

# Last Minute Memorandum

**To:** STATE BOARD MEMBERS

**Date:** February 4, 2003

**From:** B. Teri Burns

**Re:** ITEM #26

**Subject:** LEGISLATIVE UPDATE

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<b>Accountability-SBE</b>	
<b>AB 8 Daucher</b> A-01/23/2003	<p><b>Summary:</b> Existing law establishes various school improvement programs to increase pupil performance in elementary, middle, and high schools. This bill would require the Superintendent of Public Instruction to establish a 3-year pilot program entitled the "County Achievement Team Pilot Program" to be administered by the Riverside County Office of Education. The bill would require the Superintendent of Public Instruction to direct the Riverside Office of Education to convene an achievement team with members chosen from specified fields for the purpose of auditing participating schools in Riverside County. The bill would require each achievement team to collaborate with its participating school to develop an action plan to increase school performance. This bill contains other related provisions and other existing laws.</p> <p><b>Status:</b> 01/27/2003-Re-referred to Com. on ED.</p>
<b>Accountability-SBE</b>	
<b>AB 96 Bermudez</b> I-01/08/2003	<p><b>Summary:</b> Existing law provides for the development of the Academic Performance Index (API), a statewide ranking system to measure school performance. Existing law requires the Superintendent of Public Instruction, with the approval of the State Board of Education, to rank all public schools in decile categories by grade level of instruction provided, based on their pupils' API results. Various provisions of existing law designate a school as a "low-performing" school, based on its decile rank. This bill would, instead, designate those schools as "high-priority" schools.</p> <p><b>Status:</b> 01/16/2003-Referred to Com. on ED.</p>
<b>Assessment &amp; Standards-SBE</b>	
<b>AB 36 Wyland</b> I-12/02/2002	<p><b>Summary:</b> Existing law requires each school district, charter school, and county office of education to administer to each of its pupils in grades 2 to 11, inclusive, designated achievement tests. This bill would encourage the governing board of a school district to discuss STAR test scores and to analyze the results of those assessments. The bill would authorize the governing board of a school district with a school not meeting a certain specified standard to adopt an improved performance plan. This bill contains other existing laws.</p> <p><b>Status:</b> 01/13/2003-Referred to Com. on ED.</p>
<b>Budget Issues-SBE</b>	
<b>AB 31 Runner</b> I-12/02/2002	<p><b>Summary:</b> Existing law provides 2 revenue limit equalization adjustments for each school district for the 2003-04 fiscal year. This bill would repeal one of these equalization adjustments for the 2003-04 fiscal year. The bill would appropriate \$203,000,000 from the General Fund to the Superintendent of Public Instruction for the 2003-04 fiscal year in augmentation of the amount appropriated for purposes of the remaining equalization adjustment. This bill contains other related provisions.</p> <p><b>Status:</b> 01/13/2003-Referred to Com. on ED.</p>
<b>Budget Issues-SBE</b>	
<b>AB 100 Oropeza</b> I-01/10/2003	<p><b>Summary:</b> This bill would make appropriations for support of state government for the 2003-04 fiscal year. This bill contains other related provisions.</p> <p><b>Status:</b> 01/21/2003-Referred to Com. on BUDGET.</p>
<b>Budget Issues-SBE</b>	
<b>ABX1 2 Bogh</b> I-01/13/2003	<p><b>Summary:</b> The California Constitution requires the Legislature to pass a Budget Bill by June 15 of each year for the fiscal year commencing on July 1. Existing law provides that no state officer or employee shall be deemed to have a break in service or to have terminated his or her employment, for any purpose, nor to have incurred any change in his or her authority, status, or jurisdiction or in his or her salary or other conditions of employment, solely because of the failure to enact a Budget Act for a fiscal year prior to the beginning of that fiscal year. Under the California Constitution, money may be drawn from the Treasury only through an appropriation made by law and upon a Controller's duly drawn warrant. This bill would continuously appropriate from the General Fund an amount to be made available for the payment of compensation to specified state public safety employees for work performed on or after July 1 of a fiscal year for which no budget has been enacted. It would provide that compensation, at the rate in effect at the expiration of the last fiscal year for which a budget was enacted, shall be paid to state civil service employees in State Bargaining Unit 2, California Attorneys, Administrative Law Judges and Hearing Officers in State Employment; Unit 5, California Association of Highway Patrolmen; Unit 6, California Correctional Peace Officers Association; Unit 7, California Union of Safety Employees; and Unit 8, California Department of Forestry Firefighters, and the supervisors of those employees. This bill contains other related provisions.</p> <p><b>Status:</b> 02/03/2003-Referred to Com. on BUDGET.</p>

<b>Budget Issues-SBE</b>	
<b>ABX1 8 Oropeza</b> A-02/03/2003	<p><b>Summary:</b> Existing law requires the State Board of Education to adopt standards and criteria to be used by local educational agencies in the development of annual budgets and the management of subsequent expenditures from that budget. Existing law requires those standards and criteria to include comparisons and reviews of reserves and fund balances. This bill would, notwithstanding any provision of law, authorize a local education agency to count any amount of state funding deferred from the current fiscal year and appropriated from a subsequent fiscal year for payment of current year costs as a receivable in the current year. The bill would, notwithstanding any provision of law and for the 2002-03 fiscal year only, authorize a local educational agency to use for purposes determined by its governing body up to 50% of its reserves for economic uncertainties and up to 50% of the balances, as of July 1, 2002, of restricted accounts in its General Fund, excluding restricted reserves committed for capital outlay, bond funds, sinking funds, and federal funds. The bill would state the intent of the Legislature that local educational agencies use this flexibility for certain purposes and make every effort to maintain a prudent expenditure plan that ensures solvency for the 2002-03 fiscal year and in subsequent fiscal years. This bill contains other related provisions and other existing laws.</p> <p><b>Status:</b> 02/03/2003-In Assembly. Concurrence in Senate amendments pending. May be considered on or after February 5 pursuant to Assembly Rule 77.</p>
<b>Budget Issues-SBE</b>	
<b>SB 53 Chesbro</b> I-01/10/2003	<p><b>Summary:</b> This bill would make appropriations for support of state government for the 2003-04 fiscal year. This bill contains other related provisions.</p> <p><b>Status:</b> 01/13/2003-Read first time.</p>
<b>Curriculum &amp; Instructional Materials-SBE</b>	
<b>AB 12 Goldberg</b> I-12/02/2002	<p><b>Summary:</b> Existing law authorizes the governing boards of school districts to adopt instructional materials for use in school districts. This bill would require each governing board, when adopting materials in specified subject matters, to adopt those materials in a manner that will provide each pupil with materials appropriate for his or her reading level. This bill contains other related provisions and other existing laws.</p> <p><b>Status:</b> 01/13/2003-Referred to Com. on ED.</p>
<b>Curriculum &amp; Instructional Materials-SBE</b>	
<b>AB 78 Reyes</b> I-12/23/2002	<p><b>Summary:</b> Under existing law, the adopted course of study for grades 7 to 12, inclusive, is required to include instruction in the social sciences, as prescribed. This bill would express the encouragement of the Legislature for that instruction to contain instruction on the Vietnam War and the role of the Hmong people in that war. The bill would additionally express the encouragement of the Legislature that the instruction include a component drawn from personal testimony of Hmong people who were involved in the Vietnam war and those men and women who contributed to the war effort on the homefront.</p> <p><b>Status:</b> 01/13/2003-Referred to Com. on ED.</p>
<b>Curriculum &amp; Instructional Materials-SBE</b>	
<b>HR 9 Firebaugh</b> I-01/16/2003	<p><b>Summary:</b></p> <p><b>Status:</b> 01/23/2003-Referred to Com. on RLS.</p>
<b>Curriculum &amp; Instructional Materials-SBE</b>	
<b>SB 5 Karnette</b> I-12/02/2002	<p><b>Summary:</b> Existing law encourages the establishment of programs of instruction in foreign language in grades 1 to 6, inclusive, and requires the adopted course of study for grades 7 to 12, inclusive, to include a foreign language, beginning not later than grade 7. This bill would require the State Department of Education, on or before January 1, 2006, to adopt content standards for teaching foreign languages in grades 1 to 12, inclusive, pursuant to recommendations developed by the Superintendent of Public Instruction. The bill would authorize school districts to use the content standards to develop language programs and would require the department, upon the adoption of the standards to provide publishers of instructional materials with an outline of foreign language content expectations.</p> <p><b>Status:</b> 01/08/2003-To Com. on ED.</p>

<b>Governance-SBE</b>	
<b>SB 6 Alpert</b> I-12/02/2002	<p><b>Summary:</b> Existing law provides for a county superintendent of schools in each county to, among other things, superintend the schools in his or her county, maintain responsibility for fiscal oversight of school districts, and enforce the course of study. This bill would impose a state-mandated local program by requiring each county superintendent of schools to perform additional duties relating to education services, professional development, parental grievances, fiscal oversight, technology access, and facility compliance. This bill contains other related provisions and other existing laws.</p> <p><b>Status:</b> 01/08/2003-To Com. on ED.</p>
<b>NCLB-SBE</b>	
<b>AB 51 Simitian</b> I-12/02/2002	<p><b>Summary:</b> Existing law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, and of any land outside its boundaries that bears relation to its planning. The law requires the plan to include a specified land use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, and other categories of public and private uses of land. This bill would require, upon the adoption or amendment of a city or county's general plan, on or after January 1, 2005, the land use element of the general plan to address the distribution of certain child care facilities. By increasing the duties of local officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p> <p><b>Status:</b> 01/13/2003-Referred to Com. on L. GOV.</p>
<b>Safe Schools-SBE</b>	
<b>AB 115 Horton, Jerome</b> I-01/14/2003	<p><b>Summary:</b> Existing law requires the Superintendent of Public Instruction to make an assessment of \$500 against a school district or county office of education that willfully fails to make a report, as required. This bill would increase the penalty for a willful failure to make a report, as required, to \$5,000. This bill contains other related provisions and other existing laws.</p> <p><b>Status:</b> 01/23/2003-Referred to Com. on ED.</p>
<b>School Finance-SBE</b>	
<b>AB 38 Reyes</b> A-01/27/2003	<p><b>Summary:</b> Existing law provides for emergency apportionments to school districts subject to specified conditions including, in certain circumstances, the repayment of an emergency loan over a period of no more than 10 years and the appointment by the Superintendent of Public Instruction of an administrator who would exercise the powers and responsibilities of the governing board of the school district. This bill would require the Superintendent of Public Instruction to assume all the rights, duties, and powers of the governing board of the school district and to appoint an administrator to act on behalf of the Superintendent of Public Instruction in exercising the superintendent's authority over the school district. The bill would specify that the governing board of the school district is not to receive any compensation during the period of the superintendent's authority over the district. The bill would authorize the administrator to terminate the employment of certain district personnel, as provided. This bill contains other related provisions and other existing laws.</p> <p><b>Status:</b> 01/27/2003-In Senate. Read first time. To Com. on RLS. for assignment.</p>
<b>School Finance-SBE</b>	
<b>SB 39 Perata</b> I-01/03/2003	<p><b>Summary:</b> Existing law authorizes the governing board of a school district that determines during a fiscal year that its revenues are less than the amount necessary to meet its current year expenditure obligations to request an emergency apportionment through the Superintendent of Public Instruction subject to specified requirements and repayment provisions. This bill would appropriate from the General Fund an unspecified amount to the Superintendent of Public Instruction for the purpose of providing the Oakland Unified School District with an emergency loan. This bill contains other related provisions.</p> <p><b>Status:</b> 01/08/2003-To Com. on ED.</p>
<b>School Finance-SBE</b>	

<p><b>SB 55 Ackerman</b> I-01/14/2003</p>	<p><b>Summary:</b> Existing law requires the state to reimburse local agencies and school districts for the cost of state-mandated local programs. This bill would provide that, for the period of January 1, 2004, through December 31, 2005, with specified exceptions, no new state-mandated local program shall become operative unless approved by a 2/3 vote of the Legislature, any state-mandated local program enacted prior to January 1, 2004, shall be suspended unless reenacted by a 2/3 vote of the Legislature, and no local agency shall be required to implement or give effect to any state-mandated local program that is not reimbursed by the state.</p> <p><b>Status:</b> 01/27/2003-To Com. on RLS.</p>
<p><b>Teachers &amp; Credentialing-SBE</b></p>	
<p><b>AB 97 Nation</b> I-01/08/2003</p>	<p><b>Summary:</b> Existing law, the Instructional Time and Staff Development Reform Program, requires the Superintendent of Public Instruction to provide each eligible school district, charter school, and county office of education with an allowance of \$270 per day, for up to 3 days, for each certificated classroom teacher or in the case of a charter school, for each classroom teacher, and \$140 per day, for up to one day, for each classified classroom instructional aide and certificated teaching assistant or in the case of a charter school, for each classroom instructional aide and assistant, who participates in staff development on instructional methods, conflict resolution, and academic content in the core curriculum areas that are provided by the school district, charter school, or county office of education. This bill would include emergency preparedness as curriculum that may be included in staff development. This bill contains other related provisions and other existing laws.</p> <p><b>Status:</b> 01/16/2003-Referred to Com. on ED.</p>

## **High Stakes Testing: Issues**

Wednesday, January 22, 2003  
Capitol Building, room 4202 at 1:30 p.m.

### **Opening Comments and Introductions:**

- Assemblymember Jackie Goldberg, Chair of the Assembly Education Committee

#### *Why are high stakes tests important?*

- Secretary for Education Kerry Mazzone

### **Panel: Standardized Testing and Society**

#### *How will high stakes tests affect society in general?*

Californians for Justice:

- Mario Valencia, a student at East Side Union High School District
- Abdi Soltani, executive director of Californians for Justice
- Michelle Gonzaba, a student from the San Diego Unified School District

### **Research on Standardized Testing**

#### *What does research tell us about high stakes testing?*

- Harold Berlak, Senior Research Fellow, Applied Research Center, Oakland.

## Standardized Testing and its Impact on the Classroom

*How does standardized testing affect students and teachers in the classroom?*

- George Sheridan, elementary school teacher at Black Oak Mine School in El Dorado County.
- Shannon Carey, middle school EL teacher at Melrose Leadership Academy in Oakland
- Jim Lecuyer, high school English teacher; retired last year from at San Francisco's School of the Arts; taught previously at Woodrow Wilson High School, San Francisco
- Ben Adams teaches special education students, grades K-12 at Hamilton High School in Los Angeles.

## Questions and Discussion

ASSEMBLY EDUCATION COMMITTEE

INFORMATIONAL HEARING

**Effective Instructional Strategies for California's English Language Learner's**

Wednesday, February 5, 2003  
1:30pm, State Capitol, Room 4202

**Opening Remarks and Introductions**

Assemblymember Jackie Goldberg, Chair of the Assembly Education Committee

**Overview of California's English Learner Population, Programs and Funding**

Reed Hastings, President, State Board of Education

Robert Manwaring and Maryza Gutierrez, Legislative Analyst's Office

Rosalia Salinas, Director of Curriculum, San Diego County Office of Education

**Panel: Best practices for English Language Learners**

▪ **Issue: Why is English Language Development (ELD) important?**

Dr. Adel Nadeau, Professor, National University, Former Project Director for the California English Language Development Standards Project

▪ **Issue: English Language Program Models**

Mikki Cichocki, Chair of the CTA Language Acquisition Committee, Middle School Teacher, San Bernardino City Schools

▪ **Issue: Effective Writing and Language Development for Secondary English Learners**

Donna Heath, Project Director for Project WRITE, San Diego County Office of Education

▪ **Issue: What are the essential elements for the preparation of teachers of English Language Learners (ELs)?**

Dr. Alberto M. Ochoa, Chair, Policy Studies in Language and Cross-Cultural Education,  
San Diego State University

▪ **Issue: What instructional materials and resources are necessary to ensure English learner's meet the State Content Standards?**

Pat Roehl, Coordinator of Title III, Fresno Unified School District

Hon. Jose Huizar, School Board Member, LAUSD

Adeline Sahoji, Assistant Principal, Cahuenga Avenue School, LAUSD

**Panel: The Achievement Gap**

Patricia Gándara, Associate Director of Policy, University of California, Davis

Shelly Spiegel-Coleman, Consultant, Los Angeles County Office of Education

Sara Shankin, Director MIS/Technology and Mark Cooley, Director of Bilingual Services/Instructional Support, Asuza Unified School District

**Public Comment and Discussion Period**