

## INFORMATION MEMORANDUM

**DATE:** April 7, 2004

**TO:** MEMBERS, STATE BOARD OF EDUCATION

**FROM:** Sue Stickel, Deputy Superintendent  
Curriculum and Instruction Branch

**SUBJECT:** Mathematics and Reading (AB 466): Regulations

Attached for your information are proposed text changes, Informative Digest, and Initial Statement of Reasons for regulations pertaining to the Mathematics and Reading Professional Development Program established by Assembly Bill 466 (Chapter 737, Statutes of 2001).

The Mathematics and Reading Professional Development Program significantly enhances academic performance in the California public 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.

Proposed to take effect in 2004-05, the regulatory changes would:

- (1) Clarify the intent of the legislation and stipulate that program funding is limited to providing professional development to teachers 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).
- (2) Limit funding provided for professional development to paraprofessionals and instructional aides who are eligible to receive instruction (as set forth in *Education Code* Section 99233) in one instructional materials program per subject area (reading/language arts and mathematics).

[Attachment 1](#): Proposed Regulations (1 page)

[Attachment 2](#): Informative Digest (1 page)

[Attachment 3](#): Initial Statement of Reasons (2 pages)

**PROPOSED REGULATIONS**

**Title 5. EDUCATION**

**Division 1. State Department of Education**

**Chapter 11. Special Programs**

**Subchapter 21. Mathematics and Reading Professional Development Program**

*Amend Sections 11981 and 11985 to read:*

**§ 11981. Teacher Eligibility.**

In addition to Education Code Section 99233, Tteachers who hold a multiple-subject credential, whose primary assignment is to teach in a classroom that is not self-contained, and who are employed in a public school, will be eligible to receive instruction in mathematics if their primary teaching assignment is mathematics and/or science and may receive instruction in reading/language arts if their primary teaching assignment is reading/language arts or social science.

NOTE: Authority cited: Section 99236, Education Code. Reference: Section 99233, Education Code.

**§ 11985. Participation Requirement.**

(a) The Superintendent of Public Instruction shall award funding to local educational agencies for each participant that fully meets the hour requirements of the Mathematics and Reading Professional Development Program (Article 3, Chapter 5, of Part 65 of the Education Code [Sections 99234(h) and 99237(b)] and Subchapter 21, Chapter 11, Division 1 of Title 5, California Code of Regulations [Section 11980(c)]).

(b) Beginning in the 2004-05 fiscal year, such funding shall be limited 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 instructional materials program per subject area.

(c) 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 as set forth in Education Code Section 99233, in one instructional materials program per subject area.

NOTE: Authority cited: Section 99236, Education Code. Reference: Sections 99234(h) and 99237(b), Education Code.

## 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 – beginning in 2004-05 – 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 instructional materials program per subject area (reading/language arts and mathematics).

Also beginning in the 2004-05 fiscal year, the proposed regulations limit such funding to providing professional development to paraprofessionals and instructional aides eligible to receive instruction (pursuant to the Mathematics and Reading Professional Development Program as set forth in *Education Code* Section 99233) to one instructional materials program 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 11985.5. REIMBURSEMENT FOR PROFESSIONAL DEVELOPMENT LIMITED TO ONE INSTRUCTIONAL MATERIALS PROGRAM PER SUBJECT AREA**

#### **SPECIFIC PURPOSE OF THE REGULATION.**

These proposed regulations limit Mathematics and Reading Professional Development Program (program) funding beginning in 2004-05 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 instructional materials program per subject area (reading/language arts and mathematics).

Also 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 instructional materials program per subject area (reading/language arts and mathematics).

These proposed regulations will help ensure that program funding is allocated to participating 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 local educational agencies (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 program reimbursements 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 instructional materials program per subject area (reading/language arts and mathematics) under AB 466. These proposed regulations will ensure that program funding is allocated to participating LEAs on an equal basis and will maximize the number of teachers, paraprofessionals, and instructional aides trained.

#### **TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDIES, 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.**

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.