

# 2018

## The California Advisory Commission on **Special Education**

*Working to Improve the  
Educational Opportunities  
for Children with Disabilities*



**California  
Modified  
Assessment**



**Transition**



**Legislation**



**Autism  
Advisory  
Committee**



**Special Education  
Certification  
for Teachers**



**Response to  
Intervention**



**California High  
School Exit  
Examination**



**Annual Report**

## A View from *the Chair*

“Children Will Listen,” a song from the beautiful Stephen Sondheim musical *Into the Woods*, addresses multiple themes: growing up, parents and children, accepting responsibility, and wish fulfillment and its consequences. In the musical, these themes explore the relationships between parents and their children and the individual’s responsibility to the community. This year the Advisory Commission on Special Education addressed similar themes. Above all, the commission listened . . . and learned. Much of our listening involved how the law in California—our extended community—affects children with disabilities.

### The High School Exit Exam

We particularly studied the law that requires students with disabilities to pass the California High School Exit Exam (CAHSEE) in order to receive a high school diploma. On this topic, we heard from parents, educators, and students. We learned that the passing rates have increased for students with disabilities. And we learned from concerned parents about how the supports that are available to help students pass the exam are not well known to many of the very students who need them the most.

Students who fear not passing the exam spoke to the commission about the futures they face without a diploma: unfulfilled dreams, closed employment doors, and the stigma of “almost graduating.” There remain additional unknown consequences for those students who will not receive a diploma this year. For better or worse, we will start to learn the specifics of those consequences in a matter of months. The commission will continue its deep interest in this most critical public

policy issue and will champion stronger implementation of all forms of support for students with disabilities.

### Transition Services

While *Into the Woods* explores the individual’s responsibility to the community, this year the ACSE examined a community’s responsibility to its individuals. The ability to live independently, earn a self-sustaining income, and socialize effectively are taken for granted by many of us. But for children with disabilities, these facts of adult life are not always a given, and the degree of

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What do you say to a child in the night?  
Nothing’s all black, but then nothing’s all white  
How do you say it will all be all right  
When you know that it might not be true?  
What do you do?

Careful the things you say  
Children will listen  
Careful the things you do  
Children will see and learn  
Children may not obey, but children will listen  
Children will look to you for which way to turn  
To learn what to be  
Careful before you say “Listen to me”  
Children will listen

—From “Children Will Listen” by Stephen Sondheim

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the likelihood of their ever happening often depends upon the effectiveness of transition services.

Recognizing the vital importance that these services play in the lives of young adults with disabilities, the ACSE is concerned about their current limits. More services are needed and needed sooner. Numerous organizations have worked hard this year to inform the commission of the critical nature of transition services. The commissioners are especially grateful to the leadership of PRIDE Industries, Warmline Family Resource Center, and the California Department of Rehabilitation for their wisdom and guidance about effective

transition services. And we congratulate Susan Sklar and her team in the Centinela Union High School District for their successful transition program. Theirs was this year’s winner of the GOAL Award: Grazer Outstanding Achievement in Learning.

### Response to Intervention

“Change is good. You go first.” No words seemed truer than when the topic is Response to Intervention (RtI). The ACSE heard hours of testimony about RtI, particularly from special educators about the mixed messages and agendas that the implementation of RtI could send. “Is this a general education initiative? If so, why does it appear that all the impetus is falling on the staff that serves students with special needs?”—these words come from teachers in the field. Adventuresome educators and early adopters support RtI when it is implemented with passion and fidelity, but these same educators state frankly that these conditions are currently rare. How do you create clarity about the implementation of an optional delivery system? “Optional clarity?” That’s the question

that begs for greater direction from the California Department of Education, a direction that the commission urges.

In addition to the major topics listed above, this year the ACSE also heard thousands of voices, considered hundreds of ideas, and learned of numerous programs for children with disabilities. Using this wealth of information, we have offered advice to our appointing bodies, as well as to many parents, educators, and community agencies. With all of the commissioners, I am honored to perform this important public service and congratulate the 2007–2008 commission on work well done.

—Don Shalvey

## Legislative Overview

The ACSE legislative committee has been active in the midst of a bleak legislative year. Ever-shifting estimates of budget deficits have hamstrung efforts to consider any legislation that carries a fiscal mandate and make it unlikely to pass. For example, while the ACSE supports adequate funding for special education, the issue has not even been addressed legislatively because of the pending deficit. In fact, the governor's current proposed budget cuts special education spending. In the context of such a blighted fiscal outlook, hope for improvement in all areas of education, not just special education, seems dismal.

The ACSE legislative platform for the 2007–2008 year reaffirmed seven clear priorities:

1. ACSE supports increasing efforts to recruit and retain highly skilled special education personnel, specialists, and paraeducators in order to provide standards-based instruction to students with disabilities.
2. ACSE supports adequate funding for highly effective instructional programs for students with disabilities, including fully funded federal, state, and local financial contributions.
3. ACSE supports the equitable implementation of response to intervention (RtI) strategies to assure the preservation of rights of students with disabilities afforded under the Individuals with Disabilities Education Act and unimpeded access to special education services.
4. ACSE supports the provision of high quality special education services to all students with disabilities, including those in charter schools, non-public agencies, foster homes, juvenile detention centers, and the California Youth Authority.
5. ACSE supports the reduction of class sizes and caseloads in special education

due to the negative impact on the quality of special education services caused by overcrowded classrooms and oppressive caseloads.

6. ACSE supports the expansion of career and technical education programs, which provide appropriate training for students with disabilities so that they are able to make the transition from school to the world of work with adequate skills.

7. ACSE supports efforts to ensure the rights of students with disabilities to statewide assessments and accountability measures.

These priorities guided the ACSE's efforts to sift through a large number of bills and clarify those that eventually garnered the support of the commission.

### CAHSEE

On the heels of the expiration in January of the exemption for students with disabilities from the California High School Exit Exam (CAHSEE), high school students with disabilities testified before the commission about their efforts to pass the exam. The commissioners were left with compassion for the dilemma these students face and with a renewed commitment to help create more equitable options to the exam. As a result, the ACSE attended to a number of bills that seek to "level the playing field" for students with disabilities. These bills have been introduced either to extend the exemption for students with disabilities from the CAHSEE or to modify the test in such a way as to enhance their chances of passing. The commission supported the following legislation:

**AB 1503 (Huff)** would streamline the waiver process for students with disabilities who complete all requirements for high school graduation but pass the CAHSEE with modifications.

**AB 1379 (Brownley)** would support the development of multiple measures of performance as a requirement for graduation instead of relying solely on the CAHSEE.

**SB 1446 (Romero)** would extend the current exemption for students with disabilities from the CAHSEE for two more years.

**AB 2040 (Nunez)** would require the Superintendent of Public Instruction to convene a panel to make recommendations for a standardized, evidence-based alternative to the CAHSEE.

ACSE took a "watch" position on the following:

**AB 1934 (Ma)** would permit an eligible student to receive a high school diploma if the student completes one of two alternatives to passing the CAHSEE: the creation of a portfolio with letters of recommendation and a completed internship; or the achievement of a specified score on the SAT administered by the College Board.

### Autism

The education of students with autism spectrum disorder (ASD) constitutes another area of legislative interest to the ACSE. The rapid growth in the number of students identified with ASD has attracted numerous legislative proposals. The ACSE supported the following bills:

**SB 527 (Steinberg)** would establish a screening procedure that would ensure earlier detection of ASD.

**SB 1475 (Torlakson)** would create a two-year pilot project to identify best practices in the integration of services for children with ASD.

**SB 1632 (Ackerman)** would expand screening for ASD through the use of research-based screening tools.

**AB 2302 (Bass)** would authorize the holder of a Level 1 Education Specialist Credential who is authorized to provide instruction to individuals with mild and moderate disabilities to provide instruction to pupils with ASD.

### Speech and Language Pathologists

The critical shortage of speech and language pathologists continues to cause significant challenges in the provision of services to students with speech and



language problems. Concerned about this shortage and believing that providing hearing aids to young children is critical to their acquisition of language, the ACSE took support positions on two bills:

**AB 2390 (Karnette)** would enable speech and language pathologists to expand their post-retirement earnings beyond current limits, thus making the profession more financially attractive.

**AB 368 (Carter)** would require health care service plans to offer coverage for hearing aids to all enrollees, including those under 18 years of age.

#### **Additional Legislative Priorities**

ACSE also supported the following:

**AB 2308 (Karnette)** would remove the high school diploma requirement for public employment.

**SB 168 (Denham)** would require the use of an established task force to develop guidelines for physical education and Braille mathematics code for students who are blind or visually impaired.

Regardless of financial expediency and political winds, the ACSE will continue to support legislation that brings about positive change for students with disabilities.

## **Liaisons and Coalitions**

The Advisory Commission on Special Education continues to build its efforts to form positive working

relationships with organizations and agencies that are active in the education of students with disabilities. Students with disabilities are best served when the community of interest operates in concert and with a working knowledge of their respective efforts. ACSE commissioners secure ongoing communications with these organizations and agencies by participating in those efforts. A liaison from the commission regularly attends the Pupil Services Coalition, which has representation from counselors, social workers, school nurses, child welfare and attendance officers, administrators, the CARS+, CSHA, CASP and CTA organizations. ACSE works to share its agendas and coordinate its activities with these various agencies and organizations.

ACSE also continues to send liaisons to the State Board of Education (SBE) meetings in an effort to integrate ACSE activities with those of the SBE. In turn, the SBE has designated a liaison to the commission who has taken an active role in the commission's work and who serves as a spokesman to the SBE on ACSE activities. This exchange was particularly visible when ACSE commissioners presented testimony and recommendations to the SBE on the California High School Exit Exam.

The Commission on Teacher Credentialing (CTC) is working to modify the credentialing process for special education teachers. Since the state faces a critical shortage of special education personnel, a shortage that significantly affects the lives of students with disabilities, the ACSE has designated a liaison to the CTC workgroup on credentials, as well as a regular liaison to the CTC meetings.

The ACSE continues to welcome input from individuals and organizations at each of its meetings. Special recognition should be expressed to the following organizations: CTA, CARS, PTA, CSHA, SEACO and SELPA. These groups regularly attend ACSE meetings and offer valuable input to the commission.

## **Programs and Policy**

During its 2007–2008 meeting year, the ACSE committed its members to studying and supporting the following initiatives.

### **Autism Advisory Committee**

The number of students with Autism Spectrum Disorder (ASD) in California's public education system has rapidly increased since the late 1990s, intensifying the need for relevant educational services. The recently passed Assembly Bill 2513 authorized California's State Superintendent of Public Instruction to convene a statewide Autism Advisory Committee to facilitate the development of consistent, evidence-based educational services for students with ASD. The resulting committee has called for urgent action on behalf of children with ASD and made specific recommendations for future legislation that would accomplish three things: provide a seamless delivery of service agreements between agencies; create a Statewide Autism Spectrum Disorder Clearinghouse for the dissemination of research-based information; and offer training and technical assistance to educators on autism-related issues.

Several ACSE commissioners have participated at the numerous hearings on these issues. The ACSE is supportive of the committee's three recommendations and will continue to champion all efforts that result in better services for children with ASD.

### **California's Teachers**

During the past two years, the Commission on Teacher Credentialing has reviewed and revised its credentials for special education teachers. An ACSE commissioner has served as a liaison to the Special Education Workgroup for these revisions and subsequently to the design team for the proposed credentialing changes.

The workgroup arrived at the following goals for modifying the special education credential structure:

- Provide improved services to California's students with disabilities
- Provide more opportunities to become a special education teacher while reducing redundancies in preparation and streamlining the credential structure
- Improve the skill levels and retention rates among special education teachers
- Assist local education agencies in meeting their need for qualified special education personnel

An additional twenty-five recommendations made by the workgroup address the credential structure, subject matter competence, content and performance expectations, and service delivery. They are designed to assist the credentialing structure in ultimately better serving all children with disabilities, especially students with ASD and with communication, physical, or health impairments and students who are deaf or blind. The intent of the recommendations is also to provide a fuller range of supports to teachers both inside and outside the classroom and to expand service delivery options to include collaborative teaching models, thus ensuring compliance with federal legislation and providing intervention services such as Response to Intervention (RtI).

The deadline for the creation and revision of these changes is July 2011.

### **The GOAL Award**

The Advisory Commission on Special Education was proud to present its annual GOAL Award (Grazer Outstanding Achievement in Learning) to Centinela Valley Union High School District's Transition Services Program for its interagency collaboration in assisting students with special needs in their career decision-making process. Centinela's transition services office collaborates with three agencies: Workability, the

Transition Partnership Program, and the Adult Transition Program.

Director Susan Sklar and nine members and guests of the program attended the GOAL Award ceremony on May 23. Chief Deputy Gavin Payne from the office of the Superintendent of Public Instruction and Dana Mitchell from Assemblywoman Betty Karnette's office joined the commission in celebrating the program's outstanding efforts on behalf of the greater Los Angeles community.

In addition to receiving the GOAL Award itself, the school was presented with a \$2,000 gift to advance the program's purpose. Funds for the GOAL Award were provided by Brian Grazer and Corki Corman on behalf of their son, Riley Grazer.

The purpose of the GOAL Award is to annually recognize an educational program in the state that excels in its efforts to support students with disabilities. Applications for the 2008–09 GOAL Award can be found at [www.CSBA.org](http://www.CSBA.org). The commission and the California School Boards Association include GOAL as part of their Golden Bell application options.

### **The High School Exit Exam**

In December 2007, legislation was terminated that exempted graduating high school seniors with disabilities from the requirement to pass the California High School Exit Exam. Now, students with Individualized Education Plans will, for the first time, have no alternative but to pass the exit exam if they expect to receive a high school diploma in California.

The ACSE devoted a substantial amount of time this year to hearing from stakeholders on the implications of the CAHSEE requirement for students with disabilities. The commission has also devoted much energy to illustrating to its appointing bodies the severity and inequity the requirement imposes on these students.

Unfortunately, there is no good data on exactly how many students will be affected by the CAHSEE requirement, making difficult any attempt by legislators or ACSE commissioners to suggest useful alternatives for students. Without alternatives, the graduating class of 2008 will not include some of its most challenged students — many of whom have met all state requirements for graduation except the CAHSEE.

While the ACSE promotes access to and achievement of state educational standards for all students, the commission stands behind its mission to support individualized programs that provide alternative measurements for assessing what students have accomplished in school. The commission is optimistic that the California State Legislature and the California Department of Education will find those alternatives in 2008–09, thus keeping level the educational playing field and promoting successful outcomes for students who have variously—but truly—earned their diplomas.

### **Modified Assessment**

The California Modified Assessment (CMA) is designed for students receiving instruction aligned with grade-level content standards, but for whom the California Standards Test (CST) is not considered an appropriate assessment measure. In addition, students who have scored “proficient” or “advanced” on the California Alternate Performance Assessment (CAPA) might be candidates for participation in the CMA. The test is fully aligned with the CST, but has embedded modifications, such as shortened reading passages and graphics to aid understanding. The CMA became an available option for students in grades three through five as part of the Standardized Testing and Reporting (STAR) administration in the spring of 2008. Additional grade levels will be added in subsequent years, with the expectation that the test will be available for students in grade

levels three through eleven by the year 2010.

ACSE commissioners participated in the development of the CMA and attended a California Department of Education (CDE) training on student eligibility. The commission welcomes the CMA for two important reasons: It will provide students with the opportunity to demonstrate their mastery of California's academic content standards; and the modifications embedded in the CMA will better enable districts to meet Adequate Yearly Progress (AYP) criteria as their special education students demonstrate proficiency and have scores that "count," despite the use of modifications.

### Response to Intervention

Response to Intervention (RtI) is the process of discovering what each student needs in order to learn. It is a process that involves screening all students for both their academic and their behavioral performance and, in direct response to those screening results, providing the students with research-based instruction and interventions by highly trained staff in the general education setting. RtI is a general education function and usually utilizes three tiers of intervention, with each consecutive tier offering an increasing intensity of supports.

The ACSE strongly believes RtI to be an effective, school-wide, collaborative model that blends services to benefit *all* students. Because RtI promises significant benefit for all students, and because of its relative newness on the educational scene, the commission has developed an ad-hoc committee that represents special education students, parents, and educators statewide. The purpose of the committee is to communicate to all relevant entities important information about RtI and its effective implementation.

In addition, two ACSE commissioners have been actively involved in a statewide technical writing workgroup to develop an RtI document that provides

guidelines for the use of RtI data as one of the sources of information for identifying students with a specific learning disability. This long-awaited guidance document is in its final stages of completion and includes the input from select school superintendents and general educators. The RtI writing workgroup is eagerly awaiting the addition of general education specialists to make contributions and complete the document.

RtI, by definition, occurs in the general education classroom. But because its implementation promises significant supports for students with possible learning disabilities, the ACSE has closely attended to its introduction in California. Teachers in the field report to the commission that there is a dire need for guidance from the state. It is the ACSE's hope that future guidance documents will be developed on a statewide level for general and special educators in order to preserve the efficacy—and secure the implementation—of this extremely effective schoolwide collaborative model.

### State Performance Plan

The Individuals with Disabilities Education Act (IDEA) of 2004 requires each state to submit a six-year State Performance Plan (SPP) that evaluates the state's efforts to implement the requirements of IDEA, Part B. The legislation provides twenty specific indicators to guide the states in this implementation. The Office of Special Education Programs (OSEP) also requires states to submit an Annual Performance Report (APR) that documents progress toward meeting the benchmarks identified in the SPP and toward completing the improvement activities associated with each indicator. OSEP recently refined the requirements for the SPP and APR.

In response to this refinement, the Special Education Division (SED) made numerous changes to update both plans, particularly in the areas of preschool assessment and post-school outcomes. The

ACSE, along with the Improving Special Education Services (ISES) stakeholder group, contributed to the revisions, which were submitted for State Board of Education (SBE) approval at the January 2008 SBE meeting. Both documents were approved and forwarded to OSEP.

### Transition

Making a successful transition from high school to further education or adult living is important for the futures of all students, but particularly for the many students with disabilities who are not on a diploma track. As a result, the Advisory Commission on Special Education adopted as a priority the examination of post-secondary outcomes for students with disabilities.

During its 2007–2008 meetings, the ACSE invited presentations, reports, and public input on the topic of transition from a variety of stakeholders, including the Department of Rehabilitation, PRIDE Industries, State Special Schools, Department of Child Services, transition workgroups from the California Department of Education, special education teachers, and students with disabilities and their families. Working with the information they provided, the ACSE is currently developing a white paper with recommendations to present to those entities the commission is designed to advise: the Governor, the State Assembly, and the State Board of Education.

The ACSE is particularly concerned about the lack of research on post-secondary outcomes. In addition, the field is in need of improved communication practices that ensure that students, families, teachers, and administrators receive accurate and timely information about the transition services that are available. Improved communication would support collaboration among agencies and go far toward securing important services for the students and families that need them.

## A Year of *Gratitude*

The California Advisory Commission on Special Education is only as productive as the numerous staff members, stakeholders, volunteers, and advocates who respond to the organization's requests and invitations. The California Department of Education offers the commission support and guidance that is second to none. Jack O'Connell, our Superintendent of Public Instruction, his Chief Deputy Gavin Payne, and Special Education Division Director Mary Hudler and her team all provide extraordinary guidance and assistance. Special thanks go to Anthony Sotelo and Beverly York for their tireless work on minutes, agenda resources, and the countless details that make our meetings successful. Kudos also go to Ron Kadish for his reports on state-operated schools and to Allison Smith for her research, reports, and assistance with legislative analysis. This year the commission extends a special thanks to Deb Sigman, who responded to every last-minute request for information related to the CAHSEE and the CMA.

Stakeholders and the perspectives they offer are key to our success. Linda Nimer (PTA), Woody Moynahan (CTA), Robert Powell (CASHA), Ed Amundson (NEA), and John LaLonde (SELPA) have been consistent companions in our work. Thanks also go to Holly Jacobson for her efforts on behalf of the California School Board Association and that organization's assistance with the GOAL Award nomination process.

The extraordinarily committed State Board member Yvonne Chan regularly attended our meetings and reported our work to the SBE. Commissioner Jim Woodhead deserves special recognition for his perfect attendance at SBE meetings, and Dana Mitchell from Assembly Member Betty Karnette's office provided an invaluable connection between the

commission and the legislature this year.

Our work is incomplete without experts from the field. CARS+ hosted the February commission meeting as part of its annual conference, and Sacramento City Unified School District hosted the ACSE at McClatchy High School, giving the commission access to students who were being impacted by the exit exam. They and the many professionals who gave presentations made us better: Sam Seaton and Sally Bain of Pride Industries, Cid Van Koersel of the Warmline Family Resources Center, Loran Vetter with the Department of Rehabilitation, and Bonny Forrest with Project SKIP. These individuals provided us with valuable information about what is happening in the field.

Finally, the ACSE offers heartfelt thanks to Mary Grady for her role as editor and publisher of this annual report.



### A Look Forward

California faces one of its toughest fiscal years on record. Yet, despite dire financial predictions, the Advisory Commission

on Special Education is committed to persevering in its mission to improve the quality of education for, and the outcomes of, students with disabilities.

As the commission looks ahead to 2008–09, it will continue to focus on tracking post-secondary outcomes for students with disabilities and eliminating barriers to successful outcomes. The commission will also continue highlighting best practices in special education in the hope of encouraging the replication of model programs throughout the state.

During the 2008–09 year, the commission will closely follow legislation and initiatives that seek to solve the dilemmas posed by the California High School Exit Exam. The ACSE sees two viable solutions: 1) the establishment of an alternative means of assessment as a graduation requirement for students with disabilities, one that is not a paper-and-pencil test; and 2) an increase in the availability of alternative high school tracks, such as those that focus explicitly on career and technical training. Both of these solutions could conceivably better support students with disabilities and serve to create more positive post-secondary outcomes.

The ACSE will also continue to study and advise on the following: teacher recruitment and retention, assistive technology, RtI implementation and its implications for students with disabilities, and all efforts to build relationships with and among educators, parents, and students. The ACSE relishes input and ideas from its stakeholders and anticipates another productive year.

A number of the ACSE's most seasoned members departed this year. While grateful for their contributions and saddened to see them go, the commission also welcomes its new appointees, confident that they will bring unique experiences and insights to the work of the organization.

**The California Advisory Commission on Special Education** is an advisory body mandated by federal and state statutes to provide recommendations and advice to the State Board of Education, the Superintendent of Public Instruction, the State Legislature, and the Governor in new or continuing areas of research, program development, and evaluation in California special education:

“The State has established and maintains an advisory panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State.

“Such advisory panel shall consist of members appointed by the Governor, or any other official authorized under State law to make such appointments, be representative of the State population, and be composed of individuals involved in, or concerned with, the education of children with disabilities.”

— *Public Law 108-446; 20 United States Code (USC) 1412(a)(21) A-D Section 612*

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## Commission meeting dates and locations, 2008–2009\*

September 18–19, Sacramento	November 13–14, Sacramento	March 26–27, Sacramento
October 13–14, Sacramento	January 22–23, Sacramento	May 28–29, Sacramento
	February 26–27, Sacramento	

**Location:** California Department of Education, 1430 “N” Street, Sacramento, CA 95818

\* *Exact dates may change. Please visit the ACSE website ([www.cde.ca.gov/sp/se/as/acse.asp](http://www.cde.ca.gov/sp/se/as/acse.asp)) or contact the commission’s secretary for the most current information or to obtain a schedule.*