

## INFORMATION MEMORANDUM

**DATE:** January 26, 2004  
**TO:** MEMBERS, STATE BOARD OF EDUCATION  
**FROM:** B. Teri Burns, Deputy Superintendent  
Government Affairs  
**SUBJECT:** Legislative Update

At the July 2003 meeting the Board appointed two legislative liaisons for the purpose of considering positions on pending legislation and proposing legislation for the following year. President Hastings appointed Mr. Fisher and Mr. Rodriguez to serve as legislative liaisons.

On August 21, 2003, the liaisons met with Board and Department staff to consider pending legislation and propose legislative priorities based on priorities identified at a September 2001 State Board retreat. The following six priorities were proposed and approved by the Board at the November 2003 meeting and will serve to guide and direct Board and Department staff in their communications and actions in regard to legislative proposals in 2004.

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).
2. Maintain the accountability system, making only those minor conforming changes necessary to comply with the No Child Left Behind (NCLB) Act.
3. Encourage submission of instructional materials by publishers that will meet California's rigorous requirements.
4. Safeguard the academic content standards as the foundation of California's K-12 educational system.
5. Strengthen coordination between K-12 and higher education.
6. Encourage only high-quality charter schools.

Attached is a brief update of legislative proposals that relate to the aforementioned principals. On January 5, 2004, the Legislature reconvened the second half of the 2003-2004 legislative session, therefore, please take note that the measures are in different phases of the legislative process. The status of the measure will be reflected in the update. The deadline for introduction of new bills is February 20, 2004.

**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).**

*Recently education leadership and Senator Dede Alpert began negotiations to examine possible changes to the student assessment system including extending the existing repeal date of the STAR program. Updates on these negotiations and proposed changes will be forthcoming.*

**2. Maintain the accountability system, making only those minor conforming changes necessary to comply with the No Child Left Behind (NCLB) Act. \*The following legislative proposal is sponsored by the SPI and does not yet have a bill number.**

Title III Clean-Up Proposal: English Language Learners

*The goal of this proposal is to clarify some conformity provisions in state law regarding English Learners (ELs) and immigrants, to more accurately reflect the federal requirements. This proposal would make changes to the English Learner & Immigrant Federal Conformity Act (Act). The Act would ensure that instructional services are provided to pupils with limited English proficiency in conformity with federal requirements. It would ensure that they are designed to provide all pupils with reasonable access to educational opportunities and to enable them to achieve at high levels in English and other core curriculum areas of instruction. It would also clean-up language pertaining to parents' participation in their students' education.*

Specifically, it would clarify requirements for Local Education Agencies (LEAs) to provide specified information and meet delineated criteria in order to receive subgrants from the \$140 million in federal funds earmarked for this purpose. It would also clarify the requirements for an LEA to provide specified student data, notify parents and guardians as indicated, create an instructional services plan with measurable objectives that is intended to develop English proficiency, and provide an assurance that all stakeholders were included in the process.

**3. Encourage more submission of instructional materials by publishers that will meet California's rigorous requirements.** *\*No relevant legislative measures at this time*

**4 Safeguard the academic content standards as the foundation of California's K-12 educational system.** *\*No relevant legislative measures at this time*

**5. Strengthen coordination between K-12 and higher education.**

**SB 905 (Chesbro) Concurrent Enrollment in High School/Community Colleges**

This bill would eliminate 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. Recently, this bill was amended to expand the proposal from one community college district to community colleges statewide. Current law caps the percentage of high school student bodies that can be concurrently enrolled at 5%. This bill would remove that cap making it easier for high schools and community colleges to share local resources and better meet the needs of the students. This bill may be reintroduced since it was significantly amended and is subject to strict timelines given it was introduced in the first half of the legislative session.

**AB 1819 (La Malfa)** Like SB 905, this bill also calls for the elimination of the 5% cap and contains other related provisions. AB 1819 was introduced on January 15, 2004, and is not yet scheduled for a hearing.

**6. Encourage only high-quality charter schools.** *\* No relevant legislative measures at this time*