

**FEDERAL WAIVER COVER SHEET**  
**CALIFORNIA STATE BOARD OF EDUCATION**  
**NOVEMBER 2003 AGENDA**  
**Item No. W-5**

<b>TITLE:</b> Request by <b>Magnolia School District</b> to waive No Child Left Behind Act (NCLB); <b>Title IV, Part A, Section 4115 (a)(1)(C)</b> to use Safe and Drug Free Schools and Communities funds to support the cost of <b>Here's Looking At You</b> , a kindergarten through sixth grade prevention program.	<input checked="" type="checkbox"/> <b>ACTION</b> <input type="checkbox"/> <b>INFORMATION</b> <input type="checkbox"/> <b>PUBLIC HEARING</b> <input type="checkbox"/> <b>CONSENT</b>
<b>CDSIS:</b> Fed-05-2003	

**RECOMMENDATION:**

The Department recommends:

- Approval  
 **Denial**

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**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 and illegal drug use as required by Title IV, Part A Section 4115. The **Here's Looking At You** program is not on the Attachment A list, and does not meet the other criteria for waiver, so it is presented for Action.

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**Summary of Key Issue(s):**

The waiver application from the **Magnolia SD** 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. 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the Effectiveness of Classroom Based Prevention Programs, 2001*, summarized the results from two published and seven unpublished studies that evaluated the Here's Looking At You (HLAY) program. The program's 10 year evaluation history further underscores that **this program is a traditional approach 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. The program draws from both the social influences model and the social development model for its program theory. Given the wide availability of social influences and development based programs, Here's Looking At You **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 Here's Looking At You 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."

Given the program developer's reported intention to submit the program for review by the California Health Kids Resource Center in October 2003, we asked the Resource Center director, Deborah Wood, Ph.D., to acquire a copy of the latest 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 Here's Looking At You program does not meet the State Board's criteria for demonstrating the likelihood of success.** The full text of Dr. Wood's report is attached.

**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 Farley and Associates (April 2003) evaluation for publication in a peer-review journal in the fall of 2003. A fax supplement to the waiver application stating the developer's intent to submit the program for review to both the California Healthy Kids Resource Center and the Center for Substance Abuse Prevention Model Programs in October 2003 was provided by the applicant and has been attached.

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

Local board approval date: 9-08-02

Effective dates of request: 7-1-03 to 6-30-05

**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 LEAP.

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**Background Information:**

Documentation is attached to this Summary