

FINAL MINUTES
State Board of Education
December 11-12, 2002

Wednesday, December 11, 2002

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

Members Present

Joe Nuñez, Vice President
Robert J. Abernethy
Susan Hammer
Nancy Ichinaga
Marion Joseph
Stephanie H. Lee
Suzanne Tacheny

Members Absent

Reed Hastings, President
Donald Fisher
Carlton J. Jenkins
Vacancy

Principal Staff to the State Board of Education

Delaine Eastin, State Superintendent of Public Instruction
Leslie Fausset, Chief Deputy Superintendent, California Department of Education
Scott Hill, Chief Deputy Superintendent, California Department of Education
Richard Whitmore, Chief Advisor to the State Superintendent of Public Instruction
Linda A. Cabatic, General Counsel, California Department of Education
Rick Brandsma, Executive Director, State Board of Education
Phil Garcia, Deputy Executive Director, State Board of Education
Greg Geeting, Assistant Executive Director, State Board of Education
Deborah Franklin, Education Policy Consultant, State Board of Education
Karen Steentofte, Education Policy Consultant, State Board of Education
Hazel Bailey, Executive Assistant, State Board of Education
Maryanna Bogard, Legal Secretary, State Board of Education
Robin Jackson, Executive Secretary, State Board of Education
Katherine Gales, Office Technician, State Board of Education

Call to Order

Vice President Nuñez called the meeting to order at 9:15 a.m.

Salute to the Flag

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

FINAL MINUTES
State Board of Education
December 11-12, 2002

Approval of Minutes (November 2002 Meeting)

- **ACTION:** Mrs. Ichinaga moved that the State Board approve the minutes of the November 2002 meeting with minor corrections. Ms. Tacheny seconded the motion. The motion was approved by unanimous vote of the members present. In addition to the absent members, Ms. Hammer was not present when the vote was taken.

Announcements/Communications

Vice President Nuñez announced that on Thursday, after the Board meeting adjourns, the Board members are hosting a gathering for Superintendent Eastin in the Board office conference room and that staff and the audience are invited to attend.

Vice President Nuñez informed the audience that the Screening Committee would be interviewing applicants for appointment to the Curriculum Commission during the lunch break. The interviews would be held during in the State Board office conference room on the fifth floor. The Board would take up to a two-hour lunch break at that time. The interviews are open to the public.

Vice President Nuñez announced the following changes in the agenda:

- The Superintendent’s Report would be given on Thursday morning
- Item 26, Monitoring and Evaluation of Supplemental Educational Services Providers, was withdrawn
- Item 27, NCLB Local Educational Agency Plan, was withdrawn
- Items 28 and 29, related to the proposed formation of the Dixie-Terra Linda USD, have been postponed (possibly to February 2003)
- Item 34, the charter school facilities disputes regulations, was withdrawn

ITEM 1	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; nomination of State Board officers; declaratory and commendatory resolutions; update on litigation; bylaw review and revision; review of the status of State Board-approved charter schools as necessary; and other matters of interest.	INFORMATION ACTION
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Nominations of Board Officers

Vice President Nuñez reminded the Board that nominations made this month for the offices of president and vice president do not require a second and that the election of officers would take place at the January Board meeting. Vice President Nuñez called for nominations.

- **NOMINATIONS MADE:** Ms. Tacheny nominated Mr. Hastings for the Office of State Board President in 2003. Mr. Abernethy nominated Mr. Nuñez for the Office of State Board Vice President in 2003. No other members seeking recognition for the purpose of making nominations, Mr. Nuñez closed nominations.

FINAL MINUTES
State Board of Education
December 11-12, 2002

State Fiscal Situation

There was a short discussion about the current state budget problems, including the possible approaches that could be taken to reduce education spending, focusing limited resources on core programs, and using the core academic content standards as a guide when budget reductions are considered.

California Reading Reform

Mrs. Ichinaga commented on a University of Michigan study on reading reform in California that compliments California's high standards and acknowledges Mrs. Joseph's important role in advancing reading reform in this state.

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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There were no speakers for this item.

ITEM 3	No Child Left Behind (NCLB) Accountability Plan.	INFORMATION ACTION
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Bill Padia, Policy and Evaluation Division, reported that Item 3 would be heard in two parts: the additional information on Option 4 requested by the Board at the November meeting would be presented, and Chuck Weis would provide an NCLB Liaison Team report.

Mr. Padia referred to the proposed changes to Option 4 to meet NCLB requirements. He noted that under our current accountability system, the Academic Performance Index (API) goal for all schools is 800. Staff looked at those schools that are 800 or above, and 800 appears to be a reasonable goal. Other changes to Option 4 would be altering the timeline to reflect NCLB's 12-year schedule and the inclusion of annual measurable objectives and intermediate goals. In addition, the two subgroups required under NCLB would be included in the revised Option 4. The simulations indicate the expected impact of Option 4 with these changes.

Mr. Padia noted that the U. S. Department of Education (USDE) has now provided a workbook for the states to use in defining Adequate Yearly Progress (AYP) and developing accountability plans. This workbook gives examples of approaches that are unacceptable under NCLB. Based on the information in the workbook, the API might not be an acceptable measure of AYP. One issue is that under the API not all students have to be at the proficient level for a school to meet its target. Also, different starting points for schools and subgroups are a possible problem.

Mr. Padia stated that he thinks Option 4 meets the spirit, if not the letter, of the law. Option 1 melds the API and AYP systems together. Option 3 keeps the two systems completely separate. Under Option 3, the first page of the school report would be the API and the second page would be the AYP, as NCLB requires. Under Option 3, a school could meet its API targets but might not meet its AYP targets. The

FINAL MINUTES
State Board of Education
December 11-12, 2002

question is what sanctions the school would face. The AYP would drive what sanctions the school would face, and there would definitely be a communication problem.

Mr. Padia reported that in conversations with other states, staff has found that Kentucky and Louisiana are coming in with their own index systems. Some states have index systems, but report separately the results for English-language arts and mathematics. Also, some states have classifications systems and others opt for a front page/back page approach, as in Option 3.

Ms. Tacheny asked if the states with classification systems have something similar to California's decile system but use names and descriptions for their classifications. Ms. Tacheny stated that California needs to be having conversations with the USDE. She reported that in her conversations with USDE staff, she has been advised that Option 4 would not be accepted because it is a school average approach and not the "each-student-must-be-proficient" approach under NCLB. The classification system could communicate to schools their progress on the back page of the school report. Ohio, Florida, Michigan, and Texas are among those states using a classification system.

Chuck Weis, Chair of the AB 312 NCLB Liaison Team (Liaison Team), summarized the provisions in AB 312 that established the 15-member Liaison Team. He noted that 14 members have been appointed. Meetings have been set through May 2003 and areas for future discussions have been identified. At the December meeting, the Liaison Team discussed the a number of topics related to AYP, including using the overall pass rate on the California High School Exit Exam as a proxy for graduation rates, California School Information Services (CSIS), and the intent of the Public Schools Accountability Act (PSAA). The Liaison Team requested additional information on the other index states. There was also considerable conversation about the minimum number of students necessary for a subgroup, parental opt-outs and participation rates, the Alternative Schools Accountability Model (ASAM), and separating subject area content.

Mr. Weis reported that the next Liaison Team meeting is January 7, 2003. He noted that Camille Maben, senior advisor to the State Superintendent, and Don Kairott, NCLB Coordinator, were staffing the Liaison Team. The Liaison Team would like guidance from the Board. Mr. Weis commented that conversations with the USDE are needed to answer questions about what might be possible under NCLB.

Mrs. Joseph asked Ms. Belisle to add any comments she might have as the State Board's other appointee to the Liaison Team. Ms. Belisle remarked that the team had a very good discussion on the issues. She agreed that engaging with the USDE is very important and so is having conversations with other states. She noted that when she was at the NCLB conference in Colorado, she had been advised by the USDE that not separating English-language arts and math was a non-starter.

Mrs. Joseph remarked that it is critical there be discussion and negotiations with the USDE and requested that Ms. Belisle, Mr. Weis, and President Hastings all represent the State Board in conversations with the USDE representatives on NCLB. Ms. Tacheny added that Superintendent-elect Jack O'Connell should also be involved in those conversations as soon as he takes office. Vice President Nuñez stated that if there was no objection, the Board could do this by consensus.

FINAL MINUTES
State Board of Education
December 11-12, 2002

- ACTION: By consensus, the State Board members present agreed to empower the State Board President, the State Board’s appointees to the NCLB Liaison Team (Charles Weis and Rae Belisle), and State Superintendent-elect Jack O’Connell (to the extent his schedule allows) to lead discussions with representatives of the USDE (and other federal officials as may be necessary) regarding issues surrounding California’s NCLB Accountability Plan.

The following individuals addressed the Board:

Mike Weimer, Education Coalition
Sally Bennett, Association of California School Administrators
Jeff Briscoe, Capistrano Unified School District
Bill Chavez, Association of Urban School Districts
Martha Diaz, Californians Together Coalition

Vice President Nuñez asked Mr. Padia to explain the Legislature’s role in this decision-making process. Mr. Padia explained that selecting Option 4 requires numerous changes to current law, whereas Option 3 does not.

Ms. Tacheny thanked the speakers for their feedback and acknowledged the excellent work performed by Mr. Padia and his staff. She stated that until we hear differently from USDE, Option 4 should not be the direction to go. Ms. Tacheny added that everyone, including the field, needs to be aware of all the options before making a decision.

Mrs. Joseph expressed concern about the difference in the approaches of a system based on each individual student’s score and one based on a school-wide average, the former being the intent of the NCLB Act. Mr. Padia responded that under NCLB, every student has to be proficient—this would be the back page of Option 3. He noted that he has heard that Colorado is trying to use partially proficient as the achievement goal, but it is not clear if that definition would be acceptable under NCLB.

Vice President Nuñez remarked that the lateness of direction from the USDE is very problematic. States were not given enough time to have the in-depth conversations that such an important policy decision requires. He stated that he wants to keep our system intact as much as possible. Vice President Nuñez expressed appreciation for the many hours that Mr. Padia has spent preparing and bringing information to the Board.

ITEM 4	Testing Policies for English Learners.	INFORMATION ACTION
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Phil Spears, Standards and Assessment Division, noted that over the last several months the Board has been discussing accommodations for English learners and that, at the Board’s request, he has additional information to present.

Vice President Nuñez noted that the Board’s action last month related to administering the Standardized Testing and Reporting (STAR) tests as untimed tests would be revisited under Item 5.

FINAL MINUTES
State Board of Education
December 11-12, 2002

Mr. Spears stated that he would address the use of glossaries and allowing extended time as two separate issues. He noted that staff has been reviewing studies on the impact of glossary use on English learners' test scores. The data from one study indicate that students performed better with both glossaries and extended time. The use of glossaries without extended time resulted in some instances of scores going down. Extended time with no glossary use had a negligible effect. Staff also reviewed the use of glossaries in other states. Staff found that 28 states allow glossary use. Two states that do not allow glossary use are West Virginia and Texas.

Mrs. Joseph noted that the states mentioned allow glossaries on criterion-referenced tests. That is a very different situation than glossary use on a nationally normed test.

Ms. Tacheny asked if the state would be providing the glossaries or if the schools would provide them. Mr. Spears responded that this issue requires careful discussion so as not to create a mandated cost. On extended time, the Department has had a great deal of support from Education Testing Services (ETS) and the subcontractor, CTB. He said that the CAT/6 is "unspeeded," meaning virtually all students are expected to complete all items. ETS recommends adopting a statewide policy and procedures, which include a form to document an English learner's need for accommodations. It would also be necessary to document those students who used accommodations on testing.

Mr. Spears stated that the Department staff recommends that glossaries be made available on state assessments in math, history-social science, and science. Department staff also recommends allowing glossaries on the STAR and Golden State Exam (GSE) English-language arts tests, but not the high school exit exam English-language arts portion. The recommendation for extended time for English learners would be on an individual basis only. Mr. Spears noted that the timeline for the 2003 administration is such that necessary regulations, procedures, and documentation cannot be developed for this spring administration and the Department recommends that policy decisions for English learners be implemented for STAR 2004.

The following individuals addressed the Board:

Martha Diaz, Californians Together Coalition

Lisa Ramer, California Association of Teachers of Speakers of Other Languages

Mrs. Joseph stated that she is supportive of the idea of allowing glossaries but has concerns about how to address the equity issues raised by glossary use. Mr. Spears said that Mrs. Joseph's point is a valid one. He added that it is important to carefully develop an approach to help schools move forward. At this time, staff is unsure of the impact on construct validity of using glossaries on the English-language arts tests; therefore, Department staff recommends the use of glossaries on STAR and GSE only at this time.

Ms. Tacheny pointed out the fundamental principle, and the problem, around the NRTs is that students must take the test under the same conditions applied when the test was normed for any comparisons to be valid. She stated that she is concerned about the possible impact on school districts, on the API, and on norming validity.

FINAL MINUTES
State Board of Education
December 11-12, 2002

- **MOTION FAILS:** Recognizing that CDE staff had proposed that the State Board authorize accommodations for English learners related to extended time and the use of glossaries, subject to specified conditions, and recognizing that the State Board had determined that accommodations for specific groups of students (and not universally available) had to be authorized by regulation, Ms. Tacheny moved that the State Board direct staff to commence the development of regulations pertaining to accommodations for English learners as proposed by CDE staff, with those draft regulations being brought before the State Board as soon as possible for purposes of beginning the formal rulemaking process, following discussion with the incoming State Superintendent. Ms. Lee seconded the motion. The motion failed passage by a vote of 5-1. Mr. Abernethy voted against the motion. In addition to the absent members, Ms. Hammer was not present when the vote was taken.

Mr. Nuñez directed that this matter come back for further consideration at the January 2003 State Board meeting. However, the above-mentioned motion was reconsidered at the following day’s session. [See minutes for Thursday, December 12, 2002.]

ITEM 5	Standardized Testing and Reporting (STAR) Program: Including, but not limited to, 2003 STAR California Report for Teachers.	INFORMATION ACTION
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Mr. Spears reported on the new version of the STAR report for teachers. The new version was based on input received from the teacher and administrator groups ETS convened. The comments received from these groups were very positive. Mr. Spears pointed out that the Board could postpone a decision until January if it is not prepared to act at this meeting.

The following individual addressed the Board:
Mike Weimer, California Federation of Teachers

Ms. Tacheny suggested that the Board approve the 2003 Report for Teachers with the understanding that any changes made to it would have to be signed off by the Executive Director of the State Board.

- **ACTION:** Ms. Tacheny moved that the State Board (1) approve the proposed 2003 Report for Teachers with final editing and adjustment of the document to be made by staff in accordance with the discussion at the meeting and approved by the Executive Director of the State Board prior to the document being prepared for production by the testing contractor and (2) direct that a cover letter accompany each batch of 2003 Reports for Teachers delivered to local education agencies and/or schools to explain the intent and purpose of the documents. Mrs. Joseph seconded the motion. The motion was approved by unanimous vote of the members present. In addition to the absent members, Ms. Hammer was not present when the vote was taken.

Mrs. Joseph noted that for the section related to performance standards on the report for teachers, the Board has adopted performance levels with descriptors, which was done under the Harcourt contract. Mrs. Joseph recalled that Jan Chladek of the Standards and Assessment Division and she had signed the document.

FINAL MINUTES
State Board of Education
December 11-12, 2002

Mr. Spears spoke on the issue of allowing all students to take the NRT as an untimed test and expressed regret that the Board took action last month based on inaccurate information. He added that in the future he hopes there will not be another incidence of inaccurate information being brought to the Board.

- ACTION: In accordance with the notice given by the State Board President at the November 2002 meeting, Ms. Tacheny moved that the State Board rescind the action whereby it authorized, commencing with the 2003 administration, the CAT/6 to be administered to students without an arbitrary time limit, subject to necessary and appropriate controls to ensure test security, similar to the California High School Exit Examination. Ms. Lee seconded the motion. The motion was approved by unanimous vote of the members present. In addition to the absent members, Ms. Hammer was not present when the vote was taken.

Ms. Tacheny thanked Mr. Spears for his professional handling of this problem.

ITEM 6	Standardized Testing and Reporting (STAR) Program: Approval for Release of Final 10 Percent of 2002 Contract Costs for Harcourt Educational Measurement (HEM) and CTB/McGraw-Hill.	INFORMATION ACTION
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Mr. Spears summarized the Department’s recommendation that the Board approve the release of the 10 percent withheld from the 2002 STAR contracts with CTB/McGraw-Hill and Harcourt.

- ACTION: In accordance with the recommendation of CDE staff, Mrs. Joseph moved that the State Board (1) approve the release of the 10 percent withheld from the 2002 HEM STAR contract as the required work is completed and the term of the contract ends December 2002 and (2) approve the release of the 10 percent withheld from the 20002 CTB/McGraw-Hill STAR contract for the work completed. Mrs. Ichinaga seconded the motion. The motion was approved by unanimous vote of the members present. In addition to the absent members, Ms. Hammer was not present when the vote was taken.

ITEM 7	California High School Exit Examination (CAHSEE): Including, but not limited to, Update on Study Required by Assembly Bill (AB) 1609.	INFORMATION ACTION
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Mr. Spears provided an update on the independent study being conducted by the Human Resources Research Organization (HumRRO), the results of which are due by May 2003. He noted that the contractor is on schedule to meet this date. He reported that HumRRO has met with the survey advisory panel, Department staff, and the Board’s testing liaisons regarding the survey instrument, which HumRRO will pilot with several schools.

Mrs. Joseph talked about an in-depth discussion she had with HumRRO representatives and noted that they were very receptive to her concerns. Mrs. Joseph remarked that there are no state-adopted intervention programs for math as there are for reading-language arts. This lack of intervention

FINAL MINUTES
State Board of Education
December 11-12, 2002

programs is a serious problem. She noted that another problem is that much of the high school curriculum is determined by efforts to meet University of California entrance requirements.

Ms. Tacheny thanked Mr. Spears and Ms. Chladek for their hard work on this study and for their efforts to involve the liaisons. Ms. Tacheny stated that she would like the Board to receive the data and analysis from the May test administration.

No action was taken on this item.

ITEM 8	California High School Exit Examination (CAHSEE): Proposed Amendments to Title 5 Regulations on the CAHSEE.	INFORMATION ACTION
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Mr. Spears reviewed what he considers the most profound changes made in the California High School Exit Exam (CAHSEE) regulations since the last time the proposed regulations were before the Board. He noted that those changes include (1) the testing dates for the 11th and 12 graders; (2) revisions in the waiver process, which now falls on the shoulders of the local school boards; and (3) efforts to streamline apportionment. Ms. Steentofte informed the Board that Board staff would work with Department staff on these proposed regulations during the 45-day public comment period. Mr. Spears noted that a minor change would be made in Section 1215 before the proposed regulations are sent out for public comment. This change would be to add additional wording regarding testing variations that clarifies that the variations are those regularly used in the classroom.

- ACTION: Mrs. Joseph moved that the State Board approve the Notice of Proposed Rulemaking as presented in the supplemental agenda item with the incorporation of the amendments presented orally by CDE staff and any technical edits or corrections determined to be necessary by staff. Ms. Tacheny seconded the motion. The motion was approved by unanimous vote of the members present. In addition to the absent members, Ms. Hammer was not present when the vote was taken.

Ms. Tacheny asked that the Board have a discussion about administering the GSE on Saturdays, which may be possible because it is an optional test. She is interested in exploring ways to provide districts with options.

Mrs. Joseph asked for a conversation between the testing liaisons and staff on the content review panels and GSE before the January meeting.

ITEM 9	California English Language Development Test (CELDT): Including, but not Limited to, CELDT Program Update.	INFORMATION ACTION
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Vice President Joe Nuñez reported this item was on the agenda as a placeholder and that there were no issues to discuss at this time.

No action was taken on this item.

FINAL MINUTES
State Board of Education
December 11-12, 2002

ITEM 10	California High School Proficiency Examination (CHSPE): Revising the Content Standards and Passing Scores.	INFORMATION ACTION
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Mr. Spears advised that the California High School Proficiency Examination (CHSPE) has existed since 1975 and students who pass this test are awarded diplomas signed by the State Board of Education and are allowed to leave school with parental consent. Students in public, private, and home schools are eligible to take the test, which is self-supported by students paying fees to take the test. The Department recommends that staff investigate off-the-shelf tests that measure the standards we would expect students to meet as requirements of a high school diploma. The Department proposes making the test more rigorous by assessing academic content standards for grades 9-12 in English-language arts and for Algebra 1, plus some probability and statistics and geometry, in mathematics.

Vice President Nuñez pointed out this was an informational item for the Board’s discussion. Mr. Abernethy asked why the CHSPE exists and if it could be eliminated. Mr. Spears responded that the test is required by statute. Mr. Warren added that the Department had at one time attempted to eliminate the test, but the Legislature was not inclined to agree. Mrs. Joseph asked for open discussion on this test and the need to keep it. Mr. Abernethy suggested that a legislative change be considered.

Vice President Nuñez commented it would be appropriate to have a discussion with the Office of the Secretary for Education about these concerns regarding the test. Mr. Spears suggested that the Board consider the larger issue at the same time as the Department moves forward to investigate the use of commercially available tests.

Ms. Tacheny recommended deferring discussion on this item to the testing liaisons. She noted that this test is a small part of the entire assessment system. Vice President Nuñez asked for the Board’s consensus that the testing liaisons work with the Department on this issue. Ms. Fausset advised the Board that the current contract expired in November 2002.

- **ACTION:** By consensus, the State Board members present agreed that the testing liaisons would work with CDE staff regarding various options for addressing the CHSPE, including, but not limited to, seeking a new test to take the place of the existing CHSPE and seeking to modify or repeal the existing statute relating to CHSPE.

Lunch Break: Vice President Nuñez called for the lunch break at 12:11 p.m. He reminded the audience that the Screening Committee would meet to interview applicants to the Curriculum Commission during the lunch break. The interview process would take approximately two hours and is open to the public. Vice President Nuñez reconvened the meeting at 2:29 p.m.

ITEM 11	Appointment to the Curriculum Development and Supplemental Materials Commission.	INFORMATION ACTION
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Vice President Nuñez asked Mrs. Joseph to provide a report on the Screening Committee meeting.

FINAL MINUTES
State Board of Education
December 11-12, 2002

Mrs. Joseph reported that the Screening Committee met and interviewed six candidates. Mr. Abernethy joined the Committee for the interviews. She added that the Screening Committee would meet again immediately following the Closed Session on Thursday morning and hoped to have a recommendation for Board action at that time. [See minutes for Thursday, December 12, 2002.]

ITEM 12	Report of the Curriculum Development and Supplemental Materials Commission.	INFORMATION ACTION
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Curriculum Development and Supplemental Materials Commission Chair Sue Stickel presented the Commission’s report to the Board. She informed the Board that the Commission was requesting one action of the Board, the approval of the adoption timeline for the 2004 health adoption.

- ACTION: Ms. Lee moved that the State Board approve the K-8 Health Primary Adoption Timeline as proposed by the Curriculum Development and Supplemental Materials Commission, with the understanding that the timeline reflects a general plan and that modest variations in the specified times that may be necessary in the judgment of CDE staff and/or the Curriculum Commission do not require separate approvals by the State Board. Mrs. Ichinaga seconded the motion. The motion was approved by unanimous vote of the members present.

Ms. Stickel reported that the history-social science adoption criteria would be brought to the Board in January for approval. She stated that the Commission has discussed the *Mathematics Framework*, believes it is well written, and recommends that the framework only be changed in cases where necessary due to statutory changes or changes in the state’s assessment system.

- ACTION: By consensus, the State Board members present agreed with the recommendation of the Curriculum Development and Supplemental Materials Commission that the 1998 *Mathematics Framework* be updated (e.g., to incorporate changes in statute and the state assessment system) as opposed to being completely revised in 2004.

ITEM 13	Instructional Materials Advisory Panel (IMAP) and Language Expert (LE) Applications for the 2003 K-8 Primary Foreign Language Adoption of Instructional Materials.	INFORMATION ACTION
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Ms. Stickel reported that the Curriculum Commission requests the Board’s approval of its recommendations regarding applicants who applied for appointment to the Instructional Materials Advisory Panel and as Language Experts for the 2003 foreign language adoption. She noted that short biographies of the applicants are in the Board materials. As of November 1, 10 publishers had expressed interest in submitting materials for review and those submissions would cover six languages.

- ACTION: Mrs. Joseph moved that the State Board approve the recommendations of the Curriculum Development and Supplemental Materials Commission for the appointment of four individuals as Language Experts and nine individuals as Instructional Materials Advisory Panel

FINAL MINUTES
State Board of Education
December 11-12, 2002

members for the 2003 K-8 Primary Foreign Language Adoption. Mrs. Ichinaga seconded the motion. The motion was approved by unanimous vote of the members present.

Vice President Nuñez thanked Ms. Stickel for her report.

ITEM 14	Emergency Regulations for the Implementation of AB 1781 (Hertzberg), Chapter 802 (Statutes of 2002): K-12 Instructional Materials Funding Realignment Program (IMFRP).	INFORMATION ACTION
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Sherry Griffith, Curriculum Frameworks and Instructional Resources Division, reported that the Board received a draft of the proposed regulations at the November meeting. Since that time, Department staff has taken the Board’s direction and Board staff guidance to prepare the proposed regulations currently before the Board. Ms. Griffith explained the differences between the proposed regulations presented in November and the current version. She stated that she concurs with Mr. Geeting’s suggestion to delete “certified and” on page 2, line 16. Ms. Griffith raised the Department’s concerns related to the AB 2519 adoption and the specific dollar amount, rather than a percentage amount, for those districts that are piloting the new materials.

The following individuals addressed the Board:

- Peter Birdsall, Coalition of Language Art Supplements Publishers
- Mike Weimer, California Federation of Teachers
- Brett McFadden, Association of California School Administrators
- Bill Chavez, Association of American Publishers

Mrs. Joseph asked Mr. Geeting, who worked on these regulations on the Board’s behalf, to come forward to respond to any questions the Board might have. Mrs. Joseph commented that it is important for the Board to act on these regulations today and use the 45-day public comment period to address any problems. On the issue of districts using standards maps to evaluate materials for high schools, she inquired what else would districts use to review instructional materials for alignment to the standards.

Mr. Geeting suggested leaving the standards maps language in the regulations. The regulations only say the district must review the standards map, but do not prescribe how extensive the review must be. Mrs. Joseph pointed out that the districts already are required to have a process to review materials for alignment to the standards.

Ms. Tacheny asked Mr. Geeting to comment on the issue of consistency with the AB 466 requirements, which was raised by one of the speakers. Mr. Geeting noted that the regulations before the Board were developed with substantial input from the Office of the Secretary for Education.

- ACTION: Mrs. Joseph moved that the State Board take all of the following actions:
 - (1) Adopt the Emergency Regulations (to be effective January 1, 2003) as presented by CDE staff with the incorporation of technical amendments determined to be necessary and the incorporation of two substantive amendments discussed at the meeting (page 1, line 16, substitute “receipt” for “review”; and page 2, line 16, strike out “certified and”). The final

FINAL MINUTES
State Board of Education
December 11-12, 2002

Emergency Regulations are to be approved by the Executive Director of the State Board prior to submission to the Office of Administrative Law.

- (2) Approve the Notice of Proposed Rulemaking for purposes of commencing the process to adopt permanent regulations (in accordance with the Administrative Procedure Act) with the text of the Emergency Regulations being the text of the proposed permanent regulations.
- (3) Rescind, upon the operative date of the Emergency Regulations, the State Board's Instructional Materials Fund Expenditure Policy (#98-02), which would no longer be necessary.

Mr. Abernethy seconded the motion. The motion was approved by unanimous vote of the members present.

Ms. Hammer asked that the issue of consistency with AB 466 be addressed during the 45-day public comment period. Mrs. Joseph asked that the \$9 issue also be considered during that time.

Mr. Hill advised that this was Ms. Griffith's last meeting as Director of the Curriculum Frameworks and Instructional Resources Division. She has done an outstanding job in a difficult and demanding position. (The Board and the audience responded with a round of applause on behalf of Ms. Griffith.)

Vice President Nuñez spoke on behalf of the Board thanking Ms. Griffith for bringing informative, well-prepared items to the Board month after month. Speaking on behalf of Superintendent Eastin, Ms. Fausset expressed her appreciation for Ms. Griffith's excellent work and leadership with the Curriculum Frameworks and Instructional Resources Division.

ITEM 15	Implementation of the AB 466 Mathematics and Reading Professional Development Program (Chapter 737, Statutes of 2001): Including, but not Limited to, Approval of Training Providers and Training Curricula.	INFORMATION ACTION
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Ms. Franklin presented the staff recommendation to approve the Wright Group/McGraw-Hill as an AB 466 provider for *Fast Track Reading*.

- ACTION: Mr. Abernethy moved that the State Board approve the AB 466 professional development provider and training curriculum as recommended by State Board staff. Ms. Hammer seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 16	Approval of Training Providers for AB 75, The Principal Training Program.	ACTION
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Bill Vasey, Professional Development and Instructional Support Division, drew the Board's attention to the modified recommendation for approval of AB 75 professional development providers.

FINAL MINUTES
 State Board of Education
 December 11-12, 2002

- ACTION: Mr. Abernethy moved that the State Board approve the providers of Module 3 AB 75 Principal Training in accordance with the revised recommendation of CDE staff. Mrs. Ichinaga seconded the motion. The motion was approved by unanimous vote of the members present.

Mrs. Joseph stated she has heard positive feedback on the AB 75 trainings and that a number of potential providers are preparing training curriculum for review. Mrs. Joseph asked that the Board go on the record as supporting additional review opportunities.

Mr. Vasey advised that the Department added a review in January to meet the need for Module 1 providers but noted that the lack of funding for additional reviews is an issue.

- ACTION: By consensus, the State Board members present directed that additional review opportunities be provided for those wishing to become approved AB 75 training providers.

ITEM 17	Approval of Local Educational Agencies (LEAs) and Consortia applications for funding under AB 75, The Principal Training Program.	ACTION
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Mr. Vasey summarized the Department’s recommendation to approve the Local Educational Agencies’ (LEAs) applications for AB 75 funding.

- ACTION: Mr. Abernethy moved that the State Board approve local education agency applications for funding for the AB 75 Principal Training Program, as recommended by CDE staff, with the understanding that the actual funding amounts will be determined by CDE staff pursuant to the provisions of AB 75. Ms. Lee seconded the motion. The motion was approved by unanimous vote of the members present.

Adjournment Of Day’s Session: Vice President Nuñez reported that a number of items have been withdrawn from Thursday’s Board agenda and the meeting will begin with a Closed Session at 8:30 a.m. The Open Session would begin at 9:00 a.m. The Public Hearing is scheduled for 11:00 a.m. Vice President Nuñez adjourned the day’s session at 3:28 p.m.