE staff finds that the KRHUESD All-Charter District is operating in accordance with the law and terms of its charter. Therefore, we recommend that the SBE approve the KRHUESD request and renew the charter as an all-charter district for an additional five-year term commencing on July 1, 2004 and continuing to June 30, 2009.

LAST MINUTE MEMORANDUM

DATE: May 4, 2004

TO: MEMBERS, STATE BOARD OF EDUCATION

FROM: William J. Ellerbee, Jr., Deputy Superintendent
School and District Operations Branch

RE: Item No. 42

SUBJECT: Request by the Kings River-Hardwick Union Elementary School District to Renew its Charter as an All-Charter District.

This Last Minute Memorandum contains three years of subgroup performance data from the API Base Reports for the Kings River-Hardwick Union Elementary School District.

Attachment 8: Academic Performance Index (API) Base Report (6 pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board of Education Office.)



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Request by the Delta View Joint Union Elementary School District to Renew its Charter as an All-Charter District	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input checked="" type="checkbox"/> Public Hearing

RECOMMENDATION

We recommend that the State Board of Education (SBE) approve the Delta View Joint Union Elementary School District (DVJUESD) request and renew the charter as an all-charter district for an additional five-year term commencing on July 1, 2004, and continuing to June 30, 2009.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Pursuant to *Education Code* Section 47606, a school district may convert all of its schools to charter schools if the charter petition meets the general requirements for charter schools. Further, a petition for an all-charter district can be “approved only by joint action of the Superintendent of Public Instruction and the State Board of Education.” At its March 1999 meeting, the SBE approved a process for reviewing and renewing districtwide charter petitions (Attachment 4). The SBE has previously approved eight requests for all-charter districts: the Pioneer Union Elementary School District in Kings County, the Kingsburg Joint Union Elementary School District in Fresno County, the Delta View Joint Union School District in Kings County, the Hickman Elementary School District in Stanislaus County, the Alvina Elementary School District in Fresno County, the Island Union School District in Kings County, the Kings River-Hardwick Union Elementary School District in Kings County and the Jacoby Creek Elementary School District in Humboldt County. To date, the SBE has renewed two all-charter districts for an additional five years: the Pioneer Union Elementary School District’s charter (September 1999) and the Kingsburg Joint Union Elementary School District’s charter (May 2001).

The SBE and the State Superintendent of Public Instruction (SSPI) jointly approved the DVJUESD petition to become an all-charter district in June 1999.

SUMMARY OF KEY ISSUES

Pursuant to *Education Code* Section 47607, a charter granted by a school district governing board, a county board of education or the SBE, may be granted one or more subsequent renewals by that entity. Each renewal shall be for a period of five years. Renewals and material revisions of charters shall be governed by the standards and criteria in Section 47605. On March 29, 2004, the CDE received a request from the DVJUESD to renew its Charter as an All-Charter District.

By mutual agreement, the Kings County Office of Education conducted a site visit review of the DVJUESD and returned a report to CDE staff in early April (Attachment 6). Based upon a review of this report and an analysis of the petition and renewal documents, CDE staff has determined that the district is operating in accordance with the law and the terms of its charter. The Academic Performance Index for the district indicates continuous improvement since becoming an all-charter district. CDE findings are included as Attachment 5 and API data in Attachment 7. The Advisory Commission on Charter Schools reviewed and unanimously approved the DVJUESD renewal request at their April 16, 2004 meeting. In accordance with general provisions in the *Education Code*, CDE staff shall conduct annual site visits, ensure compliance with all reporting requirements and provisions of the charter and monitor the fiscal condition of DVJUESD (§47604.32.). In addition to other required reporting, DVJUESD shall prepare and submit annual fiscal reports as required under *Education Code* section 47604.33.

Findings:

CDE staff finds that the DVJUESD All-Charter District is operating in accordance with the law and terms of its charter. The Advisory Commission on Charter Schools reviewed and unanimously approved the DVJUESD request at their April 16, 2004, meeting.

FISCAL ANALYSIS (AS APPROPRIATE)

The Kings County Office of Education has provided a Positive Financial Certification for DVJUESD. Approval of this Renewal has minimal fiscal impact on the Division. However, the cumulative impact of approving all-charter district renewal requests and new petitions over time will be to create a significant additional workload for division staff.

ATTACHMENT

- Attachment 1: The Delta View Elementary Community Charter (10 Pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board of Education office.)
- Attachment 2: Letters specifying alternative public school attendance arrangements (2 Pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board of Education office.)
- Attachment 3: Kings County Office of Education Positive Financial Certification (2 Pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board of Education office.)
- [Attachment 4](#): Adopted Process for Reviewing Districtwide Charter Petitions and Evaluating All-Charter Districts (2 pages)
- [Attachment 5](#): California Department of Education Findings (2 pages)
- Attachment 6: All-Charter District Review Form 2003-04 (16 pages)
- Attachment 7: 2003 Academic Performance Index (API) Base (5 pages)

California Department of Education

ADOPTED PROCESS FOR REVIEWING DISTRICTWIDE CHARTER PETITIONS AND EVALUATING ALL-CHARTER DISTRICTS

Introduction

The Superintendent of Public Instruction (SPI) and the State Board of Education (SBE) have joint responsibilities regarding the approval of districtwide charter petitions. This proposal describes the process that will be used to review an application for all-charter district status. It also specifies the responsibilities of the SPI and the SBE in the ongoing oversight of all-charter districts.

Review of Districtwide Charter Petitions

The authority for the SPI and the SBE to approve a petition for an all-charter district, and the requirements for submitting the petition for approval are found in *Education Code* Section 47606. Basically, there are three requirements:

1. Fifty percent of the teachers within the school district must sign the charter petition.
2. The petition must specify the alternative attendance arrangements for pupils residing within the school district who choose not to attend charter schools.
3. The petition must contain all the requirements set forth in subdivisions (b), (c), (d), (e), and (f) of Section 47605 (copy attached). (Note: All petitions for the establishment of charter schools must meet these requirements.)

Once the California Department of Education (CDE) receives a petition to form an all-charter district, staff will review the petition to ensure that it addresses the three requirements. Particular attention will be paid to those elements in subdivisions (b), (c), (d), (e), and (f) of Section 47605 which relate to the proposed education program. Specifically, the proposal will be reviewed to determine how all pupils of the district will be asked to demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the district's educational program. Staff also will focus on how the proposal addresses the requirement that charter schools meet all statewide standards and conduct the pupil assessments required by Section 47605(e)(1) (relating to the Standardized Testing and Reporting Program) and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. The CDE will also ask the county superintendent to comment on the fiscal health of the district.

After the initial review has been completed, CDE will work cooperatively with the district to complete any areas of the proposal that appear inadequate.

Evaluating Existing All-charter Districts

Education Code Section 47607 states that a charter, or renewal of a charter (including districtwide charter petitions) may be granted for no more than five years. While no interim evaluations are required, the section does provide that the charter granting authority may inspect or observe any part of the charter school at any time. The CDE is proposing to visit each all-charter district approximately half way through the length of the charter's term, and again immediately prior to renewal, unless facts come to the attention of CDE staff that warrant additional visits.

The CDE recommends that the district request renewal of its charter petition a year in advance of the end of the charter's term so that there will be sufficient time for CDE staff to schedule a visit, and for CDE staff and district staff to cooperatively resolve any issues that may be identified as a result of the visit.

During the visit, CDE staff will look to see if the district is operating in accordance with the terms of its original charter, specifically those terms required by *Education Code* Section 47605, identified earlier.

After each visit CDE staff will report to the SPI and indicate any terms of the district's charter required by *Education Code* Section 47605, that in the opinion of CDE staff, after working with district staff to resolve them, are still not being met. The SPI will then make a determination as to whether she will approve the continuation or renewal of the charter. The SPI's determination, and the basis for it, will then be reported to the SBE.

Revocation of a Districtwide Charter

According to *Education Code* Section 47607 a districtwide charter may be revoked if the SBE and the SPI determine that the district:

1. Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.
2. Failed to meet or pursue any of the pupil outcomes identified in the charter.
3. Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
4. Violated any provision of law.

Education Code Section 47607(c) requires that, if the SBE and the SPI make the determination, they must notify the district of the violation and give it a reasonable opportunity to cure the violation, unless the SBE and the SPI determine in writing that the violation constitutes a severe and imminent threat to the health or safety of the pupils.

**California Department of Education Findings
Related to the Delta View Joint Union Elementary School District
Request to Renew its Charter as an All-Charter District**

Background

On March 29, 2004, the CDE received a request from the Delta View Joint Union Elementary School District (DVJUESD) to renew its Charter as an All-Charter District. Pursuant to *Education Code* Section 47607, a charter granted by a school district governing board, a county board of education or the State Board of Education, may be granted one or more subsequent renewals by that entity. Each renewal shall be for a period of five years.

The State Board of Education (SBE) and the State Superintendent of Public Instruction (SSPI) jointly approved the Delta View Joint Union Elementary School District's (DVJUESD) petition to become an all-charter district in June 1999. This would be the first five-year renewal of this charter.

DVJUESD is a single school district located in Kings County and qualifies as a small school having an enrollment of approximately 100 pupils. The review of the DVJUESD renewal request was conducted in accordance with the requirements specified in *Education Code* Section 47607 and the *Adopted Process for Reviewing Districtwide Charter Petitions and Evaluating All-Charter Districts* approved by the SBE in March 1999 (attached). It should be noted that by mutual agreement, the Kings County Office of Education arranged to conduct the most recent site visit review of the DVJUESD and returned a report to CDE staff (attached). Basically, the requirements specify that:

Renewals and material revisions of charters shall be governed by the standards and criteria in Section 47605 and that CDE staff will look to see if the district is operating in accordance with the terms of its original charter, specifically those terms required by *Education Code* Section 47605.

Finding 1: Based upon review of the documents submitted by the DVJUESD and the site visit report from the Kings County Office of Education, CDE finds that the DVJUESD All-Charter District is operating in accordance with the law and terms of its charter.

The CDE Charter Schools Division conducted a review of documents submitted by the DVJUESD including an updated charter, API data, AYP reports, a plan for student achievement, specific alternative public school attendance agreements, Board minutes and a positive financial certification from the Kings County Office of Education. The CDE's Coordinated Compliance Review (CCR) Management Unit has conducted a review to determine compliance with all state and federal programs and found one area of noncompliance. In April 2003, the DVJUESD

was found noncompliant in their English Learner program. Subsequently a plan for serving Limited English Proficient students was Board approved in October 2003 and implemented strategies have resulted in significant API point increases for both Hispanic or Latino and Socio-economically Disadvantaged subgroups. The Kings County Office of Education conducted a site visit in May 2004 and submitted a comprehensive report to the CDE Charter Schools Division indicating that the District is currently meeting all the standards and criteria as required in *Education Code* Section 47605. The Academic Performance Index for the district also indicates continuing improvement.

School	2003 API (Base)	2003 API Target	2003 Statewide Rank	2003 Sim. School Rank	2002 API (Base)
Delta View Elementary	682*	639	4*	N/A	631*

“* “ means this API is calculated for a small school, defined as having between 11 and 99 Standardized Testing and Reporting (STAR) test scores included in the API (valid scores). APIs based on small numbers of students are less reliable and therefore should be carefully interpreted. Similar school ranks are not calculated for small schools.

Conclusion

DVJUESD has continues to grow and to strengthen its educational programs since becoming an all-charter district. CDE staff finds that the DVJUESD All-Charter District is operating in accordance with the law and terms of its charter. Therefore, we recommend that the SBE approve the DVJUESD request and renew the charter as an all-charter district for an additional five-year term commencing on July 1, 2004 and continuing to June 30, 2009.

LAST MINUTE MEMORANDUM

DATE: May 4, 2004

TO: MEMBERS, STATE BOARD OF EDUCATION

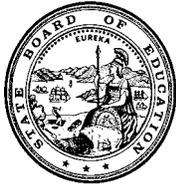
FROM: William J. Ellerbee, Jr., Deputy Superintendent
School and District Operations Branch

RE: Item No. 43

SUBJECT: Request by the Delta View Joint Union Elementary School District to Renew its Charter as an All-Charter District.

This Last Minute Memorandum contains five years of subgroup performance data from the API Base Reports for the Delta View Joint Union Elementary School District.

Attachment 8: Academic Performance Index (API) Base Report (10 pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board of Education Office.)



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Funding for Countywide Charter Schools (Assembly Bill 1994): Adopt Amendments to Title 5, California <i>Code of Regulations</i>	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

California Department of Education (CDE) staff recommends that the State Board of Education (SBE) consider comments received during the public comment period and at the public hearing, and take action to adopt the regulations.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At the January 2004 meeting, the SBE took action to approve the proposed regulations, the initial Statement of Reasons, and the Notice of Proposed Rulemaking, with technical modifications from the Executive Director of the SBE; direct staff to proceed with the 45-day public comment period in accordance with the Administrative Procedure Act; and direct staff to conduct a public hearing on the proposed regulations pursuant to California *Code of Regulations*, Title 5, Section 18460.

The public comment period ended and the public hearing was held on March 8, 2004. A summary of the public comments is provided in this agenda item.

SUMMARY OF KEY ISSUES

AB 1994 (Chapter 1058, Statutes of 2002) contained a number of significant programmatic provisions affecting charter schools, and the bill requires the SBE to adopt regulations to implement certain aspects of the statutory changes. The Advisory Commission on Charter Schools (ACCS) discussed various versions of AB 1994 programmatic implementation regulations on several occasions, both in concept and with regard to certain specific elements. During August 2003, SBE members received an information memorandum with a version of the permanent regulations that the ACCS had tentatively endorsed in July. However, at its September 2003 meeting, the ACCS considered the regulations further, and proposed several significant changes. The attached text, which was also provided as part of an information memorandum in October 2003, reflects the ACCS-recommended changes.

The proposed regulations have been separated from other AB 1994 regulations in an effort to have them adopted and approved by the Second Principal Apportionment in June 2004. There is concern that some of the provisions of the other programmatic regulations may generate controversy and take longer to adopt. The funding mechanism proposed in this regulation is modeled after the existing funding method for other county-approved charter schools; therefore, it is anticipated that the adoption process for this regulation could be more straightforward.

Report on Public Hearing

Consistent with the requirements of the Administrative Procedure Act, the public hearing regarding the proposed regulations was scheduled for Monday, March 8, 2004, at the California Department of Education, 1430 N Street, Room 1101, Sacramento, California, beginning at 1:00 p.m. An audiotape of the public hearing was made, and Maryanna Rickner will provide a copy of the audiotape to any SBE member so desiring.

The public hearing was called to order at 1:00 p.m. on the prescribed date and at the prescribed location. There were no speakers present to comment on the proposed regulations. The public hearing was recessed for one-half hour in the event that a potential presenter might have been delayed. The public hearing was reconvened at 1:31 p.m. No one wishing to present comments had arrived. The public hearing was adjourned at 2:05 p.m.

One comment was received during the public comment period that ended at 5:00 p.m. on Monday, March 8, 2004. The comment has been summarized and a response provided to the Board in this agenda item.

Summary of Public Comments/Key Issues

- The proposed regulation would create a much more complicated apportionment system for most school districts.
- The proposed regulation would result in a reduction in funding for affected basic aid districts.
- The proposed regulation exceeds statutory authority.

A summary of the comments and responses follow:

Staff Recommendation

Recommend that the State Board adopt the amendments for the regulations with no changes.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE INITIAL NOTICE PERIOD OF JANUARY 23, 2004, THROUGH MARCH 5, 2004, AND THE PUBLIC HEARING, MARCH 8, 2004.

Comment: Schools for Sound Finance, via letter, commented that the proposed regulation has two negative consequences for school districts: (1) it creates a complicated apportionment system to no purpose because the in lieu property tax payments that would be made to countywide charter schools for the ADA of district residents attending the school will be backfilled by state aid, therefore the ADA should be funded directly from state aid; and (2) it results in a reduction in funding for basic aid districts for those district residents attending the countywide charter school.

The letter further states, “the proposed Section 11967.8 subdivision (b) defines “sponsoring local educational agency” in a way that exceeds the definition in *Education Code* Section 47632 (i). If the Legislature intended the definition proposed in subdivision (b), it would have amended Education Code Section 47632 (i) to include that definition”.

Response: *The proposed regulation complies with the provisions of Assembly Bill (AB) 1994 (Chapter 1058, Statutes of 2002). The SBE has general authority to adopt regulations that are not inconsistent with the law. In this particular instance, the Legislature created a statutory scheme that allowed for the creation of countywide charter schools but did not provide a funding mechanism for such charter schools. The proposed regulation provides a funding mechanism that is both consistent with the statutory scheme of AB 1994 and with the funding model already in use for funding county community charter schools. The definition of “sponsoring local educational agency” for purposes of countywide charter schools is similar to the definition in statute for county community charter schools. Therefore, it is reasonable to extend this definition to countywide charter schools.*

Further, AB 1994 was intended to be fiscally neutral with regard to funding formulas for charter schools under Proposition 98. The proposed regulation is consistent with that intent. It creates neither incentive nor disincentive for a county to approve a countywide charter school. The proposed regulation might result in additional costs to any basic aid district that has students who choose to attend a countywide charter school because basic aid districts will not receive a backfill of state aid for any in lieu property tax payments those districts provide to the countywide charter. However, to fund all countywide charter schools entirely from state aid would result in an additional cost to the state and may create an incentive for the creation of countywide charters strictly because of the additional state aid that would be provided to such schools.

FISCAL ANALYSIS (AS APPROPRIATE)

The statutory changes enacted by AB 1994 overall will result in increased costs associated with the increased workload to the CDE and SBE to review, approve, and oversee a greater number of statewide charter schools. However, the statutory provisions that allow counties to approve countywide charter schools will have no workload impact on CDE. Therefore, no state or local fiscal impact will result from these regulations.

ATTACHMENT

[Attachment 1:](#) Notice of Proposed Rulemaking (4 Pages)

[Attachment 2:](#) Initial Statement of Reasons (2 Pages)

[Attachment 3:](#) Proposed Regulations (1 Page)

CALIFORNIA STATE BOARD OF EDUCATION

1430 N Street; Room 5111
Sacramento, CA 95814



TITLE 5. EDUCATION

CALIFORNIA STATE BOARD OF EDUCATION

NOTICE OF PROPOSED RULEMAKING

Countywide Charter Schools

[Notice published January 23, 2004]

The State Board of Education (State Board) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PUBLIC HEARING

Program staff will hold a public hearing beginning at **1:00 p.m. on March 8, 2004** at 1430 N Street, Room 1101, Sacramento. The room is wheelchair accessible. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The State Board requests that any person desiring to present statements or arguments orally notify the Regulations Adoption Coordinator of such intent. The State Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. No oral statements will be accepted subsequent to this public hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Regulations Adoption Coordinator. The written comment period ends at **5:00 p.m. on March 8, 2004**. The State Board will consider only written comments received by the Regulations Adoption Coordinator by that time (in addition to those comments received at the public hearing). Written comments for the State Board's consideration should be directed to:

Debra Strain, Regulations Adoption Coordinator
California Department of Education
LEGAL DIVISION
1430 N Street, Room 5319
Sacramento, California 95814
E-mail: dstrain@cde.ca.gov
Telephone: (916) 319-0860
FAX: (916) 319-0155

AUTHORITY AND REFERENCE

Authority for these regulations is found in *Education Code* Section 33031. *Education Code* Section 33031 is the State Board's general authority to adopt rules and regulations for the government of the day and evening schools of the state that are not inconsistent with the requirement of statute.

Additional authority is provided in *Education Code* Section 47605.6(b)(5)(I), which requires the State Board to adopt regulations to determine the manner in which financial audits for countywide charter schools shall be conducted.

References are made to *Education Code* sections 47632 and 47651. These statutes govern the funding of charter schools.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The proposed regulation is necessary to fund and to determine the manner in which financial audits shall be conducted for countywide charter schools, which were established by Assembly Bill (AB) 1994 (Chapter 1058, Statutes of 2002).

Specifically, this adds Section 11967.8 to Title 5 of the California Code of Regulations to provide technical clarity regarding the funding calculation and process for providing operational funding to countywide charter schools. This section addresses a similar issue as that addressed in Section 11967.7 above but for countywide, rather than statewide charters. However, in this case, the regulations apply an exiting statutory definition of “sponsoring local education agency” that is currently applied to other county-authorized charter schools.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: None

Cost or savings to any state agency: None

Costs to any local agency or school district that must be reimbursed in accordance with Government Code Section 17561: None

Other non-discretionary cost or savings imposed on local educational agencies: None

Cost or savings in federal funding to the state: None

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.

Cost impacts on a representative private person or businesses: The State Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Adoption of this regulation will not:

- (1) create or eliminate jobs within California;
- (2) create new businesses or eliminate existing businesses within California; or
- (3) affect the expansion of businesses currently doing business within California.

Significant effect on housing costs: None.

Effect on small businesses: The proposed amendments to the regulations do not have an effect on small businesses because they provide a process for a new type of charter school to obtain funding and therefore, have no effect on existing charter schools or small businesses. The proposed regulations do not impose additional workload on small businesses or contractors funded by the Department.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the State Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the State Board, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The State Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the substance of the proposed regulations should be directed to:

Eileen Cubanski, Administrator
California Department of Education
Charter School Division
1430 N Street, Room 5401
Sacramento, CA 95814
E-mail: ecubansk@cde.ca.gov
Telephone: (916) 322-6029
FAX: (916) 322-1465

Requests for a copy of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, or other technical information upon which the rulemaking is based or questions on the proposed administrative action may be directed to the Regulations Adoption Coordinator, or to the backup contact person, Najia Rosales, at (916) 319-0860.

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Regulations Adoption Coordinator will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at her office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, and the Initial Statement of Reasons. A copy may be obtained by contacting the Regulations Adoption Coordinator at the above address.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, the State Board may adopt the proposed regulations substantially as described in this notice. If the State Board makes modifications that are sufficiently related to the originally proposed text, the modified text (with changes clearly indicated) will be available to the public for at least 15 days before the State Board adopts the regulation as revised. Requests for copies of any modified regulations should be sent to the attention of the Regulations Adoption Coordinator at the address indicated above. The State Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the Final Statement of Reasons may be obtained by contacting the Regulations Adoption Coordinator at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, the text of the regulations in underline and strikeout, and the Final Statement of Reasons, can be accessed through the California Department of Education's Web site at <http://www.cde.ca.gov/re/lr/rr/>

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 Jennifer Jackson, Charter School Division, 1430 N Street, Sacramento, CA, 95814; telephone, (916) 322-6029; fax, (916) 322-1465.

INITIAL STATEMENT OF REASONS

SECTION 11967.8. Countywide Charter Schools

SPECIFIC PURPOSE OF THE REGULATIONS

The proposed regulations will clarify existing law with regard to the funding process to be used for countywide charter schools, and will determine the manner in which financial audits for countywide charter schools shall be conducted.

NECESSITY/RATIONALE

Assembly Bill (AB) 1994 (Chapter 1058, Statutes of 2002) amended the Charter School Act of 1992, and added *Education Code* Section 47605.6 that creates new responsibilities for county boards of education to review and approve charter schools of countywide interest that propose to operate on multiple sites within the county.

SECTION 11967.8

This section provides technical clarity regarding the funding and operations of countywide charter schools, as well as the conduct of audits and resolution of audit exceptions. The regulations are proposed to be effective for the whole of 2003-04 and each fiscal year thereafter.

Subdivision (a). Clarifies that a countywide charter school is funded in keeping with the funding provisions otherwise applicable to charter schools and is directly funded. These are sensible elaborations on a statute that is incomplete and result in no additional costs to the state for students who attend countywide charter schools in lieu of other charter schools.

Subdivision (b). Clarifies the meaning of “sponsoring local education agency” for purposes of countywide charter schools. This clarification ensures that local tax funds are transferred appropriately to countywide charter schools based upon the revenues accruing to the districts in which the schools’ pupils resides, and ensures that related financial calculations are made properly. This is sensible elaboration on a statute that is incomplete and results in no additional costs to the state for students who attend countywide charter schools in lieu of other charter schools.

Subdivision (c). Clarifies how funds are technically to be allocated on behalf of countywide charter schools. This is a sensible elaboration on a statute that is incomplete and results in no additional costs to the state for students who attend countywide charter schools in lieu of other charter schools.

Subdivision (d). Provides technical authorization for inclusion of countywide charter schools in STRS and PERS (which is clearly envisioned in statute). These are sensible elaborations on a statute that is incomplete and result in no additional costs to the state for students who attend countywide charter schools in lieu of other charter schools.

Subdivision (e). Extends to countywide charter schools the regulations pertaining to audits and resolution of audit exceptions that apply to schools chartered by the State Board of Education on appeal. These are sensible elaborations and are consistent with the specific direction set forth in *Education Code* Section 47605.6(b)(5)(I).

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDIES, REPORTS, OR DOCUMENTS.

The State Board did not rely upon any other technical, theoretical, or empirical studies, reports, or documents in proposing the adoption of these regulations.

REASONABLE ALTERNATIVES TO THE REGULATIONS AND THE AGENCY'S REASONS FOR REJECTING THOSE ALTERNATIVES.

The State Board was not presented with other viable alternatives to the adoption of these regulations.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.

The State Board has not identified any alternatives that would lessen any adverse impact on small business.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.

The proposed regulations would not have a significant adverse economic impact on any business because they provide a process for a new type of charter school to obtain funding and therefore, have no effect on existing charter schools or small businesses.

1 Title 5. EDUCATION

2 Division 1. State Department of Education

3 Chapter 11. Special Programs

4 Subchapter 19. Charter Schools

5 *Add Section 11967.8 to read:*

6 **Section 11967.8. Countywide Charter Schools.**

7 For the purpose of a countywide charter school approved pursuant to Education Code Section
8 47605.6, the following shall apply:

9 (a) The charter school shall be funded pursuant to Chapter 6 of Part 26.8 of the Education
10 Code (commencing with Section 47630) and receive its funding directly.

11 (b) The charter school’s “sponsoring local education agency” for purposes of Chapter 6 of
12 Part 26.8 of the Education Code shall be the school district of residence of each of the pupils
13 attending the school.

14 (c) The warrant shall be drawn in favor of the superintendent of schools of the county that
15 approved the school, and that county superintendent is authorized to establish appropriate funds
16 or accounts in the county treasury for the school.

17 (d) The county superintendent is authorized to make necessary arrangements for the school’s
18 participation in State Teachers’ Retirement System and/or Public Employees Retirement System
19 in accordance with Education Code Section 47611.3.

20 (e) For the purposes of Education Code Section 47605.6(b)(5)(I), the provisions of paragraph
21 (9) of subdivision (f) of Section 11967.5.1 shall apply. If the school has multiple sites, the
22 charter shall indicate how each of the school’s sites will be appropriately included in the
23 processes of auditing and resolving audit exceptions.

24 This section shall apply for the entire 2003-04 fiscal year and each fiscal year thereafter.

25 NOTE: Authority cited: Sections 33031 and 47605.6(b)(5)(I), Education Code. Reference
26 Section 47611.3 and Chapter 6 of Part 26.8 (commencing with Section 47630), Education Code.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Environmental Effect of Proposed Formation of Wiseburn Unified School District from Wiseburn Elementary School District and a Portion of Centinela Valley Union High School District in Los Angeles County	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input checked="" type="checkbox"/> Public Hearing

RECOMMENDATION

Adopt a Negative Declaration which indicates no environmental effect.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education has not heard this issue previously. The Board received this item as an information memorandum in April 2004.

SUMMARY OF KEY ISSUES

Six years ago, the California Resources Agency adopted new guidelines that exempted school district organizations from the California Environmental Quality Act (CEQA) process. Those guidelines were invalidated in a recent appellate court ruling (Communities for a Better Environment v. California Resources Agency, Court of Appeal, Third Appellate District, Case No. C038844) and the original guidelines, which included school district organizations as projects under CEQA, were reinstated.

The State Board of Education is the lead agency for all aspects of school district unifications, including the reinstated CEQA review process. Pursuant to past practice, California Department of Education (CDE) staff conducted an initial study (Attachment 2) and determined that there would be no significant adverse effect on the environment as a result of forming the Wiseburn Unified School District. A copy of the Negative Declaration and initial study has been filed with the State Clearinghouse for state agency review. Also, a legal notice of the public hearing has been published in a local newspaper of general circulation. Any comments received by CDE will be forwarded to the Board or presented verbally at the public hearing.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal effect to adopting the Proposed Negative Declaration.

ATTACHMENT

[Attachment 1](#): Proposed Negative Declaration (1 Page)

[Attachment 2](#): Environmental Checklist Form (8 Pages)

PROPOSED NEGATIVE DECLARATION

1. Name, if any, and a brief description of project: **Formation of Wiseburn Unified School District**, which is a unification of the existing Wiseburn Elementary School District and corresponding geographical portion of Centinela Valley Union High School District.
2. Location: **Los Angeles County**
3. Entity or person undertaking project: **California State Board of Education**

The California State Board of Education, having reviewed the Initial Study of this proposed project, and having reviewed the written comments received prior to the public meeting of the State Board of Education, including the recommendation of the California Department of Education's staff, does hereby find and declare that the proposed project will not have a significant effect on the environment. A brief statement of the reasons supporting the State Board of Education findings is as follows: **The unification itself will not involve or cause physical changes to the existing environment. Merely changing the political boundaries governance structure, and/or the name of a school district will not have an environmental impact.**

The California State Board of Education hereby finds that the Negative Declaration reflects its independent judgment.

A copy of the Initial Study may be obtained at the California Department of Education, 1430 N Street, Suite 3800, Sacramento, CA 95814. Telephone: (916) 322-1468.

The location and custodian of the documents and any other material which constitute the record of proceedings upon which the California State Board of Education based its decision to adopt this Negative Declaration are as follows:

California Department of Education
1430 N Street, Suite 3800
Sacramento, CA 95814
Telephone: (916) 322-1468

ENVIRONMENTAL CHECKLIST FORM

1. Project title: Formation of Wiseburn Unified School District

2. Lead agency name and address:

California State Board of Education

1430 N Street, Suite 5111, Sacramento, CA 95814

3. Contact person and phone number: Larry Shirey, 916 322-1468

4. Project location:

Wiseburn School District, serving Cities of El Segundo and Hawthorne, parts of unincorporated Los Angeles County

5. Project sponsor's name and address:

Tony Nakamura, Chief petitioner John Peterson, Chief petitioner Lydia Rodriquez, Chief Petitioner

5524 W. 124th St., Hawthorne, 90250

5315 W. 124th Pl., Del Aire,

90250 5164 W. 131st St., Hawthorne, 90250

6. General plan designation: N/A 7. Zoning: N/A

8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

Change of local governmental structure from elementary/high school districts to unified school district

9. Surrounding land uses and setting: (Briefly describe the project's surroundings)

Cities of El Segundo, Inglewood, Hawthorne, Lawndale, Torrance, and unincorporated Los Angeles County; five current

school districts – Centinela Valley Union High School District, Hawthorne Elementary School District, Lawndale

Elementary School District, Lennox Elementary School District, Wiseburn Elementary School District

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreements.)

None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially significant Impact" as indicated by the checklists on the following pages.

- Land Use and Planning
- Transportation/Circulation
- Public services
- Population and Housing
- Biological Resources
- Utilities and Service
- Geological Problems
- Energy and Mineral Resources
- Aesthetics
- Water
- Hazards
- Cultural Resources
- Air Quality
- Noise
- Recreation
- Mandatory Findings of

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Signature

Date: 10/1/03

Printed name: Larry Shirey

For: California State Board of Education

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 1 5063(c)(3)(D). Earlier analyses are discussed in Section XVII at the end of the checklist.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. See the sample question below. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 7) This is only a suggested form, and lead agencies are free to use different ones.

Sample Question:

Issues (and Supporting Information Sources):

Would the proposal result in potential impacts involving:

Potentially Significant Impact	Potentially Significant Unl Mitigation Incorporated	<i>Less than Significant Impact</i>	<i>No Impact</i>
---	--	---	------------------

a) Landslides or mudslides? (1, 6)

(Attached source list explains that 1 is the general plan, and 6 is a USGS topo map. This answer would probably not need further explanation.)

*Potentially
Significant
Unless
Mitigation
Incorporated*

ENVIRONMENTAL IMPACTS:

Potentially
Significant
Impact

Less than
Significant
Impact

No Impact

I. LAND USE AND PLANNING. *Would the proposal:*

- a) Conflict with general plan designation or zoning? (*)
- b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project? (*)
- c) Be incompatible with existing land use in the vicinity? (*)
- d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)? (*)
- e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (*)

II. POPULATION AND HOUSING. *Would the proposal:*

- a) Cumulatively exceed regional or local population projections? (*)
- b) Induce substantial growth in an area either directly or indirectly (e.g., projects in an undeveloped area of major infrastructure)? (*)
- c) Displace existing housing, especially affordable housing? (*)

III. GEOLOGIC PROBLEMS. *Would the proposal result in or expose people to potential impacts involving:*

- a) Fault rupture? (*)
- b) Seismic ground shaking? (*)
- c) Seismic ground failure, including liquefaction? (*)
- d) Seiche, tsunami, or volcanic hazard? (*)
- e) Landslides or mudflows? (*)
- f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill? (*)
- g) Subsidence of land? (*)
- h) Expansive soils? (*)
- i) Unique geologic or physical features? (*)

IV. WATER. *Would the proposal result in:*

- a) Changes in absorption rates, drainage patterns, or surface runoff? (*)
- b) Exposure of people or property to water related hazards such as flooding? (*)
- c) Discharge into surface waters or other alteration of surface water quality

- (e.g., temperature, dissolved oxygen or turbidity)? (*)
- d) Changes in the amount of surface water in any water body? (*)
- e) Changes in currents or the course/direction of water movements? (*)
- f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability? (*)
- g) Altered direction or rate of flow of groundwater? (*)
- h) Impacts to groundwater quality? (*)
- i) Substantial reduction in the amount of groundwater otherwise available for public water supplies? (*)

V. AIR QUALITY. *Would the proposal:*

- a) Violate any air quality standard or contribute to an existing or projected air quality violation? (*)
- b) Expose sensitive receptors to pollutants? (*)
- c) Alter air movement, moisture, or temperature, or cause any change in climate? (*)
- d) Create objectionable odors? (*)

VI. TRANSPORTATION/CIRCULATION. *Would the proposal result in:*

- a) Increased vehicle trips or traffic congestion? (*)
- b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (*)
- c) Inadequate emergency access or access to nearby uses? (*)
- d) Insufficient parking capacity onsite or offsite? (*)
- e) Hazards or barriers for pedestrians or bicyclists? (*)
- f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (*)
- g) Rail, waterborne or air traffic impacts? (*)

VII. BIOLOGICAL RESOURCES. *Would the proposal result in impacts to:*

- a) Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)? (*)
- b) Locally designated species (e.g., heritage trees)? (*)
- c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)? (*)
- d) Wetland habitat (e.g., marsh, riparian, and vernal pool)? (*)

- e) Wildlife dispersal or migration corridors? (*)

VIII. ENERGY AND MINERAL RESOURCES. *Would the proposal:*

- a) Conflict with adopted energy conservation plans? (*)
- b) Use nonrenewable resources in a wasteful and inefficient manner? (*)
- c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State? (*)

IX. HAZARDS. *Would the proposal involve:*

- a) A risk of accidental explosion or release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation)? (*)
- b) Possible interference with an emergency response plan or emergency evacuation plan? (*)
- c) The creation of any health hazard or potential health hazard? (*)
- d) Exposure of people to existing sources of potential health hazards? (*)
- e) Increased fire hazard in areas with flammable brush, grass, or trees? (*)

X. NOISE. *Would the proposal result in:*

- a) Increases in existing noise levels? (*)
- b) Exposure of people to severe noise levels? (*)

XI. PUBLIC SERVICES. *Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:*

- a) Fire protection? (*)
- b) Police protection? (*)
- c) Schools? (*)
- d) Maintenance of public facilities, including roads? (*)
- e) Other government services? (*)

XII. UTILITIES AND SERVICE SYSTEMS. *Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:*

- a) Power or natural gas? (*)
- b) Communications systems? (*)
- c) Local or regional water treatment or distribution facilities? (*)
- d) Sewer or septic tanks? (*)
- e) Storm water drainage? (*)

- f) Solid waste disposal? (*)
- g) Local or regional water supplies? (*)

XIII. AESTHETICS. *Would the proposal:*

- a) Affect a scenic vista or scenic highway? (*)
- b) Have a demonstrable negative aesthetic effect? (*)
- c) Create light or glare? (*)

XIV. CULTURAL RESOURCES. *Would the proposal:*

- a) Disturb paleontological resources? (*)
- b) Disturb archaeological resources? (*)
- c) Have the potential to cause a physical change which would affect unique ethnic cultural values? (*)
- d) Restrict existing religious or sacred uses within the potential impact area? (*)

XV. RECREATION. *Would the proposal:*

- a) Increase the demand for neighborhood or regional parks or other recreational facilities? (*)
- b) Affect existing recreational opportunities? (*)

XVI. MANDATORY FINDINGS OF SIGNIFICANCE.

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?
- c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)
- d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

XVII. EARLIER ANALYSES.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case a discussion should identify the following on attached sheets:

- a) **Earlier analyses used.** Identify earlier analyses and state where they are available for review.
- b) **Impacts adequately addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) **Mitigation measures.** For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which are incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

* Project is a governance change for a local education agency and will have no negative environmental effect

Authority: Public Resources Code Sections 21083 and 21087.

Reference: Public Resources Code Sections 21080(c), 21080.1, 21083, 21083.3, 21093, 21094, 21151; *Sundstrum v. County of Mendocino*, 202 Cal.App.3d 296 (1988); *Leonoff v. Monterey Board of Supervisors*, 222 Cal.App.3d 1337 (1990).



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Proposed Formation of Wiseburn Unified School District from Wiseburn Elementary School District and a Portion of Centinela Valley Union High School District in Los Angeles County	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input checked="" type="checkbox"/> Public Hearing

RECOMMENDATION

Adopt the attached proposed resolution (Attachment 2) approving the petition to form a new unified (K-12) school district from Wiseburn Elementary School District (ESD) and a portion of Centinela Valley Union High School District (UHSD) in Los Angeles County, and establishing the election area for the unification proposal as the Centinela Valley UHSD.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education (SBE) has not heard this issue previously. The Board received this item as an information memorandum in April 2004.

SUMMARY OF KEY ISSUES

The action to form a Wiseburn Unified School District (USD) was initiated pursuant to *Education Code* Section 35700(a), which requires a petition signed by at least 25 percent of the registered voters residing in the territory proposed for reorganization.

The Los Angeles County Office of Education (LACOE) analyzed the effects of the proposed unification on the nine required conditions for approval listed in *Education Code* Section 35753(a). This analysis, which is included as Attachment 3, determined that eight of the nine conditions are substantially met, and that the remaining condition (equitable distribution of property) is met if the election area for the unification proposal includes the entire Centinela Valley UHSD. The Los Angeles County Committee on School District Organization (LACC) determined that the proposed unification failed to substantially comply with two of nine conditions of *Education Code* Section 35753(a). However, the LACC voted 4-3 to recommend approval of the petition. The LACC then voted to recommend expanding the election area to the entire Centinela Valley UHSD.

The Centinela Valley UHSD is in opposition to the proposal. Wiseburn ESD has taken a position in support of the proposal.

California Department of Education (CDE) staff found that all conditions of *Education Code* Section 35753(a) are substantially met. Staff recommends that the SBE approve the proposal. Staff also finds that conditions warrant expanding the election area to the entire Centinela Valley UHSD. The unification would remove 40% of the assessed

valuation of the high school district and no high school facilities, resulting in no transfer of liability for the high school district's outstanding bonded indebtedness. This situation would significantly reduce the high school district's bonding capacity and significantly increase the tax rate for property owners in the high school district.

Staff's analysis is provided as Attachment 1. A proposed resolution approving the petition and setting the election area as the entire Centinela Valley UHSD is provided for the SBE's consideration as Attachment 2.

FISCAL ANALYSIS (AS APPROPRIATE)

CDE staff estimates that revenue limit funding will increase 10 percent over the blended revenue limit generated by the elementary students of Wiseburn ESD and the secondary students residing in the Wiseburn portion of Centinela Valley UHSD. We estimate this will increase state General Fund revenue limits by about \$1 million. Note these are Proposition 98 expenditures.

ATTACHMENT

[Attachment 1](#): Report of Required Conditions for Reorganization (26 Pages)

[Attachment 2](#): Proposed Approval Resolution (1 Page)

Attachment 3: Report to the Los Angeles County Committee on School District Organization Concerning the Proposed Formation of a Wiseburn Unified School District (24 Pages) (This attachment is not available for web viewing. A printed copy is available for viewing in the State Board of Education Office).

Attachment 4: Racial and Ethnic Report (6 Pages) (This attachment is not available for web viewing. A printed copy is available for viewing in the State Board of Education Office).

Attachment 5: Condition 6 Review of Proposal to form Wiseburn Unified School District from Wiseburn Elementary School District and a Portion of Centinela Valley Union High School District in Los Angeles County (2 Pages) (This attachment is not available for web viewing. A printed copy is available for viewing in the State Board of Education Office).

Attachment 6: Proposal to form Wiseburn Unified School District from Wiseburn Elementary School District and a Portion of Centinela Valley Union High School District in Los Angeles County (3 Pages) (This attachment is not available for web viewing. A printed copy is available for viewing in the State Board of Education Office).

Attachment 7: Criterion #9 Report (2 Pages) (This attachment is not available for web viewing. A printed copy is available for viewing in the State Board of Education Office).

[Attachment 8](#): Alternate Approval Resolution (1 Page)

[Attachment 9](#): Alternate Resolution (1 Page)

**PROPOSED FORMATION OF
WISEBURN UNIFIED SCHOOL DISTRICT FROM
WISEBURN ELEMENTARY SCHOOL DISTRICT AND A PORTION OF
CENTINELA VALLEY UNION HIGH SCHOOL DISTRICT IN
LOS ANGELES COUNTY**

REPORT OF REQUIRED CONDITIONS FOR REORGANIZATION

1.0 RECOMMENDATION

Staff recommends approval of the proposal to form a Wiseburn Unified School District (USD) from territory of the Wiseburn Elementary School District (ESD) and the corresponding portion of Centinela Valley Union High School District (UHSD). This recommendation is based on the analysis of required legal conditions (*Education Code*¹ Section 35753). Staff finds that all of the nine conditions are substantially met by the proposal.

Staff further recommends that the State Board of Education (SBE) establish the entire territory of the Centinela Valley UHSD as the election area for the unification proposal. The proposal would remove approximately 40% of the assessed valuation (and only 15% of the high school enrollment) of the Centinela Valley UHSD. This shift of assessed valuation would significantly reduce future bonding capacity for the high school district while increasing the financial responsibility of property owners in the remaining (non-Wiseburn) area of the district to repay current outstanding bonded indebtedness. It is staff's opinion that the reduction in bonding capacity for the high school district and increased tax burden for property owners in the remaining portion of the high school district represent a significant impact on the remaining Centinela Valley UHSD.

A resolution containing these recommendations is included as Attachment 2.

2.0 BACKGROUND

A petition proposing the formation of a new unified school district from the territory of the current Wiseburn ESD and the corresponding portion of Centinela Valley UHSD, signed by at least 25% of the registered voters within Wiseburn ESD, was submitted to the Los Angeles County Office of Education (LACOE) on November 9, 2001. On December 4, 2001, pursuant to Section 35704, the Los Angeles County Superintendent of Schools found the petition to be sufficient and signed as required by law.

In addition to Wiseburn ESD, there are three other component school districts within Centinela Valley UHSD: Hawthorne, Lawndale, and Lennox. Centinela Valley UHSD has

¹All subsequent statutory references are to the *Education Code* unless otherwise indicated.

three comprehensive high schools, none of which are located within the boundaries of Wiseburn ESD.

LACOE analyzed the effects of the proposed unification on the nine required conditions for approval listed in *Education Code* Section 35753(a). This analysis determined that eight of the nine conditions are substantially met, and that the remaining condition (equitable distribution of property) is met if the election area for the unification proposal includes the entire Centinela Valley UHSD.

At a March 1, 2002, deliberation meeting, the Los Angeles County Committee on School District Organization (LACC) heard the recommendations of the LACOE (Attachment 3). The LACC found that two of the Section 35753(a) conditions were not substantially met. Despite finding two of the nine conditions not substantially met, the LACC recommended approval of the unification proposal on a 4-3 vote. The LACC further recommended that the election area be expanded to the entire Centinela Valley UHSD.

California Department of Education (CDE) staff agrees with the LACOE recommendations that eight of the nine conditions in Section 35753(a) are substantially met. Furthermore, staff agrees with both LACOE and LACC that the election area for the unification proposal should be expanded to the entire Centinela Valley UHSD if the State Board approves the proposal so that all nine conditions will be substantially met.

3.0 REASONS FOR THE UNIFICATION

The chief petitioners cite the following reasons for the proposed Wiseburn USD:

- (a) A desire to establish a unified school district that will be responsive to the unique needs of the Wiseburn student population to have safe, small, academically successful schools.
- (b) A desire to provide a coordinated sequential educational program from preschool through twelfth grade.
- (c) A belief that unification will increase collaboration among elementary staff, secondary staff, and the community in the pursuit of national, state, county and local educational agencies.
- (d) A desire for a unified educational system whereby educational expectations and accountability are driven by a single board of trustees and a single administration representing the Wiseburn community.
- (e) A belief that unification will provide a more effective use of district resources.
- (f) A desire to establish a high school to serve the Wiseburn community.

4.0 POSITIONS OF SCHOOL DISTRICTS

4.1 Centinela Valley Union High School District

Centinela Valley UHSD opposes the proposal, primarily focusing on the failure of the proposal to meet the following three conditions of Section 35753(a).

- Condition 4: The reorganization of the districts will not promote racial or ethnic discrimination or segregation.
- Condition 6: The proposed reorganization will not significantly disrupt the educational programs in the proposed districts and districts affected by the proposed reorganization and will continue to promote sound education performance in those districts.
- Condition 9: The proposed reorganization will not cause a substantial negative effect on the fiscal management or fiscal status of the proposed district or any existing district affected by the proposed reorganization.

4.2 Wiseburn Elementary School District

The Wiseburn ESD supports the proposal, finding that the proposal meets all conditions of Section 35753(a) and that “creation of such a district will provide enhanced continuity and articulation and will enrich the educational lives of children from the Wiseburn community.”

5.0 SECTION 35753 CONDITIONS

The SBE may approve proposals for the reorganization of districts if the SBE has determined the proposal substantially meets the nine conditions in Section 35753. Those conditions are further clarified by Section 18573, Title 5, *California Code of Regulations*.

For its analysis of the current proposal, staff reviewed CDE studies of specific issues related to the proposal and the following information provided by LACOE:

- (a) Petition for the proposed Wiseburn USD, including maps of the area.
- (b) “Feasibility Study of the Proposed Reorganization and Creation of the Wiseburn Unified School District” prepared by LACOE, May 1, 2002.
- (c) Minutes and audiotapes of the LACC public hearings and meetings.
- (d) Various letters and reports in support of and opposition to the proposed unification.
- (e) Miscellaneous related reports.

Staff findings and conclusions regarding the Section 35753 and Title 5 conditions follow:

5.1 The new districts will be adequate in terms of number of pupils enrolled.

Standard of Review

It is the intent of the State Board of Education that direct service districts not be created which will become more dependent upon county offices of education and state support unless unusual circumstances exist. Therefore, each district affected must be adequate in terms of numbers of pupils, in that each such district should have the following projected enrollment on the date the proposal becomes effective or any new district becomes effective for all purposes: Elementary district, 901; high school district, 301; unified district, 1,501. (Section 18573(a)(1)(A), Title 5, California Code of Regulations)

County Committee Evaluation/Vote

The report prepared by LACOE for the LACC (hereinafter referred to as “feasibility study”) indicates that the petition meets this requirement (Attachment 3, page 10).

The LACC voted unanimously (7-0) that this criterion is substantially met.

Staff Findings/Conclusion

As stated previously, a new unified district is adequate in terms of number of pupils if projected enrollment is 1,501 or greater on the date the new district becomes effective for all purposes. Enrollment must be 301 for high school districts. The table below depicts historical and projected enrollment in the two affected districts from the 1998-99 to the 2007-08 school years. If voters at a November 2004 election approve the proposal for Wiseburn USD, the new unified district would be effective for all purposes on July 1, 2005. Projected enrollments for the proposed Wiseburn USD are included in the table, beginning with the 2005-06 school year.

Historical and Projected Enrollments

Year	Wiseburn ESD Area		Proposed Wiseburn USD	Centinela Valley UHSD
	K-8 Students	9-12 Students		
1998-99	1,712	293		6,595
1999-00	1,724	287		6,766
2000-01	1,739	282		6,917
2001-02	1,817	271		7,053
2002-03	1,930	254		7,476
2003-04*	2,018	256		7,760
2004-05*	2,098	277		8,244
2005-06*	2,222	300	2,522	8,415
2006-07*	2,332	330	2,661	8,732
2007-08*	2,467	347	2,814	8,975

* *Projections*

Source for Historical Enrollment: California Basic Educational Data System [CBEDS] and Centinela Valley UHSD

In the last year for which CBEDS data is available (2002-03), Wiseburn ESD had a

total enrollment of 1,930 K-8 students. Centinela Valley UHSD had a 9-12 enrollment of 7,476 students in 2002-03. Of that total secondary enrollment, 254 students lived within the boundaries of Wiseburn ESD.

Enrollment (K-12) in the proposed Wiseburn USD is projected to be 2,522 in 2005-06, while projections for Centinela Valley UHSD show a 9-12 enrollment of 8,415. Currently, about 28% of Wiseburn ESD's enrollment resides outside the boundaries of the district but attend the district through interdistrict transfer. A significant number of commercial and industrial firms are located within the boundaries of Wiseburn ESD and that district historically approves interdistrict transfers to allow parents employed at these firms to enroll their children in the schools close to where they work. Enrollment projections in the above table do not include any potential high school student enrollment through interdistrict transfers. However, high school enrollment could increase significantly if interdistrict attendance at the secondary level approaches the level that exists in the elementary school district.

Staff concludes that this condition is substantially met.

5.2 The districts are each organized on the basis of a substantial community identity.

Standard of Review

The following criteria from Section 18573(a)(2), Title 5, California Code of Regulations, should be considered to determine whether a new district is organized on the basis of substantial community identity: isolation; geography; distance between social centers; distance between school centers; topography; weather; community, school and social ties; and other circumstances peculiar to the area.

County Committee Evaluation/Vote

The feasibility study reports that the Wiseburn ESD is comprised of unincorporated areas of Los Angeles County and portions of the cities of Hawthorne and El Segundo. LACOE further notes that, although the proposed new unified district is not located within a single municipality, residents in the area receive services from many common public service providers, share common social and community centers, and frequent common business establishments. (Attachment 3, page 13)

The feasibility study concludes that the proposal substantially meets this condition.

The LACC voted unanimously (7-0) that this condition is substantially met.

Staff Findings/Conclusion

As is the case in most relatively compact urban/suburban settings, the Title 5 criteria of isolation, geography, and weather are not applicable to the analysis of substantial

community identity. No further discussion of these criteria is warranted, as they cannot be used to define community identity in this particular reorganization proposal.

The new unified district would correspond to the boundaries of an existing elementary school district. Therefore, separate and distinct educational communities already exist. In the past, the elementary school district within the high school district has played an important role in establishing the community identity of the area. The new unified district should continue that role. Similarly, the remaining Centinela Valley UHSD would share common boundaries with its three other component elementary districts.

Staff finds that the districts would be organized on the basis of a substantial community identity since the proposed Wiseburn USD and the remaining Centinela Valley UHSD would correspond to existing school district boundaries.

5.3 The proposal will result in an equitable division of property and facilities of the original district or districts.

Standard of Review

To determine whether an equitable division of property and facilities will occur, the California Department of Education reviews the proposal for compliance with the provisions of Education Code sections 35560 and 35564 and determines which of the criteria authorized in Section 35736 shall be applied. The California Department of Education also ascertains that the affected districts and county office of education are prepared to appoint the committee described in Section 35565 to settle disputes arising from such division of property. (California Code of Regulations, Title 5, Section 18573(a)(3))

County Committee Evaluation/Vote

The feasibility study (Attachment 3, page 12) addressed the following issues in its analysis of division of property and facilities:

(a) Property, Funds, and Obligations

There is no Centinela Valley UHSD real property located within the boundaries of the proposed Wiseburn USD. Thus, the Wiseburn USD would not take ownership of any Centinela Valley UHSD school sites.

The feasibility study does not address the division of all other property, funds, and obligations (except bonded indebtedness) of the Centinela Valley UHSD.

(b) Bonded Indebtedness

Voters in the Centinela Valley UHSD approved \$59 million in general obligation bonds in March 2000. At the time of the LACOE study, the district had issued \$18.8 million to fund ongoing facility projects and planned to issue the remaining bonds in April 2002 (\$23 million) and January 2003 (\$17.2 million). Since there are no Centinela Valley UHSD school facilities or property located within the boundaries of the proposed unified district, the property owners within the Wiseburn USD would drop any liability for the bonded indebtedness of Centinela Valley UHSD.

Voters in Wiseburn ESD approved bonds at March 1997 and June 2000 elections. At the time of the LACOE study, the district had fully issued its \$39.1 million in approved bonds. Liability for this bonded indebtedness would remain with the property owners within the current Wiseburn ESD if the unification proposal is approved.

The LACOE study notes that the proposed unification would remove approximately 40% of the assessed valuation from Centinela Valley UHSD, which would result in a corresponding 40% reduction in the district's bonding capacity. This reduction would leave Centinela Valley UHSD with a bonding capacity of about \$53.4 million. Thus, the district would exceed its bonding capacity if the district issues all \$59 million in voter approved bonds. Based on 2001-02 information, the Los Angeles County Auditor-Controller estimates that this condition would remain for about six years until property values appreciate.

(c) Student Body Funds

The feasibility study notes that a share of student body funds at Centinela Valley UHSD schools would transfer to the proposed Wiseburn USD. This share would correspond to the proportion of high school students transferring to the new unified district.

As noted earlier, the proposed unification would result in the reduction of approximately 40% of the assessed valuation of the Centinela Valley UHSD. Since no secondary school facilities would transfer to the Wiseburn USD, none of the responsibility for the high school district's outstanding bonded indebtedness would transfer to the new unified district. As a result, property owners in the remaining Centinela Valley UHSD would absorb a significant increase in tax rates to support the district's bonded indebtedness (\$18.8 million) that existed in 2001-02. That tax rate would increase to a much greater degree if the district issues all \$59 million of its general obligation bonds.

Because the proposed unification would increase tax rates for the property owners in the remaining Centinela Valley UHSD, LACOE recommends that this condition is substantially met only if the election area for the unification proposal is expanded to

include all of the voters in the Centinela Valley UHSD (thus allowing these voters an opportunity to vote on an issue that would result in increased tax rates for property owners in the area).

The LACC voted 4-3 that this criterion is not substantially met.

Staff Findings/Conclusion

Department staff finds that existing provisions of the *Education Code* may be utilized to achieve equitable distribution of property, funds, and obligations of Centinela Valley UHSD, and concludes that this condition has been substantially met. Staff further recommends the following:

- (a) All assets and liabilities of the Centinela Valley UHSD shall be divided based on the proportionate average daily attendance (ADA) of the high school students residing in the areas of the two districts on June 30 of the school year immediately preceding the date on which the proposed unification becomes effective for all purposes. (Section 35736)
- (b) Student body property, funds, and obligations shall be divided proportionately, except that the share shall not exceed an amount equal to the ratio which the number of pupils leaving the schools bears to the total number of pupils enrolled; and funds from devises, bequests, or gifts made to the organized student body of a school shall remain the property of the organized student body of that school and shall not be divided. (Section 35564)
- (c) As specified in Section 35565, disputes arising from the division of property, funds, or obligations shall be resolved by the affected school districts and the county superintendent of schools through a board of arbitrators. The board shall consist of one person appointed by each district and one by the county superintendent of schools. By mutual accord, the county member may act as sole arbitrator; otherwise, arbitration will be the responsibility of the entire board. Expenses will be divided equally between the districts. The written findings and determination of the majority of the board of arbitrators is final, binding, and may not be appealed.

Staff disagrees with the LACOE recommendation that this condition is met only if the election area for the unification proposal is expanded to include the entire Centinela Valley UHSD. The issue of expanding the election area will be addressed more fully later in this report.

5.4 The reorganization of the districts will not promote racial or ethnic discrimination or segregation.

Standard of Review

In Section 18573(a)(4), Title 5, California Code of Regulations, the State Board of Education set forth five factors to be considered in determining whether reorganization will promote racial or ethnic discrimination or segregation:

- (a) The current number and percentage of pupils in each racial and ethnic group in the affected districts and schools in the affected districts, compared with the number and percentage of pupils in each racial and ethnic group in the affected districts and schools in the affected districts if the proposal or petition were approved.
- (b) *The trends and rates of present and possible future growth or change in the total population in the districts affected, in each racial and ethnic group within the total district, and in each school of the affected districts.*
- (c) *The school board policies regarding methods of preventing racial and ethnic segregation in the affected districts and the effect of the proposal or petition on any desegregation plan or program of the affected districts, whether voluntary or court ordered, designed to prevent or alleviate racial or ethnic discrimination or segregation.*
- (d) *The effect of factors such as distance between schools and attendance centers, terrain, geographic features that may involve safety hazards to pupils, capacity of schools, and related conditions or circumstances that may have an effect on the feasibility of integration of the affected schools.*
- (e) *The effect of the proposal on the duty of the governing board of each of the affected districts to take steps, insofar as reasonably feasible, to alleviate segregation of minority pupils in schools regardless of its cause.*

County Committee Evaluation/Vote

The following table presents a summary of the 2001-02 ethnic enrollment data presented in the feasibility study (Attachment 3, page 14):

Ethnic Enrollment in Affected Districts

	Minority Students	White Students
Centinela Valley UHSD	6,617 (95.0%)	347 (5.0%)
Centinela Valley UHSD students within Wiseburn area	208 (77.9%)	59 (22.1%)
Wiseburn ESD	1,309 (72.1%)	507 (27.9%)

Source: Ethnic profile information provided by districts

As depicted in the above table, 95 percent of the students enrolled in Centinela Valley UHSD are minority students and almost 78 percent of the high school students who reside within the area of Wiseburn ESD are minority students. In the Wiseburn ESD, 72.1 percent of the K-8 students are minority.

The following table compares the percent of minority students in both districts before the proposed unification with the percent after the unification.

Percent Minority Students in Affected Districts

	Minority Students	White Students
Before Unification		
Centinela Valley UHSD	6,617 (95.0%)	347 (5.0%)
Wiseburn ESD	1,309 (72.1%)	507 (27.9%)
After Unification		
Centinela Valley UHSD	6,409 (95.7%)	288 (4.3%)
Wiseburn USD	1,517 (72.8%)	566 (27.2%)

For both districts, the proposed unification would cause less than a one percent increase in the minority student population.

LACOE finds that both affected districts currently have a majority of minority students and the proposed reorganization would have little effect on that status. The unification would increase minority student enrollment in each district by less than one percent. Therefore, LACOE recommends that this condition is substantially met.

The LACC voted 6-1 that this condition is substantially met.

Staff Findings/Conclusion

The CDE's Office of Equal Opportunity (OEO) provides support to the CDE review of reorganization proposals. The OEO report on this proposal is Attachment 4 to the Board item.

OEO analyzed the five factors set forth in Section 18573 of Title 5, *California Code of Regulations* in light of information provided in the feasibility study. Findings are further compared to California Basic Educational Data System (CBEDS) information on file with the CDE.

(a) Racial and Ethnic Enrollment: Analysis by District and School

OEO analyzed current school populations (from 2002-03 CBEDS) in the Wiseburn ESD and the Centinela Valley UHSD. OEO found that the minority student population of Wiseburn ESD is 73.0 percent of the total school population. OEO also found that the student population of Centinela Valley UHSD is 95.2 percent minority.

OEO notes that the schools directly affected by the proposal are the high schools since the proposed unification would not cause movement of any K-8 students from one school to another. Currently, three high schools (Hawthorne High, Lawndale High, and Leuzinger High) serve high school students residing in Wiseburn ESD territory. The proposed unification increases the percentage of minority students in these three schools by 0.6 percent.

The vast majority of the Wiseburn ESD area high school students (234 out of 254) attend Hawthorne High School. Removing these 234 students from Hawthorne High increases the percentage of minority students in this school from 94.4 percent to 95.9 percent.

(b) Racial and Ethnic Enrollment: Trends and Rates of Change

OEO charted K-12 racial/ethnic student enrollment growth for five years for the two affected school districts. The percentage of minority students in Wiseburn ESD increased from 61 percent to 73 percent over the five-year period. Minority student enrollment slightly increased from 94.2 percent to 95.2 percent in Centinela Valley UHSD.

(c) School Board Policies: Desegregation Plans and Programs

There are no current court-ordered desegregation plans or programs in any of the affected districts.

(d) Factors Affecting Feasibility of Integration

No information was provided to identify any specific effects of factors such as distance from schools, attendance areas, or geographic features on the feasibility of integration.

(e) Duty of School to Alleviate Segregation

OEO notes that the governing board of each affected school district has a duty to alleviate segregation, regardless of the cause. This duty would be reflected in the policies of any newly created school district.

OEO finds the net effect of this proposal to be that both the Wiseburn USD and

Centinela Valley UHSD would be minority majority districts, and therefore finds that it appears to be in substantial compliance with Section 35753(a)(4).

To provide further support for the OEO report, staff also calculated enrollment projections for minority students in the affected districts. The following table summarizes these projections for each district both before and after the proposed unification.

Current and Projected Percentages of Minority Students

	Centinela Valley UHSD (before)	Centinela Valley UHSD (after)	Wiseburn ESD (before)	Wiseburn USD (after)
2002-03 CBEDS	95.2%	95.8%	73.0%	73.6%
Projections				
2003-04	95.9%	96.4%	74.7%	75.6%
2004-05	96.3%	96.8%	76.6%	77.5%
2005-06	96.7%	97.1%	78.0%	79.1%
2006-07	97.0%	97.4%	79.5%	80.5%
2007-08	97.2%	97.6%	80.9%	81.8%

As can be seen in the above table, the proposed unification is projected to have little effect on the percentage of minority students attending either of the affected districts. By 2007-08, the proposed unification would increase the percentage of minority students in Centinela Valley UHSD by 0.4 percent as a result of the unification and the percentage of minority students in Wiseburn USD would increase to 0.9 percent above the percentage in Wiseburn ESD.

Staff agrees with the LACOE feasibility study, the LACC findings, and the OEO recommendation that this condition is substantially met. The proposed unification will not substantially promote racial or ethnic segregation or discrimination in any affected district.

5.5 The proposed reorganization will not result in any substantial increase in costs to the state.

Standard of Review

Education Code sections 35735 through 35735.2 mandate a method of computing revenue limits without regard to this criterion. Although the estimated revenue limit is considered in this section, only potential costs to the state other than those mandated by sections 35735 through 35735.2 are used to analyze the proposal for compliance with this criterion.

County Committee Evaluation/Vote

The feasibility study includes a calculation of the projected revenue limits for the proposed Wiseburn USD. Based on these calculations, unification of the Wiseburn ESD will increase the revenue limit for that area by 10 percent. (Attachment 3, page 18)

The LACC voted unanimously (7-0) that this condition is substantially met.

Staff Findings/Conclusion

Should the proposed unified district become effective for all purposes, the revenue limit will be calculated by staff in the CDE Principal Apportionment Unit using information submitted by the LACOE based on second prior fiscal year data (2003-04 for a July 1, 2005 effective date), including any adjustments for which the proposed district may be eligible. Staff estimates that revenue limit funding will increase by approximately 10 percent as a result of formation of the new unified district. As stated previously, increases in revenue limit funding due to reorganization are not considered to be increased costs to the state since these funding increases are statutorily capped.

State costs for transportation, categorical programs, regular programs, and special education should not be affected significantly by the proposed reorganization since, typically, funding for these programs would follow the students.

Staff agrees with the conclusion of the feasibility study that the proposal substantially meets this condition.

- 5.6 The proposed reorganization will not significantly disrupt the educational programs in the proposed districts and districts affected by the proposed reorganization and will continue to promote sound education performance in those districts.**

Standard of Review

The proposal or petition shall not significantly adversely affect the educational programs of districts affected by the proposal or petition, and the California Department of Education shall describe the districtwide programs, and the school site programs, in schools not a part of the proposal or petition that will be adversely affected by the proposal or petition. (Section 18573(a)(5), Title 5, California Code of Regulations)

County Committee Evaluation/Vote

The LACOE feasibility study (Attachment 3, page 19) projected that, should the proposed unification occur, Centinela Valley UHSD would lose 288 high school students to the new unified school district by 2003-04. The study also notes that projected annual enrollment would mitigate that student enrollment loss so that the actual loss of students in the first year of the reorganization would be 184 students. The loss of students would result in a revenue limit decrease of approximately \$975,000. However, this would be a one-year revenue loss because the high school district's enrollment is projected to increase above the pre-unification level in the subsequent year. Since the revenue loss is projected to be for only one year and the Centinela Valley UHSD would have sufficient notice to adjust staffing levels, LACOE finds that the proposed unification would not have a significant negative effect on the fiscal status of the high school district.

As noted previously, LACOE calculates that the Wiseburn USD revenue limit would be 10 percent greater than the blended revenue limit of Wiseburn ESD and Centinela Valley UHSD. The resultant revenue limit would be greater than similar sized unified districts.

LACOE concludes that the remaining Centinela Valley UHSD and the Wiseburn USD would have adequate enrollment to generate necessary revenues to continue to support educational programs and therefore recommends that this condition is substantially met.

The LACC voted 4-3 that this condition is substantially met.

Staff Findings/Conclusion

The Evaluation and Analysis Unit in CDE's Policy and Evaluation Division (PED) provides support in reviewing the educational implications of school district reorganization proposals. To assess the educational impacts of the proposed reorganization, PED staff reviewed the feasibility study and materials submitted by the petitioners and districts. A report prepared by PED (Attachment 5) finds any loss of Centinela Valley UHSD students due to the proposed unification would result in only temporary disruptions to the high school district's educational program. Hawthorne High School would experience the greatest loss of students (approximately nine percent of the student population and 12 percent of the schools AP program enrollment). Hawthorne also is identified as Program Improvement (PI) under federal No Child Left Behind (NCLB) mandates and, therefore, it must take certain corrective actions, which includes offering parents the option to transfer their students to a non-PI school.

Based on the data analyzed and the changes facing Hawthorne High School regardless of reorganization, PED concurs with the LACOE recommendation that this condition is substantially met.

The following sections provide a review of data and issues that are either contained in the PED report or are included in this section to complement the PED report.

(a) Performance Indicators

The California Academic Performance Index (API) provides a means to compare the performance of schools and districts in the state. NCLB requires schools to meet certain criteria to make Adequate Yearly Progress (AYP). A summary of these performance indicators is incorporated into the following table for all schools in the two affected districts.

2002-03 Performance Indicators

<i>School</i>	2002-03 API Growth	Met API Growth Target?	Met AYP Criteria?
Centinela Valley UHSD			
Hawthorne High	523	Yes	No
Lawndale High	574	Yes	Yes
Leuzinger High	516	Yes	No
Wiseburn ESD			
Anza Elementary	832	Yes	Yes
Burnett Elementary	777	Yes	Yes
Cabrillo Elementary	798	Yes	Yes
Dana Middle	715	Yes	Yes

(b) English Learner Students

The state Language Census collects the number of English Learner (EL) students (formerly known as Limited-English-Proficient or LEP), and other related data. The following table aggregates the 2002-03 Language Census data for schools in the affected school districts and projects the effect of the proposed unification on EL student population.

English Learner (EL) Students by School District

District	Student Population	EL Student Population	% EL Students
Wiseburn ESD	1,930	197	10.2%
Centinela Valley UHSD	7,476	2,150	28.8%
After Successful Unification*			
Wiseburn USD	2,184	223	10.2%
Centinela Valley UHSD	7,222	2,124	29.4%

* Numbers of transferred EL high school students are based on the percentage of EL students in Wiseburn ESD.

Based on the estimates in the above table, the proposed unification would remove 26 EL students from Centinela Valley UHSD and place them in the Wiseburn USD. This loss of 26 EL students, in conjunction with the loss of 254 total secondary students, would increase the percentage of EL students in Centinela Valley UHSD from 28.8 percent to 29.4 percent.

(c) Annual CalWORKs² Data Collection

The annual CalWORKs (formerly known as AFDC) data collection gathers information including the number of CalWORKs children residing in the school attendance area and the number of students enrolled in free or reduced-price meal programs. The following table presents this 2002-03 information for the schools in affected districts and projects the effect of the proposed unification on these student populations.

CalWORKs Students and Students in Free or Reduced Price Meals Program by District

District	% CalWORKs Students	% Students in Meals Program
Wiseburn ESD	1.8%	38.4%
Centinela Valley UHSD	12.9%	51.0%
After Successful Unification*		
Wiseburn USD	1.8%	38.4%
Centinela Valley UHSD	13.3%	51.5%

* Transferred high school students are based on the percentage of the appropriate student population in Wiseburn ESD.

Based on the estimates in the above table, the proposed unification would remove five CalWORKs students and 98 students in the Meals Program from Centinela Valley UHSD and place them in the Wiseburn USD. These losses of students, in conjunction with the overall loss of 254 secondary students, would increase the percentage of CalWORKs students in Centinela Valley UHSD from 12.9 percent to 13.3 percent and would increase the percent of students in the Meals Program from 51.0 percent to 51.5 percent.

(d) High School Flexibility

Approximately two-thirds of the unified school districts in California have only one high school. Although staff agrees with LACOE that unified districts with a single, small high school can offer an effective and balanced educational program, transition from a district with multiple high schools to a district with a

²California Work Opportunity and Responsibility to Kids – a product of the Welfare to Work Act of 1997.

single high school does offer some disadvantages. As noted by LACOE, the new unified district will be unable to offer the breadth and depth of the Centinela Valley UHSD educational program. Staff reassignments are difficult, if not impossible, in a district that has only one school for a particular grade level. Similarly, students who would benefit from placement in a different environment will have nowhere to transfer within the district.

Staff agrees with the PED report and with the LACOE feasibility study that this condition is substantially met by the unification proposal. Although a district with a single small high school does not appear to be ideal, it is certainly possible that the single high school can offer a comprehensive secondary education program. Both districts will have enough enrollment to generate sufficient revenue to operate the educational programs.

Because the demographics of Wiseburn ESD are somewhat different than the demographics of the high school district, the unification could pull from Centinela Valley UHSD proportionally (1) more students with higher test scores, (2) fewer EL students, (3) fewer CalWORKs students, and (4) fewer students in the Meals Program. Although, these numbers are disproportional to the demographics of the Centinela Valley UHSD, the numbers of students should not be great enough to significantly increase the proportion of students requiring special opportunities and services in the high school district.

As a note, staff questions whether a significant number of students currently attending the Centinela Valley UHSD would leave that district if the proposed unification were successful. Many students (especially juniors and seniors) probably would be reluctant to transfer from schools that they are already attending if the new unified district opens a new high school. These students could attempt to obtain interdistrict transfers to remain in their current schools. Moreover, most newly unified districts typically begin the first year of operation serving only ninth graders (or ninth and tenth graders). Additional grades levels are added in subsequent years. The Education Code allows new unified districts five years to serve all students who are residents of the district. Thus, it is the opinion of staff that concerns about loss of students for Centinela Valley UHSD likely will not be significant issues for the proposed unification.

For the above reasons, staff recommends that Condition 6 is substantially met.

5.7 The proposed reorganization will not result in a significant increase in school housing costs.

County Committee Evaluation/Vote

The feasibility study reports that, although no high school facility exists within the boundaries of the proposed Wiseburn USD, there is a seven acre school site owned by the elementary district that can be converted to high school purposes. The study

further reports that a park and gymnasium located next to the school property could be used for school purposes. At the time of the LACOE study, Wiseburn ESD was leasing this school site to other agencies.

LACOE finds that a Wiseburn USD would have the option to lease portable classrooms through the State Relocation Classroom Program to house high school students on the property owned by the elementary district. The cost to place 14 portable classrooms (not including any necessary site improvement cost prior to this placement) is estimated to be \$186,300. LACOE determines that this expenditure does not represent a significant increase in school housing costs and, as a result, recommends that this condition is substantially met. (Attachment 3, page 21)

The LACC voted 7-0 that this condition is substantially met.

Staff Findings/Conclusion

The CDE's School Facilities Planning Division (SFPD) provides support to the CDE review of reorganization proposals. The SFPD report is Attachment 6 to this Board item. Based on analysis of information available, SFPD makes the following findings:

- The new site would need 15 portable classrooms to accommodate 400 students. The site proposed for the high school by Wiseburn ESD contains 16 original classrooms and nine to 11 portable classrooms, which can house up to 729 students under state standards.
- State guidelines recommend 19.2 acres for a school site housing 400 high school students. At seven acres, the proposed site is 36% of state standards. In order to use the adjacent park and gymnasium to provide adequate physical education for high school students, the new district would need to execute joint-use agreements with the local park district.
- Bonding capacity for the Wiseburn area would increase 100% because of unification. The increased bonding capacity would enable the new district to pursue local funding and the district could be eligible for funding from the State School Facilities Program should it need to construct new permanent buildings on the proposed site, or acquire land and build a new high school.

SFPD generally concurs with the LACOE report that the proposed new unified district has the operational capacity to house the projected high school enrollment, assuming that the site proposed for high school students is feasible and legally acceptable (i.e., conforms with Title 5). SFPD does caution that, should the facility fail to comply with Title 5 requirements, there may be a significant increase in costs to provide appropriate facilities.

SFPD recommends a cost analysis to evaluate the cost of replacing portable classrooms with permanent buildings. As a general rule, SFPD supports the use of portable buildings on a temporary basis until permanent buildings can be provided.

Given the above considerations, staff agrees with the finding of the LACC that this condition is substantially met.

- 5.8 The proposed reorganization is not primarily designed to result in a significant increase in property values causing financial advantage to property owners because territory was transferred from one school district to an adjoining district.**

County Committee Evaluation/Vote

The feasibility study identified no evidence that the proposal is primarily designed to increase property values in the territory proposed for reorganization and recommends that this condition is substantially met. (Attachment 3, page 22).

The LACC voted unanimously (7-0) that this condition is substantially met.

Staff Findings/Conclusion

No evidence was presented to indicate that the proposed formation of the Wiseburn USD would increase property values in the petition area. Nor is there any evidence from which it can be discerned that an increase in property values could be the primary motivation for the proposed unification. Staff concludes this condition has been substantially met.

- 5.9 The proposed reorganization will not cause a substantial negative effect on the fiscal management or fiscal status of the proposed district or any existing district affected by the proposed reorganization.**

County Committee Evaluation/Vote

The LACOE feasibility study projected that, should the proposed unification occur, Centinela Valley UHSD would lose 288 high school students to the new unified school district by 2003-04. The study also notes that projected annual enrollment would decrease that student enrollment loss to 184 students. This loss of students would result in a revenue limit decrease of approximately \$975,000. However, this would be a one-year revenue loss since the high school district's enrollment is projected to increase above the pre-unification level the subsequent year. Because the revenue loss is projected to be for only one year and the Centinela Valley UHSD would have sufficient notice to adjust staffing levels, LACOE finds that the proposed unification would not have a significant negative effect on the fiscal status of the high school district.

As noted previously, LACOE calculates that the Wiseburn USD revenue limit would be 10 percent greater than the blended revenue limit of Wiseburn ESD and Centinela Valley UHSD. The resultant revenue limit would be greater than similar sized unified districts.

LACOE concludes that the remaining Centinela Valley UHSD and the Wiseburn USD would have adequate enrollment to generate necessary revenues to continue to support educational programs and therefore recommends that this condition is substantially met.

The LACC considered the effects of the proposal on bonded indebtedness levels in the districts and potential loss of operating revenues for the high school district due to reduction in student enrollment. LACC determined that these factors constitute a negative fiscal effect on the high school district and voted 4-3 that this condition is not substantially met.

Staff Findings/Conclusion

To assess the financial impact of the proposed unification, the CDE Office of Management Assistance and Categorical Programs (MACP) reviewed information provided by the LACOE, the affected districts, and the chief petitioners. The MACP report (Attachment 7) includes the following findings:

- (a) Wiseburn ESD and Centinela Valley UHSD have existing administrative structures. The unification should not cause an expansion in the combined administrative overhead but, instead, should result in a shift in fixed administrative expenses.
- (b) Both districts would have sufficient student enrollment to generate the funding necessary for the districts to be financial viable.
- (c) In 2001-02, Centinela Valley UHSD revenue limit exceeded the state average for high school districts by \$183 per average daily attendance.
- (d) Reduction in revenue limit funding due to the loss of student enrollment after the unification would not be of sufficient magnitude or duration to have a substantial negative effect on Centinela Valley UHSD.
- (e) Based on 2002-03 information, the new Wiseburn USD would have a revenue limit per ADA of approximately \$5,326.

Based on this review, MACP concludes that the unification proposal complies with this condition.

CDE staff agrees with the findings of the MACP report and concludes this condition has been substantially met.

6.0 County Committee Section 35707 Requirements

Section 35707 requires the county committee on school district organization to make certain findings and recommendations and to expeditiously transmit them along with the reorganization petition to the SBE. These required findings and recommendations are:

6.1 County Committee Recommendation for the Petition

A county committee must recommend to the SBE approval or disapproval of a petition for unification. The LACC voted 4-3 to recommend approval of the proposal to form Wiseburn USD.

6.2 Effect on School District Organization of the County

Section 35707 requires a county committee to report whether the proposal would adversely affect countywide school district organization. The LACC voted 6-1 that the proposal would not adversely affect countywide school district organization.

6.3 County Committee Opinion Regarding Section 35753 Conditions

A county committee must submit to the SBE its opinion regarding whether the proposal complies with the provisions of Section 35753. The LACC found that seven of the nine conditions in Section 35753(a) are substantially met by the following votes:

- Adequate Enrollment (7-0);
- Community Identity (7-0);
- Promotion of Segregation (6-1);
- Increased Costs to State (7-0);
- Educational Program (4-3);
- Increased Housing Costs (7-0); and
- Increased Property Values (7-0).

The LACC found that the remaining two conditions are not substantially met by the following vote:

- Equitable Division of Property (4-3); and
- Financial Effects (7-0).

7.0 STAFF RECOMMENDED AMENDMENTS TO THE PETITION

The SBE has authority to amend or add certain provisions to any petition for unification. This section contains CDE staff recommendations for such amendments.

7.1 Article 3 Amendments

Petitioners may include, and the county committee or SBE may add or amend, any of the appropriate provisions specified in Article 3 of the *Education Code* (commencing with Section 35730). These provisions include:

Membership of Governing Board

A proposal for unification may include a provision for a governing board of seven members. The petition contains no provision addressing the size of the governing

board. Thus, the governing board of Wiseburn USD (if approved) would have five members.

Trustee Areas

The proposal for unification may include a provision for establishing trustee areas for the purpose of electing governing board members of the unified district. No provision regarding trustee areas for governing board elections is included in this petition. Therefore, governing board members of the Wiseburn USD (If approved) will be elected at-large.

Election of Governing Board

A proposal for unification may include a provision specifying that the election for the first governing board be held at the same time as the election on the unification of the school district. The petition does not contain such a provision. The *Education Code* also requires that, if this provision is included, the proposal specify the method whereby the length of the initial terms may be determined so that the governing board will ultimately have staggered terms that expire in years with regular election dates.

Staff believes that there are at least two advantages in holding the governing board election at the same time as the election on the unification proposal. First, only one election is required, which reduces local costs. Second, the earlier election of board members gives the new board at least an additional four months to prepare for the formation of the new district. Thus, CDE staff recommends that a provision specifying the election for the first governing board be held at the same time as the election on the unification of the school district be included as part of the unification proposal. Staff further recommends that the following method be employed to ensure the staggering of the terms of office for governing board members:

The three governing board candidates receiving the highest number of votes will have four-year terms and the two candidates receiving the next highest number of votes will have two-year terms. All terms will be for four years in subsequent governing board elections.

Computation of Base Revenue Limit

A proposal for reorganization of school districts must include a computation of the base revenue limit per ADA for each reorganized district. CDE staff has estimated that the revenue limit per ADA for the proposed Wiseburn USD is \$5,326 based upon 2002-03 data. Should the proposed district become effective for all purposes, the revenue limit will be adjusted using information based on second prior fiscal year data (2003-04 for a July 1, 2005 effective date), including any adjustments for which the proposed district may be eligible.

Division of Property and Obligations

A proposal for the division of property (other than real property) and obligations of any district whose territory is being divided among other districts may be included. As indicated in 5.3 of this attachment, CDE staff finds that existing provisions of the *Education Code* may be utilized to achieve equitable distribution of property, funds, and obligations of Centinela Valley UHSD. Staff further recommends the following:

- (a) All assets and liabilities of the Centinela Valley UHSD shall be divided based on the proportionate ADA of the students residing in the areas of the two affected districts on June 30 of the school year immediately preceding the date on which the proposed unification becomes effective for all purposes. (Section 35736)
- (b) Student body property, funds, and obligations shall be divided proportionately, except that the share shall not exceed an amount equal to the ratio which the number of pupils leaving the schools bears to the total number of pupils enrolled; and funds from devises, bequests, or gifts made to the organized student body of a school shall remain the property of the organized student body of that school and shall not be divided. (Section 35564)
- (c) As specified in Section 35565, disputes arising from the division of property, funds, or obligations shall be resolved by the affected school districts and the county superintendent of schools through a board of arbitrators. The board shall consist of one person appointed by each district and one by the county superintendent of schools. By mutual accord, the county member may act as sole arbitrator; otherwise, arbitration will be the responsibility of the entire board. Expenses will be divided equally between the districts. The written findings and determination of the majority of the board of arbitrators is final, binding, and may not be appealed.

Method of Dividing Bonded Indebtedness

No public school property or buildings belonging to Centinela Valley UHSD are located within the boundaries of the proposed Wiseburn USD. Thus, pursuant to Section 35575, a Wiseburn USD would have no responsibility for any outstanding bonded indebtedness in Centinela Valley UHSD.

7.2 AREA OF ELECTION

A provision specifying the territory in which the election to reorganize the school districts will be held is one of the provisions under Article 3 (see 7.1 above) that the SBE may add or amend. However, the inclusion of this provision is highlighted since Section 35756 indicates that, should the SBE approve the proposal, the SBE must determine the area of election.

The area proposed for reorganization is the Wiseburn ESD. Thus, the “default”

election area is this school district (Section 35732). The SBE may alter this "default" election area if it determines that such alteration complies with the following area of election legal principles.

Area of Election Legal Principles

The Local Agency Formation Commission (LAFCO)³ court decision provides the most current legal interpretations to be followed in deciding the area of school district reorganization elections. This decision upheld a limited area of election on a proposal to create a new city, citing the "rational basis test." The rational basis test may be used to determine whether the area of election should be less than the total area of the district affected by the proposed reorganization unless there is a declared public interest underlying the determination that has a real and appreciable impact upon the equality, fairness, and integrity of the electoral process, or racial issues. If so, a broader area of election is necessary.

In applying the rational basis test, a determination must be made as to whether:

- (a) There is a genuine difference in the relevant interests of the groups, in which case an enhancement of the minority voting strength is permissible.
- (b) The reduced voting area has a fair relationship to a legitimate public purpose. The fair relationship to a legitimate public purpose is found in *Government Code* Section 56001, which expresses the legislative intent "to encourage orderly growth and development," such as promoting orderly school district reorganization statewide that allows for planned, orderly community-based school systems that adequately address transportation, curriculum, faculty, and administration. This concept includes both:
 - 1. Avoiding the risk that residents of the area to be transferred, annexed, or unified might be unable to obtain the benefits of the proposed reorganization if it is unattractive to the residents of the remaining district; and
 - 2. Avoiding islands of unwanted, remote, or poorly served school communities within large districts.

However, even under the rational basis test, a determination to reduce the area of election would, according to LAFCO, be held invalid if the determination constituted an invidious discrimination in violation of the constitutional Equal Protection Clause (e.g., involving a racial impact of some degree).

CDE Staff Recommendation for Area of Election

As indicated in the Section 35753 condition analysis, CDE finds that the proposed

³*Board of Supervisors of Sacramento County, et al., v. Local Agency Formation Commission* (3 Cal. 4th 903, 1992)

reorganization would significantly reduce the assessed valuation of Centinela Valley UHSD and, subsequently, the district's bonding capacity. That reduction could have two effects on the district. First, it could hinder the district's ability to obtain future local funding for facilities and improvements. Second, since the high school district currently has approximately \$59 million in bonds and the unification could reduce the district's bonding capacity below this level, the high school district's level of bonded indebtedness may exceed its bonding capacity as result of the unification. Under these conditions, the high school district could need to obtain a State Board of Education waiver to address any future school construction needs. It is the opinion of CDE that, under LAFCO, this effect on the Centinela Valley UHSD constitutes a significant impact on the district.

Similarly, CDE finds that the proposed reorganization would significantly increase the tax burden on property owners in the remaining high school district who are left with the total bond debt of that district. It is the opinion of CDE that, under LAFCO, this constitutes a significant impact on residents of the remaining Centinela Valley UHSD.

Should the SBE approve the unification proposal, staff recommends that the SBE establish the entire Centinela Valley UHSD as the area of election.

8.0 STATE BOARD OF EDUCATION OPTIONS

Sections 35753 and 35754 outline the SBE's options:

- (a) The SBE shall approve or disapprove the proposal.
- (b) The SBE may approve the proposal if it determines all the conditions in Section 35753(a) have been substantially met.
- (c) The SBE may approve the proposal pursuant to Section 35753(b) if it determines the conditions in Section 35753(a) are not substantially met but it is not possible to apply the conditions literally and an exceptional situation exists.
- (d) If the SBE approves the formation of the proposed districts, it may amend or include in the proposal any of the appropriate provisions of Article 3, commencing with Section 35730. In this case, several items would be incorporated into the proposal and also approved if the SBE approves the overall petition:
 - 1) That the governing board will have five members elected at-large with the first governing board election held at the same time as the election on unification. To ensure staggered terms of office, the three governing board candidates receiving the highest number of votes will have four-year terms and the two candidates receiving the next highest number of votes will have two-year terms.
 - 2) All assets and liabilities of the Centinela Valley UHSD shall be divided based on the proportionate ADA of the students residing in the areas of the new

unified district and the remaining Centinela Valley UHSD on June 30 of the school year immediately preceding the date on which the proposed unification becomes effective for all purposes.

- 3) A share of student body funds at Centinela Valley UHSD schools would transfer to the proposed Wiseburn USD. This share would correspond to the proportion of high school students transferring to the new unified district
 - 4) That any disputes involving the division of property, funds, and obligations will be resolved through binding arbitration pursuant to Section 35565.
- (e) The SBE must determine the area of election (Section 35756). As previously discussed, staff recommends the territory of the entire high school district as the area of election.

9.0 RECOMMENDED ACTION

Staff recommends that the SBE adopt the proposed resolution (Attachment 2) approving the petition to form the Wiseburn USD and expanding the election area to include the entire Centinela Valley UHSD. This resolution includes the proposed amendments to the petition. A similar resolution to approve the unification, but limit the election area to the territory of the current Wiseburn ESD, is provided as Attachment 8. If the SBE should decide to disapprove the petition, an alternative resolution is provided as Attachment 9.

CALIFORNIA STATE BOARD OF EDUCATION
May 2004

PROPOSED APPROVAL RESOLUTION

Petition to Form the Wiseburn Unified School District
from the Wiseburn Elementary School District and the
Corresponding Portion of Centinela Valley Union High School District

RESOLVED, that under the authority of *Education Code* Section 35754, the proposal to form a new unified school district from Wiseburn Elementary School District and the corresponding part of Centinela Valley Union High School District, filed on or about November 9, 2001 with the Los Angeles County Superintendent of Schools pursuant to Education Code Section 35700(a), is hereby approved.

RESOLVED further, that the base revenue limit per unit of average daily attendance is \$5,326 based on 2002-03 data and shall be recalculated using second prior fiscal year data from the time the unification becomes effective for all purposes; and be it

RESOLVED further, that all assets and liabilities of the Centinela Valley Union High School District shall be divided based on the proportionate average daily attendance of the high school students residing in the areas of the two districts on June 30 of the school year immediately preceding the date on which the proposed unification becomes effective for all purposes; and be it

RESOLVED further, that high school student body property, funds, and obligations shall be divided proportionately, except that the share shall not exceed an amount equal to the ratio which the number of high school students leaving the schools bears to the total number of high school students enrolled; and funds from devises, bequests, or gifts made to the organized student body of a school shall remain the property of the organized student body of that school and shall not be divided; and be it

RESOLVED further, that the governing boards shall consist of five members elected at large, with the first governing board elections held at the same time as the election on the unifications and staggered terms of office ensured by the three governing board candidates with the highest number of votes receiving four-year terms and the two candidates with the next highest number of votes receiving two-year terms; and be it

RESOLVED further, that the State Board of Education shall direct the county superintendent of schools to call for the election and sets the area of election to be the territory of the entire Centinela Valley Union High School District; and be it

RESOLVED further, that the Secretary of the State Board of Education shall notify, on behalf of said Board, the Los Angeles County Superintendent of Schools, the chief petitioners, the Wiseburn Elementary School District, and the Centinela Valley Union High School District of the action taken by the State Board of Education.

CALIFORNIA STATE BOARD OF EDUCATION
May 2004

ALTERNATE APPROVAL RESOLUTION

Petition to Form the Wiseburn Unified School District
from the Wiseburn Elementary School District and the
Corresponding Portion of Centinela Valley Union High School District

RESOLVED, that under the authority of *Education Code* Section 35754, the proposal to form a new unified school district from Wiseburn Elementary School District and the corresponding part of Centinela Valley Union High School District, filed on or about November 9, 2001 with the Los Angeles County Superintendent of Schools pursuant to Education Code Section 35700(a), is hereby approved.

RESOLVED further, that the base revenue limit per unit of average daily attendance is \$5,326 based on 2002-03 data and shall be recalculated using second prior fiscal year data from the time the unification becomes effective for all purposes; and be it

RESOLVED further, that all assets and liabilities of the Centinela Valley Union High School District shall be divided based on the proportionate average daily attendance of the high school students residing in the areas of the two districts on June 30 of the school year immediately preceding the date on which the proposed unification becomes effective for all purposes; and be it

RESOLVED further, that high school student body property, funds, and obligations shall be divided proportionately, except that the share shall not exceed an amount equal to the ratio which the number of high school students leaving the schools bears to the total number of high school students enrolled; and funds from devises, bequests, or gifts made to the organized student body of a school shall remain the property of the organized student body of that school and shall not be divided; and be it

RESOLVED further, that the governing boards shall consist of five members elected at large, with the first governing board elections held at the same time as the election on the unifications and staggered terms of office ensured by the three governing board candidates with the highest number of votes receiving four-year terms and the two candidates with the next highest number of votes receiving two-year terms; and be it

RESOLVED further, that the State Board of Education shall direct the county superintendent of schools to call for the election and sets the area of election to be the territory of the Wiseburn Elementary School District; and be it

RESOLVED further, that the Secretary of the State Board of Education shall notify, on behalf of said Board, the Los Angeles County Superintendent of Schools, the chief petitioners, the Wiseburn Elementary School District, and the Centinela Valley Union High School District of the action taken by the State Board of Education.

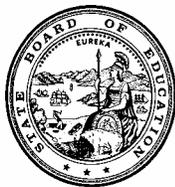
CALIFORNIA STATE BOARD OF EDUCATION
May 2004

ALTERNATE RESOLUTION

Petition to Form the Wiseburn Unified School District
from the Wiseburn Elementary School District and the
Corresponding Portion of Centinela Valley Union High School District

RESOLVED, that under the authority of *Education Code* Section 35754, the proposal to form a new unified school district from Wiseburn Elementary School District and the corresponding portion of Centinela Valley Union High School District, which was filed on or about November 9, 2001, with the Los Angeles County Superintendent of Schools pursuant to *Education Code* Section 35700(a), is hereby disapproved because the proposal does not substantially comply with the provisions of Section 35753(a) of the *Education Code*; and be it

RESOLVED further, that the Secretary of the State Board of Education notify, on behalf of said Board, the Los Angeles County Superintendent of Schools, the chief petitioners, the Wiseburn Elementary School District, and the Centinela Valley Union High School District of the action taken by the State Board of Education.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Immediate Intervention/Underperforming Schools Program (II/USP): Reversal of State Board decision to deem Morningside High School state-monitored	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

That the State Board of Education reverse its decision in March 2004 to deem Morningside High School as state-monitored.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At the March 2004 State Board meeting, based on the information provided, the State Board of Education (SBE) deemed Morningside High School in Inglewood Unified School District a state-monitored school.

SUMMARY OF KEY ISSUES

Morningside High School was deemed state-monitored based on corrected API data. At the time of the last State Board meeting, the corrected API data were not yet available electronically. Therefore, staff had to manually determine if Morningside was subject to state sanctions. In the process, staff inadvertently failed to check the funding status of the school. Once the data were received electronically, the standard queries were run and it was discovered that Morningside was funded jointly by II/USP and HP and thus, by law, not eligible for sanctions until 2004-2005. In the future, special attention will be taken to ensure this error does not occur again.

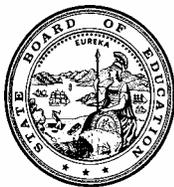
FISCAL ANALYSIS (AS APPROPRIATE)

If the Board rescinds its action, Morningside High School will not receive the following Title I funds:

\$100,000 to contract with a SAIT Provider
\$252,150 to implement the corrective actions

ATTACHMENT

None



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Immediate Intervention/Underperforming Schools Program (II/USP): Waiver Policy for higher-performing II/USP schools that do not make “significant growth” and are subject to state sanctions.	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Adopt a waiver policy for higher-performing II/USP schools based upon Option 2 as presented in this item.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At the January 2004 State Board of Education (SBE) meeting, two II/USP state-monitored schools (Hester Elementary and Providencia Elementary) requested that the SBE approve their waiver requests to be taken out of the sanctions/intervention process and to be placed “on watch” for another year. The waiver requests were based on the premise that the schools were higher-performing and therefore should not be subject to state sanctions. In March the SBE approved the waiver request for Providencia Elementary, but decided not to adopt a waiver policy for higher-performing II/USP schools. (Hester Elementary withdrew its waiver request.) The SBE requested that California Department of Education (CDE) staff provide additional data and waiver options for higher-performing II/USP schools for the SBE to consider at the May Board meeting.

SUMMARY OF KEY ISSUES

In 1999, the Legislature enacted II/USP, which provides schools in decile ranks 1-5 an opportunity to apply for funding to improve student achievement in exchange for greater accountability. Schools participating in the program received \$50,000 in the first year to develop an improvement plan and \$200 per student annually to implement the plan for two to three years. In return for the funding, schools agreed to be held accountable for steadily increasing student achievement. According to the law, schools that do not demonstrate “significant growth” as defined by the SBE become subject to state sanctions/intervention at the end of the two or three year period. Based on the recommendation of the Public Schools Accountability Act (PSAA) Advisory Committee, the SBE defined “significant growth” as making at least one point of growth on the schoolwide Academic Performance Index (API).

Three cohorts of approximately 430 schools each have participated, or are still participating, in II/USP. Twenty-four II/USP Cohort I schools were identified as state-monitored in 2002-03 and therefore became subject to state interventions. One of the schools has subsequently closed. In the current year, 32 schools (26 in II/USP Cohort I

and 6 in II/USP Cohort II) have been identified as state-monitored.

All schools currently identified as state-monitored have been assigned a School Assistance and Intervention Team (SAIT). SAITs verify the results of an Academic Program Survey (APS) that focuses on the essential components for instructional success. Based on the results, the SAIT recommends corrective actions to improve student achievement and provides the school with the necessary support to implement the corrective actions.

There have been a few occasions where higher-performing schools have become subject to state sanctions. For instance, a school may have made substantial growth in its first and second year of participation in II/USP, but not made all of its growth targets, and then dropped a few points on its API in its third year of participation. Even though the school has an API decile rank of 6 or higher, the school would be subject to state interventions/sanctions because it did not meet the “significant growth” criterion in its third year, or in subsequent years while “on watch.”

At the March 2004 SBE meeting, members reviewed and discussed three options presented for a waiver policy that could be applied to schools that are subject to state sanctions but are considered higher-performing schools. All three options presented would have allowed schools to waive out of the sanction process and be placed “on watch.” In addition, all three options required schools to have a decile rank of 6 or higher.

One of the options presented at the March 2004 SBE meeting required a school to meet Adequate Yearly Progress (AYP) to qualify for the waiver. The Board members expressed concern about imposing federal accountability requirements within the state accountability program. In response to that concern, AYP is not a proposed criterion for any of the waiver policy options presented in this item.

Also a concern by several SBE members during the March meeting was the use of decile rank 6 or higher as a constant criterion for all three proposed waiver options. SBE members indicated that they would like to consider waiver options with a lower decile rank requirement (e.g., decile rank 5 or decile rank 4). Therefore, three options that allow schools to have a rank below decile 6 are included for consideration. Once again, all five options would allow the school to waive out of the sanction process and be placed “on watch.”

Two of the options provided below are based on the requirement that schools must be in a decile rank of 6 or higher. This requirement matches the Public Schools Accountability Act, which defines high priority (underperforming) schools as schools below decile rank 6. The other three options provide criteria that would allow schools to be in a rank below decile 6 (i.e., decile rank 5 or decile rank 4), as requested by the Board members. The following five options are explained in more detail below:

- Option 1 was included in the March board item
- Option 2 introduces the use of decile rank 5 as a cutoff for significant student groups but retains the schoolwide decile rank 6
- Option 3 lowers the schoolwide decile rank to 5 and significant student groups API score to decile rank 4
- Option 4 lowers the schoolwide decile rank to rank 4

- Option 5 lowers the significant student group API scores to decile rank 3

The set of options presented in the chart below preserve a commitment to intervene in the lowest performing schools (e.g., schools in decile ranks 1, 2, and 3). Each option also has the same multi-year growth requirement, which requires a school to exceed its growth target in the prior year to the extent that the growth covered the total growth expectation for both years. (For example, the growth target was 6 points the current year and 5 points the prior year. Therefore, in the prior year the school must have grown by at least 11 points, accounting for the current year’s schoolwide API point deficit on its schoolwide API to cover the growth expectation for the current year.) Each of the options below differs based upon schoolwide decile ranks and the API scores of significant student groups.

The options below are presented from the highest decile rank to the lowest decile rank. As the decile rank decreases, the number of schools that meet the criteria and potentially qualify for a waiver increases. The potential impact was calculated using the most current data available for the 396 II/USP schools currently on watch.

Waiver Options for Higher-Performing II/USP Schools				
Options	Multi-Year Growth	School-wide API Decile Rank	Significant Student Groups Indicator	Potential Impact for Schools Currently Under Watch
1	Yes	6	Majority of student groups showed positive growth on the API for each of the previous two years	9 schools meet the criteria (4 Elementary, 2 Middle, and 3 High)
2	Yes	6	All student groups have an API score that would place them in API decile rank 5	3 schools meet the criteria (2 Elementary and 1 Middle)
3	Yes	5	All student groups have an API score that would place them in API decile rank 4	15 schools meet the criteria (12 Elementary and 3 Middle)
4	Yes	4	All student groups have an API score that would place them in API decile rank 4	20 schools meet the criteria (15 Elementary and 5 Middle)
5	Yes	4	All student groups have an API score that would place them in API decile rank 3	54 schools meet the criteria (36 Elementary, 13 Middle, and 5 High)

The CDE recommends Option 2.

The criteria in all five options ensure that schools with steadily declining API scores will not be waived out of the sanctions process because only the previous year’s API scores may be used. For instance, if the SBE looked at the previous two years of API growth, a

school could significantly exceed its growth target the first year, only make “significant growth” the second year and make negative growth the third year. In this scenario, the school would still qualify for a waiver if the growth in the first year were sufficient to cover the total growth expectation for the three years, even though the API growth trend is downward. All five options also require that all student groups’ API scores be reviewed. This is important because schools with large achievement gaps between significant student groups would likely benefit from the SAIT process.

However, only Options 1 and 2 require that schools no longer qualify as high priority schools as defined by the Public Schools Accountability Act (PSAA). Therefore, waiving schools that are in decile rank 6 out of the sanctions process does not violate the intent of the PSAA.

CDE is recommending Option 2 because it requires schools to be in decile rank 6, but provides some flexibility regarding student groups. This aligns with the current API structure that sets API growth targets for student groups at 80% of the schoolwide growth target. In addition, allowing student groups to have an API score that would place them in decile rank 5 also takes into consideration that API scores for the decile ranks increases annually as schools continue to improve academically. For example, in 1999, the first year of II/USP, a school with an API score between 587 and 628 was in decile rank 5. In 2003, in order to be in decile rank 5 a school must have an API score between 702 and 728.

FISCAL ANALYSIS (AS APPROPRIATE)

Schools that receive a waiver to be taken out of the state sanctions/intervention process will be placed “on watch” and will not receive additional funding allocated for state-monitored schools. This includes \$75,000 for elementary and middle schools and \$100,000 for high schools to conduct the SAIT process and \$150 per student annually for the implementation of the corrective actions for two to three years. Placing higher-performing II/USP schools “on watch” will reduce the cost of state sanctions and interventions.

ATTACHMENT

[Attachment 1](#): California State Board of Education Policy: Waiver guidelines for higher-performing II/USP schools that do not make “significant growth” and are subject to state intervention. (2 pages)



California State Board of Education Policy

POLICY #
XX-04
DATE
DRAFT

WAIVER GUIDELINES
Immediate Intervention/Underperforming Schools Program (II/USP): Higher-performing II/USP schools that do not make “significant growth” and are subject to state intervention

REFERENCES: Authority: Authority: Education Code Section 33050 Purpose: To waive provisions of Education Code Sections <i>52055.5 (b) and (h)</i>
HISTORICAL NOTES None

Education Code (EC) Section(s) involved:

Education Code Sections 52055.5 (b) and (h)

(b) Twenty-four months after receipt of funding pursuant to Section 52054.5, a school that has not met its growth targets each year and has failed to show significant growth, as determined by the State Board of Education, shall be deemed a state-monitored school.

(h) A school that has not met its growth targets within 36 months of receiving funding pursuant to Section 52054.5, but has shown significant growth, as determined by the State Board of Education, shall continue to be monitored by the Superintendent of Public Instruction until it meets its annual growth target or the statewide performance target. If, in any year between the third year of implementation funding and the first year the school meets its growth target, the school fails to make “significant growth”, as determined by the State Board of Education, that school shall be deemed a state-monitored school and subject to the provisions of paragraphs (1) to (10), inclusive, of subdivision (b).

Background

In 1999, the State Legislature enacted II/USP, which provides schools in decile ranks 1-5 an opportunity to apply for funding to improve student achievement in exchange for greater accountability. Schools participating in the program received \$50,000 in the first year to develop an improvement plan and \$200 per student annually to implement the plan for two to three years. In return for the funding, schools agreed to be held accountable for steadily increasing student achievement. According to the law, schools that do not demonstrate “significant growth” as defined by the State Board of Education become subject to state sanctions/intervention at the end of the two or three year period. Based on the recommendation of the Public Schools Accountability Act (PSAA) Advisory Committee, the State Board has defined “significant growth” as making at least one point of growth on the schoolwide API.



California State Board of Education Policy

WAIVER GUIDELINES

Page 2 of 2

POLICY

#

DATE

There have been a few occasions where higher-performing schools have become subject to state sanctions. For instance, a school may have made substantial growth in its first and second year of participation in the II/USP, but not made its growth targets, and then dropped down a few points on its API in its third year of participation. Even though the school has an API decile rank of 6 or higher, the school would be subject to state sanctions because it did not meet the “significant growth” criterion in its third year, or in subsequent years while “on watch.”

Waiver Guidelines/Criteria

In order to evaluate a waiver request to release higher-performing II/USP schools from the state sanctions/intervention process and be placed “on watch,” the State Board of Education (SBE) requests that those Local Educational Agencies (LEAs) applying for a waiver provide documentation which the California Department of Education (CDE) professional staff will then use to review and make recommendations about the waiver request. The waiver request should include the following:

1. Verification that the school has a statewide rank of 6 or higher
2. Verification that the school exceeded its growth target in the prior year to the extent that the growth covered the total growth expectation for both years. (For example, the growth target was 6 points the current year and 5 points the prior year. Therefore, in the prior year the school must have grown at least 11 points accounting for the current year’s schoolwide API point deficit on its schoolwide API to cover the growth expectation for the current year.)
3. Verification that all student groups have an API score which would place them in the decile rank 5 (e.g., if a elementary school must have a schoolwide API score of 702 to be placed in decile rank 5, than all student groups must also have an API score of 702 to qualify for the waiver).

LAST MINUTE MEMORANDUM

DATE: May 11, 2004

TO: MEMBERS, STATE BOARD OF EDUCATION

FROM: Sue Stickel, Deputy Superintendent
Curriculum and Instruction Branch

RE: Item No. 48

SUBJECT: Immediate Intervention/Underperforming Schools Program (II/USP):
Waiver Policy for higher-performing II/USP schools that do not make
“significant growth” and are subject to state sanctions.

At the March 2004 meeting, the State Board requested displays of data related to each cohort of II/USP schools. Each display is described below. Since Item 48, as presented in the original agenda, has an Attachment 1 (the proposed waiver policy), the displays presented in this memorandum are Attachments 2, 3, and 4.

Attachment 2: Cohort I Schools Currently Participating in II/USP and API Data
(2 Pages).

This display provides the API base and schoolwide growth data for all three years of II/USP implementation along with the most current (2003) statewide and similar schools ranks for the 74 Cohort I schools still under watch (e.g., schools that have not yet exited the program or schools that are not currently subject to state intervention).

Attachment 3: Cohort II Schools Currently Participating in II/USP and API Data
(8 pages)

Provides the API base and growth data for the first two II/USP implementation years for Cohort II schools currently under watch (320), as well as the most recent statewide and similar schools ranks.

Attachment 4: Cohort III Schools Currently Participating in II/USP and API Data
(10 Pages)

Provides the API base and growth data for the planning year and the first year of implementation for all 429 Cohort III schools, as well as the most current statewide and similar schools ranks.

**Cohort I Schools Currently
 Participating in II/USP and API Data**

School Name	Base 00	Growth 01	Schwide Targ Met 01	Comp Imp Targ Met 01	Base 01	Schwide Growth 02	Schwide Targ Met 02	Comp Imp Targ Met 02	Base 02	Schwide Growth 03	Schwide Targ Met 03	Comp Targ Met 03	State Rank 03	Similar Rank 03
Aero Haven Elementary									529	40	Yes	No	1	3
April Lane Elementary	671	-9	No	No	660	20	Yes	No	682	9	Yes	No	4	2
Bates Elementary	656	-8	No	No	653	36	Yes	Yes	680	10	Yes	No	4	7
Bayview Terrace Elementary	693	-19	No	No	673	10	Yes	No	678	12	Yes	No	4	9
Bear Flag Elementary	670	-47	No	No	627	38	Yes	Yes	649	18	Yes	No	4	8
Bellevue Elementary	677	-23	No	No	653	16	Yes	No	658	23	Yes	No	4	9
Birney (Alice) Elementary	648	51	Yes	Yes	685	-8	No	No	659	11	Yes	No	3	4
Bon View Elementary	542	37	Yes	Yes	583	7	No	No	600	9	No	Yes	2	2
Bridge Street Elementary	496	68	Yes	Yes	570	10	No	No	593	37	Yes	No	2	4
Cabrillo Elementary	703	-59	No	No	644	13	Yes	No	646	25	Yes	No	3	1
Cecil Avenue Middle	526	65	Yes	Yes	605	-4	No	No	605	1	No	No	3	10
Central Junior High	480	10	No	No	510	52	Yes	Yes	582	8	No	No	2	1
Chaparral Elementary	646	-21	No	No	624	9	Yes	No	629	12	Yes	No	2	2
Chipman Middle	622	-13	No	No	614	19	Yes	Yes	634	13	Yes	No	4	6
Clarksburg Elementary	606	38	Yes	Yes	657	-6	No	No	639	33	Yes	No	3	2
Compton High	409	8	No	No	429	27	Yes	Yes	462	21	Yes	No	1	2
Cragmont Elementary	731	6	Yes	Yes	733	-13	No	No	728	13	Yes	No	6	2
Crestline Elementary	540	9	No	No	552	23	Yes	No	586	43	Yes	No	2	3
Cruickshank (Herbert H.) Middle	618	-12	No	No	609	27	Yes	Yes	638	15	Yes	No	4	1
Desert Trails Elementary	633	18	Yes	No	656	-2	No	No	661	31	Yes	No	4	7
Dickson Elementary	619	51	Yes	Yes	671	23	Yes	No	684	6	Yes	No	4	2
Don Julio Junior High	561	8	No	No	560	8	No	No	572	12	Yes	No	2	1
Foothill Elementary	570	-13	No	No	566	49	Yes	Yes	620	8	No	No	2	2
Franklin Elementary	550	5	No	No	566	67	Yes	Yes	634	36	Yes	No	4	4
Fremont Middle	461	32	Yes	Yes	506	4	No	No	522	3	No	No	1	1
Fruit Ridge Elementary	525	11	No	No									1	2
Galileo High	573	-30	No	No	547	16	Yes	No	580	25	Yes	No	3	2
Goethe (Charles M.) Middle	485	28	Yes	Yes	515	14	Yes	No	528	26	Yes	No	1	2
Gonzales High	514	-2	No	No					539	9	No	No	2	1
Graham (James A.) Elementary	649	38	Yes	Yes	690	15	Yes	No	700	25	Yes	No	5	5
Gustine Elementary	596	38	Yes	Yes	637	8	Yes	No	646	16	Yes	No	3	1
Gustine Middle	578	-8	No	No	588	40	Yes	Yes	622	23	Yes	No	4	7
Harder Elementary	583	61	Yes	Yes	650	-11	No	No	645	2	No	No	2	1
Harte (Bret) Elementary	571	61	Yes	Yes	637	11	Yes	No	640	13	Yes	No	3	5
Highlands High	546	27	Yes	No	572	28	Yes	No	588	1	No	No	3	3
Hoover Elementary	551	31	Yes	No	586	-5	No	No	587	31	Yes	No	2	1
Indio Middle	578	-8	No	No	578	29	Yes	Yes	601	5	No	No	3	4
Jackson (Andrew) Elementary	552	-30	No	No	535	17	Yes	Yes	566	11	No	No	1	1
James Lick Middle	551	-6	No	No	553	10	No	No	571	31	Yes	No	2	2

School Name	Base 00	Growth 01	Schwide Targ Met 01	Comp Imp Targ Met 01	Base 01	Schwide Growth 02	Schwide Targ Met 02	Comp Imp Targ Met 02	Base 02	Schwide Growth 03	Schwide Targ Met 03	Comp Targ Met 03	State Rank 03	Similar Rank 03
Jefferson (Thomas) Middle	615	-20	No	No	609	15	Yes	No	616	19	Yes	No	4	5
Johnson (Lloyd G.) Jr. High	552	69	Yes	Yes	622	-46	No	No	586	20	Yes	No	3	6
Keiller Middle	581	-35	No	No	553	15	Yes	No	587	7	No	Yes	2	3
Kemble (Edward) Elementary	539	41	Yes	Yes	588	-34	No	No	556	28	Yes	No	1	1
King Avenue Elementary	551	56	Yes	Yes	611	33	Yes	No	657	31	Yes	No	4	7
La Cumbre Middle	629	22	Yes	Yes	649	-10	No	No	639	4	No	Yes	3	5
Lehigh Elementary	477	11	No	No	505	-6	No	No					1	1
Lemoore High	604	31	Yes	Yes	641	-15	No	No	640	6	No	No	5	5
Lincoln Development Center for Handi/Kdgn.									497	11	No	No	1	2
Marshall (E. J.) Elementary	704	23	Yes	Yes	721	3	No	No	715	11	Yes	No	6	7
McLane High	474	-3	No	No	471	17	Yes	No	496	35	Yes	No	1	2
Mission High	434	-21	No	No	421	15	No	No	427	45	Yes	No	1	1
Montgomery (John J.) Elementary	511	33	Yes	Yes	556	-13	No	No	554	4	No	No	1	1
Needles Senior High	602	22	Yes	Yes	626	-53	No	No	542	40	Yes	No	1	1
Overfelt (William C.) High	538	-4	No	No	540	10	No	No	557	15	Yes	No	2	5
Providencia Elementary	670	45	Yes	No	712	47	Yes	Yes	748	-1	No	No	6	7
Reyes (Alicia) Elementary	519	39	Yes	Yes	566	18	Yes	No						
Rosedale Elementary	566	36	Yes	Yes	605	9	No	No	621	27	Yes	No	3	3
Sacramento High	600	-31	No	No	574	-10	No	No	562	6	No	No	2	2
San Altos Elementary	667	83	Yes	Yes	751	4	Yes	No	751	5	Yes	No	6	4
San Jose High Academy	565	32	Yes	Yes	593	-18	No	No	568	36	Yes	No	3	4
Sheppard (Harry R.) Middle					455	59	Yes	No	536	16	Yes	No	1	4
Southwest High	560	8	No	No	573	8	No	No					4	9
Stonehurst Elementary													1	2
Stoneman Elementary	595	1	No	No	597	64	Yes	Yes	674	3	No	No	4	3
Tibby Elementary					513	55	Yes	Yes	590	17	Yes	No	2	6
Tulare Western High	624	-6	No	No	621	2	No	No						
Tumbleweed Elementary	546	22	Yes	Yes	566	-6	No	No	562	25	Yes	No	1	1
Ulrich (Robert P.) Elementary	601	22	Yes	No	623	-3	No	No	625	32	Yes	No	3	1
Vista San Gabriel Elementary	613	11	Yes	No	630	25	Yes	Yes	648	7	No	No	3	6
Volta Elementary (YR)	722	35	Yes	Yes	756	-28	No	No	719	26	Yes	No	6	3
Walton Middle	466	21	Yes	Yes	502	7	No	No	530	20	Yes	No	1	6
Washington Elementary	468	43	Yes	No	517	20	Yes	Yes	541	1	No	No	1	1
Washington High	503	16	Yes	No	529	0	No	No	529	7	No	Yes	1	2
Winters Middle	620	13	Yes	Yes	639	-17	No	No	632	11	Yes	No	4	3

**Cohort II Schools Currently
 Participating in II/USP and API Data**

School Name	Base 01	Schwide Growth 02	Schwide Targ Met 02	Comp Imp Targ Met 02	Base 02	Schwide Growth 03	Schwide Targ Met 03	Comp Imp Targ Met 03	State Rank 03	Similar Rank 03
Adams (John) Middle	434	29	Yes	Yes	490	41	Yes	Yes	1	4
Alisal Community (Elem)	451	19	Yes	Yes	488	73	Yes	Yes	1	2
Allendale Elementary	543	4	No	No	568	65	Yes	Yes	2	2
Almaden Elementary	634	60	Yes	Yes						
Anatola Avenue Elementary	655	24	Yes	Yes	687	7	Yes	No	4	5
Anderson (Linford L.) Elementary	610	-14	No	No	609	68	Yes	Yes	4	2
Anderson Elementary	461	17	Yes	No	497	28	Yes	Yes	1	1
Angeles Mesa Elementary	534	77	Yes	Yes	629	27	Yes	Yes	3	10
Appleby (Felix J.) Elementary	568	23	Yes	No	588	44	Yes	Yes	2	1
Arrowview Middle	471	9	No	No	486	56	Yes	Yes	1	5
Arvin High	458	1	No	No	465	26	Yes	Yes	1	2
Bacon (Fern) Middle	588	12	Yes	No	580	32	Yes	Yes	3	1
Baker Elementary	464	48	Yes	Yes	532	94	Yes	Yes	2	8
Ballantyne (John) Elementary	600	2	No	No	608	27	Yes	Yes	2	4
Bancroft (Hubert Howe) Middle									4	8
Bassett Senior High	499	-7	No	No	498	59	Yes	Yes	2	2
Bear Creek High	628	11	Yes	No	631	-5	No	No	3	3
Bethel (Jesse M.) High	568	37	Yes	Yes	608	12	Yes	No	3	3
Beyer Elementary	470	28	Yes	Yes	496	110	Yes	Yes	1	6
Biggs Middle					620	9	Yes	No	4	1
Birmingham Senior High	585	-18	No	No	591	15	Yes	Yes	3	6
Bixby Elementary	627	33	Yes	Yes	659	56	Yes	No	5	4
Bloomington High	530	16	Yes	No	554	51	Yes	No	3	7
Bradach (Donald F.) Elementary	630	-23	No	No	611	77	Yes	Yes	4	6
Brainard Avenue Elementary	648	41	Yes	Yes	682	38	Yes	No	5	8
Bunche Middle	507	25	Yes	Yes	529	27	Yes	Yes	1	6
Burbank (Luther) Middle	523	11	No	Yes	563	12	Yes	Yes	2	5
Burbank Elementary	647	12	Yes	No	662	14	Yes	No	4	4
Cajon High	584	10	No	No	578	43	Yes	Yes	4	3
California Middle	620	6	No	No	626	10	Yes	No	4	6
Calistoga Elementary	618	15	Yes	No	640	30	Yes	Yes	3	2
Calistoga Junior-Senior High	616	10	Yes	No	613	20	Yes	Yes	4	6
Campo Elementary	595	40	Yes	Yes	654	24	Yes	No	4	5
Capuchino High	664	-16	No	No	634	53	Yes	Yes	6	8
Carnegie (Andrew) Middle	580	4	No	No	590	14	Yes	No	3	5
Carson (Kit) Middle	578	4	No	No	574	39	Yes	No	3	7
Carson Senior High	541	22	Yes	No	576	2	No	No	2	5
Carthay Center Elementary	642	-8	No	No	645	62	Yes	Yes	4	5
Caruthers High	546	-10	No	No	544	48	Yes	Yes	3	8
Castlemont Senior High					417	3	No	No	1	1
Castro Elementary	674	-23	No	No	651	28	Yes	No	3	1

School Name	Base 01	Schwide Growth 02	Schwide Targ Met 02	Comp Imp Targ Met 02	Base 02	Schwide Growth 03	Schwide Targ Met 03	Comp Imp Targ Met 03	State Rank 03	Similar Rank 03
Challenger Middle	613	-2	No	No	614	42	Yes	Yes	4	10
Charleston Elementary	693	22	Yes	No	714	35	Yes	Yes	6	3
Chavez (Cesar E.) Elementary	459	28	Yes	Yes	508	59	Yes	Yes	1	2
Chavez (Cesar E.) Elementary	478	-9	No	No	475	53	Yes	Yes	1	1
Cienega Elementary	555	43	Yes	Yes	613	9	Yes	No	2	7
Colburn (Aileen) Elementary	554	2	No	No	574	78	Yes	Yes	3	6
Cole Elementary	474	28	Yes	Yes	526	38	Yes	Yes	1	7
College Park Elementary	627	84	Yes	Yes	703	-21	No	No	4	4
Columbus (Christopher) Elementary	651	36	Yes	No	692	20	Yes	Yes	5	2
Columbus (Christopher) Middle	574	19	Yes	No						
Colusa High	622	20	Yes	No	629	33	Yes	No	6	9
Cooper (Johnston) Elementary	623	-2	No	No	600	81	Yes	Yes	3	2
Cordova Villa Elementary	590	33	Yes	No	642	56	Yes	Yes	4	9
Corvallis Middle	556	10	No	Yes	582	49	Yes	Yes	4	8
Cory (Benjamin) Elementary	671	-50	No	No	614	78	Yes	Yes	4	7
Cox Elementary	488	52	Yes	Yes	559	12	Yes	No	1	2
Crawford Senior High	541	-27	No	No	528	42	Yes	Yes	2	6
Creekside Elementary	601	7	No	No	622	51	Yes	Yes	3	2
Crystal Middle	668	-12	No	No	649	29	Yes	Yes	5	4
Curtiss (Glenn Hammond) Middle	533	7	No	No	556	13	Yes	Yes	2	6
Cypress Elementary	615	13	Yes	No	625	64	Yes	Yes	3	5
Dailey Elementary	548	8	No	No	570	38	Yes	No	2	3
Dale Junior High	587	-6	No	No	574	54	Yes	Yes	3	6
Davis Middle	465	24	Yes	Yes	509	49	Yes	Yes	1	7
Delhi Middle	572	55	Yes	Yes	605	-5	No	No	2	3
Delta Sierra Middle	626	22	Yes	No	635	6	No	No	3	1
Dorsey (Susan Miller) Senior H	442	18	Yes	Yes						
Downtown Business High	601	18	Yes	Yes	606	15	Yes	No	4	8
Duke (Bobby G.) Elementary	482	-9	No	No	495	24	Yes	Yes	1	1
Earlilmart Elementary	462	43	Yes	Yes	514	54	Yes	Yes	1	3
East Lake Elementary	539	-8	No	No	554	50	Yes	Yes	1	1
Eisenhut (George) Elementary	636	41	Yes	No	676	57	Yes	Yes	6	6
El Cajon Valley High	544	-19	No	No	534	49	Yes	Yes	2	5
El Cerrito Senior High	613	20	Yes	Yes	625	11	Yes	No	4	3
El Dorado Elementary	593	16	Yes	No	621	51	Yes	Yes	3	1
El Sereno Middle	509	12	No	No	525	27	Yes	No	1	2
El Verano Elementary	596	22	Yes	No	619	30	Yes	Yes	3	2
Elderberry Elementary	520	-1	No	No	543	72	Yes	Yes	2	5
Eliot Elementary	641	-7	No	No	634	33	Yes	Yes	3	2
Elmhurst Middle	445	14	No	No	477	25	Yes	Yes	1	1
Emerson Elementary	507	36	Yes	Yes	553	67	Yes	Yes	2	4
Emerson Middle	503	10	No	No	537	40	Yes	Yes	2	6
Encinal High	632	-46	No	No	606	45	Yes	Yes	5	6
Enola D. Maxwell Middle	460	14	No	No	484	76	Yes	Yes	1	2

School Name	Base 01	Schwide Growth 02	Schwide Targ Met 02	Comp Imp Targ Met 02	Base 02	Schwide Growth 03	Schwide Targ Met 03	Comp Imp Targ Met 03	State Rank 03	Similar Rank 03
Enterprise Middle	505	0	No	No	533	15	Yes	No	1	6
Esparto High	595	2	No	No	572	97	Yes	Yes	6	5
Esplanade Elementary	600	-19	No	No	589	43	Yes	Yes	2	4
Euclid Elementary	415	0	No	No	451	60	Yes	Yes	1	1
Fairfax Senior High										
Fairmount Elementary	532	18	Yes	No	567	57	Yes	Yes	2	1
Farmersville Junior High	494	41	Yes	Yes	554	37	Yes	Yes	2	9
Fifty-Second Street Elementary	453	36	Yes	No	512	38	Yes	Yes	1	2
Figuroa Street Elementary	464	65	Yes	Yes	543	34	Yes	No	1	3
Fillmore Senior High	556	2	No	No	568	43	Yes	Yes	3	8
Firebaugh High	501	-8	No	No	508	44	Yes	Yes	2	7
Fischer (Clyde L.) Middle	502	-12	No	No	512	42	Yes	Yes	1	3
Fletcher Walker Elementary	670	67	Yes	Yes	717	-2	No	No	5	5
Flowery Elementary	565	18	Yes	Yes	603	21	Yes	No	2	1
Ford Boulevard Elementary	539	53	Yes	Yes	597	51	Yes	Yes	3	8
Fort Miller Preparatory Middle	484	30	Yes	Yes	528	20	Yes	No	1	1
Forty-Ninth Street Elementary	434	60	Yes	Yes	520	58	Yes	Yes	1	3
Foster Elementary	426	38	Yes	No	484	31	Yes	Yes	1	1
Foster Elementary	523	-1	No	No	537	3	No	No	1	1
Franklin Elementary	599	28	Yes	No	630	63	Yes	Yes	4	7
Fremont Intermediate	618	6	No	No	608	60	Yes	Yes	5	3
Fremont Senior High	433	14	No	No	484	-45	No	No	1	1
Frisbie Middle	553	3	No	No	577	39	Yes	Yes	3	8
Garfield (James A.) Senior High	487	3	No	No	529	9	No	No	1	5
Garfield Elementary	482	56	Yes	Yes	555	65	Yes	Yes	2	1
Garza (Ramon) Elementary	536	13	Yes	No	573	17	Yes	Yes	1	3
Gates Street Elementary	535	80	Yes	Yes	606	42	Yes	No	3	7
George (Joseph) Middle	612	5	No	Yes	610	22	Yes	Yes	3	4
Glen Park Elementary	596	37	Yes	No	633	45	Yes	Yes	4	3
Glen View Elementary	594	3	No	Yes	604	52	Yes	Yes	3	4
Glenview Elementary	659	21	Yes	No	677	65	Yes	Yes	6	7
Glenwood Elementary	613	29	Yes	No	651	46	Yes	Yes	4	7
Golden Gate Elementary	454	80	Yes	Yes	563	50	Yes	Yes	2	3
Grant (Ulysses S.) Senior High	571	-14	No	No	569	27	Yes	Yes	3	3
Grape Street Elementary	535	20	Yes	No	574	75	Yes	Yes	2	9
Gratts (Evelyn Thurman) Elem	430	12	No	No	471	75	Yes	Yes	1	2
Gunderson High	616	-20	No	No	594	27	Yes	Yes	4	8
Harte (Bret) Middle	628	-4	No	No	628	24	Yes	Yes	4	5
Harte (Bret) Prepatory Intermediate	463	-16	No	No	480	15	No	No	1	2
Havenscourt Middle	406	22	Yes	No	446	61	Yes	Yes	1	1
Hawthorne Elementary	413	48	Yes	Yes	479	95	Yes	Yes	1	2
Hawthorne Middle	584	12	Yes	No	598	32	Yes	Yes	4	10
Heller (Peggy) Elementary	688	4	No	No	697	32	Yes	Yes	6	5
Henry Elementary	559	-1	No	No	573	64	Yes	Yes	2	6

School Name	Base 01	Schwide Growth 02	Schwide Targ Met 02	Comp Imp Targ Met 02	Base 02	Schwide Growth 03	Schwide Targ Met 03	Comp Imp Targ Met 03	State Rank 03	Similar Rank 03
Heritage Elementary	517	17	Yes	Yes						
Highland Elementary	424	22	Yes	Yes	464	20	Yes	No	1	1
Highland Elementary	497	34	Yes	Yes	553	26	Yes	Yes	1	1
Hillcrest Drive Elementary	446	45	Yes	Yes	518	35	Yes	Yes	1	2
Hillside Elementary	535	71	Yes	Yes	602	24	Yes	Yes	2	5
Holmes (Oliver Wendell) Middle	666	-4	No	No	658	51	Yes	Yes	6	10
Holtville High	554	30	Yes	No	585	58	Yes	Yes	5	9
Hooper Avenue Elementary	444	56	Yes	Yes	521	47	Yes	Yes	1	3
Hoover (Herbert) Elementary	477	2	No	No	493	94	Yes	Yes	1	3
Hoover (Herbert) Middle	641	4	No	No	627	12	Yes	No	4	3
Hoover Street Elementary	498	60	Yes	Yes	571	66	Yes	Yes	2	8
Horace Mann Middle	579	-1	No	No	582	41	Yes	Yes	3	6
Huntington Park Senior High	482	13	No	No	519	18	Yes	Yes	1	3
Inglewood High	465	8	No	No	475	46	Yes	Yes	1	4
James Denman Middle	609	10	Yes	No	625	47	Yes	Yes	5	5
Jefferson (Thomas) Middle	566	-26	No	No	549	30	Yes	Yes	2	5
Jefferson Elementary	450	-2	No	No	467	66	Yes	Yes	1	1
Jefferson Middle	665	30	Yes	Yes	682	13	Yes	No	6	10
John Kelley Elementary	431	1	No	No	455	76	Yes	Yes	1	1
Johnson Park Elementary	720	0	No	No	715	23	Yes	Yes	6	10
Jordan (David Starr) Senior Hi	417	23	Yes	Yes	452	16	No	No	1	1
Juniper Intermediate	590	-37	No	No	562	19	Yes	No	2	2
Jurupa Valley High	534	11	No	Yes					3	2
Kearny Senior High	554	48	Yes	Yes	605	21	Yes	No	4	5
Keith B. Kenny Elementary	587	10	No	Yes	595	21	Yes	Yes	2	5
Kelseyville Primary	690	2	No	No	700	55	Yes	Yes	7	10
Kennedy (John F.) Elementary	571	-14	No	No	574	39	Yes	Yes	2	3
Kennedy Middle	592	26	Yes	Yes	604	13	Yes	No	3	5
King (Martin Luther Jr) Junior High	498	14	No	No	511	18	Yes	No	1	1
King (Martin Luther Jr) Middle	534	21	Yes	Yes	567	8	No	No	2	7
King (Martin Luther Jr.) Elementary	545	51	Yes	Yes	599	-17	No	No	1	1
King (Martin Luther) Elementar	479	22	Yes	No	521	65	Yes	Yes	1	5
King (Thomas Starr) Middle	541	13	Yes	No	564	31	Yes	Yes	2	6
Kings Canyon Middle	517	-24	No	No	515	18	Yes	No	1	1
Kingswood Elementary	702	0	No	No	700	19	Yes	Yes	5	8
Kirk Elementary	451	29	Yes	Yes	485	60	Yes	Yes	1	1
La Salle Avenue Elementary	510	41	Yes	Yes	571	46	Yes	Yes	2	6
Laguna Nueva Elementary	486	49	Yes	Yes	554	63	Yes	Yes	2	4
Larchmont Elementary	669	-1	No	No	675	39	Yes	Yes	5	9
Lincoln (Abraham) Elementary	641	48	Yes	Yes	696	20	Yes	No	5	8
Lincoln (Abraham) Elementary	681	-6	No	No	676	17	Yes	No	4	7
Lincoln (Abraham) Middle	646	6	No	No	640	20	Yes	Yes	5	10
Lincoln Elementary	417	10	No	No	458	36	Yes	Yes	1	1
Lincoln Elementary	524	21	Yes	Yes	535	43	Yes	Yes	1	2

School Name	Base 01	Schwide Growth 02	Schwide Targ Met 02	Comp Imp Targ Met 02	Base 02	Schwide Growth 03	Schwide Targ Met 03	Comp Imp Targ Met 03	State Rank 03	Similar Rank 03
Lincoln Middle	621	9	Yes	No	621	7	No	Yes	3	2
Livingston High	571	-17	No	No	538	76	Yes	Yes	4	10
Lockwood Elementary	468	6	No	No	503	60	Yes	Yes	1	1
Logan Elementary	498	63	Yes	Yes	570	19	Yes	Yes	1	5
Lompoc High	599	6	No	No	585	39	Yes	Yes	4	6
Longfellow Elementary	517	-5	No	No	539	50	Yes	Yes	1	2
Los Angeles Elementary	509	63	Yes	Yes	582	67	Yes	Yes	3	9
Luther Burbank Middle	547	25	Yes	No	558	18	Yes	Yes	2	1
Lynwood Middle	483	-8	No	No	497	36	Yes	No	1	2
Madison Middle	437	-19	No	No	441	66	Yes	Yes	1	2
Madison Senior High	575	-3	No	No	575	35	Yes	Yes	4	5
Magnolia High	569	3	No	No	589	28	Yes	No	3	5
Mann (Horace) Elementary	548	-18	No	No	534	57	Yes	Yes	1	2
Maple Elementary					557	82	Yes	Yes	2	2
Markham Elementary	604	3	No	No	626	26	Yes	No	3	1
Markham Elementary	533	37	Yes	Yes	583	33	Yes	Yes	2	5
Marshall (John) Middle	498	5	No	No	509	55	Yes	Yes	1	7
McClymonds Senior High	379	1	No	No	437	18	Yes	Yes	1	1
McKenney (Anna) Intermediate	655	-33	No	No	622	50	Yes	Yes	5	2
McKinley Elementary	573	-16	No	No	559	45	Yes	Yes	1	5
McKinley Elementary	496	16	Yes	Yes	516	28	Yes	Yes	1	1
Mecca Elementary	490	18	Yes	Yes	526	34	Yes	Yes	1	1
Melrose Elementary									1	1
Miramonte Elementary	441	67	Yes	Yes	525	55	Yes	Yes	1	3
Mission Bell Elementary	648	16	Yes	Yes	664	-8	No	No	3	4
Mission Elementary	533	15	Yes	Yes	565	19	Yes	Yes	1	1
Mission Middle	574	3	No	No	599	17	Yes	No	3	5
Moffett Elementary	469	40	Yes	Yes	539	77	Yes	Yes	2	5
Monache High	602	-17	No	No	603	46	Yes	Yes	5	8
Monterey Elementary	481	28	Yes	Yes	526	54	Yes	Yes	1	3
Morada Middle	580	42	Yes	Yes	617	-14	No	No	2	3
Morningside High	489	-6	No	No					1	6
Mountain View Middle	561	19	Yes	No	587	29	Yes	Yes	3	8
Muir (John) Middle	428	24	Yes	No	480	10	No	No	1	1
Mulholland (William) Middle					550	33	Yes	No	2	4
Narbonne (Nathaniel) Senior Hi	588	2	No	No	586	28	Yes	No	3	5
Nelson Avenue Middle	634	-14	No	No	614	37	Yes	Yes	4	2
Nichols (Leroy) Elementary	597	25	Yes	Yes	632	17	Yes	No	3	1
Normandie Avenue Elementary	435	49	Yes	Yes	518	38	Yes	Yes	1	1
Norseman Elementary	527	59	Yes	Yes	589	40	Yes	Yes	2	3
Norte Vista High	539	-1	No	No	564	18	Yes	Yes	3	8
North Avenue Elementary	419	7	No	No	461	83	Yes	Yes	1	1
North Hollywood Senior High	571	-5	No	No	584	55	Yes	Yes	4	10
North Salinas High	547	32	Yes	Yes	572	28	Yes	No	3	7

School Name	Base 01	Schwide Growth 02	Schwide Targ Met 02	Comp Imp Targ Met 02	Base 02	Schwide Growth 03	Schwide Targ Met 03	Comp Imp Targ Met 03	State Rank 03	Similar Rank 03
Northridge Middle	503	39	Yes	Yes	554	43	Yes	Yes	2	6
Oaks Middle	534	-28	No	No	527	33	Yes	No	2	2
Oakwood Elementary	568	13	Yes	No	587	33	Yes	Yes	2	1
Oasis Elementary	447	1	No	No	468	35	Yes	Yes	1	1
Oceanside High	603	-6	No	No	596	38	Yes	Yes	5	10
Ohlone Elementary	452	49	Yes	Yes	519	52	Yes	Yes	1	2
One Hundred Seventh Street Elementary	458	59	Yes	Yes	531	47	Yes	Yes	1	4
One Hundred Thirty-Fifth Street Elem.	499	78	Yes	Yes	587	60	Yes	Yes	3	8
One Hundred Twelfth Street Elementary	490	54	Yes	Yes	543	31	Yes	Yes	1	4
Orangeview Junior High	631	1	No	No	612	40	Yes	Yes	4	3
Oroville High	590	4	No	No	593	36	Yes	Yes	4	1
Osborn Elementary	547	14	Yes	No	574	50	Yes	Yes	2	4
Pacific Avenue Elementary	602	-6	No	No	607	25	Yes	No	2	4
Pacific High	562	-35	No	No	502	9	No	No	1	3
Palm Avenue Elementary	525	-5	No	No	537	61	Yes	Yes	1	2
Palm Middle	697	12	Yes	No	698	-3	No	No	6	7
Palmdale High	566	-4	No	No	566	31	Yes	Yes	2	2
Palmer Way Elementary	640	4	No	No	652	45	Yes	Yes	4	9
Paramount Elementary	616	1	No	No	623	17	Yes	Yes	2	4
Parmelee Avenue Elementary	445	68	Yes	Yes	530	42	Yes	Yes	1	4
Patterson High	583	-6	No	No	584	41	Yes	Yes	4	9
Peary (Robert E.) Middle	541	21	Yes	No	575	18	Yes	Yes	2	6
Pio Pico Elementary	536	22	Yes	Yes	572	28	Yes	No	1	4
Piute Middle	568	1	No	No	569	13	Yes	No	2	5
Planada Elementary	508	31	Yes	Yes	547	5	No	No	1	2
Plantation Elementary	637	16	Yes	No	656	27	Yes	Yes	4	9
Plummer Elementary	490	67	Yes	Yes	576	46	Yes	Yes	2	8
Politi (Leo) Elementary	489	53	Yes	Yes	564	40	Yes	Yes	1	4
Portola Junior High	582	-3	No	No	594	15	Yes	No	3	4
Prescott Elementary	536	71	Yes	Yes	634	-5	No	No	2	4
Preston Elementary	602	-8	No	No	606	49	Yes	Yes	3	6
Raymond Avenue Elementary	448	88	Yes	Yes	562	46	Yes	Yes	1	6
Redwood Elementary	680	-71	No	No	625	51	Yes	Yes	3	2
Reseda Senior High	574	-7	No	No	574	38	Yes	Yes	3	6
Revere (Paul) Elementary	509	16	Yes	No	553	39	Yes	Yes	1	1
Rialto High	549	-2	No	No	564	50	Yes	Yes	3	9
Rio del Valle Elementary	581	29	Yes	Yes	604	-1	No	No	3	5
Rio Vista Elementary	620	17	Yes	Yes	646	41	Yes	No	3	4
Rio Vista Elementary	524	-21	No	No	512	85	Yes	Yes	1	3
Ritter Elementary	475	21	Yes	No	525	72	Yes	Yes	1	6
River City Senior High	593	2	No	No	571	67	Yes	Yes	4	7
Roberts (E. Neal) Elementary	536	5	No	No	551	65	Yes	Yes	2	6
Robla Elementary	640	27	Yes	No	676	39	Yes	Yes	5	5

School Name	Base 01	Schwide Growth 02	Schwide Targ Met 02	Comp Imp Targ Met 02	Base 02	Schwide Growth 03	Schwide Targ Met 03	Comp Imp Targ Met 03	State Rank 03	Similar Rank 03
Roosevelt Elementary	633	-4	No	No	613	45	Yes	Yes	2	1
Roosevelt Elementary	539	37	Yes	No	590	41	Yes	No	2	8
Roosevelt Junior High	549	6	No	No	565	36	Yes	Yes	2	3
Roosevelt Middle	497	-15	No	No	505	80	Yes	Yes	2	9
Roseland Elementary	589	25	Yes	Yes	611	2	No	Yes	2	4
Round Valley Elementary	428	13	No	No	477	74	Yes	Yes	1	2
Rowell Elementary	435	66	Yes	Yes	516	54	Yes	Yes	1	2
Salinas High	582	56	Yes	Yes	635	8	Yes	No	5	7
San Fernando Senior High	492	8	No	No	547	8	No	No	2	6
San Pasqual Valley High	484	-12	No	No	480	10	No	No	1	2
Sanchez (Jesse G.) Elementary	435	26	Yes	Yes	470	63	Yes	Yes	1	1
Santa Fe Elementary	622	24	Yes	Yes	654	-5	No	No	2	6
Santee Elementary	488	32	Yes	No	536	36	Yes	Yes	1	1
Savanna High	586	0	No	No	588	42	Yes	Yes	4	3
Schurr High	576	-12	No	No	576	37	Yes	Yes	4	5
Sepulveda (Francisco) Middle	508	2	No	Yes	534	29	Yes	Yes	1	5
Serrano Elementary	579	25	Yes	Yes	618	3	No	No	2	4
Seventy-Fifth Street Elementary	444	30	Yes	Yes	501	31	Yes	No	1	1
Shadow Hills Intermediate	611	-18	No	No	605	18	Yes	Yes	3	6
Sheldon (E. Ruth) Elementary	663	-4	No	No	660	34	Yes	Yes	4	3
Shields (Lester W.) Elementary	569	-5	No	No	583	64	Yes	Yes	3	3
Silverado Middle	666	25	Yes	Yes	678	-28	No	No	4	2
Simmons (Calvin) Middle	418	17	No	No	454	24	Yes	Yes	1	1
Skyline High	581	16	Yes	No	611	-4	No	No	3	7
Smith (Carl) Middle	468	-20	No	No	475	80	Yes	Yes	1	6
Sobrante Park Elementary	464	39	Yes	Yes	530	36	Yes	No	1	1
South Gate Middle	529	5	No	No	545	11	No	Yes	1	3
South Junior High	545	21	Yes	No	562	37	Yes	No	2	3
Still (John H.) Elementary	505	20	Yes	Yes	536	45	Yes	Yes	1	1
Strathmore Elementary	558	10	No	Yes	586	94	Yes	Yes	4	8
Strathmore High	511	-2	No	No	488	50	Yes	Yes	1	3
Suisun Elementary	583	0	No	No	598	21	Yes	No	2	1
Sunset Elementary	629	-3	No	No	642	23	Yes	Yes	3	2
Sunset Elementary	478	-6	No	No	497	46	Yes	Yes	1	4
Suva Elementary	459	37	Yes	Yes	509	73	Yes	Yes	1	5
Taft Middle	651	5	No	No	648	29	Yes	Yes	5	7
Terrace Elementary	661	-1	No	No	650	30	Yes	Yes	5	3
Turlock Junior High	645	-23	No	No	625	30	Yes	Yes	4	3
University Preparation School at CSU Channel Islands									5	8
Vallejo High	568	17	Yes	No	585	29	Yes	No	2	3
Van Buren Elementary	650	19	Yes	No	658	27	Yes	Yes	4	7
Van Nuys Middle	543	2	No	No	554	45	Yes	Yes	2	6
Vermont Elementary	565	-15	No	No	553	49	Yes	Yes	1	3

School Name	Base 01	Schwide Growth 02	Schwide Targ Met 02	Comp Imp Targ Met 02	Base 02	Schwide Growth 03	Schwide Targ Met 03	Comp Imp Targ Met 03	State Rank 03	Similar Rank 03
Wadsworth Avenue Elementary	480	68	Yes	Yes	566	30	Yes	Yes	1	5
Washington Elementary	588	34	Yes	No	627	37	Yes	Yes	3	1
West Athens Elementary	495	37	Yes	Yes	552	47	Yes	Yes	1	3
West Orange Elementary	609	-9	No	No	600	121	Yes	Yes	5	7
Western Avenue Elementary	471	66	Yes	Yes	550	50	Yes	Yes	1	4
Whaley Middle	558	1	No	No	550	-14	No	No	1	4
Whittier Elementary	395	22	Yes	No	453	70	Yes	Yes	1	1
Williamson Elementary	664	-17	No	No	627	67	Yes	Yes	4	5
Wilshire Crest Elementary	623	22	Yes	No	651	29	Yes	Yes	3	7
Wilson Elementary	507	37	Yes	Yes	562	60	Yes	Yes	2	4
Wolters Elementary	507	38	Yes	Yes	561	52	Yes	Yes	2	1
Woodbridge Middle	626	31	Yes	Yes	639	11	Yes	No	4	6
Worth (Barbara) Junior High	573	8	No	No	602	48	Yes	Yes	4	7
Worthington Elementary	667	-14	No	No	657	45	Yes	Yes	4	10
Yuba City High	642	-13	No	No	631	37	Yes	Yes	6	5
Yuba Gardens Intermediate	618	11	Yes	No	608	13	Yes	No	3	2
Zela Davis Elementary	702	-15	No	No	692	30	Yes	Yes	5	10

**Cohort III Schools Currently
 Participating in II/USP and API Data**

School Name	Base 01 (Planning Year)	Schwide Growth 02	Schwide Targ Met 02	Com Imp Targ Met 02	Base 02	Schwide Growth 03	Schwide Targ Met 03	Comp Imp Targ Met 03	State Rank 03	Similar Rank 03
Abbott (Janie P.) Elementary	520	33	Yes	Yes	577	58	Yes	Yes	2	7
Albany Park Elementary	537	21	Yes	Yes	570	24	Yes	Yes	1	4
Alicia Intermediate	545	7	No	No	558	46	Yes	Yes	3	3
Allen (Elsie) High	580	4	No	No						
Alta Loma Elementary	490	61	Yes	Yes	577	35	Yes	No	1	4
Amestoy Elementary	566	69	Yes	Yes	651	58	Yes	Yes	5	9
Anthony (Susan B.) Elementary	657	42	Yes	Yes	672	26	Yes	Yes	5	4
Arbuckle (Clyde) Elementary	512	84	Yes	Yes	596	80	Yes	Yes	4	7
Arrowhead Elementary					601	52	Yes	Yes	3	3
Atwater High	617	-10	No	No	584	44	Yes	Yes	4	4
Ayer Elementary	547	0	No	No	575	79	Yes	Yes	3	2
Banning High	505	39	Yes	No					2	5
Beaumont Elementary	667	27	Yes	Yes	701	8	Yes	No	5	6
Bell Senior High	490	21	Yes	Yes	517	55	Yes	Yes	2	7
Belle Haven Elementary	528	24	Yes	No	573	21	Yes	No	1	4
Belmont Senior High					489	33	Yes	No	1	3
Berlyn Elementary	482	8	No	No	515	51	Yes	Yes	1	1
Birney Elementary	550	66	Yes	Yes	605	50	Yes	Yes	3	5
Brook Hill Elementary	566	24	Yes	No	597	55	Yes	Yes	3	7
Brown (Ruth) Elementary	620	25	Yes	Yes	636	17	Yes	Yes	2	7
Bubbling Wells Elementary	642	-27	No	No	613	46	Yes	Yes	3	7
Buchanan Street Elementary	605	73	Yes	Yes	673	60	Yes	Yes	5	10
Buena Park Junior High	630	10	Yes	No	641	1	No	No	4	4
Burbank (Luther) Elementary	505	27	Yes	No	553	41	Yes	Yes	1	1
Burbank Boulevard Elementary	648	44	Yes	Yes	707	53	Yes	Yes	7	10
Burbank Elementary	477	59	Yes	Yes	566	-26	No	No	1	1
Burnett (Peter) Middle	517	12	No	No	536	39	Yes	Yes	2	2
Cabazon Elementary	488	43	Yes	Yes	548	37	Yes	Yes	1	1
Cabrillo (Juan Rodriguez) High	424	24	Yes	Yes	465	52	Yes	Yes	1	3
Cadman Elementary	622	99	Yes	Yes	705	24	Yes	No	6	6
Calexico High	499	-9	No	No	489	64	Yes	Yes	2	4
Calwa Elementary	429	29	Yes	Yes	473	55	Yes	Yes	1	1
Cambridge Elementary	585	38	Yes	Yes	628	61	Yes	Yes	4	2
Canoga Park Senior High	522	24	Yes	No	548	30	Yes	Yes	2	6
Capistrano Elementary	616	21	Yes	Yes	637	61	Yes	Yes	4	9
Carr (Gerald P.) Intermediate	501	26	Yes	Yes	536	54	Yes	Yes	2	9
Carver (George Washington) Elementary	472	25	Yes	Yes	500	85	Yes	Yes	1	4
Castle Park Senior High	527	3	No	No	550	31	Yes	Yes	2	7
Cathedral City Elementary	559	36	Yes	Yes	599	43	Yes	Yes	2	5

School Name	Base 01 (Planning Year)	Schwide Growth 02	Schwide Targ Met 02	Com Imp Targ Met 02	Base 02	Schwide Growth 03	Schwide Targ Met 03	Comp Imp Targ Met 03	State Rank 03	Similar Rank 03
Central Elementary	557	37	Yes	Yes	599	45	Yes	Yes	3	3
Cerra Vista Elementary	677	21	Yes	Yes	692	43	Yes	Yes	6	2
Cerritos Elementary	604	33	Yes	Yes	648	46	Yes	Yes	4	6
Chandler Elementary	666	41	Yes	Yes	713	40	Yes	Yes	6	10
Channel Islands High	568	-3	No	No	596	-3	No	No	3	8
Chapman Elementary	533	38	Yes	Yes	596	-8	No	No	1	1
Chatsworth Senior High	599	11	Yes	No						
Chavez (Cesar) Elementary	481	18	Yes	Yes	504	92	Yes	Yes	1	3
Chualar Elementary	446	44	Yes	Yes	501	87	Yes	Yes	1	2
Chula Vista Middle	559	34	Yes	No	592	32	Yes	Yes	3	7
Chula Vista Senior High	578	-4	No	No	587	26	Yes	Yes	4	9
Cleveland Elementary	604	47	Yes	Yes	639	6	No	No	2	6
Cobb (William L.) Elementary	655	4	No	No	645	-9	No	No	1	1
Cole Elementary	527	35	Yes	Yes	580	33	Yes	Yes	2	3
Colfax Avenue Elementary	658	53	Yes	Yes	708	59	Yes	Yes	7	9
Coliseum Street Elementary	532	3	No	No	567	114	Yes	Yes		
Compton Avenue Elementary	516	29	Yes	Yes	554	49	Yes	Yes	1	4
Conejo Middle	631	-10	No	No	623	39	Yes	Yes	5	2
Costa Mesa High	649	-12	No	No	641	28	Yes	Yes	6	7
Creekside Elementary	560	27	Yes	Yes	595	52	Yes	Yes	3	5
Crescent Heights Boulevard Elementary	617	51	Yes	Yes	677	38	Yes	Yes	5	10
Crown Point Elementary	577	60	Yes	Yes	659	14	Yes	Yes	4	7
Crozier (George W.) Junior High	557	-3	No	No	548	29	Yes	Yes	2	8
Curren Elementary	561	24	Yes	Yes	587	44	Yes	Yes	2	3
Cutler Elementary	495	33	Yes	Yes	539	52	Yes	Yes	1	1
Cuyama Elementary	617	32	Yes	No	638	27	Yes	No	3	3
Cuyamaca Elementary	663	-2	No	No	668	21	Yes	Yes	4	5
Darnall E-Campus Charter	588	-38	No	No	564	88	Yes	Yes	2	4
Davis Elementary	483	31	Yes	Yes	515	46	Yes	Yes	1	2
Del Rey Elementary	648	12	Yes	No	661	32	Yes	Yes	4	1
Del Rey Elementary	458	67	Yes	Yes	532	54	Yes	Yes	1	2
Del Vista Elementary	563	31	Yes	Yes	602	19	Yes	Yes	2	5
Delta High	638	-24	No	No	604	53	Yes	Yes	5	10
Desert View Elementary	595	0	No	No	601	31	Yes	No	2	2
Dingle Elementary	650	3	No	No	659	55	Yes	Yes	5	7
Dinuba High	531	3	No	No	539	39	Yes	Yes	2	7
Dolores Street Elementary	638	24	Yes	Yes	673	84	Yes	Yes	6	10
Dos Palos Elementary	537	46	Yes	No						
Dos Palos High	482	74	Yes	Yes	549	45	Yes	Yes	3	9
Dos Rios Elementary	541	45	Yes	Yes	587	39	Yes	Yes	2	7
Drew (Charles R.) Elementary	532	-3	No	No	535	61	Yes	Yes	1	1
Dunlap Elementary	601	16	Yes	No	635	36	Yes	Yes	3	1
Eagle Rock Junior-Senior High									6	9

School Name	Base 01 (Planning Year)	Schwide Growth 02	Schwide Targ Met 02	Com Imp Targ Met 02	Base 02	Schwide Growth 03	Schwide Targ Met 03	Comp Imp Targ Met 03	State Rank 03	Similar Rank 03
Echo Valley Elementary	645	25	Yes	No	662	22	Yes	Yes	4	2
Edison Elementary	524	108	Yes	Yes	628	76	Yes	Yes	5	8
Edison Elementary	481	39	Yes	Yes	533	44	Yes	Yes	1	3
Edison Elementary	634	6	No	Yes	636	37	Yes	Yes	4	5
El Capitan Middle	650	14	Yes	No	657	-33	No	No	4	3
El Dorado Elementary	670	-29	No	No	629	0	No	No	2	2
El Oro Way Elementary	675	60	Yes	Yes	741	51	Yes	Yes	8	10
El Rancho High	530	23	Yes	Yes	558	50	Yes	Yes	4	9
El Sobrante Elementary	654	54	Yes	Yes	694	-17	No	No	3	1
Eliot Middle	606	0	No	No	616	2	No	No	3	7
Ella Elementary	559	4	No	No	589	56	Yes	Yes	2	2
Elm Elementary	616	13	Yes	No	650	31	Yes	Yes	4	1
Emelita Street Elementary	686	44	Yes	Yes	742	66	Yes	Yes	8	10
Emerson (Ralph Waldo) Middle	569	6	No	No	584	54	Yes	Yes	4	9
Encina High	516	13	No	No						
Ericson Elementary	525	59	Yes	Yes	598	47	Yes	Yes	3	5
Escondido High	622	17	Yes	Yes	638	34	Yes	Yes	6	8
Euclid Elementary	553	17	Yes	Yes	583	18	Yes	No	1	4
Ewing Elementary	490	29	Yes	Yes	535	32	Yes	Yes	1	1
Fair (J. Wilbur) Junior High	563	13	Yes	No	572	45	Yes	Yes	3	4
Fairgrove Academy (K-8)	635	28	Yes	Yes	670	69	Yes	Yes	6	9
Fairhaven Elementary	524	16	Yes	Yes	562	51	Yes	Yes	2	3
Fairmont Elementary	637	18	Yes	Yes	648	18	Yes	No	3	1
Fairview Elementary	632	-30	No	No	625	23	Yes	Yes	3	3
Far West (Cont.)	479	34	Yes	Yes	542	-60	No	No	1	N/A
Farragut (David) Elementary	643	-10	No	No	615	62	Yes	Yes	3	7
Felicita Elementary	578	32	Yes	Yes	624	27	Yes	Yes	3	6
Fifty-Fourth Street Elementary	622	-61	No	No	577	92	Yes	Yes	3	8
Flood (James) Elementary	676	26	Yes	Yes	715	-16	No	No	5	8
Forty-Second Street Elementary	553	21	Yes	Yes	595	18	Yes	No	1	7
Francis (John H.) Polytechnic	493	5	No	No	509	15	Yes	No	1	3
Frank Paul Elementary	462	9	No	No	496	56	Yes	Yes	1	2
Frank West Elementary	559	7	No	No	579	44	Yes	Yes	2	3
Franklin Elementary	658	-3	No	No	664	44	Yes	Yes	5	8
Franklin Elementary	625	41	Yes	Yes	666	44	Yes	Yes	5	10
Franklin Middle	490	18	Yes	No	511	49	Yes	Yes	1	7
Fremont (John) Elementary	676	-29	No	No	654	19	Yes	No	4	3
Fremont Elementary	538	40	Yes	Yes	584	67	Yes	Yes	3	7
Fremont Elementary					660	45	Yes	Yes	5	10
Fremont Elementary	490	22	Yes	Yes	539	61	Yes	Yes	1	4
Fresno High	510	0	No	No	521	33	Yes	Yes	2	3
Gabilan Elementary	527	-13	No	No	531	42	Yes	Yes	1	2
Gage (Henry T.) Middle	468	18	Yes	Yes	505	26	Yes	Yes	1	3
Garden Valley Elementary	509	8	No	No	563	63	Yes	Yes	2	5

School Name	Base 01 (Planning Year)	Schwide Growth 02	Schwide Targ Met 02	Com Imp Targ Met 02	Base 02	Schwide Growth 03	Schwide Targ Met 03	Comp Imp Targ Met 03	State Rank 03	Similar Rank 03
Gardena Senior High										
Gardner Elementary	491	49	Yes	Yes	547	12	No	Yes	1	1
General Shafter Elementary	642	43	Yes	Yes					3	7
Givens (Ada) Elementary	533	28	Yes	Yes	568	57	Yes	Yes	2	1
Gladstone High	520	-2	No	No	525	28	Yes	Yes	2	4
Glen View Elementary	630	-22	No	No	617	12	Yes	No	2	2
Glendale Senior High	599	23	Yes	No	652	43	Yes	Yes	7	9
Golden Valley Elementary	592	-33	No	No	562	5	No	No	1	2
Goss (Mildred) Elementary	502	45	Yes	Yes	549	48	Yes	Yes	1	3
Grand View Boulevard Elementar	555	76	Yes	Yes	635	52	Yes	Yes	4	9
Grandview Elementary	551	-10	No	No	562	68	Yes	Yes	2	5
Granite Hill Elementary									4	7
Gray Avenue Elementary	628	30	Yes	Yes	656	21	Yes	Yes	5	8
Grayson Charter	493	12	No	Yes	530	71	Yes	Yes	1	4
Greenfield Elementary	438	47	Yes	Yes	499	56	Yes	Yes	1	1
Greenfield High									1	3
Greenfield Primary	459	93	Yes	Yes	551	104	Yes	Yes	3	5
Greer Elementary	641	-3	No	No	644	67	Yes	Yes	5	9
Hagginwood Elementary	561	25	Yes	Yes	590	18	Yes	No	1	2
Hall District Elementary	467	49	Yes	Yes	529	43	Yes	Yes	1	2
Hamilton (Alexander) Senior Hi	597	8	No	No	616	20	Yes	Yes	4	9
Hamilton K-12	607	36	Yes	Yes	634	37	Yes	Yes	6	10
Hamilton Union High	542	66	Yes	Yes	601	46	Yes	Yes	6	9
Hammer Elementary	683	76	Yes	Yes	745	21	Yes	Yes	6	1
Hanford High	574	12	Yes	No	583	28	Yes	Yes	3	1
Hanford West High	566	-4	No	No	558	27	Yes	Yes	2	1
Harmon Johnson Elementary	547	25	Yes	Yes	569	51	Yes	Yes	2	4
Harrington Elementary									1	3
Hawthorne Elementary	607	-1	No	No	605	52	Yes	Yes	3	3
Heights Elementary	618	29	Yes	Yes	653	15	Yes	Yes	4	5
Hemet Elementary	638	6	No	No	641	12	Yes	No	3	6
Hemlock Elementary	628	1	No	No	636	70	Yes	Yes	5	4
Hemmerling Elementary	572	16	Yes	No	597	21	Yes	Yes	2	2
Henry Elementary	532	43	Yes	Yes	587	23	Yes	Yes	2	6
Herrick Avenue Elementary	602	57	Yes	Yes	661	47	Yes	Yes	5	10
Highland High	631	3	No	No	640	40	Yes	Yes	3	2
Hillcrest Elementary	577	32	Yes	No	612	37	Yes	Yes	1	1
Hogan High	617	3	No	No	611	36	Yes	No	2	2
Holland Elementary	568	38	Yes	Yes	618	91	Yes	Yes	5	8
Holmes (Oliver Wendell) Elementary	633	4	No	No	631	28	Yes	Yes	3	2
Holmes Avenue Elementary	406	64	Yes	Yes	497	88	Yes	Yes	1	5
Hoover (Herbert) Middle	601	0	No	No	604	28	Yes	No	4	4
Hoover Senior High	461	23	Yes	Yes	506	20	Yes	Yes	1	3
Horton Elementary	558	78	Yes	Yes	649	-24	No	No	2	7

School Name	Base 01 (Planning Year)	Schwide Growth 02	Schwide Targ Met 02	Com Imp Targ Met 02	Base 02	Schwide Growth 03	Schwide Targ Met 03	Comp Imp Targ Met 03	State Rank 03	Similar Rank 03
Hosler Middle	497	0	No	No	513	33	Yes	Yes	1	4
Howard Elementary	610	0	No	Yes	613	51	Yes	Yes	3	5
Howe Avenue Elementary	565	3	No	No	579	31	Yes	Yes	1	4
Hubbard Street Elementary	594	54	Yes	Yes	656	55	Yes	Yes	5	10
International Studies Academy	543	-12	No	No	543	50	Yes	Yes	3	6
Jackson Elementary	608	13	Yes	No	624	49	Yes	Yes	3	1
Jackson Heights Elementary	642	-7	No	No	641	34	Yes	Yes	3	2
Jefferson Elementary	515	17	Yes	Yes	562	17	Yes	Yes	1	1
Johnson (Lyndon B.) Elementary	578	28	Yes	Yes	617	56	Yes	Yes	4	3
Joshua Elementary	588	21	Yes	No	613	39	Yes	No	2	2
Juarez (Benito) Elementary	581	50	Yes	Yes	636	61	Yes	Yes	4	3
Jurupa Middle	572	25	Yes	Yes	596	35	Yes	Yes	4	2
Kawana Elementary	567	16	Yes	Yes	587	46	Yes	Yes	2	4
Kendall Elementary	677	-25	No	No	651	14	Yes	No	3	4
Kennedy (John F.) Elementary	503	8	No	No	524	53	Yes	Yes	1	4
Kennedy (John F.) High	568	2	No	No	573	49	Yes	Yes	3	5
Kennedy Garden Elementary	464	42	Yes	Yes	526	69	Yes	Yes	1	3
Kern Valley High	565	27	Yes	Yes	598	14	Yes	Yes	3	1
Key Elementary	492	4	No	No	518	61	Yes	Yes	1	4
Kimball Elementary	617	30	Yes	Yes	644	17	Yes	No	3	1
King (Martin Luther Jr) Elementary	562	2	No	No	578	28	Yes	Yes	1	1
King (Martin Luther) Elementary	481	64	Yes	Yes	566	0	No	No	1	3
King City High	531	-17	No	No	532	57	Yes	Yes	2	5
King Elementary	564	-41	No	No	539	42	Yes	Yes	1	2
Kratt Elementary	654	12	Yes	Yes	679	54	Yes	Yes	6	4
Kroc Middle	609	15	Yes	No	624	47	Yes	Yes	5	7
Kwachiiyao	500	1	No	No	529	106	Yes	Yes	2	2
Kyle (Anna) Elementary	545	50	Yes	Yes	603	32	Yes	No	2	2
Kynoch Elementary	635	10	Yes	No	641	63	Yes	Yes	5	2
Laguna Vista Elementary	664	15	Yes	No	694	4	No	No	4	6
Lancaster High	631	-16	No	No	608	35	Yes	Yes	4	5
Lane Elementary	477	-2	No	No	492	75	Yes	Yes	1	1
Las Plumas High	611	7	No	No	612	50	Yes	Yes	5	2
Lassen Elementary	632	57	Yes	Yes	703	24	Yes	Yes	5	9
Laton Elementary	596	-12	No	No	592	87	Yes	Yes	4	2
Lee (Charles H.) Elementary	510	38	Yes	Yes	555	37	Yes	Yes	1	2
Leland Street Elementary	687	43	Yes	Yes	721	16	Yes	No	5	9
Leuzinger High	462	1	No	No	484	32	Yes	Yes	1	4
Limerick Avenue Elementary	579	74	Yes	Yes	665	8	Yes	Yes	3	5
Lincoln (Abraham) Elementary	555	13	Yes	Yes	577	6	No	No	1	3
Lincoln Elementary	582	22	Yes	Yes	609	32	Yes	Yes	2	5
Lincoln Elementary	629	-10	No	No	591	45	Yes	Yes	3	1
Lincoln Elementary	506	-36	No	No	492	41	Yes	Yes	1	1
Lincoln Elementary	520	42	Yes	Yes	578	29	Yes	Yes	1	4

School Name	Base 01 (Planning Year)	Schwide Growth 02	Schwide Targ Met 02	Com Imp Targ Met 02	Base 02	Schwide Growth 03	Schwide Targ Met 03	Comp Imp Targ Met 03	State Rank 03	Similar Rank 03
Lincoln Elementary	516	42	Yes	No	581	27	Yes	Yes	2	3
Lincoln Elementary	598	5	No	No	619	30	Yes	Yes	3	6
Lindley (Della S.) Elementary	561	-9	No	No	567	37	Yes	Yes	1	1
Littlerock High	549	23	Yes	Yes	566	35	Yes	No	1	2
Logan Street Elementary									1	3
Loma Vista Intermediate	634	-16	No	No	614	-17	No	No	2	3
Lone Star Elementary	618	26	Yes	Yes	643	52	Yes	Yes	4	3
Longfellow Elementary	670	21	Yes	No	678	38	Yes	Yes	5	5
Lorenzo Manor Elementary	632	-15	No	No	630	36	Yes	Yes	3	1
Los Molinos Elementary	613	22	Yes	Yes	629	75	Yes	Yes	4	8
Los Molinos High	551	72	Yes	Yes	609	22	Yes	No	5	8
Los Robles Elementary	620	21	Yes	No	642	26	Yes	No	3	4
Lowell Elementary	440	30	Yes	Yes	476	42	Yes	Yes	1	1
Luther Burbank Elementary	530	80	Yes	Yes	583	54	Yes	Yes	2	4
Lynwood High	487	-13	No	No	464	61	Yes	Yes	1	6
MacDowell (Edward A) Elementary	449	22	Yes	Yes	485	87	Yes	Yes	1	1
Madison (James) Elementary	605	26	Yes	Yes	639	64	Yes	Yes	5	4
Madison Elementary	603	34	Yes	Yes	644	33	Yes	Yes	4	6
Madison Elementary	643	0	No	No	647	55	Yes	Yes	5	4
Magnolia Avenue Elementary	452	50	Yes	Yes	529	95	Yes	Yes	2	8
Main Street Elementary	424	40	Yes	Yes	493	57	Yes	Yes	1	2
Main Street Middle	520	1	No	No	525	48	Yes	Yes	2	6
Manzanita Elementary	583	-18	No	No	573	39	Yes	Yes	2	4
Manzanita Elementary	592	34	Yes	Yes	650	-6	No	No	3	3
Marina West Elementary	567	-1	No	No	570	47	Yes	Yes	2	1
Markham (Edwin) Elementary	636	17	Yes	Yes	657	3	No	No	3	3
Marsh Elementary	547	2	No	No	568	28	Yes	Yes	1	1
Marshall (John) Senior High	545	45	Yes	No	605	4	No	No	3	5
Marshall Elementary	555	41	Yes	Yes	598	17	Yes	No	2	5
Marshall Fundamental	603	-2	No	No	603	13	Yes	No	4	9
Marston Middle	667	-2	No	No	668	11	Yes	No	5	3
McCollam (Millard) Elementary	651	57	Yes	Yes	698	71	Yes	Yes	7	10
McFarland High	479	17	Yes	Yes					2	6
McKee Elementary	640	18	Yes	Yes	668	2	No	No	3	4
McManus (John A.) Elementary	614	-6	No	No	624	51	Yes	Yes	4	1
Meadows (Jeanne R.) Elementary	665	20	Yes	No	682	43	Yes	Yes	5	5
Meller (Mary E.) Elementary	589	52	Yes	Yes	633	51	Yes	Yes	4	6
Mendota High	475	-18	No	No	481	100	Yes	Yes	1	4
Merced High	593	-2	No	No	602	46	Yes	No	6	5
Mesa Verde High	617	56	Yes	Yes	646	28	Yes	Yes	6	5
Metteer (William M.) Elementary	671	36	Yes	Yes	706	38	Yes	Yes	6	7
Milani (Louis) Elementary	689	24	Yes	No	718	14	Yes	No	5	2
Milk (Harvey) Civil Rights Elementary	554	21	Yes	No	607	58	Yes	Yes	3	4

School Name	Base 01 (Planning Year)	Schwide Growth 02	Schwide Targ Met 02	Com Imp Targ Met 02	Base 02	Schwide Growth 03	Schwide Targ Met 03	Comp Imp Targ Met 03	State Rank 03	Similar Rank 03
Mills (Arthur E.) Intermediate	546	1	No	No	563	61	Yes	Yes	2	6
Mintie White Elementary	475	12	No	No	516	75	Yes	Yes	1	3
Mira Loma Middle	611	8	No	Yes	619	16	Yes	Yes	4	6
Monroe Elementary	638	-31	No	No	617	59	Yes	Yes	4	2
Montague Elementary	620	18	Yes	Yes	608	59	Yes	Yes	3	1
Monte Vista Elementary	526	57	Yes	Yes	596	26	Yes	Yes	2	2
Montebello Park Elementary	482	47	Yes	Yes	552	47	Yes	Yes	1	3
Montgomery Senior High	537	25	Yes	Yes					2	6
Moreno Valley High	517	-12	No	No						
Mount Miguel High	605	-34	No	No	587	31	Yes	No	4	8
Mountain View Elementary	660	4	No	No	668	83	Yes	Yes	6	7
Mt. Eden High									3	3
Muir Elementary	486	16	Yes	Yes	528	28	Yes	Yes	1	1
Muir High	514	26	Yes	Yes						
Nelson Elementary	584	7	No	Yes	602	72	Yes	Yes	4	7
Newmark Elementary	587	-36	No	No	564	50	Yes	Yes	2	3
Ninety-Eighth Street Elementar	490	67	Yes	Yes	563	57	Yes	Yes	1	2
Ninety-Ninth Street Elementary	493	2	No	No	518	52	Yes	Yes	1	3
Ninety-Third Street Elementary									3	9
North Tamarind Elementary	485	50	Yes	Yes	559	59	Yes	Yes	2	6
North Verdemont Elementary	671	21	Yes	No	669	52	Yes	Yes	5	5
Northwood Elementary	546	17	Yes	No	554	57	Yes	Yes	2	5
Nystrom Elementary	415	20	Yes	Yes	466	40	Yes	Yes	1	1
Oak Grove Middle									3	1
Olive Middle	556	-5	No	No	567	56	Yes	Yes	4	8
One Hundred Ninth Street Elementary	496	72	Yes	Yes	574	79	Yes	Yes	3	9
One Hundred Sixteenth Street Elementary	489	31	Yes	No	540	62	Yes	Yes	2	7
Orange High	575	12	Yes	No	589	35	Yes	Yes	4	10
Paddison Elementary	606	7	No	Yes	640	64	Yes	Yes	5	7
Painter (Ben) Elementary	599	80	Yes	Yes	677	41	Yes	Yes	5	5
Palmetto Elementary	601	8	No	No	624	38	Yes	No	3	4
Park Avenue Elementary	475	44	Yes	Yes	537	40	Yes	Yes	1	2
Park Avenue Elementary	553	35	Yes	Yes	589	46	Yes	Yes	2	8
Park Hill Elementary	612	5	No	No	624	66	Yes	Yes	4	4
Parkside Elementary	677	18	Yes	Yes	692	8	Yes	No	5	7
Peres Elementary	456	27	Yes	No	508	43	Yes	Yes	1	1
Piedmont Avenue Elementary	630	25	Yes	Yes	672	36	Yes	Yes	5	6
Pinacate Middle	558	-4	No	No	543	40	Yes	Yes	2	9
Piner High	604	27	Yes	Yes	638	20	Yes	Yes	5	4
Pioneer Elementary	575	14	Yes	No	592	4	No	No	1	3
Pittsburg Senior High									2	4
Playa del Rey Elementary	672	-17	No	No	669	46	Yes	Yes	5	9

School Name	Base 01 (Planning Year)	Schwide Growth 02	Schwide Targ Met 02	Com Imp Targ Met 02	Base 02	Schwide Growth 03	Schwide Targ Met 03	Comp Imp Targ Met 03	State Rank 03	Similar Rank 03
Pomona Elementary	566	0	No	No	570	44	Yes	Yes	1	5
Poplar Avenue Elementary	583	26	Yes	No	618	79	Yes	Yes	4	2
Portola Middle	548	4	No	No	570	46	Yes	Yes	3	7
President Avenue Elementary	671	68	Yes	Yes	736	-3	No	No	5	6
Pyle Elementary	534	19	Yes	No	568	72	Yes	Yes	2	4
Ramona Elementary	696	25	Yes	Yes	711	55	Yes	Yes	6	10
Rancho Santa Gertrudes Elementary	564	109	Yes	Yes	662	68	Yes	Yes	5	5
Redwood Elementary	519	35	Yes	Yes	564	64	Yes	Yes	2	5
Reed (Walter) Middle	651	-16	No	No	649	7	No	Yes	4	9
Richmond High	432	3	No	No	446	44	Yes	Yes	1	2
Riley Elementary									1	3
Rio Vista Elementary	567	10	No	No	600	22	Yes	Yes	2	1
Rio Vista Elementary	610	23	Yes	Yes	637	45	Yes	Yes	4	5
Rio Vista Elementary	539	52	Yes	Yes	600	38	Yes	Yes	2	5
Riverdale High	554	-5	No	No	544	101	Yes	Yes	5	10
Riverside Elementary	554	9	No	No	557	71	Yes	Yes	2	2
Rolling Hills Middle	481	24	Yes	Yes	521	18	Yes	Yes	1	1
Roosevelt Elementary	548	-16	No	No	534	47	Yes	Yes	1	2
Rosewood Park Elementary	542	50	Yes	Yes	600	40	Yes	Yes	3	5
Rowan Elementary	618	31	Yes	Yes	631	3	No	No	2	2
Russell Elementary	473	50	Yes	Yes	540	35	Yes	Yes	1	3
Salk (Jonas) Altern. Middle	545	-18	No	No	536	33	Yes	Yes	2	2
San Fernando Middle	463	29	Yes	Yes	511	44	Yes	Yes	1	3
San Jacinto Elementary	498	20	Yes	No	537	37	Yes	Yes	1	1
San Rafael Elementary	560	72	Yes	Yes	641	32	Yes	Yes	4	8
San Rafael Elementary	607	-7	No	No						
San Vicente Elementary	541	-69	No	No	488	69	Yes	Yes	1	2
Sanchez Elementary	516	31	Yes	Yes	567	26	Yes	Yes	1	1
Sanger High	574	-2	No	No	592	32	Yes	Yes	5	7
Santa Ana High	502	10	No	No	522	74	Yes	Yes	3	9
Saturn Street Elementary	545	69	Yes	Yes	623	22	Yes	Yes	2	9
Savannah Academy (Grade 9)	531	21	Yes	Yes	550	84	Yes	Yes	5	10
Scandinavian Middle	483	23	Yes	No	512	27	Yes	Yes	1	1
Seaside High	571	-27	No	No	567	34	Yes	No	3	4
Selby Lane Elementary	581	-17	No	No	575	65	Yes	Yes	2	3
Semitropic Elementary	564	6	No	Yes	572	55	Yes	Yes	2	4
Sequoia High	578	-3	No	No	566	28	Yes	No	3	5
Sequoia Middle	445	-15	No	No	459	42	Yes	Yes	1	1
Sequoia Middle	535	-2	No	No	548	17	Yes	No	2	3
Sheridan Elementary	640	-2	No	No	642	11	Yes	No	2	1
Sierra Elementary	569	0	No	No	569	44	Yes	Yes	1	1
Sierra Madre Elementary	656	41	Yes	Yes	707	27	Yes	Yes	6	4
Sierra Vista Elementary	485	65	Yes	Yes	556	50	Yes	Yes	1	5

School Name	Base 01 (Planning Year)	Schwide Growth 02	Schwide Targ Met 02	Com Imp Targ Met 02	Base 02	Schwide Growth 03	Schwide Targ Met 03	Comp Imp Targ Met 03	State Rank 03	Similar Rank 03
Sierra Vista Elementary	550	17	Yes	Yes	576	59	Yes	Yes	2	5
Sixth Avenue Elementary	470	65	Yes	Yes	559	36	Yes	Yes	1	5
Slater Elementary	550	43	Yes	Yes	594	32	Yes	Yes	2	1
Smythe (Alethea B.) Elementary	567	35	Yes	Yes	593	73	Yes	Yes	3	7
Sojourner Truth Learning Academy	561	79	Yes	Yes	606	3	No	No	1	2
Solano Middle	586	22	Yes	No	616	38	Yes	Yes	4	9
Soldo (Ann) Elementary	378	82	Yes	Yes	485	42	Yes	Yes	1	1
Soledad High	509	-18	No	No	488	62	Yes	Yes	2	8
Southridge Middle	627	16	Yes	Yes	643	13	Yes	No	5	7
Southwest Senior High	512	-4	No	No	529	40	Yes	Yes	2	6
Sparks Elementary	491	41	Yes	Yes	556	82	Yes	Yes	2	4
Starlight Elementary	491	30	Yes	Yes	530	17	Yes	Yes	1	1
Stege Elementary	531	30	Yes	Yes	564	25	Yes	No	1	2
Strathmore Middle	539	-7	No	No	561	19	Yes	Yes	2	4
Studebaker Elementary	623	35	Yes	Yes	671	52	Yes	Yes	5	6
Sunnydale Elementary	616	-8	No	No	618	52	Yes	Yes	3	3
Sunnymead Elementary	525	28	Yes	Yes	570	48	Yes	Yes	2	3
Sunset Elementary	588	19	Yes	Yes	606	38	Yes	Yes	3	3
Sweetwater High	521	2	No	No	555	35	Yes	Yes	2	7
Swett (John) Elementary	575	9	No	Yes	590	31	Yes	Yes	2	2
Sylmar Senior High	513	5	No	No	538	26	Yes	Yes	2	5
Terra Bella Elementary	476	50	Yes	Yes	518	47	Yes	Yes	1	3
Terronez (Elizabeth) Middle	474	65	Yes	Yes	556	14	Yes	No	2	3
Thomas Elementary	622	53	Yes	Yes	665	38	Yes	Yes	4	7
Tioga Middle	517	7	No	No	538	36	Yes	Yes	2	1
Towne Avenue Elementary	651	60	Yes	Yes	712	42	Yes	Yes	6	10
Trinity Street Elementary	462	76	Yes	Yes	569	64	Yes	Yes	2	9
Troth Street Elementary	555	43	Yes	Yes	608	28	Yes	Yes	2	6
Tubman (Harriet) Village Charter									4	4
Twain (Mark) Elementary	482	24	Yes	No	527	33	Yes	Yes	1	1
Two Bunch Palms Elementary	491	-2	No	No	508	88	Yes	Yes	1	3
Ulatis Elementary	514	17	Yes	Yes	554	2	No	No	1	1
University Senior High	564	-1	No	No						
Valencia Elementary	576	69	Yes	Yes	632	34	Yes	Yes	3	4
Valencia Park Elementary	585	27	Yes	Yes	625	79	Yes	Yes	4	7
Valinda School of Academics	596	11	Yes	No	623	55	Yes	Yes	4	6
Valle Vista Elementary	446	61	Yes	Yes					1	1
Valley High	489	-8	No	No	484	57	Yes	Yes	1	6
Valley Oak Middle	616	12	Yes	No	631	-13	No	No	3	1
Valley View Elementary					628	14	Yes	Yes	3	2
Vena Avenue Elementary	663	47	Yes	Yes	702	26	Yes	Yes	6	9
Verde Elementary	360	50	Yes	Yes	447	123	Yes	Yes	1	4
Verde Vale Elementary	652	-3	No	No	639	44	Yes	Yes	4	5
Verdugo Hills Senior High	579	-38	No	No	561	35	Yes	Yes	3	3

School Name	Base 01 (Planning Year)	Schwide Growth 02	Schwide Targ Met 02	Com Imp Targ Met 02	Base 02	Schwide Growth 03	Schwide Targ Met 03	Comp Imp Targ Met 03	State Rank 03	Similar Rank 03
Vernon City Elementary	532	62	Yes	Yes	613	47	Yes	Yes	3	10
Virgil Middle	483	-5	No	No	501	26	Yes	Yes	1	2
Visitacion Valley Middle	579	31	Yes	Yes	585	39	Yes	Yes	3	3
Waite (Nettie L.) Middle	539	29	Yes	Yes	582	21	Yes	Yes	3	6
Warm Springs Elementary	480	15	No	No	517	52	Yes	Yes	1	1
Wasco High	529	-14	No	No						
Washington Academic Middle	535	3	No	No	549	38	Yes	Yes	2	2
Washington Elementary	656	19	Yes	Yes	676	69	Yes	Yes	6	8
Washington Elementary	649	-7	No	No	629	53	Yes	Yes	4	9
Washington Elementary	543	21	Yes	Yes	564	58	Yes	Yes	2	4
Washington Middle	511	-30	No	No	495	49	Yes	Yes	1	1
Washington Middle	610	-9	No	No	606	41	Yes	Yes	4	7
Watsonville High	488	0	No	No					2	5
Wawona Middle	475	32	Yes	No	524	-9	No	No	1	1
Webster Elementary	641	42	Yes	Yes	682	37	Yes	Yes	5	9
Webster Elementary	619	16	Yes	Yes	629	17	Yes	Yes	2	5
Weigand Avenue Elementary	449	47	Yes	Yes	522	25	Yes	No	1	1
Wells Intermediate	553	23	Yes	Yes	571	22	Yes	Yes	2	6
Wenzlaff (Edward L.) Elementary	580	-5	No	No	589	63	Yes	Yes	3	4
West Covina High	595	26	Yes	No	626	7	No	No	4	3
West Fresno Middle					483	45	Yes	Yes	1	1
West Putnam Elementary	573	77	Yes	Yes	650	52	Yes	Yes	5	8
West Wind Elementary	670	34	Yes	No	701	14	Yes	No	5	1
Westchester Senior High	577	-18	No	No						
Western High	611	13	Yes	No	603	57	Yes	Yes	5	7
Westfield Village Elementary	493	14	No	No	532	33	Yes	Yes	1	2
Westside Park Elementary	495	22	Yes	No	533	71	Yes	Yes	1	4
White (Eric) Elementary	541	42	Yes	Yes	592	18	Yes	Yes	2	5
Widenmann (Elsa) Elementary	644	20	Yes	Yes	658	28	Yes	Yes	4	4
Wildflower Elementary	609	-9	No	No	602	43	Yes	Yes	2	2
Willow Cove Elementary	548	72	Yes	Yes	617	34	Yes	Yes	3	3
Willow Glen Middle	637	-13	No	No	612	29	Yes	Yes	4	3
Wilson Middle	582	29	Yes	No	618	32	Yes	Yes	4	10
Wing Lane Elementary	481	67	Yes	Yes	562	25	Yes	Yes	1	1
Wingland Elementary	618	8	No	No	632	58	Yes	Yes	4	1
Winter Gardens Elementary	455	60	Yes	Yes	519	83	Yes	Yes	1	4
Wishon Elementary	523	24	Yes	No	558	85	Yes	Yes	3	4
Woodcrest Elementary	447	32	Yes	Yes	512	52	Yes	Yes	1	3
Woodlake Elementary	609	21	Yes	No	623	18	Yes	No	2	4
Woodlake High	503	16	Yes	No	520	48	Yes	Yes	2	7
Ygnacio Valley High	613	29	Yes	Yes						
Yolo Middle	627	-9	No	No	617	55	Yes	Yes	5	7
Yucca Valley Elementary	635	21	Yes	Yes	659	27	Yes	Yes	4	3



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT High Priority Schools Grant Program: Approve Research Questions for Program Evaluation.	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Approve the proposed research questions for an evaluation of High Priority Schools Grant Program.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The proposed research questions for an evaluation of the High Priority Schools Grant Program were submitted to the Board for review in April 2004. No action has been taken.

SUMMARY OF KEY ISSUES

AB 961 established the High Priority Schools Grant Program (HPSGP) for the lowest performing schools. Education Code 52055.656 mandates that the California Department Education develop guidelines for a Request for Proposal to contract with an independent evaluator to conduct a comprehensive evaluation of the HPSGP as specified in SB 508. However, SB 508 did not appropriate funds for the evaluation study. A Budget Change Proposal was submitted and approved in 2002 in the amount of \$600,000 annually for three years.

FISCAL ANALYSIS (AS APPROPRIATE)

\$600,000 annually for three years from the Governor's budget.

ATTACHMENT

[Attachment 1](#): Research questions for an evaluation of High Priority Schools Grant Program (3 pages)

Research Questions for the Evaluation of the High Priority School Grant Program

Through this Request for Proposals (RFP) the California Department of Education (CDE) is seeking proposals from eligible bidders to conduct an independent evaluation of the implementation, impacts, costs and benefits of the High Priority School Grant Program (HPSGP) in accordance with the Public Schools Accountability Act of 1999 (PSAA) as specified in SB 508.

Education Code Section 52055.656 mandates that the CDE develop guidelines for a RFP to contract with an independent evaluator to conduct a comprehensive evaluation of the HPSGP for low performing schools. This requires the independent evaluator to prepare a multiyear evaluation of the implementation, impacts, costs, and benefits of the HPGSP and to disseminate the results of the report to the Legislature, the Governor, and other interested parties. The final report should include recommendations for modifications to the program that would increase its effectiveness.

Because SB 508 did not appropriate funds for the evaluation study, a Budget Change Proposal (BCP) was submitted in 2002. The BCP was approved, thus funding was provided in the 2003-04 Budget Act in the amount \$600,000 annually for this three-year evaluation.

Background of HPSGP

Assembly Bill 961 (Steinberg, Chapter 747, Statutes of 2001) established the High Priority Schools Grant Program (HPSGP) for the lowest performing schools in California. This program was intended to raise student achievement by offering additional resources targeted to student performance.

All schools that ranked in decile 1 according to the statewide 2000 Academic Performance Index (API) were invited to participate in the program. Participating schools have three years to implement their HPSGP Action Plan. Each year they must submit reports to the CDE with specified information regarding the academic achievement of students in participating schools.

Over 665 schools have participated in the HPSGP since its inception. Of these schools, over half receive funding only from HPSGP, the rest of them receive funds from the HPSGP and the Immediate Intervention/Underperforming Schools Program (II/USP) or the Comprehensive School Reform Program (CSR).

Scope of Study

SB 508 specifically requires that the evaluation include the following:

1. Pupil performance data, including results of assessments used to determine whether schools have made significant progress towards meeting their growth targets.

2. Program implementation data, including a review of startup activities, community support, parental participation, staff development activities associated with implementation of the program, percentage of fully credentialed teachers, percentage of teachers who hold emergency credentials, percentage of teachers assigned outside their subject area of competence, the accreditation status of the school if appropriate, average size per grade level, and the number of pupils in a multi-tract year-round education program.
3. Pupil performance data, and its impact on the API, for each of the following subgroups:
 - a) English language learners,
 - b) Pupils with exceptional needs,
 - c) Pupils that qualify for free or reduced price meals and are enrolled in schools that receive funds under Chapter 1 of the federal Elementary and Secondary Education Act of 1965, as amended by the Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988 (P.L. 100-290).

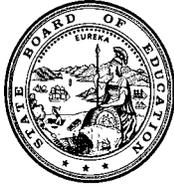
Research Questions

1. How effectively did participating schools and districts implement the HPSGP?
 - a. Identify salient factors, patterns of practices, activities, strategies and processes used to implement the required components of the program. To what extent did these factors contribute to or detract from successful implementation the HPSGP?
 - b. Identify barriers that hindered implementation. To what extent did these barriers impede successful implementation the program?
 - c. Identify factors that influenced schools' decision to participate in HPSGP, initiated by school, district or jointly?
 - d. Analyze the extent to which each school's HPSGP Action Plan was implemented as written and evaluate its timeliness. Identify changes, if any, and under what circumstances, made to the Action Plan.
2. What are the impacts on, and benefits to, students from a school's participation in HPSGP, based on:
 - a. Results of assessments used to determine whether or not schools have made significant progress towards meeting their growth targets per the PSAA law (Education Code Section 52058[c])?
 - b. Results of disaggregated pupil's performance data for each of the following subgroups, as specified in the PSAA law (Education Code Section 2058[c])?
 - 1) Major racial/ethnic subgroups,
 - 2) English language learners,
 - 3) Pupils with disabilities,
 - 4) Pupils with socioeconomic disadvantages.

3. What has been the overall impact of participation in the HPSGP on school and district personnel, parents, the community, and on school and district organization, policies and practices, including but not limited to an examination of the following factors?
 - a. Distribution of experienced teachers,
 - b. The number of fully credentialed teachers and teachers who are assigned in their subject area of competence,
 - c. Staff development activities,
 - d. Parent participation, and strengthened partnership between the school and community,
 - e. The role of the district and the external evaluator,
 - f. Strategies, if used, to provide an environment that is conducive to teaching and learning,
 - g. Implementation data systems for student data assessment,
 - h. The use of data by district and school administrators and staff to evaluate program effectiveness.

4. What gains in student academic performance are realized from the investment of HPSGP resources?
 - a. Collect and analyze longitudinal academic performance data of schools participating in the HPSGP to identify trends.
 - b. Collect and analyze longitudinal academic performance data of schools participating in the HPSGP compared to the academic performance data of:
 - 1) prior to schools' participation in the HPSGP,
 - 2) schools that were eligible but did not participate in the program, and
 - 3) the state as a whole.
 - c. Collect and analyze growth patterns in academic performance of the following three groups of decile 1 schools:
 - 1) funded under HPSG,
 - 2) funded under both HPSG and II/USP,
 - 3) funded under HPSG and CSR.

5. What unintended consequences have resulted from the implementation of the HPSGP?



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Alternative Schools Accountability Model (ASAM): Including, but not limited to, approval of proposed performance standards for the ASAM performance indicators	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Approve proposed performance standards for the ASAM performance indicators and direct staff to hold regional public hearings on the proposed standards.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Following the mandate of the Public Schools Accountability Act (PSAA) of 1999, SB 1X, Chapter 3, Statutes of 1999 [*Education Code*, Section 52052(g)], the Board approved the framework for the ASAM in July 2000. In March 2001, the Board adopted a list of indicators to be used in addition to state test data to provide accountability through the ASAM for alternative schools serving very high-risk students. More than 1,000 schools selected two non-academic performance indicators from this list and reported data for long-term (90-day) students in July 2002. In December of 2002 and February of 2003, the Board received information items reporting progress in setting performance standards on these indicators based on first-year ASAM data from school year 2001-2002. The initial data were considered provisional because the first year was a "rollout year" and some indicators were refined prior to the second year.

Performance standards have now been developed based only on second-year ASAM data for school year 2002-2003. The Board received an Information Memorandum and attachments regarding the ASAM in April 2004 in preparation for considering proposals regarding ASAM performance data and accountability status in the coming months. Approval of the proposed performance standards for the indicators is the first step in this process.

SUMMARY OF KEY ISSUES

The Board will be asked to consider the procedures followed to set performance standards for the ASAM performance indicators and the standards that have been proposed.

FISCAL ANALYSIS (AS APPROPRIATE)

There are no additional costs associated with setting performance standards for the ASAM performance indicators.

ATTACHMENT

[Attachment 1](#): Determining Performance Standards for Alternative Schools
Accountability Model Performance Indicators (6 pages)

[Attachment 2](#): Listing and Brief Description of Alternative Schools Accountability Model
(ASAM) Performance Indicators (4 pages)

Determining Performance Standards for Alternative Schools Accountability Model Performance Indicators

School year 2003-2004 marks the third year of implementation for the Alternative Schools Accountability Model (ASAM), mandated by the *Public Schools Accountability Act* (PSAA) Chapter 3, Statutes of 1999 [Article 2, Section 52052 (g)]. The ASAM is designed to provide accountability for alternative schools that serve very high-risk students, including continuation, community day, opportunity, county-operated court and community schools, and California Youth Authority (CYA) schools, as well as “other alternative schools” that meet requirements set by the State Board of Education (State Board).

The purpose of this paper is to provide the State Board with sufficient information to approve performance standards for each of the ASAM non-academic performance indicators. As summarized in the Information Memorandum and attachments providing background information to the State Board in April 2004, ASAM activities to date have focused on developing multiple indicators tailored to the specific characteristics of the high-risk populations served by ASAM schools and on a system to collect the data. In the coming months the State Board will be asked to determine how the ASAM data should be evaluated to determine ASAM performance status and the role this status should play in overall accountability for these schools. Setting performance standards for the indicators is the first step in this process.

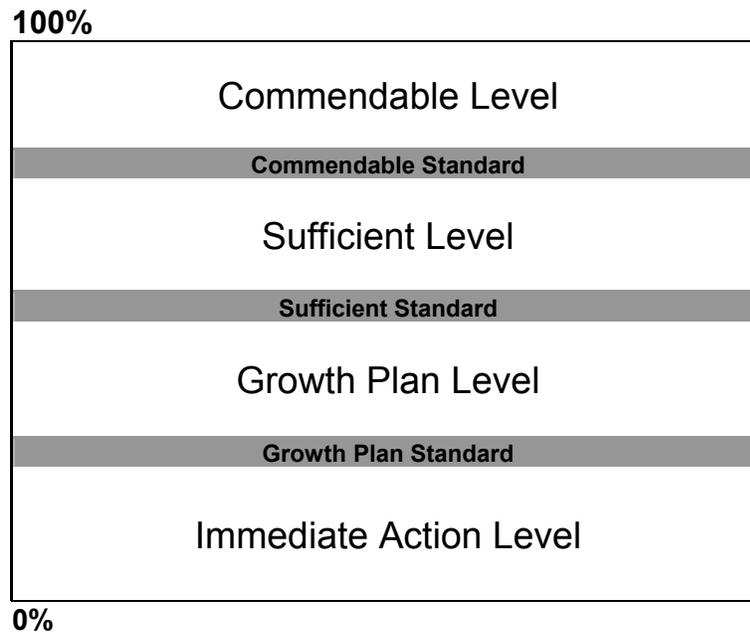
In December of 2002 and February of 2003, the State Board received information items which included proposed performance standards based on first-year indicator data from school year 2001-2002. At that time, the initial data were considered provisional because the first year was a “rollout year” and some indicators were refined prior to the second year. The PSAA Alternative Accountability Subcommittee subsequently determined that the proposed performance standards would be based only on second-year data from school year 2002-2003.

The proposed method for determining the indicator performance standards, as previously summarized for the State Board, consisted of several interrelated steps. First, WestEd, with the guidance of staff from the California Department of Education (CDE) Educational Options Office and with the support of a technical working group consisting of California and national experts, examined the experiences of other states that have either worked with similar indicators or have developed some form of accountability for alternative schools. This information was supplemented by research on whether achievement levels had previously been established for indicators of this type. Next, WestEd, the technical group, and CDE staff reviewed two years of indicator data reported by more than 1,000 ASAM schools. Finally, all proposed performance standards were held to one additional criterion; whether the performance represented an appropriate and credible challenge for ASAM schools to achieve. After these steps were completed, the Alternative Accountability Subcommittee of the Superintendent’s PSAA Advisory Committee reviewed and approved the process and the performance standards.

The proposed performance standards would create four levels of performance for ASAM schools. The first two levels, *Sufficient* and *Commendable*, describe performance that meets or exceeds expectations for ASAM schools. The third level, *Growth Plan*, identifies performance that requires improvement that most schools should be able to make in a reasonable amount of time. Finally, schools performing at the lowest level, *Immediate Action*, would be expected to apply extraordinary measures to ensure improvement on the indicator. The performance levels can be summarized as follows:

- **Commendable** – A school at the *Commendable* level would be considered as performing well above the expected performance standard for the indicator.
- **Sufficient** – A school at the *Sufficient* level would be considered as meeting the expected performance standard for the indicator.
- **Growth Plan** – A school within the *Growth Plan* level would be expected to take steps to incrementally improve its performance to meet the *Sufficient* standard for the indicator.
- **Immediate Action** – A school at the *Immediate Action* level would be expected to take immediate action to improve and meet the higher performance standards for the indicator.

The figure below represents an additional way to conceptualize ASAM school performance across the performance levels.



The method for determining the performance standards, described above, was data intensive, requiring review of two years of collected data from a wide range of ASAM schools. However, several of the performance indicators were either selected by a relatively small number of schools (55 or less) or the distribution of data reported was limited in range. In those cases, only one performance standard is proposed. It would create two performance levels: *Sufficient* and *Growth Plan*.

The proposed standards for the ASAM performance indicators are summarized in the tables below.¹ Group I represents those indicators with sufficient data to set three performance standards and report across the four resulting performance levels. Group II includes the indicators with limited data, and thus only one performance standard and two performance levels. These tables include the following information for each performance indicator:

- performance indicator name
- number of schools reporting the indicator
- proposed standards (cut scores) for the indicator
- percentage of schools at each performance level
- total percent meeting or exceeding the *Sufficient* standard

¹ Attachment 2 provides a listing and brief description of the ASAM performance indicators.

**Proposed Standards for Alternative Schools Accountability Model Performance Indicators
 Based on Second-year Data for School Year 2002-2003 ***

Group I: Data were sufficient for all analyses

Performance Indicator Name	Number of Schools Reporting	Commendable		Sufficient		Total Percent Sufficient or Above Sufficient	Growth Plan		Immediate Action
		% of Schools at Commendable Level	Standard	% of Schools at Sufficient but not Commendable Level	Standard		% of Schools at Growth Plan Level	Standard	
Low rates are desirable on the following indicators:									
1. Inappropriate Student Behavior	116	16	6%	36	41%	52	32	77%	16
2. Suspension	169	17	8%	38	35%	55	29	70%	16
High rates are desirable on the following indicators:									
4. Sustained Daily Attendance	89	22	98%	35	90%	57	33	70%	10
6. Attendance	606	10	95%	43	84%	53	40	65%	7
13A. Credit Completion	234	25	97%	43	82%	68	20	67%	12
13B. Average Credits Completed**	406	11	9.5**	56	5.5**	67	24	4**	9
14. High School Graduation	118	19	96%	41	73%	60	25	50%	15

* The proposed performance standards create four levels of performance for ASAM schools. The first two levels, *Sufficient* and *Commendable*, describe performance that meets or exceeds expectations for ASAM schools. The third level, *Growth Plan*, identifies performance that requires improvement that most schools should be able to make in a reasonable amount of time. Schools performing at the lowest level, *Immediate Action*, would be expected to apply extraordinary measures to ensure improvement on the indicator. The proposed standards for each indicator are cut points on the full range of rates calculated for schools reporting the indicator. The standards set maximum rates for Indicators 1 and 2, for which low rates are desirable. They set minimum rates for all other ASAM performance indicators, for which high rates are desirable.

** Average number of credits completed per month of enrollment.

**Proposed Standards for Alternative Schools Accountability Model Indicator Performance Indicators
 Based on Second-year Data for School Year 2002-2003**

Group II: Data were insufficient for some analyses+

Performance Indicator Name	Number of Schools Reporting	Commendable		Sufficient		Total Percent Sufficient or Above Sufficient	Growth Plan		Immediate Action
		% of Schools at Commendable Level	Standard	% of Schools Sufficient but not Commendable Level	Standard		% of Schools at Growth Plan Level	Standard	
High rates are desirable on the following indicators:									
3. Student Punctuality	49	NA+	NA+	57	90%	57	43	NA+	NA+
5. Student Persistence	55	NA+	NA+	78	90%	78	22	NA+	NA+
11. Promotion to Next Grade	31	NA+	NA+	81	90%	81	19	NA+	NA+
12A/B. Course Completion	54	NA+	NA+	69	90%	69	31	NA+	NA+
12C. Average Courses Completed++	27	NA+	NA+	74	0.7++	74	26	NA+	NA+
15A. GED Completion	9	NA+	NA+	44	75%	44	56	NA+	NA+
15C. GED Section Completion	9	NA+	NA+	56	75%	56	44	NA+	NA+

+ One performance standard, Sufficient, is proposed for these indicators. It creates two performance levels: Sufficient and Growth Plan. The data distribution (i.e., number of schools reporting the indicator and restriction of range) did not allow for determination of Commendable and Immediate Action Standards.

++ Average number of courses completed per month of enrollment.

Further Consideration by the State Board

Additional information on other details of the accountability models and the advantages and disadvantages of options for determining overall ASAM accountability status will be provided to the State Board in June 2004 in anticipation of further discussion and future action. Specific questions to be considered include the following:

- What are the appropriate decision rules for combining the results for two or more non-academic performance indicators?
- What is the appropriate procedure for determining a school's status based on a pre-post assessment indicator² (when selected)?
- What is the appropriate procedure for determining a schools' overall ASAM accountability status based on decision rules for combining the status results from performance indicators and a pre-post assessment indicator (when selected)?

The goal is to finalize a system for determining ASAM school status on each individual indicator and on the set as a whole. As a result of this process, the ASAM will be able to provide timely, valid information on the current performance of schools serving very high-risk populations as well as identify goals for improvement.

Recommendation

The PSAA Advisory Committee recommends that the State Board approve the proposed performance standards for the ASAM performance indicators and direct staff to hold regional public hearings on the proposed standards.

² ASAM schools were first given the opportunity to select a pre-post assessment instrument from a list approved by the State Board in school year 2003-2004. First-year data on the pre-post achievement indicators will not be available for analysis until September 2004.

**Listing and Brief Description of Alternative Schools Accountability Model
(ASAM) Performance Indicators**

Indicators Approved by the State Board of Education in March 2001¹

		Purpose of Measurement	Indicator Use² Base
STAR Tests (norm-referenced test and California Standards Tests)		Academic Achievement	Base
Group I: Readiness Indicators			
Indicators of Discipline Problems:			
1	Inappropriate Student Behavior	Behavior and Pre-learning Readiness	Additional
2	Suspension	Behavior and Pre-learning Readiness	Additional
Indicators of Student Persistence			
3	Student Punctuality	On-time Attendance and Engagement	Additional
4	Sustained Daily Attendance	Holding Power and Student Persistence	Additional
5	Student Persistence	Holding Power and Student Persistence	Additional
Group II: Contextual Indicators			
6	Attendance	Attendance and Persistence	Additional
7	English Language Development (CELDT)	Growth in Language Skills	Additional
Group III: Academic and Completion Indicators			
Indicators of Achievement³		Available in 2003-2004	
8	Writing Achievement	Writing and Language Skills	Additional
9	Reading Achievement	Reading and Language Skills	Additional
10	Math Achievement	Math Skill Improvement	Additional
Indicators of Meeting Goals and School Completion			
11	Promotion to Next Grade	Grade Completion and Academic Progress	Additional
12	Course Completion	Course Completion and Performance	Additional
13	Credit Completion	Credit Completion and Academic Progress	Additional
14	High School Graduation	Credit and Program Completion	Additional
15	GED Completion, CHSPE Certification, or GED Section Completion	Program Completion	Additional

¹ The PSAA Subcommittee on Alternative Accountability recognized that the indicators proposed above have differing levels of reliability. In general, those in Groups II and III are more likely to be able to meet the standard required as a basis for potential rewards and interventions. Readiness indicators (Group I) are essential for assessment of school performance in assisting students to overcome social, attitudinal, and behavioral problems that limit their ability to attend and learn in a school setting. A critical task of the Subcommittee and the California Department of Education (CDE) is the ongoing evaluation of the Alternative Schools Accountability Model (ASAM) during its first three years of operation, including analyses of the stability, reliability, and validity of the indicators. During that period, data on indicators submitted by schools will be analyzed and results reported to the State Board of Education (State Board) as part of its consideration of possible revision and expansion of the ASAM.

² The Subcommittee defined two general classes of indicators. A "Base" indicator consists of information to be reported by all schools. "Additional" indicators are those selected locally from the State Board-approved list. Schools report base indicator information (STAR norm-referenced test and California Standards Test results) through the test publisher. Schools report information on their additional performance indicators directly to CDE through the ASAM Online Reporting System.

³ The achievement indicators were approved in principle in March 2001 pending a rigorous review process to identify assessment instruments that align to state content standards and to meet required technical criteria. The State Board approved eight instruments for use as locally adopted indicators of achievement in winter 2003 following completion of the review process.

Brief Description of the ASAM Indicators⁴

Indicator 1: Inappropriate Student Behavior

This indicator provides a measure of school performance in changing and improving students' behavior and readiness to learn. It requires schools to collect and report information on the number of long-term⁵ students cited and the number of citations for inappropriate behavior and recommended for suspension or expulsion for offenses under California's *Education Code* Section 48900(i), committing obscene acts or engaging in habitual profanity or vulgarity, and Section 48900(k), disrupting school activities or willfully defying the authority of school personnel.

Indicator 2: Suspension

This indicator provides a measure of school performance in changing and improving students' behavior and readiness to learn. Schools report the number of long-term students who received out-of-school suspensions and their total number of out-of-school suspensions during the reporting year.

Indicator 3: Student Punctuality

This indicator provides a measure of school performance in changing and improving on-time student attendance and engagement in classroom-based programs. Schools report long-term students as present on time if they were in class at the beginning of the first daily period indicated on their assignment schedule.

Indicator 4: Sustained Daily Attendance

This indicator provides a measure of school performance in changing and improving school holding power and persistence for long-term students receiving classroom-based instruction. Schools count students as completing an entire assigned instructional day when they were present in class during the first and last daily period indicated on their assignment schedule.

Indicator 5: Student Persistence

This indicator provides a measure of school performance in changing and improving school holding power and persistence for long-term students. A school's persistence rate is the percentage of long-term students enrolled in the school during the reporting year who did not drop out of school as determined by the standard dropout definition used by the CDE.

Indicator 6: Attendance

This indicator provides a measure of school performance in changing and improving student attendance and persistence for long-term students. For students receiving

⁴ Full descriptions and operational definitions of the indicators as well as sample report forms are provided in the annual *ASAM Reporting Guide*.

⁵ Long-term refers to students who have been enrolled in an ASAM school for 90 continuous school days during the reporting year.

classroom-based instruction, schools report students as attending if average daily attendance (a.d.a.) is claimed for their attendance for any portion of an instructional day. For students receiving instruction in the independent study mode, schools report students as attending if a.d.a. is claimed for their attendance.

Indicator 7: English Language Development (CELDT)

This indicator, which provided a measure of school performance in improving reading and English language skills, is no longer in use.

Indicator 8: Writing Achievement

This indicator provides a measure of writing achievement based on administration of a pre-post assessment instrument⁶ to the long-term students enrolled in the school during the reporting year.

Indicator 9: Reading Achievement

This indicator provides a measure of reading achievement based on administration of a pre-post assessment instrument⁶ to the long-term students enrolled in the school during the reporting year.

Indicator 10: Math Achievement

This indicator provides a measure of math achievement based on administration of a pre-post assessment instrument⁶ to the long-term students enrolled in the school during the reporting year.

Indicator 11: Promotion to Next Grade

This indicator provides a measure of school performance emphasizing strategies for improving grade completion and academic progress in the elementary school grades (K-6). Schools report the percentage of long-term students in the elementary grades who are promoted to the next grade level during or at the end of the reporting year.

Indicator 12: Course Completion

This indicator provides measures of school performance emphasizing strategies for improving course completion and academic progress in the middle school grades (6-8).

- **Course Completion**
Schools report the percentage of courses attempted and passed by long-term students during the reporting year.
- **Average Course Completion**
Schools report the average number of courses completed by long-term students during the reporting year.

⁶ All pre-post assessments are selected from a list of instruments approved by the State Board for this use.

Indicator 13: Credit Completion

This indicator provides measures of school performance emphasizing strategies for improving credit completion and academic progress in the high school grades (9-12). Schools report credits that count toward graduation requirements and are awarded for successful completion of course and/or unit requirements.

- **Credit Completion**
Schools report the percentage of high school graduation credits that long-term students attempted and successfully completed during the reporting year.
- **Average Credits Completed**
Schools report the average number of high school graduation credits successfully completed by long-term students during the reporting year.

Indicator 14: High School Graduation

This indicator provides a measure of school performance in improving credit completion and graduation rate.

- **Graduation Rate for Credit-Eligible Students**
Schools report the percentage of credit-eligible long-term high school students who received a high school diploma during the reporting year.
- **On-time High School Graduation Rate**
Schools also report the percentage of long-term grade 12 students who actually graduated during the reporting year based upon the date initially established at high-school entrance for their graduation.

Indicator 15: General Educational Development Completion

This indicator provides a measure of school performance in improving program completion by students eligible to take the General Educational Development (GED) test.

- **GED Completion**
Schools report the percentage of eligible long-term students who took all the tests required for GED certification and successfully passed them during the reporting year.
- **GED Section Completion**
Schools report the percentage of GED sections attempted and successfully passed by eligible long-term students during the reporting year.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT California Technology Assistance Project: Approve 2003-04 Summary Report of Services	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

Approve the 2003-04 Summary Report of Services for the 11 California Technology Assistance Project (CTAP) Regions

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Education Code Section 51871 (AB 1761, Sweeney, Chapter 801, Statutes of 1998) established the California Technology Assistance Project (CTAP) and specified that CTAP would provide regional technical assistance on education technology to school districts and county offices of education. The law called for the selection of a lead agency within each region and required the lead agency to work collaboratively with all school districts and county offices of education in the region in order to meet locally defined technology-based needs, including, but not limited to:

1. Staff development;
2. Learning resources;
3. Hardware and telecommunications infrastructure;
4. Technical assistance to school districts in developing a support system to operate and maintain an education technology infrastructure, including improving pupil record keeping and tracking related to pupil instruction;
5. Coordination with federal, state, and local programs consistent with State Board-adopted content standards; and
6. Funding for technology.

In April 2002, the Board approved a second period of three-year grants to the eleven California Technology Assistance Project (CTAP) regional lead agencies for the period of July 1, 2002, to June 30, 2005, and approved the following regional leads:

- Region 1: Mendocino County Office of Education
- Region 2: Butte County Office of Education
- Region 3: Sacramento County Office of Education
- Region 4: Alameda County Office of Education
- Region 5: Santa Clara County Office of Education
- Region 6: Stanislaus County Office of Education
- Region 7: Fresno County Office of Education
- Region 8: Kern County Superintendent of Schools

Region 9: San Diego County Superintendent of Schools
Region 10: San Bernardino County Superintendent of Schools
Region 11: Los Angeles County Office of Education.

In May 2003, the Board approved the 2002-03 Summary Report of Services for the 11 California Technology Assistance Project Regions and California Department of Education (CDE) released funding to each region for the second year of this program period after the 2003-04 Budget was approved.

SUMMARY OF KEY ISSUES

AB 1761 requires the State Board to approve an annual report of services provided by the lead CTAP agency in each of eleven regions throughout California. School districts and county offices of education within each region are to have the opportunity to comment on the report before it is submitted to the state.

This Board item transmits the results of the annual report, also called the 2003-04 Summary Report of CTAP Services. A copy of each 2003-04 Summary Report of CTAP Services for the eleven CTAP regions has been forwarded to the State Board Office.

The eleven CTAP regional lead agencies have effectively serviced and supported their client county offices and districts throughout the first year and a half of the three-year grant period which began July 1, 2002. They have provided extensive local support for development of district technology plans, as well as support for the application and implementation of No Child Left Behind (NCLB) Enhancing Education Through Technology (EETT), School Renovation Technology Grant (SRTG), Digital High School and E-RATE programs. Professional development provided by CTAP helps schools promote technology literacy for staff and students and also helps develop the capacity of teachers to integrate technology effectively into the curriculum.

CDE is very pleased with the services and support provided by CTAP and the annual process CTAP has used to evaluate and improve services. CTAP works closely with sites and customizes their efforts to meet the specific needs of the site staff and their programs. Support is often provided over the course of several months with very focused attention on promoting the use of technology to improve teaching, learning, and overall school management.

CDE meets with CTAP directors on a regular basis to coordinate regional services and to ensure that CTAP is providing services based upon local needs. CTAP services have effectively helped districts and schools to develop technology plans focused on using technology as a tool to improve teaching, student achievement, and the local education agencies' abilities to collect and use data in school and classroom management.

As CDE administers the CTAP grants, CDE staff continues to work with the regions to improve the evaluation and accountability aspects of their programs. In developing the Request for Applications (RFA) for this three-year grant that began July 1, 2002, the CDE strengthened the accountability requirements for the CTAP lead agencies. CTAP lead agencies are required to report their progress in meeting measurable objectives with benchmarks each year and are required to outline the specific steps and instruments used to gather data on their objectives. Also, if the CTAP regional structure includes a lead LEA with sub-regional LEAs, then the region must report specific steps

used to monitor the performance of the sub-regional LEAs.

Each Regions 2003-04 Summary Report of CTAP Services includes an overview of services provided, including specific annual data on services provided to districts by program categories (e.g., professional development in support of: learning resources; hardware, telecommunications infrastructure and technical assistance to school districts; school improvement activities; and coordination with other federal, state, and local programs). The reports also include program priorities based on local need, information on expenditures, and data on regional efforts to collect feedback on their plans.

There are two attachments to this Board item. The first attachment is a statewide annual summary of CTAP services by program categories. This attachment includes the number of activities planned for the year, the number actually implemented, the number of participants, the average hours per participant, and the number of districts served. Because some participants attend multiple sessions during the year, the Board requested that CTAP collect unduplicated counts each year. A summary of the unduplicated counts is also included in the first attachment.

The second attachment is a brief summary of each regional report. Each summary includes the following:

1. An overview of the regional structure, including information about the number of counties, districts and/or schools served by the region and a brief description of the governance structure within each region.
2. An overview of services provided by the region, including local needs that support regional goals and objectives for 2003-04; and annual data on numbers served and the average length of activities for the period July 1, 2002 to June 30, 2003.
3. A summary of the region's method(s) for monitoring progress toward implementing the regional plan approved by the State Board.
4. A report of expenditures between July 1, 2003 and December 31, 2003 and an estimate of funds to be spent by June 30, 2004.
5. Highlights of program successes and challenges.
6. A brief overview of the process used to gather feedback on each regional report and planned adjustments to regional activities and services as a result of the feedback received.

Although each regional report contains region-specific information, there are some strengths common across the state. These are:

1. All CTAP regions are implementing their plans as approved by the State Board and are meeting their performance goals.
2. All regions are providing services in each of the areas required by law and are serving a significant number of districts and individuals. Between July 1, 2002 - June 30, 2003, more than 83 percent of the districts in California took advantage of CTAP services, with more than 66,000 people receiving direct services. The majority of CTAP resources are devoted to staff development. Trainings address the needs of teachers, administrators, and technical support staff, with workshops for teachers receiving the greatest emphasis. Teacher professional development increasingly focuses on integration of technology into the curriculum to help students meet state standards. However, there is still a need for skill development training,

which is also provided in each region.

3. Each CTAP region is tailoring its services to local needs. Each region works continuously to foster good communication with its clients. Regions adjust their plans based upon feedback and changing circumstances. As required by law, each region provided its clients with the opportunity to comment on the region's annual report. All regions increased the amount of feedback they received from their clients this year; however, some regions receive limited responses to the posting of the annual report. CDE will continue to work with these regions. The feedback received in every region was complimentary, with many districts and individual schools expressing their appreciation for CTAP services.
4. CTAP is successfully leveraging resources from a variety of funding sources. Regions are working with their local S4, BTSA, and a variety of public and private agencies to coordinate limited resources to meet local needs.
5. All CTAP regions are promoting the three statewide education technology services approved by the State Board and administered by CDE. There is very good communication and collaboration between the regions and the statewide projects. CTAP representatives sit on the advisory bodies for the statewide projects and are helping the statewide projects understand regional needs.
6. All CTAP regions have worked very hard to implement the EETT Formula and Competitive Grant Programs and to help their eligible districts develop technology plans that comply with both the State Board and federal requirements. By the end of this year, CTAP will have assisted more than 800 districts to receive funding under this program.
7. Several of the regions participated in the Student Technology Showcase in the Fall of 2003 and Spring of 2004 during the Computer Using Educators (CUE) conferences. The Showcase features exemplary curriculum-based technology projects from across the state. The regions selected students to participate in the Showcase and assisted in the logistics for the event. Over 120 students presented at the Showcase. More than 800 people attended the event and evaluations were very positive. The Showcase would not have been possible without the assistance of CTAP.

The regions continue to monitor their budgets to ensure timely expenditure of funds and have made improvements in this area this year. All regions did not receive funding until late Fall 2003 due to the budget crisis, and as a result, most have spent only a moderate portion of their funding to date. However, all regions are on track to complete their plans for the year and CDE is satisfied with the level of expenditures by regions.

Although each region has already successfully completed many activities this year, much remains to be done. The regions will continue to conduct technology-planning activities to help districts, particularly small rural districts, to develop and submit technology plans to CDE for approval that meet the NCLB and State Board of Education Technology Planning Guidelines. In addition, the regions will continue to assist districts with the implementation and evaluation of EETT Competitive Grants. CTAP and CDE have agreed to continue to collaborate on data collection about the impact of CTAP services. The goal is to continue to refine monitoring and evaluation systems to enhance delivery of services focused on supporting improved teaching and student academic achievement.

Funding for the CTAP program expires in January 1, 2005. Senate Bill 1254 is in

process to extend the funding for the CTAP program until January 1, 2009.

FISCAL ANALYSIS (AS APPROPRIATE)

Following State Board approval of the 2003-04 Summary Report of CTAP Services and contingent upon authorization in the 2004-05 State Budget, CDE will release funding to each region for the third year of this program period. CDE anticipates receiving approximately \$12 million for CTAP regional services for the 2004-05 fiscal year.

ATTACHMENT

[Attachment 1](#): California Technology Assistance Project, Statewide Regional Services Summary (July 1, 2002 – June 30, 2003) (1 Page)

[Attachment 2](#): 2003-04 Summary Report of California Technology Assistance Project (CTAP) Region 1-11) (58 Pages)

Attachment 2 is in draft format. Final version will be submitted as a last minute memorandum by May 7.

A copy of each region's full CTAP 2003-04 Summary Report of CTAP Services has been forwarded to the State Board Office.

**California Technology Assistance Project
Statewide Regional Services Summary (2002-2003)**

Statewide Regional Services (2002-2003)	Number in Plan (if not in plan use a 0)	Number Implemented July 02– June 03	Number of Participants	Average Hours Per Participant	Number of Districts Served
Total Professional Development and Learning Resources Services	2,533	3,924	60,527	435.7	1,912
Total Unduplicated Professional Development and Learning Resources Services			39,759		915
Total Professional Development and Hardware, Telecommunications and Technical Assistance Services	642	795	24,298	241.9	1,066
Total Unduplicated Professional Development and Hardware, Telecommunications and Technical Assistance Services			13,625		622
Total Professional Development and Support Related to School Improvement Activities	492	689	12,231	64.3	605
Total Unduplicated Professional Development and Support Related to School Improvement Activities			6,672		506
Total Funding and Coordination	536	1,246	10,941	200.5	1,531
Total Unduplicated Funding and Coordination			5,892		885
<i>Grand Total Unduplicated for All Services</i>			66,048		

Unduplicated counts represent the number of unique individuals or districts that participated in or received one or more Regional Services.

DRAFT

**California Technology Assistance Project (CTAP) Region 1
 2002-2003 Summary Report**

I. Overview of Regional Structure

CTAP Region 1 encompasses an area of 11,000 square miles, serving 5 counties and 97 districts. The counties served include Del Norte, Humboldt, Lake, Mendocino, and Sonoma. The districts in Region 1 are relatively small, rural, and remote. Because of the significant distances between the Mendocino County Office of Education and most of the districts served, technology is used to the extent possible to provide cost-effective communications between counties. The CTAP Region 1 director collaborates with the Regional Leadership Team (RLT), and utilizes input from Regional Coordinating Council (RCC). An external evaluation is incorporated into the Region 1 plan to document the extent to which the planned objectives were met, as well as the extent to which clients in the region are equitably being served by CTAP Region 1.

Regional Meetings	Number of Members	Number of Meetings for Report Period 7/1/02-6/30/03	Average Attendance
Regional Leadership Team	5	6	10
Regional Coordinating Council	16	2	12

II. Overview of Services

A. Local Needs

The overall purpose of CTAP Region 1 is to support and build the capacity of a district and/or county office of education to utilize, implement and infuse technology into instructional programs. Region 1 utilizes a variety of strategies for assessing local needs. Region 1 staff members frequently interact with educators across the region as part of one-on-one assistance, district and county technology committee meetings, professional development opportunities, regional council meetings and other education technology support interactions. Additionally, the region collects a wide variety of surveys, evaluations and technology plans to help identify the needs of our client schools and districts. Through our annual reporting process, clients have an additional opportunity to provide feedback on their needs and how closely Region 1 activities are meeting those needs. CTAP Region 1 plan objectives and activities will be adjusted over

time based on the formative evaluation of the extent to which the planned activities are implemented and based on addressing the needs of clients. Local needs can be summarized as follows:

The remote location and rural nature of many of the schools in Region 1 make it difficult for educators to travel to meetings or professional development opportunities. This problem has led to an effort to utilize technology such as videoconferencing to promote the use of the regional services. However, the vast distances within Region 1 can limit access to technology in outlying areas. One-third of the districts are small, single school districts, and even those districts with multiple schools are typically quite small. These small districts need extra assistance from CTAP because they lack staff and expertise to provide needed education technology support. In addition to these special needs, schools and districts in Region 1 have the same needs as other schools and districts. These needs are summarized below:

- Assistance in professional development to learn to utilize technology effectively in the classroom or in the office.
- Assistance in procuring and maintaining a hardware, software and network infrastructure that provides the resources needed by educators.
- Assistance in utilizing data to inform good educational decisions and identifying the best practices.
- Assistance in locating resources and taking advantage of those existing resources and programs to assist their district.

B. Regional Services

The following is a summary of the regional services provided, which address regional goals, objectives, and benchmarks in the four service areas required in the Request for Proposals (RFP). (See the table on page 5 for related data.)

1. Professional Development and Learning Resources:

CTAP Region 1 has provided a variety of services in this area, including traditional classroom-based technology skills training, online professional development, Web site resources, and implementation support for those utilizing grant-funded technology resources to improve student achievement. Some of the activities include:

- Basic Skills Courses--Traditional basic skills classes for educators were provided with CTAP support in all 5 county offices of education in the region.
- Integration Institutes--Integration Institutes provided teachers with basic skills training and instruction in how to create a technology-infused lesson.
- Collaboration with Other Regional Projects/ Regional Technology Conference--CTAP collaborated with North Coast Computer Using

Educators and hosted a mini-conference in 2003.

- Direct Assistance--CTAP staff provided assistance to Region 1 clients via email, phone, fax, videoconference, and in person.

During 2003-04, changes to program objectives reflect the following trends: The consolidation of data collection methods and a change in the provision of online professional development services resulted in the elimination of two objectives in this area. An additional objective was added for CTAP Region 1 to provide support to districts in creating applications and implementing professional development programs for the Enhancing Education Through Technology Competitive (EETT) grant program.

2. Professional Development and Support Related to Hardware / Telecommunications:

CTAP Region 1 staff support in this area is critical to small districts, as many do not have staff dedicated to support technology hardware and infrastructure. Some of the activities provided in this area are:

- Technology Integration Planning Assistance--CTAP provided individual assistance to districts in developing technology plans.
- Technical Support--CTAP provided guidance and assistance to technology support staff across the region, in conjunction with the resources available through TechSETS.
- Technical Assistance Listserv and Web Services--CTAP hosts a technical assistance listserv, a Web forum available to allow the archiving of discussions, and a Web-based "Virtual Help Desk" to assist with technical issues.

During 2003-04, changes to program objectives reflect the following trends: The delay in getting two remote counties connected to the Digital California Network, and budget cuts and other fiscal uncertainties.

3. Professional Development and Support Related to School Improvement:

For educators unfamiliar with how technology can be used as a tool to improve school management, CTAP Region 1 staff served as the local experts on the use of these tools. Some of the activities in this area include:

- Training and Assistance in the Use Of Technology-Based Assessment Tools--CTAP hosted multiple presentations on a new resource in this area, the Just for the Kids California project. This initiative makes data generated by the existing school accountability system for the state into a workable tool for improving student achievement, and provides information on school performance and educational best practices for school leaders, teachers, parents and interested community members.
- Expand Training for Administrative Services Staff Using Tegrity and Other Online Resources--Many administrative staff is taking the Learn2

University Web-based training. We have shared Web-based resources from the Technology Information Center for Administrative Leadership (TICAL), as well as provided support via CD-ROM, DVD and the videoconference network.

During 2003-04, changes to program objectives reflect the following trends: Two objectives were combined into one. Another objective in this area was eliminated because it is addressed by another objective in Program Area 4. Two more objectives were combined into a new objective regarding videoconference Workshops to demonstrate student and school management, and presentation systems. Another objective was eliminated because it was difficult to get administrators to participate in the assessment and the data was redundant to that already collected and reported in other objectives.

4. Funding and Coordination:

This area is of critical need to small, rural school districts that do not have the resources to look for technology funding and provide other necessary education technology services. The work of CTAP Region 1 staff replaces the dedicated specialists that are often found in large urban districts. Some of Region 1's activities in this area are:

- Encourage School Districts To Apply for Grant Funds--CTAP encourages districts to participate in grant programs in a number of ways, including a monthly funding alert newsletter that addresses local needs and fax notifications of funding opportunities and related information to schools and district offices in Region 1.
- Assist Schools in Developing Funding Applications--Staff members worked with schools applying for Enhancing Education Through Technology (EETT) grants and School Renovation Technology Grants (SRTG) as well as private funding opportunities.
- Assist With Online Submission of Grant Applications--CTAP Region 1 staff members assist schools in applying for funding opportunities that utilize online applications, assist them with meeting the online district technology plan requirement, and other grant requirements.
- Collaborate with S4 and Professional Development Consortia (PDC) Projects In Region--Regional staff met with the PDC and S4 group during a fall retreat, which provides an opportunity to learn what each support provider within the region is doing. The region also supports a "Virtual Case Manager" Web site that allows each of the providers to document school or district contacts and to see what other providers are doing with the same clients to reduce duplication of effort and provide better opportunities for collaboration.
- Build Partnerships with NASA K-12 Education Projects--A variety of resources are used to notify clients of NASA opportunities, and there is NASA project participation underway throughout the region.

- Expand Collaboration with the PT3 Digital Bridge and Light Bridge Projects--CTAP Region 1 facilities are used to provide teachers outside of the Sonoma State University vicinity with the ability to attend class via videoconferencing, and provide regional staff members with opportunities to gain insights in using videoconferencing technology for more traditional instruction.
- Facilitate the Sharing of District Strategies for Leveraging Alternative Funding Sources for Technology--A videoconference session was held in the fall to discuss possible ways to leverage other funding sources for technology.

During 2003-04, there was a change to one program objective that reflected the following trend: In this area, a single objective was added to address the collaboration with the Statewide Education Technology Services (SETS) projects.

Regional Services (2002-2003)	Number in Plan (if not in plan use a 0)	Number Implemented July 02– June 03	Number of Participants	Average Hours Per Participant	Number of Districts Served
Total Prof. Dev. and Learning Resources Services	198	287	2027	69	226
Total Unduplicated Prof. Dev. and Learning Resources Services			833		76
Total Prof. Dev. and Hardware, Telecommunications and Technical Assistance Services	32	54	800	99	152
Total Unduplicated Prof. Dev. and Hardware, Telecommunications and Technical Assistance Services			188		53
Total Prof. Dev. and Support Related to School Improvement Activities	6	15	227	12	41
Total Unduplicated Prof. Dev. and Support Related to School Improvement Activities			68		18
Total Funding and Coordination	40	113	1234	47	199
Total Program Coordination and Funding Services			591		89

C. Program Evaluation and Monitoring (Year 1, 2002-2003)

A wide variety of data sources were collected to evaluate reaching the benchmarks. Documentation for meeting objectives is collected by way of the following sources:

- CTAP Region 1 Evaluation Forms for each activity
- Annual School Technology Survey;
- CTAP Region 1 Annual Needs Assessment;
- Logs of listserv participation;
- Funding Alert Newsletter data;
- Technology Plan submission and approval records;
- Digital California Project connectivity records;
- CTAP Region 1 Staff Logs of activities and contacts.

CTAP Region 1 staff collected the data as described in our original plan and evaluated the progress in meeting the benchmarks. The result of the data analysis was shared with the Regional Leadership Team and the Regional Coordinating Council. Overall, the region made excellent progress in achieving the year 1 benchmarks, in spite of the difficult fiscal situation. As with any multi-year plans, the environment when the plan was written changes over time and the plan needs to be revised to reflect those changes. With the elimination of programs and funding, as well as changes in fiscal situations in districts, CTAP Region 1 needs to adjust its program to better meet the needs of the client schools and districts.

CTAP Region 1 expenses are tracked and verified against the approved activities of the region. Each county office of education receiving sub-regional funds must sign a Memorandum of Understanding and complete specific activities outlined in that document. Additionally, CTAP provides semi-annual reports detailing progress in completing the assigned activities. The budget status is shared with the Regional Leadership Team and the Regional Coordinating Council during their regular meetings.

Budgeted From 2003-2004 Funding	Budgeted	Spent By 12/31/03	% Spent By 12/31/03	Projected To Be Spent By 6/30/04	% Projected To Be Spent By 6/30/04
2003-2004 Funding	\$ 502,649	\$ 179,024	35.6%	\$ 220,625	79.5 %
Carryover from Prior Year Funding (02-03)	\$ 197,627	\$ 197,627	100 %		

D. EETT Support

In Region 1, there were two school districts, Ukiah Unified and Konocti Unified that were successful in receiving Round 1 funding from the EETT Competitive Grant Program. CTAP Region 1 is significantly involved in the implementation of the program in both districts. To support the EETT programs, the region is providing group and one-on-one mentoring, summer and fall technology institutes, basic technology skills classes, one-on-one, just-in-time mentoring and classroom observation, telephone technical support, and supporting open computer lab time in the evening to allow parents and students to make use of technology labs at middle schools. The region will provide similar partnership

activities with districts applying for the program for this year. Depending upon the geographic location and the needs of the district partner, CTAP Region 1 will customize the program to meet the specific needs of their EETT program.

E. Successes and Challenges

CTAP Region 1 districts face a number of challenges as listed below:

- Budget pressures, stringent accountability requirements
- Rapidly increasing or decreasing student populations
- New federal requirements
- Changes in the society caused by terrorism

It has been very difficult to schedule and hold professional development opportunities. Administrators are monitoring their budgets very closely and are reticent to pay for professional development or for substitutes to allow teachers to participate in professional development during the school day. Teachers are feeling overwhelmed by the demands upon their time and are reticent to attend professional development outside of the normal school day. Despite these challenges, successful professional development activities continued. Most districts were able to work out the conflicts to allow educators to receive the training that they needed.

III. Feedback on Annual Report of CTAP Services

**CTAP Region 2
 2003-2004 Summary Report of CTAP**

I. Overview of Regional Structure

Region 2 consists of the nine northeastern counties of California: Butte, Glenn, Lassen, Modoc, Plumas, Shasta, Siskiyou, Tehama, and Trinity. There are 102,449 K-12 students attending 444 schools within 134 school districts. A huge and varied geographic area, relatively small number of students, and low economic resources lead to many unique challenges for regional service providers. The Regional Policy Council meets quarterly. All CTAP activity is monitored and approved by the 25 member Regional Policy Council. The Council has representation of counties, school districts, institutions of higher education, parents, and business.

Regional Meetings	Number of Members	Number of Meetings for Report Period 7/1/02–6/30/03	Average Attendance
Regional Council	25	4	19
Sub-Regional Council, if applicable	0	0	0

II. Overview of Services

A. Local Needs

Initially the CTAP Regional Director did a preliminary review and reporting of results of the regional evaluation survey. The CTAP Policy Council reviewed feedback, discussed, and developed revisions to the Implementation Plan at its June 2003 meeting. Policy Council feedback and suggestions were presented at the Northeastern Regional Curriculum Council (NRCC), at their next scheduled meeting following the June Policy Council meeting. Additional recommendations were appropriately incorporated and the final revisions presented to the nine county superintendents. Local needs that support plan goals, objectives and benchmarks include:

- Professional development learning resources for teachers on instructional strategies, models, and lessons.
- Technology and support that improves data-driven decision making that improves student achievement.
- Assisting Local Education Agencies (LEAs) with either leveraging funds, and/or accessing more funds, to support technology implementations in both curricular and data management activities.

B. Highlights of Services

The following is a summary of the regional services provided, which address

regional goals, objectives and benchmarks in the four service areas required in the Request for Proposals (RFP).

1. Professional Development and Learning Resources

During 2003-04, Enhancing Education Through Technology (EETT) sessions were held to provide overview of the EETT. The Summer Teaching and Leadership Conference (STLC) is a three-day, hands-on technology and leadership conference focused on improving technical skills and technology integration into curricular areas. Ongoing Hands-on Professional Development Workshops focusing on specific applications or technology integration are offered through CTAP and support for CTAP Online mentor meetings is provided. Technology Information Center for Administrative Leadership (TICAL) and California Learning Resources Network (CLRN) trainings are also offered in countywide workshops.

2. Professional Development and Support Related to Hardware/Telecommunications Activities

Pine Mountain Group (PMG) provided Wide Area Network Group Training (WAN) training. During 2003-04, the TechSets trainings have been combined with the WAN group training. Additionally, workshops focused on the State Education Technology Services (SETS) projects are now combined with Basic Workstation Troubleshooting and other WAN training opportunities.

3. Professional Development and Support Related to School Improvement Activities

CTAP partnered with the California School Leadership Academy (CSLA) to provide AB75 Principal Training Modules. A six-video series was developed in partnership with the Southern California Center for Comprehensive Assistance and the Butte County Office of Education Center for Distributed Learning. The video series focuses on effective strategies for teachers to use in analyzing classroom data in order to make effective decisions regarding instruction. During 2003-04, CTAP provided Immediate Intervention for Under-performing Schools Program (IIUSP Support) technical assistance, technology support, and consultation to support county offices and districts within Region 2.

4. Funding and Coordination

With other program activities During 2003-04, CTAP offered implementation support and program compliance reviews, EETT activities, and technology plan development support. Also grant writing assistance is provided through regional workshops for districts eligible for EETT Competitive Grant and writing assistance workshops will be scheduled for the eligible districts.

Regional Services (2002-2003)	Number in Plan (if not in plan use a 0)	Number Implemented July 02 – June 03	Number of Participants	Average Hours Per Participant	Number of Districts Served
Total Prof. Dev. and Learning Resources Services	49	92	2169	17.5	622
Total Unduplicated Prof. Dev. and Learning Resources Services			2076		120
Total Prof. Dev. and Hardware, Telecommunications and Technical Assistance Services	22	21	196	30	193
Total Unduplicated Prof. Dev. and Hardware, Telecommunications and Technical Assistance Services			125		88
Total Prof. Dev. and Support Related to School Improvement Activities	1	14	217		48
Total Unduplicated Prof. Dev. and Support Related to School Improvement Activities			217		33
Total Funding and Coordination	18	54	240		293
Total Program Coordination and Funding Services			240		120

III. Program Evaluation and Monitoring

A. Planned Objectives

Documentation for meeting objectives is collected by way of formative data to assist with program/activity modifications and adjustments throughout the year; and summative data to evaluate and present end-of- year program and activity results. Data is collected in the form of online surveys, paper-based surveys, telephone interviews, classroom observations, and work portfolios. The regional director is responsible for coordinating the required data gathering, analysis, and reporting for all regional activities. The regional needs assessment survey is posted at the same location as the Mid-year Implementation and Year-end Program reports and is completed in the spring of each year. The survey is used to gather client feedback on existing programs and input for revisions and possible development of new programs to implement the following year.

The monitoring of budgets and activities is the responsibility of the CTAP Region

2 director and the Regional Policy Council. The director also manages the budget for all CTAP activities. Financial reports are completed and submitted in a timely manner through collaborative efforts with the Business Services Department of BCOE. Quarterly budget reports are a regular part of the Policy Council meetings.

Budgeted From 2003-2004 Funding	Budgeted	Spent By 12/31/03	% Spent By 12/31/03	Projected To Be Spent By 6/30/04	% Projected To Be Spent By 6/30/04
2003-2004 Funding	\$523,892	\$266,187	51%	\$523,892	100%
Carryover from Prior Year Funding (02-03)	\$0	\$0	0%	\$0	100%

B. EETT Support

CTAP is supporting all districts eligible for EETT formula funding with technology plan development to assist them with meeting or exceeding the Federal requirements for the program. A series of workshops is scheduled to support plan development in each of three submission cycles. CTAP is providing support to both funded and applicant districts for the EETT Competitive Grants through workshops and individual support.

C. Successes and Challenges

Region 2 experienced successes in all four focus areas. Successes include high attendance at workshops, identifying and meeting regional needs, building a community of teachers and mentors using technology, and expanding capacity of schools to use technology effectively in teaching and learning. The greatest challenges include mid-year budget cuts, which required the Policy Council to revise activities accordingly. The large geographic size and relatively small student population create a challenge unique to Region 2. Because of the geography of the region, providing access to workshops throughout the region is difficult, limited school site capacity and competition with other school activities are significant challenges.

IV. Feedback on Annual Report of CTAP Services

**CTAP Region 3 Implementation Report
 2003- 04 Summary Report of CTAP Services**

I. Overview of Regional Structure

CTAP Region 3 serves 10 counties from the Sierra Nevada Mountains to the Sacramento valley. It contains 101 districts and serves over 20,000 teachers and 400,000 students. It includes three large urban schools districts and nearly 100 mid-sized and small districts.

The full Regional Council provides advice and oversight for the CTAP Local Education Agency staff. There are site, district, county and regional roles represented on the Council. Each county acts as a sub-committee of the Regional Council, responding to the specific local needs in each county. All information and decisions are channeled through the Council.

Regional Meetings	Number of Members	Number of Meetings for Report Period 7/1/02-6/30/03	Average Attendance
Regional Leadership Team	5	4	4
Regional Coordinating Council	20	2	14

II. Overview of Services

A. Local Needs

Region 3 needs were assessed through a variety of tools, including:

- DataQuest identifying school, district and county demographic data;
- California Technology Survey, identifying district and school data relating to technology tools available to, and used by educators and students;
- CTAP² identifying proficiency levels of educators in computer applications;
- Online and hard copy needs assessment surveys to prioritize district technology needs;
- Focus groups, input from Regional Coordinating Council and phone interviews to identify critical technology issues and workable solutions;
- Guidelines from California Department of Education.

B. Highlights of Services

Following is a summary of the regional services provided, which address regional goals, objectives and benchmarks in the four service areas required in the RFP.

Region 3 strategies for meeting the assessed needs of their client school districts are based on client feedback through online surveys, communication between CTAP and districts and input at regularly scheduled meetings. Region 3 has made significant progress toward successful implementation of virtually every one of their regional objectives.

1. Professional Development and Learning Resources

CTAP Region 3 has provided an array of professional development and learning resources including online staff development resources, teacher technology workshops, training for administrators, information literacy, and integration of technology. During 2003-04, CTAP Region 3 will continue to provide these resources and services.

2. Professional Development and Support Related to Hardware/Telecommunications

CTAP Region 3 has located partners, determined a vendor and provided specifications to upgrade the regional videoconference system to allow videoconferencing over the Internet. During 2003-04, CTAP Region 3 will continue to provide support in this area.

3. Professional Development and Support Related to School Improvement

Monthly workshops were provided in how to use CTAP² and data as a tool for data-driven decision-making. CTAP Region 3 will continue to provide this support for districts during 2003-04.

4. Funding and Coordination

CTAP Region 3 assisted districts in obtaining approximately \$4.5 million in funding through technical assistance in writing plans and applications. In addition, collaboration with the Statewide Education Technology Services (SETS) projects took place to provide links and information to clients on administrator training (TICAL), standards-aligned electronic learning resources (CLRN) and technical support (TechSETS). During 2003-04, CTAP Region 3 will continue to provide this assistance and collaboration to districts.

Regional Services (2002-2003)	Number in Plan (if not in plan use a 0)	Number Implemented July 02– June 03	Number of Participants	Average Hours Per Participant	Number of Districts Served
Total Prof. Dev. and Learning Resources Services	62	55	552	99	101
Total Unduplicated Prof. Dev. and Learning Resources Services			201		101
Total Prof. Dev. and Hardware, Telecommunications and Technical Assistance Services	7	7	0	4	0
Total Unduplicated Prof. Dev. and Hardware, Telecommunications and Technical Assistance Services			0		0
Total Prof. Dev. and Support Related to School Improvement Activities	5	20	180	4	0
Total Unduplicated Prof. Dev. and Support Related to School Improvement Activities			18		1
Total Funding and Coordination	36	57	336	66	87
Total Program Coordination and Funding Services			336		63

C. Program Evaluation and Monitoring (Year 1, 2002-2003)

In the process of setting objectives, CTAP Region 3 also identified the target indicators for each objective, and the means by which each indicator would be measured. Progress toward target indicators began with our CTAP Region 3 master calendar and database, and was documented through participant-signed attendance sheets at all workshops and meetings, participant-completed evaluations, focus groups, work records of CTAP Region 3 staff, plus tracking of district technology plan development and technology funding amounts. Annualized data also included specific elements from CTAP², and the California Technology Use Survey for Region 3. Budget reports monitored all CTAP Region 3 expenses related to our objectives.

All CTAP Region 3 county offices maintain records and review their budgets. The CTAP Region 3 county offices oversee and monitor budgets and expenditures. Assistance was provided to sub-regions on the tracking of expenditures and acceptable use of funds.

Budgeted From 2003-2004 Funding	Budgeted	Spent By 12/31/03	% Spent By 12/31/03	Projected To Be Spent By 6/30/04	% Projected To Be Spent By 6/30/04
2003-2004 Funding	\$861,222	\$277,400	32%	\$861,222	100%
Carryover from Prior Year Funding (02-03)	\$290,729	\$126,005	43%	\$290,729	100%

D. EETT Support

CTAP Region 3 provided the following EETT-supported activities in addressing *No Child Left Behind*:

- Providing assistance to state-identified districts in completing their District Technology Plans
- Monitoring, adjusting and evaluating the implementation and impact of all CTAP Region 3 activities based on data relating to our objectives
- Providing professional development activities and external evaluation services to districts receiving EETT Competitive grants (as requested by districts)

E. Successes and Challenges

Region 3 has provided a diverse offering of staff development opportunities for our regional clients. One major success has been our increased focus on the integration of technology into adopted textbooks, especially in the area of English & Language Arts.

One major challenge faced and overcome was the uncertainty regarding the funding for CTAP regional services. The normal hiring process started once the funding was in place, but fully one-half of the school year had elapsed before the regional staff was back to full strength. This temporary situation has been corrected, but the outlook for continuing high-quality service to the region will remain cloudy until sustained funding is provided.

III. Feedback on Annual Report of CTAP Services

**CTAP Region 4
 2003-04 Summary Report of CTAP Services**

I. Overview of Regional Structure

Region 4 serves the ninety districts in the seven Bay Area counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Solano. While one of the state's smallest geographic regions, there are over 650,000 students being taught by 34,000 teachers in the region. A 26-member Regional Council, consisting of stakeholder representatives from all seven Bay Area counties, governs CTAP Region 4.

Regional Meetings	Number of Members	Number of Meetings for Report Period 7/1/02-6/30/03	Average Attendance
Regional Coordinating Council	26	4	20
Bay Area Regional CTAP Meetings	108	6	62

II. Overview of Services

A. Local Needs

Through surveys of client districts and Regional Council meetings, CTAP Region 4 identified professional development and learning resources to improve teaching and learning, as the greatest regional need. CTAP responded to the needs assessed in the other project areas, particularly focusing on dissemination of information; grant application and implementation support, and assistance with data management. Local needs that support plan goals, objectives and benchmarks include:

- Professional development and learning resources to improve teaching and learning
- Technical support training
- Helping districts use technology to support data analysis for comprehensive school wide improvement
- Funding support and coordination to help districts with technology plan and grant development.

B. Highlight of Services - The following is a summary of the regional services provided, which address regional goals, objectives and benchmarks in the four service areas required in the Request for Proposals.

1. Professional Development and Learning Resources:

CTAP has focused professional development activities in the curriculum and instruction area on workshops intended to assist schools with integrating technology use into the classroom. During 2003-04, CTAP is responding to the increasing need for professional development in the region, as more classrooms were equipped with technology, including desktop units, laptops, and hand-held technologies.

2. Professional Development and Support Related to Hardware and Telecommunications:

During the grant period, CTAP has focused professional development activities in this area on workshops intended to assist schools and districts with maintaining networks and keeping the technology working well. During 2003-04, the program is on target for the number of professional development opportunities originally planned for the entire year.

3. Professional Development and Support Related to School Improvement:

A CTAP committee developed a survey to better identify district needs and collect information about the various data management systems being used in the 90 districts in the region and, based on survey findings, developed two events focused on helping districts use technology to support data analysis for comprehensive school wide improvement. During 2003-04, CTAP Region 4 partnered with the Stupski Family Foundation to create an online Guide to Educational Data Analysis Systems.

4. Funding and Coordination:

During the past year, CTAP has provided leadership in assisting districts with two major federal technology-funding opportunities available through the California Department of Education – School Renovation Technology Grants (SRTG) and Enhancing Education Through Technology (EETT). CTAP provided extensive support to 56 districts in developing District Technology Plans that qualified them for EETT formula funding. Region 4 also supported 15 districts applying for competitive funding. During 2003-04, CTAP continued to support project leaders from projects funded in earlier years through Digital High School, AB1339 and produced a monthly “Technology Funding Alert” publication.

Regional Services (2002-2003)	Number in Plan	Number Implemented July 02– June 03	Number of Participants	Average Hours Per Participant	Number of Districts Served
Total Prof. Dev. and Learning Resources Services	97	126	1655	8	
Total Unduplicated Prof. Dev. and Learning Resources Services			1214		82
Total Prof. Dev. and Hardware, Telecommunications and Technical Assistance Services	20	23	424	7.5	
Total Unduplicated Prof. Dev. and Hardware, Telecommunications and Technical Assistance Services			332		73
Total Prof. Dev. and Support Related to School Improvement Activities	22	28	578	3	
Total Unduplicated Prof. Dev. and Support Related to School Improvement Activities			462		74
Total Funding and Coordination	142	99	806	3.5	
Total Program Coordination and Funding Services			681		85

III. Program Evaluation and Monitoring

A. Planned Objectives.

During the 2002-03 school year, CTAP made strong progress toward objectives in all four key goal areas. CTAP worked with an external evaluator for surveying districts, preparing reports, and presenting pertinent information to the CTAP Council. For professional development, CTAP exceeded all of its benchmarks for the Year In hardware and technology, CTAP held sessions after school instead of during school hours, promoted the use of TechSETS to support technology professionals and increased its efforts in assessing current practices and needs and determining a plan of action. In the grants, funding and partnerships area,

CTAP met or exceeded all three of its initial benchmarks.

CTAP Region 4 budgets are routinely monitored and discussed as part of the LEA fiscal process. The Fiscal Services Division maintains an online budget system, so that up-to-date reports on expenditures are always available. The project director reviews budget reports monthly and meets with appropriate staff to monitor the budget, track expenditures and plan for anticipated expenses. Budget information is presented to the Regional Council mid-year and at the close of the year as part of monitoring process.

Budgeted From 2003-2004 Funding	Budgeted	Spent By 12/31/03	% Spent By 12/31/03	Projected To Be Spent By 6/30/04	% Projected To Be Spent By 6/30/04
2003-2004 Funding	\$1,420,812	\$244,926	17%	\$1,420,812	100%
Carryover from Prior Year Funding (02-03)	\$604,503	\$592,187	98%	\$604,503	100%

B. EETT Support

During the past year, CTAP has provided regional leadership in assisting districts with Enhancing Education Through Technology (EETT). CTAP provided extensive support to 56 districts in developing District Technology Plans that qualified them for EETT formula funding. Region 4 also supported 15 districts applying for competitive funding, all of which received passing scores and eight of which were funded. In all, CTAP supported districts in garnering more than \$10.5 million in federal education technology funding.

C. Successes and Challenges

Successes: CTAP was recognized by districts for offering valuable, diverse, and high-quality services and was seen as carrying out its responsibilities in a supportive, effective, and efficient manner. Comments from region school districts include: CTAP provided useful information and training; was responsive to district needs; had capable leadership and staff; and delivered a variety of useful resources and services. On a separate survey, districts recognized CTAP as a top resource for technology funding information. The individualized support

that CTAP provided in the grant application process was particularly appreciated. In addition, districts were responsive to CTAP's offerings in the area of data management, an area of increasing focus.

Challenges: CTAP continued to make adjustments to the content and delivery of its services to best meet the needs of the districts. In response to feedback, CTAP redesigned its Web site to make information readily available, easy to consume, and directly accessible to all interested parties. CTAP also continued its efforts in offering data management presentations and resources to help districts in this emerging area of technology integration. To meet the challenge of reaching out to districts, CTAP increased its use of videoconferencing and created satellite locations for meetings, which eased the burden of extensive travel and time away from work, making it possible for more people to attend. CTAP county specialists scheduled additional time to meet individually with districts, and provided regular e-mail newsflashes to districts to keep them better informed.

IV. Feedback on Annual Report of CTAP Services

**CTAP Region 5
 2003-04 Summary Report of CTAP Services**

I Overview of Regional Structure

Region 5 serves the 87 school districts, 612 schools, and approximately 20,000 teachers in the four county areas that include Monterey, San Benito, Santa Clara, and Santa Cruz. The Santa Clara County Office of Education (SCCOE) serves as the Local Education Agency (LEA). The project director reports on the implementation of the Project Plan on a quarterly basis to regional Advisory Council.

Regional Meetings	Number of Members	Number of Meetings for Report Period	Average Attendance
Regional Council	27	3	16
Executive Committee	9	6	8

II. Overview of Services

A. Local Needs

Needs data was collected from districts in Region 5 using a written survey, CTAP² Self Assessment data, technology plans, direct needs interviews and using CTAP 2003-05 needs assessment data. EETT needs data were collected from those expressed in the technology plans submitted for formula funding, interviews with EETT leads from formula funded and EETT Competitive districts.

B. Highlights of Services

Following are a summary of the regional services provided which address regional goals, objectives and benchmarks in the four service areas required in the RFP.

Based on needs analysis, following is a summary of CTAP 5 regional services provided by service area:

1. Professional Development and Learning Resources:

Services include providing professional development to teachers in the area of integrating technology in research-based effective instructional strategies and helping teachers to integrate technology into standards-based lesson development. During 2003-04, CTAP 5 was not able to offer the same level of summer professional development opportunities as in the past due to budget issues. However, the Region does continue to offer ongoing training in basic computer applications, digital photography, and other topics.

2. Professional Development and Support Related to

Hardware/Telecommunications:

In addition to providing assistance with creating and implementing district technology plans, CTAP Region 5 coordinated meetings of districts and county network administrators in order to increase the communication between the county and district network administrators and held informational meetings and provided presentation about TechSets, e-Rate, California and the California Teleconnect Fund to districts and information technology staff. E-rate workshops were conducted at district offices to provide assistance with application preparation. During 2003-04, CTAP Region 5 will continue to provide these services.

3. Professional Development and Support Related to School Improvement

Activities:

Region 5 targeted professional development to district administrators about data analysis and using data to inform instructional decision making and school management. Region 5 also offered direct assistance to districts to help them to extract the school demographic and testing data for inclusion in their school plans. Administrators were also provided AB75 training as well as information meetings on the SETS projects resources. During 2003-04, CTAP Region 5 will continue to provide these services.

4. Funding and Coordination:

CTAP continued region wide assistance to support districts applying for EETT Formula and Competitive educational technology grants. During 2003-04, the CTAP Action team will continue to meet regularly to identify changing district needs and plans, and to develop or outsource resources as necessary.

Regional Services (2002-2003)	Number in Plan (if not in plan use a 0)	Number Implemented July 02– June 03	Number of Participants	Average Hours Per Participant	Number of Districts Served
Total Prof. Dev. and Learning Resources Services	137	570	3444	17	343
Total Unduplicated Prof. Dev. and Learning Resources Services			2163		52
Total Prof. Dev. and Hardware, Telecommunications and Technical Assistance Services	41	83	899	11	314
Total Unduplicated Prof. Dev. and Hardware, Telecommunications and Technical Assistance Services			242		64
Total Prof. Dev. and Support Related to School Improvement Activities	28	59	567	4.6	160
Total Unduplicated Prof. Dev. and Support Related to School Improvement Activities			329		54
Total Funding and Coordination	41	89	738	51	357
Total Program Coordination and Funding Services			338		74

C. Program Evaluation and Monitoring

Region 5 will continue to use sign-in sheets, workshop evaluation forms, and activity tracking in our regional database to measure progress toward meeting Year 2 benchmarks for objectives in each program area.

CTAP Region 5 met or exceeded all program objectives in Year 1 and is on track for Year 2. Services were added to support EETT grant programs and modified or reduced in other cases such as Digital High School (DHS) to better align with changing grant requirements and funding priorities. Additional services and workshops were incorporated to support administrator training in AB75 and Private School Principal Academies. CTAP Region 5 monitors budgets by comparing them to the approved budgets on file. Assistance was provided to districts on the tracking of expenditures and acceptable use of funds.

Budgeted From 2002-2003 Funding	Budgeted	Spent By 06/30/03	% of Budget Spent By 6/30/03
2002-2003 Funding	\$1,258,945	\$1,048,599	83%
Carryover from Prior Year Funding	\$ -0-	\$ -0-	

D. EETT Support

CTAP Region 5 will continue to provide regional leadership and support to districts in applying for and implementing EETT programs. CTAP will work closely with districts that have not yet submitted technology plans for state review. Activities have been designed to support project leaders and staff in districts receiving formula and competitive funding including professional development for staff and administrators and assistance in program evaluation. Support is provided to districts in using CTAP² and the Online School Technology Survey to ensure that districts meet the grant requirements for EETT. CTAP also provides support to competitive districts in the evaluation of their project outcomes. CTAP will also work with EETT districts to tailor resources and professional development available through Region 5 Online.

E. Successes and Challenges

CTAP Region 5 has achieved great success in providing training for the AB75 Principal Training program and the Private School Principal Academies. The Region 5 Online Professional Development System continues to be a focus of work in the Region. Many professional development workshops are being enhanced through the use of the online system. There are three significant challenges for Region 5: 1) budget uncertainties that resulted in layoff notices for some CTAP staff; 2) finding ways to leverage resources and operate regionally in a service delivery model that favors sub-regions operating independently; and, 3) challenges related to staffing and support for CTAP² iAssessment completion requirements for EETT and AB75 programs.

III. Feedback on Annual Report of CTAP Services

**CTAP Region 6
 2003-04 Summary Report of CTAP Services**

I. Overview of Regional Structure

CTAP Region 6 serves five counties: two larger counties in the Central Valley (*San Joaquin* and *Stanislaus*) and three smaller counties in the Sierra Nevada foothills (*Amador*, *Calaveras* and *Tuolumne*) and 66 districts. There are six districts of more than 10,000 students each and ten districts having student populations less than 200. The CTAP 6 plan addresses geographic isolation by disseminating and implementing resources and services to sites through designated CTAP consultant contacts with county offices to meet local needs. The Delta Sierra Regional Coordinating Council (RCC) is the governing authority of CTAP 6.

Regional Meetings	Number of Members	Number of Meetings for Report Period 7/1/02-6/30/03	Average Attendance
Regional Coordinating Council	20	4	18
Meetings with County Contacts and ESS (Leadership Team) includes phone conferences	8	7	7

II. Overview of Services

A. Local Needs

CTAP 6 conducted an extensive needs assessment to determine regional priorities in the four required program areas. Data regarding local needs was gathered, compiled, and analyzed to determine regional priorities. CTAP 6 shared the results of the needs assessment with the RCC, the project's governing body, composed of representatives from districts and schools throughout the Delta Sierra Region. The council analyzed the data, helped develop the plan objectives, and determined specific activities to be continued, modified, eliminated, or added.

B. Highlights of Services

Following is a summary of the regional services provided, which address regional goals, objectives and benchmarks in the four service areas required in the Request for Proposals.

Based on documented constituent needs, the following is a summary of regional services provided by CTAP 6 in each component areas.

1. Professional Development and Learning Resources:

Services included the delivery of professional development in the areas of: curriculum/technology integration, skills proficiency, administrator training through TICAL and AB 75, and Beginning Teacher Support and Assessment (BTSA) induction course curriculum. During 2003-04, CTAP Region 6 will continue to provide these services.

2. Professional Development and Support Related to

Hardware /Telecommunications:

Services included the delivery of professional development in the areas of: trainer certification for Macintosh OSX Operating System, E-rate and CTF assistance, computer repair and computer donation program coordination, and technical assistance listserv. During 2003-04, CTAP Region 6 will continue to provide these services.

3. Professional Development and Support Related to School Improvement:

Services included the delivery of professional development in the areas of: approved provider for AB 75 training, district technology plan assistance and keeping schools informed of grant requirements, data-based, decision making training and services, and grant writing assistance. During 2003-04, CTAP Region 6 will continue to provide these services.

4. Funding and Coordination:

Services included: leveraging resources to bring projects together through professional development and collaboration of different projects, providing assistance for projects to work together through many venues and supporting many districts by having them collaborate on region wide training, collaborating with the SETS projects to provide links and information to clients on administrator training (TICAL), standards-aligned electronic learning resources (CLRN) and technical support (TechSETS). During 2003-04, CTAP Region 6 will continue to provide these services and support.

Regional Services (2002-2003)	Number in Plan	Number Implemented July 02 – June 03	Number of Participants	Average Hours Per Participant	Number of Districts Served
Total Professional Development and Learning	65	101	3,901	14	81

Resources Services					
Total Unduplicated Professional Development and Learning Resources Services			2900		81
Total Professional Development - Hardware, Telecommunications & Technical Assistance Services	65	99	3,356	10	69
Total Unduplicated Professional Development and Hardware, Telecommunications & Technical Assistance Services			1,504		69
Total Professional Development Support Related to School Improvement Activities	65	68	3,456	15	69
Total Unduplicated Professional Development Services Related to School Improvement Activities			1,600		69
Total Funding and Coordination Services	65	80	3,925	10	66
Total Unduplicated Funding and Coordination Services			1,925		69

C. Program Evaluation and Monitoring

The evaluation addressed each of the objectives established for the plan. The local Regional Coordinating Council reviewed this information to determine the effectiveness of the support of services to improve student achievement. The external evaluation process documented and reported the extent to which each of the objectives were attained and made specific recommendations for improving CTAP 6 services and products. The region used a standard evaluation created by CDE (Form F) to report how the analysis took place and what information was provided for future changes to meeting the needs of local client school districts.

All CTAP 6 county offices maintain records and review their budgets. Budget reports required from CDE are sent to the CTAP 6 county office contacts and returned to the regional office in December and again in June. These reports are reviewed by the director and by Educational Support Systems (outside evaluator) and compared to the regional progress of projects as identified in the original Memo of Understanding that was signed by the designated regional contacts.

Budgeted From 2003-2004 Funding	Budgeted	Spent By 12/31/03	% Spent By 12/31/03	Projected To Be Spent By 6/30/04	% Projected To Be Spent By 6/30/04
2003-2004 Funding	\$654,911	\$299,065	47%	\$654,911	100%
Carryover from Prior Year Funding (02-03)	\$289,019	\$244,587	85%	\$289,019	100%

D. EETT Support

Districts specified the need for help in writing District Technology Plans to allow them to qualify for the EETT federal funded No Child Left Behind program. Districts were presented with a number of opportunities for technical assistance in plan writing for both District Technology Planning and for the EETT Formula Funded and Competitive grants. Districts also identified needing help not only in the application process but also with implementation of the new program. CTAP 6 has focused much of this year’s work on providing assistance to all schools regarding EETT requirements, providing professional development and assisting with CTAP² and the School Technology Survey requirements. CTAP 6 will continue to offer workshops in District Technology Planning for school districts that did not apply last year or did not qualify for formula funded dollars.

E. Successes and Challenges

CTAP assisted in regional schools applying for and receiving \$5,577,705 that went directly to school sites for utilizing technology in the curriculum and for professional development of teachers included in these programs. The schools were successful in receiving funds that would bring more technology to the classroom level through assistance of CTAP 6 and the federal EETT program. With student accountability the main lens, the focus for CTAP to work down to the classroom level has surfaced as a challenge with a small staff. In this regard larger regions have more resources, but we find that we are still delivering what is expected and, therefore, have great respect from our counties and client school districts. The biggest challenges were making sure everyone was kept abreast of all activities and the implementation of the project to reach the benchmarks. In January 2002, there was a major budget cut to the region. This did not stop our work, but made things somewhat more difficult. While video conferencing has increased in popularity, this region still believes the dynamics of training teachers to integrate technology into the curriculum, which requires a substantial amount of face-to-face training and networking that cannot be accomplished through video conferencing alone.

III. Feedback on Annual Report of CTAP Services

**CTAP Region 7
 2003-04 Summary Report of CTAP Services**

I. Overview of Regional Structure

CTAP Region 7 includes the counties of Fresno, Kings, Madera, Mariposa, Merced, and Tulare. It encompasses an area of approximately 17,894 miles, representing the largest portion of the central valley of California. While the region is primarily rural, it also contains several large urban cities including Fresno, which has the state's fourth largest school district. The 153 districts and 648 schools in CTAP Region 7 serve over 366,802 students in the K-12 system.

CTAP Region 7 uses a collaborative model of governance with the Coordinating Council as the deciding body for plan implementation. The Coordinating Council is representative of a diverse group of individuals from six counties including county, district and site administrators, teachers and technical staff. The Council has authority over all issues related to the governance and implementation of the CTAP plan, including the establishment of policy, development of criteria for the regional plan which fosters systematic change and collaboration, evaluation of the progress toward reaching the desired goals of the project, and monitoring and adjusting goals and objectives based on ongoing schools' needs.

Regional Meetings	Number of Members	Number of Meetings for Report Period: 7/1/02-6/30/03	Average Attendance
Regional Leadership Team	9	8	20
Regional Coordinating Council	15	5	8
County Advisory Teams	30	9	17-24

II. Overview of Services

A. Local Needs

In order to meet the local needs of schools and districts in the region, each of the six counties has an Advisory Council, headed by the county CTAP lead, to determine if the programs and services provided by the region's project plan is meeting the needs of client school districts and county offices. The CTAP county leads, which form the County Advisory Board (CAB7), meet with the central staff every month to discuss the issues that are important in their counties. The CAB7 is also the vehicle for disseminating information locally. The CAB7 is responsible for taking proposals forward from the counties to the Coordinating Council for action. The lead agency is the Fresno County Office of Education. Oversight of the project includes collaboration and consultation with the six county superintendents and the assistant superintendents for Curriculum and Instruction. Local needs that support plan goals, objectives and benchmarks include:

- Professional development and learning resources using technology to improve teaching and learning Administrator training (AB75)
- Wide variety of trainings from basic software utilization to more curriculum-

oriented subjects

- Hardware/software trainings aimed at network support
- School administrative data systems support training
- Grant support and collaboration with other regional programs

B. Highlights of Services

Following is a summary of the regional services provided, which address regional goals, objectives and benchmarks in the four service areas required in the Request for Proposals.

1. Professional Development and Learning Resources

The training provided is directly related to the needs of their districts based on the feedback from the county advisory meetings. These trainings are standards based, aligned to the training guidelines for Technology Proficiencies for California Teachers, and are designed to have a direct impact on improving student learning. County-based trainings include a wide variety of topics from basic software utilization in the classroom (i.e. Introduction to Excel) to more curriculum-oriented subjects like Digital Math. Due to the diverse geographic nature of Region 7, several methods of delivering professional development are used including on-site trainings, conference in-services, televised trainings and online resources. During 2003-04, changes to program objectives reflect the elimination of the Digital High School funding and increased funding to counties to address local needs.

2. Professional Development and Support Related to Hardware/Telecommunications

Professional development and support for hardware and telecommunications are focused on the areas of network configuration and day-to-day support. The region has supported Microsoft certified training centered on the configuration of network servers for the network administrators. An on-line technical support resource was provided to the participants by the vendor for an additional six months after the training. The goal of CTAP Region 7 is to build capacity within the counties that provide professional development and other resources via distance learning technologies. During 2003-04, changes to program objectives reflect the increased funding to counties to address local needs and increased use of videoconferencing to provide professional development.

3. Professional Development and Support Related to School Improvement

CTAP Region 7 and the County Advisory Board (CAB7) are working together to determine need and provide support for school administrative data systems. The goal is to provide support for school administration software selection and implementation and maintenance, such as coordinating vendor support and purchases. CTAP Region 7 is helping to facilitate the creation of an online tool for desegregation of student test data. This tool would be available for download to the teacher's computer so that the teachers will be able to interpret student scores and adjust lessons to the needs of their students. Regional CTAP is also a service provider for Administrator Training (AB 75) Module 3. During 2003-04, CTAP Region 7 will continue to provide these resources and services.

4. Professional Development and Support Related Funding and Coordination

The areas of focus for professional development as it relates to funding and coordination are grant support and collaboration with other regional programs. Grant support includes everything that has to do with alerting our district about grant opportunities and assistance in applying for grants. The CTAP 7 Funding Alert monthly newsletter is an ongoing vehicle that informs county offices of education, districts and individual schools of current funding opportunities. CTAP has held numerous region-wide grant-writing workshops that have addressed requirements for Federal School Renovation Technology Grant (SRTG) and EETT formula grants. Several workshops designed specifically to assist districts in writing Technology Use Plans have also been provided. During 2003-04, CTAP Region 7 will continue to provide these resources and services.

Regional Services (2002-2003)	Number in Plan (if not in plan use a 0)	Number Implemented July 02– June 03	Number of Participants	Average Hours Per Participant	Number of Districts Served
Total Prof. Dev. and Learning Resources Services	871	871	1480	10	114
Total Unduplicated Prof. Dev. and Learning Resources Services			936		86
Total Prof. Dev. and Hardware, Telecommunications and Technical Assistance Services	7	12	17	24	5
Total Unduplicated Prof. Dev. and Hardware, Telecommunications and Technical Assistance Services			9		5
Total Prof. Dev. and Support Related to School Improvement Activities	158	20	41	5	16
Total Unduplicated Prof. Dev. and Support Related to School Improvement Activities			16		16
Total Funding and Coordination	14	207	270	6	225
Total Program Coordination and Funding Services			150		150

C. Program Evaluation and Monitoring

The creation and substitution of the CAB7 for the different program area committees was a change in the CTAP Region 7 plan, reflecting changes made in the approved bylaws. The responsibility for professional development has shifted from the central office to the sub-regions with the sub-regions required to keep detailed records that document the professional development activities taking place in their counties. Sub-regions are held to the objectives and benchmarks presented in their sub regional plans. Currently, we are developing a system of tracking all professional development, teachers, service providers and evaluations (initial and follow up) in a central database. CTAP Region 7 has revised our plan for year two of the CTAP grant so that it better reflects the needs and resources of the region. With the goal of building capacity in the counties and district that support improvement in student learning, CTAP Region 7 has allocated more money to the counties. It is felt that counties have more and better contact with the districts that they serve. The regional office has been minimized and the regional staff is putting all their energy and resources into working more closely with the county leads and other regional organizations. The effect has been better cooperation between the counties and using technology to better support the goal of student and teacher improvement.

Regionally, CTAP have been working very closely with Statewide System of School Support (S4) and county superintendents to create a Program Improvement database that will better coordinate the efforts of those agencies that are working with Program Improvement Schools. Other databases/calendars are being developed for the counties and large districts that will help schools and teachers track professional development hours. CTAP has also been working with Beginning Teacher Support and Assessment (BTSA) to develop Standard 16 for new teachers and be a resource.

The sub-regions will submit a written report every quarter to regional CTAP. In addition sub-regional budgets will be informally monitored by monthly sub-regional visits. All CTAP funded events that are listed on the CTAP online calendar automatically generate budget entries into a downloadable database.

Budgeted From 03-04 Funding	Budgeted	Spent By 12/31/03	% Spent By 12/31/03	Projecte d To Be Spent By 6/30/04	% Project ed To Be Spent By 6/30/04
2003-2004 Funding (including EETT support)	\$1,028,398	\$802,671	78%	\$948,398	92%
Carryover from Prior Year	\$411,826	\$236,814	51%	\$458,219	100%

Funding (2002-03)					
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CTAP Region 7 is collecting data to answer the following questions:

- What services were provided and how are they aligned to the specific Objective and Benchmark(s)?
- What types of individuals and how many of each received services?
- How were the services delivered?
- How effective was the delivery of the services based on participant evaluations, district/site administrative feedback, and provider reflection after the training took place?

The evaluation will focus on the level of impact achieved by those services - based upon the No Child Left Behind (NCLB) Criteria - and how CTAP services supported the role of technology in teacher success and improved student academic achievement. Data will be collected to align with the identified research-based factors that support improved student academic achievement. Wherever possible, the data collected should align with the Enhancing Education Through Technology (EETT) Competitive Grant Common Data Elements. CTAP Region 7 will offer services that meet the needs of the schools and districts in our region. These local services are based on local needs assessments. CTAP Region 7 and the Coordinating Council will use the information collected during the evaluation process to determine the effectiveness of the support services to improve student achievement and will modify the program as indicated to improve those services.

D. EETT Support

CTAP Region 7 held technology plan writing workshops for districts applying for the EETT Formula Grant. Many districts sent their plans to the regional office for pre-reading before sending it to the CDE. The region is also a resource for districts to use in administering their grants, helping with CTAP² and professional development. CTAP Region 7 continues to support all EETT Competitive Grant funded districts in the region in several areas. There were five districts receiving EETT Competitive Grants for 2003-2004. CTAP Region 7 has a commitment to support all five funded districts with varying degrees of collaboration in the areas of professional development and trainings as specified in the agreements.

E. Successes and Challenges

In the 2002-2003 school years, CTAP Region 7 was without a director and the staff went from nine to four people, which significantly impacted the implementation of the CTAP Region 7 plan. The creation and substitution of the CAB7 for the different program area committees was a change in the CTAP Region 7 plan, reflecting of changes made in the approved bylaws. The number of Coordinating Council meetings went from nine to five due to budget concerns and the responsibility for professional development has shifted from the central office to the sub-regions. In January of this year we introduced the CTAP Region 7 Event Calendar where events are posted for online registration. Participants may create a personalized account by entering in a user name and password, view all event details, and submit the registration online. The sub-regions are encouraged to utilize the calendar to promote regional consistency for CTAP services and provide a more streamlined vehicle of data collection. The calendar tracks participants, trainers, workshop

attendance and evaluations.

III. Feedback on Annual Report of CTAP Services

CTAP Region 8 2003- 04 Summary Report of CTAP Services

I. Overview of Regional Structure

CTAP Region 8 is comprised of Kern, San Luis Obispo, Santa Barbara and Ventura counties. Covering approximately 17,775 square miles, it stretches from the northern border of Kern County located above Bakersfield, south to the Ventura County bordering on Los Angeles County. The area of Region 8 covers approximately ten percent of California's total area. The population of Region 8 is approximately 2,074,800, representing six percent of the state's total population. Region 8 serves 111 school districts with 628 schools.

A Regional Coordinating Council and four County Councils govern the activities within Region 8. The Regional Council consists of CTAP staff from the 4 county offices. This council meets every other month through face-to-face meetings and videoconferences to share news and make operational decisions. The Regional Council has met formally six times from July 2002 through June 2003. Regional council members communicate electronically on a regular basis and attend California Department of Education (CDE) directors meetings and state CTAP Coordinating Council meetings. Information and resources obtained at state level meetings is shared with the other counties in the region. Projects and activities that have regional implications are addressed at regional sessions. At local County Council meetings, administrators, teachers, university professors and others attend to give input on regional activities. This process has resulted in greater alignment of sub-regional activities to the regional plan. Funding distribution is based on activities, not ADA.

Regional Meetings	Number of Members	Number of Meetings for Report Period 7/1/02-6/31/03	Average Attendance
<i>Regional Leadership Team</i>	12	6	8
Kern Council	22	4	15
Ventura Council	19	4	7
Santa Barbara Council	13	4	10
San Luis Obispo Council	16	4	9

II. Overview of Services

A. Local Needs

Region 8 determined their local needs through an online survey and regional, county and district level meetings. While priority projects were identified in each of the four service areas, staff development was identified as the highest need. School district clients identified staff development that enhances their ability to integrate technology into the standards-based curriculum as the area of greatest staff development need. Those same respondents indicated a needed for multiple training options for staff at times when the staff is available (after school, after work, summer, Saturdays, online and in-service days).

B. Highlights of Services

Following is a summary of the regional services provided, which address regional goals, objectives and benchmarks in the four service areas required in the Request for Proposals.

- 1. Professional Development and Learning Resources:** To respond to this area of need Region 8 developed a regional technology certification program. This program is aligned to the Commission on Teacher Credentialing guidelines as well as CTAP state guidelines. Along with technology certification, Region 8 CTAP has provided many customized workshops at schools sites throughout the region. These trainings have been led by the Region's TechMentors who are teachers who work above and beyond their contracts to provide high-quality staff development for their peers. During 2003-04, changes to program objectives reflect customized training for administrators, additional trainings in the use of electronic learning resources, and support for technology integration coaches at high priority schools.
- 2. Professional Development and Support Related to Hardware / Telecommunications:** Workshops are offered, aimed at the successful approval of State Board of Education (SBE) Guideline technology plans for the region's districts. Topics covered during these workshops include information regarding the Child Internet Protection Act (CIPA), hardware and infrastructure installation, system maintenance, and technical support. In addition to these workshops, we provide ongoing support of those schools and districts working toward the goal of having a state-approved technology plan via face-to-face, electronic and telephonic support of such schools and districts, as appropriate. During 2003-04, changes to program objectives reflect Erate update training using videoconferencing.
- 3. Professional Development and Support Related to School Improvement:** CTAP staff has begun to focus on the needs of administrators and are very supportive of AB 75 (Principal Training) programs in our region. CTAP staff has developed training for administrators that includes appropriate parts of Level I and prepares them for AB75 training. Basic skill training has been offered throughout the region to interested administrators. CTAP staff has been highly involved in AB 75 – Module 3 training in the region and have been approved as a Module 3 provider. We have partnered with our county offices in creating integrated, well developed training opportunities for AB 75 participants. During 2003-04, changes to program objectives reflect increased collaboration which will raise the awareness and applications of student data and performance management systems, and increased training in the use of handheld computers.
- 4. Funding and Coordination:** CTAP staff has visited many of the Year 4 digital high schools. The visits have assessed the progress that the schools have made in meeting program goals, and have checked for compliance with the Digital High School Assurances. Region 8 CTAP trainers have included the use of CTAP² Assessment in workshops, institutes, and activities throughout the region. Also, Region 8 staff has provided CTAP² training opportunities for schools and districts through video conferencing as well as face-to-face meetings. During 2003-04, changes to program objectives reflect increased efforts to align CLRN Web info

links to content standards, increased participation in High Priority Site Visitation teams, mentoring and support for technology coaches at EETT Competitive funded districts based on negotiated contracts, and grant grooming and technical support for EETT participants.

Regional Services (2002-2003)	Number in Plan (if not in plan use a 0)	Number Implemented July 02– June 03	Number of Participants	Average Hours Per Participant	Number of Districts Served
Total Prof. Dev. and Learning Resources Services	3	196	2388	165.7	139
Total Unduplicated Prof. Dev. and Learning Resources Services			1805		92
Total Prof. Dev. and Hardware, Telecommunications and Technical Assistance Services	1	50	261	41	150
Total Unduplicated Prof. Dev. and Hardware, Telecommunications and Technical Assistance Services			208		95
Total Prof. Dev. and Support Related to School Improvement Activities	23	51	695	9.7	96
Total Unduplicated Prof. Dev. and Support Related to School Improvement Activities			639		90
Total Funding and Coordination	10	19	43	8	16
Total Program Coordination and Funding Services			28		12

C. Program Evaluation and Monitoring

Using various data and evaluation tools, such as teacher portfolios, registration forms, participant feedback, evaluation forms, and CTAP² data, CTAP staff analyzed and tracked progress of the planned objectives, both at the regional and sub-regional levels. Detailed information is available in the full CTAP 8 summary report.

The Regional Coordinating Council, under the supervision of the Director, has developed the regional budget. The Kern County Superintendent of Schools (KCSOS) financial department oversees the distribution of funds and the reporting of expenditures. The KCSOS financial department communicates with county financial departments to keep financial records current. The director works with the KCSOS financial department and county coordinators to insure compliance with the regional plan, state budget guidelines, and expenditure timelines. Quarterly reports are required from sub-regions regarding program and financial information. KCSOS has developed expenditure timelines to facilitate spending funds in the year received.

Budgeted From 2003-2004 Funding	Budgeted	Spent By 12/31/03	% Spent By 12/31/03	Projected To Be Spent By 6/30/04	% Projected To Be Spent By 6/30/04
2003-2004 Funding	\$3,130,215	\$814,500	26%	\$2,002,693	90%
Carryover from Prior Year Funding (02-03)	\$1,557,055	\$1,557,055	100%		

D. EETT Support

During Year 2, CTAP regional and sub regional staff will provide support to EETT formula funded districts and EETT Competitive funded districts.

For all school districts applying for EETT Formula Funding, we will provide:

- Guidance on developing a state-approved district technology plan
- Information to help districts to qualify and obtain funding
- Assistance submitting technology plans – preparing and uploading files to CDE site
- Reviews of technology plans submitted to the state
- Help for schools as they revise technology plans for EETT purposes.

For all school districts applying for EETT Competitive Grants, we will provide:

- Information and assistance with district technology plan writing
- Grant grooming workshop(s)
- Assistance submitting application and tech plans – preparing and uploading files to CDE site.

E. Successes and Challenges

The technology certification program has had great success in helping teachers, administrators, and college professors “get on the same page” regarding the skills necessary for teachers to successfully integrate technology into the curriculum. Almost 40 percent of the teachers in the region have now gone through training and have assembled a portfolio of artifacts that represent their basic technology skills along with student products that show their instructional technology skills. It has been a model as CTAP coordinates services with county offices, universities and other teacher support providers such as Beginning Teacher Support and Assessment (BTSA). Another successful area has been through working with principals on the AB 75 programs as CTAP staff have been instrumental in the planning and delivering of Module 3 curriculum to principals throughout the region. In addition to the development of a closer relationship with site principals, we have found that principals are now attending other staff development sessions sponsored by CTAP with their teachers, and this synergy is having a profound impact throughout the region. Finally, CTAP staff continues to work with most districts in the development of their technology plans and are highly involved in the EETT competitive applications. Currently, the region is partnering with EETT districts for staff development, coaching, and evaluation services.

As always, the biggest challenge to CTAP services is creating staff development sessions that are timely and effective for teachers and administrators. CTAP staff continues to fine tune delivery methods to reach as many people as possible. Another challenge is the creation of local school site and district technology leadership. The technology certification system has been helpful in developing this leadership but there is not a Level III Mentor/Leader in each district, let alone each school site in the region. CTAP continues to work towards capacity building by the development of technology leaders.

Finally, the region needs to clearly determine the impact of our services on the classroom and student achievement. CTAP staff has data that shows we are impacting teachers and administrators but hard data about classroom impact and increases in student achievement is not readily available. CTAP staff is in the initial stages of developing a plan to collect the data necessary to determine classroom impact.

III. Feedback on Annual Report of CTAP Services

CTAP Region 9 2003- 04 Summary Report of CTAP Services

I. Overview of Regional Structure

Region 9 consists of three counties (Imperial, Orange and San Diego) which contain 88 school districts, 1,290 schools, 49,428 teachers, 3,707 administrators, 49,353 classified support staff, 3, 827 pupil services personnel, and over one million students (28 percent of these students are classified as English Language learners, which is nearly 10 percent higher than the state average). While Orange and San Diego Counties are the second and third largest counties in the state in student population and the Region boasts the second largest student population in the state, it should be noted that the region also serves 19 direct service districts in Imperial and San Diego Counties.

Forty-six districts (52.3%) in the region, representing 432,086 students, are California School Information Services (CSIS) districts. Of the region's 88 districts, 87 are participating in the E-rate or California Telecommunications Funding (CTF) programs. Fully 99% of the schools and 93% of the classrooms in the region are wired with Internet access. Based on the Summary of Year 2003 California School Technology Survey findings (October, 2003) the student-to-multimedia computer ratio is 9.34 to 1 throughout Region 9.

Since 1994, the San Diego County Office of Education (SDCOE) has successfully served as the LEA for CTAP Region 9. Governance occurs on a sub-regional (county-by-county) basis, administered by a Project Oversight Steering Committee composed of an educational or instructional technology director from each of the three county offices of education in the region. Members of this committee work in close collaboration with each county's Superintendents Advisory Group, which provides committee members with ongoing and timely input and feedback about their constituents' need for educational technology service and support.

Regional Meetings	Number of Members	Number of Meetings for Report Period 7/1/02-6/30/03	Average Attendance
Regional Leadership Team	13	12	8
Sub-Regional Council, if applicable			
<ul style="list-style-type: none"> • Imperial Sub-Regional Council 	25	6	12
<ul style="list-style-type: none"> • Orange Sub-Regional Council 	12	5	6
<ul style="list-style-type: none"> • San Diego Sub-Regional Council 	43	8	40

II. Overview of Services

A. Local Needs

The Region 9 Project Oversight Steering Committee is in constant touch with the clients it serves through key stakeholders such as the Superintendents Technology Advisory Committee (STAC) and Education Technology Support Network (ETSN) in San Diego, Orange County's CTAP Steering Committee, and Imperial County's Educational Technology Advisory Committee (ICETAC).

According to these groups, student achievement, especially in targeted subgroups, must rise. In response to current scores, all superintendents in San Diego County have signed a compact to increase the passing rate on the California High School Exit mathematics section to 100 percent by 2006. Similar efforts to target high priority schools are focusing support priorities in Orange and Imperial Counties. All schools in the Region are dealing with budget deficits, so another priority is to examine how to manage data to improve achievement and ensure efficiency within support systems, including cost effective ways to provide sustained professional development to ensure they meet NCLB requirements for Highly Qualified Teachers. Local needs that support Region 9's planned goals and benchmarks include:

- Provide access to standards-aligned instructional resources (both print and electronic)
- Provide professional development (supporting the use of data and instruction aligned to standards, and strategies for differentiating instruction based on student need)
- Provide support for improved assessment and data tracking systems and processes
- Assist administrators to select, implement, and disseminate technology programs in their schools and districts
- Assistance with development and use of improved communications infrastructure
- Access to grant resources, training in the process of obtaining grant and foundation funding, and support as a collaborative partner in grant-funded programs.

B. Highlights of Services

Following is a summary of the regional services provided, which address regional goals, objectives and benchmarks in the four service areas required in the Request for Proposal (RFP).

1. Professional Development and Learning Resources

Region 9 is on track in each of its objectives as measured by benchmark progress status. Offerings in this category range from one-hour trainings and workshops to courses spanning 120 hours conducted to thousands of educators. Highlights included five-day institutes in the areas of Digital Video Classroom Production, History/Social Studies, Science, Visual and Performing Arts, and Web Design, and technology proficiency Trainer-of-Trainers multi-day trainings (two each at the preliminary and professional levels). In response to client requests to "build it so they won't have to come", considerable resources (personnel and equipment) have been devoted to facilitating videoconferencing and web casting. These powerful and cost-effective delivery strategies have helped to provide content to local, regional, and state education communities and allows for outstanding programs to be shared with clients. Examples of such programs included national and local resources delivered to classrooms from the Smithsonian, Ocean Institute, and the Galapagos and Crystal Cove Projects; and the delivery of state resources such as the Spring Credentialing Workshop, Request for Application (RFA) Grant Training, and the Academic Decathlon Coordinator's Seminar. Region 9

also has a partnership with KOCE Radio and United Learning that delivers video clips to classrooms via the Internet. Finally, this year was highlighted by the 2nd Annual iVIE (Innovative Video in Education) Awards, an "Academy Awards" for student-produced videos.

During 2003-04, changes to program objectives reflect the California High School Exit Exam priority in San Diego County (activities to include Web casting and archiving of related meetings and supporting the use of technology to engage students, track performance, and strengthen home-school communication), the priority in Orange County to focus on technology integration to support academic content achievement for all students (one example of this is through the Teacher Grant Program), efforts to support distance learning (e.g., the Imperial County Office of Education's Online Technology Conference is a cost effective way to push the use of technology in new and exciting ways), and the role of CTAP regions in support to schools and districts for EETT (No Child Left Behind).

2. Professional Development and Support Related to Hardware/Telecommunications

Region 9 is also on track in this program area as measured by benchmark progress status. Training opportunities include Networking Fundamentals, Windows NT Administration, operating systems, network management, server administration, and PC and Mac Troubleshooting, as well as workshops tailored to meet the needs of increasing numbers of teachers being asked to fulfill technical duties. A full time Network Planning assistance manager provided technical assistance and support in the areas of networking, connectivity, and technology planning to schools and districts. CTAP also provided leadership for the CISCO Networking Academy Regional Consortium Program, conducted TechSETS information workshops and provided Internet Help Desk service via the toll-free 800 number assistance to the more than 6,000 account holders who paid \$40 per year for toll-free dial-in Internet access from work and home. During 2003-04, changes to program objectives reflect activities to support distance learning (keeping costs down and disruptions to instruction at a minimum) have been added. Also added were activities to support school and district technical self-sufficiency (Gen Y, Gen Tech, and Cisco training programs, and sessions with the Consortium for School Networking on Total Cost of Ownership).

3. Professional Development and Support Related to School Improvement

Region 9 is on track as measured by benchmark progress status in this area. Activities focus on informing administrators about the use of data tools to improve school planning and management, and data systems to support data driven decision-making. During 2003-04, changes to program objectives reflect the need to continue to ramp up efforts in this area because an increasing number of vendors have developed, and are touting their Academic Data Analysis/Academic Data Management tools designed to provide information to help educators make informed decisions regarding classroom instruction and the overall management of their schools and classrooms. CTAP staff has played a significant role in helping to identify and evaluate these tools and in assisting client schools and

districts that are using, piloting, or thinking of acquiring such a tool to ultimately assist in improving student achievement.

4. Funding and Coordination:

Region 9 is on track in each objective in this area as measured by benchmark progress status. Activities focus on grant writing, and assistance in completing applications and compliance forms for Digital High School, EAST, SRTG, and EETT grant programs. These workshops were conducted face-to-face and via videoconferencing. Region 9 continued to expand and enhance its Regional Grants Web site designed to provide one-stop shopping for the latest information and resources related to local, state, federal, and private foundation sources of funding and grant information updates. Region 9 hosted a variety of distance conferences via video/Web cast/multi-cast technologies. During 2003-04, changes to program objectives reflect a priority to help districts obtain discounts on infrastructure costs. In 2003, the region received more than \$19M in E-Rate refunds.

Regional Services (2002-2003)	Number in Plan (if not in plan use a 0)	Number Implemented July 02– June 03	Number of Participants	Average Hours Per Participant	Number of Districts
Total Prof. Dev. and Learning Resources Services	521	1,055	31,057	16	88
Total Unduplicated Prof. Dev. and Learning Resources Services			19,225		88
Total Prof. Dev. and Hardware, Telecommunications and Technical Assistance Services	417	410	18,119	5.4	88
Total Unduplicated Prof. Dev. and Hardware, Telecommunications and Technical Assistance Services			10,871		88
Total Prof. Dev. and Support Related to School Improvement Activities	70	244	4486	4	88
Total Unduplicated Prof. Dev. and Support Related to School Improvement Activities			1,660		88
Total Funding and Coordination	122	369	2,640	6	88
Total Program Coordination and Funding Services			1,056		88

C. Program Evaluation and Monitoring

The CTAP 9 staff maintains regular contact with constituents to monitor program efficacy. Formative measures to evaluate progress provide important guidance for evolving long-term professional development efforts within the region. Evaluation forms, surveys, face-to-face sessions with advisory groups and a summative Regional Needs Assessment Survey will provide answers to important questions (e.g., are we doing what we planned to do (implementation); are efforts making a difference (impact); and how can we do a better job (evaluation)?). Project Oversight Steering Committee members will review data and make recommendations for program changes. During 2003-04, impact evaluation data will be collected for objectives and benchmarks in the area of Professional Development and Learning Resources to show change in how technology is integrated into instruction and school and district change reflecting the use of technology based tools and resources to support English learners and students in need of interventions. Improvement of teacher quality is a high priority for the region; therefore, data reflecting the impact of CTAP activities on teacher use of technology for instruction and planning, home-school communication, and to access and utilize standards-based electronic learning resources will be monitored by means of activity sign-in sheets, participant evaluation forms, and CTAP² analysis reports. This data will be analyzed by the Project Oversight Steering Committees and reported to the CTAP Region 9 Steering Committee for plan evaluation.

Sub regional and regional budgets are routinely monitored and discussed as part of regularly scheduled CTAP 9 staff meetings. These meetings are conducted on the third Friday of each month to discuss sub-regional, regional and state issues. In addition, staff conference calls are scheduled within a few days following State CTAP Director, Coordinating Council, and Grants Management Committee (GMC) meetings. These provided timely debriefs and allow staff to monitor and discuss sub regional, regional, and statewide issues including budgets related to client needs and to fine tune services and support as required.

Budgeted From 2002-2003 Funding	Budgeted	Spent By 06/30/03	% of Budget Spent By 6/30/03
2002-2003 Funding	\$2,980,345	\$1,915,594	64%
Carryover from Prior Year Funding	\$47,561	\$47,561	

D. EETT Support

The region has 88 districts and 34 non-district-funded charter schools or a total of 122 possible EETT grant applicants and recipients. Services include:

- Formula and Competitive Grant “Roll-out” meetings and awareness presentations,
- Application development support, on-demand support, district/site visitations/consulting, writing workshops, grant grooming, technology plan support, consortium application assistance, and support for reader training.

In general districts are challenged to provide the funding necessary for schools and districts to adopt proven, innovative technology practices. Priority will be on assisting districts in obtaining discounts on infrastructure costs and support for locating and selecting grant resources, building partnerships, and grant writing. Services to include:

- Grant application development and grooming assistance for programs such as the Beaumont Grant (\$320,000 went to schools in the region in 2003) and the Microsoft Settlement.
- Partnering with other agencies for professional development, infrastructure, and evaluation.

E. Successes and Challenges.

Although CTAP 9 staff has had many successes recently, staff focuses considerable effort on local challenges and provides significant support to schools and districts as they seek staff development opportunities tailored to changes imposed by austerity measures; participate in the AB-75 Principal Training Program; prepare their students to pass the California High School Exit Exam (CAHSEE); continue to try to meet their technical needs for maintenance and support in the face of severe budget cuts; seek tools to help manage data and to inform decisions regarding student learning and achievement; and seek funds from local, regional, state, federal, and private organizations to enhance and hone the use of technology in classrooms to improve student achievement in the academic content standards.

III. Feedback on Annual Report of CTAP Services

**CTAP Region 10
 2003- 04 Summary Report of CTAP Services**

I. Overview of Regional Structure

RIMS CTAP, Region 10, serves Riverside, Inyo, Mono, and San Bernardino Counties. There are 66 school districts and 849 schools in the region. Riverside and San Bernardino counties account for 45 and 54 percent of the student population in RIMS, while Inyo and Mono counties each account for less than one percent of the student population in the region. In addition to the disparity in student population, Inyo and Mono counties are 5 to 6 hours by car from both the Riverside and San Bernardino county offices. These demographics make it challenging to provide equitable services to all clients.

Each of the four counties in the region participates in two regional organizations that provide governance for RIMS CTAP. The four county superintendents meet quarterly to discuss regional issues. RIMS county superintendents provide input for RIMS CTAP plans, reports, and budgets. Assistant superintendents and curriculum coordinators for each county meet eight times a year. RIMS Curriculum and Instruction is best positioned to provide the leverage and coordination between the regional curriculum projects and to assure that the various projects support one another. RIMS CTAP presents plans, reports, and budgets to these organizations and provides progress reports on a regular basis. Governance is also provided for RIMS CTAP through an advisory board made up of regional stakeholders who represent various subject matter projects, schools, districts, and counties.

Regional Meetings	Number of Members	Number of Meetings for Report Period 7/1/02-6/30/03	Average Attendance
Regional Leadership Team	15	8	14
Regional Coordinating Council	45	7	15
RIMS Curriculum and Instruction	16	4	10
RIMS Superintendents	24	4	17

II. Overview of Services (Year 1, July 2002-2003)

A. Local Needs - Identification of local needs is an ongoing process in Region 10. These needs are identified in both formal and informal processes, as noted below. The identification of local needs has resulted in changes to program objectives, as described in Part II.B. Regional Services.

- Inyo and Mono counties each have a District Technology Leader program (DTL), which provides a structure for each district to identify representatives who attend county-based CTAP meetings throughout the school year. Riverside and San Bernardino counties hold Technology Leader Network (TLN) meetings.
- Another process for the identification of local needs happens when RIMS CTAP staff meets with the instructional technology district administrators throughout the region.
- The RIMS CTAP Advisory Board is a vehicle for ongoing needs

assessment

- RIMS CTAP utilizes regional, county and district data from both the CTAP² Assessment and the State-wide Technology Survey (STS) to determine local needs in the area of professional development, hardware and connectivity in schools, and how technology is being used in the classroom.
- RIMS CTAP provides workshops for classified and administrative personnel in our counties and districts. A separate needs assessment process is used to determine the needs of these positions. Workshop evaluations received from participants provides additional needs assessment data.
- RIMS CTAP instituted a formal online needs assessment survey that addressed the four program areas of this RFA. A special newsletter was sent out requesting that members of our listserv complete the survey. The RIMS CTAP listserv contains 1,500 of our constituents in the region, and we received completed surveys from 382 people.

B. Regional Services—Following is a summary of the regional services provided, which address regional goals, objectives, and benchmarks in the four service areas required in the RFP.

1. Professional Development and Learning Resources: CTAP sponsored or participated in 10 regional events that involved our collaborative partners. Examples of some of these events are listed as follows:

- Intel® Teach to the Future
- Technology Information Center for Administrative Leadership (TICAL)
- Palm Hand-held Computers
- SELPA Special Education, and history social science, science, and math county coordinators

CTAP collaboration with Beginning Teacher Support and Assessment (BTSA) has grown, and regular monthly workshops for BTSA Project Teachers and Support Providers supported the implementation of BTSA Program Standard 16 relating to technology integration in teaching and learning. Through regional trainings and institutes, CTAP was instrumental in assisting Region 10 educators in the use of California Learning Resource Network (CLRN). During 2003-04, changes to program objectives reflect the following trends:

- New work for Region 10 associated with EETT support
- New emphasis on state-adopted materials
- Working with High Priority schools is a new objective for RIMS CTAP and reflects a change in local needs as we continue to work collaboratively with other county and district providers.
- Added emphasis on support for the EETT competitive schools and districts
- New emphasis on the increase in proficiency in CTAP², as opposed to just the numbers of teachers participating in CTAP²

2. Professional Development and Support Related to Hardware/Telecommunications

Many of the objectives in Program Area 2 revolve around technical assistance for schools and districts. Assisting school districts with the writing of their technology plans has been the number one priority for RIMS CTAP during the first half of this school year. We have held regional meetings on the topic of technical assistance and RIMS CTAP staff work directly with districts on this issue. A new program in our region is the Technology Leader Network (TLN). TLN members are typically district office Information Technology staff and technology/curriculum staff. Topics in the first two meetings this year included video conferencing, TechSETS, inventory control, and remote networking. During 2003-04, changes to program objectives reflect the following trends:

- Our role with both the E-rate and California Teleconnect Fund has changed in the last two years, and we now provide direct support to these initiatives.
- An increased effort in our region to disseminate information about the TechSETS program and their resources.
- A change in our strategy to work with both those districts that do not have approved technology plans and the work we will do to assist districts in the next two years who need to revise their plans.

3. Professional Development and Support Related to School Improvement:

The first objective in this program area for Region 10 is to disseminate information about the California School Information Service (CSIS) program and how districts may prepare themselves to participate. In preparation for this collaboration with CSIS, the region has compiled a database that includes the current student database system, if any, currently used by the districts in our region. Two other objectives in this program area also include the use of CTAP². The region is on track with our benchmark to have 25 percent of our site administrators completing CTAP². In addition, regularly scheduled CTAP² Administrator workshops have been and will continue to be scheduled so that more district and site technology coordinators will learn about how to use their data from CTAP². During 2003-04, changes to program objectives reflect the following trends:

- New emphasis on working with schools and districts to utilize the reporting features found in CTAP².
- The emphasis on data driven decision-making in our AB 75 workshops for site administrators.

4. Funding and Coordination: RIMS CTAP sponsored “rollout” meetings to provide application information to the school districts in CTAP Region 10 regarding grant programs such as the Enhancing Education Through Technology (EETT) Grant Program. In addition, face-to-face meetings were held with the majority of the districts who were unable to attend the “rollout” meetings. Direct grant-writing and technology plan writing assistance were provided and information about local, state, federal, and private funding opportunities are posted to the electronic newsletter and Web site, which generates contacts from school districts for information or assistance in applying for these funds. During 2003-04, changes to program objectives reflect the following trends:

- Emphasis on student achievement.

- Support for the EETT competitive program

Regional Services (2002-2003)	Number in Plan (if not in plan use a 0)	Number Implemented July 02– June 03	Number of Participants	Average Hours Per Participant	Number of Districts Served
Total Prof. Dev. and Learning Resources Services	269	245	2,090	6	117
Total Unduplicated Prof. Dev. and Learning Resources Services			1,509		56
Total Prof. Dev. and Hardware, Telecommunications and Technical Assistance Services	0	6	182	2	29
Total Unduplicated Prof. Dev. and Hardware, Telecommunications and Technical Assistance Services			57		21
Total Prof. Dev. and Support Related to School Improvement Activities	64	69	609	3	50
Total Unduplicated Prof. Dev. and Support Related to School Improvement Activities			457		26
Total Funding and Coordination	36	147	209	2	119
Total Program Coordination and Funding Services			152		54

C. Program Evaluation and Monitoring

RIMS CTAP utilizes evaluation strategies that demonstrate the impact of the activities that we provide, which support our objectives and benchmarks. Specific data collection instruments, tools, and strategies will be noted below. The frequency of use for each of the data tools will be determined in accordance with each specific objective.

- Sign-in sheets
- Professional portfolio rubric
- Workshop evaluations
- RIMS Activity Database
- Follow-up surveys
- Classroom data collection instruments
- CTAP²
- Leadership capacity surveys
- DTL and TIC logs/reflections
- CLRN database
- CDE databases

- AB 75 participant databases
- List of funded districts for e-rate, EETT Formula, EETT Competitive and Microsoft settlement
- Interviews
- Focus Groups

The most important aspect of the budget process when working with the sub-regions is to collaborate on the creation of the budgets and their corresponding contracts. Meetings were held with each sub-region during the spring and summer of 2002 to collaboratively determine the budget allocations. Contracts were written and approved for each sub-region that describes the work to be done in each sub-region based upon the fiscal allocations. Periodic meetings are held during the year to determine that resources and expenditures match the implementation of the contracts. Monthly reports from all sub-regions are provided to regional staff and the CTAP Advisory Board.

Budgeted From 2003-2004 Funding	Budgeted	Spent By 12/31/03	% Spent By 12/31/03	Projected To Be Spent By 6/30/04	% Projected To Be Spent By 6/30/04
2003-2004 Funding	\$1,553,463	\$15,157.54	1%	\$1,296,509	90%
Carryover from Prior Year Funding (02-03)	\$591,108	\$591,108	100%		

D. EETT Support

RIMS CTAP staff provides EETT Grant Program support to districts in Region 10 as noted below. In addition, Rims CTAP has partnered with the following districts that have received grant awards under Round 1 of the EETT Competitive Grant Program, Lake Elsinore USD, Moreno Valley USD, Desert Sands USD, and Rialto USD.

- Direct Support-- Rims CTAP will provide direct support to school districts in developing district technology plans and EETT Grant Program applications. RIMS CTAP staff provides direct support to districts in their assigned geographic region in the areas of technology planning, CTAP² administration, and staff development to support implementation. Thirteen school districts in Region 10 have been targeted for support in completion of their district technology plan to align with state standards. The project specialist for Grant Programs meets individually with districts to help facilitate district teams as they plan and develop their education technology plan. In addition, RIMS CTAP has identified 34 districts with middle schools that are eligible for EETT Competitive grant funding, and offers individual grant-grooming assistance to all eligible districts in the region.

- Online Assistance--RIMS CTAP also maintains a frequently updated Web site that lists an extensive variety of standards-based curriculum materials, research resources, materials from workshop presentations, and grant application information that might be beneficial as districts develop their education technology plan or EETT competitive application. All district contacts have access to the project specialist via email for questions concerning grant applications or the planning process. Due to the geographic diversity of the region, a variety of tools will be used to allow remote districts to participate in meetings, conference presentation, staff development, and demonstrations. In addition to materials provided through the Web site, video conferencing is used to facilitate communication with remote districts, particularly in Inyo and Mono counties. A "train the trainers" model is used to ensure dissemination of information and resources as well.
- Professional Development--As districts move from the planning process to the implementation process, RIMS CTAP will continue to provide assistance in the form of staff development. One form of staff development offered by RIMS CTAP is the training of trainers, wherein CTAP staff work with district teams to build a cohesive, sustained, high-quality staff development program by training district staff in technology skills, coaching strategies, data-driven decision-making, and Program Standard 16 of the BTSA Induction Program. Another staff development program, also tied to Program Standard 16 of the BTSA Induction Program, will include teams of teachers and administrators from EETT-funded districts attending summer and inter-session institutes that address basic technology skills, curriculum design, home-school communication strategies, data-driven, decision-making strategies to improve achievement with English language learners, and classroom management of technology. Follow up meetings; classroom-based coaching, and online discussions will support participants as they implement the program in their classroom. The third staff development program provided by RIMS CTAP is facilitation and support for districts that are using CTAP Online for their professional development. Staff training will include mentoring and coaching skills, along with facilitation of project and curriculum sharing. Additional elements such as classroom management of technology, and using data to inform classroom instruction will be addressed in face-to-face meetings that support the CTAP Online courses.
- Other Activities--RIMS CTAP will provide assistance and encourage sites to use the CTAP² surveys to gather and analyze data regarding staff use of technology. The project specialist will continue to meet with the Grants Management Committee and any subgroups.

E. Successes and Challenges

Our region has experienced both successes and challenges in the last 12 months. Despite the late funding for 2003-04, RIMS CTAP moved forward to support the school districts in Region 10 that received grant awards from the EETT Competitive Grant Program. We have amended our three-year plan to include new objectives and benchmarks that better reflect the new work that our region will be providing to our clients. A special challenge in our region was the loss of

our Teachers on Assignment (TOAs) due to the late funding of the State CTAP program. All six of our TOAs were reassigned back to their school districts because we were not able to generate contracts for their services due to the late funding of State CTAP. We have posted five permanent positions but we will not be fully staffed until March due to the extensive length of the personnel process.

III. Feedback on Annual Report of CTAP Services

**CTAP Region 11
 2003- 04 Summary Report of CTAP Services**

I. Overview of Regional Structure

The 81 public school districts (including 11 local districts in Los Angeles Unified School District -LAUSD) in CTAP Region 11 are organized into 9 sub-regions that work in conjunction with the Instructional Technology Outreach (ITO) division of the Los Angeles County Office of Education (LACOE). Region 11 uses a sub-regional structure to provide services to its clients. Each sub-region has a local implementation plan and operates through a consortium of districts or through Los Angeles Unified School District's (LAUSD) local districts that service the local needs of over 1.7 million students and over 80,000 teachers throughout the county. The regional governance body that discusses the needs and direction for Region 11 is the Educational Technology Advisory Committee (ETAC).

Regional Meetings	Number of Members	Number of Meetings for Report Period (7/1/02-6/30/03)	Average Attendance
Regional Council	35	3	25
Sub-Regional Council (averages for all 9 councils)	20	4	15

III. Overview of Services

A. Local Needs - CTAP Region 11, in conjunction with the Education Technology Advisory Committee (ETAC), has made improving student achievement a priority. Based on regional needs assessment data, professional development programs within CTAP Region 11 focus on standards-aligned content supported by instructional uses of technology. CTAP 11 Online is an online learning resource that provides many of the necessary tools for promoting regional goals that include data-driven instruction in order to help students meet the standards. Local needs that support plan goals, objectives and benchmarks include:

- Professional development and learning resources using technology to improve teaching and learning
- Use of handheld devices in the classroom and for administrators
- Digital media use in classroom instruction
- PC and MAC troubleshooting
- CTAP 11 Online tools, features, coaching and mentoring
- Administrator training (AB75)
- Windows NT and other technical support training
- Student information systems training

B. Highlights of Services – Following are a summary of the regional services provided, which address regional goals, objectives and benchmarks in the four service areas required in the RFP.

1. Professional Development and Learning Resources

Services include the delivery of professional development to Los Angeles County administrators (AB75) to learn how technology is used to access and

communicate data for informed decision making as schools work towards improved student achievement. CTAP Online training is offered to district educators for various levels of technology mastery. Face-to-face training covers a wide variety of skills development, instructional application, assessment and curriculum development. During 2003-04, changes to program objectives reflect the elimination of the DHS program funding, addition of curriculum and technology training to underscore CTAP 11's awareness of the need to use technology to support state-adopted materials, and the role of CTAP regions in support to schools and districts for Enhancing Education Through Technology (EETT)(No Child Left Behind).

2. Professional Development and Support Related to Hardware/Telecommunications

School districts need assistance with the standardization and strategic integration of infrastructure networks. Training opportunities focus on networking fundamentals, Macintosh manager and Windows NT. During 2003-04, changes to program objectives reflect an anticipated increase in the number of workshops and technical assistance to districts that must prepare and submit District Technology Use Plans to align with the SBE Guidelines.

3. Professional Development and Support Related to School Improvement

Region 11 focused professional development on school administrators. The use of data collection tools such as handheld devices were fully integrated into the curriculum. During 2003-04, changes to program objectives reflect discontinued DHS program funding.

4. Funding and Coordination:

Funding was distributed to sub-regional consortia to implement activities based upon their approved plans. At regular meetings, electronic and print materials are distributed to districts and schools to keep them aware of funding opportunities and compliance with state educational technology initiatives. During 2003-04, changes to program objectives reflect the change in distribution of Los Angeles USD's allocation, which will be granted to the district's central office, thereby eliminating separate allocations to some sub-regions and changing the regional structure to nine (9) sub-regions.

Regional Services (2002-2003)	Number in Plan (if not in plan use a 0)	Number Implemented July 02– June 03	Number of Participants	Average Hours Per Participant	Number of Districts Served
Total Professional Development and Learning Resources Services	261	326	10,672	13.5	81
Total Unduplicated Professional Development and Learning Resources Services			7,766		81
Total Professional Development and Hardware, Telecommunications and Technical Assistance Services	30	30	288	8	66
Total Unduplicated Professional Development and Hardware, Telecommunications and Technical Assistance Services			288		66
Total Professional Development and Support Related to School Improvement Activities	50	101	1829	4	37
Total Unduplicated Professional Development and Support Related to School Improvement Activities			1829		37
Total Funding and Coordination	12	12	273	1	81
Total Unduplicated Funding and Coordination			273		81

III. Program Evaluation and Monitoring

A. Planned Objectives

Documentation for meeting objectives is collected by way of post-activity surveys completed by participants of the professional development and instructors providing the service. The professional development evaluation asks the participant's affiliation, the appropriateness of the materials presented, usefulness of the information and recommendations for improvement as well as other relevant information. Evaluation findings indicate that persons participating in CTAP 11 activities and events are very satisfied and concurrently, the results indicate that participants would like more activities covering a greater variety of subjects including, specific software applications, more in-service training, Internet/Web site usage and development, hardware troubleshooting, as well as follow-up sessions to track usage and provide a refresher on the information learned.

The monitoring of budgets and activities of the sub-regions was done quarterly in October and December of 2003. Budget reports were compared to the approved budgets on file. Assistance was provided to consortia on the tracking of

expenditures within their districts and acceptable use of funds. A limited amount of funds were expended for this mid-year report due to the delay in the state budget adoption and distribution of funds to Region 11. However, with the Memo of Understanding (MOU) in place, most sub-regions were still able to implement activities for this period.

Budgeted From 2003-2004 Funding	Budgeted	Spent By 12/31/03	% Spent By 12/31/03	Projected To Be Spent By 6/30/04	% Projected To Be Spent By 6/30/04
2003-2004 Funding	\$3,130,215	\$814,500	26%	\$2,002,693	90%
Carryover from Prior Year Funding (02-03)	\$1,557,055	\$1,557,055	100%		

B. EETT Support

CTAP Region 11 staff will support school districts in meeting the basic requirement of both the EETT formula as well as the EETT competitive portion of the grant. Staff will focus on assisting districts in planning and implementing their instructional technology professional development, support statewide efforts by attending Grants Management meetings and serving as grant readers and moderators. Support will encourage the effective integration of technology resources and systems with teacher training and curriculum development to establish research-based instructional methods that can be widely implemented as best practices by districts. Region 11 will conduct region wide grant requirement, grant writing and technology use planning workshops, and will provide individual assistance to qualifying districts.

C. Successes and Challenges.

As districts continue to see a decrease in funding for professional development days during normal school hours, the need for after school and weekend face-to-face trainings are increasing along with districts' efforts to integrate online professional development offerings. In recent years, many classrooms have been equipped with the tools of technology, but teachers lack the expertise in how to use them effectively. CTAP funding has enabled many districts to provide training in the effective use of technology in instructional programs. This type of focused training could not be financially supported through most local district budgets. According to our sub-regions, staff development at each individual school site is difficult to accomplish and reaffirms the need to continue reviewing and researching how coaching and mentoring can provide better assistance to colleagues at the school site. Professional development focused on using technology to improve teaching and learning will be developed further throughout the year as the opportunity and needs arise from timely issues such as the new mathematics textbook adoption and language arts intervention.

IV. Feedback on Annual Report of CTAP Service

LAST MINUTE MEMORANDUM

DATE: May 12, 2004
TO: **MEMBERS, STATE BOARD OF EDUCATION**
FROM: Geno Flores, Deputy Superintendent
Assessment and Accountability Branch
RE: Item No. 51
SUBJECT: California Technology Assistance Project

Attached is the summary report for the feedback on CTAP services for 2003-2004. Overall, regions reported the need for professional development to improve the (1) use of electronic learning resources; (2) use of achievement data analysis for school improvement; (3) use of hardware and telecommunications.

[Attachment 2](#): California Technology Assistance Project (CTAP) 2003-2004 Summary Report (17 pages)

**California Technology Assistance Project (CTAP) Region 1
2003-2004 Summary Report**

IV. Feedback on Annual Report of CTAP Services

A. Feedback and Results

Highlight types of feedback and results regarding services provided in your region July 2002-June 2003 and services planned for July 2003-June 2004.

We received very positive feedback from our clients on CTAP Region 1's efforts. They continue to be supportive of the existing services provided across the region. The majority of the feedback received was via a Web survey form. With CTAP leaders in each county, we continue to maintain a close relationship with the districts across the region.

The region's clients reported a high need for additional professional development in integration technology in the curriculum. They reported a high need for professional development in the area of technology support. The clients reported an appreciation of CTAP's efforts to make their services more accessible through the use of technology. Many districts are very small and very rural and it can be difficult to schedule region-wide events or meetings. The use of technology such as videoconferencing has made CTAP's services much more accessible.

B. Reporting Posting

State when and how the report was posted/circulated for comment and complete the table below.

The CTAP Region 1 implementation report was shared through a variety of means. It was posted to our web site on February 28th, 2004. It was also distributed via email, fax and postal mail to all districts in our region. Each county CTAP leaders also distributed the report within their existing distribution channels. Feedback was received through the CTAP Region 1 web site and a short survey form that respondents completed online. Additional feedback was received via telephone, email and in-person throughout the process.

Regional Report Response Demographics			
Number of Days Posted	30 days		
Total Responses Received	91		
Regional Report Response Demographics	Number in Region	Number Responding	% Received
CTAP Sub-Regions	5	5	100.0 %
County Offices of Education	5	5	100.0 %
Districts	105	56	53.3 %

**CTAP Region 2
2003-2004 Summary Report**

IV. Feedback on Annual Report of CTAP Services

A. Feedback and Results

The Region 2 survey requested respondents to rate the four focus areas of CTAP in order of importance based on their professional perspectives. Respondents were also given the opportunity to rate the supporting activities within each focus area.

In each of the focus areas, the activities rated most important were:

- Professional development regarding electronic learning resources that includes hands-on workshops to build teacher capacity in general technology applications and implementations.
- Professional development for hardware/telecommunications that provides industry standard training on network management and support:
- Professional development for school improvement, data analysis workshops focused on EduSoft, Just for the Kids, Edmin, DataQuest, and other education based data analysis tools:
- Coordination and funding support to assist districts with preparing grants for education technology funding.

Constituent Satisfaction

Region 2 constituents were also asked to provide anecdotal feedback expressing service satisfaction and suggestions for improving service. Those choosing to respond expressed strong levels of satisfaction with the services provided by the CTAP Region 2 office. Respondents, in their responses appreciated CTAP support, resources, workshops that assist districts with integrating technology. Suggestion for improvement include more distance learning, additional training, and training guidance for using appropriate models of integrating technology into the classroom.

B. Report Posting

Regional Report Demographics			
Number of Days Posted	31		
Total Number of Responses	122		
Regional Report Response Demographics	Number in Region	Number responding	% Received
CTAP Sub-Regions	N/A	N/A	N/A
County Offices of Education	9	9	100%
Districts	135	46	35%

**CTAP Region 3
2003-2004 Summary Report**

IV. Feedback on Annual Report of CTAP Services

A. Feedback and Results

Highlight types of feedback and results regarding services provided in your region July 2002-June 2003 and services planned for July 2003-June 2004.

Feedback from clients regarding services provided in our region during the period July 2002- Dec 2003 has been positive. Almost 96 percent of participants have indicated that workshop contents and materials were useful to them.

From the survey responses and other feedback received we realized there was a large need for training in the use of technology to support adopted textbooks, most specifically reading programs. This feedback directed us to begin a major campaign of training in this area and we are continuing to develop additional training materials and

B. Report Posting

State when and how the report was posted/circulated for comment and complete the table below.

The CTAP Region 3 mid-year report was posted on the CTAP Region 3 web site (with a link to the report and the feedback form from the home page). Notices of this posting were sent in our monthly mailings to all schools in the region as well as to email listservs. The report was posted on Feb 26, 2006 at the same time as the report was submitted to the CDE, along with an online feedback form.

Regional Report Response Demographics			
Number of Days Posted	30 days		
Total Responses Received	254		
Regional Report Response Demographics	Number in Region	Number Responding	% Received
CTAP Sub-Regions	0	0	0%
County Offices of Education	10	9	3%
Districts	88	245	97%

**CTAP Region 4
2003-2004 Summary Report**

IV. Feedback on Annual Report of CTAP Services

A. Feedback and Results

Tables 1-3, below, show respondents' average ratings on a series of questions that asked them about their reactions to CTAP Region IV's Implementation Report. On a scale from 1 to 4 (where 1 = Very Unsatisfied to 4 = Very Satisfied), the mean scores show that respondents were satisfied with CTAP's services, its progress toward stated objectives, and the evaluation process CTAP uses. Respondents were most satisfied with how well CTAP had progressed toward its Year 1 objectives (M=3.48). The lowest mean score (M=3.21) was given for the Hardware and Telecommunications pillar, but respondents were still satisfied with CTAP's services in this area.

B. Reporting Posting

The table below describes the number of days that district representatives could respond online to the Implementation Report and the response rate from Region IV districts during that time period.

Regional Report Response Demographics			
Number of Days Posted	50 days		
Total Responses Received	70		
Regional Report Response Demographics	Number in Region	Number Responding	% Received
County Offices of Education	7	7	100%
Districts	91	54	59%
Unidentified responses		7	

Table 1: General Reactions to CTAP Services

Questions	Mean (N=70)
What is your general reaction to CTAP services described in Year 1 (July 1,2002-June 30, 2003)?	3.43
What is your general reaction to CTAP services described in Year 2 (July 1,2003-June 30, 2004)?	3.43

Scale: 1=Very Unsatisfied; 2=Unsatisfied; 3= Satisfied; and 4= Very Satisfied

Table 2: Reactions to CTAP Services in the Four Pillar Areas

Pillars	Mean (N=70)
Professional Development and Learning Resources	3.38
Hardware and Telecommunications	3.21
Data Management for School Improvement	3.31
Funding and Coordination	3.45

Scale: 1=Very Unsatisfied; 2=Unsatisfied; 3= Satisfied; and 4= Very Satisfied

Table 3: Satisfaction Level with CTAP’s Progress and Processes

Questions	Mean (N=70)
How satisfied were you with CTAP’s progress toward its objectives for Year 1?	3.48
How satisfied were you with CTAP’s progress toward its objectives for Year 2?	3.46
How satisfied were you with CTAP’s evaluation process of its services?	3.40

Scale: 1=Very Unsatisfied; 2=Unsatisfied; 3= Satisfied; and 4= Very Satisfied

CTAP Region 5 2003-2004 Summary Report

IV. Feedback on Annual Report of CTAP Services

A. Feedback and Results

Based on the feedback received it is clear that CTAP Region 5 is providing the services that districts need and that the services are of high quality. CTAP services in all four program areas received an average score above four on a five point scale on our service evaluation survey. Even with staff shortages early in the year due to an uncertain budget, it is clear that Region 5 will come close to meeting all of our program goals and objectives for the year. The Advisory Council will be reviewing the evaluation data at the May meeting and will consider any midyear corrections on the implementation of the regional plan. In order to better serve the districts and schools in the region, the following areas will be considered by the Advisory Council for future activities.

- To update the Region 5 Web site to better coordinate with districts and county offices and improve the communication about CTAP activities.
- To continue to develop resources on our Region 5 Online professional development system and to build capacity at school sites to use those resources for professional development.
- To provide additional services and resources to schools in the areas of technical support and network security.
- To provide additional training and support to districts in the area of data management.

B. Report Posting

The Region 5 Implementation Report with feedback forms was posted on the CTAP 5 web site as a PDF file on February 27, 2004 and was available online through April 4, 2004 (37 days). An e-mail message announcing the report was sent to technology coordinators and CTAP contacts at all 87 districts throughout the region. Included in that message was information about our need to collect comments from client districts, a link to the CTAP 5 Web site and survey and an attached PDF version of the implementation report. Finally, district personnel were provided hard copies of the report at technology coordinator and grant coordination meetings during the month of March. The timing for collecting regional feedback through another survey was problematic for many districts. At the same time we were requesting survey feedback, they were also trying to complete their school technology surveys. This led to the relatively low number of responses.

The CTAP Action Team, Advisory Council and Executive Committee review feedback from target clients. Based upon an analysis of the feedback from districts, the Action team will adjust, as necessary, the implementation of the CTAP plan. The changes suggested by the Action Team will be brought to the

Advisory Council for review and comment. If necessary, adjustments will be made to the regional plan and Form F changes will be submitted to CDE.

<i>Regional Report Response Demographics</i>			
Number of Days Posted	37 days		
Total Responses Received	39		
Regional Report Response Demographics	Number in Region	Number Responding	% Received
CTAP Sub-Regions	3	3	100 %
County Offices of Education	4	4	100 %
Districts	87	32	36%

**CTAP Region 6
 2003-2004 Summary Report**

IV. Feedback on Annual Report of CTAP Services

A. Feedback and Results

Highlight types of feedback and results regarding services provided in your region July 2002-June 2003 and services planned for July 2003-June 2004.

Approximately 70 percent of the 66 school districts provided responses to an open-ended survey designed to document reactions to four areas of service offered by CTAP 6, professional development and learning resources, hardware and telecommunications infrastructure, professional development in school management, and coordination with federal, state and local programs funding. Feedback from clients regarding services provided in our region during the period July 2002-December 2003 have been positive. Over 95 percent of participants indicated that workshop contents and materials were useful to them.

From the survey responses and other feedback received, we realized that there is still a need for assistance and training in Internet access to rural schools and homes, and more training on the management of standards-based assessments. In addition, support that CTAP 6 should consider reducing travel time for meetings and events through the use of teleconferencing and finding ways to generate more forms that can be completed online.

B. Report Posting. State when and how the report was posted/circulated for comment and complete the table below.

The CTAP 6 Summary Report was posted from February 27, 2004-March 30, 2004 for client feedback on the CTAP 6 Web page with an online response form. The report was mailed to district superintendents along with the information circulated through the CTAP 6 listservs for clients to provide feedback to the report and CTAP 6 services in general.

Regional Report Response Demographics			
Number of Days Posted	30 days		
Total Responses Received	70		
Regional Report Response Demographics	Number in Region	Number Responding	% Received
CTAP Sub-Regions	5	5	100%
County Offices of Education	5	5	100%
Districts	66	66	100%

**CTAP Region 7
2003-2004 Summary Report**

IV. Feedback on Annual Report of CTAP Services

A. Feedback and Results

Even though the response was not as large as we would've liked, the feedback was diverse, including responses from site and district personnel, county offices of education and county superintendent. Overall the comments from the mid-year report was consistent with the feedback we have been receiving from our county advisory boards. In the Overview section we received three responses, including: *"The governance structure appears to be working well."* And *"...Our region representative has also been very helpful with technical assistance in filing out our teacher and district proficiency surveys. Finally, we have also gotten assistance when needed on developing and updating our tech plan."* Two of the responses we received mentioned that an online student data evaluation tool should be an area that we need to focus on for the next year. In the area Learning Resources, the general opinion was that we focus more of our attention on the core curricular areas.

B. Report Posting

The midyear report was posted on March 1, 2004, on our Web site (http://www.ctap7.org/2003-04_MYR.htm). Comments were collected via an online form with all responses were sent to us in an email. In order to make the experience as easy as possible, the comment boxes were placed to the right of each segment. On March 30, the end of the survey period, we stopped collecting responses; however the form is available if anyone wished to comment on the report.

Regional Report Response Demographics			
Number of Days Posted	30		
Total Responses Received	5		
Regional Report Response Demographics	Number in Region	Number Responding	% Received
CTAP Sub-Regions	6	3	50%
County Offices of Education	6	2	33%
Districts	135	3	2%

CTAP Region 8 2003-2004 Summary Report

IV. Feedback on Annual Report of CTAP Services

A. Feedback and Results

Feedback was received from teachers (45), administrators (14), college and university professors (1), technology coordinators (6), paraprofessionals (2) and others (2). The feedback was gathered throughout the region. Based on the responses from the clients, satisfaction appears to be high; however, the region anticipates continuing their efforts to determine need and provide services on a more regional basis to increase equity of service across the region. During a regional videoconference on April 1st, the council discussed the results and how it applies to the current plan. All members gave input and modifications were made to upcoming activities and plans for next year.

After looking at the numerical results of the survey and the comments, Region 8 staff plans to put extra emphasis in 3 key areas. First, CTAP staff will continue to provide more opportunities for remote workshops. Videoconferencing is being used to reach out to the remote locations. CTAP staff is working to expand the number of locations in the upcoming year. Also, CTAP TechMentors are being recruited in the outlying areas to promote training opportunities. Second, the region continues to work with administrators through our AB 75 training. From the survey comments, staff needs to continue to expand our work with administrators. Teachers need administrator support for the use of technology in the curriculum. The work through AB 75 and the Private School Principal Academy has helped in fostering this administrator support. Finally, Region 8 CTAP wants to support teachers as they become "highly qualified." CTAP staff is collaborating with the BTSA programs in our region to help these teachers complete their credentials. The new HOUSSE requirements are being reviewed and the region wants to collaborate with districts as they implement this system with their teachers.

B. Report Posting

Feedback on the implementation report consisted of 70 separate feedback responses that covered each aspect of the report. The report was posted on the Region 8 Web site along with the feedback survey. Various e-mail lists and county meetings were utilized to inform over 1500 people that the report was available for review and comment. Hard copies of the survey (including URL of where the entire report could be found) were given to school districts in the region, as well as the Region 8 advisory committees, each county superintendent of schools in the region and the Region 8 Curriculum and Instruction Steering Committee. Each member of the Region 8 CTAP council was given a copy of the results.

Regional Report Response Demographics			
Number of Days Posted	30		
Total Responses Received	70		
Regional Report Response Demographics	Number in Region	Number Responding	% Received
CTAP Sub-Regions	4	4	100 %
County Offices of Education	4	4	100 %
Districts	110	46	42 %

CTAP Region 9 2003-2004 Summary Report

IV. Feedback on Annual Report of CTAP Services

A. Feedback and Results

The Region 9 survey asked respondents to provide anecdotal feedback expressing service satisfaction and suggestions for improving service. Those choosing to respond expressed strong levels of satisfaction with the services provided by CTAP Region 9. Respondents, in their responses appreciated CTAP support in the following areas:

- Professional development to build teacher capacity in technology applications and resources for effective classroom integration.
- Professional development to build technology support staff skills in network management and support.
- Professional development supporting the development of district technology plans for state and federal funding, including EETT and Erate.
- Support for school and district completion of the CTAP² and School Technology Surveys.

Suggestion for improvement focused on the combining of the School Technology Survey and the CBEDS computer inventory data collection efforts.

B. Report Posting

Requests were made to regional contacts via email and direct presentation to review the CTAP 9 2003 – 2004 Summary Report of Services and to provide feedback. Members of various sub-regional agencies were also contacted, asked to review the plan and to provide feedback. Emails were sent out on the following dates requesting input and feedback on the Summary Report: February 27th, March 1st, March 3rd, March 10th, March 22nd, March 24th, March 29th and March 30th. In addition, the report was shared and input requested in face-to-face meetings with the following groups:

- San Diego's Superintendent's Technology Advisory Committee (STAC) February 6th and March 26th
- San Diego's Educational Technology Support Network (ETSN) February 6th and March 26th
- Imperial County's Educational Technology Advisory Committee (Desert Alliance Technology Educators (DATE, formerly ICETAC) March 24th
- Imperial County's Project Directors, K-12 Principals, Curriculum Directors, and Gen Y Teachers, March 11th
- Orange County's District Technology Leaders, March 15th

Regional Report Response Demographics			
Number of Days Posted	30 days		
Total Responses Received	24		
Regional Report Response Demographics	Number in Region	Number Responding	% Received
CTAP Sub-Regions:	2	2	100%
County Offices of Education	3	2	66.7%
Districts	85	19	22.4%

CTAP Region 10 2003-2004 Summary Report

IV. Feedback on Annual Report of CTAP Services

A. Feedback and Result

The feedback we received was based upon each of the four program areas and the objectives and benchmarks within.

Professional development and learning resources related to using technology as a tool to improve teaching

The feedback we received for this section was typically responding to specific professional development opportunities that individuals had participated in. Of special note were references to the DTL programs and their effectiveness in Inyo and Mono Counties. Other references included descriptions of people who had utilized our VTC online learning environment.

Professional development and support related to hardware and telecommunications infrastructure design, implementation, and sustainability

Most comments in this section reflected information about how CTAP had assisted their district in the creation and approval of their District Technology Plan.

Professional development and support related to using technology as a tool to improve school management, including pupil record keeping and tracking related to pupil instruction and data driven decision-making

The typical response in this program area revolved around the use of CTAP². Love it, or hate it, it really does get people's attention. Our CTAP² regional administrator has done a very effective job of working with both district and site contact people and the feedback definitely backed that up. One thing that surprised us in this area was the number of teachers who commented that their site administrators either had attended or would be attending an AB 75 workshop put on by RIMS CTAP. This is also probably a connection through CTAP².

Funding and coordination with other federal, state, and local programs

The feedback we received in this section fell into two categories. Many comments directed appreciation to CTAP for their assistance in writing tech plans and grants that brought dollars to their schools or districts. Other typical comments spoke to the issue of needing additional funds and hardware. This is to be expected.

B. Report Posting

Our report was posted on our RIMS CTAP Web site on February 27, 2004. Those providing feedback were required to "login" in the sense that they

provided their job position, their district and their county location. No names were requested. The format we chose for posting our report was to imbed the comment sections into each of the four program areas and the budget. Feedback was provided in a narrative format.

Although the report was posted on Friday, February 27th, we waited until Monday, March 1st to send out the notification to our email listserv that is utilized for our RIMS CTAP electronic newsletter. Throughout the month of March, we sent out reminders to our listserv that the report was posted and we provided a link to this online report. We were disappointed by the low number of responses but decided not to make a more aggressive push to solicit feedback since we were already in the middle of pushing our schools to do the Technology Survey and CTAP². I believe that this problem will be mitigated in future years since we will be posting our annual summary reports in the Fall of each year.

Regional Report Response Demographics			
Number of Days Posted	30 days		
Total Responses Received	32		
Regional Report Response Demographics	Number in Region	Number Responding	% Received
CTAP Sub-Regions	N/A	N/A	%
County Offices of Education	4	4	100%
Districts	66	22	33%

CTAP Region 11 2003-2004 Summary Report

IV. Feedback on Annual Report of CTAP Services

A. Feedback and Results

Highlight types of feedback and results regarding services provided in your region July 2002 – June 2003 and services planned for July 2003 – June 2004. Overall, client districts agreed that planned objectives for the region are meeting their local needs. Concurrently, the descriptions of services adequately reflect the activities taking place in their sub-regions. Some comments and suggestions include:

- Continuing support from LACOE with regards to on-site staff development for teachers.
- *CTAP's assistance in the staff development portion of EETT grant application was essential to our program.*
- *Keep updating CTAP Online coursework.*
- *CTAP Region 11 is doing a fantastic job, especially given the enormous number of districts and students within the region.*
- *High-end technology seminars are needed for district staff to comply with NCLB needs.*
- *Better publicity of CTAP offerings is needed districts are not sharing the information adequately.*

B. Report Posting

CTAP Region 11's implementation report was circulated online at <http://ctap.lacoe.edu> and electronic copies were distributed by e-mail to ETAC members. The "URL" for the posting of the report was distributed in print and via e-mail requesting feedback from district personnel, administrators and teachers. The target audience for this feedback was those clients who have participated in staff development opportunities and taken advantage of the resources and services provided from this grant. Follow-up calls and e-mails to districts were utilized to encourage review of the report and responses. Hard copies of the report were distributed at scheduled training sessions and at EETT information meetings. Copies of all feedback received.

Regional Report Response Demographics			
Number of Days Posted	30		
Total Responses Received	47		
Regional Report Response Demographics	Number in Region	Number Responding	% Received
CTAP Sub-Regions (if appropriate)	15	15	100%
County Offices of Education	1	1	100%
Districts	81	47	58%



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

General Waiver

SUBJECT Request by Monterey Peninsula Unified High School District to waive <i>Education Code (EC)</i> Section 52522(b) to increase from 5 percent to 7 percent the proportion of their adult education state block entitlement that may be used to implement approved adult education innovation and alternative instructional delivery programs. Waiver Number: 3-1-2004	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The first request for waiver of *EC* Section 52522(b) to increase from 5 percent to 7 percent the proportion of a district's adult education state block entitlement that may be used to implement approved adult innovation and alternative instruction delivery programs was received and approved in June 2001.

In March 2002 the State Board of Education (SBE) took formal action and approved a waiver guideline policy for this type of waiver request that includes four provisions and a special consideration for waiver renewal requests.

To date, non-consecutive (1 day less than full year) waivers have been granted to Los Angeles Unified School District for 2000–2002, 2002–2003, and 2003–2004; Torrance Unified School District has been approved for non-consecutive year waivers for 2001–2002 and 2002–2003 and is currently seeking a similar non-consecutive waiver for 2003–2004; Simi Valley Unified School District has been approved for a first-time waiver for 2002–2004; Inyo County Office of Education has been approved for a first-time waiver for 2002–2003; and Whittier Union High School District was approved in January 2004 for a first-time waiver for 2003–2004. The SBE is currently reviewing a request for a first-time waiver for Alhambra School District.

SUMMARY OF KEY ISSUES

In 1993 the California Legislature passed *EC* Section 52522 permitting the Superintendent of Public Instruction to approve adult school plans to spend up to 5 percent of their block entitlement on innovation and alternative instructional delivery. Application requirements include reimbursement and accountability worksheets for all courses. Courses must be approved by the California Department of Education (CDE)

Monterey Peninsula Unified High School District, 2

per *EC* Section 52515, and certification of an approved attendance accountability system is required. All ten mandated adult education program areas are eligible, however the majority of approved applications offer coursework in Elementary Basic Skills, English as a Second Language, Citizenship, and Parent Education.

Increased access to instruction for hard-to-serve adults is a basic tenet of adult education innovation and alternative instructional delivery programs. Checking out video and print materials, a decidedly low-cost, low-tech approach, has been the most prevalent intervention, however approved alternative instructional delivery modes also include live cable broadcast; audio check out, text, workbook and study packet assignments; and computer-based delivery.

The SBE adopted waiver guidelines in March 2002 for local education agencies (LEAs) that apply for a waiver to increase the percentage of their state block entitlement expendable for innovation and alternative instructional delivery from 5 percent to an amount not greater than 7 percent.

Monterey Peninsula UHSD has submitted all items requested in the SBE waiver guidelines and the review of documentation supports waiver approval.

The Department recommends approval for the 2003–2004 fiscal year on the basis of this information.

WAIVER GUIDELINES SUMMARY OF KEY ISSUES:

The waiver request includes the following:

1. Verification that all other requirements of the Adult Education Program in the LEA are in current statutory compliance.

Approval Denial

Monterey UHSD verification has been submitted and is on file.

2. Verification that the ratio of average daily attendance for adult education innovation and alternative instructional delivery pupils to certificated employees responsible for adult education innovation and alternative instructional delivery shall not exceed the equivalent ratio of pupils to certificated employees for all other adult education programs operated by the district.

Approval Denial

Monterey UHSD verification has been submitted and is on file.

The average daily ratio of pupils to certificated employees in the Innovation Program was slightly higher than other adult education programs, which prompted hiring a part-time coordinator and additional certificated positions.

Monterey Peninsula Unified High School District, Page 3

3. Verification that the district's prior three-year history for annual apportionment indicates growth, stability, or not more than a 4.5 percent decline per year. Changes in the number of students with limited access that may support overall ADA loss in the regular adult education state apportionment program must be documented.

Approval Denial

Monterey UHSD verification has been submitted and is on file.

4. Verification indicates stability within the prior three-year history for annual apportionment as well as yearly growth.

A request for an increase from **5 percent to an amount not greater than 7 percent** of the amount of the adult block entitlement that may be used for innovation and alternative instructional delivery programs. Information and documentation in support of the waiver has been provided regarding the following characteristics of the program:

- Increase In Number of Students with Limited Access to Traditional Education Options

Monterey UHSD verification of increase of population with limited access has been submitted and is on file. The district has changed physical location and seen a 20 percent increase in demand for services.

Approval Denial

- Increase In Program Capacity

Monterey UHSD verification has been submitted and is on file.

Documentation includes the expansion to two new sites increasing curriculum delivery and access to curriculum. The number of instructors has increased and all classes are at capacity.

Approval Denial

- Improved Student Assessment Documentation

Monterey UHSD verification has been submitted and is on file.

The Innovation Program has added additional optional Comprehensive Adult Student Assessment System (CASAS) tests. A revised, comprehensive entry-level interview and placement procedure has also been added.

Approval Denial

CONDITION OF RENEWAL

In order to be granted a renewal of this waiver, a district must also provide documentation demonstrating achievement of students in the Adult Education

Monterey Peninsula Unified High School District, Page 4

Innovation and Alternative Instructional Delivery Program that is equal to or better than that of students in the regular adult education state apportionment program.

Authority for Waiver: *Education Code* (EC) Section 33050

Bargaining unit(s) consulted on date(s): December 5, 2003

Position of bargaining unit(s) (choose only one):

Neutral

Support

Oppose

Name of bargaining unit/representative(s): Francine Stewart, Margaret Rand, Geoff Von Saltza

Public hearing identified by (choose one or more):

posting in a newspaper

posting at each school

other (School District Office and Departments)

Public hearing held on date(s): December 15, 2003

Local board approval date(s): December 15, 2003

Advisory committee(s) consulted: Distance Learning Advisory Committee

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: December 2, 2003

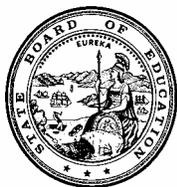
Period of request: July 1, 2003 to June 30, 2004

FISCAL ANALYSIS (AS APPROPRIATE)

Approval adjusts the percentage within the district's fixed adult education block entitlement. No additional funding would result from approval of this waiver request.

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

General Waiver

<p>SUBJECT</p> <p>Request by Los Angeles Unified School District to waive <i>Education Code (EC) Section 52522(b)</i> to increase from 5 percent to 7 percent the proportion of their adult education state block entitlement that may be used to implement approved adult education innovation and alternative instructional delivery programs.</p> <p>Waiver Number: 14-3-2004</p>	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Consent

RECOMMENDATION

Approval **Approval with conditions** **Denial**

Recommended conditions: Approval be limited to one day less than one year, so that *EC Section 33051(c)* will NOT apply. If renewal of the waiver is sought, the district provide an evaluation with California Department of Education (CDE) staff pre-approval consistent with the specifications set forth in the "Conditions of Renewal" section below.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The first request for waiver of *EC Section 52552(b)* to increase from 5 percent to 7 percent the proportion of a district's adult education state block entitlement that may be used to implement approved adult innovation and alternative instruction delivery programs was received and approved in June 2001.

In March 2002 the State Board of Education (SBE) approved waiver guidelines for this type of waiver request that includes four provisions and a special consideration for waiver renewal requests.

To date, non-consecutive (1 day less than full year) waivers have been granted to Los Angeles Unified School District for 2000–02, 2002–03, and 2003–04.

SUMMARY OF KEY ISSUES

In 1993 the California Legislature passed *EC Section 52522* permitting the Superintendent of Public Instruction to approve adult school plans to spend up to 5 percent of their block entitlement on innovation and alternative instructional delivery. Application requirements include reimbursement and accountability worksheets for all courses. Courses must be approved by the CDE per *EC Section 52515*, and certification of an approved attendance accountability system is required. All ten mandated adult education program areas are eligible. However, the majority of approved applications offer coursework in Elementary Basic Skills, English as a Second Language, Citizenship, and Parent Education.

Los Angeles Unified School District, Page 2

Increased access to instruction for hard-to-serve adults is a basic tenet of adult education innovation and alternative instructional delivery programs. Checking out video and print materials, a decidedly low-cost, low-tech approach, has been the most prevalent intervention. However, approved alternative instructional delivery modes also include live cable broadcast; audio check out; text, workbook, and study packet assignments; and computer-based delivery.

As noted above, the SBE adopted waiver guidelines in March 2002 for local education agencies (LEAs) that apply for a waiver to increase the percentage of their state block entitlement expendable for innovation and alternative instructional delivery from 5 percent to an amount not greater than 7 percent.

LAUSD has submitted all items requested in the SBE waiver guidelines and the review of documentation supports waiver approval. The CDE recommends approval for one day less than the whole of 2004–05 fiscal year on the basis of this information, and recommends that the district provide documentation demonstrating achievement of students in the adult education innovation and new technologies delivery program that is equal to or better than that of students in the regular adult education state apportionment program, consistent with the waiver guidelines.

WAIVER GUIDELINES SUMMARY OF KEY ISSUES:

The waiver request includes the following:

1. Verification that all other requirements of the Adult Education Program in the LEA are in current statutory compliance.

Approval Denial

On February 6, 2004, the CDE's 2003–04 Coordinated Compliance Review of the district's adult education program found the program in full compliance.

LAUSD verification has been submitted and is on file.

2. Verification that the ratio of average daily attendance for adult education innovation and alternative instructional delivery pupils to certificated employees responsible for adult education innovation and alternative instructional delivery shall not exceed the equivalent ratio of pupils to certificated employees for all other adult education programs operated by the district.

Approval Denial

The established teacher to student ratio for Distance Learning is 1:25, the same target ratio as in other adult education programs.

LAUSD verification has been submitted and is on file.

3. Verification that the district's prior three-year history for annual apportionment indicates growth, stability, or not more than a 4.5 percent decline per year. Changes in the number of students with limited access that may support overall

Los Angeles Unified School District, Page 3

4. ADA loss in the regular adult education state apportionment program must be documented.

Approval Denial

Verification indicates stability within the prior three-year history for annual apportionment as well as yearly growth.

LAUSD verification has been submitted and is on file.

5. A request for an increase from **5 percent to an amount not greater than 7 percent** of the amount of the adult block entitlement that may be used for innovation and alternative instructional delivery programs to include a description of the program and a rationale for change. Information and documentation in all of the following three areas is required for consideration of the waivers:

- Increase In Number of Students with Limited Access to Traditional Education Options

LAUSD verification of increase of population with limited access has been submitted and is on file.

Approval Denial

- Increase In Program Capacity

LAUSD verification has been submitted and is on file.

Approval Denial

- Improved Student Assessment Documentation

LAUSD verification has been submitted and is on file.

Approval Denial

CONDITIONS OF RENEWAL

As specified in the conditions of the prior waiver, and as required for the SBE to grant a renewal of this waiver, the district must provide documentation demonstrating achievement of students in the adult education innovation and new technologies delivery program that is equal to or better than that of students in the regular adult education state apportionment program. This evaluation must meet the following conditions: (1) assessments must include results from Comprehensive Adult Student Assessment System (CASAS) assessment instruments, and the administration of these instruments must follow procedures specified in the *CASAS 2002-03 Administration Manual for California*; (2) students must take a pretest commensurate with their level of educational function and an appropriate posttest to measure their learning gains; (3) the students in the distance learning modality must complete modules that are representative of the time of instruction provided to them in a classroom delivery system; and (4) prior to implementing the evaluation study, the district must obtain approval of the research design by CDE.

Los Angeles Unified School District, Page 4

LAUSD has complied with all conditions and has submitted results indicating an average of 25.3% higher learner gain for distance learners than for students in the regular adult education state apportionment program.

LAUSD verification has been submitted and is on file.

Authority for Waiver: *Education Code* (EC) Section 33050

Bargaining unit(s) consulted on date(s): February 25, 2004

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose

Name of bargaining unit/representative(s): John Perez, Ernest Kettenring

Public hearing identified by (choose one or more):

posting in a newspaper posting at each school other (specify)

Public hearing held on date(s): February 24, 2004

Local board approval date(s): February 24, 2004

Advisory committee(s) consulted: LAUSD District Learning Advisory Council

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: October 8, 2004

Period of request: July 2, 2004 to June 30, 2005

FISCAL ANALYSIS (AS APPROPRIATE)

Approval adjusts an expenditure limitation within the district's fixed adult education block entitlement. No additional funding would result from approval of this waiver request.

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

General Waiver

<p>SUBJECT</p> <p>Request by 163 local educational agencies to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation (waiver for 12,728 seniors.)</p> <p>Waiver Number: (see attached list of districts)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; padding: 5px;"><input type="checkbox"/> Action</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/> Consent</td> </tr> </table>	<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Consent
<input type="checkbox"/> Action			
<input checked="" type="checkbox"/> Consent			

RECOMMENDATION

Approval **Approval with conditions** **Denial**

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At the January 2004 State Board of Education (SBE) meeting, a waiver request was considered from the Santa Cruz City Schools pertaining to a provision of law enacted in 2001, that became operative in 2003-04, requiring students to complete Algebra I (or its equivalent¹) as a condition of receiving a high school diploma. In March 2004, the SBE approved a Waiver Policy for Algebra¹, Number 04-01. This policy now allows the attached waivers meeting certain conditions and reviewed by the Executive Director of the SBE to be presented on the consent calendar.

SUMMARY OF KEY ISSUES

Attached is a spreadsheet which lists the 163 local educational agencies (LEAs) who have requested the Algebra I Graduation requirement be waived to award diplomas for 12,728 students who are otherwise qualified students in the Class of 2004, and lack only the completion of Algebra I. LEAs have also provided proof that they have notified the students and parents class of 2005 of this requirement and that they understand the SBE does not intend to consider consent waivers of this type in the future.

The list of LEAs includes information about whether or not the district knew about the graduation requirement for Algebra, whether or not most seniors were notified of the requirement, the category of students who needed the waiver and the number of seniors for whom a waiver is requested for the 2003-2004 school year.

The LEAs have certified that all students are currently enrolled in a course to meet the standards of Algebra I, and that students are being encouraged to complete the course. If the completion of this course in algebra is the only graduation requirement that is

¹ *Education Code* Section 51225.4(b) specifies in effect that students must complete the content of Algebra I, which may be in the form of a specific course by that name or a series of integrated mathematics courses (typically also including the content of Geometry and Algebra II). Where these guidelines use the term "Algebra I," the broader meaning just described is intended.

Algebra I General Waiver, Page 2

missing, these students will be allowed to receive a diploma for graduation. Information about the reasons these students need the waiver, and a list of the approved students by student identifier have been reviewed and are in the CDE Waiver Office.

Authority for Waiver: *Education Code* (EC) Section 33050

Bargaining unit(s) consulted on date(s): various

Position of bargaining unit(s) (choose only one): **various**

Neutral Support Oppose

Public hearing held on date(s): Dates provided on each individual waiver.

Local board approval date(s): Dates provided each individual waiver.

Advisory committee(s) consulted: Dates provided each individual waiver.

Period of request: All waivers are for the 2003-2004 school year only

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact if these waivers are approved.

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.

Algebra I Waiver - Summary District Information

District Name	Known of	Prev. Notice	Comply	Seniors	Needing	This Waiver		No. of
Waiver No.	Statute	to most 2004	to all	Reg.	Alt. Ed.	Spec. Ed	Adult Ed.	seniors
	Change	seniors	Conditions					
Black Oak Mine USD Waiver No: 43-2-2004	yes	yes	yes	x	x	x		14
Bonita USD Waiver No: 176-3-2004	yes	yes	yes		x	x	x	71
Brea Olinda USD Waiver No: 156-3-2004	yes	yes	yes			x		10
Butte COE Waiver No: 100-4-2004	yes	yes	yes		x			51
Calexico USD Waiver No: 130-3-2004	yes	yes	yes	x	x	x		111
Calipatria USD Waiver No: 51-3-2004	yes	yes	yes			x		2
Campbell Union HSD 158-3-2004	yes	yes	yes	x	x	x		156
Capistrano USD Waiver No: 131-3-2004	yes	yes	yes	x	x	x	x	238
Carpinteria USD Waiver No: 39-3-2004	yes	yes	yes	x		x		33

Algebra I Waiver - Summary District Information

District Name	Known of	Prev. Notice	Comply	Seniors	Needing	This Waiver		No. of
Waiver No.	Statute	to most 2004	to all	Reg.	Alt. Ed.	Spec. Ed	Adult Ed.	seniors
	Change	seniors	Conditions					
Downey Unified SD Waiver No: 78-4-2004	yes	yes	yes	x		x	x	10
Duarte USD Waiver No: 38-3-2004	yes	yes	yes	x		x		24
Dublin USD Waiver No: 52-4-2004	yes	yes	yes	x				22
East Side Union HSD Waiver No: 104-3-2004	yes	yes	yes			x		294
Emery Unified SD Waiver NO: 84-4-2004	yes	yes	yes			x		5
Escalon Unified SD Waiver No: 185-3-2004	yes	yes	yes			x		12
Eureka City USD Waiver No: 19-4-2004 Counseling Errors	no	no	yes	x	x	x		78
Fallbrook Union HSD Waiver No: 35-4-2004	yes	yes	yes	x	x	x		58
Fall River Jt. USD Waiver No: 35-2-2004	no	no	yes	x		x		21

Algebra I Waiver - Summary District Information

District Name	Known of	Prev. Notice	Comply	Seniors	Needing	This Waiver		No. of
Waiver No.	Statute	to most 2004	to all	Reg.	Alt. Ed.	Spec. Ed	Adult Ed.	seniors
	Change	seniors	Conditions					
Willits USD	yes	yes	yes	x				2
Waiver No: 140-3-2004								
Yosemite Union HSD	yes	yes	yes	x	x	x		26
Waiver No: 149-3-2004								
Yuba City USD	yes	yes	yes	x	x	x	x	82
Waiver No: 41-4-2004								
Yucaipa-Calimesa Jt. USD	yes	no	yes			x		37
Waiver No: 97-4-2004								
							TOTAL	12728

LAST MINUTE MEMORANDUM

DATE: May 12, 2004

TO: MEMBERS, STATE BOARD OF EDUCATION

FROM: Judy Pinegar, Administrator
Waiver Office, Executive Branch

RE: Item No. WC-3

SUBJECT: Request by 163 school districts to waive *Education Code* (EC) Section 51224.5(b), the requirement that all students graduating in the year 2003-2004 complete a course in Algebra I (equivalent) to be given a diploma of graduation.

This last minute memorandum makes revisions to WC-3, the 163 districts requesting a waiver from the Algebra I graduation requirement for specified students. This item is on the waiver “consent” calendar because the districts meet all of the conditions of the State Board of Education Policy.

[Attached](#) is a chart of the 16 districts revising the number of seniors needing this waiver. This addendum reduced the number of students for whom the waiver is requested by 316 seniors statewide.

District Name	No. of students	Change in number	Total
Waiver No.	Originally requested	of students requested	
Capistrano USD	238	- 2	236
Waiver No. 131-3-2004			
Central Unified SD	161	+9	170
Waiver No. 63-4-2004			
East Side Union HSD	294	-137	157
Waiver No. 104-3-2004			
Galt Joint Union HSD	30	+7	37
Waiver No. 66-4-2004			
Lake Elsinore USD	306	-192	114
Waiver No. 133-3-2004			
Los Alamitos USD	45	-27	18
Waiver No. 126-3-2004			
Los Angeles COE	53	-32	21
Waiver No. 4-4-2004			
Los Banos USD	51	+6	57
Waiver No. 88-3-2004			
Oxnard Union HSD	65	+2	67
Waiver No. 165-3-2004			

District Name	No. of students	Change in number	Total
Waiver No.	Originally requested	of students requested	
Placer Union HSD	131	+ 1	132
Waiver No. 166-3-2004			
Roseville Joint Union HSD	169	+1	170
Waiver No. 143-3-2004			
Sacramento City USD	52	+8	60
Waiver No.145-3-2004			
San Luis Coastal USD	22	+21	43
Waiver No. 170-3-2004			
Silver Valley USD	12	+ 1	13
Waiver No. 182-3-2004			
Ukiah USD	26	+10	36
Waiver No. 48-2-2004			
Wheatland Union SD	8	+8	16
Waiver No. 43-4-2004			
TOTALS	1663	-316	1347



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Federal Waiver

SUBJECT Request by Kelseyville Unified School District for a waiver of Section 131(d)(1) of the <i>Carl D. Perkins Vocational and Technical Education Act of 1998</i> (Public Law 105-332). Waiver Number: 59-2-2004	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education adopted guidelines on February 8, 2001, Waiver Policy #2001-02 to assist CDE staff in reviewing waivers. The Board has approved these waivers in the past.

SUMMARY OF KEY ISSUES

Section 131(d)(1) of the *Carl D. Perkins Vocational and Technical Education Act of 1998* (P.L.105-332) requires local agencies whose allocations are less than \$15,000 to enter into a consortium with other agencies for the purpose of meeting the \$15,000 minimum grant requirement. Section 131(d)(2) of the Act permits states to waive the consortium requirement in any case in which the local agency is (a) in a rural, sparsely populated area, or is a public charter school operating secondary vocational and technical education programs; and (b) demonstrates it is unable to enter into a consortium to participate in the Perkins funding. Kelseyville USD meets the waiver criteria and requests a waiver in order to receive its allocated funds for the 2003-04 and 2004-05 program years.

Authority for Waiver: *Carl D. Perkins Vocational and Technical Education Act of 1998*, Section 131(d)(2)

Local board approval date(s): November 18, 2003

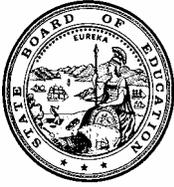
Period of request: July 1, 2003, through June 30, 2005

FISCAL ANALYSIS (AS APPROPRIATE)

Approval will enable Kelseyville USD to receive its Perkins funds for the 2003-04 and 2004-05 program years.

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Federal Waiver

<p>SUBJECT</p> <p>Request by North Monterey County Unified School District to waive No Child Left Behind Act (NCLB); Title IV, Part A, Section 4115 (a)(1)(c) to use Safe and Drug Free Schools and Communities funds to support the cost of Community of Caring, a K-12 program that emphasizes student focus on the values of trust, caring, respect, responsibility and family.</p> <p>Waiver Number: Fed-01-2004</p>	<p><input checked="" type="checkbox"/> Action</p>
	<p><input checked="" type="checkbox"/> Consent</p>

RECOMMENDATION

Approval Approval with conditions Denial

The district must submit a report to the Safe and Healthy Kids Program Office no later than May 2005 describing the progress made by Fordham University in evaluating the *Community of Caring* program. The district must submit a report to the Safe and Healthy Kids Program Office no later than May 2006 describing the progress made by Fordham University in submitting the results of the evaluation to (1) the National Registry of Effective Programs, (2) the University of Colorado's Center for the Study and Prevention of Violence, or (3) the California Healthy Kids Resource Center, for possible designation as a Model, Blueprint, or Validated Program. The district must be willing to take part in a formal evaluation if requested. The district must also evaluate its own comprehensive prevention program in accordance with the district's approved Local Educational Agency Plan.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

State Board Policy 03-01 contains guidelines for approval of applications for waiver of the NCLB requirements that Title IV funds be used for "science-based" prevention programs. This is the first waiver submission for the *Community of Caring* program.

SUMMARY OF KEY ISSUES

This application requests a waiver so that the LEA may use the "promising" prevention program *Community of Caring* rather than a "science-based" prevention program as required by Title IV of NCLB. Per State Board Policy 03-01, there are three conditions which must be satisfied before approval of the use of a "promising" prevention program rather than an already-established science-based program. Each of those conditions is listed in bold below.

Is the program innovative?

Does the program demonstrate substantial likelihood of success?

These two conditions, for innovation and substantial likelihood of success, are

North Monterey County Unified School District, Page 2

satisfied because the program has already been designated as “promising” by the United States Department of Education, Expert Panel. Policy 03-01 lists the Expert Panel as one of the nationwide research groups that may recognize a new program as “science-based.”

Is there a plan and timeline for submitting the program for review and recognition? This condition requires that the plan be reviewed by one of the nationwide research groups identified in policy 03-01. This waiver request meets these criteria, because the producer of the program is already participating in a study by Fordham University, which will determine the effectiveness of the program within the next two years. Dr. Ann Higgins-D’Alessandro of Fordham University is conducting all of the current research of Community of Caring. This research will be submitted for publication by peer review. Once the initial research has been completed in the summer of 2004, Community of Caring will submit the appropriate documentation to Colorado Blueprints and the National Registry for Effective Programs. North Monterey County Unified School District will be required to submit progress information on their Annual Report in May 2004 and May 2005. Following through on this commitment to evaluation is therefore a condition for approval of the waiver.

SUMMARY

The Department recommends that this waiver request be approved as it meets each of the three criteria identified in the State Board waiver policy regarding the federal statute.

Authority for Waiver: Federal Waiver Authority: NCLB, Title IV, Part A, Section 4551(a)(3)

Local board approval date(s): November 13, 2003

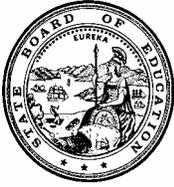
Period of request: 11/1/03 to 6/30/05

FISCAL ANALYSIS (AS APPROPRIATE)

Programmatic change—no fiscal impact.

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Federal Waiver

SUBJECT Request by El Monte City School District to waive No Child Left Behind Act (NCLB); Title IV, Part A, Section 4115 (a)(1)(c) to use Safe and Drug Free Schools and Communities funds to support the cost of Michigan Model for Comprehensive School Health Education (Substance Use and Abuse Section). Waiver Number: Fed-02-2004	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

The district must submit a report to the Safe and Healthy Kids Program Office (SHKPO) no later than May 2005 that describes its progress in evaluating the *Michigan Model for Comprehensive School Health Education* program. The district must submit a report to the SHKPO no later than May 2006 that describes the progress made by Central Michigan University in submitting the results of the evaluation to (1) the National Registry of Effective Programs, (2) the University of Colorado's Center for the Study and Prevention of Violence, or (3) the California Healthy Kids Resource Center, for possible designation as a Model, Blueprint, or Validated Program. The district must be willing to take part in a formal evaluation, if requested. The district must also evaluate its own comprehensive prevention program in accordance with the district's approved Local Educational Agency Plan.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

State Board Policy 03-01 contains guidelines for approval of applications for waiver of the NCLB requirements that Title IV funds be used for "science-based" prevention programs. This is the first waiver submission for the *Michigan Model for Comprehensive School Health Education* curriculum.

SUMMARY OF KEY ISSUES

This application requests a waiver so that the local educational agency may use the "promising" prevention program, *Michigan Model for Comprehensive School Health Education*, rather than a "science-based" prevention program as required by Title IV of NCLB. Per State Board Policy 03-01, there are three conditions which must be satisfied before approval of the use of a "promising" prevention program rather than an already established science-based program. Each of those conditions is listed in bold below.

1. Is the program innovative?

2. Does the program demonstrate substantial likelihood of success?

These two conditions, for innovation and substantial likelihood of success, are each satisfied because the U.S. Department of Education's Expert Panel has already

El Monte City School District, Page 2

designated the program as “promising.” Policy 03-01 lists the Panel as one of the nationwide research groups that may recognize a new program as “science-based.”

3. Is there a plan and timeline for submitting the program for review and recognition? This condition requires that the plan be reviewed by one of the nationwide research groups identified in Policy 03-01, that the applicant show a commitment to supporting the scientific evaluation of the program and willingness to take part in clinical trials designed to measure program effectiveness, and that the applicant provide an annual report to the Waiver Office describing adequate progress for submitting the program for recognition as a science-based program. This waiver request meets this criterion, because Central Michigan University is in the process of submitting the program evaluation data to the Center for Substance Abuse Prevention. The program thus far shows a significant decline in students’ alcohol and drug use. Because the evaluation of the *Michigan Model for Comprehensive School Health Education* is already being submitted, there is not much the applicant can do to take part in the clinical trials.

Summary

The Department recommends that this waiver request be approved as it meets each of the three criteria identified in the State Board waiver policy regarding the federal statute.

Authority for Waiver: NCLB, Title IV, Part A, Section 4115(a)(3)

Local board approval date(s): February 23, 2004

Period of request: May 13, 2004 to May 11, 2006

FISCAL ANALYSIS (AS APPROPRIATE)

Waiver approval will allow the district to use Title IV, Safe and Drug Free Schools and Communities funds for this program.

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.

Education Code (EC) Section 60119, Page 2

Since then, each LEA has held a fully compliant hearing and determined that it has sufficient instructional materials for each pupil in each school in the district. California Department of Education (CDE) staff verified all other requirements of the Specific Waiver request and none of the LEAs has had a previous waiver of this Education Code for the public hearing and ten day notice requirements and/or post the notice in three public places in the 1997-98, 1998-99, 1999-00, 2000-01, or 2001-02 years. Without the waiver, the local educational agencies will have to return **\$7,715,975** to CDE. See attached specifics for each LEA.

Therefore, since the LEA have met the requirements for fiscal year 2003-2004, and agrees to comply with *EC* section 60119 and ensure that the public hearing is held, noticed to the public hearing for ten days, and in three public places, CDE recommends approval of this waiver request.

Authority for the Waiver: EC section 41344.3

Bargaining unit(s) consulted on date(s): Various dates

Position of bargaining unit(s) (choose only one): Various

Name of bargaining unit(s)/representative(s): Various dates

Local board approval date(s): Various dates

Period of request: July 1, 2002 through June 30, 2003

FISCAL ANALYSIS (AS APPROPRIATE)

This waiver if approved will relieve the districts of **\$3,915,758** in total penalties.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.

Failure to Hold the Public Hearing, and Complete a Local Board Resolution on the Sufficiency of Textbooks and Instructional Materials (within the 2002-2003 fiscal year)

CDSIS – 06-03-2004 – Calexico Unified School District

- Audit finding for the 2002-2003 fiscal year that would require the return of \$360,266 in Instructional Materials funds.
- The district was cited for not holding the required public hearing for the sufficiency of instructional materials as required by EC section 60119.
- The district had just hired a new Superintendent and a new Assistant

Education Code (EC) Section 60119, Page 3

- Superintendent in the middle of the school year and the required public hearing was missed.
- Since then, however, the district has held a fully compliant public meeting in accordance with the requirements of EC section 60119 on September 17, 2003 for fiscal year 2003-2004 and the school board passed a resolution certifying that each pupil in each school has sufficient instructional materials and textbooks.
- CDE staff verified all other requirements of the Specific Waiver request.

CDSIS – 20-02-2004 – Central Unified School District

- Audit finding for the 2002-2003 fiscal year that would require the return of \$458,006 in Instructional Materials funds.
- While the district scheduled the hearing on the sufficiency of instructional materials on the local board's agenda in July of 2003 as a consent item, they failed to hold a public hearing in accordance with EC section 60119.
- The district held a fully compliant public hearing as required by Ed Code Section 60119 on August 26, 2003.
- CDE staff verified all other requirements of the Specific Waiver request.

CDSIS – 19-02-2004 – El Monte City School District

- Audit finding for the 2002-2003 fiscal year that would require the return of \$521,791 in Instructional Materials funds.
- The district failed to hold a public hearing for the determination of the sufficiency of instructional materials in accordance with E.C. Section 60119 during fiscal year 2002-2003. Instead the district held the required public hearing before the beginning of the fiscal year thus creating an audit finding.
- Since then the district held a fully compliant public hearing as required by E.C. Section 60119 by January 1, 2004 for 2003-2004.
- CDE staff verified all other requirements of the Specific Waiver request.

CDSIS – 30-01-2004 – Gustine Unified School District

- Audit finding for the 2002-2003 fiscal year that would require the return of \$76,855 in Instructional Materials funds.
- The district failed to hold a public hearing for the determination of the sufficiency of instructional materials in accordance with E.C. Section 60119 during fiscal year 2002-2003. The district mistakenly thought that the agenda item for the Language Arts adoption fulfilled the requirement of the public hearing for the sufficiency of instructional materials.
- Since then the district held a fully compliant public hearing as required by E.C. Section 60119 by August 13, 2003 for 2003-2004.
- CDE staff verified all other requirements of the Specific Waiver request.

CDSIS – 02-01-2004 – Los Molinos Unified School District

- Audit finding for the 2002-2003 fiscal year that would require the return of

Education Code (EC) Section 60119, Page 4

- \$26,357 in Instructional Materials funds.
- While the district held a public hearing for the determination of the sufficiency of instructional materials in accordance with E.C. Section 60119 during fiscal year 2002-2003, the auditor noted that the time of the public hearing was left off of the official notice.
- Since then the district has instituted a procedure to check for accuracy and compliance for public notices and has held a fully compliant public hearing as required by E.C. Section 60119 by August 14, 2003 for 2003-2004.
- CDE staff verified all other requirements of the Specific Waiver request.

CDSIS – 02-02-2004 – Millville Elementary School District

- Audit finding for the 2002-2003 fiscal year that would require the return of \$9,639 in Instructional Materials funds.
- The district failed to hold a public hearing for the determination of the sufficiency of instructional materials in accordance with E.C. Section 60119 during fiscal year 2002-2003 due to a change in personnel.
- Since then the district held a fully compliant public hearing as required by E.C. Section 60119 by January 14, 2004 for 2003-2004.
- CDE staff verified all other requirements of the Specific Waiver request.

Failure to Give Ten days Notice of the Public Hearing on the Sufficiency of Textbooks and Instructional Materials (within the 2001-2002 fiscal year)

CDSIS – 17-03-2003 – Alisal Union School District

- Audit finding for the 2002-2003 fiscal year that would require the return of \$344,763 in Instructional Materials funds.
- The district posted the required notice for 72 hours before the public hearing in fiscal year 2002-2003 for the sufficiency of textbooks and instructional materials instead of the required ten days notice.
- The district has since held a public hearing that was in full compliance with the requirements of EC Section 60119 on February 4, 2004, for the 2003-2004 year.
- CDE staff verified all other requirements of the Specific Waiver request.

CDSIS – 06-10-2003 – Alum Rock Elementary School District

- Audit finding for the 2002-2003 fiscal year that would require the return of \$654,574 in Instructional Materials funds.
- The district did not post the notice for ten days in accordance with EC Section 60119 in fiscal year 2002-2003 for the sufficiency of textbooks and instructional materials; instead they posted the notice for seven days.
- The district has since held a public hearing that was in full compliance with the requirements of EC Section 60119 on July 23, 2003 for the 2003-2004

Education Code (EC) Section 60119, Page 5

year.

- CDE staff verified all other requirements of the Specific Waiver request.

CDSIS – 24-1-2004 – Fremont Unified School District

- Audit finding for the 2002-2003 fiscal year that would require the return of \$1,325,516 in Instructional Materials funds.
- The district posted the notice for the public hearing for six days instead of the required ten days in accordance with EC Section 60119 in fiscal year 2002-2003 for the sufficiency of textbooks and instructional materials.
- The district has since held a public hearing that was in full compliance with the requirements of EC Section 60119 on January 21, 2004 for the 2003-2004 year.
- CDE staff verified all other requirements of the Specific Waiver request.

CDSIS-154-3-2004 – San Mateo County Office of Education

- Audit finding for the 2002-2003 fiscal year that would require the return of \$43,855 in Instructional Materials funds.
- The district posted the notice for the public hearing for three days instead of the required ten days in accordance with EC Section 60119 in fiscal year 2002-2003 for the sufficiency of textbooks and instructional materials.
- The district held a fully compliant public hearing with a ten days notice on March 17, 2004 for fiscal year 2003-2004.
- CDE staff verified all other requirements of the Specific Waiver request.

CDSIS – 141-3-2004 – Sausalito Marin City School District

- Audit finding for the 2002-2003 fiscal year that would require the return of \$9,813 in Instructional Materials funds.
- The district did not post the notice of the public hearing in accordance with EC Section 60119 for the required ten days. Instead the district used a 72-hour notification resulting in an audit finding.
- The district held a fully compliant public hearing for the sufficiency of instructional materials on March 11, 2004 for the fiscal year 2003-2004.
- CDE staff verified all other requirements of the Specific Waiver request.

CDSIS – 51-02-2004 – South Bay Union School District

- Audit finding for the 2002-2003 fiscal year that would require the return of \$24,836 in Instructional Materials funds.
- The district thought they were posting the public notice ten days in advance for the sufficiency of textbooks and instructional materials according to EC Section 60119. However, they mistakably counted the weekend as part of the ten days and were cited by the auditor for only posting the notice eight days.
- The district has since held a public hearing that was in full compliance with

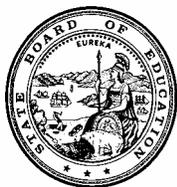
Education Code (EC) Section 60119, Page 6

the requirements of EC Section 60119 on October 9, 2003 for the 2003-2004 year.

- CDE staff verified all other requirements of the Specific Waiver request.

CDSIS – Yosemite Joint Union High School District

- Audit finding for the 2002-2003 fiscal year that would require the return of \$59,487 in Instructional Materials funds.
- The district was cited in an audit for posting the public notice of the hearing for the sufficiency of instructional materials for seven days. The district staff in charge of posting the notice was new to the district and did not realize that the requirement of this particular Ed Code required a ten day notice period.
- On January 8, 2004, the district has held a fully compliant public hearing meeting all of the requirements for Ed Code section 60119 for fiscal year 2003-2004.
- CDE staff verified all other requirements of the Specific Waiver request.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by Ojai Unified School District waive <i>Education Code</i> (EC) Section 56362(c); allowing the caseload of the Resource Specialist to exceed the maximum caseload of 28 students by no more than four students. (32 maximum) Rosario Lotts assigned at Mira Monte Elementary School Waiver Number: 62-2-2004	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

That the Resource Specialist will have an instructional aide available for at least 6.5 hours a day.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Both EC 56362(c) and *California Code of Regulations (CCR), Title 5, Section 3100*, allow the State Board of Education to approve waivers of Resource Specialist to exceed the maximum caseload of 28 students by not more than four students. However, there are very specific requirements in these regulations, which must be met for approval, and if these requirements are not met the waiver must be denied.

The Resource Specialist program shall be under the direction of a Resource Specialist who is a credentialed special education teacher, or who has a clinical services credential with a special class authorization, who has had three or more years of teaching experience, including both regular and special education teaching experience, as defined by rules and regulations of the Commission on Teacher Credentialing and who has demonstrated the competencies for a Resource Specialist, as established by the Commission on Teacher Credentialing.

The State Board of Education has approved these waivers in the past. California Department of Education (CDE) staff uses CCR, Title 5, Section 3100 as a guideline in reviewing these waivers.

SUMMARY OF KEY ISSUES

CCR, Title 5 Section 3100(d)(2) states, The waiver stipulates that an affected Resource Specialist will have the assistance of an instructional aide at least five hours daily whenever that resource specialist's caseload exceeds the statutory maximum during the waiver's effective period.

Ojai Unified School District, Page 2

- Ojai Unified School District will provide the assistance of an instructional aide a minimum of 6.5 hours per day to the Resource Specialist.
- It was confirmed on March 9, 2004 that Rosario Lotts agrees to increase her caseload from 28 students to not more than 32 students.
- Teacher has not had a caseload exceeding 28 students for two consecutive years.
- The President of the Teachers Union agrees with increased caseload from 28 students to not more than 32 students for Rosario Lotts.

Authority for the Waiver: EC 56101, EC 56362(c) and CCR, Title 5, Section 3100

Bargaining unit(s) consulted on date(s): March 11, 2004

Position of bargaining unit(s) (choose only one):

Neutral

Support

Oppose

Name of bargaining unit(s)/representative(s): Dan Ainsworth, OUSD Union President

Local board approval date(s): February 10, 2004

Period of request: January 9, 2004 to June 18, 2004.

FISCAL ANALYSIS (AS APPROPRIATE)

If this waiver is denied, **Ojai Unified School District** will need to employ additional qualified staff or persons with emergency qualifications to provide to special education students.

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request from the Carpinteria Unified School District to waive <i>Education Code</i> (EC) Section 56362(c); allowing the caseload of the resource specialist to exceed the maximum caseload of 28 students by no more than four students (32 max) for Sharon Velarde assigned at Main Elementary School . Waiver Number: 7-3-2004	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

Resource Specialist will have the additional assistance of an instructional aide for at least five hours daily and help with triennial evaluations as needed.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Both EC 56362(c) and *California Code of Regulations, Title 5, Section 3100*, allow the State Board of Education to approve waivers of resource specialists to exceed the maximum caseload of 28 students by not more than four students. However, there are very specific requirements in these regulations, which must be met for approval, and if these requirements are not met, the waiver must be denied.

The Resource Specialist program shall be under the direction of a Resource Specialist who is a credentialed special education teacher, or who has a clinical services credential with a special class authorization, who has had three or more years of teaching experience, including both regular and special education teaching experience, as defined by rules and regulations of the Commission on Teacher Credentialing and who has demonstrated the competencies for a resource specialist, as established by the Commission on Teacher Credentialing.

SUMMARY OF KEY ISSUES

CCR, Title 5, Section 3100(c)(2)(d)(2) states: The waiver stipulates that an affected resource specialist will have the assistance of an instructional aide at least five hours daily wherever that resource specialist's caseload exceeds the statutory minimum during the waiver's effective period.

- The waiver request indicates that an instructional aide will be provided at least five hours daily.

Carpinteria Unified School District, Page 2

- Additional staff has been added to help monitor IEP implementation.
- Bargaining unit and teacher support the waiver.
- Teacher will not have had a caseload exceeding 28 students for two consecutive years.

Authority for the Waiver: EC Section 56101 and Title 5, CCR, Section 3100

Bargaining unit(s) consulted on date(s): February 4, 2004 and February 12, 2004

Position of bargaining unit(s) (choose only one):

Neutral

Support

Oppose

Name of bargaining unit(s)/representative(s): Gary Elkins

Local board approval date(s): February 26, 2004

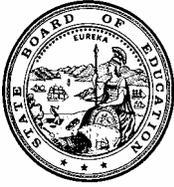
Period of request: February 2004 to June 2004

FISCAL ANALYSIS (AS APPROPRIATE)

If this waiver is denied, the district will need to employ additional qualified staff or persons with emergency qualifications to provide services to special education students.

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by Dos Palos Oro Loma Joint Unified School District to waive <i>Education Code</i> (EC) Section 56362 (c); allowing the caseload of resource specialist to exceed the maximum caseload of 28 students by no more than four students (Maximum 32). Kevin Jones at Dos Palos Elementary School, Charles (Chuck) Finster at Dos Palos and Marks Elementary Schools, and Karen Weaver at Marks Elementary School. Waiver Number 32-12-2003	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

That the district provide additional instructional aide assistance at a minimum of five hours per day to each of the Resource Specialists over caseload.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The Resource Specialist shall be under the direction of a resource specialist who is a credentialed special education teacher, or who has a clinical services credential with a special class authorization, who has had three or more years of teaching experience, including both regular and special education teaching experience, as defined by rules and regulations of the Commission on Teacher Credentialing and who has demonstrated the competencies for a resource specialist, as established by the Commission on Teacher Credentialing.

The State Board of Education has approved these waivers in the past. California Department of Education (CDE) staff uses Title 5 CCR 3100 as a guideline for reviewing these waivers.

SUMMARY OF KEY ISSUES

Title 5 CCR 3100, allow the State Board of Education to approve waivers of resource specialists to exceed the maximum caseload of 28 students by no more than four students. However, there are specific requirements in these regulations, which must be met for approval, and if these requirements are not met, the waiver must be denied.

- The waiver time period is for only 5 months in school year 2003-04.
- Dos Palos Oro Loma Joint Unified School district stated they will provide the assistance of an instructional aide at five hours per day to Chuck Finster, and 6 hours per day to Kevin Jones and Karen Weaver (5 hr minimum required.)

Dos Palos Oro Joint Unified School District, Page 2

- CDE staff confirmed the resource specialists involved agreed to increase their student caseload from 28 students to no more than 32 students, and have not had a caseload in excess of the statutory maximum for more than two years.
- District personnel and the involved resource specialists agree that all Special Education needs of all students involved can be met under the waiver.
- The resource specialists bargaining unit participated in the waiver development. (Neutral position)

On the basis of this review CDE recommends approval of this waiver request with specified conditions.

Authority for the Waiver: EC 56101, and Title 5 CCR 3100

Bargaining unit(s) consulted on date(s): 1/23/04

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose

Name of bargaining unit(s)/representative(s): Dos Palos Oro Loma Teachers Association, Shelia Ryskamp, CTA President

Local board approval date(s): 2/13/04

Period of request: January 31, 2004-June 4, 2004. The original district request dates were from January 31, 2004-January 31, 2005. However, the union reported that they were requested by the district to approve for the caseload increase for years 2003-04 which is reflected in their letter. The district changed their dates to January 31, 2004-June 4, 2004 and faxed a revised copy to CDE on March 4, 2004

FISCAL ANALYSIS (AS APPROPRIATE)

If this waiver is denied, Dos Palos Oro Loma Joint Unified School District will have to employ additional qualified staff or persons with emergency qualifications to provide services to special education students placing a financial hardship on the district

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office"



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by Guerneville School District to waive <i>Education Code</i> (EC) Section 56362(c); allowing the caseload of the Resource Specialist to exceed the maximum caseload of 28 students by no more that four students (32 maximum). Nancy Thomas assigned at Guerneville School District . Waiver Number 31-1-2004	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

That the district provide additional instructional aide assistance at a minimum of five hours per day to the Resource Specialist.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The Resource Specialist shall be under the direction of a resource specialist who is a credentialed special education teacher, or who has a clinical services credential with a special class authorization, who has had three or more years of teaching experience, including both regular and special education teaching experience, as defined by rules and regulations of the Commission on Teacher Credentialing and who has demonstrated the competencies for a resource specialist, as established by the Commission on Teacher Credentialing.

The State Board of Education has approved these waivers in the past. California Department of Education (CDE) staff uses Title 5 CCR 3100 as a guideline for reviewing these waivers.

SUMMARY OF KEY ISSUES

Title 5 CCR 3100, allow the State Board of Education to approve waivers of resource specialists to exceed the maximum caseload of 28 students by no more than four students. However, there are specific requirements in these regulations, which must be met for approval, and if these requirements are not met, the waiver must be denied.

- The waiver time period is for only 6 months in school year 2003-04.
- Guerneville stated they will provide the assistance of a full time (8hr) and a part time aide (4hr) instructional aide each day to Nancy Thomas while she is over caseload.
- CDE staff confirmed the resource specialists involved agreed to increase their student caseload from 28 students to no more than 32 students, and have not had a caseload in excess of the statutory maximum for more than two years.

Guerneville School District, Page 2

- District personnel and the involved resource specialist agree that all Special Education needs of all students involved can be met under the waiver.
- The resource specialists bargaining unit participated in the waiver development. (Support position)

On the basis of this review CDE recommends approval of this waiver request with specified conditions.

Authority for the Waiver: EC 56101, and Title 5 CCR 3100

Bargaining unit(s) consulted on date(s): 2/10/04

Position of bargaining unit(s) (choose only one):

Neutral

Support

Oppose

Name of bargaining unit(s)/representative(s): California Teachers Association:
Mary Bracken, President, Nancy Thomas

Local board approval date(s): 2/10/04

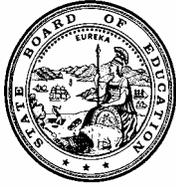
Period of request: December 1, 3002 -June 30, 2004.

FISCAL ANALYSIS (AS APPROPRIATE)

If this waiver is denied, Guerneville School District will have to employ additional qualified staff or persons with emergency qualifications to provide services to special education students placing a financial hardship on the district

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office"



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by Clovis Unified School District for a waiver of <i>Education Code</i> (EC) Section 52852, to allow one joint school site council to function for four small alternative education schools that occupy the same site. Waiver Number: 2-12-2003	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The Board granted a similar but slightly different waiver to Clovis USD in 2002.

SUMMARY OF KEY ISSUES

Clovis has had three alternative education schools for some time that are located on the same site and that share common facilities. The Board approved a waiver in 2002 allowing these schools to have one school site council, Gateway High School, Excel High School, and Enterprise High School. Recently, a new Community Day school has been created at the same site, serving two pupils. Clovis would like to have the School Site Council serve all four schools, with representation from each school for teachers, parents, guardians, and students.

A search of the records show that the district does not need to request a waiver of Education Code (EC) Section 48661(a) relating to the placement of a Community Day School on the same site as the other schools as indicated above because the current CDA only covers the K-6 grade span as allowed under 46661(a)(3).

Authority for the Waiver: *Education Code* (EC) Section 52863

Bargaining unit(s) consulted on date(s): N/A; no bargaining unit

Position of bargaining unit(s) (choose only one): N/A; no bargaining unit

Neutral Support Oppose

Name of bargaining unit(s)/representative(s): N/A; no bargaining unit

Local board approval date(s): 11-19-03

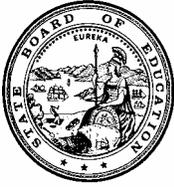
Period of request: 1-1-2004 to 12-31-2005

FISCAL ANALYSIS (AS APPROPRIATE)

Approving this request would not result in additional costs to the district or to the state.

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by Alview-Dairyland Union School District for a renewal waiver of <i>Education Code</i> (EC) Section 52852, relating to the establishment of a school site council as required for each school participating in the School-Based Program Coordination Act (one council for two small schools). Waiver Number: 45-2-2004	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The Board approved an identical waiver request for this district on July 12, 2000.

SUMMARY OF KEY ISSUES

The district, in Madera County, operates two elementary schools, one for grades K-3 and one for grades 4-8. The combined enrollment is 346 pupils. The two schools operate with one administration, one parent club, and one school site council.

Authority for the Waiver: *Education Code* (EC) Section 52863

Bargaining unit(s) consulted on date(s): 2-4-2004

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose

Name of bargaining unit(s)/representative(s): Cheryl Villanueva, President,
A-D TA

Local board approval date(s): 2-20-2004

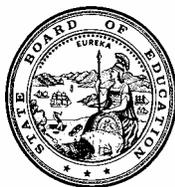
Period of request: 7-1-2001 through 6-30-2003

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of this request will not result in additional costs to the district or to the state.

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by various school districts to waive <i>Education Code</i> (EC) Section 49550, the State Meal Mandate during the Summer School Session. Waiver Number: "various"	<input type="checkbox"/> Action
	<input checked="" type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Waivers of this type normally go to the State Board of Education Consent Calendar, as there is a statutory basis for the approval recommendation.

SUMMARY OF KEY ISSUES

Education Code (EC) Section 49550 states that each needy child who attends a public school be provided a nutritionally adequate free or reduced-price meal every school day. The following districts have requested a waiver of EC Section 49550 for the summer of 2004, and have certified their compliance with all required conditions necessary to obtain a waiver.

EC Section 49548 allows a waiver of EC Section 49550 during summer school if the district seeking the waiver has met *at least two* of the following four criteria:

Criteria One:

- The summer school session is of less than four hours duration and is completed by noon, allowing pupils to go home during the lunch period.

Criteria Two:

- Less than 10 percent of needy pupils attending the summer school session are at the schoolsite for more than three hours per day.

Criteria Three:

- A Summer Food Service Program for Children site is available within the school attendance area.

Summer School Meal Waivers, Various School Districts, Page 2

Criteria Four:

- Serving meals during the summer school session would result in a financial loss to the school district, documented by the district, in an amount equal to one-third of the food service net cash resources or, if those cash resources are nonexistent, an amount equivalent to one month's operating costs.

Authority for the Waiver: *Education Code (EC) Section 49548.*

Bargaining unit(s) consulted on date(s): Not required for summer school waivers.

Position of bargaining unit(s) (choose only one): Not required for summer school waivers.

Neutral Support Oppose

Name of bargaining unit(s)/representative(s): Not required for summer school waivers.

Local board approval date(s): see table below.

Period of request: see table below.

Agreement number	District name(s)	Effective Period of request(s)	Local Board Approval	Criteria being met	Waiver number
49-70599-0-01	Alexander Valley Union SD	06/21/04 to 07/16/04	03/17/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	120-3-2004
04-61382-0-01	Bangor Un ESD	06/09/04 to 06/30/04	02/12/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	70-2-2004
36-67637-0-01	Bear Valley USD	06/21/04 to 7/16/04	03/03/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	69-3-2004
19-64303-0-01	Bellflower USD	06/14/04 to 07/23/04	03/11/04	<input type="checkbox"/> 1) <input type="checkbox"/> 2) <input checked="" type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	55-3-2004
01-61143-0-01	Berkeley USD	06/21/04 to 07/16/04	03/10/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input checked="" type="checkbox"/> 3) <input type="checkbox"/> 4)	103-3-2004

Summer School Meal Waivers, Various School Districts, Page 3

30-66449-0-01	Brea Olinda USD	06/21/04 to 07/29/04	2/10/04	<input type="checkbox"/> 1) <input type="checkbox"/> 2) <input checked="" type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	9-2-2004
30-66464-0-*01	Capistrano USD	06/14/04 to 07/22/04	02/09/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input checked="" type="checkbox"/> 3) <input type="checkbox"/> 4)	5-3-2004
50-71050-0-01	Chatom Un SD	06/08/04 to 07/15/04	01/20/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	1-2-2004
49-70649-0-01	Cinnabar ESD	07/19/04 to 08/13/04	02/03/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	67-2-2004
10-62109-0-01	Clay Jt ESD	06/07/04 to 06/25/04	02/03/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	22-2-2004
49-73882-0-01	Cotati-Rohnert Park USD	06/21/04 to 07/30/04	04/06/04	<input type="checkbox"/> 1) <input type="checkbox"/> 2) <input checked="" type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	47-3-2004
12-62737-0-01	Cuddeback USD	06/14/04 to 07/09/04	03/11/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	24-3-2004
47-70227-0-01	Delphic ESD	06/08/04 to 07/30/04	03/02/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	76-3-2004
21-65318-0-01	Dixie SD	06/21/04 to 07/16/04	02/10/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	29-2-2004
24-65680-0-01	El Nido ESD	06/07/04 to 07/19/04	02/17/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	19-3-2004
12-62885-0-01	Hydesville ESD	07/05/04 to 07/16/04	03/11/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	31-3-2004
15-63529-0-01	Kern HSD	06/14/04 to 07/16/04	04/12/04	<input type="checkbox"/> 1) <input type="checkbox"/> 2) <input checked="" type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	36-3-2004
16-63941-0-01	Kings River- Hardwick SD	06/14/04 to 07/23/04	02/10/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	33-2-2004
21-65367-0-01	Larkspur SD	06/15/04 to 07/19/04	pending	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	65-3-2004
42-69237-0-01	Los Alamos SD	06/28/04 to 07/23/04	02/12/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	25-2-2004
42-69245-0-01	Los Olivos ESD	06/14/04 to 07/09/04	02/09/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	61-2-2004
17-64048-0-01	Lucerne ESD	06/07/04 to 07/02/04	02/11/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	55-2-2004

Summer School Meal Waivers, Various School Districts, Page 4

13-63172-0-01	Magnolia Un ESD	06/07/04 to 07/16/04	02/11/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	24-2-2004
23-65573-0-01	Manchester Un ESD	06/21/04 to 07/30/04	03/09/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	70-3-2004
15-63610-0-01	Maple SD	06/14/04 to 07/02/04	02/12/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	68-2-2004
22-65532-0-01	Mariposa Co USD	06/21/04 to 07/21/04	03/09/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	74-3-2004
41-68973-0-01	Millbrae SD	06/23/04 to 07/19/04	02/09/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	31-2-2004
27-66084-0-01	Mission Un ESD	07/02/04 to 07/30/04	03/10/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	108-3-2004
13-63206-0-01	Mulberry ESD	06/14/04 to 07/02/04	03/09/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	91-3-2004
none	Mupu ESD	06/23-04 to 07/23/04	03/09/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	75-3-2004
39-68619-0-01	New Hope SD	06/17/04 to 08/20/04	02/17/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	34-3-2004
56-72520-0-01	Ojai USD	06/23/04 to 08/04/04	03/16/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	38-3-2004
49-70896-0-01	Rincon Valley Un SD	06/20/04 to 07/16/04	02/03/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	10-3-2004
54-72090-0-01	Rockford ESD	06/09/04 to 07/06/04	02/19/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	58-2-2004
15-63750-0-01	Rosedale Un SD	06/07/04 to 07/01/04	02/10/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	12-3-2004
19-64964	San Marino USD	06/21/04 to 07/30/04	02/10/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	22-3-2004
21-65474-0-01	Sausalito Marin City SD	06/21/04 to 07/30/04	03/01/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	18-3-2004
12-63024-0-01	Scotia Un SD	06/14/04 to 07/15/04	03/11/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	25-3-2004
18-64188-0-01	Shaffer Un SD	06/09/04 to 06/30/04	01/20/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	23-1-2004

Summer School Meal Waivers, Various School Districts, Page 5

24-65839-0-01	Snelling Merced Falls SD	07/05/04 to 08/06/04	02/12/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	71-3-2004
42-69336-0-01	Solvang ESD	06/21/04 to 07/16/04	03/08/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	53-3-2004
18-64196-0-01	Susanville SD	06/14/04 to 07/16/04	02/18/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	66-3-2004
36-67918-0-01	Victor ESD	06/21/04 to 08/26/04	01/14/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	37-3-2004
42-69344-0-01	Vista Del Mar Un SD	07/06/04 to 07/30/04	02/11/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	27-2-2004
07-61812-0-01	Walnut Creek SD	06/21/04 to 07/30/04	03/01/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) <input type="checkbox"/> 3) <input type="checkbox"/> 4)	18-3-2004

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of the waiver may reduce the draw on Proposition 98 funds at the State level. Local district finances may be affected.

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

General Waiver

SUBJECT Delano Union Elementary School District (DUESD) Academic Performance Index (API) Waiver. Specifically, the DUESD requests waiver of a portion of <i>Title 5, CCR</i> Section 1032(d)(1) & (6) to allow Valle Vista Elementary School to be given a valid API for the 2002 year despite “ adult testing irregularities ” (English-Language Arts for 38 students in two second grade classes). Waiver Number: 12-9-2003	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

Denial is recommended per *Education Code* Section 33051(a)(1); the educational needs of the pupils are not adequately addressed.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The *Title 5* regulation that the DUESD is asking to waive was specifically adopted by the State Board of Education (SBE) to protect the educational needs of the pupils. This regulation allows a school with adult testing irregularities that have affected less than 5 percent of the pupils tested to receive a valid API for the current year, but not be eligible for participation in any of the API award programs for that year. In 2001 the SBE approved *Title 5, CCR* Section 1032(d) (1) and (6):

“In 2001 and subsequent years, a school’s API shall be considered invalid under any of the following circumstances:

- (1) The local educational agency notifies the California Department of Education (department) that there were adult testing irregularities at the school affecting 5% or more of the pupils tested.
- (6) If, at any time, information is made available to or obtained by the department that would lead a reasonable person to conclude that one or more of the preceding circumstances occurred.”

SUMMARY OF KEY ISSUES

The district reports that the teachers who administered the test followed the guidelines that permit approximately ten seconds between questions (referred to as “think time” by the district), but ran out of time to finish the test. Additionally, the district states that the teachers did not give more time than the guidelines permit, students had sufficient time but were unable to complete the test, and the test was stopped when the 38 students ran out of time. These 38 students did not answer the last questions in a multipart test. The district gave the following reasons for proposing restoration of a valid API to

Delano Union Elementary School District, Page 2

Valle Vista: (1) The adults followed the rules and did not interfere with or assist the students with the test as the term “adult testing irregularity” implies; and (2) Valle Vista, “historically the lowest scoring school in Kern County, has recently begun to make significant gains.”

The California Department of Education (CDE) invalidated Valle Vista’s 2002 API because 38 second-grade students failed to complete the *Stanford 9 Language (Dictated)* test based on the pertinent directions for administering the second grade Standardized Testing and Reporting (STAR) tests:

“Testing times are approximate because the actual times will vary slightly due to different reading speeds across test examiners. The actual time generally will be within two or three minutes of the time listed. Under no circumstances should the actual time exceed the approximate time listed by more than 10 minutes.”

“NOTE: For the *Stanford 9* dictated tests, the teacher is to read the question exactly as printed in this manual, pause approximately 10 seconds for students to mark their answers, and go on to the next question. The teacher is *not to* reread the question.”

CDE found that 38 students completed the first portions of the test, but did not attempt to answer questions on the last section of the test, indicating they did not have enough time to complete their tests because the actual time exceeded the approximate time by more than the allowable 10 minutes. Presumably, the teachers gave the 38 students extra “think time” between questions beyond the 10 seconds allowed in the directions.

The consequence of not granting this waiver is that the school will not have a 2003-2004 Growth API value (growth cannot be calculated because their 2003 Base API is invalid). However, it will have a 2004 Growth API. This Growth API can be used to make a determination for AYP and PI status; i.e., if the value of the 2004 Growth API is 560 or greater the school meets the criterion. Note that the other criterion of one point growth will not be possible to demonstrate but the school will not be penalized if they make the 560 value. With respect to their II/USP status the alternative criteria can be applied once again so a growth value is not necessary.

The Public Schools Accountability Act (PSAA) was based on the educational needs of students, particularly those of improving student achievement. The API and resultant award programs were designed to reward schools that exceeded their performance targets, i.e., growth in student achievement. Key to the success of the API is the notion that it is a valid means of measurement. In order to ensure that API scores are valid, proper administration of the tests, which currently provide the data that are used to generate the API score, is crucial. Improper administration of the tests causes the scores to be invalid, which can impugn the integrity of the entire system.

In this instance, there is no way to determine if the violation was inadvertent, but it involved more than 5 percent of the students tested. Incomplete test results were reported for approximately 10 percent of the students tested (38 of 384). Therefore, in accordance with the required test administration procedures and SBE-adopted regulations, the Department recommends denial of the waiver.

Delano Union Elementary School District, Page 3

Authority for Waiver: *Education Code (EC) Section 33050*

Bargaining unit(s) consulted on date(s): 8/21/03

Position of bargaining unit(s) (choose only one):

Neutral

Support

Oppose

Name of bargaining unit/representative(s): Mark Kotch

Public hearing identified by (choose one or more):

posting in a newspaper

posting at each school

other (specify)

Public hearing held on date(s): 9/2/03

Local board approval date(s): 9/2/03

Advisory committee(s) consulted: School Site Council

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: 8/27/03

Period of request: 7/1/02 to 6/30/03

FISCAL ANALYSIS (AS APPROPRIATE)

No state fiscal impact is expected as a result of approving this waiver.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.

MAY 2004
 PROPOSED CONSENT and NON-CONSENT WAIVERS
 Staff Recommendations

ITEM #	WAIVER SUBJECT	PROPOSED CONSENT* (SBE/CDE Recommendation)	NON-CONSENT** (CDE Only Recommendation)
ITEM W-1	Academic Performance Index		Deny
ITEM W-2	Academic Performance Index		Deny
ITEM W-3	Algebra I Graduation Requirement		Recommendations will be provided at the meeting.
ITEM W-4	Algebra I Graduation Requirement (56101, State Special Schools)	Approve with conditions	
ITEM W-5	Algebra I Graduation Requirement (56101, State Special Schools)	Approve with conditions	
ITEM W-6	Algebra I Graduation Requirement (State Special Schools)		Recommendations will be provided at the meeting.
ITEM W-7	Algebra I Graduation Requirement (56101, Statewide)	Approve with conditions	
ITEM W-8	Algebra I Graduation Requirement (56101, Statewide)	Approve with conditions	
ITEM W-9	Algebra I Graduation Requirement (56101, Statewide)	Approve with conditions	
ITEM W-10	Algebra I Graduation Requirement (56101, Statewide))	Approve with conditions	
ITEM W-11	Algebra I Graduation Requirement (56101, Statewide)	Approve with conditions	
ITEM W-12	Algebra I Graduation Requirement (56101, Statewide)	Approve with conditions	
ITEM W-13	Algebra I Graduation Requirement (56101, Statewide)	Approve with conditions	
ITEM W-14	Algebra I Graduation Requirement (56101, Statewide)	Approve with conditions	
ITEM W-15	Algebra I Graduation Requirement (56101, Statewide)	Approve with conditions	
ITEM W-16	Algebra I Graduation Requirement (56101, Statewide)	Approve with conditions	
ITEM W-17	Algebra I Graduation Requirement		Recommendations will be provided at the meeting.
ITEM W-18	Charter Schools		Deny
ITEM W-19	Charter Schools		Deny
ITEM W-20	Community Day School	Approve with conditions, EC 33051(c) will apply	
ITEM W-21	Community Day School	Approve with conditions	

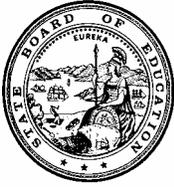
* Proposed Consent: Waivers in this column are recommended for approval by both SBE and CDE staffs.

** Non-Consent: Waivers in this column are either recommended for denial or warrant discussion. These waivers are printed in **boldface** type.

ITEM #	WAIVER SUBJECT	PROPOSED CONSENT* (SBE/CDE Recommendation)	NON-CONSENT** (CDE Only Recommendation)
ITEM W-22	English Learners Advisory Committee	Approve	
ITEM W-23	Equity Length of Time		Approve with conditions
ITEM W-24	Equity Length of Time	Approve with conditions	
ITEM W-25	Extraordinary Cost Pool		Approve with conditions
ITEM W-26	Federal Waivers-Safe and Drug Free		Deny
ITEM W-27	Instructional Materials Sufficiency (Audit Findings)	Approve	
ITEM W-28	Instructional Time Penalty	Approve with conditions	
ITEM W-29	Instructional Time Penalty	Approve with conditions	
ITEM W-30	Local Board Member Term	Approve with conditions	
ITEM W-31	Petition (Instructional Materials Funding Realignment Program)		Approve with conditions
ITEM W-32	Petition (Instructional Materials Funding Realignment Program)		Approve with conditions
ITEM W-33	Resource Specialist		Approve with conditions
ITEM W-34	Resource Specialist		Approve with conditions
ITEM W-35	School Improvement Program	Approve	
ITEM W-36	School Improvement Program	Approve	
ITEM W-37	School Improvement Program	Approve, EC 33051(c) will apply	
ITEM W-38	Senior Management Positions		Approve
ITEM W-39	State Meal Mandate (Summer School)		Deny
ITEM W-40	State Meal Mandate (Summer School)		Deny
ITEM W-41	State Meal Mandate (Summer School)		Deny
ITEM W-42	State Meal Mandate (Summer School)		Deny
ITEM W-43	State Meal Mandate (Summer School)		Deny
ITEM W-44	State Meal Mandate (Summer School)		Approve/Deny
ITEM W-45	State Meal Mandate (Summer School)		Approve/Deny
ITEM W-46	State Meal Mandate (Summer School)		Recommendations will be provided at the meeting

* Proposed Consent: Waivers in this column are recommended for approval by both SBE and CDE staffs.

** Non-Consent: Waivers in this column are either recommended for denial or warrant discussion. These waivers are printed in **boldface** type.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

General Waiver

SUBJECT Merced City School District (MCSD) Academic Performance Index (API) Waiver. Specifically, the MCSD requests waiver of a portion of Title 5, CCR Section 1032(d)(1) & (6) to allow Alicia Reyes School to be given a valid API for the 2003 year despite “ adult testing irregularities ” (Grade 5 California Achievement Tests, 6 th Edition [CAT/6], spelling and mathematics for 31 students). Waiver Number: 27-3-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

Denial is recommended per Education Code Section 33051(a)(1); the educational needs of the pupils are not adequately addressed.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The *Title 5* regulation that the MCSD is asking to waive was specifically adopted by the State Board of Education (SBE) to protect the educational needs of the pupils. This regulation allows a school with adult testing irregularities that have affected less than 5 percent of the pupils tested to receive a valid API for the current year, but not be eligible for participation in any of the API award programs for that year. In 2001, the SBE approved *Title 5*, CCR Section 1032(d)(1) and (6):

“In 2001 and subsequent years, a school’s API shall be considered invalid under any of the following circumstances:

- (1) The local educational agency notifies the California Department of Education (department) that there were adult testing irregularities at the school affecting 5 percent or more of the pupils tested.
- (6) If, at any time, information is made available to or obtained by the department that would lead a reasonable person to conclude that one or more of the preceding circumstances occurred.”

At the January 2004 SBE meeting the waiver request by Merced City School District for Alicia Reyes Elementary School, in Cohort I of the Immediate Intervention and/Underperforming Schools Program (IIUSP) postponed November 14, 2002, (Invalid API) to waive sanctions in portions of E.C. 52055.5(h), in effect to keep the schools on "watch" for another year was approved by the State Board of Education (SBE). The waiver was approved because the school met the alternative growth criteria approved by the SBE for approving that they met the growth necessary to put the school on watch, even though the API was not “valid”. The school is now asking for a valid API.

SUMMARY OF KEY ISSUES

The district reports that one teacher in one classroom distributed preprinted answer documents to the wrong students on the mathematics and spelling portions of the CAT/6. The district bases its waiver request on guidelines (which predate current regulations) it incorrectly believes the department currently follows. According to statement 5 of the attachment to the district's waiver request, self-reported irregularities are considered to be inadvertent, and waivers are granted if it can be shown that the irregularities do not materially affect the API.

However, under the regulations, the API is considered invalid even though the district notifies the department if 5 percent or more of the students tested are affected. Even prior to adoption of the regulations in 2001, irregularities affecting 5 percent or more of the students tested and more than one item had been considered material. In this instance the irregularities involved 6.4 percent of the students tested (31 of 485). Reyes Elementary Schools' 2003 API was invalidated because a teacher had 31 fifth-grade students erase answers to the CAT/6 mathematics and spelling tests, which resulted in a violation affecting more than 5 percent of the students tested.

The consequence of not granting this waiver is that the school will not have a 2003-2004 Growth API value (growth cannot be calculated because their 2003 Base API is invalid). However, it will have a 2004 Growth API. This Growth API can be used to make a determination for AYP and PI status; i.e., if the value of the 2004 Growth API is 560 or greater the school meets the criterion. Note that the other criterion of one point growth will not be possible to demonstrate but the school will not be penalized if they make the 560 value. With respect to their II/USP status the alternative criteria can be applied once again so a growth value is not necessary.

The Public Schools Accountability Act (PSAA) was based on the educational needs of students, particularly those of improving student achievement. The API and resultant award programs were designed to reward schools that exceeded their performance targets, i.e., growth in student achievement. Key to the success of the API is the notion that it is a valid means of measurement. In order to ensure that API scores are valid, proper administration of the tests, which currently provide the data that are used to generate the API score, is crucial. Improper administration of the tests causes the scores to be invalid, which can impugn the integrity of the entire system.

Therefore, in accordance with the required test administration procedures and SBE-adopted regulations, the Department recommends denial of the waiver.

Authority for Waiver: Education Code (EC) Section 33050

Bargaining unit(s) consulted on date(s): 2/24/04

Position of bargaining unit(s) (choose only one):

Neutral

Support

Oppose

Name of bargaining unit/representative(s): Bobi Jo Davis (CSEA); Wendy York (MCTA)

Merced City School District, Page 3

Public hearing identified by (choose one or more):

posting in a newspaper posting at each school other (specify)

Public hearing held on date(s): 3/2/04

Local board approval date(s): 3/2/04

Advisory committee(s) consulted: School Site Council

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: 2/27/04

Period of request: 2003 – 2004 testing year

FISCAL ANALYSIS (AS APPROPRIATE)

No state fiscal impact is expected as a result of approving this waiver.

BACKGROUND INFORMATION

Action Item: Some documentation is available for Web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

General Waiver

<p>SUBJECT</p> <p>Request by 12 local educational agencies, to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation (waivers for 282 seniors). These waivers were received after April 2, 2004 and more may be added in a Last Minute Memorandum</p> <p>Waiver Number: (see attached list of districts)</p>	<p><input checked="" type="checkbox"/> Action</p>
	<p><input type="checkbox"/> Consent</p>

RECOMMENDATION

Approval **Approval with conditions** **Denial**

That the waiver be granted for the 2003-04 year providing districts comply with conditions (excluding the deadline) in the State Board of Education Waiver Policy: Algebra I Graduation Requirement, No. 04-01.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At the January 2004 State Board of Education (SBE) meeting, a waiver request was considered from the Santa Cruz City Schools pertaining to a provision of law enacted in 2001, that became operative in 2003-04, requiring students to complete Algebra I (or its equivalent¹) as a condition of receiving a high school diploma. In March 2004, the SBE approved a Waiver Policy for Algebra; Number 04-01. This policy now allows the attached waivers meeting certain conditions and reviewed by the Executive Director of the SBE to be presented on the consent calendar.

SUMMARY OF KEY ISSUES

Attached is a spreadsheet which lists the twelve local educational agencies (LEAs) who have requested the Algebra I Graduation requirement be waived to award diplomas for students who are otherwise qualified students in the Class of 2004, and lack only the completion of Algebra I. **Information on additional waivers will be provided on a Last minute Memorandum.** LEAs have also provided proof that they have notified the students and parents class of 2005 of this requirement and that they understand the SBE does not intend to consider consent waivers of this type in the future.

The list of LEAs includes information about whether or not the LEA knew about the graduation requirement for Algebra, whether or not most seniors were notified of the

¹ *Education Code* Section 51225.4(b) specifies in effect that students must complete the content of Algebra I, which may be in the form of a specific course by that name or a series of integrated mathematics courses (typically also including the content of Geometry and Algebra II). Where these guidelines use the term "Algebra I," the broader meaning just described is intended.

Algebra I General Waiver, Page 2

requirement, the category of students who needed the waiver and the number of seniors for whom a waiver is requested for the 2003-2004 school year.

Each LEA has certified that all students are currently enrolled in a course to meet the standards of Algebra I, and that students are being encouraged to complete the course. If the completion of this course in algebra is the only graduation requirement that is missing, these students will be allowed to receive a diploma for graduation. Information about the reasons these students need the waiver, and a list of approved students by student identifier have been reviewed and are in the CDE Waiver Office.

Authority for Waiver: *Education Code (EC) Section 33050*

Bargaining unit(s) consulted on date(s): various

Position of bargaining unit(s) (choose only one): **various**

Neutral Support Oppose

Public hearing held on date(s): Dates provided on each individual waiver.

Local board approval date(s): Dates provided each individual waiver.

Advisory committee(s) consulted: Dates provided each individual waiver.

Period of request: All waivers are for the 2003-2004 school year only

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact if these waivers are approved.

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.

Algebra I Waiver - Summary District Information

District Name	Known of	Prev. Notice	Comply	Seniors	Needing	This Waiver		No. of
Waiver No.	Statute	to most 2004	to all	Reg.	Alt. Ed.	Spec. Ed	Adult Ed.	seniors
		seniors	Conditions					
Murrieta Valley USD	yes	yes	yes			x		23
Waiver No: 90-4-2004								
Placer COE	yes	no	yes		x			5
Waiver No: 88-4-2004								
Rowland USD	yes	yes	yes	x	x	x		26
Waiver No: 99-4-2004								
Santa Clara COE	yes	yes	yes		x			19
Waiver No: 124-4-2004								
							TOTAL	282

LAST MINUTE MEMORANDUM

DATE: May 12, 2004

TO: MEMBERS, STATE BOARD OF EDUCATION

FROM: Judy Pinegar, Administrator
Waiver Office, Executive Branch

RE: Item No. W-3

SUBJECT: Request by **12 local educational agencies**, to waive *Education Code* (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation (waivers for 282 seniors). **These waivers were received after April 2, 2004 and more may be added in a Last Minute Memorandum**

This Last Minute Memorandum makes corrections and revisions to W-3, list of districts with Algebra I waivers that had to be scheduled for action as they missed the April 2nd deadline.

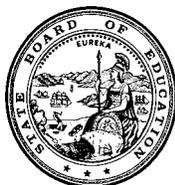
[Attachment 1](#) adds seven new districts to W-3 with a total of 90 new seniors needing the waiver.

[Attachment 2](#) adds one student to a district request that was originally submitted on W-3 in your binders.

Attachments

District Name	Knew of	Prev. Notice	Comply	Seniors	Needing	This Waiver		No. of
Waiver No.	Statute	to Most 2004	to all	Reg.	Alt. Ed.	Spec. Ed	Adult Ed.	Seniors
		Seniors	Conditions					
Atascadero USD	yes	yes	yes		x	x	x	17
Waiver No. 8-5-2004								
Benicia Unified SD	no	yes	yes	x				13
Waiver No. 116-4-2004								
Beverly Hills USD	yes	yes	yes	x	x			18
Waiver No. 125-4-2004								
Cutler-Orosi Joint USD	yes	no	yes		x		x	15
Waiver No. 120-4-2004								
Laton USD	no	no	yes	x				1
Waiver No. 129-4-2004								
Oakland USD	yes	yes	yes			x		22
Waiver No. 3-5-2004								
Santa Paula Union HSD	no	no	yes				x	4
Waiver No. 87-3-2004								
							TOTALS	90

District Name	Number of students	Change in number	Total
Waiver No.	Originally requested	of students requested	
Santa Clara COE	19	+ 1	20
Waiver No. 124-4-2004			
TOTALS		+1	20



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

<p>SUBJECT Requested by Yolo County Special Education Plan Area (SELPA) to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra 1 (equivalent) in order to give a diploma of graduation to 1 (one) special education student attending the California School for the Deaf, Fremont (CSDF) based on EC 56101, the special education authority.</p> <p>Waiver Number: 118-4-2004</p>	<p><input checked="" type="checkbox"/> Action</p>
	<p><input type="checkbox"/> Consent</p>

RECOMMENDATION

Approval Approval with conditions Denial

That the request is granted for the 2003-04 school year only. This waiver removes only the requirement that this student successfully complete a course in Algebra 1 (or its equivalent). This student must meet other course requirements stipulated by the governing board of the school district of enrollment and by EC 51225.3 in order to receive a high school diploma.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In 2001, legislation was enacted to require students as a condition of receiving a high school diploma to complete Algebra 1. The Algebra 1 requirement applies beginning with students graduating in 2003-04.

SUMMARY OF KEY ISSUES

While this student actually attends the California School for the Deaf, Fremont, the local SELPA, Yolo County may request a waiver under EC 546101 pursuant to the students Individualized Education Plan (IEP). This waiver removes only the requirement that this student must successfully complete a course in Algebra 1 (or its equivalent) in order to receive a diploma of graduation.

This student is currently enrolled in Basic Algebra (an equivalent course to Algebra 1). The CSDF has provided documentation or certification that this student has been on a diploma track throughout his high school career.

This student may not successfully complete their Basic Algebra course because of learning disabilities specified in his Individualized Education Plans. This circumstance would otherwise prohibit this student from graduating.

Authority for the Waiver: EC 56101

Bargaining unit(s) consulted on date(s): Consultation is not required for this waiver.

Position of bargaining unit(s) (choose only one): Not required for this waiver.

Neutral

Support

Oppose

Name of bargaining unit(s)/representative(s): Not required for this waiver.

Local board approval date(s): April 6, 2004 (SELPA Signature)

Period of request: 2003-04 School Year

FISCAL ANALYSIS (AS APPROPRIATE)

There will be no adverse fiscal impact to the state if this waiver is approved.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or the State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

<p>SUBJECT Requested by Oakland Unified School District to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra 1 (equivalent) in order to give a diploma of graduation to 2 (two) special education students attending the California School for the Deaf, Fremont (CSDF) based on EC 56101, the special education authority.</p> <p>Waiver Number: 119-4-2004</p>	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

That the request is granted for the 2003-04 school year only. This waiver removes only the requirement that these two students successfully complete a course in Algebra 1 (or its equivalent). These students must meet other course requirements stipulated by the governing board of the school district of enrollment and by EC 51225.3 in order to receive a high school diploma.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In 2001, legislation was enacted to require students as a condition of receiving a high school diploma to complete Algebra 1. The Algebra 1 requirement applies beginning with students graduating in 2003-04.

SUMMARY OF KEY ISSUES

While these students actually attend California Schools for the Deaf, Fremont (CSDF) the local district, Oakland Unified may request this waiver under EC 56101, pursuant to the students Individualized Education Plan (IEP). This waiver removes only the requirement that these students must successfully complete a course in Algebra 1 (or its equivalent) in order to receive a diploma of graduation.

These students are currently enrolled in Basic Algebra (an equivalent course to Algebra 1). The CSDF has provided documentation or certification that these students have been on a diploma track throughout their high school career.

These students may not successfully complete their Basic Algebra course because of learning disabilities specified in their respective Individualized Education Plans. This circumstance would otherwise prohibit these students from graduating.

Authority for the Waiver: EC 56101

Bargaining unit(s) consulted on date(s): Consultation is not required for this waiver.

Position of bargaining unit(s) (choose only one): Not required for this waiver.

Neutral Support Oppose

Name of bargaining unit(s)/representative(s): Not required for this waiver.

Local board approval date(s): April 7, 2004 (State Administrator Signature)

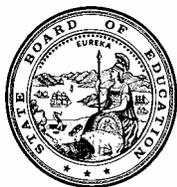
Period of request: 2003-04 School Year

FISCAL ANALYSIS (AS APPROPRIATE)

There will be no adverse fiscal impact to the state if this waiver is approved.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or the State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

<p>SUBJECT Request by various Special Education Plan Areas (SELPA) to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra 1 (equivalent) in order to give a diploma of graduation to special education student attending the California School for the Deaf Riverside (CSDR). This is a placeholder for special education waivers to be added in a Last Minute Memorandum.</p> <p>Waiver Number: various</p>	<p><input checked="" type="checkbox"/> Action</p>
	<p><input type="checkbox"/> Consent</p>

RECOMMENDATION

Approval Approval with conditions Denial

That the request is granted for the 2003-04 school year only. This waiver removes only the requirement that the listed students successfully complete a course in Algebra 1 (or its equivalent). These student must meet other course requirements stipulated by the CSDR and by EC 51225.3 in order to receive a high school diploma.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In 2000, legislation was enacted to require students as a condition of receiving a high school diploma to complete Algebra 1. The Algebra 1 requirement applies beginning with students graduating in 2003-04.

SUMMARY OF KEY ISSUES

While the students actually attend one of the two Schools for the Deaf, the local Special Education Plan Area (SELPA) may request this waiver under EC 56101, pursuant to the students Individualized Education Plan (IEP). This waiver removes only the requirement that these students must successfully complete a course in Algebra 1 (or its equivalent) in order to receive a diploma of graduation.

These student may or may not be currently enrolled in Algebra I (or equivalent.) The State Special School responsible for these students has provided documentation or certification that this student has been on a diploma track throughout his high school career.

These student may not successfully complete their Algebra course because of learning disabilities specified in their IEP. This circumstance would otherwise prohibit these student from graduating.

Authority for the Waiver: EC 56101

LAST MINUTE MEMORANDUM

DATE: May 6, 2004

TO: MEMBERS, STATE BOARD OF EDUCATION

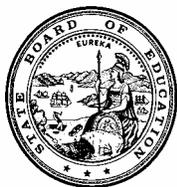
FROM: William Ellerbee, Deputy Superintendent
School and District Operations Branch

RE: Item No. W-6

SUBJECT: Request by various **Special Education Plan Areas (SELPA)** to waive *Education Code* (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra 1 (equivalent) in order to give a diploma of graduation to special education students attending the California School for the Deaf, Riverside.

The purpose of this waiver is to add **4 students** enrolled at the **California School for the Deaf, Riverside** from the School Districts/SELPA's listed on the chart below. All waiver requests have been received to ensure that all legal requirements have been verified to support these waivers. If this waiver is approved, these four students will graduate in June 2004 and receive a high school diploma.

Waiver #	SELPA	# of Students	Enrolled in Algebra	Diploma Track
126-4-2004	Los Angeles Unified	1	NO	YES
127-4-2004	Desert Mountain	1	NO	YES
128-4-2004	Desert Mountain	1	NO	YES
1-5-2004	San Diego Unified	1	NO	YES



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

<p>SUBJECT</p> <p>Request by Sacramento City Unified School District to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (equivalent) to be able to give a diploma of graduation to 20 special education students based on EC 56101, the special education authority.</p> <p>Waiver Number: 146-3-2004</p>	<p><input checked="" type="checkbox"/> Action</p>
	<p><input type="checkbox"/> Consent</p>

RECOMMENDATION

Approval Approval with conditions Denial

That the request is granted for the 2003-04 school year only. This waiver removes only the requirement that these students successfully complete a course in Algebra I (or its equivalent). These students must meet other course requirements stipulated by the governing board of the school district of enrollment and by EC 51225.3 in order to receive a high school diploma.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In 2000, legislation was enacted to require students as a condition of receiving a high school diploma to complete Algebra I. The Algebra I requirement applies beginning with students graduating in 2003-04.

SUMMARY OF KEY ISSUES

This waiver removes only the requirement that these students must successfully complete a course in Algebra I (or its equivalent) in order to receive a diploma of graduation. These students are not currently enrolled in Algebra I, nor have they successfully completed a course in Algebra I (or its equivalent).

The district has provided documentation or certification that these students have been on diploma track throughout their high school career.

These students did not have the opportunity to complete Algebra I as the result of improper counseling or other failure by the local educational agency in which the school is located. This unfortunate circumstance would otherwise prohibit these students from graduating.

Authority for the Waiver: EC 56101

Bargaining unit(s) consulted on date(s): Consultation is not required for this waiver.

Sacramento City Unified School District, Page 2

Position of bargaining unit(s) (choose only one): Not required for this waiver.

Neutral

Support

Oppose

Name of bargaining unit(s)/representative(s): Not required for this waiver.

Local board approval date(s): April 1, 2004

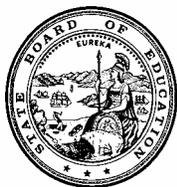
Period of request: 2003-04 School Year

FISCAL ANALYSIS (AS APPROPRIATE)

There will be no adverse fiscal impact to the state if this waiver is approved.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or the State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by Lucia Mar Unified School District to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (equivalent) to be given a diploma of graduation to 18 special education students based on EC 56101, the special education authority. Waiver Number: 9-4-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

That the request is granted for the 2003-04 school year only. This waiver removes only the requirement that these students successfully complete a course in Algebra I (or its equivalent). These students must meet other course requirements stipulated by the governing board of the school district of enrollment and by EC 51225.3 in order to receive a high school diploma.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In 2000, legislation was enacted to require students as a condition of receiving a high school diploma to complete Algebra I. The Algebra I requirement applies beginning with students graduating in 2003-04.

SUMMARY OF KEY ISSUES

This waiver removes only the requirement that these students must successfully complete a course in Algebra I (or its equivalent) in order to receive a diploma of graduation.

These students are not currently enrolled in Algebra I nor have they successfully completed a course in Algebra I (or its equivalent).

The district has provided documentation or certification that these students have been on diploma track throughout their high school career.

These students did not have the opportunity to complete Algebra I as the result of improper counseling or other failure by the local educational agency in which the school is located. This unfortunate circumstance would otherwise prohibit these students from graduating.

Authority for the Waiver: EC 56101

Bargaining unit(s) consulted on date(s): Consultation is not required for this waiver.

Position of bargaining unit(s) (choose only one): Not required for this waiver

Neutral

Support

Oppose

Name of bargaining unit(s)/representative(s): Not required for this waiver.

Local board approval date(s): 3/30/2004

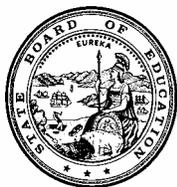
Period of request: 2003-04 School Year

FISCAL ANALYSIS (AS APPROPRIATE)

There will be no adverse fiscal impact to the state if this waiver is approved.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or the State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

<p>SUBJECT</p> <p>Request by Butte County Office of Education to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (equivalent) to be able to give a diploma of graduation to 1(one) special education student based on EC 56101, the special education authority.</p> <p>Waiver Number: 25-4-2004</p>	<p><input checked="" type="checkbox"/> Action</p>
	<p><input type="checkbox"/> Consent</p>

RECOMMENDATION

Approval Approval with conditions Denial

That the request is granted for the 2003-04 school year. This waiver removes only the requirement that this student successfully complete a course in Algebra I (or its equivalent). This student must meet other course requirements stipulated by the governing board of the school district of enrollment and by EC 51225.3 in order to receive a high school diploma.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In 2000, legislation was enacted to require students as a condition of receiving a high school diploma to complete Algebra I. The Algebra I requirement applies beginning with students graduating in 2003-04.

SUMMARY OF KEY ISSUES

This waiver removes only the requirement that this student must successfully complete a course in Algebra I (or its equivalent) in order to receive a diploma of graduation.

This student is not currently enrolled in Algebra I nor has this student successfully completed a course in Algebra I (or its equivalent). The district has provided documentation or certification that the student has been on diploma track throughout his high school career.

This student did not have the opportunity to complete Algebra I as the result of improper counseling or other failure by the local educational agency in which the school is located. This unfortunate circumstance would otherwise prohibit this student from graduating.

Authority for the Waiver: EC 56101

Butte County Office of Education, Page 2

Bargaining unit(s) consulted on date(s): Consultation is not required for this waiver.

Position of bargaining unit(s) (choose only one): Not required for this waiver.

Neutral Support Oppose

Name of bargaining unit(s)/representative(s): Not required for this waiver.

Local board approval date(s): 4/14/04

Period of request: 2003-04 School Year

FISCAL ANALYSIS (AS APPROPRIATE)

There will be no adverse fiscal impact to the state if this waiver is approved.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or the State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

<p>SUBJECT</p> <p>Requested by Oakdale Joint Unified School District to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be given a diploma of graduation for 4 special education students based on EC 56101, the special education authority.</p> <p>Waiver Number: 45-4-2004</p>	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

that the request is granted for the 2003-04 school year only. This waiver removes only the requirement that these students successfully complete a course in Algebra 1 (or its equivalent). These students must meet other course requirements stipulated by the governing board of the school district of enrollment and by EC 51225.3 in order to receive a high school diploma.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In 2000, legislation was enacted to require students as a condition of receiving a high school diploma to complete Algebra 1. The Algebra 1 requirement applies beginning with students graduating in 2003-04.

SUMMARY OF KEY ISSUES

This waiver removes only the requirement that these students must successfully complete a course in Algebra 1 (or its equivalent) in order to receive a diploma of graduation. The district has provided facts indicating that failure to approve the request would hinder implementation of the student's individualized education program (IEP) or compliance by the district for a free, appropriate education for students with disabilities.

The district has provided documentation or certification that these students are currently enrolled but would not be successful completing Algebra 1. The district has provided documentation or certification that all services and supports pursuant to the IEP were provided to these students to assist the students to complete Algebra 1. The district has also certified that these students were on a diploma track.

Had the district applied for a waiver pursuant to the State Board of Education Policy 04-01 these students would have met the requirements for the general waiver authority for EC 51224.5(b).

Authority for the Waiver: EC 56101

Bargaining unit(s) consulted on date(s): Consultation is not required for this waiver.

Position of bargaining unit(s) (choose only one): N/A

Neutral

Support

Oppose

Name of bargaining unit(s)/representative(s): N/A

Local board approval date(s): March 31, 2004

Period of request: 2003-04 School Year

FISCAL ANALYSIS (AS APPROPRIATE)

There will be no adverse fiscal impact to the state if this waiver is approved.

BACKGROUND INFORMATION

Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or the State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by San Marcos Unified School District to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (equivalent) to be able to give a diploma of graduation for 8 (eight) special education students based on EC 56101, the special education authority. Waiver Number: 16-3-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

That the request is granted for the 2003-04 school year. This waiver removes only the requirement that these students successfully complete a course in Algebra I (or its equivalent). These students must meet other course requirements stipulated by the governing board of the school district of enrollment and by EC 51225.3 in order to receive a high school diploma.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In 2000, legislation was enacted to require students as a condition of receiving a high school diploma to complete Algebra I. The Algebra I requirement applies beginning with students graduating in 2003-04.

SUMMARY OF KEY ISSUES

This waiver removes only the requirement that these students must successfully complete a course in Algebra I (or its equivalent) in order to receive a diploma of graduation.

These students are not currently enrolled in Algebra I nor have they successfully completed a course in Algebra I (or its equivalent). The district has provided documentation or certification that these students have been on diploma track throughout their high school career.

These students did not have the opportunity to complete Algebra I as the result of improper counseling or other failure by the local educational agency in which the school is located. This unfortunate circumstance would otherwise prohibit these students from graduating.

San Marcos Unified School District, Page 2

Authority for the Waiver: EC 56101

Bargaining unit(s) consulted on date(s): Consultation is not required for this waiver.

Position of bargaining unit(s) (choose only one): Not required for this waiver.

Neutral

Support

Oppose

Name of bargaining unit(s)/representative(s): Not required for this waiver.

Local board approval date(s): February 9, 2004

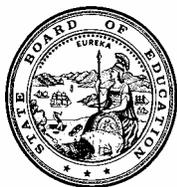
Period of request: 2003-04 School Year

FISCAL ANALYSIS (AS APPROPRIATE)

There will be no adverse fiscal impact to the state if this waiver is approved.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or the State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by Temple City Unified School District to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (equivalent) to be able to give a diploma of graduation to 3 (three) special education students based on EC 56101, the special education authority. Waiver Number: 14-4-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

That the request is granted for the 2003-04 school year. This waiver removes only the requirement that these students successfully complete a course in Algebra I (or its equivalent). These students must meet other course requirements stipulated by the governing board of the school district of enrollment and by EC 51225.3 in order to receive a high school diploma.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In 2000, legislation was enacted to require students as a condition of receiving a high school diploma to complete Algebra I. The Algebra I requirement applies beginning with students graduating in 2003-04.

SUMMARY OF KEY ISSUES

This waiver removes only the requirement that these students must successfully complete a course in Algebra I (or its equivalent) in order to receive a diploma of graduation.

These students are not currently enrolled in Algebra I nor have they successfully completed a course in Algebra I (or its equivalent). The district has provided documentation or certification that these students have been on diploma track throughout their high school career.

These students did not have the opportunity to complete Algebra I as the result of improper counseling or other failure by the local educational agency in which the school is located. This unfortunate circumstance would otherwise prohibit these students from graduating.

Authority for the Waiver: EC 56101

Temple City Unified School District, Page 2

Bargaining unit(s) consulted on date(s): Consultation is not required for this waiver.

Position of bargaining unit(s) (choose only one): Not required for this waiver.

Neutral

Support

Oppose

Name of bargaining unit(s)/representative(s): Not required for this waiver.

Local board approval date(s): March 24, 2004

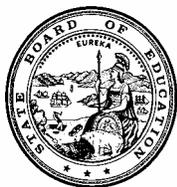
Period of request: 2003-04 School Year

FISCAL ANALYSIS (AS APPROPRIATE)

There will be no adverse fiscal impact to the state if this waiver is approved.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or the State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

<p>SUBJECT</p> <p>Request by Norwalk La Mirada Unified School District to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (equivalent) to be given a diploma of graduation for 1(one) special education student based on EC 56101, the special education authority.</p> <p>Waiver Number: 30-4-2004</p>	<p><input checked="" type="checkbox"/> Action</p>
	<p><input type="checkbox"/> Consent</p>

RECOMMENDATION

Approval Approval with conditions Denial

That the request is granted for the 2003-04 school year only. This waiver removes only the requirement that this student successfully complete a course in Algebra I (or its equivalent). This student must meet other course requirements stipulated by the governing board of the school district of enrollment and by EC 51225.3 in order to receive a high school diploma.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In 2000, legislation was enacted to require students as a condition of receiving a high school diploma to complete Algebra I. The Algebra I requirement applies beginning with students graduating in 2003-04.

SUMMARY OF KEY ISSUES

This waiver removes only the requirement that this student must successfully complete a course in Algebra I (or its equivalent) in order to receive a diploma of graduation.

This student is not currently enrolled in Algebra I nor has this student successfully completed a course in Algebra I (or its equivalent). The district has provided documentation or certification that this student has been on diploma track throughout his high school career.

This student did not have the opportunity to complete Algebra I as the result of improper counseling or other failure by the local educational agency in which the school is located. This unfortunate circumstance would otherwise prohibit this student from graduating.

Authority for the Waiver: EC 56101

Norwalk La Mirada Unified School District, Page 2

Bargaining unit(s) consulted on date(s): Consultation is not required for this waiver.

Position of bargaining unit(s) (choose only one): Not required for this waiver.

Neutral Support Oppose

Name of bargaining unit(s)/representative(s): Not required for this waiver.

Local board approval date(s): April 1, 2004

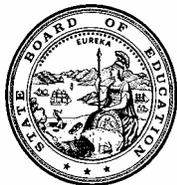
Period of request: 2003-04 School Year

FISCAL ANALYSIS (AS APPROPRIATE)

There will be no adverse fiscal impact to the state if this waiver is approved.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or the State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

<p>SUBJECT</p> <p>Request by Tehachapi Unified School District to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (equivalent) to be given a diploma of graduation for 3 special education students based on EC 56101, the special education authority.</p> <p>Waiver Number: 106-4-2006</p>	<p><input checked="" type="checkbox"/> Action</p>
	<p><input type="checkbox"/> Consent</p>

RECOMMENDATION

Approval Approval with conditions Denial

that the request is granted for the 2003-04 school year only. This waiver removes only the requirement that these students successfully complete a course in Algebra I (or its equivalent). These students must meet other course requirements stipulated by the governing board of the school district of enrollment and by EC 51225.3 in order to receive a high school diploma.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In 2000, legislation was enacted to require students as a condition of receiving a high school diploma to complete Algebra I. The Algebra I requirement applies beginning with students graduating in 2003-04.

SUMMARY OF KEY ISSUES

This waiver removes only the requirement that these students must successfully complete a course in Algebra I (or its equivalent) in order to receive a diploma of graduation. The district has provide facts indicating that failure to approve the request would hinder implementation of the student's individualized education program (IEP) or compliance by the district for a free, appropriate education for students with disabilities.

The district has provided documentation or certification that these students are currently enrolled but would not be successful completing Algebra I. The district has provided documentation or certification that all services and supports pursuant to the IEP were provided to these students to assist the students to complete Algebra I. The district has also certified that these students were on a diploma track.

Had the district applied for a waiver pursuant to the State Board of Education Waiver Policy 04-01 these students would have met the requirements for the general waiver authority for EC 51224.5(b).

Tehachapi Unified School District, Page 2

Authority for the Waiver: EC 56101

Bargaining unit(s) consulted on date(s): Consultation is not required for this waiver.

Position of bargaining unit(s) (choose only one): N/A

Neutral

Support

Oppose

Name of bargaining unit(s)/representative(s): N/A

Local board approval date(s): April 14, 2004

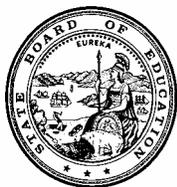
Period of request: 2003-04 School Year

FISCAL ANALYSIS (AS APPROPRIATE)

There will be no adverse fiscal impact to the state if this waiver is approved.

BACKGROUND INFORMATION

Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

<p>SUBJECT</p> <p>Request by East San Gabriel SELPA to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (equivalent) to be given a diploma of graduation for 1 (one) special education student based on EC 56101, the special education authority. Waiver Number: 92-4-2004</p>	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

that the request by **East San Gabriel SELPA** to waive EC 51224.5(b) for **one** student based on EC 56101 is granted for the 2003-04 school year. This waiver removes only the requirement that the student successfully complete a course in Algebra I (or its equivalent). The student must meet other course requirements stipulated by the governing board of the school district of enrollment and by EC 51225.3 in order to receive a high school diploma.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In 2000, legislation was enacted to require students as a condition of receiving a high school diploma to complete Algebra I. The Algebra I requirement applies beginning with students graduating in 2003-04.

SUMMARY OF KEY ISSUES

This waiver removes only the requirement that the student must successfully complete a course in Algebra I (or its equivalent) in order to receive a diploma of graduation. The district has provided facts indicating that failure to approve the request would hinder implementation of the student's individualized education program (IEP) or compliance by the district for a free, appropriate education for students with disabilities.

The district has provided documentation or certification that the student is currently enrolled but would not be successful completing Algebra I. The district has provided documentation or certification that all services and supports pursuant to the IEP were provided to the student to assist the student to complete Algebra I. The district has also certified that the student was on a diploma track.

Had the district applied for a waiver pursuant to the State Board of Education Policy 04-01 the student would have met the requirements for the general waiver of EC 51224.5(b).

East San Gabriel SELPA, Page 2

Authority for the Waiver: EC 56101

Bargaining unit(s) consulted on date(s): Consultation is not required for this waiver.

Position of bargaining unit(s) (choose only one): N/A

Neutral

Support

Oppose

Name of bargaining unit(s)/representative(s): N/A

Local board approval date(s): March 30, 2004

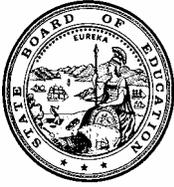
Period of request: 2003-04 School Year

FISCAL ANALYSIS (AS APPROPRIATE)

There will be no adverse fiscal impact to the state if this waiver is approved.

BACKGROUND INFORMATION

Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or the State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

<p>SUBJECT</p> <p>Request by Vista Unified School District to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (equivalent) to be given a diploma of graduation for 33 special education students based on EC 56101, the special education authority. Waiver Number: 15-3-2004</p>	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

that the request by **Vista Unified School District** to waive EC 51224.5(b) for **33** students based on EC 56101 is granted for the 2003-04 school year. This waiver removes only the requirement that these students successfully complete a course in Algebra I (or its equivalent). These students must meet other course requirements stipulated by the governing board of the school district of enrollment and by EC 51225.3 in order to receive a high school diploma.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In 2000, legislation was enacted to require students as a condition of receiving a high school diploma to complete Algebra I. The Algebra I requirement applies beginning with students graduating in 2003-04.

SUMMARY OF KEY ISSUES

This waiver removes only the requirement that these students must successfully complete a course in Algebra I (or its equivalent) in order to receive a diploma of graduation. The district has provide facts indicating that failure to approve the request would hinder implementation of the student's individualized education program (IEP) or compliance by the district for a free, appropriate education for students with disabilities.

The district has provided documentation or certification that these students are currently enrolled but would not be successful completing Algebra I. The district has provided documentation or certification that all services and supports pursuant to the IEP were provided to these students to assist the students to complete Algebra I. The district has also certified that these students were on a diploma track.

Had the district applied for a waiver pursuant to the State Board of Education Policy 04-01 these students would have met the requirements for the general waiver of EC 51224.5(b).

Authority for the Waiver: EC 56101

Bargaining unit(s) consulted on date(s): Consultation is not required for this waiver.

Position of bargaining unit(s) (choose only one): N/A

Neutral

Support

Oppose

Name of bargaining unit(s)/representative(s): N/A

Local board approval date(s): March 1, 2004

Period of request: 2003-04 School Year

FISCAL ANALYSIS (AS APPROPRIATE)

There will be no adverse fiscal impact to the state if this waiver is approved.

BACKGROUND INFORMATION

Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or the State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

<p>SUBJECT</p> <p>Request by various local educational agencies to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (equivalent) to be able to give a diploma of graduation to special education students based on EC 56101, the special education authority. This is a placeholder for special education waivers to be added in a Last Minute Memorandum.</p> <p>Waiver Number: various</p>	<p><input checked="" type="checkbox"/> Action</p> <p><input type="checkbox"/> Consent</p>
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RECOMMENDATION

Approval Approval with conditions Denial

That the request is granted for the 2003-04 school year only. This waiver removes only the requirement that these students successfully complete a course in Algebra I (or its equivalent). These students must meet other course requirements stipulated by the governing board of the school district of enrollment and by EC 51225.3 in order to receive a high school diploma.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In 2000, legislation was enacted to require students as a condition of receiving a high school diploma to complete Algebra I. The Algebra I requirement applies beginning with students graduating in 2003-04.

SUMMARY OF KEY ISSUES

This waiver removes only the requirement that these special education students must successfully complete a course in Algebra I (or its equivalent) in order to receive a diploma.

These students may or may not be currently enrolled in Algebra I, and they have not otherwise successfully completed a course in Algebra I (or its equivalent). The individualized educational plan (IEP) for each student must provide documentation that these students have been on diploma track throughout their high school career.

These students did not have the opportunity to complete Algebra I as the result of improper counseling or other failure by the local educational agency in which the school is located. This unfortunate circumstance would otherwise prohibit these students from graduating.

Authority for waiver: EC 56101



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

General Waiver

SUBJECT Request by Del Norte County Office of Education for Castle Rock Charter School to waive portions of Title 5 CCR Section 11960(c)(A) and (B), related to charter school attendance, to be able to enroll new students over age 20 and to serve students that have reached 23 years and older, while continuing to receive K-12 apportionment for these students. Waiver Number: 85-3-204	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval **Approval with conditions** **Denial**

On the basis of *Education Code* 33051(a)(6), the request would substantially increase state costs.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

This type of waiver has never been heard by the State Board of Education (SBE) before. These regulations were approved by the SBE on May 8, 2003, and were approved on February 10, 2004 by the Office of Administrative Law and will go into effect on July 1, 2004.

SUMMARY OF KEY ISSUES

Education Code Section 47612(b) clearly places a limitation on the claiming of individuals over 19 years of age as K-12 average daily attendance (ADA) by charter schools. Prior to the formulation and approval of new regulations, the limitation was expressed as an administrative interpretation, which had not been put into regulations, thus the statute was in need of clarification.

The SBE modified the regulations and clarified the age of attendance allowed for K-12 apportionment purposes for charter schools. The new regulations, clarified when apportionment can be claimed from students who are 20 years of age and over. These students can only be claimed as K-12 average daily attendance by charter schools if they were first enrolled in a charter school at the age of 19 or younger, have stayed continuously enrolled in public school since that time, and are maintaining satisfactory progress toward award of a high school diploma. Under the new regulations, no apportionment can be claimed once the student reaches the age of 23.

Castle Rock Charter School is requesting a waiver of these new regulations when they go into effect on July 1, 2004, so they can continue to enroll new students who are 20

Del Norte County Office of Education for Castle Rock Charter School, Page 2

years old and older, and serve students who are 23 years old and older. The rationale for this waiver request is that the area served by the charter school in Del Norte County is remote and rural. The charter school has been very receptive to the needs of adult students and has established a program to serve these students in their homes rather than requiring that they attend evening adult education classes. Last year, 147 adult students received a high school diploma through the charter school. The program has experienced success in working with various adult constituencies, i.e. incarcerated students, Native American adult students, migrant Hispanic adults, and unemployed individuals.

A number of letters in support of the waiver request were also sent in from adult students and local associations. They also describe the importance of this program for adults in Del Norte County. Most of these letters are from current adult charter school students who would be excluded from attending the charter school under the new regulations. (Copies of these letters may be reviewed in the CDE Waiver Office, or the SBE Office)

During the initial notice period of January 31, 2003 through the public hearing on April 9, 2003, the SBE fully considered the effects of the proposed regulations and realized that many adult students would no longer be able to attend charter schools. While particular charter school programs serving adult students may be meritorious, regulatory changes were necessary to clarify provisions of statute that were subject to multiple and varying interpretations.

Charter schools are designed to be K-12 programs and not adult education programs. Adult Education ADA is funded at about half the rate provided for K-12 enrollment. In addition, the SBE also considered the fact that adult education programs are available to adult students throughout the state to provide these types of educational services. Adult Education programs that are currently funded and available to students in this area of the state include:

Adult School, Del Norte USD
301 West Washington Blvd
Crescent City, CA 95531
707-464-0380

Rural Human Services
286 M Street
Crescent City, Ca 95531
707-464-7441

Rural Human Services is a community-based organization that offers adult basic education, high school diploma classes, English as a Second Language (ESL), ESL citizenship, and English Literacy Civic Participation.

Therefore based on the availability of adult education services, and the fact that charter school average daily attendance is funded by the state at approximately twice the amount as adult education average daily attendance, **the department recommends denial of this waiver based on EC 33051(a)(6). The request would substantially increase state costs. See additional cost data below.**

Del Norte County Office of Education for Castle Rock Charter School, Page 3

Authority for Waiver: *Education Code* (EC) Section 33050 through 33054 (for charters).

Bargaining unit(s) consulted on date(s): October 22, 2003

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose

Name of bargaining unit/representative(s): Margie Rouge

Public hearing identified by (choose one or more):

posting in a newspaper posting at each school other (specify)

Public hearing held on date(s): October 23, 2003

Local board approval date(s): October 23, 2003

Advisory committee(s) consulted: Castle Rock Charter School Advisory Committee

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: October 21, 2003

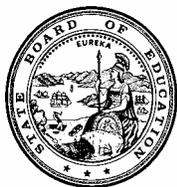
Period of request: September 2, 2004 to June 30, 2005

FISCAL ANALYSIS (AS APPROPRIATE)

Castle Rock Charter School is currently serving about 420 adult students. The charter school block grant rate is approximately \$5,460 per full-time student. Therefore, the cost to the state for these 420 full-time adult charter students is approximately \$2,293,200. The difference between adult education funding and charter school funding exceeds \$1,100,000.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waive Office or the State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

General Waiver

SUBJECT Request by Julian Charter School under <i>Education Code</i> (EC) section 33054 to waive EC section 47605.1(c)(2) pertaining to geographic limits on resource centers for nonclassroom-based charter schools so that Julian Charter School can continue to operate two centers in an adjacent county, and open one more center in a neighboring county. Waiver Number: 79-3-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

On the basis of *Education Code* Section 33051(a)(1), the educational needs of the pupils are not adequately addressed.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

This type of waiver has never been heard by the State Board of Education before.

SUMMARY OF KEY ISSUES

Assembly Bill 1994 was enacted by the Legislature in 2002 and amended *Education Code* 47605 to include the following provisions.

“(c) Notwithstanding any other provision, a charter school may establish a resource center, meeting space, or other satellite facility located in a county adjacent to that in which the charter school is authorized if the following conditions are met:

- (1) The facility is used exclusively for the educational support of pupils who are enrolled in nonclassroom-based independent study of the charter school.
- (2) The charter school provides its primary educational services in, and a majority of the pupils it serves are residents of, the county in which the school is authorized.” (*Education Code* Section 47605.1)

Julian Charter School is a nonclassroom-based charter school authorized by the Julian Elementary School District in San Diego County. The charter school has two resource centers for the educational support of nonclassroom-based students in Riverside County, an adjacent county, and wishes to add another resource center in Riverside or Orange County.

The two resource centers in Riverside County were in operation prior to the passage of AB 1994, however this section will be enacted beginning July 1, 2004, preventing this from continuing past that date.

Julian Charter School, Page 2

There is only one other nonclassroom-based program currently operating in Riverside County and this program called Choice2000 offers a very different instructional methodology from Julian Charter School. Julian Charter School scored a 704 in its 2003 API. It is argued by the petitioners that disallowing these resource centers in Riverside County will limit parental choice in the areas served by this charter school.

The California Department of Education (CDE) believes Julian Charter School has several options to maintain these resource centers and fully comply with the provisions of AB 1994. First, by increasing enrollment of students residing in San Diego County to at least 50% of the school's total average daily attendance, Julian Charter School can maintain the two resource centers in operation and establish a new resource center to serve nonclassroom-based students in Riverside or Orange County. (Education Code Section 47605.1)

Second, if Julian Charter School is not able to serve a majority of students in the county in which it is authorized (San Diego County), it can go to local districts in Riverside and Orange County and seek approval for a new charter school to serve these counties. (Education Code Section 47605)

CDE recommends denial of this waiver request. In establishing geographic and site limitations for charter schools, the intent of the statute was to bring charter schools closer to their authorizing districts. The educational needs of students are more adequately addressed when the charter authorizer is able to be in close proximity to its schools and can monitor the operations of the charter school (Reason for denial of a general waiver 33051(a)(1)). In addition, CDE believes the charter should try one of the other options stated above as allowed by current statute.

Authority for Waiver: *Education Code* (EC) Section 33050 and 33054

Bargaining unit(s) consulted on date(s): March 9, 2004

Position of bargaining unit(s) (choose only one):

Neutral

Support

Oppose

Name of bargaining unit/representative(s): Julian Elementary Teachers' Association

Public hearing identified by (choose one or more):

posting in a newspaper

posting at each school

other (specify)

Posting at the post office, local store, and high school district office.

Public hearing held on date(s): March 10, 2004

Local board approval date(s): March 10, 2004

Advisory committee(s) consulted: Julian Charter School Advisory Committee

Julian Charter School, Page 3

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: March 10, 2004

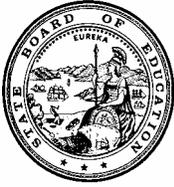
Period of request: July 1, 2004 to June 30, 2005

FISCAL ANALYSIS (AS APPROPRIATE)

This waiver request will not greatly impact either state or local finances.

BACKGROUND INFORMATION

Action Item: Some documentation is available for we viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

General Waiver

SUBJECT Request by Gridley Unified School District to waive portions of <i>Education Code</i> (EC) sections 48660 and 48916.1(d) to permit the establishment of a community day school (CDS) for grades K-8 to be operated by a unified school district. (Grades 9-12 are allowed under current statute). Waiver Number: 39-2-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval **Approval with conditions** **Denial**

That this waiver falls under the provision of EC 33051(c) and the district will not be required to reapply annually if information contained on the request remains current.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The Board has approved several similar requests in the past for a school district to be permitted to establish a K-8 community day school.

SUMMARY OF KEY ISSUES

By statute, a community day school may serve pupils in any of kindergarten and grades 1 to 6, inclusive, or any of grades 7 to 12, inclusive, or the same or lesser included range of grades as may be found in any individual middle or junior high school operated by the district. If a school district is organized as a district that serves kindergarten and grades 1 to 8, inclusive, but no higher grades, the governing board of the school district may establish a community day school for any of kindergarten and grades 1 to 8, inclusive, upon a two-thirds vote of the board. The provision that a K-8 school district could establish a K-8 CDS upon a two-thirds vote of the local board was added by amendment in 1999. Prior to that time, any school district had to apply to the State Board of Education for a waiver to establish a K-8 CDS. Since Gridley is a unified school district, it still must apply to the State Board for a waiver to establish a CDS for that grade span.

The Gridley Unified School District is a small rural district of approximately 2000 students. Consistent with statute, it has been operating a K-6 CDS and a 7-12 CDS. However, enrollment in the K-6 CDS has been very low, while enrollment in the 7-12 CDS has been pushing capacity. Therefore, the district is requesting this waiver to enable it to redefine the grade spans of the schools so that they may operate a K-8 CDS and a 9-12 CDS. Consistent with the requirement for a K-8 school district, the local board of the Gridley Unified School District voted unanimously to support this request for a waiver.

Gridley Unified School District, Page 2

Authority for Waiver: *Education Code (EC) Section 33050*

Bargaining unit(s) consulted on date(s): 1/23/04, 2/4/04

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose

Name of bargaining unit/representative(s): [Click here and type name(s) of the union(s) consulted, and the name(s) of the representative(s).]

Public hearing identified by (choose one or more):

posting in a newspaper posting at each school other (specify)

Public hearing held on date(s): 2/4/04

Local board approval date(s): 2/4/04

Advisory committee(s) consulted: School Site Council

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: 1/15/04 (typed vote tally signed at subsequent meeting on 1/30/04)

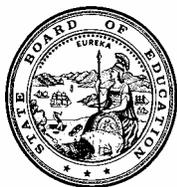
Period of request: 1/26/04 – 6/10/06

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal impact.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

General Waiver

SUBJECT Request by Anaheim Union High School District to waive <i>Education Code (EC)</i> Section 48661 relating to the placement of a community day school on the same site as a continuation high school. Waiver Number: 82-3-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

That the waiver be approved for one year to allow the District to demonstrate the efficacy of this co-location plan.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board Education has approved several similar requests in the past to allow the co-location of a community day school with a continuation high school when the district has been able to provide for the separation of students from the two schools.

SUMMARY OF KEY ISSUES

The Anaheim Union High School District requests a waiver of *EC* Section 48661(a) which states that a community day school (CDS) shall not be situated on the same site as a continuation high school.

The district conducted an extensive search of facilities owned by the district and in the community. The district has certified that no appropriate separate facilities are available. The site was selected as providing the greatest possible separation from other school classrooms and students.

The district proposes that the CDS be located at the large campus of the Trident Education Center, which also houses the Gilbert South (Continuation) High School, as well as the Adult School.

The district maintains that the students in the CDS will be completely separated from all other students at the site, through physical barriers, scheduling, and extensive supervision. The CDS would be separated by a large parking lot. Additionally, a fence surrounds the CDS self-contained classroom and recreation area. The CDS will use a different parking lot, bus drop-off/pick-up location, and recreational areas than the continuation high school. The starting and ending times for the various schools will be staggered, so students will be coming and going at

Anaheim Union High School District, Page 2

different times. There is a full-time administrator on site. There is also a full-time instructional aide assigned to the CDS, as well as youth resource officers on campus.

The local school board and the Gilbert High School School Site Council voted unanimously to support the waiver request. The certificated and classified bargaining units also submitted letters in support of the waiver request.

While the District believes that the measures described above will provide a very high level of safety, as evidenced by the long-term successful operation of the County Community School at the site, the district requests, and the CDE recommends, approval of the waiver for one year only, allowing for re-evaluation before renewal is considered.

Authority for Waiver: *Education Code (EC) Section 33050*

Bargaining unit(s) consulted on date(s): 3/2/04

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose

Name of bargaining unit/representative(s): Jackie Brock, California State Employees Association; Carol Comparsi, Anaheim Secondary Teachers Association

Public hearing identified by (choose one or more):

posting in a newspaper posting at each school other (specify)

Public hearing held on date(s): 3/4/04

Local board approval date(s): 3/4/04

Advisory committee(s) consulted: Gilbert High School School Site Council

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: 2/26/04

Period of request: 9/9/04–9/8/05

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal impact.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

General Waiver

SUBJECT Request by Alview-Dairyland Union School District for a waiver of <i>Education Code</i> (EC) Section 62002.5 (sunset provision) and formerly operative EC Section 52176(b), relating to the establishment of an English Learners Advisory Committee (one council for two small schools), under the general waiver authority Waiver Number: 40-2-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval **Approval with conditions** Denial

Under the provisions of *Education Code* Section 33051(c), the district would not need to reapply for renewal of the waiver at the end of the requested period if all material facts remain the same.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board approved a waiver request by this district for the same purpose under a specific waiver authority. The previous specific waiver was operative through September 30, 2002.

SUMMARY OF KEY ISSUES

It has now been determined that the general waiver authority is the appropriate one for this request, and it is being recommended for approval as such. Per the district's request, the waiver is recommended for approval for two consecutive years. If approved for that period, the district would not need to reapply for renewal of the waiver if all material facts remain the same.

This district, in Madera County, operates two elementary schools, one for grades K-3 and the other for grades 4-8. The combined enrollment is 346 pupils. The two schools operate with one administration, one parent club, and one English Learner Advisory Committee.

Authority for Waiver: *Education Code* (EC) Section 33050

Bargaining unit(s) consulted on date(s): 2-4-2004

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose

Name of bargaining unit/representative(s): Cheryl Villanueva, President, A-D TA

Alview-Dairyland Union School District, Page 2

Public hearing identified by (choose one or more):

posting in a newspaper posting at each school other (specify)

Public hearing held on date(s): 2-10-2004

Local board approval date(s): 2-10-2004

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: 2-2-2004

Period of request: 10-1-2002 through 9-30-2004

FISCAL ANALYSIS (AS APPROPRIATE)

This request would not result in additional costs to the district or to the state.

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

General Waiver

SUBJECT Request by Los Angeles Unified School District to waive <i>Education Code</i> (EC) section 37202, the equity length of time requirement, to allow a full day kindergarten program at 205 out of a total of 440 elementary schools (see attached list of participating schools). Waiver Number: 26-3-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval **Approval with conditions** **Denial**

Approval for one year with the condition that the district provides an evaluation of the full day kindergarten pilot program before a renewal is considered.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education has approved similar waivers in the past.

SUMMARY OF KEY ISSUES

Los Angeles Unified School District (LAUSD) is requesting a waiver of the equity length of time requirement, EC section 37202, which states a "school district shall maintain all of the elementary day schools established by it for an equal length of time during the school year." The district wants to start a pilot program of extended day kindergarten at 205 (46.5%) out of 440 elementary schools. The districts plans to implement the pilot program by phasing in full day kindergarten programs at a limited number of schools each year and then increase the number of participating schools each year over a four-year period.

The district finds that even while they have accomplished academic growth over the last five years, overall achievement remains low. District staff and kindergarten teachers are collaborating to provide kindergarten pupils with ample opportunities for student learning and achievement. These pupils need this additional time to reduce the achievement gap. (See attached waiver, section 7 for additional information.) The district has adopted EC section 8970-8974, the Early Primary Program, at their board meeting. There is an open enrollment policy in place at the district and all of the school site councils were informed of this pilot program.

When the district submitted this waiver request in March 2004, the United Teachers Los Angeles (UTLA) had requested that "no position" or neutral be stated as their position on the waiver. However, since that time, the CDE Waiver Office has received a formal letter (**see attached letter**) of **opposition from the UTLA General Counsel**.

Los Angeles USD, Page 2

UTLA cites as their reasons for opposition, three of the reasons of denial of a general waiver. These include EC section 33051(a)(1), the educational needs of the students are not adequately being met; EC section 330501(a)(3), the appropriate councils or advisory committees, including bilingual advisory committees, did not have an adequate opportunity to review the request and the request did not include a written summary of any objections to the request by the councils or advisory committees, and, 330501(a)(7), the exclusive representative of employees, if any, as provided in Chapter 10.7 of Division 4 of Title 1 of Government Code, was not a participant in the development of the waiver.

UTLA has been involved in the development of the waiver as noted by their neutral or “no position” on the waiver request when it was first submitted to CDE in March of 2004. As per EC section 33051(a)(3), LAUSD has met the requirement of the law by including the union’s participation in the waiver process (see dates that union was consulted on waiver form).

As to UTLA’s claim that EC section 33051(a)(1) is not being met, the purpose of this waiver request is to increase student learning and student achievement. Increasing the number of instructional minutes at each of these kindergarten classes would mean that pupils are having more needs met by increasing instructional time.

And finally, as to EC section 33051(a)(3), regarding the district’s advisory committees, the annual LAUSD’s “roadshow” informed all of the school advisory committees of the pilot program to extend kindergarten classes in certain schools. LAUSD is divided into eleven “districts,” each headed by a local superintendent who communicated to all of the site councils the opportunity to participate in the extended day kindergarten pilot program. As of April 15, 2004, there have been no objections made by school site councils to the pilot program per Norma Baker, Director of Elementary Instruction for LAUSD. The schools interested in participating in the pilot program submitted a school feedback form to their local district superintendent. LAUSD has been diligent in informing and expressing this pilot program opportunity to all those concerned.

Therefore, the Department recommends approval of this waiver for one year with the condition that the district provide an evaluation of the full day kindergarten pilot program before a renewal is considered.

Authority for Waiver: *Education Code* (EC) Section 33050

Bargaining unit(s) consulted on date(s): 03/11/04, 03/12/04, 03/25/04

Position of bargaining unit(s) (choose only one):

Neutral as of 3/26/2004 Support Oppose

Later, April 2, 2004, UTLA changed to OPPOSITION (see attached letter)

Name of bargaining unit/representative(s): Mike Dreebin, Elementary Vice President

Public hearing identified by (choose one or more):

Los Angeles USD, Page 3

posting in a newspaper posting at each school other (specify)

Public hearing held on date(s): 03/23/04

Local board approval date(s): 03/23/04

Advisory committee(s) consulted: School Site Councils

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: This process will be conducted during April 2004.

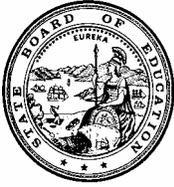
Period of request: July 1, 2004 to June 30, 2005

FISCAL ANALYSIS (AS APPROPRIATE)

LAUSD is prepared to absorb any costs. The kindergarten teachers are already full-time employees and implementing this pilot program will not cause an increase in salaries per Norma Baker, Director of Elementary Instruction. (See attached bulletin dated January 22, 2002 for verification)

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

General Waiver

SUBJECT Request by Sacramento City Unified School District to waive <i>Education Code</i> (EC) Section 37202, the equity length of time requirement, to allow a full day kindergarten program at Bear Flag Elementary School. Waiver Number: 26-3-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

The Department recommends approval of this waiver for one year with the condition that the district provide an evaluation of the full day kindergarten pilot program before a renewal is considered.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education has approved similar waivers in the past.

SUMMARY OF KEY ISSUES

Sacramento City Unified is requesting a waiver of the equity length of time requirement, EC Section 37202, that states a "school district shall maintain all of the elementary day schools established by it for an equal length of time during the school year." The district wants to start a pilot program of extended day kindergarten at Bear Flag Elementary School, one out of sixty elementary schools. The school has received a grant from the United States Department of Education (USDE) Foreign Language Assistance Program (FLAP) and one of the requirements is for a full day kindergarten classroom. Any additional costs incurred by the increase of instructional minutes for kindergarten will be paid for by the FLAP grant.

The district has adopted EC section 8970-8974, the Early Primary Program, at their February 19, 2004 board meeting. This project will increase the number of instructional minutes daily for the kindergarten pupils at this school and will include instruction in both English and Spanish languages. The kindergarten day will be expanded to the same level as the elementary day. There is an open enrollment policy in place at the district and all of the school site councils were informed of this pilot program, and no objections were noted.

Therefore, the Department recommends approval of this waiver for one year with the condition that the district provide an evaluation of the full day kindergarten pilot program before a renewal is considered.

Sacramento City Unified School District, Page 2

Authority for Waiver: *Education Code (EC) Section 33050*

Bargaining unit(s) consulted on date(s): January 22, 2004

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose

Name of bargaining unit/representative(s): Manuel Villarreal

Public hearing identified by (choose one or more):

posting in a newspaper posting at each school other (specify)

Public hearing held on date(s): February 5, 2004

Local board approval date(s): February 5, 2004

Advisory committee(s) consulted: Letter sent to all district school site councils informing them of the proposed pilot program for extending kindergarten at Bear Flag Elementary. No objections were raised.

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: December 16, 2004 and various other dates.

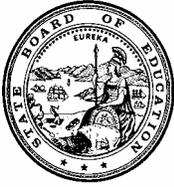
Period of request: February 23, 2004 to February 22, 2005

FISCAL ANALYSIS (AS APPROPRIATE)

Program is being funded by a Foreign Language Assistance Program (FLAP) grant.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by Temecula Valley Unified School District to waive Education Code (EC) Section 56836.21; the word "school" from this section, to allow submission of an extraordinary cost pool claim for services provided by a nonpublic "agency". Granting the waiver would allow payment for services in FY 1999-2000, and 2000-2001. Waiver Number: 19-4-2002	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

That the California Department of Education (CDE) receive budget authorization from the Department of Finance to reimburse Temecula Valley Unified School District (from the Extraordinary Cost Pool) for services provided to Brett, a special education student, by the Centre for Neuro Skills.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

EC Section 56101 allows a LEA to submit a request to the State Board of Education (SBE) to waive one or more sections or regulations governing California's Special Education Program.

SUMMARY OF KEY ISSUES

EC Section 56836.21 requires the CDE to administer an Extraordinary Cost Pool to protect the LEA from high costs associated with the placement of special education students in nonpublic, nonsectarian schools. The Temecula Valley Unified School District submitted this request to waive the provisions of EC Section 56836.21 that limits reimbursements from the Extraordinary Cost Pool to only nonpublic school placements.

The Temecula Valley Unified School District is requesting reimbursement from the Extraordinary Cost Pool to pay for services provided to a special education student by a nonpublic agency. The Temecula Valley Unified School District reports that the student received "related services" from the Centre for Neuro Skills (a certified nonpublic, nonsectarian agency) and this constituted "the child's full educational program."

These services were the result of a decision from the California Special Education Hearing Office (SEHO) that found that the student was in need of a specially designed program to treat traumatic brain injury. In a due process decision, SEHO stated that while "it would have been preferable for (the student) to receive appropriate academic instruction," the student's "primary need in April 2000, was to be in a program that addressed his behavioral problems." The Centre for Neuro Skills was deemed to be an appropriate placement for the student relative to his needs.

Temecula Valley Unified School District, Page 2

As reported by the School Fiscal Services Division, the funds supporting the Extraordinary Cost Pool for fiscal years 1999-00 and 2000-01 have been exhausted. As such, the CDE would need to seek approval from the California Department of Finance for necessary

budget authority to pay the Temecula Valley Unified School District claim from either fiscal year 2003-04 or fiscal year 2004-05. The funding source (either the Extraordinary Cost Pool or another account) would need to be identified and approved.

Based upon the information provided by the Temecula Valley Unified School District, it is recommended that the SBE conditionally grant this waiver to allow reimbursement from the Extraordinary Cost Pool for services provided to Brett, a special education student. The approval is conditioned on the receipt of budget authorization from the Department of Finance to reimburse Temecula Valley for services provided to the special education student by the Centre for Neuro Skills. It is clear that the student was in need of a specialized program to meet his needs. The Centre for Neuro Skills was identified as the appropriate placement to provide these services.

Authority for the Waiver: EC 56101.

Bargaining unit(s) consulted on date(s): Does not apply to this waiver.

Position of bargaining unit(s) (choose only one): Does not apply to this waiver.

Neutral Support Oppose

Name of bargaining unit(s)/representative(s): Does not apply to this waiver.

Local board approval date(s): Not included on waiver request.

Period of request: April 3, 2000 to August 2000.

FISCAL ANALYSIS (AS APPROPRIATE)

The Temecula Valley Unified School District submitted a total claim of \$130,165.74 for services provided by the Centre for Neuro Skills for the period April 2000 – August 2000. Insufficient data currently exists to measure the fiscal impact as this claim crosses two fiscal years (1999-00 and 2000-01). The Temecula Valley Unified School District need to resubmit two separate claims (by fiscal year) and allocate the appropriate expenses for each fiscal year before the Department can determine reimbursement amounts.

BACKGROUND INFORMATION

Some documentation is available for web viewing. Waiver forms and other hard copy documents are available at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Federal Waiver

SUBJECT Request by Lompoc Unified School District to waive No Child Left Behind Act (NCLB); Title IV, Part A, Section 4115(a)(1)(c) to use Safe and Drug Free Schools and Communities funds to support the cost of Here's Looking At You , a K-12 drug education program. Waiver Number: Fed-20-2003	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval
 Approval with conditions
 Denial

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE has previously denied applications to use this program from Magnolia and Novato school districts. SBE policy 03-01 requires a program or activity supported with Safe and Drug Free School and Communities (SDFSC) funds to meet the principles of effectiveness. Attachment A of the policy lists those programs that provide scientific evidence that the program reduces violence or illegal drug use as required by Title IV, Part A Section 4115. The **Here's Looking At You** program is not on the Attachment A list, and does not meet the other criteria for waiver, so it is presented for action.

SUMMARY OF KEY ISSUES

The waiver application from the Lompoc USD regarding the Here's Looking At You program has been reviewed to ensure compliance with the three major criteria described in SBE policy 03-01 that must be met in order for the waiver to be approved by the board. The waiver application's success in meeting each of the three criteria is described as follows:

Is the program innovative?

The program has been in existence since 1992 and cannot be considered a new program. The California Department of Education's publication, *Getting Results Update 2: Assessing the Effectiveness of Classroom Based Prevention Programs, 2001*, summarized the results from two published and seven unpublished studies that previously evaluated the Here's Looking At You (HLAY) program. The program's 10 year evaluation history further underscores that this is a traditional program rather than innovative. The program includes concepts related to providing students with current information, opportunities to bond, and social skills common to many prevention curriculums based on the social influences model. Given the wide availability of social influences based programs, Here's Looking At You does not meet the State Board's criteria for being innovative compared to other programs.

Does the program demonstrate substantial likelihood of success?

Previously, Dr. Denise Hallfors, Ph.D., University of North Carolina, Chapel Hill, reviewed the two published and seven unpublished studies of Here's Looking At You available at that time for a report in *Getting Results, Update 2* (2001). Dr. Hallfors concluded that, "because of the lack of peer-reviewed studies and the weakness of unpublished study designs, Here's Looking At You should not be considered a research-based program that works."

The California Department of Education asked the California Healthy Kids Resource Center director, Deborah Wood, Ph.D., to acquire a copy of the latest Here's Looking At You evaluation conducted by Farley and Associates (April 2003) and based on the scientific evidence presented by the evaluation determine if the program demonstrates substantial likelihood of success. Dr. Wood's conclusion is that, "the present evaluation of HLAY does not provide valid and reliable evidence of effectiveness, especially on students' substance-use behaviors. Without peer-reviewed studies on the impact of HLAY and given the design weaknesses and lack of instrumentation reliability data of the Farley and Associates (April, 2003) unpublished study, there is not available evidence at this time to change the conclusions reported in *Getting Results, Update 2* (2001)." The Here's Looking At You program therefore does not meet the State Board's criteria for demonstrating the likelihood of success.

Is there a plan and timeline for submitting the program for review and recognition?

The applicant has confirmed that the program developer is submitting the evaluation for publication in a peer-review journal in the fall of 2003. The applicant did not provide a plan or timeline for submitting the program for review as required by the State Board's criteria. However, other applicants wanting to use Here's Looking At You have indicated that the developer will submit the program to both the California Healthy Kids Resource Center and the Center for Substance Abuse Prevention Model Programs in October 2003. HLAY therefore has met the criteria for submitting the program for review and recognition.

Summary: The program Here's Looking At You fails to meet two of the Board's three criteria for waiver approval. The waiver should therefore be denied.

Authority for Waiver: Title IV, Part A, Section 4115(a)(3)

Local board approval date(s): 9-9-03

Period of request: 8/27/03 to 6/10/04

FISCAL ANALYSIS (AS APPROPRIATE)

Waiver denial will increase the amount of NCLB, Title IV, Part A funds available to support science-based and proven-effective alcohol, tobacco, other drug and violence prevention programs consistent with the LEA's approved LEAP.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

<p>SUBJECT</p> <p>Whittier Union High School District requests a retroactive waiver of <i>Education Code</i> (EC) Section 60119 regarding Annual Public Hearing on the availability of textbooks or instructional materials. The district had an audit finding for fiscal year 2002-2003 for failing to notice the public hearing for ten days (8 days notice was given). This is the second year in a row for this district as they had an audit finding in fiscal year 2001-2002 for not preparing a resolution on this issue.</p> <p>Waiver Number: 28-1-2004</p>	<p><input checked="" type="checkbox"/> Action</p> <p><input type="checkbox"/> Consent</p>
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RECOMMENDATION

Approval Approval with conditions Denial

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education (SBE) has heard and approved a policy developed by the department of Instructional Materials Sufficiency Waivers of Retroactive audit findings. This is the second year in a row for this district to get this finding so it does not meet the criteria to be a consent waiver the SBE policy.

SUMMARY OF KEY ISSUES

Whittier Union High School District’s annual audit for fiscal year 2002-2003 found that the school district did not properly notice the public hearing for ten days prior to the meeting in accordance with EC Section 60119. Instead they noticed the meeting for 8 days, and it was held on February 11, 2003. In order to be in compliance for this fiscal year (2003-2004), another meeting was held on October 23, 2003, that was properly noticed for ten days.

Since this is a High School District, there is no state “adopted list” of textbooks and the “adoption” is done by the local board. In order to accept the waiver, CDE asked the school district to submit a listing of all their textbooks to verify that they are meeting the requirement of EC Section 60119. Bonnie Panagos, Whittier Union’s Director of Curriculum, has confirmed that the school board had adopted the textbooks (see attached list) during the year they were purchased.

Since the district is now fully compliant with the requirements of EC Section 60119 and has changed their procedures to ensure that they will notice the required public hearing for ten days from now on, and are fully aware of the purpose and importance of passing a resolution after the public hearing, the department recommends approval of this waiver.

Whittier Union High School District, Page 2

CDE staff verified all other requirements of the specific waiver request. Without the waiver, the local educational agency will have to return \$496,347 to CDE.

Authority for the Waiver: *Education Code* (EC) Section 41344.3

Bargaining unit(s) consulted on date(s): Not needed for this type waiver

Position of bargaining unit(s) (choose only one): Not required for this waiver.

Neutral

Support

Oppose

Name of bargaining unit(s)/representative(s): Not required for this waiver.

Local board approval date(s): February 11, 2003

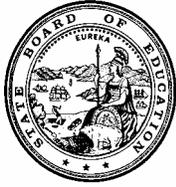
Period of request: July 1, 2002 to June 30, 2003

FISCAL ANALYSIS (AS APPROPRIATE)

This waiver is approved will relieve the district of \$496,347 in penalties.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by Lennox School District to waive <i>Education Code</i> (EC) section 46201(d), for the longer day incentive program penalty for the 2002-2003 fiscal year at Lennox Middle School. Waiver Number: 48-3-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

Approval with conditions that the district maintain increased instructional time at Lennox Middle School in grades 7 through 8 from the required 57,745 minutes per year to 58,427 minutes per year (57,745 plus the 682 minutes short) for a period of two years beginning in 2004-2005 and continuing through 2005-2006, and report the increase in its yearly audits.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE has approved similar requests with conditions. EC section 46206 authorizes waivers to be granted for fiscal penalties as a result of a shortfall in instructional time. This section of the Education Code is very prescriptive and states that a waiver may only be granted upon the condition that the school or schools in which the minutes, days, or both, were lost, maintain minutes and days of instruction equal to those lost in addition to the amount for twice the number of years that it failed to maintain the required minimum length of time for the instructional school year, minimum number of instructional days for the school year following the year, or both. The instructional time has to be made up beginning not later than the school year following the year in which the waiver was granted and continue for each succeeding school year until the condition is satisfied.

SUMMARY OF KEY ISSUES

The Lennox School District requests a waiver of EC section 46201(d), the longer day instructional time penalty, which states that minutes of instructional time must be offered at the appropriate level. During the 2002-03 annual audit, the auditor found that the district did not offer enough instructional minutes in the 7th and 8th grades because they had too many minimum days for the year. The district was found to be short 797 for the school year. The district made up 115 minutes by the end of the year so that the final audit reports reflected a shortage of 682 for the year (see attachment B-1).

The district has begun to make up the minutes and has submitted their bell schedule for fiscal year 2003-2004. In fact, the schedule shows that the district has an excess of 23 minutes for the year. The penalty for this error is \$71,780.36.

Lennox School District, Page 2

Therefore, the CDE recommends approval of this waiver request on the condition that the district maintain increased instructional time at Lennox Middle School in grades 7 through 8 from the required 57,745 minutes per year to 58,427 minutes per year (57,745 plus the 682 minutes short) for a period of two years beginning in 2004-2005 and continuing through 2005-2006, and report the increase in its yearly audits.

Authority for the Waiver: EC section 46206(a)

Bargaining unit(s) consulted on date(s): March 4, 2004 and March 5, 2004

Position of bargaining unit(s) (choose only one):

Neutral

Support

Oppose

Name of bargaining unit(s)/representative(s): Mr. Doug Luden, Ms. Suzie Goussen

Local board approval date(s): March 9, 2004

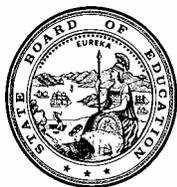
Period of request: July 1, 2002 to June 30, 2003

FISCAL ANALYSIS (AS APPROPRIATE)

The repayment amount as required by law is: 1,343.21 (Affected Daily Attendance) times \$4,524.72 (Base Revenue Limit) equals \$6,077,649.15 (Apportionment). 682 (Number of minutes short) divided by 57,745 (Required Number of Minutes) equals 0.01181 (Percentage). \$6,077,649.15 (Apportionment) times 1.181% (Percentage) equals \$71,780.36 (Penalty). The district is requesting that the full penalty be waived.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by Grant Elementary School District to waive <i>Education Code</i> (EC) section 46201(d), the longer day incentive program penalty for the 2002-2003 fiscal year at Grant Elementary School. Waiver Number: 26-1-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval
 Approval with conditions
 Denial

Approval on the condition that the district maintain increased instructional time at Grant Elementary School in grades 4 through 6 from the required 55,125 minutes per year to 55,870 minutes per year (55,125 plus the 745 minutes short) for a period of two years beginning in 2004-2005 and continuing through 2005-2006, and report the increase in its yearly audits.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE has approved similar requests with conditions. EC section 46206 authorizes waivers to be granted for fiscal penalties as a result of a shortfall in instructional time. This section of the Education Code is very prescriptive and states that a waiver may only be granted upon the condition that the school or schools in which the minutes, days, or both, were lost, maintain minutes and days of instruction equal to those lost in addition to the amount for twice the number of years that it failed to maintain the required minimum length of time for the instructional school year, minimum number of instructional days for the school year following the year, or both. The instructional time has to be made up beginning not later than the school year following the year in which the waiver was granted and continue for each succeeding school year until the condition is satisfied.

SUMMARY OF KEY ISSUES

The Grant Elementary School District requests a waiver of EC section 46201(d), the longer day incentive program penalty, which states that minutes of instructional time must be offered at the appropriate level. In the 2002-2003 school year, the Grant Elementary School District miscalculated the minutes for Grant Elementary School for the fourth through eighth grades. The school had 157 regular days of 320 minutes and 23 minimum days of 180 minutes resulting in a total of 54,830 instructional minutes. In 1982-1983, the school district offered a higher number of 55,125 instructional minutes in the fourth through sixth grades. The auditor did not find the error during the annual audit. However, district staff discovered calculation

Grant Elementary School District, page 2

errors in the spreadsheet used to track instructional minutes after the close of the fiscal year. As soon as the district realized the problem, they reported it to the auditor and the school board. Although the auditor did not find the error during the audit, the finding has been recorded as part of the 2002-2003 fiscal year.

The district will not be out of compliance in 2003-2004 for this error. The district has submitted the 2004-2005 revised bell schedules with the new number of instructional minutes (see attached bell schedules).

In order to prevent this from reoccurring in the future, the district fixed the spreadsheet to correctly calculate the instructional minutes. The penalty for this error is \$11,189.65. The district will begin to make up the instructional time beginning in school year 2003-2004 by increasing the instructional time at Grant Elementary School to 55,870 (55,125 plus 745) in grades 4 through 6.

Authority for the Waiver: Education Code section 46206(a)

Bargaining unit(s) consulted on date(s): 10/01/03 and 10/06/03

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose

Name of bargaining unit(s)/representative(s): Danna Harvey, CTA and Suzanne Adams, CSEA

Local board approval date(s): January 22, 2004

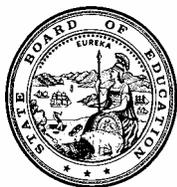
Period of request: 07/01/02 to 06/30/03

FISCAL ANALYSIS (AS APPROPRIATE)

The repayment amount as required by law is: 185.37 (Affected Daily Attendance) times \$4,466.52 (Base Revenue Limit) equals \$827,958.81 (Apportionment). 745 (Number of minutes short) divided by 55,125 (Required Number of Minutes) equals 0.0135 (Percentage). \$827,958.81 (Apportionment) times 1.35% (Percentage) equals \$11,189.65 (Penalty). The district is requesting that the full penalty be waived.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

General Waiver

SUBJECT Request by Loomis Union Elementary School District to waive <i>Education Code (EC) Section 5017(a)</i> (curtailment of current 4 year term of some board members due to “redrawn trustee area map”) and <i>EC Section 5021(b)</i> (curtailment of current guarantee for board members to complete terms after a “redrawn trustee area map”)	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent
Waiver Number: 78-3-2004	

RECOMMENDATION

Approval **Approval with conditions** Denial

This recommendation for approval is conditional upon the Placer County Committee on School District Organization and voters in the Loomis and Penryn elementary school districts approving a proposal (initiated by both districts) to transfer the entire territory of Penryn Elementary School District (ESD) to Loomis Union ESD.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In June 2000, the State Board of Education (SBE) approved a request from the Mountain View and Whisman elementary school districts (in Santa Clara County) to allow election of a new governing board upon the transfer of the Whisman ESD to Mountain View ESD. In granting this request, the SBE waived portions of *EC Section 5017* to allow the terms of office of current board members to be terminated by the election of the new governing board.

SUMMARY OF KEY ISSUES

The Loomis and Penryn elementary school districts have submitted a proposal to the Placer County Committee on School District Organization to transfer the entire territory of Penryn ESD to Loomis ESD. Placer County Committee approval of this proposal will place the issue before the voters in the Loomis and Penryn elementary school districts at the November 2004 election. Under current law, if voters approve the proposal, the governing board of the expanded district will be the current governing board of Loomis Union ESD.

One provision of the proposal is to establish trustee areas for elections of governing board members in the expanded district. Approval of the waiver request will allow voters to elect a new governing board by trustee area (one that is representative of the total expanded district) at the same time that they approve the proposal to merge the two districts. With the waiver, the new board will be seated at the same time the merger of the districts is effective (7/1/05).

Loomis Union Elementary School District, Page 2

Authority for Waiver: *Education Code (EC) Section 33050*

Bargaining unit(s) consulted on date(s): 2/25/04, 2/26/04

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose

Name of bargaining unit/representative(s): CSEA-Ken Stewart, LTA-Bill Scott

Public hearing identified by (choose one or more):

posting in a newspaper posting at each school other (specify)

Public hearing held on date(s): 3/4/04

Local board approval date(s): 3/4/04

Advisory committee(s) consulted: Does not apply

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: Does not apply

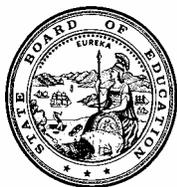
Period of request: 5/13/04 to 12/31/04

FISCAL ANALYSIS (AS APPROPRIATE)

There will be no significant cost to the district or the state due to approval of a waiver that allows election of a new governing board.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Petition Waiver

<p>SUBJECT</p> <p>Petition request under <i>Education Code</i> (EC) Section 60421(d) and 60200(g) by Mill Valley School District to purchase Instructional Resources (Ca. Edition of Full Option Science System (FOSS K-5) using Instructional Materials Funding Realignment Program (IMFRP) monies.</p> <p>Waiver Number: 128-3-2004</p>	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

Approval from July 1, 2004 through June 30, 2006, with the condition that the district supplement the *Full Option Science System (FOSS)* program with *Harcort Brace Science* to ensure coverage of all science content standards

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The petition process was continued in statute for use by districts with the Instructional Materials Funding Realignment Program, AB 1781, Statutes of 2002 with *Education Code* Section 60421(d). This is the first petition request from this district for the *FOSS* program. Dr. Sandra Mann, a member of the Curriculum Commission, earlier reviewed this program at the request of the State Board. A similar petition from the Palo Alto Unified School District was approved by the State Board at its March 2004 meeting.

SUMMARY OF KEY ISSUES

Mill Valley School District submits this petition to use Instructional Materials Funding Realignment Program (IMFRP) funds for the purchase of *FOSS, Grades K-5, California Edition*.

The *FOSS Grades K-5* program was submitted for consideration for adoption as part of the 2000 Science Primary Adoption, but was not adopted. The district is seeking to use the California Edition of the *FOSS* program in conjunction with the Board-adopted *Harcort Brace Science* program for grades K-5. The district asserts that this combination addresses the weaknesses found in the program during the 2000 Adoption and in a subsequent review of the program by Dr. Sandra Mann of the Curriculum Commission.

In addition, each site has a set of leveled books including non-fiction titles that supplement the *FOSS* materials for content information at each child's reading level. Many of these books come from the Houghton Mifflin Reading library which gives an overlap between curriculum areas.

Mill Valley School District, Page 2

It is difficult to track student achievement in science, as the API does not reflect science and the first statewide assessment in Science (for 5th grade) is not slated to occur until 2004. However, Mill Valley's five elementary schools all received a 10 API ranking in 2003.

Since assessment data in science is unavailable, the general procedure is to use mathematics test data for waiver requests for science materials as a proxy. The Mill Valley scores in mathematics (SAT-9, CAT-6, and CST) for the five elementary schools covered by this waiver request have been significantly higher than the state average.

On the 2003 Mathematics Standards Test, for example, 88-96 percent of Mill Valley students in grades 2nd through 5th scored at the Basic level or higher, compared to 61-76 percent for the same grade range statewide. More specific test results are provided in the Mathematics Assessment Information provided by the district as part of its waiver request (attached).

Authority for Petition: *Education Code* (EC) Section 60421(d) and 60200(g)

Public hearing identified by (choose one or more):

posting in a newspaper posting at each school other (specify)

Public hearing held on date(s): March 16, 2004

Local board approval date(s): March 16, 2004

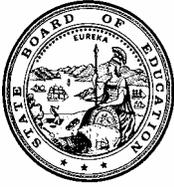
Period of request: July 1, 2004, through June 30, 2006. The District requested approval through June 2008, but typically the State Board approves waivers/petitions for a two-year period. If the district submits a renewal petition, they should include evidence for having met the conditions included in this petition.

FISCAL ANALYSIS (AS APPROPRIATE)

LEA's K-8 IMFRP in the 2003-2004 year:	\$ 400,000
Estimated cost of requested materials:	\$ 40,000 annually
Percentage of K-8 IMFRP:	10%

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Petition Waiver

SUBJECT Petition request under <i>Education Code</i> (EC) Section 60421(d) and 60200(g) by Davis Joint Unified School District to purchase Instructional Resources (<i>Everyday Mathematics</i> , Grades 4-5) using Instructional Materials Funding Realignment Program (IMFRP) monies Waiver Number: 115-3-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

Approval from May 13, 2004, through June 30, 2006, with the condition that the district supplement *Everyday Mathematics*, Grades 4-5, as necessary for coverage of all mathematics content standards. If renewal of the petition is sought, the district should include evidence of meeting the condition for standards coverage.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The petition process was continued in statute for use by districts with the Instructional Materials Funding Realignment Program, AB 1781, Statutes of 2002 with *Education Code* Section 60421(d). This is the first request from this district for a waiver for the *Everyday Mathematics* program. Over the last three years, the State Board has approved 20 of 21 total waivers/petitions submitted for the *Everyday Mathematics* program.

SUMMARY OF KEY ISSUES

The Davis Joint Unified School District requests approval of its petition pursuant to EC 60421(d): "Notwithstanding any other provision of law, pursuant to subdivision (g) of section 60200, the State Board of Education may authorize a school district to use any state basic instructional materials allowance to purchase standards-aligned materials as specified within this part." EC 60200(g): "If a district board establishes to the satisfaction of the State Board that the state-adopted instructional materials do not promote the maximum efficiency of pupil learning in the district, the State Board shall authorize the district board to use its instructional materials allowance to purchase materials as specified by the State Board."

The Davis Joint Unified School District is petitioning to purchase: *Everyday Mathematics* (4-5).

The petition request is for three elementary schools within the District. These three schools have excellent assessment results. All three of these schools have had an API

Davis Joint Unified School District, Page 2

ranking of 9 or 10 over the last four years. The district submitted assessment data for the statewide Mathematics Arts Standards Test and the SAT-9 Mathematics Test. District performance and the performance of these three schools is significantly above the state average, with the district demonstrating 88-90% scoring at "basic or above" on the 2002 Mathematics CST for grades 2-5, compared to 59-67% statewide.

Detailed assessment data are attached to this petition. The District requests that its petition be granted to use *Everyday Mathematics* as the core instructional materials for teachers and students in its GATE program at fourth and fifth grade. The teachers in this program have undergone training by representatives of the company that produces *Everyday Mathematics*, and some have undergone additional professional development to complement this training.

Following earlier petition requests to purchase the *Everyday Mathematics* program using Instructional Materials Fund funds, the State Board of Education asked former Commissioner Stickel to review the 2002 edition of the *Everyday Mathematics* program for grades 4-6. Ms. Stickel found in her report to the Board that there were numerous areas where the Mathematics Standards were not met, particularly at the Grade 4 level. Pursuant to this recommendation the Board acted to approve these petition requests with the condition that the districts demonstrate supplemental coverage of these standards.

Davis Joint Unified School District has agreed to do this supplementation, and therefore the department is recommending approval with conditions.

Authority for Petition: *Education Code* (EC) Section 60421(d) and 60200(g)

Public hearing identified by (choose one or more):

posting in a newspaper posting at each school other (specify)

Public hearing held on date(s): April 1, 2004

Local board approval date(s): March 4, 2004

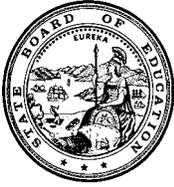
Period of request: Period of request: Recommended: May 13, 2004, through June 30, 2006. The District has requested approval through June 2007, but typically the State Board approves waivers/petitions for a two-year period. If the district submits a renewal petition, the district should include evidence for having met the conditions included in this petition.

FISCAL ANALYSIS (AS APPROPRIATE)

LEA's K-8 IMFRP in the 2003-2004 year:	\$	\$152, 338
Estimated cost of requested materials:	\$	\$6,432 annually
Percentage of K-8 IMFRP:		4.2%

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by Baldwin Park Unified School District to waive <i>Education Code</i> (EC) Section 56362(c): allowing the caseload of the resource specialist to exceed the maximum caseload of 28 students by no more than four students. (32 maximum) Lachele Strizic Margaret Heath Elementary and Robert Gregory at Geddes Elementary/De Anza Elementary. Waiver Number: 21-3-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

That the Resource Specialist will have an instructional aide available for at least five hours daily.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Both EC 56362 and *California Code of Regulations, Title 5, Section 3100*, allow the State Board of Education to approve waivers of resource specialists to exceed the maximum caseload of 28 students by no more than four students. However, there are specific requirements in these regulations, which must be met for approval, and if these requirements are not met, the waiver must be denied.

The Resource Specialist program shall be under the direction of a resource specialist who is a credentialed special education teacher, or who has a clinical services credential with a special class authorization, who has had three or more years of teaching experience, including both regular and special education teaching experience, as defined by rules and regulations of the Commission on Teacher Credentialing and who has demonstrated the competencies for a resource specialist, as established by the Commission on Teacher Credentialing.

SUMMARY OF KEY ISSUES

The waiver request stipulates that Lachele Strizic, resource specialist, at Margaret Heath Elementary and Robert Gregory, resource specialist, at Geddes Elementary/De Anza Elementary in the Baldwin Park USD will increase their caseload from 28 students to 32 students. Lachele Strizic and Robert Gregory agree to the increase and look forward to working with the additional four students. Ms. Strizic and Mr. Gregory participated in the development of the waiver and each agreed to exceed the maximum caseload of 28 students by no more that four students.

Baldwin Park Unified School District, Page 2

Arthur Eddy, the union representative was contacted by California Department of Education (CDE) staff and also participated in the waiver development but has expressed the union's opposition. Title 5, CCR 3100 does not require union agreement, only participation in the waiver process. Therefore CDE is recommending approval of this waiver based on the teacher's agreement to all the conditions of Tile 5 CCR 3100.

Authority for the Waiver: EC 56101, and Title 5, CCR Section 3100(d)(4).

Bargaining unit(s) consulted on date(s): April 13, 2004

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose

The Baldwin Park Education Association prefers that the district hire additional personnel to comply with caseload standards.

Name of bargaining unit(s)/representative(s): Arthur Eddy

Local board approval date(s): February 27, 2004

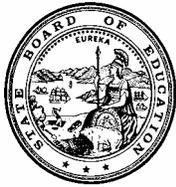
Period of request: March 1, 2004 to June 15, 2004

FISCAL ANALYSIS (AS APPROPRIATE)

If this waiver is denied, the District will need to employ additional qualified staff or persons with emergency qualifications to provide services to special education students.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by Alhambra School District to waive <i>Education Code</i> (EC) Section 56362(c): allowing the caseload of the resource specialist to exceed the maximum caseload of 28 students by no more than four students (32 max). Jennifer Mirada assigned at Repetto Elementary Waiver Number: 13-1-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

that the Resource Specialist will have an instructional aide available for at least 5 hours a day and this waiver does not result in Jennifer Mirada having a caseload in excess of the statutory maximum for more than two school years as in CCR, Title 5, Section 3100.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education has approved this type of waiver. Both *Education Code* Section 56362(c) and *California Code of Regulations* (CCR), Title 5, Section 3100 allows the State Board of Education to approve waivers of Resource Specialists to exceed the maximum caseload of 28 students by not more than four (4) students. However, there are very specific requirements in these regulations that must be met for approval, and if these requirements are not met, the waiver must be denied.

The Resource Specialist program shall be under the direction of a Resource Specialist who is a credentialed Special Education teacher, or who has a clinical services credential with a special class authorization, who has had three or more years of teaching experience, including both regular and Special Education teaching experience, as defined by rules and regulations of the Commission on Teacher Credentialing and who has demonstrated the competencies for a Resource Specialist, as established by the Commission on Teacher Credentialing.

SUMMARY OF KEY ISSUES

The waiver requests that the resource specialist (RS) will have an increase in her caseload from 28 students to 32 students. Jennifer Mirada, the RS, assigned to Repetto Elementary in the Alhambra School District, agrees to the increase in her caseload and looks forward to working with the additional four students. Ms. Mirada participated in the development of the waiver and agreed to exceed the maximum caseload of 28 students by no more than four students. The district and Jennifer are aware that this waiver will not be approved next year for the additional case load.

Gloria Tauson, the union representative, was contacted by staff at the California Department of Education (CDE) and also participated in the waiver development, but

Alhambra School District, Page 2

has expressed the union's opposition. Title 5, CCR, Section 3100 does not require union agreement, only participation in the waiver process. CDE is recommending approval of this waiver because the teachers agree and all other conditions are met.

Authority for the Waiver: EC 56101, Title 5, CCR Section 3100(d)(4).

Bargaining unit(s) consulted on date(s): April 13, 2004

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose

"It continues to be the position of the ATA that a caseload of 28 students is far too many. To ask a RS teacher to increase their load to 32 will further exacerbate an untenable classroom environment."

Name of bargaining unit(s)/representative(s): Gloria Tauson, President of American Teachers Association

Local board approval date(s): January 05, 2004

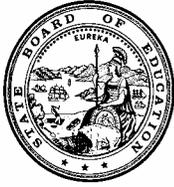
Period of request: November 2003 to June 2004

FISCAL ANALYSIS (AS APPROPRIATE)

If this waiver is denied, the District will have to employ additional qualified staff or persons with emergency qualifications to provide services to special education students placing a financial hardship on the district.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

General Waiver

SUBJECT Request by San Ramon Valley Unified School District to waive <i>Education Code</i> (EC) Section 62002 (sunset provision) and 52046(b)(3) in order to share and coordinate the use of School Improvement funds between all schools in the district, including California High School, Monte Vista High School and San Ramon Valley High School. Waiver Number: 11-11-2003	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval **Approval with conditions** **Denial**

Under the provisions of *Education Code* Section 33051(c), the district would not need to reapply for renewal of the waiver at the end of the requested period if all material facts remain the same.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board has granted similar waivers to other districts.

SUMMARY OF KEY ISSUES

Prior to last year, San Ramon Valley USD received School Improvement Program (SIP) funds for its schools in grades K-8, and SB 1882 funds for similar programs in most of its high schools. However, following statewide elimination of the SB 1882 (high school) program and its funding last year in conjunction with the state's budget shortfall, San Ramon is requesting a waiver that would allow it to share its remaining SIP funding with its high schools. School site councils at all of the elementary and middle schools have reviewed this request. Twenty-seven of the twenty-eight school site councils indicated that they had no objection to the proposal. The difference in funding to the one site that registered objection to the waiver would be very minor in relation to the site's total budget.

Authority for Waiver: Education Code (EC) Section 33050

Bargaining unit(s) consulted on date(s): 11-12-2003

Position of bargaining unit(s) (choose only one):

Neutral **Support** Oppose

San Ramon Valley Unified School District, Page 2

Name of bargaining unit/representative(s): Mary Jane Keogh (SRVEA)

Public hearing identified by (choose one or more):

posting in a newspaper posting at each school other (specify)

Public hearing held on date(s): February 17, 2004

Local board approval date(s): February 17, 2004

Advisory committee(s) consulted: All 28 School Site Councils reviewed the request.

Objections raised (choose one): None Objections are as follows:

One school site council (Del Amigo) objected to the waiver request due to the reduced funding it would receive. The other 27 site councils did not express objections.

Date(s) consulted: various dates in December 2003 and January 2004

Period of request: 11-14-03 to 11-14-05

FISCAL ANALYSIS (AS APPROPRIATE)

This request would not result in additional costs to the district or to the state. It would result in a sharing of funds received by elementary and middle schools with the district's high schools.

BACKGROUND INFORMATION

Waiver forms and other hard copy documents are available for viewing at the Waiver Office or the State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

General Waiver

SUBJECT Request by Cajon Valley Union School District to waive <i>Education Code</i> sections 52046 and 62002 in order to provide equal School Improvement Program (SIP) funding support to all grade levels, K-8. Waiver Number: 20-12-2003	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval **Approval with conditions** **Denial**

Under the provisions of *Education Code* Section 33051(c), the district would not need to reapply for renewal of the waiver at the end of the requested period if all material facts remain the same.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The Board has granted waivers to other districts under similar circumstances in the past.

SUMMARY OF KEY ISSUES

Under current law, districts receive one rate of SIP (School Improvement Program) funding for grades K-6, and a different rate for grades 7-8. Cajon Valley USD seeks to combine these funds and provide an equal rate of SIP funding support to all grade levels, K-8.

Authority for Waiver: *Education Code* (EC) Section 33050

Bargaining unit(s) consulted on date(s): 11-17-03; 11-19-03

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose

Name of bargaining unit/representative(s):

Public hearing identified by (choose one or more):

posting in a newspaper posting at each school other (specify)

Public hearing held on date(s): 11-18-03

Local board approval date(s): 11-18-03

Cajon Valley Union School District, Page 2

Advisory committee(s) consulted: School Site Councils

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: 11-16-03

Period of request: 7-1-2003 through 6-30-2005

FISCAL ANALYSIS (AS APPROPRIATE)

This request would not result in additional costs to the district or to the state.

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

General Waiver

SUBJECT Request by Culver City Unified School District to waive <i>Education Code</i> (EC) Sections 62002 (sunset provision) and 52046(b)(3) in order to share and coordinate the use of School Improvement funds between Culver City High School and Culver Park High School. Waiver Number: 30-3-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval **Approval with conditions** **Denial**

Under the provisions of *Education Code* Section 33051(c), the district would not need to apply for a renewal of the waiver at the conclusion of the waiver period if all material facts remain the same.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board has approved similar waiver requests in the past.

SUMMARY OF KEY ISSUES

Culver Park H.S., a continuation high school, has no discretionary funds to use for program improvement now that SB 1882 funding has ended statewide. The Culver City H.S. School Site Council proposes to transfer \$10,000 of its School Improvement Program (SIP) funding to Culver Park, as students move between the two schools. Culver Park will elect a school site council, develop a Single Plan for Student Achievement, and participate in the trainings provided for schools with School Improvement programs, all directed at increasing student achievement.

Authority for Waiver: *Education Code* (EC) Section 33050

Bargaining unit(s) consulted on date(s): 2-23-04

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose

Name of bargaining unit/representative(s): David Mielke and Jackie Lee

Public hearing identified by (choose one or more):

posting in a newspaper posting at each school other (specify)

Public hearing held on date(s): 3-2-2004

Local board approval date(s): 3-2-2004

Culver City Unified School District, Page 2

Advisory committee(s) consulted: Culer City H. S. School Site Council

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: 2-10-2004

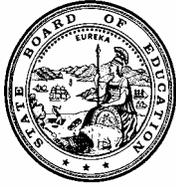
Period of request: 3-1-2004 to 2-28-2004

FISCAL ANALYSIS (AS APPROPRIATE)

There are no additional costs to the district or to the state.

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by Dublin Unified School District to waive <i>Education Code</i> Section 45108.5(b)(1) to increase the number of positions designated as senior management. Waiver Number: 36-2-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

We recommend approval of this waiver request. Dublin is requesting to increase its number of senior management positions from two to five. Per statute, a district with less than 10,000 average daily attendance (ADA) is allowed only two such positions, unless granted a waiver by the State Board.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The Board has previously approved requests to waive *Education Code* Section 45108.5(b)(1) for Los Angeles Unified School District and Calexico Unified School District.

SUMMARY OF KEY ISSUES

Statute authorizes school districts to designate between two and five positions, based on the size of the district, as "senior management" positions. The designation as senior management means that personnel in those positions are afforded all rights, benefits, and burdens of other classified employees, except that they shall be exempt from all provisions relating to obtaining permanent status"

The district is experiencing significant growth and requires a change in its organizational structure to meet the additional demands of a growing district. The district believes this language will provide additional flexibility if there comes a time when they determine those positions are no longer needed.

Authority for the Waiver: *Education Code* Section 45108.7

Bargaining unit(s) consulted on date(s): California School Employees Association (CSEA)

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose

Dublin Unified School District, Page 2

Name of bargaining unit(s)/representative(s): Shelley Fischer, President (CSEA),
Dublin Chapter #439

Local board approval date(s): January 27, 2004

Period of request: Waiver requested for the period March 1, 2004 through
February 28, 2006, thus making it a permanent waiver request.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no known fiscal impact for this waiver request.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by Dunsmuir Joint Union High School District to waive <i>Education Code</i> (EC) Section 49550, the State Meal Mandate during the Summer School Session. Waiver Number: 28-2-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Waivers of this type normally go to the State Board of Education Action Calendar, as there is a statutory basis for the denial recommendation.

Although this is an annual approval process, it is worth mentioning CDE recommended a denial of this district's same waiver request last year. However, prior to the board meeting, the request was withdrawn. The school district then tried to use the General Waiver process, which CDE told them they could not use since Specific Waiver authority takes precedent over General Waiver authority. The district withdrew their waiver request.

SUMMARY OF KEY ISSUES

Education Code (EC) Section 49550 states that each needy child who attends a public school be provided a nutritionally adequate free or reduced-price meal every school day. The following district has requested a waiver of EC Section 49550 for the summer of 2004, and has certified their compliance with all required conditions necessary to obtain a waiver.

EC Section 49548 allows a waiver of EC Section 49550 during summer school if the district seeking the waiver has met *at least two* of the following four criteria:

Criteria One:

- The summer school session is of less than four hours duration and is completed by noon, allowing pupils to go home during the lunch period.

Criteria Two:

- Less than 10 percent of needy pupils attending the summer school session are at the schoolsite for more than three hours per day.

Dunsmuir Joint Union High School District, Page 2

Criteria Three:

- A Summer Food Service Program for Children site is available within the school attendance area.

Criteria Four:

- Serving meals during the summer school session would result in a financial loss to the school district, documented by the district, in an amount equal to one-third of the food service net cash resources or, if those cash resources are nonexistent, an amount equivalent to one month's operating costs.

Review of the waiver document indicates that Dunsmuir Joint Union High School District does not meet any of the four criteria outlined below:

- Although completed by noon, the school session is four hours;
- All children remain on-site for more than three hours and ;
- There is no Summer Food Service Program for children within the attendance area of the school site; and
- The district has not indicated that it will suffer a financial loss equal to one-third of the cafeteria balance or a loss equal to one months costs.

CDE staff contacted Mr. Robert Morris, Superintendent for the Dunsmuir Joint Union High School District. CDE staff left a detailed message explaining the waiver process and how each criteria was not being met. This message also gave Mr. Morris the opportunity to withdraw his waiver request and asked Mr. Morris to return the call. This phone message was followed up on February 20, 2004 with an e-mail message to Mr. Morris at: bmorris@sisnet.ssku.k12.ca.us. Follow-up contact was made on February 26th, March 3rd, March 10th, March 16th, and March 19th requesting a corrected waiver and the supporting documentation for each criteria the district met. These additional contacts were made both by e-mail and certified letter. Mr. Morris was given a final deadline of March 24, 2004 to file a corrected waiver. NSD has had no response from Mr. Morris or the district.

Authority for the Waiver: *Education Code (EC) Section 49548.*

Bargaining unit(s) consulted on date(s): Not required for summer school waivers.

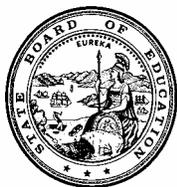
Position of bargaining unit(s) (choose only one): Not required for summer school waivers.

Neutral Support Oppose

Name of bargaining unit(s)/representative(s): Not required for summer school waivers.

Local board approval date(s): February 2, 2004

Period of request: June 21, 2004 - August 2, 2004



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by Gravenstein Union School District to waive <i>Education Code</i> (EC) Section 49550, the State Meal Mandate during the Summer School Session. Waiver Number: 100-3-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Waivers of this type normally go to the State Board of Education Action Calendar, as there is a statutory basis for the denial recommendation.

SUMMARY OF KEY ISSUES

Education Code (EC) Section 49550 states that each needy child who attends a public school be provided a nutritionally adequate free or reduced-price meal every school day. The following district has requested a waiver of EC Section 49550 for the summer of 2004, and has certified their compliance with all required conditions necessary to obtain a waiver.

EC Section 49548 allows a waiver of EC Section 49550 during summer school if the district seeking the waiver has met *at least two* of the following four criteria:

Criteria One:

- The summer school session is of less than four hours duration and is completed by noon, allowing pupils to go home during the lunch period.

Criteria Two:

- Less than 10 percent of needy pupils attending the summer school session are at the schoolsite for more than three hours per day.

Criteria Three:

- A Summer Food Service Program for Children site is available within the school attendance area.

Criteria Four:

- Serving meals during the summer school session would result in a financial loss to the district, documented by the district, in an amount equal to one-third of the food service net cash resources or, if those cash resources are nonexistent, an amount equivalent to one month's operating costs.

Gravenstein Union School District, Page 2

In order for a district to be approved, it must meet two of the four required criteria at each site requesting a waiver. Based on the information provided, this district meets only one of the four criteria as outlined below:

- This district's summer school session is less than four hours and is over by noon. This criteria is being met.
- All children remain on-site for more than three hours;
- There is no Summer Food Service Program for Children within the attendance area of the site; and
- Although the district indicates it will suffer a financial loss, it is not greater than or equal to one month's cost.

On March 17, 2004, Gravenstein Union School District's waiver was received and reviewed by the California Department of Education (CDE). During the review process, it was noted that only one of the criteria was being met. CDE contacted Ms. Linda LaMurre, Superintendent for the Gravenstein Union School District. During the conversation, CDE Staff explained the waiver process and how only one of the four required criteria was being met. This phone conversation was followed up on several occasions with e-mail messages requesting a corrected waiver and the supporting documentation for each criteria the district met. Ms. LaMurre was given a final deadline of April 5, 2004 to file a corrected waiver. NSD has not received any additional information from the district.

FISCAL ANALYSIS (AS APPROPRIATE)

For programs operating a summer school program in previous years, denial of the waiver will not impact the draw on Proposition 98 funds or local finances.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.

Authority for the Waiver: *Education Code (EC) Section 49548.*

Bargaining unit(s) consulted on date(s): Not required for summer school waivers.

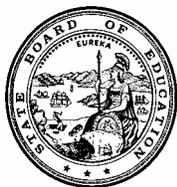
Position of bargaining unit(s) (choose only one): Not required for summer school waivers.

Neutral Support Oppose

Name of bargaining unit(s)/representative(s): Not required.

Local board approval date(s): March 11, 2004

Period of request: June, 15, 2004 to July 12, 2004



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by Lassen Union High School District to waive <i>Education Code</i> (EC) Section 49550, the State Meal Mandate during the Summer School Session. Waiver Number: 99-3-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Waivers of this type to the State Board of Education Action Calendar.

SUMMARY OF KEY ISSUES

Education Code (EC) Section 49550 states that each needy child who attends a public school be provided a nutritionally adequate free or reduced-price meal every school day. The following district has requested a waiver of EC Section 49550 for the summer of 2004, and has certified their compliance with all required conditions necessary to obtain a waiver.

EC Section 49548 allows a waiver of EC Section 49550 during summer school if the district seeking the waiver has met *at least two* of the following four criteria:

Criteria One:

- The summer school session is of less than four hours duration and is completed by noon, allowing pupils to go home during the lunch period.

Criteria Two:

- Less than 10 percent of needy pupils attending the summer school session are at the schoolsite for more than three hours per day.

Criteria Three:

- A Summer Food Service Program for Children site is available within the school attendance area.

Criteria Four:

- Serving meals during the summer school session would result in a financial loss to the school district, documented by the district, in an amount equal to one-third of the food service net cash resources or, if those cash resources are

nonexistent, an amount equivalent to one month's operating costs.

In order for a district to be approved, it must meet two of the four required criteria at each site requesting a waiver. This district does not meet **any of the four** criteria at its requested site as outlined below:

- Although this district's summer school session is over by noon, it is not less than four hours long;
- All children remain on-site for more than three hours;
- There is no Summer Food Service Program for children within the attendance area of the school site; and
- Although the district will suffer a financial loss, it is not equal to one month's operating costs.

On March 17, 2004, Lassen Union High School District's waiver was received and reviewed by the California Department of Education (CDE). During the review process, it was noted that the district met none of the criteria. CDE contacted Ms. Sondra Base, Food Service Manager for the Lassen Union High School District. During the conversation, CDE staff explained the waiver process and how each criteria was not being met. This phone conversation was followed up on several occasions with e-mail messages requesting a corrected waiver and the supporting documentation for each criteria the district met.

Ms. Base was given a final deadline of March 24, 2004 to file a corrected waiver. Nutrition Services Division has not received any additional information from the district.

Authority for the Waiver: *Education Code (EC) Section 49548.*

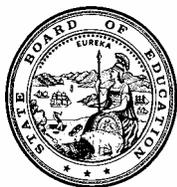
Bargaining unit(s) consulted on date(s): Not required for summer school waivers.

Local board approval date(s): 3/9/04

Period of request: 6/14/04 to 7/23/04

FISCAL ANALYSIS (AS APPROPRIATE)

For programs operating a summer school program in previous years, denial of the waiver will not impact the draw on Proposition 98 funds or local finances.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by San Lorenzo Valley School District to waive <i>Education Code</i> (EC) Section 49550, the State Meal Mandate during the Summer School Session. Waiver Number: 102-3-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with Conditions Denial

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Waivers of this type normally go to the State Board of Education Action Calendar, as there is a statutory basis for the denial recommendation.

SUMMARY OF KEY ISSUES

Education Code (EC) Section 49550 states that each needy child who attends a public school must be provided a nutritionally adequate free or reduced-price meal every school day. This district has requested a waiver of EC Section 49550 for the summer of 2004, and has certified their compliance with all required conditions necessary to obtain a waiver.

EC Section 49548 allows a waiver of EC Section 49550 during summer school if the district seeking the waiver has met at least two of the following four criteria:

Criteria One:

The summer school session is of less than four hours duration and is completed by noon, allowing pupils to go home during the lunch period.

Criteria Two:

Less than 10 percent of needy pupils attending the summer school session are at the schoolsite for more than three hours per day.

Criteria Three:

A Summer Food Service Program for Children site is available within the school attendance area.

San Lorenzo Valley School District, Page 2

Criteria Four:

Serving meals during the summer school session would result in a financial loss to the school district, documented by the district, in an amount equal to one-third of the food service net cash resources or, if those cash resources are nonexistent, an amount equivalent to one month's operating costs.

In order for a district to be approved, it must meet two of the four required criteria at each site requesting a waiver. This district **does not meet any of the four criteria** at its requested site:

- Although this district's summer school session is over by noon, it is not less than four hours long.
- All children remain on-site for more than three hours;
- There is no Summer Food Service Program for children within the attendance area of the school sites; and
- Although the district indicates it will suffer a financial loss of one-third of the cafeteria fund balance, it did not provide supporting documentation.

On March 17, 2004, San Lorenzo Valley School District's waiver was received and reviewed by the California Department of Education (CDE). During the review process, it was noted that the district met none of the criteria. CDE staff contacted Ms. Vera Chesnut, Child Nutrition Services Manager for the San Lorenzo Valley School District and explained the waiver process and how each criteria was not being met. CDE staff followed up on several occasions with e-mail messages requesting a corrected waiver and the supporting documentation for each criteria the district believed it met. Ms. Chesnut was given a final deadline of March 24, 2004 to file a corrected waiver. NSD has not received any additional information from the district.

Authority for the Waiver: *Education Code (EC) Section 49548.*

Bargaining unit(s) consulted on date(s): Not required for summer school waivers.

Position of bargaining unit(s) (choose only one): Not required for summer school waivers.

Neutral Support Oppose

Local board approval date: 03/16/04

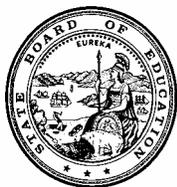
Period of request: 06/21/04 to 0723/04

FISCAL ANALYSIS (AS APPROPRIATE)

For programs operating a summer school program in previous years, denial of the waiver will not impact the draw on Proposition 98 funds or local finances.

BACKGROUND INFORMATION

Action Item: Some documentation available on the web. Copies are available in the State Board Office or CDE Waiver Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by Arcata School District to waive <i>Education Code</i> (EC) Section 49550, the State Meal Mandate during the Summer School Session. Waiver Number: 69-2-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Waivers of this type normally go to the State Board of Education Action Calendar, as there is a statutory basis for the denial recommendation.

SUMMARY OF KEY ISSUES

Education Code (EC) Section 49550 states that each needy child who attends a public school be provided a nutritionally adequate free or reduced-price meal every school day. The following district has requested a waiver of EC Section 49550 for the summer of 2004, and has certified their compliance with all required conditions necessary to obtain a waiver.

EC Section 49548 allows a waiver of EC Section 49550 during summer school if the district seeking the waiver has met *at least two* of the following four criteria:

Criteria One:

- The summer school session is of less than four hours duration and is completed by noon, allowing pupils to go home during the lunch period.

Criteria Two:

- Less than 10 percent of needy pupils attending the summer school session are at the schoolsite for more than three hours per day.

Criteria Three:

- A Summer Food Service Program for Children site is available within the school attendance area.

Arcata School District, Page 2

Criteria Four:

- Serving meals during the summer school session would result in a financial loss to the school district, documented by the district, in an amount equal to one-third of the food service net cash resources or, if those cash resources are nonexistent, an amount equivalent to one month's operating costs.

In order for a district to be approved, it must meet two of the four required criteria at each site requesting a waiver. This district does not meet two of the four criteria at its requested site as outlined below:

- The session is three hours and 55 minutes long and is over at 12:00 PM. This condition is met.
- All children remain on-site for more than three hours;
- There is no Summer Food Service Program for children within the attendance area of the school site; and
- Although the district will suffer a financial loss, it is not equal to one-third of the cafeteria balance. In addition, the loss indicated was not supported.

On February 27, 2004, Arcata School District's waiver was received and reviewed by the California Department of Education (CDE). During the review process, it was noted that the district met only one of the four statutory criteria. CDE contacted Mr. Stephen Kelish, Superintendent for the Arcata School District and explained the waiver process and how each criteria was not being met. This phone conversation was followed up on several occasions with e-mail messages requesting a corrected waiver and the supporting documentation for each criteria the district met. Mr. Kelish was given a final deadline of March 25, 2004 to file a corrected waiver. NSD has not received any additional information from the district.

It is the school's contention that since they do not have attendance boundary lines and operate an open enrollment policy, the Summer Food Service Program (SFSP) identified to meet Criteria 3 should be approved. CDE staff disagrees, noting that last year the district indicated that the SFSP site in question was in the attendance area of a different school for which they were seeking a waiver (see Map A). Low-income children attending the summer school session would need to travel 1.2 miles and over (i.e. cross) Highway 101 to receive a nutritious meal (see Map B.) The distance and obstacles are sufficient to deny criteria 3.

Authority for the Waiver: *Education Code (EC) Section 49548.*

Bargaining unit(s) consulted on date(s): Not required for summer school waivers.

Position of bargaining unit(s) (choose only one): Not required for summer school waivers.

Neutral

Support

Oppose

Arcata School District, Page 3

Name of bargaining unit(s)/representative(s): Not required for summer school waivers.

Local board approval date(s): 02/23/04

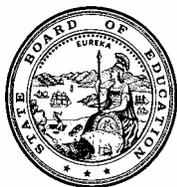
Period of request: 06/21/04 to 07/16/04

FISCAL ANALYSIS (AS APPROPRIATE)

For programs operating a summer school program in previous years, denial of the waiver will not impact the draw on Proposition 98 funds or local finances.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by Fillmore Unified School District to waive <i>Education Code</i> (EC) Section 49550, the State Meal Mandate during the Summer School Session. Waiver Number: 9-3-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION-

Approval Approval with conditions Denial

That Sespe Elementary School be recommended for approval, and that Fillmore Middle School be recommended for denial.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Waivers of this type must go to the State Board of Education Action Calendar

SUMMARY OF KEY ISSUES

Education Code (EC) Section 49550 states that each needy child who attends a public school be provided a nutritionally adequate free or reduced-price meal every school day. The following districts have requested a waiver of EC Section 49550 for the summer of 2004, and have certified their compliance with all required conditions necessary to obtain a waiver.

EC Section 49548 allows a waiver of EC Section 49550 during summer school if the district seeking the waiver has met *at least two* of the following four criteria:

Criteria One:

- The summer school session is of less than four hours duration and is completed by noon, allowing pupils to go home during the lunch period.

Criteria Two:

- Less than 10 percent of needy pupils attending the summer school session are at the schoolsite for more than three hours per day.

Criteria Three:

- A Summer Food Service Program for Children site is available within the school attendance area.

Criteria Four:

- Serving meals during the summer school session would result in a financial loss to the school district, documented by the district, in an amount equal to one-third

of the food service net cash resources or, if those cash resources are nonexistent, an amount equivalent to one month's operating costs.

This district does **meet two of the four criteria at Sespe Elementary School** and this site should be granted approval.

However Fillmore Middle School, in the Fillmore Unified School District, does not meet any of the four criteria. Their summer school session is:

- Not completed by noon, nor is the school session less than four hours. The session is 6 hours and 24 minutes long.
- Although the district has indicated that not all children remain on-site for more than three hours, they did not provide any documentation to support this statement;
- There is no Summer Food Service Program for children within the attendance area of the school site; and
- The district has not indicated that it will suffer a financial loss equal to one-third of the cafeteria balance or a loss equal to one months costs.

On March 2, 2004, Fillmore Unified School District's waiver was received and reviewed by the California Department of Education (CDE). During the review process, it was noted that none of the criteria were being met at Fillmore Middle School. CDE staff contacted Barbara Spieler, Business Manager for the Fillmore Unified School District and explained the waiver process and how each criteria was not being met at Fillmore Middle School. The agency has indicated that it wishes to appear before the State Board of Education and appeal Nutrition Services Division's recommendation for Fillmore Middle School. The district wishes to explain the extenuating circumstances in their district that necessitate an approval at this site.

Authority for the Waiver: *Education Code (EC) Section 49548.*

Bargaining unit(s) consulted on date(s): Not required for summer school waivers.
Position of bargaining unit(s) (choose only one): Not required for summer school waivers.

Neutral

Support

Oppose

Local Board Approval date: 2/17/04

Period of Request: 6/10/04 to 7/9/04

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

SUBJECT Request by Rosemead School District to waive <i>Education Code</i> (EC) Section 49550, the State Meal Mandate during the Summer School Session. Waiver Number: 35-3-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

That two schools, Encinita Elementary and Muscatel Middle School, be recommended for approval and three schools, Savannah Elementary, Shuey Elementary, and Janson Elementary Schools, be recommended for Denial.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Waivers of this type must go to the State Board of Education Action Calendar.

SUMMARY OF KEY ISSUES

Education Code (EC) Section 49550 states that each needy child who attends a public school must be provided a nutritionally adequate free or reduced-price meal every school day. This district has requested a waiver of EC Section 49550 for the summer of 2004, and has certified their compliance with all required conditions necessary to obtain a waiver.

EC Section 49548 allows a waiver of EC Section 49550 during summer school if the district seeking the waiver has met *at least two* of the following four criteria:

Criteria One:

- The summer school session is of less than four hours in duration and is completed by noon, allowing pupils to go home during the lunch period.

Criteria Two:

- Less than 10 percent of needy pupils attending the summer school session are at the schoolsite for more than three hours per day.

Criteria Three:

- A Summer Food Service Program for Children site is available within the school attendance area.

Criteria Four:

- Serving meals during the summer school session would result in a financial loss to the school district, documented by the district, in an amount equal to one-third of the food service net cash resources or, if those cash resources are nonexistent, an amount equivalent to one month's operating costs.

Review of Rosemead School District's waiver document indicates that **Encinita Elementary and Muscatel Middle School meet Criteria One and Criteria Three** of the four criteria. These sites plan to offer a summer school session that is in excess of three hours and less than four hours in duration.

Savannah Elementary, Shuey Elementary, and Janson Elementary Schools do not meet two of the four criteria. These sites meet only one of the four criteria as outlined below:

- The sessions are three hours and 50 minutes in length. This condition is met.
- The district projected that 60 needy students will be enrolled at each of these summer school sites and that only three needy students would be on-site for more than three hours. However, the district cannot support this statement until enrollment is closed for the summer school sessions. Enrollment will not close until the end of May. As a result, the district will not state in writing that no more than ten percent of the estimated 60 needy students enrolled will remain on campus for more than three hours.
- There is no Summer Food Service Program (SFSP) for children within the attendance area of the school sites; and
- Although the district will suffer a financial loss, it is not equal to or greater than one-third of the cafeteria balance.

The California Department of Education (CDE) received Rosemead School District's waiver request on March 8, 2004. During the review process, it was noted that Savannah Elementary, Shuey Elementary, and Janson Elementary Schools met only one of the four criteria. CDE's representative contacted Diane Ezzo, the district's Director of Food Services and explained the waiver requirements and how the sites did not meet the required two of four criteria. The SFSP sites and maps that Ms. Ezzo provided to CDE to meet Criteria Three indicated that the SFSP sites were outside of the schools' attendance area as required, and therefore, did not qualify as meeting Criteria Three.

The district submitted documentation to show the district would suffer a financial loss as described in Criteria Four. However, the documentation submitted showed that the district had \$425,284 in the fund ending balance that is reserved for future expenses. Since the fund balance is positive and the projected loss to the school for offering a summer school program is not greater than or equal to one-third of its balance, this criteria was not approved. The district has indicated that although it will not attend the State Board of Education Meeting to contest Nutrition Service Division's recommendation for denial at Savannah Elementary, Shuey Elementary, and Janson

Elementary, they wish to have the site denials a matter of public record.

Authority for the Waiver: *Education Code* (EC) Section 49548.

Bargaining unit(s) consulted on date(s): Not required for summer school waivers.

Position of bargaining unit(s) (choose only one): Not required for summer school waivers.

Neutral Support Oppose

Name of bargaining unit(s)/representative(s): Not required for summer school waivers.

Local board approval date: February 5, 2004

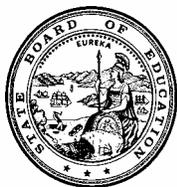
Period of request: June 21, 2004 through July 16, 2004

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of the waiver may reduce the draw on Proposition 98 funds at the State level. Local district finances may be affected.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

<p>SUBJECT</p> <p>Request by various school districts to waive <i>Education Code</i> (EC) Section 49550, the State Meal Mandate during the Summer School Session. (Duration of summer school sessions are more than three hours and less than four hours.)</p> <p>Waiver Number: "various"</p>	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

That the district only claim hours of apportionment for summer school¹ on the basis of the **hours** certified under Criteria One of their waiver request. This will also serve as notice to the school district that the approved waiver is being forwarded to the California Department of Education (CDE), School Fiscal Services Division that gathers supplemental hourly data and is responsible for K-12 audit procedures and oversight.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The duration of a summer school session (being less than four hours) is one criterion used to determine compliance with at least two of the four statutory waiver criteria. Since it is possible a school district may contest this condition, these waivers are going to the State Board of Education Action Calendar.

SUMMARY OF KEY ISSUES

Education Code (EC) Section 49550 states that each needy child who attends a public school be provided a nutritionally adequate free or reduced-price meal every school day. The following districts have requested a waiver of EC Section 49550 for the summer of 2004, certifying their compliance with required conditions necessary to obtain a summer school meal waiver. EC Section 49548 allows a waiver of EC Section 49550 during summer school if the district seeking the waiver has met *at least two* of the following four criteria:

1. The term "summer school" includes the supplemental hourly programs authorized in *Education Code* sections: 37252, 37252.5, 7252.6, and, 42239.

Various School District, Page 2

Criteria One:

- The summer school session is of less than four hours in duration and is completed by noon, allowing pupils to go home during the lunch period.

Criteria Two:

- Less than 10 percent of needy pupils attending the summer school session are at the schoolsite for more than three hours per day.

Criteria Three:

- A Summer Food Service Program for Children site is available within the school attendance area.

Criteria Four:

- Serving meals during the summer school session would result in a financial loss to the school district, documented by the district, in an amount equal to one-third of the food service net cash resources or, if those cash resources are nonexistent, an amount equivalent to one month's operating costs.

All the school districts included in this waiver package meet Criteria 1 and one other waiver criteria. All of the school districts plan to offer a summer school session that is in excess of three hours and less than four hours in duration. The Department added a condition that for apportionment purposes, the time certified under Criteria One cannot be exceeded. Further, the condition will serve as notice that such approvals are being forwarded to the CDE School Fiscal Services Division for potential monitoring of the mandate and waiver approval.

Authority for the Waiver: *Education Code (EC) Section 49548.*

Bargaining unit(s) consulted on date(s): Not required for summer school waivers.

Position of bargaining unit(s) (choose only one): Not required for summer school waivers.

Neutral

Support

Oppose

Name of bargaining unit(s)/representative(s): Not required for summer school waivers.

Local board approval date(s): see table below

Period of request: see table below

Various School District, Page 3

Agreement number:	District name(s):	Effective Period of request(s):	Local Board Approval:	Criteria being met:	Waiver number:
19-64212-0-01	ABC USD	06/22/04 to 07/16/04	03/3/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3 hrs, 30min <input checked="" type="checkbox"/> 3) <input type="checkbox"/> 4)	110-3-2004
24-65659-0-01	Ballico-Cressey SD	07/06/04 to 08/02/04	03/08/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 75min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	44-2-2004
42-69138-0-01	Buellton Union SD	06/28/04 to 07/30/04	pending	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 83min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	109-3-2004
55-72348-0-01	Columbia Union SD	07/12/04 to 08/16/04	02/10/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	32-2-2004
12-62745-0-01	Cutten ESD	06/28/04 to 07/23/04	02/09/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	30-2-2004
37-68049-0-01	Dehesa SD	06/23/04 to 07/21/04	02/19/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	64-2-2004
26-73668-0-01	Eastern Sierra USD	07/01/04 to 08/25/04	03/24/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	32-3-2004
01-61168-0-01	Emery USD	07/06/04 to 08/20/04	pending	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 75min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	68-3-2004
47-70276-0-01	Etna Union HSD	06/17/04 to 07/30/04	1/21/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 59 <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	25-1-2004
49-70680-0-01	Forestville Union SD	06/21/04 to 07/23/04	02/12/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	57-2-2004
47-70300-0-01	Fort Jones Union ESD	06/14/04 to 07/12/04	02/12/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	26-2-2004

Various School District, Page 4

10-62257-0-01	Kingsburg Jt. Union HSD	06/14/04 to 07/23/04	04/19/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	121-3-2004
49-70797-0-01	Liberty ESD	06/21/04 to 07/09/04	02/11/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	53-2-2004
19-46717-0-01	Little Lake City SD	06/21/04 to 7/22/04	Pending	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 75min <input checked="" type="checkbox"/> 3) <input type="checkbox"/> 4)	40-3-2004
30-73924-0-01	Los Alamitos USD	06/28/04 to 08/02/04	03/08/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	122-3-2004
43-69526-0-01	Los Gatos Union SD	06/21/04 to 07/16/04	03/09/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) 3hrs, 75min <input type="checkbox"/> 3) <input type="checkbox"/> 4)	64-3-2004
25-73692-0-01	Mammoth USD	06/21/04 to 7/30-04	03/09/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	42-3-2004
12-62950-0-01	McKinleyville Union SD	06/21/04 to 07/16/04	03/09/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input checked="" type="checkbox"/> 3) <input type="checkbox"/> 4)	83-3-2004
23-65581-0-01	Mendocino USD	06/23/04 to 07/21/04	02/26/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	23-3-2004
41-68965-0-01	Menlo Park City SD	06/21/04 to 07/16/04	03/11/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 35min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	80-3-2004
43-69575-0-01	Moreland SD	06/21/04 to 07/23/04	03/16/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 48min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	106-3-2004
09-61929-0-01	Mother Lode Union SD	06/03/04 to 06/29/04	02/11/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	52-2-2004
29-66340-0-01	Nevada City SD	06/17/04 to 08/13/04	03/03/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	43-3-2004

Various School District, Page 5

27-66134-0-01	Pacific Grove USD	06/21/04 to 07/23/04	02/19/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	164-3-2004
09-61945-0-01	Pioneer Union SD	06/07/04 to 07/02/04	02/12/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 59min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	38-2-2004
31-66886-0-01	Placer Hills Union SD	06/17/04 to 07/15/04	02/11/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 59min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	34-2-2004
09-61952-0-01	Placerville Union SD	06/03/04 to 07/01/04	03/17/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	46-3-2004
29-66381-0-01	Pleasant Valley ESD	06/21/04 to 07/16/04	01/13/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 59min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	10-1-2004
09-61960-0-01	Pollock Pines SD	06/21/04 to 07/16/04	03/09/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 45min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	3-3-2004
29-66399-0-01	Ready Springs Union SD	06/14/04 to 07/09/04	02/12/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 59min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	44-2-2004
36-67868-0-01	Rim of the World SD	06/21/04 to 07/30/04	02/12/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	54-2-2004
21-75002-0-01	Ross Valley SD	06/14/04 to 07/09/04	01/27/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	10-2-2004
44-10447-0-01	Santa Cruz COE	06/21/04 to 07/30/04	03/18/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 45min <input checked="" type="checkbox"/> 3) <input type="checkbox"/> 4)	45-3-2004
09-61986-0-01	Silver Fork SD	06/21/04 to 07/16/04	03/23/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 45min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	11-3-2004
46-70177-0-01	Sierra-Plumas Jt. USD	06/14/04 to 07/26/04	03/09/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	56-2-2004

Various School District, Page 6

55-72371-0-01	Sonora SD	07/19/04 to 08/13/04	03/10/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 40min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	41-3-2004
50-71282-0-01	Stanislaus Union SD	06/21/04 to 07/30/04	02/02/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 10min <input checked="" type="checkbox"/> 3) <input type="checkbox"/> 4)	12-2-2004
55-72413-0-01	Summerville Union HSD	06/14/04 to 07/02/04	03/23/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs 59min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	105-3-2004
51-71449-0-01	Sutter Union HSD	06/14/04 to 07/16/04	03/10/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	11-2-2004
19-65052-0-01	Temple City USD	06/23/04 to 07/30/04	03/24/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	63-3-2004
49-70961-0-01	Twin Hills Union SD	07/12/04 to 08/12/04	02/26/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	20-3-2004
17-64071-0-01	Upper Lake Union HSD	06/14/04 to 07/23/04	02/25/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	4-3-2004
48-70573-0-01	Vacaville USD	06/28/04 to 08/03/04	03/18/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 59min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	93-3-2004
19-65169-0-01	Wiseburn SD	07/05/04 to 07-30-04	02/26/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input checked="" type="checkbox"/> 3) <input type="checkbox"/> 4)	33-3-2004

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of the waiver may reduce the draw on Proposition 98 funds at the State level. Local district finances may be affected.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.

LAST MINUTE MEMORANDUM

DATE: May 12, 2004

TO: MEMBERS, STATE BOARD OF EDUCATION

FROM: Judy Pinegar, Administrator
Waiver Office, Executive Branch

RE: Item No. W-46

SUBJECT: Request by **various school districts** to waive *Education Code* (EC) Section 49550, the State Meal Mandate during the Summer School Session. (Duration of summer school sessions are more than three hours and less than four hours.)

Due to a copying error, the major portion of the information on districts requesting this waiver was left out of the initial board item W-46.

For this reason, the whole item W-46 has been re-printed on blue and now has all pages included. In addition, two new district requests have been added to this list bringing the total number of requests from districts to 46.

[Attachment](#)

Agreement number:	District name(s):	Effective Period of request(s):	Local Board Approval:	Criteria being met:	Waiver number:
19-64212-0-01	ABC USD	06/22/04 to 07/16/04	03/3/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3 hrs, 30min <input checked="" type="checkbox"/> 3) <input type="checkbox"/> 4)	110-3-2004
24-65659-0-01	Ballico-Cressey SD	07/06/04 to 08/02/04	03/08/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 75min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	44-2-2004
49-70623-0-01	Bennett Valley Union SD	06/12/04 to 07/31/04	02/11/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 45min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	129-3-2004
55-75184-0-01	Big Oak Flat-Groveland USD	06/14/04 to 08/20/04	03/10/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	133-4-2004
42-69138-0-01	Buellton Union SD	06/28/04 to 07/30/04	pending	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 83min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	109-3-2004
55-72348-0-01	Columbia Union SD	07/12/04 to 08/16/04	02/10/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	32-2-2004
12-62745-0-01	Cutten ESD	06/28/04 to 07/23/04	02/09/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	30-2-2004
37-68049-0-01	Dehesa SD	06/23/04 to 07/21/04	02/19/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	64-2-2004
26-73668-0-01	Eastern Sierra USD	07/01/04 to 08/25/04	03/24/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	32-3-2004
01-61168-0-01	Emery USD	07/06/04 to 08/20/04	pending	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 75min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	68-3-2004

47-70276-0-01	Etna Union HSD	06/17/04 to 07/30/04	1/21/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 59 <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	25-1-2004
49-70680-0-01	Forestville Union SD	06/21/04 to 07/23/04	02/12/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	57-2-2004
47-70300-0-01	Fort Jones Union ESD	06/14/04 to 07/12/04	02/12/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	26-2-2004
10-62257-0-01	Kingsburg Jt. Union HSD	06/14/04 to 07/23/04	04/19/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	121-3-2004
49-70797-0-01	Liberty ESD	06/21/04 to 07/09/04	02/11/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	53-2-2004
19-46717-0-01	Little Lake City SD	06/21/04 to 7/22/04	Pending	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 75min <input checked="" type="checkbox"/> 3) <input type="checkbox"/> 4)	40-3-2004
30-73924-0-01	Los Alamitos USD	06/28/04 to 08/02/04	03/08/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	122-3-2004
43-69526-0-01	Los Gatos Union SD	06/21/04 to 07/16/04	03/09/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) 3hrs, 75min <input type="checkbox"/> 3) <input type="checkbox"/> 4)	64-3-2004
25-73692-0-01	Mammoth USD	06/21/04 to 7/30- 04	03/09/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	42-3-2004
12-62950-0-01	McKinleyville Union SD	06/21/04 to 07/16/04	03/09/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input checked="" type="checkbox"/> 3) <input type="checkbox"/> 4)	83-3-2004
23-65581-0-01	Mendocino USD	06/23/04 to 07/21/04	02/26/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	23-3-2004

41-68965-0-01	Menlo Park City SD	06/21/04 to 07/16/04	03/11/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 35min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	80-3-2004
43-69575-0-01	Moreland SD	06/21/04 to 07/23/04	03/16/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 48min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	106-3-2004
09-61929-0-01	Mother Lode Union SD	06/03/04 to 06/29/04	02/11/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	52-2-2004
29-66340-0-01	Nevada City SD	06/17/04 to 08/13/04	03/03/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	43-3-2004
27-66134-0-01	Pacific Grove USD	06/21/04 to 07/23/04	02/19/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	164-3-2004
09-61945-0-01	Pioneer Union SD	06/07/04 to 07/02/04	02/12/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 59min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	38-2-2004
31-66886-0-01	Placer Hills Union SD	06/17/04 to 07/15/04	02/11/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 59min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	34-2-2004
09-61952-0-01	Placerville Union SD	06/03/04 to 07/01/04	03/17/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	46-3-2004
29-66381-0-01	Pleasant Valley ESD	06/21/04 to 07/16/04	01/13/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 59min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	10-1-2004
09-61960-0-01	Pollock Pines SD	06/21/04 to 07/16/04	03/09/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 45min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	3-3-2004
29-66399-0-01	Ready Springs Union SD	06/14/04 to 07/09/04	02/12/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 59min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	44-2-2004

Revisions to W-46
Attachment 1
Page 4 of 5

5/26/2004

36-67868-0-01	Rim of the World SD	06/21/04 to 07/30/04	02/12/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	54-2-2004
21-75002-0-01	Ross Valley SD	06/14/04 to 07/09/04	01/27/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	10-2-2004
44-10447-0-01	Santa Cruz COE	06/21/04 to 07/30/04	03/18/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 45min <input checked="" type="checkbox"/> 3) <input type="checkbox"/> 4)	45-3-2004
09-61986-0-01	Silver Fork SD	06/21/04 to 07/16/04	03/23/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 45min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	11-3-2004
46-70177-0-01	Sierra-Plumas Jt. USD	06/14/04 to 07/26/04	03/09/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	56-2-2004
55-72371-0-01	Sonora SD	07/19/04 to 08/13/04	03/10/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 40min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	41-3-2004
50-71282-0-01	Stanislaus Union SD	06/21/04 to 07/30/04	02/02/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 10min <input checked="" type="checkbox"/> 3) <input type="checkbox"/> 4)	12-2-2004
55-72413-0-01	Summerville Union HSD	06/14/04 to 07/02/04	03/23/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs 59min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	105-3-2004
51-71449-0-01	Sutter Union HSD	06/14/04 to 07/16/04	03/10/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	11-2-2004
19-65052-0-01	Temple City USD	06/23/04 to 07/30/04	03/24/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	63-3-2004
49-70961-0-01	Twin Hills Union SD	07/12/04 to 08/12/04	02/26/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	20-3-2004

17-64071-0-01	Upper Lake Union HSD	06/14/04 to 07/23/04	02/25/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	4-3-2004
48-70573-0-01	Vacaville USD	06/28/04 to 08/03/04	03/18/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 59min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	93-3-2004
19-65169-0-01	Wiseburn SD	07/05/04 to 07/30/04	02/26/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input checked="" type="checkbox"/> 3) <input type="checkbox"/> 4)	33-3-2004



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT California School Information Services (CSIS) Overview	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

This California School Information Services (CSIS) overview is presented for information only upon request by the State Board of Education (SBE).

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At the meeting in January, the SBE approved changes in the Data Dictionary 5.1 related to data collected from CSIS-participating districts. Currently, there are 213 districts participating in this voluntary program. Except for Los Angeles USD, incentive funding has not been appropriated in the budget for two years to add new Local Education Agencies (LEAs) for CSIS participation. The SBE requested that an overview of CSIS be presented and specifically address how an LEA could participate in CSIS, if the LEA were to forgo incentive funding.

SUMMARY OF KEY ISSUES

CSIS Office personnel will provide an overview of the CSIS program through a PowerPoint presentation.

FISCAL ANALYSIS (AS APPROPRIATE)

This item does not request or require any SBE action. There is no fiscal impact related to this agenda item.

ATTACHMENT

[Attachment 1](#): CSIS Overview PowerPoint Presentation (7 Pages)

California School Information Services Overview



State Board of Education
May, 2004



Today's Presentation

- Issues being addressed by CSIS
- Services to LEAs
- Alignment with statewide priorities
- Where we are
- **What is needed?**
- Existing Authorizations



Addressing the Issues

- Promote “common core” **local capacity** needed to support CSIS activities.
- Implement information transfer exchanges that **reduce school and district staff burden.**
- More focus on monitoring **student achievement.**
- Emphasis on collecting and managing **student and staff** data at multiple levels.
- Ensure **privacy** of information.
- Maintain stringent data and systems **security.**



Local Benefits of CSIS

- More accurate **drop-out** information
- Information on **graduates**
- Reduction of **truancy** search expense
- Assessment Pre-ID:
greater accuracy, less expense
- Institutionalize **data standards** across district
- Basis for more effective LEA-to-LEA
communication
- Resource for data driven decision-making

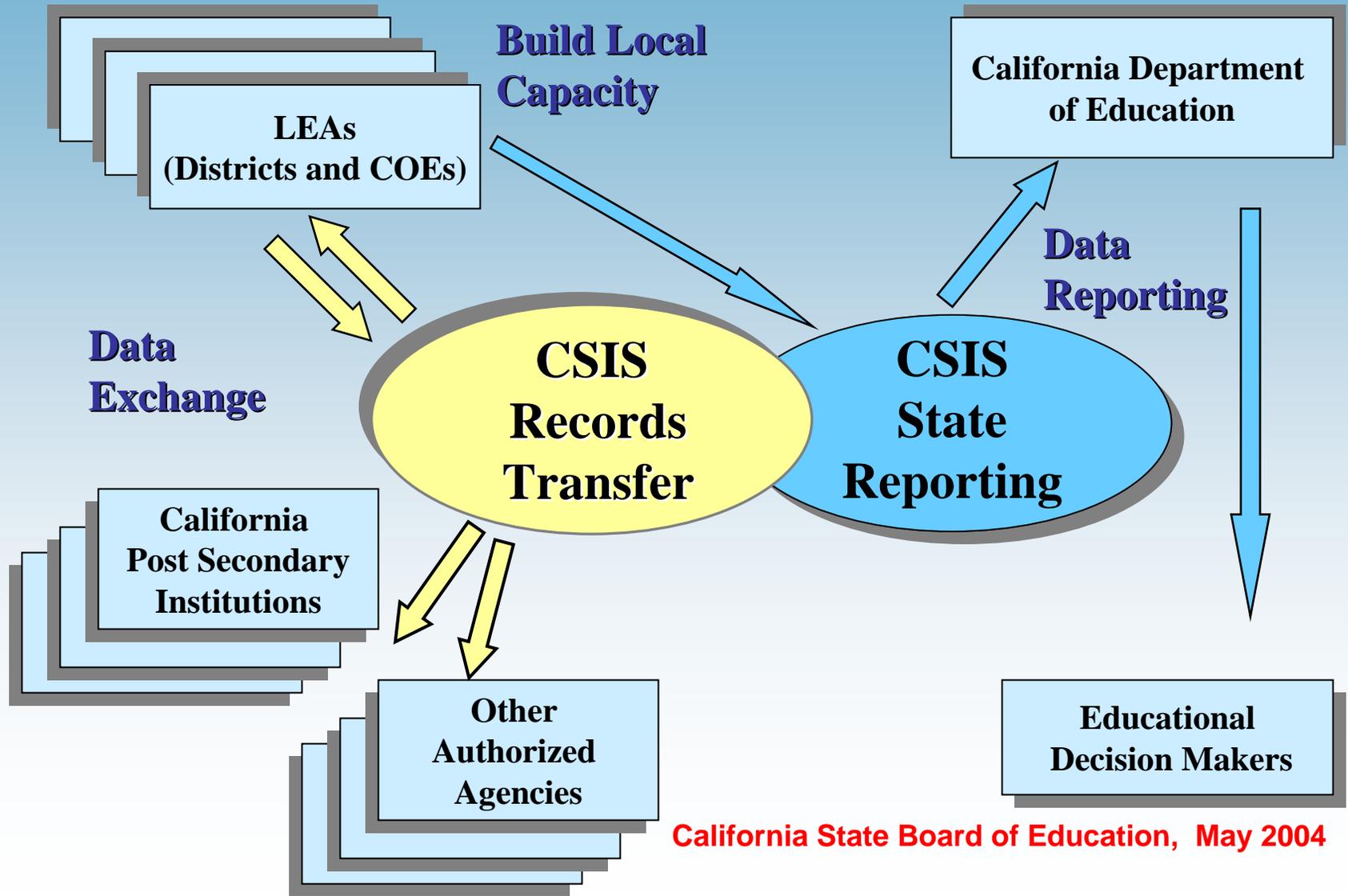


Alignment to **Statewide** Priorities

- Addresses SPI's State of Education priority to collect quality data while reducing local burden.
- CSIS is an "...opportunity to make lasting and meaningful improvement in the way we invest in our students".
- In concert with the CDE, FCMAT/CSIS:
 - Sets and checks adherence to data standards
 - Supports data accountability
 - Enables LEAs to leverage local investments in electronic information systems



CSIS Program



California State Board of Education, May 2004



Key Concepts & Development Strategy

- CSIS electronic state reporting and records transfer is an **incentive program**.
- **Consortia** made up of districts and/or county offices using or planning to use a common student information system (SIS).
- Develop **standards** for LEA systems functionality and data elements.
- Consortia **must meet CSIS objectives** (deliverables based contracts).



13 CSIS Consortia

- Aeries
- Chancery
- Digitronics
- Pentamation
- PowerSchool
- QSS
- SASIxp
- SchoolWise
- SchoolMAX
- Zangle
- Los Angeles USD
- San Bernardino City USD
- San Diego COE SIS



Readiness of Remaining LEAs

- 62% Automated districts using CSIS capable software (75% of Student Enrollment)
- 22% Automated districts using non-CSIS capable software
- 16% Non-automated districts



The CSIS Statewide Student (SSID) Identifier

- Privacy protection – the number is **non-personally identifiable**
- 10 digits; all numeric
- Search method used – eliminates the need for exact spelling for matching existing identifiers
- A group of student demographic elements are used to identify the student
- **By June 2005**, CSIS will assign an SSID to **every K-12 student** in California public schools



Statewide Student Identifier Elements

Elements REQUIRED
to assign an
identifier are:

- Legal Name
- Gender
- Birth Date
- Ethnicity
- Primary Language

Elements requested,
but Not Required,
are:

- Birth Country
- Birth State
- Birth City



Annual Maintenance Possible Data Elements

- Identifier
- Gender
- Birth Date
- Ethnicity
- Primary Language
- Birth Country
- Birth State
- Birth City
- Student Enrollment Status
- Withdrawal Date
- Reason for Withdrawal
- Grade Level
- Parent Education Level
- **Special Program Participation** (National School Lunch, Migrant, Special Education)



SSIDs Assigned as of April, 2004

- **CSIS Program:**
 - Number of LEAs 211
 - Student Enrollment 2,676,996
 - Identifiers Assigned 3,066,097

- **Statewide Student ID Project:**
 - Number of LEAs 837
 - Student Enrollment 3,567,407
 - Identifiers Assigned 511,024



Automated Districts, 'the Haves'

- Automated Districts Using CSIS Capable Software, are ready:
 - to roll out software to clients
 - offer training
 - provide support
- Automated Districts Using Non-CSIS Capable Software
 - CSIS publishes standards, requirements, formats
 - CSIS trains and supports SIS Providers
 - SIS Providers perform next level roll out, training, and support



Non-Automated LEAs, 'the Have Nots'

- CSIS developed a direct entry system
- Data will be stored at CSIS and may be updated as needed
- CSIS will produce reports for local use
- Same data will be used in Pre-Id of Assessments in the future
- Basis for immediate records transfer



Districts' Role:

- Standardize data collection across sites
 - Determine **local responsibility** for identifiers, student and staff data
 - If an automated LEA, ready the local SIS
 - Receive CSIS training
 - Request identifiers from CSIS
-
- Participate in data exchange and reporting
 - Make maintaining student data a part of everyday business





What is Needed?

- Program **flexibility to meet varying needs:**
 - Meaningful data to local sites
 - Immediate answers to immediate needs
 - Tools that fit the users
 - Technical and process support.
- Increase support to LEAs, less burden.
- Integrate local information sources.
- Coordinate data consumption.
- **Cooperation** among all parties.
- **The will to continue.**



Existing Authority

- **AB 107, Chapter 282 of 1997**

- “...present to the State Board of Education a plan ... to address current problems of information exchange.”

- “The plan shall specify the set of statewide data elements and codes...” *Updates yearly*

- **AB 1115, Chapter 78 of 1999**

- **Build capacity** of LEAs to implement and maintain comparable student information systems.

- Enable ... **electronic exchange** of student transcripts between LEAs and to Postsecondary.

- Assist LEAs to transmit school, student and staff information that will **reduce federal and state reporting burden.**

California State Board of Education, May 2004



NCLB for California

- **SB 1453 of 2002**

- Improve District and State access to data
- Support a **better means of evaluating** progress and investments over time
- Supply District and School information that can be used to **improve pupil achievement**
- CSIS & LEAs assign **statewide student identifiers**

- **SB 257 of 2003**

- Requires evaluation of the use of longitudinal data in the state's accountability system (**API**)





Questions

- Reaching CSIS
California School Information Services
770 L. Street, Suite 1120
Sacramento, CA 95814
Telephone: (916) 325-9200
- On the Web:
www.csis.k12.ca.us
- Today's Presenter:
Russ Brawn
CSIS Chief Operations Officer
rbrawn@csis.k12.ca.us



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

SUBJECT Seminar on State Assessment and Accountability Programs	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

The item is submitted for information only.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At the March 2004 meeting, the State Board of Education (SBE) requested a seminar on the state's assessment programs. The information attached will provide background information on the California assessment system that is available to the public at the California Department of Education's website.

SUMMARY OF KEY ISSUES

Topics for the seminar on state assessment programs will include features of the following testing programs:

- The Standardized Testing and Reporting (STAR) Program
- The California High School Exit Examination (CAHSEE)
- Academic Performance Index (API)
- Adequate Yearly Progress (AYP)
- The California English Language Development Test (CELDT)
 - Annual Measurable Achievement Objectives

In the attachments provided to SBE, there are a number of documents including a chart listing all of the testing programs in the Standards and Assessment Division. All of the attachments are provided for background information.

FISCAL ANALYSIS (AS APPROPRIATE)

This is an information item and does not have a fiscal impact.

ATTACHMENT

Attached are initial materials to provide important background information:

Attachment 1: California Assessment System 2003-2004 (1 Page)

<http://www.cde.ca.gov/ta/tg/sa/documents/cas032504.pdf>

- Attachment 2: Introduction to the Three-year Plan for the Development of California's Assessment System (10 Pages)
<http://www.cde.ca.gov/ta/tg/sa/documents/threeyear32102.pdf>
- Attachment 3: Approved Testing Dates for State Assessments 2003-2004 (2 Pages)
<http://www.cde.ca.gov/ta/tg/sa/testdates.asp>
- Attachment 4: STAR 2004 Guide for Parent / Guardians (4 Pages)
<http://www.cde.ca.gov/ta/tg/sr/documents/parent04.doc>
- Attachment 5: 2004 California Standards Tests (CSTs) (1 Page)
<http://www.cde.ca.gov/ta/tg/sr/documents/cstcharts.pdf>
- Attachment 6: 2004 California Achievement tests, Sixth Edition Survey (CAT/6 Survey) (1 Page)
<http://www.cde.ca.gov/ta/tg/sr/documents/cat6charts.pdf>
- Attachment 7: 2004 California Alternate Performance Assessment (CAPA) (1 Page)
<http://www.cde.ca.gov/ta/tg/sr/documents/capacharts.pdf>
- Attachment 8: 2004 Spanish Assessment of Basic Education, Second Edition (SABE/2) (1Page)
<http://www.cde.ca.gov/ta/tg/sr/documents/sabe2charts.pdf>
- Attachment 9: Questions and Answers for Administrators about the Postponement of the CAHSEE Requirement (3 Pages)
<http://www.cde.ca.gov/ta/tg/hs/documents/ud071603qanda.pdf>
- Attachment 10: Facts about the California High School Exit Examination (CAHSEE) (2 Pages-Pages 6 and 7 of the larger document on the attached link)
<http://www.cde.ca.gov/ta/tg/hs/documents/pkt04schoolind.pdf>
- Attachment 11: Questions and Answers about the CELDT (2 Pages-Pages 3 and 4 of the larger document on the attached link)
<http://www.cde.ca.gov/ta/tg/el/documents/mediapkt304.pdf>
- Attachment 12: 2003 Academic Performance Index (5 Pages-Pages 18 through 22 of the larger document on the attached link)
<http://www.cde.ca.gov/ta/ac/ap/documents/infoguide03b.pdf>
- Attachment 13: California Alternate Performance Assessment Participation Criteria (1 Page)
<http://www.cde.ca.gov/sp/se/sr/documents/partcrtra.pdf>
- Attachment 14: 2003 Adequate Yearly Progress Phase 1 Report Information Supplement (2 Pages-Pages 35 and 36 of the larger document on the attached link)
<http://www.cde.ca.gov/ta/ac/ay/documents/infosup03p1.pdf>

The presentation materials for the May 2004 SBE meeting will be submitted as a Last Minute Memorandum.

LAST MINUTE MEMORANDUM

DATE: May 7, 2004

TO: MEMBERS, STATE BOARD OF EDUCATION

FROM: Geno Flores Deputy Superintendent
Assessment & Accountability Branch

RE: Item No. 53

SUBJECT: Seminar on State Assessment and Accountability Programs

At the March 2004 meeting, the State Board of Education requested a seminar on the state's assessment programs. The information attached includes the materials for the presentation.

Attachments:

- [Attachment 15:](#) Seminar on State Assessments and Accountability Presentation
(34 Pages; 84 Slides)
- [Attachment 16:](#) Seminar on State Assessments, Accountability Program Overview
(33 Pages; 97 Slides)
- [Attachment 17:](#) Seminar on State Assessments, *No Child Left Behind Act of 2001*
(NCLB) Accountability Requirements Program Overview
(4 Pages; 12 Slides)



State Board of Education Seminar on Assessment and Accountability

May 13–14, 2004



JACK O'CONNELL
State Superintendent
of Public Instruction

California Assessment System Matrix 2003–04

- Provides a summary view of all California state assessments
- Summarizes for each test
 - Grade levels and content areas assessed
- Groups together testing components of the STAR Program

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State Superintendent
of Public Instruction

California Assessment System Matrix 2003–04

- Outlines five additional testing programs not addressed in today's seminar:
 - Early Assessment Program (identifying readiness for college English and mathematics, in collaboration with CSU system)
 - Physical Fitness Test
 - California High School Proficiency Examination (CHSPE)
 - General Educational Development (GED) test
 - National Assessment of Educational Progress (NAEP)

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State Superintendent
of Public Instruction

California Assessment System

Historical Timeline of Current Programs

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California Assessment System Historical Timeline of Current Programs

	1997	1998	1999	2000	2001	2002	2003	2004
State Academic Standards	SBE adopted state academic standards for English-language arts and mathematics	SBE adopted state academic standards for history-social science and science		SBE adopted state ELD standards for kindergarten through grade 12				
Standardized Testing and Reporting (STAR)	Senate Bill 376 authorized STAR Program*		STAR Program results first used for calculating Academic Performance Index (API) for school accountability		Senate Bill 233 reauthorized STAR Program**		Results of CSTs in mathematics and science and CAPA used for reporting Adequate Yearly Progress (AYP) for NCLB requirements***	SBE authorized development of science tests in grades 8 and 10 for NCLB requirements Senate Bill 1448 to authorize STAR Program is now in progress
Norm-Referenced Test (NRT)	SBE designated <i>Stanford Achievement Test, ninth Edition, Form T</i> (Stanford 9) as NRT	Stanford 9 first administered in grades 2–11				SBE designated California Achievement Test, Sixth Edition Survey (CAT/6 Survey) as NRT	CAT/6 Survey first administered in grades 2–11	
California Standards Test (CST)		SBE authorized development of standards-based tests in English-language arts and mathematics as augmentations to the Stanford 9	Standards-based augmentations to Stanford 9 for English-language arts and mathematics administered in grades 2–11	SBE authorized development of standards-based writing tests in grades 4 and 7 and CSTs in history-social science and science in grades 9–11	CSTs in history-social science and science administered in grades 9–11 California writing tests administered in grades 4 and 7	Mathematics standards tests separated from Stanford 9 in grades 8–11	First administration of all California Standards Tests as “stand alone” tests completed CST in history-social science moved from grade 9 to grade 8	First administration of CST in science in grade 5 completed SBE authorized using CSTs for Golden State Seal Merit Diploma eligibility
California Alternate Performance Assessment (CAPA)						SBE approved development of the California Alternate Performance Assessment (CAPA) to meet federal (NCLB) requirement***	First administration of the CAPA completed	
Primary Language Test	SBE designated <i>Spanish Assessment of Basic Education, Second Edition</i> (SABE/2)	SABE/2 first administered in grades 2–11				SBE redesignated SABE/2		
California High School Exit Examination (CAHSEE)			Senate Bill 2X authorized the CAHSEE	SBE adopted test blueprints/items	Test administered to volunteer ninth graders (Class of 2004) Assembly Bill 1609 removed ninth grade option, required a study of exam, and provided option to delay the exam based on the study	Test administered to tenth graders (Class of 2004) who did not take or pass the CAHSEE in spring 2001 Senate Bill 1476 moved the waiver process for students using modifications to the local level	First tenth grade census administration given to Class of 2005 SBE postponed CAHSEE requirement to Class of 2006, based on study Senate Bill 964 required assessment alternatives to CAHSEE requirement for students with disabilities	Test as tenth grade census administration given to students in Class of 2006
California English Language Development Test (CELDT)	Assembly Bill 748 authorized development of English Language Development (ELD) standards and identification of tests aligned to ELD standards		Senate Bill 638 authorized CELDT development and administration SBE adopted ELD standards	SBE/SSPI established annual CELDT Testing window as July 1 through October 31	Annual assessment of English learners and Annual Measurable Achievement Objectives (AMAO) required for federal NCLB Title III***	Second annual administration completed	Third annual administration completed SBE adopted annual AMAO targets for districts and schools	Fourth annual administration to be completed

* SB 376 required students in grades 2–11 to be tested in English with SBE-approved NRT in reading, writing, and mathematics, with spelling added in grades 2–8 and history-social science and science added in grades 9–11

** SB 233. This reauthorization bill moved the CST in history-social science from grade 9 to grade 8, eliminated the Golden State Examinations (GSE), created the grade 8–9 general mathematics CST, and directed an increasing emphasis of the CSTs over the NRT.

*** NCLB refers to the federal No Child Left Behind (NCLB) requirements.



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California Assessment System Historical Timeline of Current Programs

- Summarizes only state assessment programs reviewed in today's seminar



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California Assessment System Historical Timeline of Current Programs

- Identifies the year of:
 - State Board of Education adoption of California's academic standards Legislative authorization/reauthorization and amendment for state assessment programs
 - First administrations of assessment programs and components
 - First use for state or federal accountability requirements
 - Introduction of new tests for assessment programs



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State Superintendent
of Public Instruction

California Assessment System Test Development Process

California Assessment System Test Development Process

Legislative Authorization/Guidance

Identifies content areas, grade levels, purposes, students to be tested, and use of results

Test Blueprint/Specification Development

Defines test content, design, and item format to address state academic standards

Initial Item Development

Creates draft items aligned to test blueprint specifications (test development contractor [item writers])

Item Review/Revision

Includes item reviews by CDE staff, Content Review Panels (CRP), and Statewide Pupil Assessment Review (SPAR) Panel; revisions based on review findings

Item Field Testing

Administers items to students in schools throughout the state

Analysis of Field Test Results

Analyzes item quality, difficulty, and effectiveness with all students (test development contractor, content reviewers, and CDE)

Item Selection for Test Forms

Selects items from item pool that meet test specifications

Test Form Construction

Assembles selected items into the final test form for final review, printing, and distribution



California English-Language Development Test (CELDT)

Program Overview 2004



CELDT: Background

- Was instituted by Assembly Bill 748 Escutia (Chapter 936/1997)
- Was expanded and refined by Senate Bill 638 Alpert (Chapter 678/1999)
- Is contained in *Education Code* sections 313, 60810, and 60812
- Is in compliance with federal law, No Child Left Behind, Title III, requiring an annual English proficiency assessment



CELDT: Purpose

- School districts are to use initial assessment results as the primary source for identifying English learners.
 - Other information about a student's English fluency may be used to support initial CELDT data.



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CELDT: Purpose

Districts are to use annual assessment results:

- To monitor students' progress in acquiring English language skills
- As one criterion in reclassifying students to fluent English proficient (FEP)

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CELDT: Reclassification

School districts must develop reclassification process that:

- Follows state law
- Reflects guidelines approved by the SBE in September 2002

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CELDT: Reclassification

Four criteria required for reclassification:

- Assessment of proficiency in English, using the CELDT
- Teacher evaluation
- Parental opinion and consent
- Comparison of performance in basic skills

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CELDT: Requirements

CELDT examiners and scorers must be:

- Proficient speakers of standard English
- Trained in CELDT administration workshops

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CELDT: Requirements

Students with disabilities:

- Use accommodations/modifications as specified in Individualized Education Programs (IEP) or 504 Plans.

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CELDT: Requirements

Students with severe disabilities who are unable to take the CELDT:

- Use alternate assessment(s) as defined in students' IEP or 504 Plans to determine English language proficiency*

** IEP team must review results of the alternate assessment(s) and CELDT to determine student's proficiency level.*

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CELDT: Content Coverage

Skill areas tested:

- Listening and speaking
 - Kindergarten through grade twelve
- Reading and writing
 - Grades two through twelve

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CELDT: Reporting Results

- School districts are to inform parents of their student's assessment results within 30 calendar days after receipt from the test contractor.
- School, school district, county, and state results are posted on the CDE Web site at <http://www.cde.ca.gov/ta/tg/el> annually:
 - November, initial assessment
 - March, annual assessment

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California High School Exit Examination (CAHSEE)

Program Overview 2004

CALIFORNIA DEPARTMENT OF EDUCATION
Jack O'Connell, State Superintendent of Public Instruction

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State Superintendent
of Public Instruction

CAHSEE: Background

- Established by Senate Bill 2X, O'Connell, 1999
- Authorized and defined under *Education Code* sections 60850 through 60859
- Postponed as a graduation requirement to the Class of 2006 by the State Board of Education (SBE), July 2003, as authorized by Assembly Bill 1609

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CAHSEE: Purpose

- To significantly improve pupil achievement in public high schools
- To ensure that pupils who graduate from public high schools can demonstrate grade-level competency in the state's academic content standards for reading, writing, and mathematics
- To provide state and federal accountability data

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CAHSEE: Current Requirements

- All students, beginning with the Class of 2006, must pass the CAHSEE to be eligible for a public high school diploma. (There are no student exemptions or opt-outs for the CAHSEE.)
- English Learners shall have testing variations if regularly used in the classroom.

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CAHSEE: Current Requirements

- Students with disabilities must be allowed to take the CAHSEE with any accommodations or modifications specified in the student's Individualized Education Program (IEP) or Section 504 Plan for use on the CAHSEE, standardized testing, or during classroom instruction and assessment.

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CAHSEE: Current Requirements

- Students are tested for the first time as tenth graders in spring.
- Students have up to five additional opportunities throughout high school to pass the CAHSEE.
- Students may only retake the portion(s) of the exam not previously passed.

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CAHSEE: Content Coverage

- The English-language arts portion of the CAHSEE covers state academic content standards through grade ten.
- The mathematics portion covers standards in grades six and seven and Algebra I.

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CAHSEE: Blueprint for English-Language Arts

- 80 test questions:
 - 72 operational multiple-choice items
 - 1 operational writing task
 - 7 field-test multiple-choice items
- 6 strands:
 - Word analysis
 - Reading comprehension
 - Literary response and analysis
 - Writing strategies
 - Writing conventions
 - Writing applications

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CAHSEE: Blueprint for Mathematics

- 80 operational and 12 field-test questions
- 6 strands
 - Statistics, data analysis, and probability
 - Number Sense
 - Algebra and Functions
 - Measurement and Geometry
 - Mathematical Reasoning
 - Algebra 1

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CASHEE: Recent Legislation

- Senate Bill 964 (chapters in October 2003) requires an independent study to:
 - Assess options for alternatives to the CAHSEE for students with an Individualized Education Program (IEP) or Section 504 Plan
 - Recommend alternatives for graduation requirements and assessments, if any, for such students
- The study must be completed by May 1, 2005.

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Standardized Testing and Reporting (STAR) Program

Program Overview 2004



STAR: Background

- Established by Senate Bill 376, Alpert, 1997
- Amended by Senate Bill 366, Alpert, 1999
- Reauthorized by Senate Bill 233, Alpert, 2001
- Undergoing reauthorization, Senate Bill 1448, Alpert, 2004



STAR: Purpose

- Standardize testing and the reporting of test results for all students, schools, school districts, and counties
- Provide teachers parents/ guardians, and students with results to help monitor each student's academic progress.



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STAR: Purpose

- Provide schools and school districts information that can be used with other achievement data to make decisions about improving instructional programs.
- Provide information to community members and government officials about the effectiveness of California's public education system.

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STAR: Requirements

- Requires that all students be tested annually:
 - In grades two through eleven
 - In English
 - With a designated nationally normed achievement test and California Standards Tests (CSTs)

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STAR: Requirements

- Requires use of primary language test, designated by the State Board of Education, given to English learners in addition to the CSTs and CAT/6 Survey
 - Required for Spanish-speaking English learners enrolled in grades two through eleven in California public schools less than 12 months
 - Is a school district option for English learners enrolled 12 months or more

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STAR: Components

Four STAR components are:

- California Standards Tests (CSTs)
- California Alternate Performance Assessment (CAPA)
- California Achievement Tests, Sixth Edition, Survey (CAT/6 Survey)
- Spanish Assessment of Basic Education, Second Edition (SABE/2)

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STAR: Reporting Results

- Parents/guardians receive their student's results within 20 working days after the district receives them.
- Teachers receive STAR class/grade level results.
- Group results for all students and subgroups of students by grade level for each school, district, county, and the state will be posted in August on the Internet.

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STAR: Reporting Results

Schools receive:

- STAR Student Reports
- Cumulative record labels
- Alphabetical lists of student results
- Grade level summaries

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STAR: Reporting Results

School districts and county
offices receive:

- Electronic data files
- Summary reports

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STAR: Using Results

- Teachers, parents/guardians, and students use individual results to help monitor academic progress of students and guide instruction
- Group results are used with other achievement data to help make decisions about improving student learning and school programs

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The STAR Student Report
The California Report for Teachers

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The STAR Student Report

U S I N G A S S E S S M E N T T O H E L P S T U D E N T S L E A R N

Dear Parent/Guardian,

Each year, California's STAR Program measures your child's progress in meeting California's Content Standards, which describe what all students should know and be able to do at each grade level.

This report shows your child's scores on the California Standards Tests, as well as on the California Achievement Tests, Sixth Edition Survey (CAT/6 Survey). The report also gives suggestions for how you can continue to help your child learn.

Sincerely,

JACK O'CONNELL
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

Student #: **000032291**

Date of birth: **4/15/87**

Grade: **10**

Test date: **Spring 2004**

For the parent/guardian of:

Jane Doe

1421 Ariel Drive

Los Angeles, CA 00001

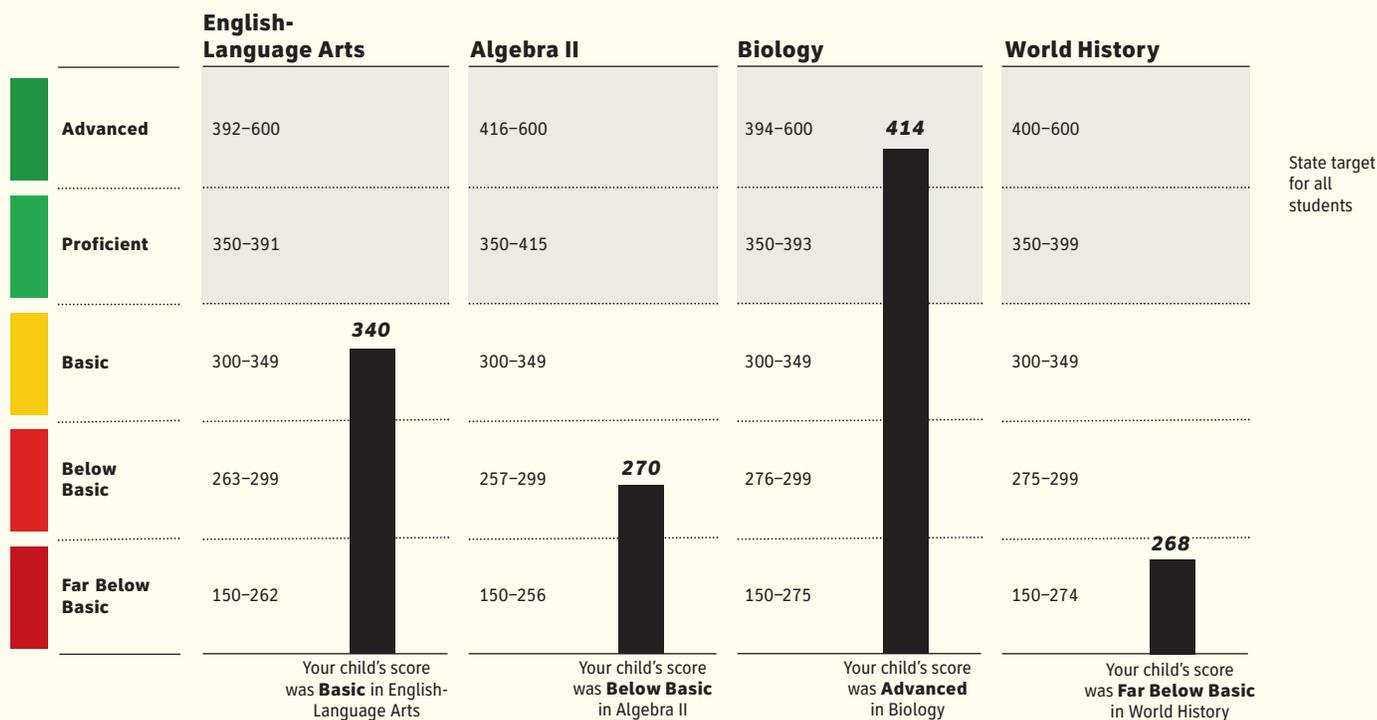


School: **Washington HS**

District: **San Bernardino Unified**

Your child's overall results on the California Standards Tests

Your child's scores and performance levels



Find complete STAR results at <http://star.cde.ca.gov> and your school's Accountability Report Card at www.cde.ca.gov/ope/sarc or ask for a copy of the SARC at your child's school

How to help your child

1

Review this report with your child and your child's teacher.

2

Provide your child with a quiet place to study each day.

3

Show an interest in your child's progress throughout the school year.



Your child's strengths and needs based on these tests

English-Language Arts GRADE 10

CALIFORNIA STANDARDS	YOUR CHILD'S SCORE (◆) COMPARED TO SCORE OF PROFICIENT STUDENTS		
	LOWER	ABOUT THE SAME	HIGHER
Reading			
Word Analysis and Vocabulary Development		◆	
Reading Comprehension	◆		
Literary Response and Analysis	◆		
Writing			
Written Conventions	◆		
Writing Strategies		◆	

In the chart above, your child's score is compared to the scores of students whose overall performance level on the test was Proficient. Proficient is the state target for all students. Based on your child's test results, one content area to focus on is **Reading Comprehension**.

Algebra II

CALIFORNIA STANDARDS	YOUR CHILD'S SCORE (◆) COMPARED TO SCORE OF PROFICIENT STUDENTS		
	LOWER	ABOUT THE SAME	HIGHER
Polynomials and Rational Expressions	◆		
Quadratics, Conics, and Complex Numbers		◆	
Exponents and Logarithms		◆	
Series, Combinatorics, Probability, and Statistics	◆		

In the chart above, your child's score is compared to the scores of students whose overall performance level on the test was Proficient. Proficient is the state target for all students. Based on your child's test results, one content area to focus on is **Polynomials and Rational Expressions**.

Biology

CALIFORNIA STANDARDS	YOUR CHILD'S SCORE (◆) COMPARED TO SCORE OF PROFICIENT STUDENTS		
	LOWER	ABOUT THE SAME	HIGHER
Investigation and Experimentation			◆
Cell Biology		◆	
Genetics			◆
Ecology and Evolution			◆
Physiology		◆	

In the chart above, your child's score is compared to the scores of students whose overall performance level on the test was Proficient. Proficient is the state target for all students. Based on your child's test results, one content area to focus on is **Physiology**.

World History GRADE 10

CALIFORNIA STANDARDS	YOUR CHILD'S SCORE (◆) COMPARED TO SCORE OF PROFICIENT STUDENTS		
	LOWER	ABOUT THE SAME	HIGHER
Development of Modern Political Thought	◆		
Industrial Expansion and Imperialism		◆	
Causes and Effects of the First World War	◆		
Causes and Effects of the Second World War	◆		
International Developments in the Post-World War II Era	◆		

In the chart above, your child's score is compared to the scores of students whose overall performance level on the test was Proficient. Proficient is the state target for all students. Based on your child's test results, one content area to focus on is **Causes and Effects of**

Find released test items at www.cde.ca.gov/ta/tg/sr/resources.asp and a complete copy of the standards at www.cde.ca.gov/standards

California Reading List

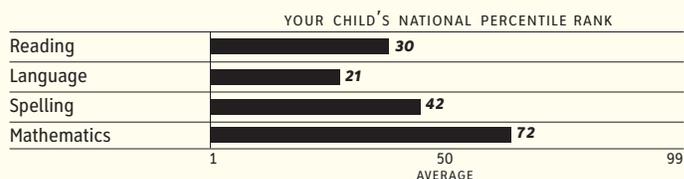
Your child's California Reading List Number is 3.

To find recommended books based on your child's reading performance on the CAT/6 Survey, go to <http://star.cde.ca.gov> and click on "California Reading List." This list provides titles of books that your child should be able to read independently. It includes different types of books, such as fiction, nonfiction, plays, and poetry.

Encourage your child to read at home and help your child find books of interest. Strong reading skills are critical for success in all school subjects.

National comparison

As part of the STAR Program, your child took a test called the CAT/6 Survey, which shows how your child performed in basic skills as compared to a sample of students tested throughout the United States. The graphs below use "percentile ranks" to show your child's performance. For example, a percentile rank of 40 in reading means that your child scored as well as or better than 40% of students tested in the sample. The lowest possible percentile rank is 1, while the highest possible percentile rank is 99.



The California Report for Teachers

The purpose of this report is to make the results of last year's California Standards Test (CST) useful for your instruction by addressing three questions:

- ◆ How did last year's students perform on the CST?
- ◆ How did each group of students perform?
- ◆ What additional resources are available?

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GOVERNOR, STATE OF CALIFORNIA

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GRADE REPORT

Test **2003 Grade 10 English Language Arts CST**
School **Caderock High**
District **Caderock**

This report is based on CST data posted as of 09/08/03.
Cluster averages do not include students tested below level.

How did last year's students perform on the CST?

Your school's results by reporting cluster on the 2003 Grade 10 English Language Arts CST (172 students)

REPORTING CLUSTER	NUMBER OF ITEMS	AVERAGE PERCENT CORRECT				YOUR STUDENTS COMPARED TO STUDENTS PROFICIENT ON THIS TEST STATEWIDE*		
		YOUR STUDENTS	DISTRICT STUDENTS	STATEWIDE STUDENTS		BELOW	ABOUT THE SAME	ABOVE
				ALL	PROFICIENT			
Word Analysis and Vocabulary Development	8	68%	64%	58%	72%		◆	
Reading Comprehension	18	77%	53%	53%	63%			◆
Literary Response and Analysis	16	60%	52%	50%	60%		◆	
Written Conventions	13	45%	51%	49%	57%	◆		
Writing Strategies	20	44%	63%	60%	75%	◆		

Cluster scores based on fewer than 10 items and group statistics based on fewer than 10 students are unreliable and should be interpreted with caution.

* The state goal is for all students to score Proficient or above. The black diamond (◆) shapes show how your students scored in each area compared to students achieving the minimum scaled score for Proficient. Placements at "Above" or "Below" are based on statistically significant differences in performance.

Overview of the reporting clusters

Reading

WORD ANALYSIS AND VOCABULARY

Students apply their knowledge of word origins to determine the meaning of new words encountered in reading materials and use those words accurately.

READING COMPREHENSION

Students read and understand grade-level-appropriate material. They analyze the organizational patterns, arguments, and positions advanced....

LITERARY RESPONSE AND ANALYSIS

Students read and respond to historically or culturally significant works of literature that reflect and enhance their studies of history and social science. They conduct in-depth analyses of recurrent patterns and themes.

Writing

WRITTEN CONVENTIONS

Students write with a command of standard English conventions.

WRITING STRATEGIES

Students write coherent and focused essays that convey a well-defined perspective and tightly reasoned argument. The writing demonstrates students' awareness of the audience and purpose. Students progress through the stages of the writing process as needed.

Focus on a selected reporting cluster

One reporting cluster to focus on is **Writing Strategies**. This reporting cluster includes the following assessed standards:

Organization and Focus

- 1.1 Establish a controlling impression or coherent thesis that conveys a clear and distinctive perspective on the subject and maintain a consistent tone and focus throughout the piece of writing.
- 1.2 Use precise language, action verbs, sensory details, appropriate modifiers, and the active rather than the passive voice.

Research and Technology

- 1.3 Use clear research questions and suitable research methods (e.g., library, electronic media, personal interview) to elicit and present evidence from primary and secondary sources.
- 1.4 Develop the main ideas within the body of the composition through supporting evidence (e.g., scenarios, commonly held beliefs, hypotheses, definitions).

This reporting cluster also includes standards 1.5, 1.7, and 1.9.

The complete California Academic Content Standards may be viewed and downloaded (without charge) at www.cde.ca.gov/standards or purchased by calling the CDE Press at **1-800-995-4099**.

NOTE: This information is from last year's exam, so please use your instructional program's assessments to determine the current needs of your students.

How did each group of students perform?

Your school's results by performance standard on the 2003 Grade 10 English Language Arts CST

PERFORMANCE STANDARDS (SCALED SCORES)	ALL	WHITE	BLACK	HISPANIC	ASIAN	FILIPINO	PACIFIC ISLANDER	AMERICAN INDIAN	OTHER	ENGLISH LEARNERS	ECONOMICALLY DISADVANTAGED	RECEIVING SPECIAL ED.	MALES	FEMALES
Advanced (≥ 392)	10%	17%	0%	6%	100%	0%	—	—	—	0%	2%	0%	8%	12%
Proficient (350–391)	27%	33%	20%	25%	0%	0%	—	—	—	0%	26%	5%	26%	28%
Basic (300–349)	37%	37%	40%	36%	0%	100%	—	—	—	25%	39%	11%	34%	39%
Below Basic (263–299)	15%	7%	0%	20%	0%	0%	—	—	—	33%	20%	26%	21%	11%
Far Below Basic (≤ 262)	11%	6%	40%	13%	0%	0%	—	—	—	42%	13%	58%	12%	11%
Total Number of Students	172	54	5	111	1	1	0	0	0	24	46	19	77	95

Percentages might not total 100 due to rounding.

Percent of students at or above Proficient on the 2002 and 2003 Grade 10 English Language Arts CST

		ALL	WHITE	BLACK	HISPANIC	ASIAN	FILIPINO	PACIFIC ISLANDER	AMERICAN INDIAN	OTHER	ENGLISH LEARNERS	ECONOMICALLY DISADVANTAGED	RECEIVING SPECIAL ED.	MALES	FEMALES
Your School:	2002	37%	48%	18%	36%	95%	5%	—	—	—	0%	27%	0%	31%	43%
	2003	37%	50%	20%	32%	100%	0%	—	—	—	0%	28%	5%	34%	40%
District:	2002	35%	48%	17%	34%	98%	4%	—	—	—	0%	25%	0%	28%	42%
	2003	36%	48%	20%	31%	100%	0%	—	—	—	0%	27%	5%	31%	40%
State:	2002	33%	47%	19%	16%	50%	40%	25%	20%	17%	3%	13%	5%	28%	38%
	2003	35%	48%	20%	18%	49%	43%	28%	27%	17%	4%	16%	5%	31%	39%

N/A = Data not available. "OTHER" includes students whose ethnicity is not listed and those who declined to state their ethnicities. A dash (—) indicates no students in this group.

What are performance standards and scaled scores?

Performance standards are reported in five performance levels that range from Far Below Basic to Advanced. All California students should be at the Proficient level or above.

Performance standards are based on scaled scores. Scaled scores take into

account differences in the difficulty of test forms and are useful for reporting changes over time. A scaled score of 350 (Proficient) in 2002 is comparable to a scaled score of 350 in 2003, even though the number of correct responses needed to get a scaled score of 350 may be different.

What additional resources are available?

About the Standards and Curriculum

• Academic Content Standards

Adopted by the State Board of Education, the standards define what your students should know in each area. www.cde.ca.gov/standards

• Curriculum Frameworks

They show how the standards guide instruction and give guidelines for the selection of instructional programs. www.cde.ca.gov/cfir

Call CDE Press at **1-800-995-4099** to purchase copies of these materials.

State-Approved Textbooks and Instructional Materials

The standards-aligned textbooks and instructional materials adopted by the State Board of Education were recommended by teachers and other members of the Curriculum Commission.

These resources help you integrate this information with your instruction by providing:

- **Ongoing assessments** to test your students throughout the year
- **Activities for students at all levels** to address the needs of advanced students, as well as students requiring additional instruction and practice

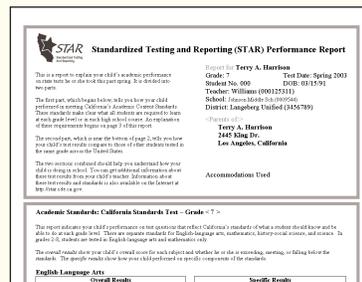
Where can I find more information?

The approved materials and textbooks are listed on the web at: www.cde.ca.gov/cfir/rla. Your district office and local Learning Resources Display Centers may also have a copy.

About Your School: The STAR Web site (<http://star.cde.ca.gov>)

- Results for both the Norm Referenced Test and California Standards Test
- Grade level and schoolwide data
- Breakdowns by various categories
- Information about the STAR program

About Each Student: Reports with Individual Results



Your principal has STAR reports, such as Individual Student Reports and Student Master Lists. In these reports, you can find each student's:

- Norm Referenced Test results
- California Standards Test results
- California Reading List Number

A comprehensive list of all STAR reports can be found at www.startest.org. Questions or suggestions about this report or other STAR reports can be emailed to star@ets.org.



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California Standards Tests (CSTs)

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CST: Background

The California Standards Tests (CSTs):

- Developed specifically for California public schools
- Aligned to state-adopted academic content standards
- Designed to show how well students achieve identified state academic content standards (criterion-referenced)

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CST: Background

The (CSTs):

- Carry the majority of the weight for API calculations
- Are augmented to exempt students from California State University Placement Tests
- Are primary measures for federal AYP calculations

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CST: Content Coverage

CSTs assess:

- English-Language arts and mathematics in grades two through eleven
- History-social science in grades eight, ten, and eleven
- Science in grades five and nine through eleven

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CST: Grade Level Tests

CSTs assess:

- | | |
|-----------------------------|--|
| • Grades two–eleven | English-language arts
(reading and writing) |
| • Grades two–seven | Mathematics |
| • Grades four and seven | Writing task |
| • Grades five | Science |
| • Grades eight, ten, eleven | History-social science |

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CST: End-of-Course Tests

Mathematics

- General Mathematics
- Algebra I
- Geometry
- Algebra II
- Integrated Mathematics 1, 2, and 3
- Summative High School Mathematics

Science

- Biology
- Chemistry
- Earth Science
- Physics
- Integrated/Coordinated 1, 2, 3, and 4

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CST: Reporting Results

- Overall results are reported as:
 - Scaled scores ranging from 150 to 600 with 350 as proficient
 - One of five performance levels
 - Advanced
 - Proficient
 - Basic
 - Below Basic
 - Far Below Basic
- State goal is for all students to score proficient or advanced
- Reporting cluster results are reported as percent correct

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California Achievement Test, Sixth Edition Survey (CAT/6 Survey)

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CAT/6 Survey: Background

- Designated as the required national norm-referenced test (NRT) for STAR by the State Board of Education
- First administered at grades two through eleven in spring 2003
- Replaced the Stanford 9 that served as the STAR NRT for five years

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CAT/6 Survey: Purpose

- Measures general achievement in academic knowledge and skills
- Compares scores of California students with those of a national sample of students in the same grade
- Are used in API calculations

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CAT/6 Survey: Content Coverage

The CAT/6 Survey assesses:

- Grades two–eleven Reading language, and mathematics
- Grades two–eight Spelling
- Grades nine–eleven Science

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CAT/6 Survey: Reporting Results

Results of the CAT/6 Survey:

- Are distributed with individual CST results to parents/guardians as part of the STAR Student Report (2004)
- Are reported as percentile ranks (how a score ranks with scores in the national sample)
- Also are reported as group scores for schools, school districts, counties, and the state

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CAT/6 Survey: California Reading List Number

- State law requires reporting a California Reading List (CRL) Number for each student.
- Results of the CAT/6 Survey are used to determine a student's CRL Number.
- The CRL number directs students, parents/guardians, and teachers to state-recommended books that are at an appropriate reading level.

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California Alternate Performance Assessment (CAPA)

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CAPA: Background

- All students, including students with disabilities, are required to participate in the STAR Program (Education Code Section 60640[e]).

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CAPA: Background

- Students with significant cognitive disabilities may take the California Alternate Performance Assessment (CAPA) if:
 - They are unable to take the CSTs or CAT/6 Survey
 - Participation in the CAPA is specified in their Individualized Education Program (IEP)

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CAPA: Purpose

- To provide an opportunity for students with significant cognitive disabilities to participate in state assessments
- To measure individual achievement toward mastering performance indicators aligned to a subset of California academic standards

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CAPA: Content Coverage

CAPA is used to assess students:

- | | |
|--|--------------------------------|
| • In grades two–eleven
(ages seven–sixteen) | English-language
arts |
| | Mathematics |
| • In grades five, eight,
and ten | Science (under
development) |

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CAPA: Administration

How the test is given:

- CAPA is administered to students individually.
- Examiner cues student to perform a task.
- Observed behavior is scored using a specific rubric.

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CAPA: Reporting Results

CAPA results are:

- Scored separately for English-language arts and mathematics.
- Reported as
 - Scaled scores ranging from 15 to 60 with 35 as proficient
 - One of five performance levels*
 - Advanced
 - Proficient
 - Basic
 - Below Basic
 - Far Below Basic

*Although CAPA is using the same five performance levels as the CSTs, definitions for the levels and scale scores to achieve each level differ.

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CAPA: Reporting Results

- Individual CAPA Performance Reports are distributed to parents/guardians.
- Group results are distributed to school districts for use by district and school staff.
- School, district, county, and state results are posted on the Internet in the same manner as other STAR assessments.*

*In order to maintain confidentiality, group results for fewer than 11 students will not be reported publicly.

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CAPA: Using Results

IEP teams will use CAPA results to determine:

- Future participation in CAPA or other statewide assessments
- Assignment of CAPA level for next administration
- Advancement toward mastering designated subset of state academic standards

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Spanish Assessment of Basic Education, Second Edition (SABE/2)

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SABE/2: Background

The Spanish Assessment of Basic Education, Second Edition (SABE/2) is:

- Norm-referenced with a national sample of native Spanish-speaking students
- Given in Spanish to English learners in grades two through eleven to measure achievement in basic academic skills

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SABE/2: Reporting Results

- The Home Report shows percentile scores that compare the student's results with scores of a national sample of Spanish-speaking English learners in bilingual classes.
- The overall performance results also show if the student's scores fell in the below-average, average (percentile score of forty to sixty), or above-average range of performance.

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SABE/2: Reporting Results

Subtest scores also are provided on the Home Report for major academic areas tested as follows:

- Reading — vocabulary, comprehension
- Language — mechanics, expression
- Mathematics — computation and concepts and applications
- Other Content Areas — spelling

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SABE/2: Reporting Results

- Group reports are distributed to districts for use by district and school staff.
- Group SABE/2 results for schools, school districts, counties, and the state also are posted on the Internet with other STAR results in August.

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STAR: Program Future

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STAR: Program Future

- Spring 2004 CST administration is being used to begin the process of:
 - Adjacent grade scaling
 - Moving the California Reading List Numbers to the CST reading scores
- Questions are being field-tested for the 2005 CSTs
- Questions are being developed for the new California Science Standards Tests in grades eight and ten to be administered beginning with the 2005–06 school year

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STAR: Program Future

- Legislation is currently in process to reauthorize the Program.

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STAR: Program Future

Proposed legislation would:

- Extend the Program to January 1, 2011
- Authorize the SSPI and SBE to assist postsecondary educational institutions to use the CSTs for academic credit, placement, or admission purposes
- Permit the release of results of achievement tests at the request of the parent or pupil for credit, placement, or admission purposes

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STAR: Program Future

Proposed legislation would: (continued)

- Modify the primary language assessment requirements
- Require the norm-referenced test at grades three and seven only
- Require the SSPI, with SBE approval to annually release to the public at least 25 percent of the test items

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From Assessment to Accountability... Role of State Testing in Measuring School and School District Performance

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From Assessment to Accountability...

Role of State Testing in Measuring School and School District Performance

State Assessment Results

- **STAR Program**
 - California Standards Tests (CSTs)
 - California Alternate Performance Assessment (CAPA)
 - California Achievement Test, Sixth Edition Survey (CAT/6 Survey)
- **California High School Exit Examination (CAHSEE)**



Accountability

Academic Performance Index (API) for meeting California accountability requirements (also NCLB Title I indicator)

- **STAR Program**
 - CSTs
 - CAPA
- **CAHSEE**



Adequate Yearly Progress (AYP) criteria for meeting federal NCLB Title I requirements

- **Annual CELDT Administration**



Annual Measurable Achievement Objectives (AMAOs) for meeting NCLB Title III requirements



Accountability

Program Overview 2004



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What happens with the test results?

State and Federal Accountability





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Accountability in California

Accountability Timetable



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Year	State	Federal
1999	<ul style="list-style-type: none"> • SB 1X PSAA (Apr) • 1999 API adopted (Nov) 	<ul style="list-style-type: none"> • IASA continues
2000	<ul style="list-style-type: none"> • SB 1552—defines subgroup, target, growth (Sep) 	
2001	<ul style="list-style-type: none"> • API Award Regulations (Jan) • SB 735—HPSG Program (Oct) • AB 961—5/4 point growth for API awards (Oct) • AB 1295—small schools (Oct) 	
2002	<ul style="list-style-type: none"> • SB 1310—mobility (Sep) 	<ul style="list-style-type: none"> • NCLB enacted (Jan) • SBE deliberations begin (Sep)
2003		<ul style="list-style-type: none"> • Workbook for NCLB proposed (Jan) • Workbook for NCLB approved by USDE (Jun)
2004		<ul style="list-style-type: none"> • Workbook amendments (Mar)



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Public Schools Accountability Act (PSAA)



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Statewide Accountability System

Key Features:

- Comprehensive and integrated
- Currently school-based, not district-based
- Subgroup accountability (ethnic and socioeconomically disadvantaged student subgroups)
- School ranks



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Statewide Accountability System

Components:

- Academic Performance Index (API)
- Awards
- Interventions
- Alternative Schools Accountability Model (ASAM)



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Academic Performance Index (API)



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Uses of the API

- Measure the performance of schools
 - Statewide school rank (decile) by school type
 - Similar schools rank (decile)
- Determine whether school met annual growth target
- Demonstrate comparable improvement by ethnic and socioeconomically disadvantaged subgroups within schools



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API Components

- *By law*, the API shall consist of a variety of indicators, including, but not limited to,
 - Test results (STAR and CAHSEE)
 - At least 60 percent of the API's value
 - Attendance rates (when accurate data available)
 - Graduation rates for secondary schools (when accurate data available)



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API Components

In practice, the API currently consists of

- Test results (STAR and CAHSEE)



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Advisory Bodies

- PSAA Advisory Committee
- Technical Design Group



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API

Key Questions in its Development



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Key Questions

1. What is the API?
2. What are the ranks?
3. What are the API performance and growth targets?
4. What is comparable improvement?
5. How can you measure annual improvement if the components of the API are constantly changing?



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What is the API?



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API: Properties

- Single number on a scale of 200 to 1000
- Based on the percentage of students scoring at a given performance level or band on STAR or CAHSEE



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API Indicator Weights

Elementary and Middle Schools

Content Area	1999 Base API		2003 Base API	
	NRT		CST	NRT
English-language arts				
CST			48%	
NRT	60%			12%
(Reading)	(30%)			(6%)
(Language)	(15%)			(3%)
(Spelling)	(15%)			(3%)
Mathematics				
CST			32%	
NRT	40%			8%
TOTAL	100%		80%	20%

CST=California Standards Test
NRT= Norm-referenced test



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Performance Bands

CST Performance Levels	NRT Performance Bands	Weighting Factors	Point Gain for Movement*
Advanced	80-99th NPR	1000	125
Proficient	60-79th NPR	875	175
Basic	40-59th NPR	700	200
Below Basic	20-39th NPR	500	300
Far Below Basic	1-19th NPR	200	N/A

*** Progressively weighted to encourage low performing schools to improve**

NPR= National Percentile Rank



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Calculating the API

Step 1: Determine indicator score for each test

Example: CST ELA

CST Performance Bands	Weighting Factors	Percent Test Scores	Weighted Scores
Advanced	1000	15%	150
Proficient	875	28%	245
Basic	700	27%	189
Below Basic	500	18%	90
Far Below Basic	200	12%	24
INDICATOR SCORE, CST ELA =			698



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Calculating the API

Step 2: Sum weighted indicators

Example: Elementary or Middle School

Indicator	Indicator Scores	Indicator Weights	Weighted Indicators
CST ELA	698	48%	335
CST Math	697	32%	223
NRT Reading	700	6%	42
NRT Language	705	3%	21
NRT Spelling	800	3%	24
NRT Math	688	8%	55

API = 700



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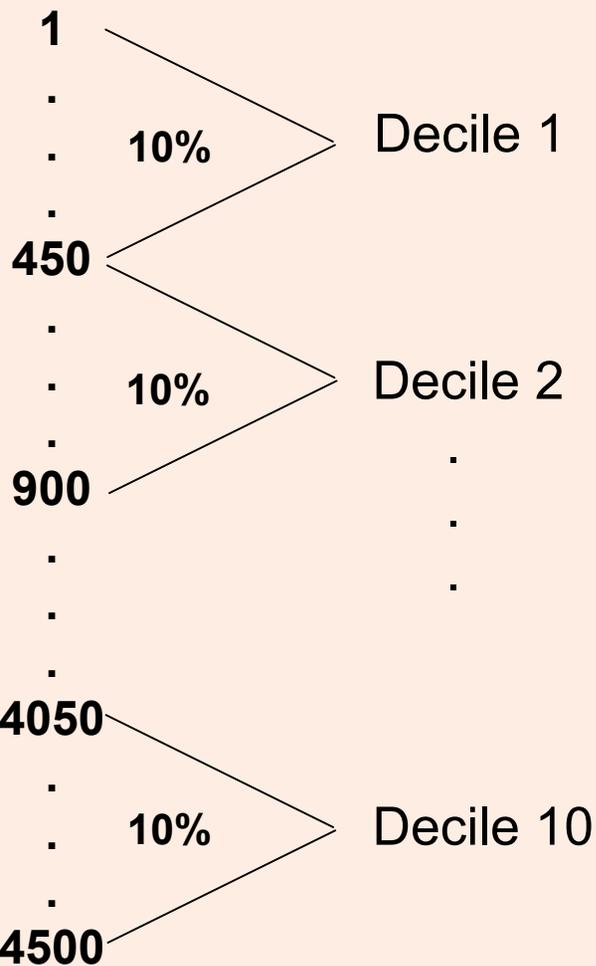
What Are the Ranks?



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Statewide Decile Ranks

Lowest scoring
elementary school



Highest scoring
elementary school



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Similar Schools Ranks

- Each school's API score is compared to 100 other schools with similar demographic characteristics, and the schools are ranked by deciles
- Demographic characteristics (required by law)
 - Student
 - Mobility, ethnicity, socioeconomic status, English learners
 - Teachers
 - Fully credentialed
 - With emergency credentials
 - School
 - Average class size
 - Whether school is a multi-track year-round school



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What Are the Targets?



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API: Performance Target

- The SBE is responsible for setting an API statewide performance target
- The SBE has set an API score of 800 as the target to which all schools should aspire



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Statewide API Performance Target

Maximum

1000

800

**800 adopted
by State Board
as statewide
target**

Minimum

200

0



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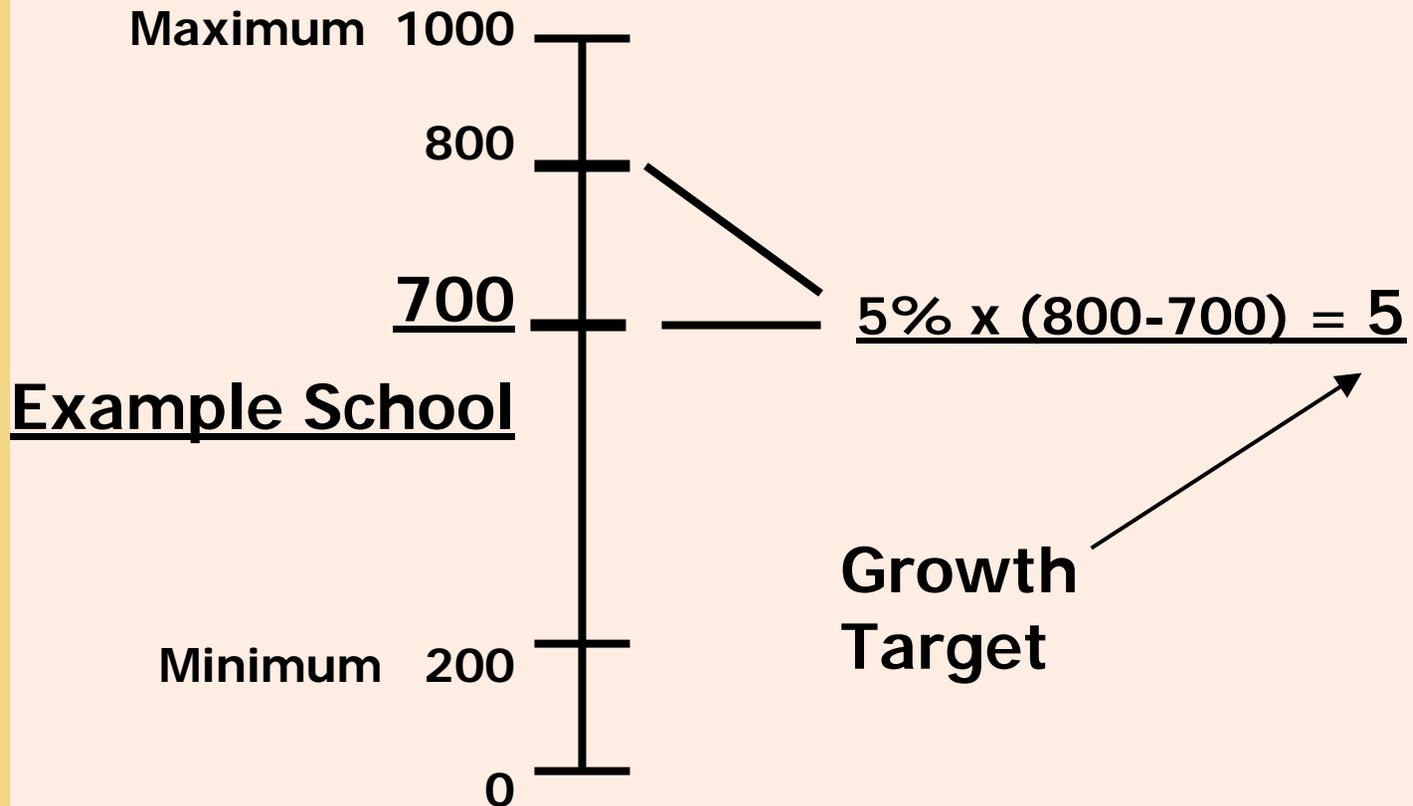
The Annual API Growth Target

- 5% of the distance to 800
- Minimum of 1 point



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5% Distance to Statewide Performance Target





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What is Comparable Improvement?



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Comparable Improvement

- The law is silent on exactly what this means
- The SBE defines this concept
- It applies to ethnic and socioeconomically disadvantaged student subgroups
- Currently each numerically significant student subgroup must achieve at least 80% of the schoolwide annual growth target



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Numerically Significant Subgroup

- 100 students or more

or

- 30 or more students who make up at least 15% of the total number of students tested



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Example: Comparable Improvement

Step 1: Determine if Subgroup is Numerically Significant

School Populations	Valid STAR Student Test Scores	Percent of Total	Is the Subgroup Numerically Significant?
Schoolwide	310	100%	N/A
Subgroups			
African American	47	15%	yes
American Indian	0	0%	no
Asian	26	8%	no
Filipino	3	1%	no
Hispanic or Latino	126	41%	yes
Pacific Islander	0	0%	no
White	108	35%	yes
Socioeconomically Disadvantaged	190	61%	yes



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Example: Comparable Improvement

Step 2: Determine Subgroup APIs

School Populations	API Base	School-wide Target: 5% Distance to 800	Growth Target: 80% of Schoolwide Target	Per- formance Target for API Growth
Schoolwide	700	5		
Numerically Significant Subgroups				
African American	730		4	734
Hispanic or Latino	680		4	684
White	705		4	709
Socioeconomically Disadvantaged	690		4	694



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How Can You Measure Annual Improvement?



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API: Stability and Change

- If we continue to introduce new tests, how can we incorporate them into the API and still measure growth from year to year?



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API Reporting Cycle

- Establish a base API
- Measure growth for the next year based on the same components and weights from year to year
- Re-establish the base API with the new components and new weights



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API Reporting Cycle

2003 API Base

Schoolwide/Subgroup APIs

STAR Indicators

- NRT CAT/6 Results
- California Standards

Test

English-lang. arts, math,
science (9-11), history-
social science (10-11)

- CAPA

CAHSEE (10)

Statewide Rank

Similar Schools Rank

2004 API Growth

Schoolwide/Subgroup APIs

STAR Indicators

- NRT CAT/6 Results
- California Standards

Test

English-lang. arts, math,
science (9-11), history-
social science (10-11)

- CAPA

CAHSEE (10)

- Similar schools
comparison

Same indicators for base and growth



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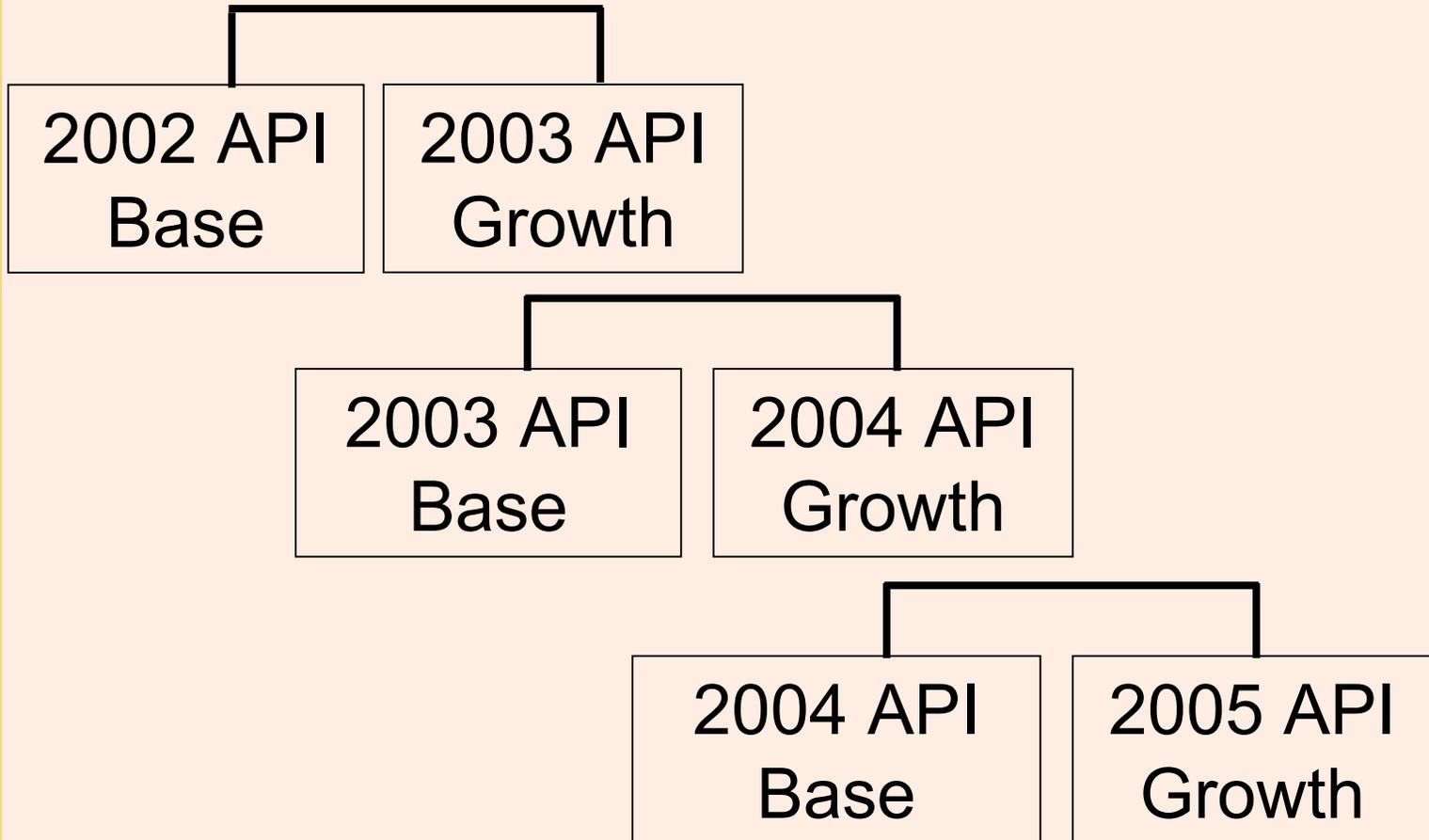
API Reporting Cycles

2002

2003

2004

2005





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Sample API Base Internet Report

2003 Academic Performance Index (API) Base Report School Report

School: **Big Dipper Elementary**

District: Polaris Unified

County: Orion

CDS Code: 98-98765-9876543

School Type: Elementary

Number of Students Included in the <u>2003 API</u>	2003 API (Base)	Ranks		Targets	
		2003 State- wide <u>Rank</u>	2003 Similar Schools <u>Rank</u>	2003- 2004 Growth <u>Target</u>	2004 API <u>Target</u>
310	700	4	7	5	705



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Sample API Base Internet Report

Subgroup Information

2003 Academic Performance Index (API) Base Report School Report

Subgroups

Ethnic/Racial	Number of Students Included in the 2003 API	Numerically Significant	2003 Subgroup API Base	2003-2004 Subgroup Growth Target	2004 Subgroup API Target
African American	47	yes	730	4	734
American Indian	0	no			
Asian	26	no			
Filipino	3	no			
Hispanic or Latino	126	yes	680	4	684
Pacific Islander	0	no			
White	108	yes	705	4	709
Socioeconomically Disadvantaged	190	yes	690	4	694



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Sample API Growth Internet Report

2003-2004 Academic Performance Index (API) Growth Report School Report

School: **Big Dipper Elementary**

District: Polaris Unified

County: Orion

CDS Code: 98-98765-9876543

School Type: Elementary

STAR 2004 Percent <u>Tested</u>	Number of Students Included in the 2004 API <u>(Growth)</u>	2004 API <u>(Growth)</u>	2003 API <u>(Base)</u>	2003- 2004 Growth <u>Target</u>	2003- 2004 Growth <u>Growth</u>	Met Growth Target			Awards <u>Eligible</u>
						School- <u>wide</u>	Improve- <u>ment (CI)</u>	Both Schoolwide <u>and CI</u>	
95	310	710	700	5	10	Yes	Yes	Yes	Yes



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API Future Issues



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Future Issues

- API components and weights
- Performance target of 800
- 5% annual growth target
- Comparable improvement



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The API Components

- The SBE is responsible for determining what is in each year's base API and the weight of each component
- Establishment of 2004 base API projected for September 2004



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The Performance Target of 800

- The SBE is responsible for setting the API performance target.
- Should the performance target be increased?



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The 5% Growth Target

- The SBE may set differential growth targets based on grade level of instruction and may set higher growth targets for the lowest performing schools.
- Should the lowest performing schools have higher growth targets than 5%?



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Comparable Improvement

- The SBE is responsible for defining “comparable improvement.”
- Should lower-scoring subgroups in the same school have higher annual API growth targets?



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No Child Left Behind (NCLB)



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Adequate Yearly Progress (AYP) Before NCLB



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Before NCLB

- Improving America's Schools Act (IASA) of 1994
- AYP applied only to Title I schools
- AYP determined through statewide accountability system



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AYP After NCLB



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NCLB Accountability Requirements

- 100% of students proficient or above in English-language arts and mathematics by 2013-2014
- Annual status targets
- Apply to all districts, schools, and student subgroups



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NCLB Accountability Requirements

- LEP and students with disabilities included as subgroups
- 95% of students required to take assessments used for AYP



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California System Features

- Academic Performance Index (API)
- Growth model
- Compensatory
 - Advanced level
 - Content area



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California System Features

- Performance target of 800
- LEP and students with disabilities not included in “comparable improvement”



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Status Model vs. Growth Model: Key Difference in AYP and API

- Federal AYP criteria based on Status Model
 - Doesn't matter whether you go up or down, only whether you met the status target
 - All schools have the same target
- API based on Growth Model
 - Matters only how much you improve
 - Each school has its own specific target



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Compliance with NCLB



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Three Possible Approaches

- Continue to use API to determine AYP
- “Adjust” the state system to comply with federal criteria
- Run the two systems in tandem



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Use API to Determine AYP

- Conformed to past practice
- Unacceptable to the federal government



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“Adjust” the API

- When does adjustment become “deconstruction?”
- When is the API no longer an API?



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Solution

- Adopt the third approach and link the two systems together with the API as an additional indicator



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Advantage

- Maintain an API system that is accepted by districts and schools as legitimate

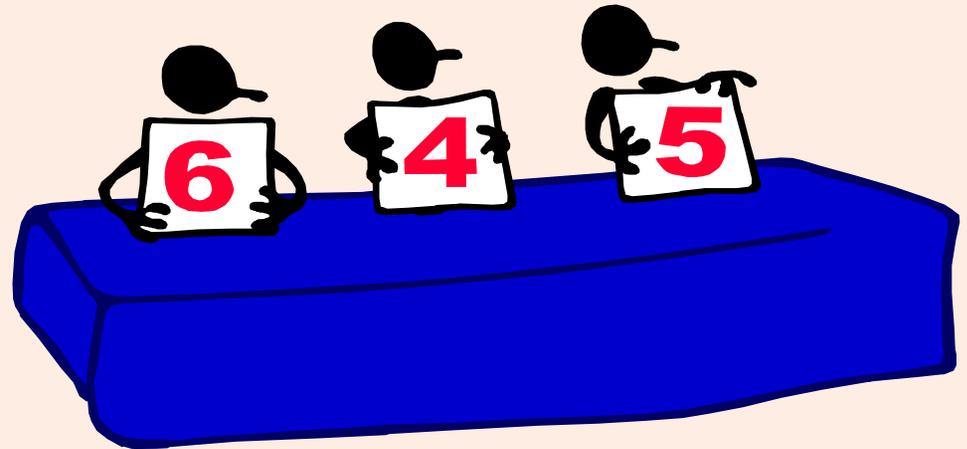




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Disadvantage

- Incongruous results
- Different systems of measuring performance may yield different results





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Accountability Workbook



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Significant Issues

- Proficiency level
- Participation rate—parent exemptions
- Graduation rate
- English Learner (EL) Subgroup



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California's Definition of AYP



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AYP: Components

- Achievement of the Annual Measurable Objectives (AMO's) in both English-language arts (ELA) and math
 - Percent proficient or above
- Achievement of a 95% participation rate on all applicable assessments
- Progress on another indicator(s)
 - API for all schools, and
 - Graduation rate for high schools



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Annual Measurable Objectives (AMOs)

Based on test results in ELA and Math

- **Elementary and Middle Schools**
 - CSTs
 - CAPA
- **High Schools**
 - CAHSEE, gr. 10
 - CAPA, gr. 10

CAPA = California Alternate Performance Assessment



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2003 and 2004 AMOs for Schools

	ELA	Math
Elementary or Middle School	13.6%	16.0%
High School	11.2%	9.6%



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Defining the Starting Points

- Rank all schools by % proficient or above
- Count from bottom up to reach 20% of total enrollment
- Percent of students at proficient or above at the 20th percentile school is the starting point for all schools
- Guarantees at least 20% of all schools fail



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Schedule of AMOs

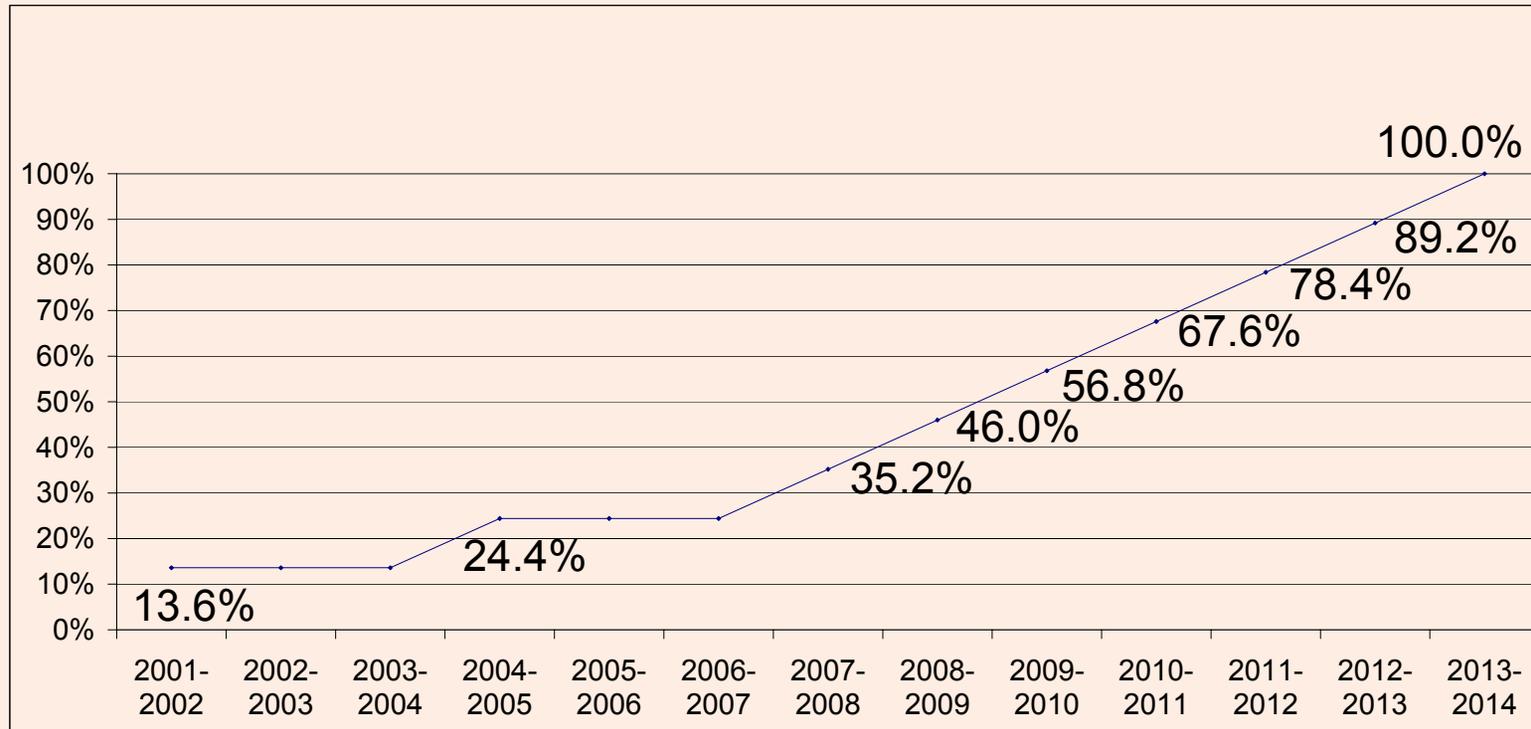




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AMO's: English-Language Arts

Elementary and Middle Schools





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Participation Rates

- 95% required on any assessment used for AYP under NCLB
- The remaining 5% is the maximum allowable percentage of non-participants, **including students who are exempted from testing at parental request**



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Other Elements



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Additional Indicators

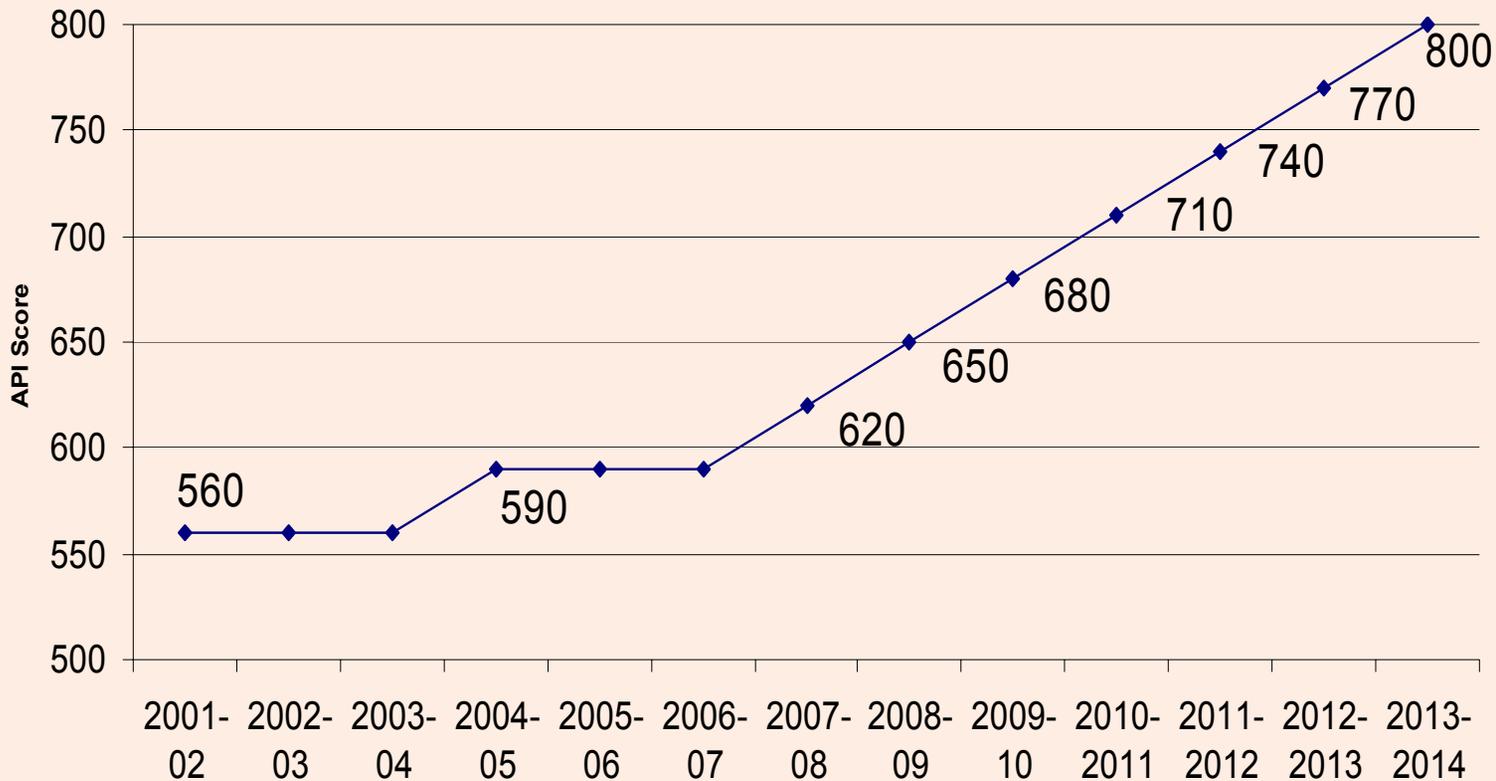
- The API will serve as the “other” indicator for all grades
 - How would a school meet the “other” indicator?
 - API above the “status bar”, OR
 - Show growth of at least one point
- Graduation rate will be an additional indicator for high schools



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The API "Status Bar"

Defining Progress on the API as the "Other" Indicator of AYP





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Graduation Rate

- National Center for Educational Statistics (NCES) four year completion rate
- Progress on graduation rate
 - Demonstrate an increase in the graduation rate
 - OR**
 - Meet an annual status target, similar to progress on the API



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Graduation Rate

Four year graduation rate as required by
NCLB:

High School Graduates, year 4

[High School Graduates, year 4
+ (Grade 9 Dropouts, year 1 +
Grade 10 Dropouts, year 2 +
Grade 11 Dropouts, year 3+
Grade 12 Dropouts, year 4)]



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English Learners

- Re-designated Fluent English Proficient (RFEP) students will continue to be included in the English learner subgroup until they have attained the proficient level on the CST in ELA for three years



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AYP: Most Important Point

- If you miss any one criterion (participation rate, AMO, or additional indicator), you do not make AYP and could be identified as a Program Improvement (PI) school
- Potentially, a school may have up to 46 ways not to make AYP



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District Accountability

- Held to same AYP criteria as schools
- The first year a district will be identified for Program Improvement is 2004–2005



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AYP Reporting



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Sample AYP Internet Report

2003 Adequate Yearly Progress (AYP) Report School Report

School: **Starlight Elementary**
District: Polaris Unified
County: Orion
CDS Code: 98-98765-9876544

School Met All 2003 Adequate Yearly Progress (AYP) Criteria? No

ENGLISH LANGUAGE ARTS

GROUPS	Enrollment First Day of Testing	Number of Students Tested	Participation			Proficient or Above		
			Rate	Met 2003 AYP Criteria	Valid Scores	Number	Percent	Met 2003 AYP Criteria
Schoolwide	490	472	96.3	Yes	428	115	26.8	Yes
African American	38	32	84.2	N/A	25	4	16.0	N/A
American Indian	4	3	75.0	N/A	3	N/A	N/A	N/A
Asian	61	60	98.3	N/A	59	17	28.8	N/A
Filipino	5	5	100	N/A	5	N/A	N/A	N/A
Hispanic or Latin	212	208	98.1	Yes	191	32	16.7	Yes
Pacific Islander	0	0	0.0	N/A	0	N/A	N/A	N/A
White	159	155	97.4	Yes	145	58	40.0	Yes
Socioeconomically Disadvantaged	323	309	95.6	Yes	280	51	18.2	Yes
English Learner	126	125	99.2	Yes	116	9	7.7	No
Students with Disabilities	68	54	79.4	N/A	52	7	13.4	N/A



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AYP Issues



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AYP Issues

1. What amendments should be made to our accountability workbook?
2. What are the implications of the projected number of schools not making AYP?



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AYP Issues

3. Should we maintain our current definition of proficiency for federal reporting purposes?
4. Should NCLB be amended to accommodate a growth model such as the API?



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Workbook Amendments

- In its March meeting, the SBE approved the submission of amendments to the current workbook
- These amendments are currently under review by the USED



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Projections

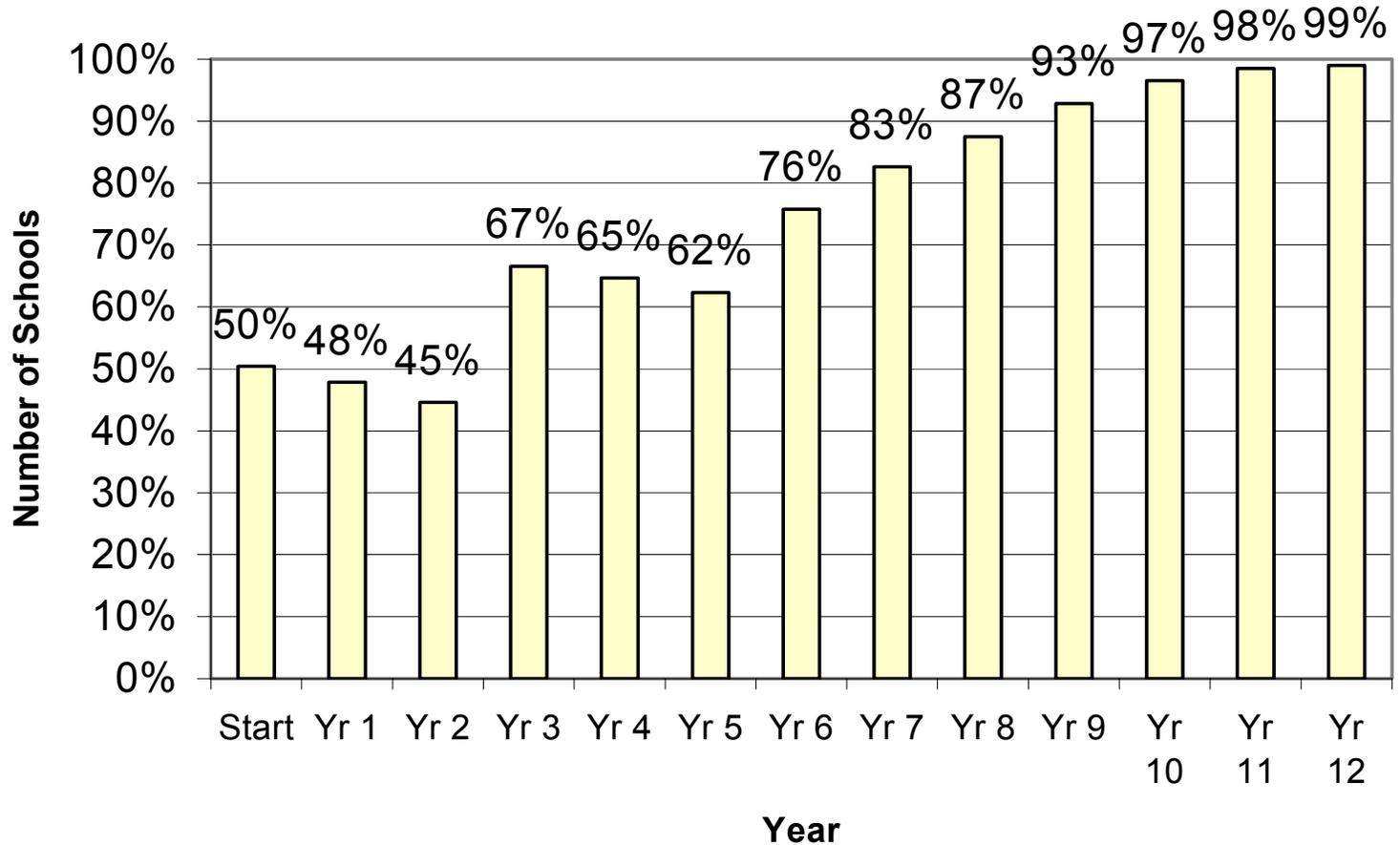
- By 2004–2005 (Year 3), two-thirds of California schools will not make AYP, according to the current definition
- By 2013–2014 (Year 12), virtually every school in California will not make AYP, according to the current definition



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Projections

California NCLB Projections Single-Year Percent of Schools Below Target





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“Needs Improvement” versus “Failure”

- A school that does not meet one of the more than 40 criteria may be identified as a PI school, requiring the implementation of choice and supplemental service provisions
- The media tend to characterize this school as a failure



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“Needs Improvement” versus “Failure”

- If we cast our net so wide that every school needs improvement, choice becomes meaningless
- An accountability system is credible only as long as it makes valid distinctions between schools



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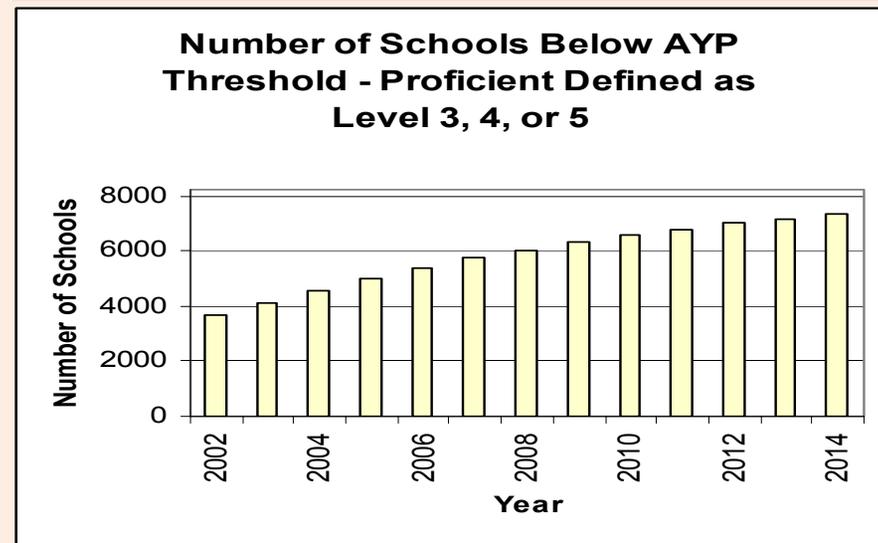
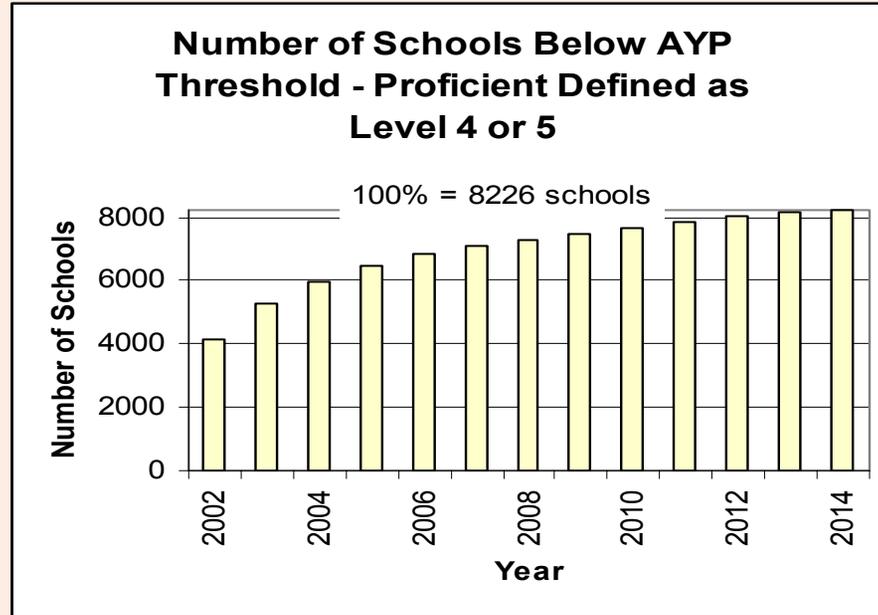
“Proficient?”

- Would a change in the definition make a difference in the AYP projections?



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Proficient Versus Basic





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Growth Model:

- A better way to determine AYP?
- In 2003, 403 schools had doubled their API growth target for two consecutive years, yet did not make AYP.



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2003 Results: AYP vs. API

School Type	Made API Growth Target	Met AYP Criteria
Elementary	82%	67%
Middle	69%	33%
High	67%	45%



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NCLB and a Growth Model: State Activities

- Superintendent O'Connell at the CCSSO meeting
- The Chiefs' Letter (Superintendent O'Connell and 14 other chiefs)
- The White Paper



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NCLB and a Growth Model: Federal Level

- Legislative Activity at the Federal Level
- Reauthorization



No Child Left Behind (NCLB) Accountability Requirements

**Program Overview
May 13, 2004**



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NCLB: Results for English Learners

1. How are the English learners doing academically?
 - AYP subgroup reports:
 - Mathematics
 - English-language arts

2. How well are English learners progressing in English?
 - Making annual progress
 - Attaining proficiency over time



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NCLB Title III: State Requirements

- Establish English language proficiency standards
- Conduct an annual assessment of English language proficiency
- Define annual measurable achievement objectives (AMAOs) for increasing the level of an English learner's **development** and **attainment** of English proficiency
- Hold local education agencies (LEAs) accountable for meeting the AMAOs



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NCLB Title III: English Language Proficiency AMAOs

- AMAO 1:
 - Annual increases in the percentage of children making progress in learning English

- AMAO 2:
 - Annual increases in the percentage of children attaining English proficiency



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NCLB Title III: AMAOS

- AMAO 1:
 - Annual increases in the percentage of children making progress in learning English
- Key Concepts:
 - Annual growth expectation
 - Starting target for 2003-04
 - Annual LEA target



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NCLB Title III: Annual Growth Target

- Students are expected to gain one proficiency level annually until they reach the proficient level and then maintain that level until they are redesignated.



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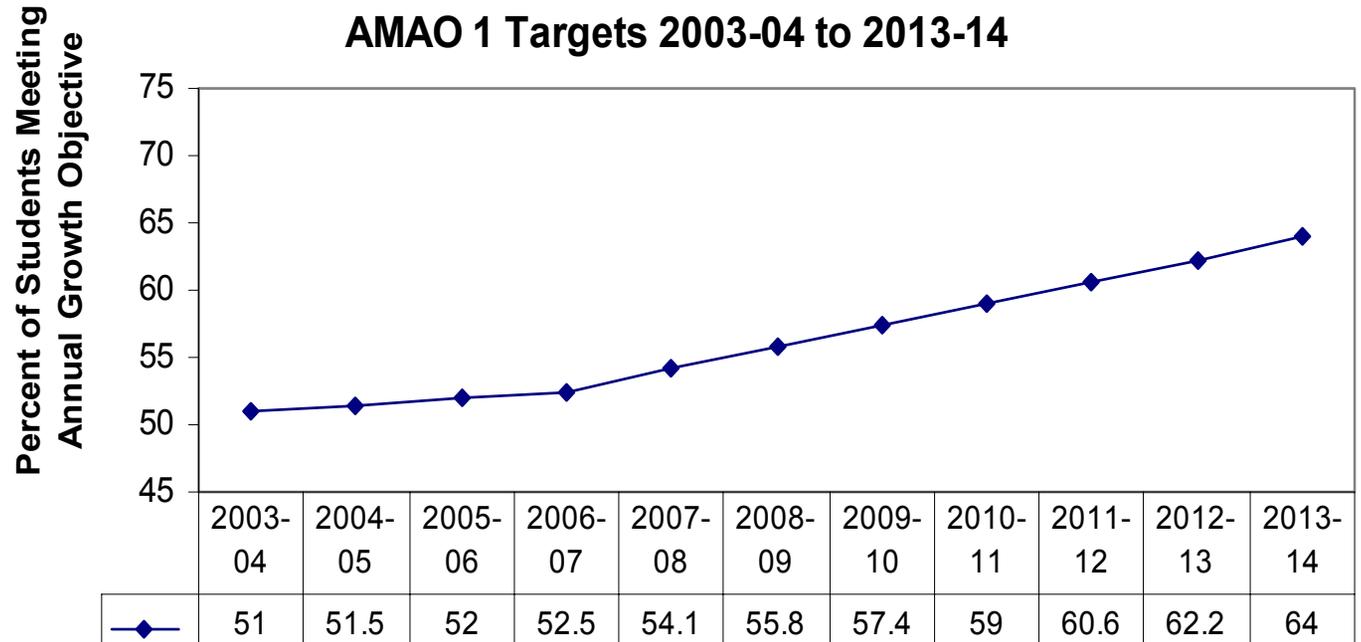
NCLB Title III: Annual Growth Target

- Students at the beginning, early intermediate, or intermediate level are expected to gain one level.
- Students at the early advanced level are expected to bring all subskills up to Intermediate level.
- Students at the level required for redesignation are expected to maintain that level.



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NCLB Title III: AMAO 1 Targets for LEAs



- The starting target for 2003-04 is 51 percent of the students in the LEA, meeting the annual growth objective.
- The ending target is 64 percent of the students in the LEA, meeting the annual growth objective.



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NCLB Title III: AMAOs

- AMAO 2:
 - Annual increases in the percentage of children attaining English proficiency
- Key Concepts:
 - Definition of “English proficiency”
 - Cohort for analysis
 - Student target for 2003-2004
 - Annual targets for LEAs



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NCLB Title III: AMAO 2

Definition of English Proficiency

English proficiency is defined as:

- A CELDT score of early advanced overall, with all skill areas at the intermediate level or above.



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NCLB Title III: Determining Cohort for Analysis

Students who reach
English Proficiency

Which students can
reasonably be expected to
reach English proficiency

Note: All students in numerator must also be in denominator.



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NCLB Title III: Cohort for Analysis

The cohort analysis includes students:

- With two years of CELDT scores, who have been in US schools for four or more years
- At the intermediate level or above, who did not reach English proficiency the prior year
- Below the intermediate level the prior year, who met the English proficient level in the current year