

WILLIAMS SETTLEMENT HIGHLIGHTS
August 12, 2004

1. At-a-glance summary

The settlement requires that all students have books and that their schools be clean and safe. It takes steps toward assuring they have qualified teachers. The settlement holds schools accountable for delivering these fundamental elements, and provides nearly \$1 billion to accomplish these goals: \$800 million over the next several years to make emergency repairs in the lowest performing schools (ranked in the bottom 3 deciles under the 2003 statewide Academic Performance Index [API]); nearly \$139 million for new instructional materials for students attending schools in the bottom two API deciles; and \$50 million to build County Superintendents' capacity to oversee low performing schools and fund emergency repairs in those schools next year. The settlement also expands the number of schools benefiting from the High Priority Schools Grant Program: It maintains annual funding of at least \$200 million while replacing schools whose grants expire with new low performing schools. The settlement requires legislation be enacted to:

Provide financial assistance to repair low performing schools through a new \$800 million School Facilities Emergency Repairs Account;

Create a School Facilities Needs Assessment program;

Create standards for instructional materials and facilities, and require the Concept 6 (shortened school year) calendar be eliminated no later than 2012;

Post instructional materials and facilities standards in all classrooms;

Collect data on compliance with these standards, and teacher requirements;

Verify this data;

Require a uniform complaint process in every district for complaints on inadequate instructional materials, teacher vacancies and misassignments, and emergency facilities problems;

Intervene in decile 1-3 schools if the instructional materials and facilities standards are not met, and in districts having difficulty attracting, retaining or properly assigning teachers;

Improve the teacher supply by streamlining requirements for out-of-state credentialed teachers to earn California credentials;

Require each district to implement a facilities inspection system; and

Include new schools in the High Priority Schools Grant Program when current schools are phased out.

The 2004-05 State budget fulfills some terms of the settlement by:

Appropriating \$138.7 million for new instructional materials in decile 1-2 schools; Appropriating \$50 million to implement other settlement goals; and Maintaining the Instructional Materials categorical program, with funding for 2004-05 of \$363 million.

2. Details of settlement highlights

The settlement adds resources to the 2004-05 budget to benefit students in low performing schools:

- \$138.7 million for instructional materials for schools in the lowest two deciles
- \$50 million to implement the settlement in the 2004-05 fiscal year, including funding to (1) build the capacity of County Superintendents to ensure decile 1-3 schools meet the new facilities and textbooks standards, and determine whether classes in these schools with significant English Language Learner (ELL) populations have appropriately credentialed teachers; (2) create a School Facilities Needs Assessment Grant Program to determine the scope of facilities needs at each school; and (3) fund emergency facilities repairs in these schools.

The settlement requires legislation be enacted to:

Provide additional resources by:

- Allocating \$800 million to emergency facilities repairs over the next several years through a new School Facilities Emergency Repairs Account grant program;
- Expanding the number of schools benefiting from the High Priority Schools Grant Program by maintaining the program's current annual funding of at least \$200 million and replacing schools whose grants expire with new low performing schools; and
- Repealing the June 30, 2006, sunset of the Instructional Materials Program.

Create standards regarding

- Instructional materials: Each pupil, including English Language Learners (ELLs), must have a book for class and homework.
- **Facilities**: The State Architect will develop health and safety standards.
- **Teachers**: The State has committed to meet the No Child Left Behind requirement of a highly qualified teacher in every core class by 2006.
- **The Concept 6 calendar (providing 163 days of classroom instruction, instead of the normal 180 days)**: Prohibit Concept 6 by 2012, and require each

district using Concept 6 to develop a comprehensive action plan to eliminate it and comply with benchmarks toward doing so in the meantime.

Publish the standards by requiring a notice be posted in each classroom of the instructional materials and facilities requirements.

Collect data regularly by:

- Requiring each district to conduct facilities inspections of all schools;
- Requiring a statewide facilities assessment to determine the capacity, usage and present physical status of all schools in deciles 1-3; and
- Determining the extent to which ELLs are taught by teachers with appropriate credentials through School Accountability Report Cards and County Superintendent reviews.

Verify the data by:

- Requiring County Superintendents to visit each decile 1-3 school in the county (25% of visits must be unannounced) to determine, among other things, compliance with standards regarding instructional materials and facilities, whether appropriately credentialed teachers instruct ELLs and whether the school's School Accountability Report Card (SARC) accurately reports this data; and
- Requiring the annual audit to include verification of textbook information, teacher misassignments and the accuracy of other information reported on the SARC. (A school that produces an inaccurate SARC will be ineligible for State reimbursement for preparing that SARC.)

Report the data to the public by:

- Requiring County Superintendents to report on the conditions they find in their mandated visits to decile 1-3 schools to the governing boards of the relevant local school districts and boards of supervisors;
- Standardizing textbook, facilities and new teacher information (including ELL teacher information and teacher vacancies) in School Accountability Report Cards; and
- Requiring periodic reports be prepared by districts operating schools on Concept 6, and making these available to the public.

Require a uniform complaint process in every district that allows students, parents and teachers to complain about inadequate instructional materials, teacher vacancies and misassignments, and emergency facilities problems.

Intervene if the standards are not met re:

- Textbooks by requiring County Superintendents to give districts an opportunity to satisfy the standard, then to request the State to purchase books itself for students who need them and require the district to repay the State.
- Facilities **by providing for appeals to the State Superintendent of Public Instruction if facilities complaints by students, parents or teachers under the new uniform complaint process are not satisfied at the district level.**
- Teachers **by empowering County Superintendents and intervention teams to assign Fiscal Crisis and Management Assistance Teams (FCMATs) to review and make recommendations regarding district teacher hiring practices, and requiring districts to follow those recommendations.**
- Concept 6 by requiring the State Board of Education to intervene with respect to a district that it believes cannot otherwise eliminate Concept 6 by 2012.

Provide additional assistance to low performing schools to improve by:

- Requiring schools in the HPSGP program to discuss in their action plans how they will provide highly qualified teachers, textbooks, appropriately credentialed teachers for ELLs and facilities in good repair;.
- Expanding training of principals on recruiting and retaining teachers; and
- Requesting that schools in deciles 1-3 have the first opportunity to review resumes of credentialed teachers seeking employment in the district.

Improve the teacher supply by streamlining requirements for out-of-state credentialed teachers to earn California credentials.