



CALIFORNIA STATE BOARD OF EDUCATION

ITEM #W-8

MARCH 2004 AGENDA

Federal Waiver

SUBJECT

Request by **Clovis Unified School District** to waive No Child Left Behind Act (NCLB), Title IV, Part A, Section 4115 (a)(1)(c) to use Safe and Drug Free Schools and Communities funds to support the cost of **Here's Looking At You**, a K-12 grade prevention program.

Waiver Number: Fed-17-2003

Action

Consent

RECOMMENDATION

Approval Approval with conditions Denial

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE previously adopted policy 03-01 that requires a program or activity supported with Safe and Drug Free School and Communities (SDFSC) funds to meet the principles of effectiveness. Attachment A of the policy lists those programs that provide scientific evidence that the program reduces violence or illegal drug use as required by Title IV, Part A, Section 4115. The Here's Looking At You program is not on Attachment A, and does not meet the other criteria for waiver, so this request is recommended for denial. Previously, the State Board of Education denied similar waiver requests from other school districts to spend Title IV funds for this program.

SUMMARY OF KEY ISSUES

The waiver application from the Clovis USD regarding the Here's Looking At You program has been reviewed to ensure compliance with the three major criteria described in SBE policy 03-01 that must be met in order for the waiver to be approved by the board. The waiver application's success in meeting each of the three criteria is described as follows:

Is the program innovative?

The program has been in existence since 1992 and cannot be considered a new program.

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The California Department of Education's publication, *Getting Results Update 2: Assessing the Effectiveness of Classroom Based Prevention Programs, 2001*, summarized the results from two published and seven unpublished studies that previously evaluated the Here's Looking At You (HLAY) program. The program's 10 year evaluation history further underscores that this is a traditional program rather than innovative.

The program includes concepts related to providing students with current information, opportunities to bond, and social skills common to many prevention curriculums based on the social influences model. Given the wide availability of social influences based programs, HLAY does not meet the State Board's criteria for being innovative compared to other programs.

Does the program demonstrate substantial likelihood of success?

Previously, Dr. Denise Hallfors, Ph.D., University of North Carolina, Chapel Hill, reviewed the two published and seven unpublished studies of HLAY available at that time for a report in *Getting Results, Update 2 (2001)*. Dr. Hallfors concluded that, "because of the lack of peer-reviewed studies and the weakness of unpublished study designs, Here's Looking At You should not be considered a research-based program that works."

The California Department of Education has asked the California Healthy Kids Resource Center director, Deborah Wood, Ph.D., to acquire a copy of the latest HLAY evaluation conducted by Farley and Associates (April 2003) and based on the scientific evidence presented by the evaluation determine if the program demonstrates substantial likelihood of success. Dr. Wood's conclusion is that, "the present evaluation of HLAY does not provide valid and reliable evidence of effectiveness, especially on students' substance-use behaviors. Without peer-reviewed studies on the impact of HLAY and given the design weaknesses and lack of instrumentation reliability data of the Farley and Associates (April 2003) unpublished study, there is not available evidence at this time to change the conclusions reported in *Getting Results, Update 2 (2001)*." The HLAY program does not meet the State Board's criteria for demonstrating the likelihood of success.

Is there a plan and timeline for submitting the program for review and recognition?

The applicant has confirmed that the program developer is submitting the evaluation for publication in a peer-review journal. The applicant did not provide a plan or timeline for submitting the program for review as required by the State Board's criteria. However, other applicants wanting to use HLAY have indicated that the developer will submit the program to both the California Healthy Kids Resource Center and the Center for Substance Abuse Prevention Model Programs.

Authority for Waiver: NCLB, Title IV, Part A. Section 4115(a)(3)

Local board approval date(s): 11-19-03

Period of request: Period of request: September 1, 2003 to September 1, 2005

FISCAL ANALYSIS (AS APPROPRIATE)

Waiver denial will increase the amount of NCLB, Title IV, Part A funds available to support science-based and proven-effective alcohol, tobacco, other drug and violence prevention programs consistent with the LEA's approved Local Educational Agency Plan.

BACKGROUND INFORMATION

Waiver request forms and supporting documentation is attached to this summary.