

FINAL MINUTES
State Board of Education
February 5-6, 2003

Wednesday, February 5, 2003

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

Members Present

Reed Hastings, President
Joe Nuñez, Vice President
Robert J. Abernethy
Donald Fisher
Nancy Ichinaga
Stephanie H. Lee
Suzanne Tacheny

Members Absent

Vacancy
Vacancy
Vacancy
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
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
Karen Steentofte, Chief Counsel, 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 Secretary, State Board of Education
Robin Jackson, Executive Secretary, State Board of Education
Katherine Gales, Office Technician, State Board of Education

Call to Order

President Hastings called the meeting to order at 9:10 a.m.

FINAL MINUTES
State Board of Education
February 5-6, 2003

Salute to the Flag

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

Approval of Minutes (January 2003 Meeting)

- ACTION: Ms. Tacheny moved that the State Board approve the minutes of the January 2003 meeting with minor corrections. Mr. Nuñez seconded the motion. The motion was approved by unanimous vote.

Announcements/Communications

President Hastings introduced San Diego City Schools Superintendent Alan Bersin, the new liaison to the State Board from the Commission on Teacher Credentialing (CTC). President Hastings welcomed Mr. Bersin.

President Hastings reported the following change in the Closed Session agenda:

- *Californians for Justice Education Fund, et al., v. California State Board of Education, et al.*, arose after the agenda was published, and it will be discussed in Closed Session in order to comply with legally imposed deadlines.

President Hastings announced the following changes in the agenda:

- Senator Nell Soto will arrive at approximately 2:15 p.m. today to make a special presentation under Item 18. Other items may be taken out of order to accommodate the special presentation.
- Item 18, California K-12 Education Technology Master Plan, was inadvertently noticed for action, however, it is an information only item. The Board will not be taking any action on the Technology Master Plan at this meeting.
- Item 22, Approval of 2002-2003 Consolidated Applications, has been withdrawn because there are no applications to approve.
- Waiver W-1, Federal Supplemental Services, and W-2, Academic Performance Index, have been withdrawn.

President Hastings stated that he plans to testify at an Assembly Education Committee hearing on instructional materials at 1:30 p.m., and Vice President Nuñez will preside during his temporary absence.

Report of the Superintendent

Superintendent O'Connell reported that he, California Secretary for Education Kerry Mazzoni, Board President Reed Hastings, and key staff met with the U.S. Department of Education (USDE) on Monday, February 3, 2003, to discuss California's *No Child Left Behind* Act (NCLB) plan. Superintendent O'Connell stated that it was important to tell the USDE that California supports the federal reform efforts. Undersecretary Eugene Hickok attended most of the meeting, and U.S. Education Secretary Rod Paige was also in attendance part of the time. At the meeting, Secretary Mazzoni spoke about the diversity of California's students, and President Hastings spoke about our state's assessment and accountability system. Superintendent O'Connell said that he spoke about the world-class standards adopted by the Board, in addition to school facilities issues, public charter schools, and schools within

FINAL MINUTES
State Board of Education
February 5-6, 2003

schools. Teacher training programs, English learners, the National Assessment of Educational Progress (NAEP) exams, and middle schools were also topics of discussion. Superintendent O’Connell noted that he walked away from the meeting with the impression that the USDE staff was impressed with California’s efforts to implement the NCLB and to hold public schools accountable. Superintendent O’Connell thanked staff for their excellent work on the NCLB accountability workbook.

President Hastings added that this was a great trip and he felt very fortunate to participate in this joint meeting.

| | | |
|--------|---|----------------------------------|
| 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; 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.</p> | <p>INFORMATION ACTION</p> |
|--------|---|----------------------------------|

New Consultant to the State Board

President Hastings introduced Debbie Rury, who has joined the State Board staff as an Education Policy Consultant and will work primarily with NCLB implementation. Ms. Rury has worked for the Department for 15 years in the Communications Office, the Curriculum Frameworks and Instructional Resources Division, the Elementary Networks Office, and most recently in Government Affairs. She is one of the few people within the state who is well acquainted with the entire NCLB law.

Commission on Teacher Credentialing (CTC) Liaison Report

Mr. Bersin reported that the focus of the CTC for the last several years has been in three major areas: the credentialing process; implementation of AB 2042, the teacher training/learning continuum; and ensuring that every classroom has a highly qualified teacher. Mr. Bersin informed the Board that the CTC has passed a number of regulations dealing with the credentialing process that will have an impact over the next 24 months.

President Hastings thanked Mr. Bersin for his report.

| | | |
|--------|--|---------------------------|
| ITEM 2 | <p>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.</p> | <p>INFORMATION</p> |
|--------|--|---------------------------|

The following individuals addressed the Board on issues related to San Diego City Schools:

- David Page, District Advisory Council
- William Pennick, People for Student Achievement

In response to statements made by Mr. Page regarding the San Diego City Unified School District, President Hastings asked for the Department’s response to the district advisory council’s complaint by the March Board meeting. Deputy Superintendent Geno Flores said he thought it would be possible to get a letter out in two or three weeks.

FINAL MINUTES
State Board of Education
February 5-6, 2003

The following individual addressed the Board on issues related to instructional materials funding:
Shawn Judson, Superintendent, Etiwanda School District

President Hastings suggested that the district submit their comments in writing during the public comment period for AB 1781 regulations.

President Hastings set the context for the concerns related to Sacramento High School. He noted that the high school is one of 24 schools facing sanctions. The local school board took action to close the school and consider turning it over to a private entity. As there is no item on this month's agenda related to this issue, public comments are appropriately heard under this item.

The following individuals addressed the Board on issues related to Sacramento High School:
Ken Durham, Teacher, Sacramento High School
Tom Rogers, President of the Sacramento Teachers Association
Ulysses Madison
David Smart, Parent Teacher Student Association - Sacramento City Schools
John Gabriel, parent

Mr. Nuñez asked that Department staff provide to the Board the same information on Sacramento High School and Foothill Farms Junior High School that it has provided for the other 22 schools and also a final list of the 24 schools.

The following individual addressed the Board on issues related to a waiver the district would be seeking:
Robert Alpert, San Ramon Unified School District

| | | |
|--------|---|--------------------|
| ITEM 3 | No Child Left Behind (NCLB) Act, Including, But Not Limited to, Update on NCLB and Reading First Implementation | INFORMATION ACTION |
|--------|---|--------------------|

Camille Maben, NCLB Coordinator, announced that AB 312 NCLB Liaison Team Chair Chuck Weis would provide an update of the previous day's team meeting.

Mr. Weis reported on the four motions that were approved by the Liaison Team. Two of the motions were related to the Reading First program and addressed instructional materials and professional development. One motion was a recommendation on defining English learners for NCLB reporting purposes. The final motion was a recommendation that the Board approve the Department staff recommendation under Item 3. Mr. Weis announced that the next Liaison Team meeting is scheduled for March 4.

President Hastings thanked Mr. Weis for his presentation.

Ms. Maben reported that the NCLB accountability workbook was submitted to the USDE last week, by the January 31st deadline.

FINAL MINUTES
State Board of Education
February 5-6, 2003

Bill Padia, Policy and Evaluation Division, informed the Board that the February 20th release of the base 2002 Academic Performance Index (API) would include, for the first time, the California High School Exit Exam (CAHSEE) and the California Standards Tests (CSTs). The two new subgroups, English learners and special education students, would not be in this API report because a statutory change is necessary to add these subgroups.

Mr. Padia acknowledged the combined efforts of the Department staff and the Board's accountability liaisons and office staff to complete the state's accountability workbook. Mr. Padia explained the Department's recommendation that the API be the second required academic indicator for Adequate Yearly Progress (AYP) and that the Board approve the intermediate goal structure for AYP as presented in the agenda materials. He reported that the Department recommendation regarding the definition of progress on the API as a gain of one point was withdrawn and that there would be further discussion of the definition.

Ms. Tacheny thanked Mr. Padia and his staff for their excellent work on the accountability workbook. Mr. Nuñez also thanked Mr. Padia and his staff for the many hours of hard work. Mr. Brandsma congratulated Mr. Padia and his staff on a job well done.

- ACTION: In keeping with the recommendations of CDE staff, Ms. Tacheny moved that the State Board approve both (1) the use of California's Academic Performance Index (API) as an additional indicator for purposes of the Adequate Yearly Progress (AYP) requirements of the No Child Left Behind (NCLB) Act and (2) the intermediate goal structure for AYP. In keeping with the oral modification made by CDE staff, the motion did not incorporate references to a gain of one point on the API. Mr. Nuñez seconded the motion. The motion was approved by unanimous vote.

Ms. Maben provided the timeline for the remainder of the work on the state's NCLB plan. A rough draft of the state plan will be brought to the Board in March, and the final draft will be before the Board in April. The final plan must be submitted to the USDE at the beginning of May 2003 and, therefore, requires Board action in April.

Ms. Steentofte reported that the Reading First Literacy Partnership Team met and, at the Board's direction, reviewed the issue of eligibility for schools with waiver classrooms. The Reading First question and answer document (Q&A) was changed to reflect changes in the eligibility requirements and has been posted on the Reading First website. The next round of applications is due March 7th and schools are being sent a letter informing them of the eligibility requirements. Districts that received grants in the first round of applications can reapply.

President Hastings pointed out that under the new Q&A, any K-3 classroom, whether it is an English immersion or waiver classroom, can apply for the Reading First program. The program itself has to be in English for 2½ hours in grades 1, 2, and 3 and an hour in kindergarten for reading instruction in a 2002 state-adopted program. The rest of the instructional day can be in any language. The crux of the issue is the 2½ hours of reading instruction (one hour in kindergarten) in English.

FINAL MINUTES
State Board of Education
February 5-6, 2003

The following individuals addressed the Board:

Martha Diaz, Californians Together Coalition

Carlos Ulloa

Mary Hernandez, META

President Hastings stated that just to clarify, he knows of no specific English-only part of the statute having to do with Reading First. It is our judgment that if students are to achieve academic language by 3rd grade, which is a goal the speakers say they share with the Board, then 2½ hours of instruction in English is the minimum that children need.

The following individuals addressed the Board:

Richard Bray, Association of California School Administrators

Eva Pacheco, EJE

President Hastings recognized this is a difficult issue. He stated that it is important to note that in California we do not have reading standards, we have English-language arts standards. We share the goal of achieving academic English by the 3rd grade. This program, we believe, is a major step forward toward achieving that goal, and we encourage all children throughout the state to participate in it. It involves a 2½ hour block of the day for reading. It is not prescriptive about anything else that happens the rest of the day. It is, in our judgment, the correct implementation of a research-based, standards-aligned program, which is what the federal government requires. Ms. Steentofte noted that under the NCLB Act, the instructional program must be scientifically research based and be aligned to the state's English-language arts standards.

Ms. Steentofte updated the Board on the efforts to define highly qualified teachers. The draft of the state plan that will be brought to the Board in March is expected to include the state's definition of highly qualified teachers. Board staff and the Department staff are working with the NCLB Liaison Team to craft a definition of highly qualified teachers that our school districts can use.

President Hastings announced that Item 3 would remain open until the following day for possible action related to the definition of highly qualified teachers.

FINAL MINUTES
State Board of Education
February 5-6, 2003

| | | |
|--------|---|--------|
| ITEM 4 | Old Mill Pond Territory Transfer Appeal: From Scotts Valley Unified School District in Santa Cruz County to Los Gatos-Saratoga Joint Union High School District and Loma Prieta Joint Union Elementary School District in Santa Clara County. | ACTION |
|--------|---|--------|

Jan Sterling, School Fiscal Services Division, announced that Items 4, 5, and 6 are territory transfer appeals that involve Santa Cruz and Santa Clara counties and introduced Stephen Luhrs, School Fiscal Services Division, who would present the Department’s recommendations. Mr. Luhrs summarized the three territory transfer appeals and noted their similarities.

President Hastings commented that the sending district and one receiving district support the territory transfers. One receiving district opposes the transfers. The revenue limit districts are in favor of the transfers, and the basic aid district is opposed.

Superintendent O’Connell asked about the number of students involved in the territory transfers and what is expected regarding future development of the properties. Mr. Luhrs reported there are no students at this time, but there will be one student in a few years on one parcel. He added that the other parcels are uninhabited at this time, but if they were developed there would be four homes altogether.

The following individuals addressed the Board:

- Steve Lopez, Los Gatos-Saratoga Joint Union High School District
- Steve Glickman, former chair, Santa Clara County Committee on District Organization
- Tony Alexander, chair, Santa Clara County Committee on School District Organization
- Sarah Beauchamp, Petitioner

President Hastings asked the Department staff what the outcome would be if the Board approved the transfer to the elementary district but not to the high school district. Larry Shirey, School Fiscal Service Division, responded that under statute if the property is transferred to the elementary school district, it is also transferred to the high school district.

President Hastings remarked that when the receiving district is in opposition, it gives him pause. The two districts’ high schools are equal distances from the property in question. The elementary schools in Loma Prieta are closer. If the Board does not approve the request, the petitioners could seek an inter-district transfer for the elementary school students. Mr. Abernethy commented that the state is currently grappling with the issues on how to give students and parents choices in school enrollment. Ms. Tacheny stated that she is concerned about implications in the future if the Board approves these territory transfers.

- ACTION: Ms. Tacheny moved that the State Board deny the appeal of the chief petitioners by adoption of a resolution to that effect prepared by CDE staff. Mr. Nuñez seconded the motion. The motion was approved by a vote of 6-0-1. Mr. Abernethy did not vote on the motion.

FINAL MINUTES
State Board of Education
February 5-6, 2003

President Hastings requested that the representatives of the Los Gatos-Saratoga Joint Union High School District (who had requested that the appeal be denied) provide assistance to the chief petitioners in securing an inter-district transfer that would permit their child to attend elementary school in the Loma Prieta Joint Union Elementary School District. The representatives agreed to do so.

| | | |
|--------|---|--------|
| ITEM 5 | Single Parcel Hutchinson Road/E.Zayante Creek Territory Transfer Appeal: From Scotts Valley Unified School District in Santa Cruz County to Los Gatos-Saratoga Joint Union High School District and Loma Prieta Joint Union Elementary School District in Santa Clara County. | ACTION |
|--------|---|--------|

- ACTION: Ms. Tacheny moved that the State Board deny the appeal of the chief petitioners by adoption of a resolution to that effect prepared by CDE staff. Mr. Nuñez seconded the motion. The motion was approved by a vote of 6-0-1. Mr. Abernethy did not vote on the motion.

| | | |
|--------|---|--------|
| ITEM 6 | Multiple Parcel Hutchinson Road/E.Zayante Creek Territory Transfer Appeal: From Scotts Valley Unified School District in Santa Cruz County to Los Gatos-Saratoga Joint Union High School District and Loma Prieta Joint Union Elementary School District in Santa Clara County. | ACTION |
|--------|---|--------|

- ACTION: Ms. Tacheny moved that the State Board deny the appeal of the chief petitioners by adoption of a resolution to that effect prepared by CDE staff. Mr. Nuñez seconded the motion. The motion was approved by a vote of 6-0-1. Mr. Abernethy did not vote on the motion.

| | | |
|--------|---|---|
| ITEM 7 | Request by the Knowledge Is Power Program (KIPP) Summit Academy Petitioners to Approve a Petition to Become a Charter School Under the Oversight of the State Board of Education. | INFORMATION ACTION PUBLIC HEARING |
|--------|---|---|

Mr. Fisher stated that the KIPP Foundation, with which he is affiliated, contributes funds to KIPP schools. Neither he nor the KIPP Foundation receives any funds from the KIPP schools. Nonetheless, he announced that he wanted to be extremely cautious with respect to any appearance of conflict and, thus, would recuse himself from participation in the consideration of this item. He then left the meeting room.

Deborah Connelly, School Fiscal Services Division, reported that the district denied the charter petition even though district staff had concluded that there was no legal basis on which to deny the petition. Obviously, the district board did not agree with that conclusion. Ms. Connelly noted that the petition is very thorough. She outlined a few minor issues that could be easily remedied. One specific issue that Department staff wanted to bring to the Board's attention is its recommendation that KIPP Summit Academy be the charter holder. She explained the Department's reasons for the recommendation and its concerns related to governance of the school. Ms. Connelly reported that the Advisory Commission on

FINAL MINUTES
State Board of Education
February 5-6, 2003

Charter Schools recommends that KIPP California hold the charter. Ms. Connelly summarized the recommended conditions for approval, including a condition related to governance of the school.

President Hastings opened the Public Hearing at 11:25 a.m.

The following individuals addressed the Board:

Beth Sutkus, KIPP Foundation

Jason Singer, KIPP Summit Academy

President Hastings closed the Public Hearing at 11:32 p.m.

President Hastings drew the Board's attention to a letter of support for the charter school from Susan Hammer, former member of the Board.

- **ACTION:** Mr. Nuñez moved that the State Board conditionally approve the petition to establish the Knowledge Is Power Program (KIPP) Summit Academy for a period of three years beginning July 1, 2003, and assign the school charter number 524. The conditions are as follows:
 - (a) Not later than June 2, 2003, (or such earlier time as KIPP Summit Academy may employ individuals or acquire or lease property or facilities for which insurance would be customary), submit documentation of adequate insurance coverage, including liability insurance, which shall be based on the type and amount of insurance coverage maintained in similar settings.
 - (b) Not later than March 3, 2003, either (1) accept an agreement with the State Board of Education (administered through the California Department of Education) to be the direct oversight entity for the school, specifying the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities; or (2) enter into an appropriate agreement between the charter school, the State Board of Education (as represented by the Executive Director of the State Board), and an oversight entity (pursuant to Education Code Section 47605(k)(1)) regarding the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities.
 - (c) Not later than June 2, 2003, submit either written verification that the school is (or will be at the time students are being served) participating in the SELPA, or an agreement between a SELPA, a school district that is a member of the SELPA, and the school that describes the roles and responsibilities of each party and that explicitly states that the SELPA and the district consider the school's students to be students of the school district in which the school is physically located for purposes of special education programs and services (which is the equivalent of participation in the SELPA). Satisfaction of this condition should be determined by the Executive Director of the State Board of Education based primarily on the advice of the State Director of Special Education after review of either the school's written plan for membership in the SELPA, including any proposed contracts with service providers, or the agreement between a SELPA, a school district, and the school, including any proposed contracts with service providers.

FINAL MINUTES
State Board of Education
February 5-6, 2003

- (d) Not later than June 2, 2003, submit for approval the specific means to be used for student attendance accounting and reporting that will be satisfactory to support state average daily attendance claims and satisfy any audits related to attendance that may be conducted. Satisfaction of this condition should be determined by the Executive Director of the State Board of Education based primarily on the advice of the Director of the School Fiscal Services Division.
- (e) Not later than June 2, 2003, present a written agreement (or agreements) indicating KIPP Summit Academy's right to use all facilities planned for use in the first year of operation. Satisfaction of these conditions should be determined by the Executive Director of the State Board of Education based primarily on the advice of the Director of the School Facilities Planning Division.
- (f) Not less than 30 days prior to the school's opening, present evidence that the facility is located in an area properly zoned for operation of a school and has been cleared for student occupancy by all appropriate local authorities. For good cause, the Executive Director of the State Board of Education may reduce this requirement to fewer than 30 days, but may not reduce the requirement to fewer than 10 days. Satisfaction of this condition should be determined by the Executive Director of the State Board of Education based primarily on the advice of the Director of the School Facilities Planning Division.
- (g) Not later than April 1, 2003, present a final charter (and revised budget) that includes all provisions and/or modifications of provisions that reflect appropriately the State Board of Education as the chartering authority and otherwise address all concerns identified by California Department of Education staff, which include reflecting KIPP Summit Academy as the charter holder (instead of KIPP California), clarifying the responsibilities of KIPP Summit Academy and of KIPP California, specifying that KIPP Summit Academy will not operate satellite schools or campuses without the prior written approval of the Executive Director of the State Board of Education based primarily on the advice of appropriate CDE staff, and (with respect to the budget) resolving the CDE staff concerns related to reserves, insurance costs, revenue estimates, and the oversight fee.
- (h) In the final charter (and revised budget) presented pursuant to condition (g), resolve any provisions related to legal issues that may be identified by the State Board's Chief Counsel.
- (i) By June 2, 2003, provide CDE staff with copies of the bylaws of KIPP Summit Academy and KIPP California and any memorandum(s) of understanding between KIPP Summit Academy and KIPP California. This deadline may be extended for good cause by the Executive Director of the State Board of Education. It is the intent of the State Board that any revisions to either organization's bylaws or to any memorandum(s) of understanding will be provided to CDE staff within 10 days of approval.
- (j) Prior to the employment of any individuals by KIPP Summit Academy, present evidence that KIPP Summit Academy has made appropriate arrangements for the processing of the employees' retirement contributions to the Public Employees' Retirement System (PERS) and the State Teachers' Retirement System (STRS).

FINAL MINUTES
State Board of Education
February 5-6, 2003

(k) If any deadline specified in these conditions is not met, approval of the charter is terminated, unless the State Board of Education deletes or extends the deadline not met. If KIPP Summit Academy is not in operation by September 30, 2004, approval of the charter is terminated.

The motion recognized that the conditions are as recommended by CDE staff and, with the exception of the condition pertaining to the charter holder, by the Advisory Commission on Charter Schools. The State Board concurred with the CDE staff recommendation concerning the charter holder.

Mr. Abernethy seconded the motion. The motion was approved by unanimous vote of the members present and voting. Mr. Fisher did not participate in the consideration of the agenda item for reasons he stated.

Mrs. Ichinaga remarked that the KIPP schools are outstanding.

| | | |
|--------|---|----------------------------------|
| ITEM 8 | <p>ACTION: Consider recommendations from the Superintendent’s Advisory Committee for the Public Schools Accountability Act (PSAA) on additional locally adopted pre-post tests of achievement to serve as indicators in the Alternative Schools Accountability Model (ASAM).</p> <p>INFORMATION: Review Guidelines for the administration and reporting of locally adopted tests of achievement s indicators in the ASAM.</p> | <p>INFORMATION ACTION</p> |
|--------|---|----------------------------------|

Sue Bennett, Educational Options Office, reported on the continuing development of the Alternative Schools Accountability Model (ASAM) to measure achievement in the schools. She noted that under NCLB, the ASAM schools will be held accountable to the same standards as other schools. Ms. Bennett then introduced ASAM Subcommittee Co-Chair Lynn Wilen and Stan Rabinowitz of WestEd, which is assisting with the test review.

Ms. Wilen recognized the hard work of the review group. She stated that the pre-post tests will help us hold schools accountable for alternative school students. She reported that since the last Board meeting, additional tests have been reviewed. The committee recommendation is approval of four Level 1 pre-post tests and rejection of three Level 3 tests.

Ms. Tacheny asked if the goal was to have only a limited number of tests or several tests. Ms. Wilen responded that several test options are desirable to allow the schools to choose.

- **ACTION:** Mr. Nuñez moved that the State Board approve the four Level 1 tests for purposes of the Alternative Schools Accountability Model and reject the Level 3 tests, as recommended by CDE staff. Mrs. Ichinaga seconded the motion. The motion was approved by unanimous vote.

FINAL MINUTES
State Board of Education
February 5-6, 2003

| | | |
|--------|--|-------------|
| ITEM 9 | Performance Levels for Non-test Indicators in the Alternative Schools Accountability Model (ASAM). | INFORMATION |
|--------|--|-------------|

Ms. Bennett provided a progress report on the development of performance levels for non-test indicators. She noted that the panel working to develop the proposed performance levels had reviewed the first-year data from the ASAM schools.

Mr. Rabinowitz explained the panel’s work to date. Mr. Rabinowitz recommended that performance levels be considered provisional for now, as change is likely when the second year of data is collected and reviewed.

No action was taken on this item.

| | | |
|---------|---|--------------------|
| ITEM 10 | Report of the Curriculum Development and Supplemental Materials Commission. | INFORMATION ACTION |
|---------|---|--------------------|

President Hastings congratulated Karen Yamamoto on her election as Chair of the Curriculum Commission.

Ms. Yamamoto presented the Curriculum Commission report and its recommendations. She thanked Ms. Stickel for chairing the Commission’s January meeting and commended Superintendent O’Connell for his choice of Ms. Stickel as a deputy superintendent. On behalf of the Commission, she thanked Mr. Payne for speaking at the January meeting. Ms. Yamamoto said that she is happy to be chair and to be working with such a great group of individuals.

- ACTION: Ms. Lee moved that the State Board approve the process and timeline for the updating of the *Mathematics Framework* as proposed by the Curriculum Development and Supplemental Materials Commission. The motion incorporated a general direction to proceed with updating the framework and authority to make minor changes in the process or timeline as may become necessary in the Curriculum Commission’s judgment without returning for separate approval by the State Board. Mrs. Ichinaga seconded the motion. The motion was approved by unanimous vote.

| | | |
|---------|--|--------------------|
| ITEM 11 | Instructional Materials Advisory Panel (IMAP) and Language Expert (LE) applications for the 2003 K-8 Foreign Language Adoption of Instructional Materials – Second Cohort. | INFORMATION ACTION |
|---------|--|--------------------|

Ms. Yamamoto drew the Board’s attention to the recommended applicants for the Instructional Materials Advisory Panels (IMAPs) and the Language Experts (LE) panels for the foreign language adoption. Ten publishers have expressed interest in submitting programs in six different languages. Ms. Yamamoto informed the Board that there would be additional recommendations for IMAPs and LEs in March.

FINAL MINUTES
State Board of Education
February 5-6, 2003

- ACTION: Ms. Tacheny moved that the State Board approve the appointment of individuals to the Instructional Materials Advisory Panel (IMAP) and Language Expert (LE) panel for the 2003 K-8 Foreign Language Adoption of Instruction Materials (second cohort), as recommended by the Curriculum Development and Supplemental Materials Commission. Mr. Abernethy seconded the motion. The motion was approved by unanimous vote.

Ms. Yamamoto outlined the Curriculum Commission’s proposed revisions to the adoption timeline, including integrating the Legal and Social Compliance review process into the content review.

- ACTION: Ms. Tacheny moved that the State Board approve the changes to the timeline for the 2003 Foreign Language Adoption as proposed by the Curriculum Development and Supplemental Materials Commission. The motion incorporated a general direction to proceed with the adoption and authority to make minor additional changes in the timeline as may become necessary in the Curriculum Commission’s judgment without returning for separate approval by the State Board. The motion was approved by unanimous vote.

President Hastings thanked Ms. Yamamoto for her presentation.

Lunch Break: President Hastings called for the lunch break at 12:00 p.m. Vice President Nuñez reconvened the meeting at 1:10p p.m. [Vice President Nuñez presided for the remainder of the day’s session.]

| | | |
|---------|---|--------|
| ITEM 12 | Approval of Local Educational Agencies (LEAs) and Consortia applications for Funding under the Principal raining Program (AB 75). | ACTION |
|---------|---|--------|

Bill Vasey, Professional Development and Curriculum Support Division, summarized the Department’s request for Board approval of the Local Education Agencies (LEAs) funding applications. He reported that if the Board approves these applications, a total of 522 districts or consortia will have been approved for AB 75 Principal Training.

- ACTION: Mr. Fisher moved that the State Board approve the funding of local education agencies and consortia as presented in the agenda item with the understanding that actual funding amounts will be determined by CDE staff pursuant to the provisions of AB 75. Mrs. Ichinaga seconded the motion. The motion was approved by unanimous vote of the members present. Mr. Hastings was not present when the vote was taken.

| | | |
|---------|--|--------|
| ITEM 13 | Approval of Training Providers for The Principal Training Program (AB 75). | ACTION |
|---------|--|--------|

Mr. Vasey noted that the Department staff has reviewed the programs based on the current AB 75 criteria, as adopted by the Board in February 2002.

FINAL MINUTES
State Board of Education
February 5-6, 2003

Ms. Franklin explained the Board staff recommendations outlined in her memorandum. She informed the Board that Department staff and Board staff are already working together to review the AB 75 provider criteria and guidelines.

- ACTION: In keeping with the recommendations of State Board staff, Ms. Lee moved that the State Board take all of the following actions:

(1) Provisionally approve the following Module 1 and Module 1, 2, and 3 Integrated Curriculum Model providers (which are based on models currently under revision) with the understanding that final approval will be conditioned on revisions to address concerns with (a) congruency and consistency with AB 466 professional development and (b) sufficiency of focus on the adopted instructional materials, and with the understanding that the Executive Director of the State Board is authorized to determine that the conditions have been met and to direct that a provider that has met the conditions be listed as an approved AB 75 Principal Training Provider:

California County Superintendents Educational Services Association Region IV
Imperial County Office of Education
Los Angeles County Office of Education
Madera County Office of Education
Monterey County Office of Education
Orange County Department of Education
Placer County Office of Education
Riverside County Office of Education
San Diego County Office of Education
San Joaquin County Office of Education
Santa Clara County Office of Education
San Bernardino County Office of Education
Stanislaus County Office of Education
Ventura County Office of Education

(2) Approve the Sacramento County Office of Education as a provider of Module 1 AB 75 Principal Training.

(3) Disapprove the application of Dataworks Educational Research to be a provider of Module 1 AB 75 Principal Training.

(4) Provisionally approve Etiwanda School District as a provider of Module 1 AB 75 Principal Training with final approval conditioned on the curriculum's (a) congruency and consistency with AB 466 professional development and (b) sufficiency of focus on the adopted instructional materials, with the understanding that the Executive Director of the State Board is empowered to determine that the conditions have been met and, once having met the conditions, to direct that the provider to be listed as an approved AB 75 Principal Training Provider.

FINAL MINUTES
State Board of Education
February 5-6, 2003

(5) Approve Etiwanda School District and San Bernardino County Office of Education as providers of Module 3 AB 75 Principal Training.

(6) Direct State Board staff to work with Department staff and other appropriate stakeholders to review the criteria and guidelines for AB 75 Principal Training providers and, if necessary, propose clarifications or additional guidance.

Mrs. Ichinaga seconded the motion. The motion was approved by unanimous vote of the members present. Mr. Hastings was not present when the vote was taken.

| | | |
|---------|---|--------------------|
| ITEM 14 | 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 |
|---------|---|--------------------|

Ms. Franklin presented the Board staff recommendation for approval of CORE, Inc., as a provider of AB 466 professional development on *Houghton Mifflin Reading*, K-6.

The following individual addressed the Board regarding the delivery of AB 466 professional development:

Mitz Lee, parent, San Diego City Schools

- ACTION: Mr. Fisher moved that the State Board approve the one trainer and training curriculum recommended by State Board staff under this agenda item (CORE, Inc., for *Houghton Mifflin Reading*, K-6). Ms. Tacheny seconded the motion. The motion was approved by unanimous vote of the members present. Mr. Hastings was not present when the vote was taken.

| | | |
|---------|--|--------------------|
| ITEM 15 | California English Language Development Test (CELDT): Including, but not Limited to, CELDT Program Update. | INFORMATION ACTION |
|---------|--|--------------------|

Phil Spears, Standards and Assessment Division, reported that this item was included in the agenda as a placeholder item and there was nothing to report for this month.

No action was taken on this item.

| | | |
|---------|--|--------------------|
| ITEM 16 | California High School Exit Examination (CAHSEE): Including, but not Limited to CAHSEE Program Update. | INFORMATION ACTION |
|---------|--|--------------------|

Mr. Spears noted that this item was also a placeholder item and that there was no report this month.

No action was taken on this item.

FINAL MINUTES
State Board of Education
February 5-6, 2003

| | | |
|---------|---|--------------------|
| ITEM 18 | California K-12 Education Technology Master Plan. | INFORMATION ACTION |
|---------|---|--------------------|

Vice President Nuñez acknowledged the work of the Commission on Technology in Learning. He noted that the Commission was established by AB 598, authored by then-Assembly Member Soto, to advise the Board on statewide planning for technology, the dissemination of technical resources, and statewide evaluation of technology. The Commission developed guidelines, *Education Technology Planning: A Guide for School Districts*, which the Board adopted in January 2001. The Commission’s last body of work is the *California K-12 Education Technology Master Plan*. The Commission sunset on January 1, 2003.

Vice President Nuñez welcomed Senator Nell Soto. Senator Soto stated that she was especially pleased to be at the Board meeting with her former Senate colleague, and now Superintendent, Jack O’Connell. Senator Soto thanked the members of the Commission on Technology in Learning and also praised the Department staff for their excellent work. She remarked that former Superintendent Eastin was a strong supporter of the Commission’s work. Senator Soto recognized the Commission Chair, Richard Navarro, and presented him with a Senate resolution. She commented that Mr. Navarro is one of the greatest thinkers in education policy.

Superintendent O’Connell thanked Senator Soto for her leadership and especially her support of lower achieving schools and her efforts to bridge the achievement gap. Superintendent O’Connell also thanked Mr. Navarro for his work.

Nancy Sullivan, Data Management Division, reported that the Technology Master Plan was developed using a very public process with many opportunities to receive public input. Ms. Sullivan presented a certificate of appreciation to Mr. Navarro from the Board.

Mr. Navarro acknowledged Mr. Geeting, who was his mentor when he served as an intern in former Senator Al Rodda’s office. Mr. Navarro stated that the master plan was written to address concerns about access to quality education for all children. He noted that technology is a tremendous tool for learning, as well as a skill. The plan calls for coordination and innovation; it calls for partnerships with the private sector and higher education; and it calls for accountability. He informed the Board that there are 25 recommendations in the plan.

Vice President Nuñez thanked Mr. Navarro for this terrific work and wished him well during the coming year in which he would be working with UNICEF in Afghanistan.

No action was taken on this item.

FINAL MINUTES
State Board of Education
February 5-6, 2003

| | | |
|---------|---|---|
| ITEM 17 | Standardized Testing and Reporting (STAR) Program: Including, but not Limited to, Adoption of Performance Standards (Levels) for the California Integrated Science Standards Tests. | INFORMATION ACTION PUBLIC HEARING |
|---------|---|---|

Mr. Spears reported that two regional public hearings were held via teleconference and asked Mr. Geeting to report on those public hearings. Mr. Geeting reported that no speakers at either regional public hearing specifically objected to the proposed performance standards (levels) for the integrated science tests. There were a number of comments regarding the testing program in general and the integrated science tests in particular.

Vice President Nuñez opened the Public Hearing at 2:21 p.m.

The following individuals addressed the Board:
Christine Bertrand, California Science Teachers Association
Susan Liberati, Vice President, ACSA

Vice President Nuñez closed the Public Hearing at 2:24 p.m.

Ms. Tacheny commented that setting these performance standards is the culmination of many months of work. She advised that she was ready to make a motion to approve the proposed performance standards.

Mr. Abernethy expressed that he thinks it is a mistake for the Board to promote integrated science rather than just allowing it. It is difficult to get good science teachers, and even harder to get good integrated science teachers. Mr. Abernethy requested that his strong opposition to promoting integrated science be noted on the record. He added that he could not support a motion to approve the performance standards because, in his opinion, such an action promotes integrated science.

Ms. Tacheny stated that this item is about accountability for a method of teaching science and will provide data, a way of measuring achievement. Mr. Abernethy commented that he believes establishing the performance standards will encourage development of more classes in integrated science.

Vice President Nuñez observed that Mr. Abernethy has made his position clear as this issue has been discussed over the past months.

- **MOTION WITHDRAWN:** Ms. Tacheny moved that the State Board adopt the performance standards (levels) for the California Integrated Science Standards Tests as presented in the agenda item. Ms. Lee seconded the motion. Following discussion, Ms. Tacheny withdrew her motion with the concurrence of Ms. Lee.

Vice President Nuñez directed that further consideration of this item would be postponed to the next day's session or, if not taken up at that time, to the March 2003 meeting.

FINAL MINUTES
State Board of Education
February 5-6, 2003

Mr. Fisher noted that he shares Mr. Abernethy's concerns about the availability of qualified integrated science teachers.

Mr. Spears concurred with Ms. Tacheny that this is a way to measure student achievement. If schools find that students in integrated science are not performing as well as students in single subject courses, schools will look at the program and consider improvements or possibly eliminating the integrated science program.

Mr. Abernethy said that generally speaking, throughout the state, though there are some exceptions, progressively fewer students take the 2nd, 3rd and 4th year integrated science tests. This has supported his theory that much of integrated science is a watered down curriculum. Ms. Tacheny commented that if students are in integrated science courses and there are no tests for this subject, then those students are out of the assessment system. Mr. Abernethy reiterated his concern that by setting performance standards, the Board effectively promotes integrated science.

Vice President Nuñez suggested that, if the Board so desired, discussion on this item could continue the following day.

Adjournment Of Day's Session: Before adjourning the day's session at 2:42 p.m., Vice President Nuñez informed the audience that the Board would meet in Closed Session beginning at 8:00 a.m. on Thursday morning. He reminded the audience that *Californians for Justice Education Fund, et al., v. California State Board of Education, et al.*, arose after the agenda was published, and it would be discussed in Closed Session in order to comply with legally imposed deadlines.