



NOVEMBER 2003 AGENDA

SUBJECT Legislative Update: Including, but not limited to, information on legislation and legislative priorities.	<input checked="" type="checkbox"/>	Action
	<input checked="" type="checkbox"/>	Information
	<input type="checkbox"/>	Public Hearing

Recommendation:

During the Legislative Recess we are working with State Board and Legislative staff to refine proposals for the upcoming year. We anticipate presenting to you some core principals for your consideration to guide us in representing the board once the legislative year begins, as the Board deems necessary.

Summary of Previous State Board of Education Discussion and Action

Governor Davis signed the attached bills which were presented to you in a prior memorandum. It is presented in the context of the Board's previously discussed core priorities.

Summary of Key Issue(s)

N/A

Fiscal Analysis (as appropriate)

N/A

Attachment(s)

Attachment 1: [September 2003 Legislative Liaison Policy Recommendations \(Page 1-1\)](#)

Attachment 2: [State Board legislative update memorandum of bills recently signed by the Governor and a brief summary of the legislative measures \(Page 1-5\)](#)

September 2003 Legislative Liaison Policy Recommendations:

- 1) Preserve the existing assessment system (including STAR, CAHSEE, CELDT).
- 2) Maintain the accountability system making only those minor conforming changes necessary to comply with the No Child Left Behind (NCLB) Act.
- 3) Encourage more submissions of instructional materials by publishers that will meet California's rigorous requirements.
- 4) Safeguard the academic content standards as the foundation of California's K-12 educational system.

DATE: October 22, 2003
TO: Members, California State Board of Education
FROM: B. Teri Burns, Deputy Superintendent, CDE Government Affairs
SUBJECT: Legislative Update on bills recently signed by the Governor and chaptered by the Secretary of State. For your information only.

1) Preserve the existing assessment system (including STAR, CAHSEE, CELDT).

None

2) Maintain the accountability system making only those minor conforming changes necessary to comply with the No Child Left Behind (NCLB) Act.

AB 1485 (Firebaugh) This bill makes modifications to the Reading First Program pertaining to English learners and existing law regarding primary language assessment. Reading First, a competitive grant for early intervention reading program was established as part of the No Child Left Behind Act (NCLB) under Title I. Specifically, the bill:

- Requires the Reading First Grants be provided to Proposition 227 waived classrooms (bilingual programs) if the classrooms use the adopted alternative formats (currently Open Court or Houghton/Mifflin have alternative formats in Spanish).
- Restricts the increase in federal funding (approximately \$13 million) from being distributed prior to revising (and obtaining federal approval) a revised State Reading First Plan.
- Requires professional development tailored to the Spanish adopted alternate format materials for teachers in Proposition 227 waived classrooms.
- Requires the Board to determine if there is a sufficient need to have other alternative formats of the adopted programs in other languages.
- Continues the STAR testing at the funding level provided in the Budget and requires the

STAR Program to be administered to pupils in grades 3 and 8, and the standards-aligned achievement test to be administered to pupils in grades 2 to 11 beginning on July 1, 2004.

3) Encourage more submissions of instructional materials by publishers that will meet California's rigorous requirements.

SB 1058 (Torlakson) Requires publishers and manufacturers with the ability to submit basic instructional materials for evaluation and consideration by the state board to pay a fee during the follow-up adoption. The fee is based upon the number of programs the publisher or manufacturer indicates will be submitted for review and the number of grade levels proposed to be covered by each program.

- No follow-up adoptions have occurred since 1997. In 2004, without funding to cover costs of reviewing materials, there will not be the scheduled follow-up adoptions in mathematics and reading/language arts.
- Publishers/manufacturers will be able to submit basic instructional materials in language arts, mathematics, science, history-social science, and any other subject, discipline, or interdisciplinary areas for which the state board determines the adoption of instructional materials to be necessary or desirable.
- Ensures that the fee is not substantial as to prevent small publishers or manufacturers from participating in a follow-up adoption by authorizing the State Board of Education to reduce the fee for participation in the follow-up adoption.

4) Safe guard the academic content standards as the foundation of California's k-12 educational system.

SB 5 (Karnette) Requires the State Board of Education to adopt content standards, pursuant to recommendations developed by the Superintendent of Public Instruction, for teaching foreign languages in kindergarten and grades 1 to 12 by June 1, 2009. Specifically, this bill:

- Requires that the content standards support the goal of providing programs of instruction in languages other than English as early as feasible by including all of the following:
 - A) A summary of the language goals which recognizes school.
 - B) A description of individual language skills that should be taught and attained at each level.
 - C) Course content that is aligned with findings from research on second language acquisition and education.
 - D) Course content that is aligned with the admission requirements for the California State University and the University of California.

- States that the content standards may be used by school districts to develop language programs and course assessments, but are not mandatory.

AB 1548 Pavley Establishes the Office of Education and the Environment (OEE) within the California Environmental Protection Agency and requires it to develop environmental education principles and a model curriculum. Specifically, it:

- Requires the OEE, in cooperation with the CDE, State Board of Education (SBE) and Secretary for Education, to develop and implement a unified education strategy on the environment to do all of the following: a) Coordinate instructional resources and strategies for providing student participation with onsite conservation efforts. b) Promote service-learning opportunities. c) Assess the impact on students of the unified education strategy on student achievement and resource conservation. d) By June 30, 2006, report to the Legislature and Governor on its progress on implementing the unified education strategy.
- Requires the CDE, SBE, and Secretary for Education, in cooperation with the Board, to develop and implement a teacher training and implementation plan to guide the implementation of the unified education strategy.
- Requires the IWMB, SDE, SBE, and Secretary for Education to develop education principles for the environment for elementary and secondary school students by July 1, 2004. The principles may be updated every four years thereafter. The principles shall be aligned to the academic content standards adopted by the State Board of Education pursuant to Section 60605 of the Education Code. The principles shall be used for the following: a) To direct state agencies that include environmental education in regulatory decisions, or enforcement actions. b) To align state agency environmental education programs and materials.
- The principles shall be aligned to the applicable academic content standards adopted State Board of Education and shall not duplicate or conflict with any academic content standards.
- Requires that the education principles be incorporated in criteria developed for textbook adoption.
- Requires that, if the state adopted content standards are revised, the education principles for the environment be appropriately considered for inclusion as part of the revised academic content standards.
- Requires the OEE to develop, in consultation with various agencies, a model environmental curriculum which incorporates these education principles for the environment, and submit the curriculum to the Curriculum Development and

Supplemental Materials Commission for review and approval by July 1, 2005 to the Secretary for Environmental Protection and to the Secretary for the Resources Agency.

- Upon review and approval by the Secretary of the Environmental Protection Agency and the Secretary of the Resources Agency for review and comment no later than January 1, 2006. The curriculum is then to be sent to the State Board of Education (SBE) for its approval.
- Requires that the model curriculum be made available to elementary and secondary schools students as soon as funding is provided to do so. Requires the CDE to make the curriculum available electronically.
- Requires the CDE to encourage the development and use of instructional materials and active pupil participation in campus and community environmental education programs.

5) Charter Schools

Assembly Bill 1137 (Reyes) Responds to issues raised by the State Auditor in its 2002 review of charter schools. The legislative intent is to further the purpose of the Charter Schools Act of 1992 to a performance-based accountability system. Specifically, this measure:

- Requires specific oversight requirements by charter authorizers (most of which CDE already does for SBE-approved charter schools).
- States that a charter authorizer is not liable if it provides the oversight specified in the measure.
- Requires charter schools to provide specified periodic financial reports to the COE and the chartering entity.
- Establishes new specific performance benchmarks for charter school renewals. Commencing January 1, 2005, or once a charter school has operated for four years, a charter school must meet one of several specified academic performance measures to be renewed. The SSPI is responsible for reviewing all charter school renewals to confirm that each met its API targets. If a charter school is denied renewal by its charter entity, it can appeal to the county office of education and, if not successful, appeal to the SBE.
- Makes changes to the charter school categorical block grant by including funding for instructional materials and staff development programs in the calculation of the block grant.
- Removes the July 1, 2004, sunset on the continuous appropriation for the charter school block grant.

- Caps the amount of oversight costs a charter authorizer may collect to one percent of the charter school's general purpose entitlement and categorical block grant funding. This bill may result in un-funded mandates on charter schools, school districts and county offices of education to perform the reporting and oversight required in this bill. It may also require additional staff resources at CDE to review charter renewals at the state level and to evaluate the academic performance of non-classroom based charter schools. Program staff estimates that approximately \$75,000, or 50 percent, will be reduced from the SBE's available oversight revenues for overseeing seven charter schools.