

**CCSESA SUMMARY**  
**LEGISLATIVE PACKAGE TO IMPLEMENT**  
**THE WILLIAMS LAWSUIT SETTLEMENT**

The four-bill package which implements the Williams settlement covers a broad scope of issues regarding facilities funding, instructional materials, teacher credentialing and assignment monitoring, public reporting in the School Accountability Report Cards and year round schools operating on the Concept 6 calendar. The measures are summarized below. Please note that the first two bills, SB 550 and AB 3001 contain the most significant provisions which outline increased responsibilities for County Superintendents.

<b>SENATE BILL 550 (Vasconcellos) – contains significant expansion in County Superintendent responsibilities for school district oversight</b>
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*County Superintendent Oversight/Compliance Responsibilities*

- The bill expands upon existing law (*Education Code Section 1240*), which requires county superintendents to “visit and examine” each school in his or her county at reasonable intervals and requires County Superintendents to annually present a report to the governing board of each school district, the county board of education and to the board of supervisors in his/her county describing the “state of the schools” ranked in deciles 1-3 of the 2003 base Academic Performance Index (API). The bill specifies that the seven single district counties and county offices which operate programs ranked in deciles 1-3 must contract with neighboring county superintendents or independent auditors to conduct required visits and reports.
- Requires that visits be conducted at least annually and that not less than 25% of the visits be unannounced. The visits are to be used to 1) ensure that students have access to “sufficient” instructional materials, 2) assess compliance with facilities maintenance to determine the condition of a facility that “poses an emergency or urgent threat to the health or safety of pupils or staff” and 3) determine if the school has provided accurate data for the annual school accountability report card related to instructional materials and facilities maintenance. **(Please note that emergency facility conditions are defined below in the description of Senate Bill 6.)**
- Requires county superintendents, beginning with the 2004-05 audits of local school districts, to include in his/her review of audit exceptions those exceptions related to insufficiencies of instructional materials, and teacher misassignments and to determine whether the exceptions have been corrected or an acceptable plan of correction has been developed.

*Standards for Instructional Materials*

- Requires that, in 2004-05, county superintendents make a diligent effort to complete the annual visits and reviews within 120 days of receipt of funds for this purpose. In subsequent years county superintendents are required to assess the sufficiency of instructional materials **within the first four weeks of the school year**. Sufficiency is measured by determining that every pupil, including English learners, has a textbook in the four core subjects or English language arts, mathematics, history/social science and science to use in class and to take home to complete required homework assignments.

- If the county superintendent determines that a school does not have sufficient instructional materials, the county superintendent is required to prepare a noncompliance report and forward it to the school district and Superintendent of Public Instruction. The county superintendent is required to provide the school district with an opportunity to remedy the deficiency, but must ensure that the deficiency is corrected **no later than the second month of the school year**. If the deficiency is not corrected, the county superintendent is required to request that the SPI, with the approval of the State Board of Education, purchase the necessary textbooks on behalf of the school district.
- Requires CDE to develop an instrument to assist county superintendents in the review of sufficiency of instructional materials.

#### *Standards for Facility Maintenance/New School Facilities Needs Assessment Grant Program*

- School districts who receive state funding for facilities maintenance are required to establish a facilities inspection program and to ensure that each of its schools is maintained in good repair. “Good repair” is defined as maintaining schools that are clean, safe, and functional. The Office of Public School Construction (OPSC) is required to develop an interim evaluation instrument, in consultation with county superintendents and school districts, by January 25, 2005 for use in county superintendent visits to deciles 1-3 schools.

#### *Funding for New Responsibilities Imposed on County Superintendents*

- Appropriates \$15 million for allocation to county superintendents over a three-year period to carry out the duties established in the bill. Specifies that each county office of education shall receive \$3,000 for each school ranked in deciles 1-3 in the 2003 base API, with a minimum allocation of \$20,000.

#### *School Accountability Report Card*

- Requires the SBE to update the School Accountability Report Card (SARC) templates to include a variety of new information related to instructional material availability, teacher misassignments and the number of teacher vacancies for the most recent 3-year period and facilities maintenance. Requires all school districts to include data on these topics in the SARCs made available annually to parents.

#### *Uniform Complaint Procedures*

- Requires districts to post a notice in each classroom in the school district notifying parents and guardians that 1) sufficient textbooks must be available to all students, and 2) school facilities must be clean, safe and in good repair (as defined above). Districts are further required to inform parents that the uniform complaint process may be used to file complaints regarding noncompliance with these provisions.

#### *Implementation of Provisions for 2004-05*

- Declares legislative intent that LEAs and state agencies begin implementation as soon as practical and with due diligence. **Declares, however, that the state recognizes that due to the late enactment of the measure that full implementation of some of the provisions for school terms beginning in 2004-05 is impractical.**

<p><b>ASSEMBLY BILL 3001 (Dymally) – contains new reporting requirements for County Superintendents relative to teacher credentialing and assignments</b></p>
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- Requires that in carrying out fiscal oversight responsibilities for school districts certified as qualified or negative, that county superintendents include as a possible intervention the assignment of the Fiscal Crisis and Management Assistance Team (FCMAT) to review teacher hiring practices, teacher retention rates and the extent of teacher misassignment and to provide recommendations to streamline and improve the teacher hiring process and the provision of highly qualified teacher.
- Requires that county superintendents, in the exercise of the current law requirement to annually monitor school district certificated employee assignments, give priority to schools ranked in deciles 1-3 of the API. Further requires county superintendents to investigate school and district efforts to ensure that any teacher serving in an assignment that requires CLAD or BCLAD certification completes the certification requirements.

***AB 75-Principal Training Components***

- Augments the required principal training components to include 1) training related to personnel management, including hiring, recruitment and retention practices and 2) ensuring the sufficiency of instructional materials.

***Statewide System of School Support (S4 Network)***

- Expands the scope of the S4 network to provide that the system provide assistance to schools and school districts in need on 1) the recruitment, hiring and retention of certificated and classified staff, and the elimination of misassignment of staff and 2) the roles and responsibilities of district and school management personnel.

**SENATE BILL 6 (Alpert) – creates new School Facilities Grant programs for schools in deciles 1-3 on the 2003 API**

- Creates a new School Facilities Needs Assessment Grant Program and specifies that grants shall be awarded to school districts which operate schools ranked in deciles 1-3 on the API to develop a comprehensive needs assessment, in addition, establishes the School Facilities Emergency Repairs Account and specifies that a total of \$800 million shall be available for this account, as annual reversion funds become available for this purpose. Beginning with the Budget Act of 2005, at least 50% of the Reversion Account or \$100 million, whichever is greater, shall be made available for this purpose. Funding in this account is available to address unforeseeable emergency facilities needs in schools in deciles 1-3, which are defined as: gas leaks, nonfunctioning heating/air conditioning or ventilation systems, power failures, major sewer line stoppage, major pest infestations, broken windows or doors or gates that will not lock, hazardous materials abatement or unforeseen structural damage creating a hazardous or uninhabitable conditions.

**ASSEMBLY BILL 1550 (Daucher) – requires that school districts which operate schools on the year round calendar known as Concept 6 phase out the use of the calendar by 2012.**