

FINAL MINUTES
State Board of Education
May 7-8, 2003

Wednesday, May 7, 2003

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

Members Present

Reed Hastings, President
Joe Nuñez, Vice President
Nancy Ichinaga
Carol S. Katzman
Suzanne Tacheny
Curtis Washington

Members Absent

Robert J. Abernethy
Donald Fisher
Stephanie H. Lee
Luis J. Rodriguez
Vacancy

Secretary and Executive Officer

Jack O'Connell, State Superintendent of Public Instruction

Principal Staff

Gavin Payne, Chief Deputy Superintendent, California Department of Education
Susan Ronnback, Chief Policy Advisor to the State Superintendent of Public Instruction
Cindy Cunningham, Liaison to the State Board, California Department of Education
Marsha Bedwell, General Counsel, California Department of Education
Rae Belisle, Executive Director, State Board of Education
Karen Steentofte, Chief Counsel, State Board of Education
Phil Garcia, Deputy Executive Director, State Board of Education
Greg Geeting, Assistant Executive Director, State Board of Education
Marion Joseph, Special Consultant to the State Board of Education
Debbie Rury, Education Policy Consultant, State Board of Education
Deborah Franklin, Education Policy Consultant, State Board of Education
Hazel Bailey, Executive Assistant, State Board of Education
Maryanna Bogard, Legal Assistant, State Board of Education
Robin Jackson, Executive Secretary, State Board of Education
Katherine Gales, Office Technician, State Board of Education

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Call to Order

President Hastings called the meeting to order at 9:04 a.m.

Salute to the Flag

Ms. Katzman led the Board, staff, and audience in the Pledge of Allegiance.

Approval of Minutes (April 2003 Meetings)

- **ACTION:** Ms. Katzman moved that the State Board approve the minutes of the April 2003 meetings with minor corrections. Mr. Nuñez seconded the motion. The motion was approved by unanimous vote of the members present.

Special Presentation

The Future Farmers of America (FFA) presented the State Board with their program of work, which included a description of major activities, historical documents, and a master meeting calendar.

The following individuals addressed the Board:

Bryan Dodson, FFA State President
Amber Cleaver, FFA State Secretary
Mark Aguilar, FFA State Treasurer
Tyler Blagg, FFA State Sentinel
Audrey Denney, FFA State Reporter

Mr. Dodson publicly thanked Superintendent O'Connell for his support of the FFA and for participating in their state conference and presented the Superintendent with a photograph from the conference. The audience offered a round of applause following the presentation.

Superintendent O'Connell commended the FFA program and the substantial rigor incorporated in technical and agricultural courses.

Mr. Nunez spoke of his support for the FFA, noting that both he and Mr. Abernethy are former FFA members. Mr. Nuñez taught agriculture education and was faculty advisor for the FFA in his school.

Ms. Katzman commented that when she attended high school (and was a member of the debate team), one debate topic year concerned financial support for agriculture. This experience caused her to develop substantial appreciation not only for agriculture in general, but for agriculture education in particular.

Report of the Superintendent

Superintendent O'Connell announced that, on May 16, the Distinguished Schools Recognition Ceremony will be held at the Disneyland Hotel in Anaheim. More than 400 outstanding middle and high schools from throughout the state will receive awards. The Superintendent thanked Mr. Nunez in advance for representing the State Board at the event.

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ITEM 1	<p>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; and other matters of interest.</p>	<p>INFORMATION ACTION</p>
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President Hastings presented the idea of switching to an every-other-month meeting schedule. This would provide staff more time to prepare agenda materials thoroughly and, hopefully, reduce the number of supplemental memoranda and other documents. Also, such a schedule would enable State Board members to participate more in education-related activities (such as liaison service) during the “off” months. Superintendent O’Connell commented that such a schedule would allow the members to be more effective “communicators” with (for example) members of the Legislature and representatives of local education agencies. Ms. Belisle suggested that members, as liaisons, would communicate Board policy to the Legislature and the field. She also indicated that switching to a principally staff-conducted public hearing process at least for regulations would be an important factor in making an every-other-month meeting schedule work. In such a process, members would have full access to every public comment received (both verbatim through audiotape and in the form of a comprehensive summary). She noted that, in fact, such a process would be more conducive to full understanding, given that the staff summary of public input could incorporate key background information and, where necessary, responses to the public input. Ms. Tacheney and Ms. Katzman expressed support for proposed changes, and President Hastings concluded that there appeared to be general consensus to move forward with these ideas.

- By consensus, the members present approved authorized staff to proceed with the development of any changes necessary to the State Board Bylaws to provide for an every-other-month meeting schedule beginning in July 2003 (i.e., July, September, November, January, March, and May) with meetings continuing to be two days in length, but with public hearings required by law (e.g., under the Administrative Procedure Act) to be conducted by staff unless otherwise directed by the State Board. The State Board, of course, would continue to accept public comment on each agenda item as required by the Bagley-Keene Open Meeting Act; the difference will be that generally public comment (under Bagley-Keene) can be much more tightly constrained as to time than testimony offered in a public hearing. Staff was also authorized to present other State Board Bylaw changes deemed advisable pertaining to committees and liaisons. The Bylaw changes are to be presented in June for information, then return in July for action.

Ms. Belisle announced the appointment of Marion Joseph as her designee on the California Taskforce on Holocaust, Genocide, Human Rights, and Tolerance Education under AB 2003 (Koretz), Chapter 702, Statutes of 2002. She noted that Mrs. Joseph would be able to contribute very significantly and substantively to the Taskforce, and that Mrs. Joseph was very enthusiastic about being part of the group. The Taskforce is not expected to get underway until the fall; it is staffed by the Center for Excellence on the Study of the Holocaust, Genocide, Human Rights, and Tolerance at CSU, Chico.

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ITEM 2	PUBLIC COMMENT. Public Comment is invited on any matter <u>not</u> included on the printed agenda. Depending on the number of individuals wishing to address the State Board, the presiding officer may establish specific time limits on presentations.	INFORMATION
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The following individual addressed the Board:
David Page, Parent, San Diego USD

ITEM 3	Seminar: High School Exit Exams in Other States.	INFORMATION
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President Hastings briefly summarized information on other states' experiences with high school exit examination as a precursor to the HumRRO report to be given under Item 4.

ITEM 16	Approval of Local Educational Agencies (LEAs) and Consortia applications for funding under The Principal Training Program (AB 75).	ACTION
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ITEM 20	California Technology Assistance Project.	INFORMATION ACTION
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ITEM 22	Appointments to Child Nutrition Advisory Council and, if necessary, Curriculum Development and Supplemental Materials Commission.	INFORMATION ACTION
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ITEM 23	2002-03 (and beyond) determination of funding requests from charter schools pursuant to Senate Bill 740 (Chapter 892, Statutes of 2001), specifically Education Code Sections 47612.5 and 47634.2.	ACTION
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ITEM 24	Assignment of Numbers for Charter School Petitions.	ACTION
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President Hastings informed the Board that Items 16, 20, 22, and 23 were proposed consent items. He called for public comment.

The following individuals addressed the Board:
Penny Taylor, Parent, Sacramento City High School
Kate Lennox, Parent, Sacramento City High School

President Hastings clarified that the assigning of charter school numbers is a ministerial function required by law to track the total number of charters that have been granted by local education agencies. The assignment of a number to a locally chartered school does not signify that the State Board is "approving" the school, which is not a matter within the State Board's purview.

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- ACTION: Ms. Katzman moved that the State Board approve the staff recommendations under Items 16, 20, 22, 23, and 24. The motion took into account that a supplemental memorandum for Item 22 presented two recommendations for appointment to the Child Nutrition Advisory Council, and that a supplemental memorandum for Item 24 presented two additional charter schools for purposes of the assignment of numbers. Mr. Washington seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 4	California High School Exit Examination (CAHSEE): Including, but not limited to, Presentation of the Report Required by AB 1609.	INFORMATION ACTION
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Geno Flores, Deputy Superintendent, introduced Dr. Laress Wise of HumRRO, the organization that conducted the study of the CAHSEE required by Assembly Bill 1609 (Calderon). Dr. Wise reminded the Board that the purpose of the study was to determine if the CAHSEE test development process and the implementation of standards-based instruction met the standards required for a high school graduation test. Dr. Wise summarized the study's five principal findings:

- The development of CAHSEE meets all the required professional testing standards for use as a graduation test.
- The CHASEE has led to dramatically increased coverage of the California content standards at the high school and middle school levels and to development of new courses providing help for students who have difficulty mastering these standards.
- Many courses of initial instruction and remedial courses have only limited effectiveness in helping students master the required standards.
- Students placed in supplemental and remedial standards-based courses could also benefit from instruction in the prerequisite skills required for these courses.
- Many factors suggest that the effectiveness of standards-based instruction will improve for each succeeding class after the Class of 2004.

Dr. Wise explained why HumRRO did not make a specific recommendation about whether (or how long) to delay the CAHSEE as a graduation requirement. In his opinion, the decision is a policy decision, one that cannot be made solely based on scientific research. Dr. Wise noted that there were a number of "trade-offs" that the State Board should consider.

Mr. Nunez asked about the size of the sample included in the study and how the sample schools were selected. Dr. Wise explained that originally 600 schools were identified that would represent the state's schools, including schools with a range of performance. Only a portion of those schools actually participated, but the participation was considered good and was generally reflective of the state as a whole.

Ms. Tacheny inquired about the types of instructional programs being used at the schools. Dr. Wise responded that for purposes of initial instruction they found many common courses. For the remedial courses, which are newer, the courses are more varied and no common courses have emerged.

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Mr. Flores announced that preliminary figures had just been received regarding the passage rate of students in the Class of 2005 who took the CAHSEE in March. Approximately 60 percent of grade 10 students (Class of 2005) passed mathematics, and about 70 percent passed English-language arts. These passing percentages are substantially above those of the Class of 2004.

President Hastings inquired as to what we might expect at the May administration given our experience with the Class of 2004. Mr. Flores provided data on the numbers of test booklets ordered for the May administration, and indicated that the overall passing rates would likely be comparable.

Ms. Katzman expressed her concern that alternative forms of assessment (such as portfolios) might be worth exploring for students who did not do well on standardized tests. President Hastings commented that Massachusetts' experience with alternative assessment indicated that it did not make much difference. Though having more than 600 students pursue the alternative assessment, only one was successful. The issue is much more the level of rigor in the assessment, than it is the testing method used.

Mr. Nunez said his main concern is that students have the opportunity to learn and, toward that end, schools must provide students state-adopted instructional materials and teachers must have the professional development necessary to use the materials well. He added that, as a high school teacher, experience taught him the vital importance of students learning important prerequisite skills in the elementary and middle grades. High school needs to be much more than remedial instruction.

Ms. Tacheny commented that we need to keep in mind the CAHSEE's purpose—ensuring all students possess the skills they need to succeed. It is exciting to discover that schools are implementing the standards and providing remediation as evidenced in Finding 2. She inquired as to whether an analysis of readability had been performed. Ms. Belisle commented on the readability issue, stating that the test item reviewers are very familiar with state standards and many are involved in the review process for state adoption of instructional materials.

Mrs. Ichinaga commented that the new standards-based instructional materials had just been adopted within the last several years in the core subjects of reading and mathematics. The new materials have taken some time to make their way into classrooms across the state, but the preliminary 2005 CAHSEE results demonstrate that instructional improvement is happening.

Ms. Tacheny shared the content of a letter received from the field asking that the Board not delay the CAHSEE's consequences (but rather keep it effective beginning with the Class of 2004). The reasons for that position include the loss of credibility for the teachers and school administrators, and the deferment of the test's potential as a motivational tool to promote standards-based instruction.

President Hastings stated it is encouraging to see such an extraordinary increase in the passing rate from the Class of 2004 to 2005. He noted that high schools have had additional state funding for the past five years to purchase standards-aligned instructional materials. Ms. Katzman inquired about the length of the CSTs and how long algebra has been a requirement for graduation.

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President Hastings stated that fairness to students needs to be a paramount consideration. Mr. Washington expressed concern about how teacher layoffs and budget cuts affect instruction and student attitude. President Hastings stressed it is the obligation of our schools to ensure students learn the skills they will need.

President Hastings introduced a special guest, Alexander Wong, representing the Student Advisory Board of Education (SABE). Last November, the SABE delegates made a recommendation on the CAHSEE one of their principal recommendations to the State Board. Mr. Wong reiterated the SABE recommendation that the passage of the CAHSEE as a graduation requirement be delayed until at least 2006, citing a number of reasons.

The following individuals addressed the Board:

Laronda Warner, Parent, Natomas High School

Reggie Taylor, Student, Californian's for Justice

Mai Yang, Student, Californians for Justice

Emily Hobson, Research Assistant, Californian's for Justice

Magga Castillo, Student, Californians for Justice

Panna Lee, Student, Californians for Justice

Martha Diaz, Californians Together

Richard Bray, Association of California School Administrators

Silvia DeRuvo, California Association of Resource Specialists and Special Education Teachers

No action was taken.

ITEM 5	Standardized Testing and Reporting (STAR) Program: Including, but not limited to, STAR Program Update.	INFORMATION ACTION
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Mr. Flores indicated that Item 5 would be information only. He explained that in March, the Department presented an item release plan at which time the Board discussed item selection and the release timeline. There have been staff discussions since then on such matters as how to communicate with the field to ensure the item release is useful for teachers. A more detailed item release plan, which he outlined, will be presented in June.

President Hastings said the problem with the approach Mr. Flores outlined is that it would not necessarily be representative. Ms. Belisle suggested some alternatives to enhance the representative nature of the sample. The matter will return next month.

No action was taken.

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ITEM 6	California English Language Development Test (CELDT): Including, but not limited to, Analysis of CELDT Sub-Group Results.	INFORMATION ACTION
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Mr. Flores presented various charts and graphs relating to student results on the California English Language Development Test (CELDT). Mr. Nunez asked if it was possible to determine at what grade level the students entered school in California. Mr. Flores indicated he would see what information might be available in that regard.

Mr. Flores drew the Board’s attention to the bar graphs reporting proficiency levels by the number of years in a school in the United States and also provided the definitions from the R-30 language census regarding categories of instructional services. Mr. Flores cautioned that we do not have historical information on course-taking, only the information about the instructional service categories.

President Hastings indicated that it appeared reasonable to conclude that students who receive less instruction in English learn English more slowly. Mr. Nunez wondered how this information would be useful in making decisions at the state or local level. Ms. Belisle indicated that there are policy decisions related to NCLB where this information will be useful, including the setting of annual measurable achievement objectives.

Ms. Tacheny suggested a presentation on what instruction looks like in these various categories. Ms. Belisle offered a caution that instructional services within a category will vary greatly. President Hastings indicated that he did not hear any specific requests for additional data from the CDE, except for data (to the extent it’s available) by grade levels regarding when English learners enter the California public schools.

The following individual addressed the Board:
Martha Diaz

No action was taken.

ITEM 7	No Child Left Behind – Monthly Update.	INFORMATION ACTION
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Camille Maben, NCLB Coordinator, introduced Chuck Weis, Chair of the AB 312 NCLB Liaison Team, who reported on recommendations from the Liaison Team’s latest meeting. Mr. Weis indicated that the public comment they received was significantly focused on the highly qualified teacher definition. The Team’s next meeting is scheduled for June 6.

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Regional System of School Services and Support (S4)

Wendy Harris, School Improvement Division, reported that the changes over the last few years include the emphasis on schools most in need of assistance; the nature of the services is more focused on school-level coaching and very specific training. Some county offices are approved SAIT providers. S4 services will be more like the SAIT services and will be aligned with SAIT's guiding principles to form a complete, coherent system. Continuing the report, Mr. Weis stated that there is a need to build district capacity to improve their own schools. Services are more locally driven, and the effort is strengthening accountability. Ms. Belisle added she understands the regions have an annual contract with the state.

Ms. Harris explained the annual Request for Applications (RFA) process, stating that the regional county superintendents select the lead county office for that region. Mr. Nunez inquired about the RFA's incorporation of assistance with implementing the standards-based instruction and using the adopted instructional materials.

May 1 NCLB Submission

Reporting on the May 1 NCLB Consolidated State Application submission, Ms. Maben thanked Mr. Nunez and Ms. Tacheny for their assistance and noted that no comments have been received from the US Department of Education on the submission. Written comments on the peer review have yet to be received.

Persistently Dangerous Schools

Ms. Maben introduced Jerry Hardenburg, Safe and Healthy Kids Program Office, who briefed the members on this topic. Ms. Maben then discussed the letter from Superintendent O'Connell to LEAs regarding their options. School-level data will be collected for 2000-01, 2001-02, and 2002-03, and the state must report in July on the number of persistently dangerous schools. Any school identified as persistently dangerous must offer its students the option to attend another school.

Local Education Agency Plans

Ms. Maben said the LEAs must submit their plans for Title I, Title II, and Title III. The LEA plans will be reviewed in June and the plans will be brought before the Board for approval at the July meeting.

Title III Accountability Issues

Jan Mayer, Language Policy and Leadership Office, explained the two kinds of objectives the Board will need to address, today focusing on the criterion to be used for English language proficiency on the CELDT. The Department staff has considered three options. This measure is only a measure of English language proficiency. Ms. Mayer drew the Board's attention to the bar graphs illustrating the percentages of students that would be classified as meeting different proposed criteria of proficiency.

The Department staff recommendation is to maintain the State Board criterion of no less than the Early Advanced level overall, plus the score for each individual skill area being at the Intermediate level or higher.

President Hastings acknowledged Ms. Mayer's hard work.

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- ACTION: Ms. Tacheny moved that the State Board approve the staff recommendation for the language proficiency level that will be used to determine whether a local education agency has met the annual improvement goals for the No Child Left Behind (NCLB) Act. Mr. Washington seconded the motion. The motion was approved by unanimous vote of the members present.

President Hasting called for the lunch break at 12:22 p.m. He reconvened the session at 1:36 p.m.

ITEM 8	Further discussion of the definition of Highly Qualified Teachers for the No Child Left Behind (NCLB) Act.	INFORMATION
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[Taken up after the break following Item 21.]

President Hastings advised that Items 8, 11, 19 are items not requiring action therefore will be heard later in the day.

Ms. Steentofte reported that she wanted the subject matter competency test to be as transparent as possible, but last month the Board staff was thrown a curve when the CSET publisher said their test was not validated for NCLB purposes. At this time, the staff is working on short term and long term solutions as they look at what the appropriate mechanism would be for designating the subject matter competency test(s) as the short term solution. The Commission on Teacher Credentialing (CTC) has been very helpful in looking at the long-term solution as the possibilities include a culminating assessment. In addition, they are working on a process to evaluate veteran teachers for qualification as highly qualified teachers (HQT).

The following individuals addressed the Board.
Stephanie Farland, California School Board Association
Martha Wallace, California Teachers Association
Silvia DeRuvo, California Association of Resource Specialists and Special Education Teachers

ITEM 9	Supplemental Educational Services Providers required by Section 1116(e) of the No Child Left Behind (NCLB) Act of 2001, including but not limited to, proposed regulations, annual notice to potential providers and revised provider application.	INFORMATION ACTION
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[Taken up following the Lunch Break.]

Larry Jaurequi, Specialized Programs Division, reported on the Supplemental Educational Services application process, which will be conducted on a continuing basis with provisional approvals for the first two years a provider is on the statewide list. The Board will be asked to take action on the recommended providers in June. The continuing providers will be evaluated based on survey data. Proposed emergency regulations will define the demonstrated record of effectiveness required to be an approved provider.

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Mr. Nunez commented that both he and Ms. Tacheny worked with the CDE staff to develop the survey instrument and would like to review the survey instrument after the data for the surveys have been collect and completed.

President Hastings indicated that the proposed permanent regulations, based on the emergency regulations, would be subject to a staff-conducted public hearing process so that in September the State Board would have a complete package of public comments and staff responses as may be necessary.

The following individual addressed the Board:
Martha Wallace, California Teachers Association

Ms. Belisle noted as a point the information that NCLB does not require that supplemental service providers be highly qualified teachers.

- **ACTION:** Ms. Tacheny moved that the State Board approve the following with technical changes as may be necessary in the judgment of Executive Director: (1) the proposed Emergency Regulations and the proposed Statement of Emergency accompanying the regulations; (2) the rulemaking package necessary to begin the permanent rulemaking process in accordance with the Administrative Procedure Act with the text of the Emergency Regulations being the text of the proposed permanent regulations; (3) the annual notice to potential providers; and (4) the revised provider application. For purposes of the public hearing required by the Administrative Procedure Act following 45-day public review of the proposed permanent regulations, the motion included a direction by the State Board (in accordance with subdivision (b) of Section 18460 of Title 5 of the California Code of Regulations) that the public hearing be conducted by staff with an audiotape of the proceeding and a staff-prepared summary of any comments presented at the public hearing being made available to the State Board members prior to the September 2003 meeting. Ms. Katzman seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 10	Reading First Grant Approval.	INFORMATION ACTION
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Bill Vasey, Professional Development and Curriculum Leadership Division, presented the list of 61 districts whose applications are recommended for approval.

Ms. Katzman asked if there was any way of knowing how many of the students who benefit from these funds are English learners. Ms. Steentofte responded that 62 percent of the students funded were English learners.

The following individuals addressed the Board:
Mona Ohlin, Teacher, San Diego Unified School District
Samantha Dobbins, California School Board Association
Martha Diaz, CABE

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- ACTION: Ms. Tacheney moved that the State Board approve the staff recommendations for subgrant awards to local education agencies for Reading First. Mrs. Ichinaga seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 11	Review of the criteria for the selection of 2003-2004 School Assistance and Intervention Team (SAIT) providers.	INFORMATION
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[Taken up following Item 8.]

Ms. Harris reviewed the criteria used when the Board last approved the SAIT providers and ideas discussed by the State Board and Department staff for improving those criteria. With respect to the criteria for approval of SAITs, there is general agreement that the criteria should include (1) evidence of specific knowledge of the instructional programs utilized by the school being reviewed and (2) demonstrated grade-span specific expertise. In the evaluation of SAIT provider applications, it is suggested that the application evaluation process include, in addition to the paper screening of applications, (1) an interview with the team leader(s) and (2) a standardized case study exercise. Ms. Belisle commented that the SAIT training needs to be focused on grade spans (e.g., elementary, middle, and high school) so that SAITs can help schools more effectively.

Superintendent O’Connell noted that Deputy Superintendent Stickel, Ms. Harris, and Mrs. Joseph had participated in training for the SAIT providers working with the 24 schools. Ms. Katzman asked if there is any effort to consolidate the numerous intervention programs. Mr. Nunez expressed his appreciation for Ms. Harris and the Department staff for bringing together the SAITs for additional training.

This matter will return for action in June. Information only at this meeting.

ITEM 12	Request to approve expenditure plan to support Immediate Intervention for Underperforming Schools Programs (II/USP) corrective actions in four non-Title 1 “state-monitored” schools.	INFORMATION ACTION
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[Taken up after Item 10.]

Ms. Harris reported that this item is a request to approve the expenditure plan to support II/USP corrective actions for four non-Title I state-monitored schools. It was noted that the Department of Finance must also give approval.

- ACTION: Mr. Nuñez moved that the State Board approve the expenditure plan to support Immediate Intervention/Underperforming Schools Program (II/USP) corrective actions in four non-Title 1 “state-monitored” schools as recommended by staff with the understanding that the Department of Finance must approve funding for School Assistance and Intervention Team (SAIT) support costs that exceed \$75,000 per elementary school or middle school and \$100,000

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per high school, and that \$1,083,050 is the maximum funding available. Ms. Tacheny seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 13	High Priority Schools Grant Program – New Implementation Grant Awards.	ACTION
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Ms. Harris reported on a meeting with the Department of Finance staff to determine how many schools could be added to the program in 2002-03. It was determined there was sufficient funding to add 56 schools (to the existing cohort of schools).

Five schools had an API of 522, which was one school more than the \$18.7 million funding could cover. In order to “break the tie,” staff looked at the amount of progress each school made in its Schoolwide API from October 2001 to October 2002.

The following individuals addressed the Board:
Steven Rhoads, Urban School Districts
Andrea Ball, Long Beach Unified School District

President Hastings commented that there are schools with similar student demographics that do not get extra money and are still doing very well. He suggested that Mr. Rhoads work with the Legislature to change the current system so that the message is no longer “the worse you do, the more money you get.” It is a perverse incentive.

- ACTION: Mr. Nuñez moved that the State Board approve the funding of applications (not to exceed \$18.7 million or such higher amount as the Department of Finance may inform the State Superintendent is available) for schools to participate in the High Priority Schools Grant Program starting with the school with the lowest Academic Performance Index (API) rank and proceeding until the funds are exhausted. The motion incorporated the conditions on these funds as explained in the agenda item and the supplements thereto. Ms. Katzman seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 14	Review of entry requirements for alternative schools participating in the Alternative Schools Accountability Model (ASAM).	INFORMATION
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Consideration was postponed to the Thursday session.

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ITEM 15	Implementation of the AB 466 Mathematics and Reading Professional Development Program (Chapter 737, Statutes of 2001): Including, but not limited to, Update on AB 466 Training and Approved Providers and Provider Evaluations in 2003-04.	INFORMATION ACTION
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Bill Vasey reported that the interim report is due in July to the Legislature; therefore, a draft will be brought before the Board at the June meeting. The report includes the number of teachers participating in the AB 466 training. Districts have until May 30 to submit their data, and there is one additional date in May for the districts to submit funding requests. Ms. Franklin advised that the Board has an existing contract with the Sacramento County Office of Education and recommended that it be extended.

- ACTION: Mr. Nuñez moved that the State Board approve an extension (through June 2004) of the current contract with the Sacramento County Office of Education for creating an archive of approved training curricula and managing the review of training curricula submitted for Board approval, and authorize the Executive Director to execute the contract extension. Ms. Katzman seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 17	Title 5 Regulations to Implement the Instructional Materials Funding Realignment Program.	INFORMATION ACTION
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Suzanne Rios, Curriculum Frameworks and Instructional Resources Division, made a brief presentation on the proposed regulations.

- ACTION: Mr. Nuñez moved that the State Board adopt the proposed permanent regulations to implement the Instructional Materials Funding Realignment Program as amended at the April 2003 meeting and circulated for 15-day public review in accordance with the Administrative Procedure Act (APA). The motion incorporated approval of the Final Statement of Reasons and other documents required for submission of the regulations to the Office of Administrative Law under the APA. Ms. Katzman seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 18	Approval of 2002-2003 Consolidated Applications.	ACTION
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Deputy Superintendent Flores indicated that only one consolidated application was before the Board: San Diego City Unified School District. He noted that a letter had been sent regarding the one outstanding complaint.

The following individuals addressed the Board:
David Page, San Diego USD
Theresa Creber, Parent, San Diego USD
Thekima Mayasa-Hailey, Parent, San Diego USD

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William Pennick, Parent, San Diego USD
Theresa Insling, San Diego USD

President Hastings asked the district representative to take back to the district the Board's request to meet with the complaining parents and see if any resolution could be reached. Mrs. Ichinaga commented that the parents' comments concerned her greatly.

Mr. Flores noted that the chair of the District Advisory Committee had signed the 2002-03 consolidated application. Ms. Tacheny commented what she had heard the parents requesting was the Board's help to get the district to provide more effective standards-based instruction. She felt the Board should stand with the parents.

President Hastings pointed out the consolidated application is a particular financial procedure and withholding approval of the application is not a very effective method of bringing about change, since the funds continue to flow to the district. Ms. Tacheny asked Mr. Flores for clarification of what "resolved" means.

Ms. Bedwell responded that what the Department staff reviewed on the complaint was the comparability of financial resources between Title I schools. Fiscal resources and academic achievement of non-Title I schools and Title I schools were evaluated and were found to be comparable. The Department staff found in that 2001-02 the district sufficiently met the federal requirements.

President Hastings suggested that looking at API scores and perhaps visiting some of the San Diego schools would be more effective ways of looking at the strength of the instructional program. Ms. Bedwell noted that some of the instructional issues Ms. Tacheny has raised are included in the most recent complaint.

Ms. Katzman added her appreciation for the passionate pleas of the parents, but indicated that she did not think the issues they raised were really directly related to the consolidated application. More and better communication with these parents is something that should be addressed at the local level.

- MOTION FAILS: Ms. Katzman moved that the State Board approve the 2002-2003 Consolidated Application of the San Diego City Unified School District. Mr. Nuñez seconded the motion. The motion failed passage by a vote of 5-1. Mrs. Ichinaga voted against the motion. [In accordance with Education Code Section 33010, the concurrence of at least six State Board members is required to approve a motion, notwithstanding the number of members who are present at a meeting.]

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ITEM 19	California's K-12 Education Technology Master Plan.	ACTION
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[Taken up following Item 11.]

Nancy Sullivan, Data Management Division, presented the master plan. President Hastings expressed appreciation for the Commission on Technology in Learning's diligent efforts, but expressed concern that the State Board really was not in a position to make the types of commitments called for in the document. He indicated that certainly the document could be a useful tool in development of a master plan.

Ms. Sullivan responded that the document should be viewed as a guide to future policy and financial decisions, but not as a set of specific commitments. She noted that NCLB technology funding requires a state master plan. She also indicated that the Commission had endeavored to keep fiscal realities in mind, even though some provisions could certainly be considered as having significant fiscal implications.

The following individual addressed the Board:
Karen Clancy, Member, Commission on Technology in Learning.

President Hastings expressed concern about "technology for technology's sake," adding that he is simply not convinced at this point that integration of technology is so important in and of itself that we need the type of technology index called for in the document.

Mrs. Katzman commended the report, noting that teachers are required to have specific training in the effective use of technology as part of the credentialing process. Mr. Washington, speaking from his experience, indicated that he sees how much technology impacts the students every day and how it will impact them in the future. His school has technology goals in place for all students.

President Hastings commented that the tension is around the title "master plan." The term is powerful, and the Board should not take lightly the adoption of such a document. He suggested accepting the recommendations of the Commission as guides for future development of a master plan as may be necessary for NCLB.

Ms. Sullivan replied that to the extent there are future efforts to develop a master plan for NCLB purposes, accepting the recommendations would be a good approach. Deputy Superintendent Susan Lange asked that special acknowledgement of the Commissioner's work be provided. Mr. Geeting noted that, with the assistance of CDE staff, commendatory certificates had been prepared and delivered to each individual who served on the Commission.

Ms. Belisle noted that, as a matter of law, nothing required the Commission to recommend a "master plan," and the Board is not required to approve a master plan. It would be perfectly appropriate to accept

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the document as the Commission’s recommendations. She thanked the Commission for its hard work. President Hastings asked that staff prepare a letter to the former Commissioners and Assembly Member Nell Soto reporting on the Board’s consensus.

- As a matter of consensus, President Hastings indicated that (1) the document would be accepted by the State Board as the “Recommendations of the Commission on Technology in Learning” which were presented to the State Board in accordance with statute and (2) the document could be used by CDE and State Board staff as a guide in preparing any technology plan that may be determined to be needed for federal funding purposes (with that plan then being considered by the State Board in the future if necessary).

ITEM 21	Title 5 Regulations on Administration of Medication to Pupils at Public Schools.	ACTION
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[Taken up following Item 18.]

Caroline Roberts, School Health Connections, presented stated that the new proposed regulations had been prepared because of substantial modifications to the previous version. She noted that some technical changes had been identified in the staff review subsequent to the submission of the agenda item, and asked that those be incorporated in any direction to proceed with the rule-making process based on the new proposal.

- ACTION: Mr. Nuñez moved that the State Board approve the proposed regulations and rulemaking package with the inclusion of technical amendments identified by staff. For purposes of the public hearing required by the Administrative Procedure Act following 45-day public review of the proposed regulations, the motion included a direction by the State Board (in accordance with subdivision (b) of Section 18460 of Title 5 of the California Code of Regulations) that the public hearing be conducted by staff with an audiotape of the proceeding and a staff-prepared summary of any comments presented at the public hearing being made available to the State Board members prior to the September 2003 meeting. Ms. Katzman seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 25	Request by the New West Charter Middle School Petitioners To Establish New Deadlines for Meeting State Board of Education Conditions of Approval to Open.	INFORMATION ACTION
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Item withdrawn.

Adjournment of Day’s Session

President Hastings adjourned the day’s session at 3:56 p.m.