



STATE BOARD OF EDUCATION MEETING HIGHLIGHTS

By Sherry Skelly Griffith, ACSA Governmental Relations

The State Board of Education (SBE) met November 7-8, 2007 and addressed significant issues on their agenda including the adoption of new K-8 mathematics programs, approval of the criteria for the new California Modified Assessment for students with disabilities and received a report from the Student Advisory Board on Education (SABE) on what students think should be reformed in K-12 education. SBE Items # 8 & 9 regarding appointments to the Committee of Practitioners (COPs) and the governing policy for COPs was deferred to the January SBE meeting. SBE members nominated Ted Mitchell for President for 2008 and Ruth Bloom was nominated Vice President. The vote will be in January. The next meeting of the State Board will be January 9-10, 2008 in Sacramento.

SBE Agenda Items Covered in the November Summary: *Please refer to the actual SBE agenda items for more detail. The opinions and analysis are those of the writer only. Go to www.cde.ca.gov/be/ag/ag then click on the actual agenda items and attachments.*

- SBE Item# 5 Appointment of New Members to Advisory Commission on Charter Schools
- SBE Item#6 Appointment of New Members to the Curriculum Commission
- SBE Item#10 English Learner Advisory Committee (ELAC): Establish and appoint members
- SBE Item#11 SBE 472 – Training Applicants - Selection & Advisory Committee
- SBE Item#14 California Modified Assessment Criteria
- SBE Item#16 ETS Service Contract – STAR – Fiscal Penalty for underperformance
- SBE Item#17 STAR Update
- SBE Item#18 CELDT Update
- SBE Item#19 CAHSEE – HumRRO Report for 2006-2007
- SBE Item#20 CAHSEE Update
- SBE Item#35 K-8 Adoptions & K-12 Curriculum Framework Regulations
- SBE Item#36 K-8 Mathematics Adoption
- SBE Item#41 NCLB Title III – Accountability and Sanctions Plan
- SBE Item#42 K-12 Health Content Standards
- SBE Item#44 Facilities for Charter Schools – Prop. 39 Regulations

**Appointment of New Members
of the Advisory Commission on Charter Schools
SBE Item#5**

The State Board approved four members to the Advisory Commission on Charter Schools. Two are reappointments.

Beth Hunkapiller – representing governing boards of school districts (reappointment)
Thomas Conry – representing teachers (reappointment)
Rudolfo “Paul” Cartas – representing school districts superintendents (San Diego area)
Brian Bauer – representing charter schools.

**Appointment of New Members
to the Curriculum Commission
SBE Item#6**

The State Board filled four vacancies appointing all teachers to ensure that at least seven teachers are sitting on the Curriculum Commission of the 13 the SBE has authority to appoint. The State Assembly has appointed Assemblyman Gene Mullin who chairs the Assembly Education Committee. The Senate and the Governor have one appointment each which will be made soon and there is no requirement their appointees are teachers.

The State Board appointed the following four teachers to the Commission:

Hope Bjerke – Math Coach/Trainer; Tehama County Office of Education
Christine Lanphere – High School French Teacher, Natomas Unified
Bama Medley – Middle School Science/Math Specialist, Santa Maria-Bonita SD
Monica Ward – Middle School History/Social Science Teacher – Riverside SD

**English Learner Advisory Committee (ELAC)
Options for Establishment and Appointments
SBE Item#10**

The State Board had an extensive discussion about the disbanded English Learner Advisory Committee (ELAC). All school districts are required to have an ELAC and the State Board has in the past, maintained a state ELAC to advise the SBE on matters associated with English learners. The SBE discussed both the mission and process for appointment. Discussion and testimony included the need to have a new ELAC focus on AB 2117 and best practices for English learners, parent involvement strategies, among other important topics. No consensus was reached on either the process for appointments or the topics to be covered by a future ELAC. The State Board moved to have a small committee of SBE members meet with staff and discuss the types of appointments and the mission of the ELAC for the future. The item will be back in January.

**Mathematics and Reading Professional Development Program
SBE 472 – Approval of Review Committee Supplementary Questionnaire
SBE Item#11**

In preparation for the new English Learner Professional Development training curriculum and training curricula for the new mathematics programs the State Board is moving to a public process to appoint an advisory body which will screen training applicants. Previously the State Board gave this function over to a county office of education which was conducted in a non-public manner. With the need to recruit applicants the State Board staff recommended a supplemental questionnaire to be submitted with the regular SBE application for appointment. The supplemental questionnaire asks for qualifications in more detail. If you or your colleagues have interest in applying please go to www.cde.ca.gov and then go to left

side of home page to State Board and click on “commissions and committees” for applications. To review the new SB 472 regulations go to www.cde.ca.gov and then click on bottom right of home page to “Laws and Regulations.”

**STAR: California Modified Assessment
Criteria
SBE Item#14**

The State Board approved the participation criteria for the new California Modified Assessment. The criteria were developed based on guidance from the U.S. DOE which released final regulations describing how IEP teams could apply criteria for students who are assessed using the CMA. One of the key factors in the development of the CMA was the requirement that students who are assessed (based on modified academic achievement standards) have access to the curriculum, including instruction for the grade in which the student is enrolled. CDE vetted the draft with SELPAs, focus groups, mock IEP teams and the State Special Education Advisory Commission. The criteria are extensive and you are strongly encouraged to go to the website listed on page 1 and click on SBE Item#14 to review criteria. ACSA is encouraging CDE provide as much outreach to the field as possible not only to special education administrators but all district and school site staff involved in IEPs and in assessment and accountability. This criteria is in effect immediately and impacts in students in grades 3-5 who may be assessed using the CMA this spring.

**STAR Program: Withholding of 10 Percent of Contract
ETS Contract – 2006-2007
SBE Item#16**

The State Board took action to withhold contract funds from ETS for failing to successfully complete a number of contract requirements during the 2006-2007 contract year. The penalty is \$1,101,814.60 out of a \$58,772,964 contract with the state. The reasons for the penalty were based on Test Security Measures, Test Materials Production and Packaging, Delivery and Collection of Test Materials. There was failure to complete planned security visits as described, failure to produce tests on time and insufficient quantities to all districts and failure to deliver test materials to all districts within the required time.

**STAR Update: Standards Based Test in Spanish
Grade Two Testing, Workshops
SBE Item#17**

Standards Based Test in Spanish

The State Board approved making the Standards-based Tests in Spanish (STS) available to schools and districts for assessing nonlimited English-proficient students enrolled in dual language immersion programs that include Spanish, at the expense of the school districts. As the STS replaces the Aprenda 3 this is necessary to allow school districts to purchase the new test directly from the contractor.

Grade Two Testing Continues – Sunsets in 2011

Grade Two testing has been reauthorized as part of the last minute negotiations on the FY 2007-2008 state budget. Grade two will be included in all STAR tests for the 2008 administration except for the CMA. Grade two testing will sunset in 2011.

Ordering and Pre-ID Workshops

ETS is conducting ordering and pre-identification workshops in October, November and December in locations throughout the state to assist STAR Coordinators with order placement. Workshops will be held to ensure that correct pre-ID of STAR test materials procedures are followed. A complete list of workshop dates can be found at <http://www.starttest.org>

**CELDT Update
SBE Item#18**

K-1 Early Literacy Test Development

Senate Bill 80 included an urgency clause to include K-1 in early literacy testing (pre-reading and pre-writing) as part of CELDT. CDE is currently amending the contract to CTB/McGraw-Hill to develop test questions, field test, and prepare test forms for K-1 early literacy. ACSA and many other groups strongly opposed the testing of K-1 students as did the State Board and Legislature however the mandate is from the U.S. DOE under NCLB. It is expected that the assessment will be “developmentally appropriate.” The K-1 test will be administered for three years and a report will be submitted to the Legislature by 2013. CDE plans to have test question development and field testing occur during the 2007-2008 and 2008-2009 school years with operational test forms completed by June 30, 2009. It is not clear how CDE plans to invite schools and districts to participate in field testing.

**CAHSEE – HumRRO Evaluation
of 2006-2007 Test Year
SBE Item#19**

The HumRRO report for 2006-2007 contains analysis of the results from the CAHSEE administrations as well as recommendations. To view the entire report please go to www.cde.ca.gov/ta/tg/hs/evaluations.asp

**CAHSEE Update
SBE Item#20**

Intensive Instruction Funding

In 2007, SB 77 authorized \$72 million to provide intensive instruction for students in the Classes of 2008 and 2009 who have yet to pass one or both parts of the exam. \$520 per pupil is available for each eligible student in the Class of 2008. LEAs had to estimate need for funding for all eligible students and the remaining funds were distributed on behalf of eligible students in the Class of 2009.

Student Study Guides

In August 2007 CDE shipped CAHSEE study guides for all grade ten students as well as ten percent overage of guides to all LEAs. The study guides are also available on the CDE Web site. ACSA members are encouraged to share these guides with teaching staff.

**K-8 Textbook Adoption Regulations
SBE Item #35**

The State Board approved the final regulations in development for months to address a lawsuit regarding the K-8 adoption process. One of the most significant developments is the prohibition of communication between textbook publishers and members of the Curriculum Commission except within public settings in publicly noticed meetings. There was an attempt by SBE member Ruth Green to allow private meetings at a certain point in the process between publishers and Commissioners but there was no support from other State Board members. ACSA submitted numerous comments and amendments over the last few months and while many issues were addressed some areas remain of concern to ACSA including the gratis process, a change to allow publishers to raise the prices of alternative formats and the deletion of authority so districts can levy penalties against publishers who fail to deliver on time or deliver the wrong books. ACSA will continue to work on the penalty issues in the Legislature.

**K-8 Mathematics Adoption
SBE Item#36**

After extensive discussion and public input particularly from publishers who were not recommended for adoption, the State Board approved Twenty-Two Basic Grade Level Programs (K-8 split in different grade spans), eleven Intervention Programs Grades 4-7, and eight Algebra Readiness Programs. ACSA testified that the State Board needs to join with education groups to advocate the Governor fully fund the cost of the new programs. With the reauthorization of the IMF the requirement that LEAs must purchase new core materials 24 months after the State Board adopts, remains in effect. If you fall under the Williams provisions you must follow those requirements. To review which publishers and grade spans were approved please go to Superintendent's News Release on the CDE Home Page (right hand corner) at www.cde.ca.gov

**NCLB Title III Accountability Sanctions
SBE Item#41**

The State Board did not approve the plan presented by CDE to create a sanctions process for LEAs who have not met their AMOs for four consecutive years under Title III. Instead State Board President Ken Noonan requested that CDE staff bring the item back in January but continue to work with LEAs. Some of the concerns brought up during public testimony included concern that tying the 9 Essential Program Components was not directly tied to providing greater focus on English Language Development nor do the components of DAIT reviews necessarily ensure a stronger focus on ELD. There was a sense that greater focus be paid to English language proficiency strategies rather than the 9 Essential Components and DAIT criteria. The item is expected to be modified and return to the SBE in January.

**K-12 Health Content Standards
SBE Item #42**

Despite significant support for the proposed K-12 Health Content Standards the State Board directed the CDE staff to modify and bring back the standards in January. There were concerns raised by a number of SBE members including the student member that while they supported the standards focused on behaviors that impact health in both positive and negative ways, the standards are not focused on content to ensure instruction includes rich content. For example if it's unhealthy to smoke where are the standards that describe what happens to the body if you smoke? There was also concern that the section described as "advocacy" placed too much burden on students to advocate certain behaviors to others. Modifications based on the SBE's direction are anticipated to be back before the SBE in January.

**Facilities for Charter Schools
SBE Item#44**

The State Board voted to put out an amended version of the Prop. 39 charter school facility regulations for another 15 day public comment period. This means the item will be back before the SBE in January. The regulations have been very controversial over the last year and the last set of amendments included removing a state designed facilities application form given there was no consensus between the charter school community and other education groups including ACSA. Sherry Skelly Griffith testified on behalf of ACSA that despite removal of the application form ACSA, CSBA and CASBO still remain opposed to the entire package of regulations because they significantly exceed the scope and authority of the State Board. State Board President Ken Noonan also opposed saying the regulations did not represent an "equal playing field." Board member Jim Ashwanden also opposed. ACSA will be joining other groups in responding to the next round of changes. To view the latest set you can go to the web address listed on page 1 and click on SBE Item #44. The public has until November 29 to comment on the revised regulations.

