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# *Williams v. California:* The Statewide Impact of Implementation

Brooks M. Allen

CTC Meeting  
Sacramento, CA  
January 29, 2009

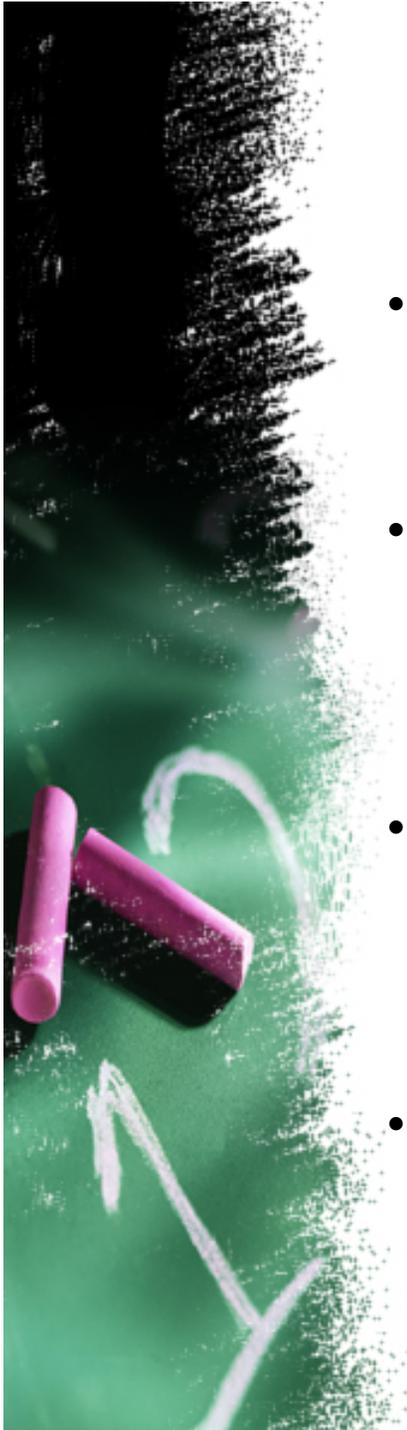


# “Schools that Shock the Conscience”

- **May 17, 2000**  
46<sup>th</sup> Anniversary of  
*Brown v. Board of Education*
- Class-action lawsuit filed by ACLU, civil rights groups, and attorneys on behalf of students from 18 schools located throughout California.
- Charged State of California with failing to fulfill its constitutional obligation to provide all students with the bare essentials necessary for education.
- Charged California with violating state and federal requirements that equal access to education be provided without regard to race, color, or national origin.

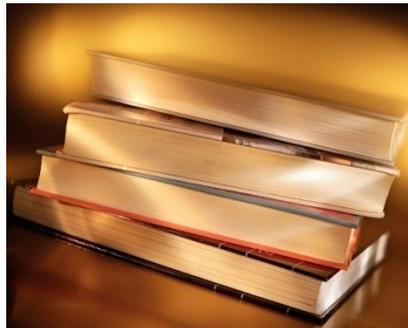


Press Conference to announce filing of  
*Williams v. California*



# Lack of Materials and Basic Resources

- Too few textbooks or other necessary instructional materials
- Outdated or defaced textbooks
- Lack of lab science equipment
- No homework due to lack of materials





# Degraded, Unhealthy, and Unsafe Facilities and Conditions

- Broken or nonexistent AC or heating systems; extremely hot or cold classrooms
- Unrepaired, hazardous facilities, including broken windows, walls, and ceilings; leaky roofs and mold
- Locked, non-functioning, or disgustingly dirty bathrooms

# Degraded, Unhealthy, and Unsafe Facilities and Conditions



Luther Burbank Middle School  
San Francisco, CA

Jefferson High School  
Los Angeles, CA



# Degraded, Unhealthy, and Unsafe Facilities and Conditions



Mark Keppel High  
Monterey Park, CA



Luther Burbank Middle School  
San Francisco, CA



# Lack of Qualified Teachers

- As few as 13% of teachers with full teaching credentials
- Chronically unfilled teacher vacancies
- English Language Learners in classes taught by teachers who are not specifically qualified to teach ELLs

# Settlement Agreement

## Aug. 13, 2004

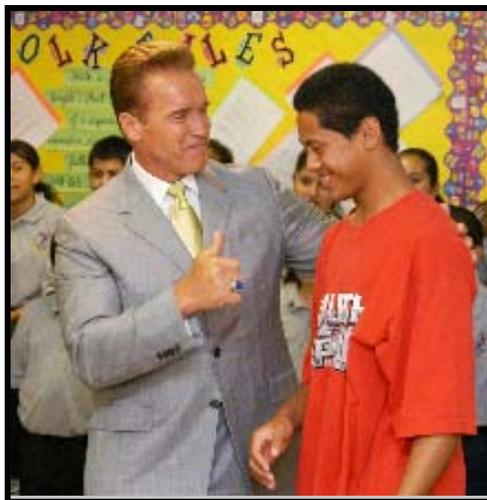
- Established standards
- Created and improved accountability systems
- Provided \$1 billion to help schools meet standards



# Settlement Press Conference



Plaintiff Williams, Gov. Schwarzenegger, and Plaintiff Jones





# Settlement Legislation

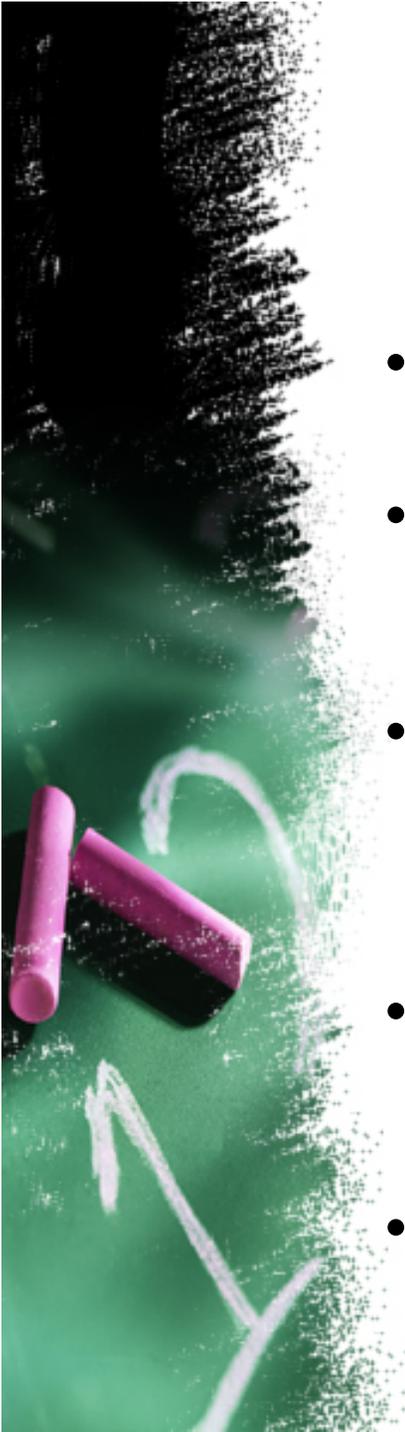
## Sept. 29, 2004

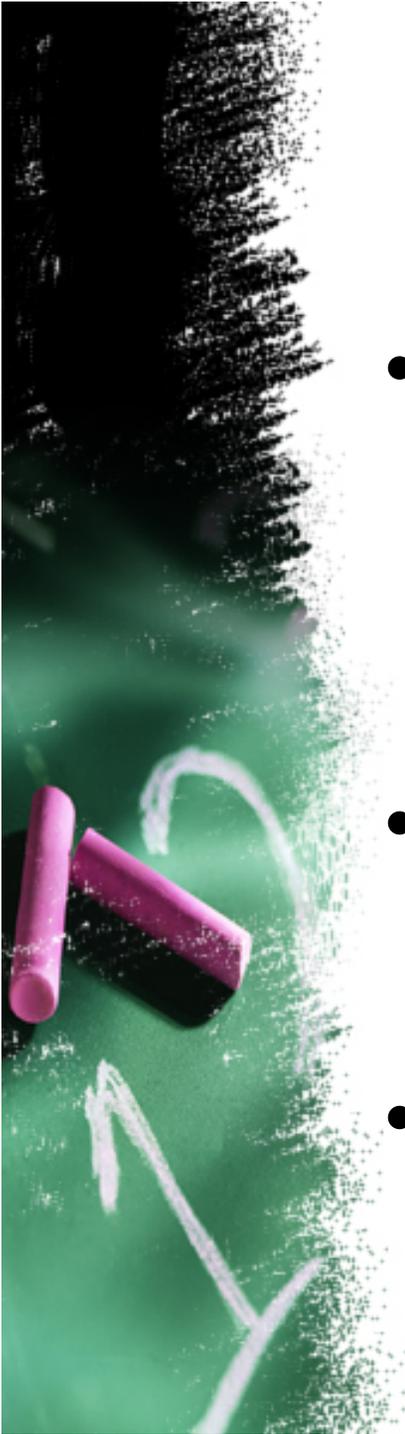
Five bills implemented the Settlement Agreement:

- **SB 550 & AB 2727** (minimum standards re: school facilities, teacher quality, and instructional materials / accountability systems to enforce these standards);
  - **AB 1550** (phase out the use of the Concept 6 calendar by July 1, 2012, and setting benchmarks for districts to reach this goal);
  - **AB 3001** (encouraging placement of qualified teachers in low performing schools; preventing misassignments; and streamlining the process for highly qualified teachers from out-of-state to teach in California schools); and
  - **SB 6** (providing \$800 million for districts to repair facility conditions that threaten health and safety and \$25 million for a one-time comprehensive facilities needs assessment of low-performing schools).
- 

# New Standards

- Apply to all schools
- “Good repair” requires that “the facility is maintained in a manner that assures that it is clean, safe, and functional”
- Each pupil must have “sufficient” instructional materials: a textbook or instructional materials, or both, to use in class and to take home.
- Definitions for teacher “misassignments” and “teacher vacancies”
- Phase out Concept 6 (163 days, not 180) by 2012





# Accountability Systems

- District self-evaluations:  
Textbook hearings, facilities inspection systems, and School Accountability Report Cards (subject to audit)
- Parent and Student Involvement:  
the Uniform Complaint Process
- Additional oversight of low performing schools by county superintendents

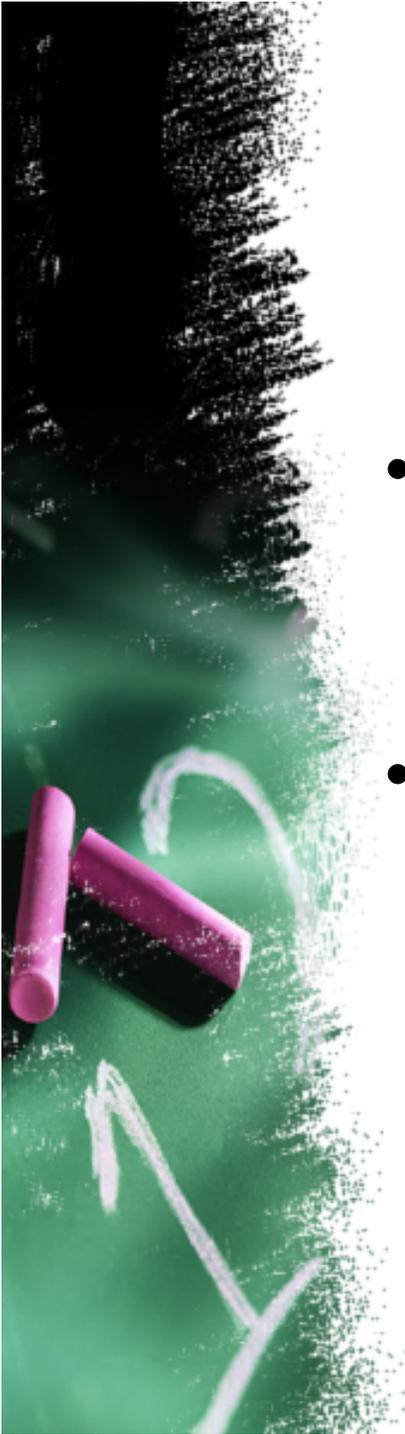


**Students, Teachers, Parents & Guardians:**

**Pursuant to California *Education Code* Section 35186, you are hereby notified that:**

- 1. There should be sufficient textbooks and instructional materials. That means each pupil, including English learners, must have a textbook or instructional materials, or both, to use in class and to take home.**
- 2. School facilities must be clean, safe, and maintained in good repair.**
- 3. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners if present.**
- 4. A complaint form may be obtained at the school office, district office, or downloaded from the school's Web site at (*Web site address*). You may also download a copy of the California Department of Education complaint form from the following Web site:  
<http://www.cde.ca.gov/eo/ce/wc/index.asp>.**



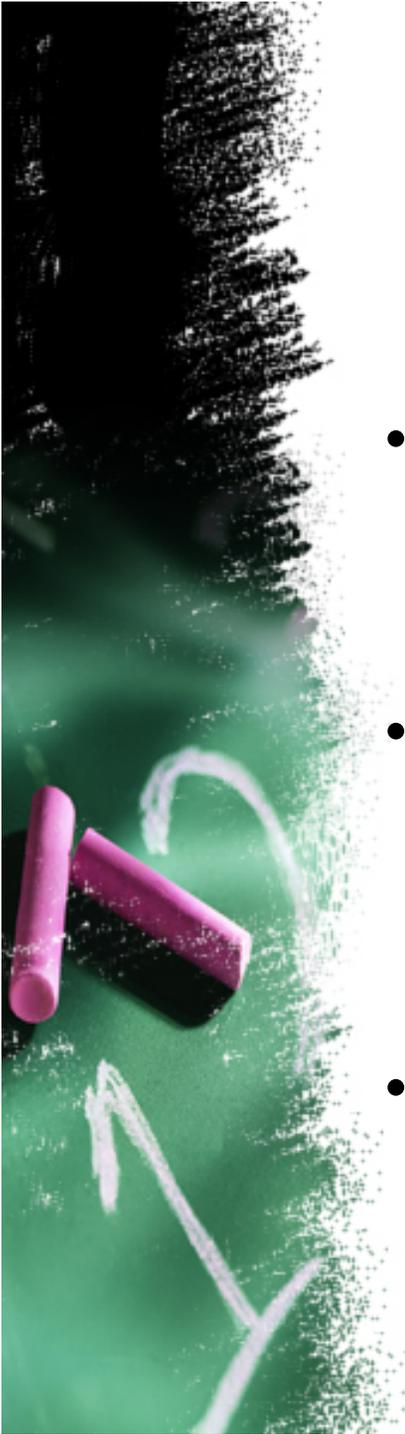


# County Superintendent Misassignment Reviews

- Annually review and correct teacher misassignments in decile 1-3 schools (2006 API) and schools likely to have problems.
- Includes review and correction of misassignments of teachers who are assigned to teach English Language Learners and lack the proper training and authorization.

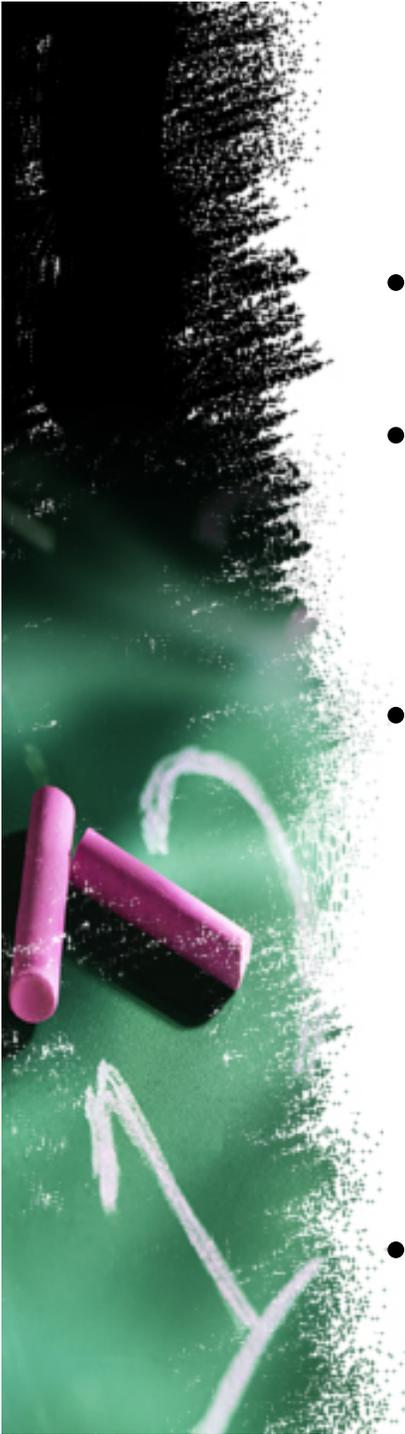
# The Impact of Implementation





# Instructional Materials

- Improved ordering, inventory, distribution, and tracking systems – textbook hearing surveys, etc.
- Avg. percentage of decile 1-3 schools with insufficient instructional materials fell from **20% in 2004-05 to 13% in 2005-06 – 100% remedied.**
- **Over 88,000** books were ordered or distributed in first two years, after initial remedies



# Facility Conditions

- Increased attention to facilities needs at all levels
- Numerous needed repairs identified and addressed through needs assessments, **district reviews with FIT**, and county superintendent visits.
- On average, COEs found **8% of decile 1-3 schools** visited suffered from **emergency facilities conditions**, including broken windows, hazardous materials, structural damage and dry rot, an electrical power failure, blocked emergency exits, missing fire extinguishers, major septic and sewer problems, major pest infestations, and a gas leak.
- 42% of COEs found fewer dec 1-3 schools with deficiencies during second year visits

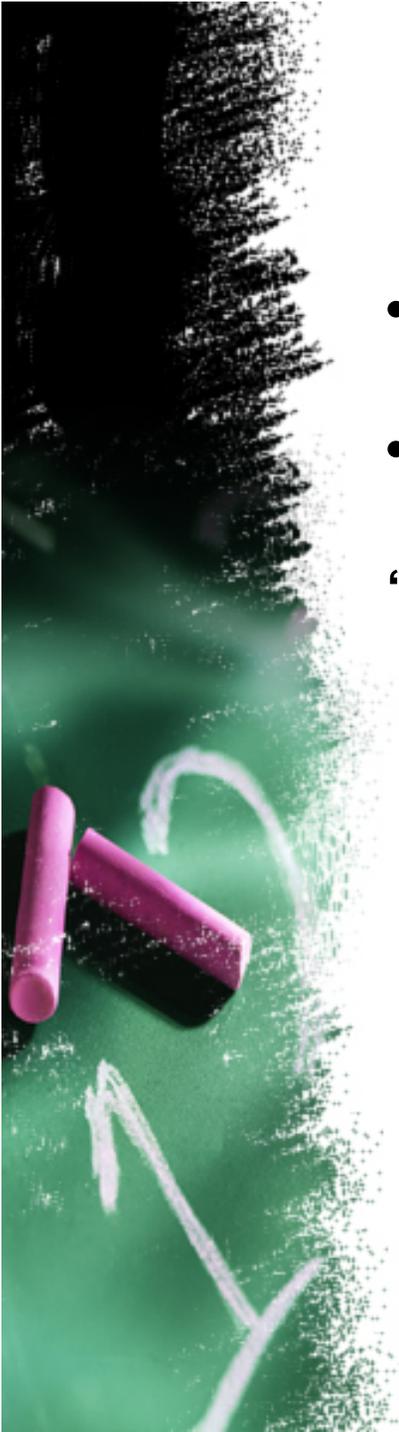


# Emergency Repair Program

- **5876 project funded so far (\$281 million)**
- **2314 projects pending (\$765 million more)**

**For regulations, audit guide, FAQs, forms, and current workload lists, visit:**

[www.opsc.dgs.ca.gov/Programs/SABPrograms/ERP.htm](http://www.opsc.dgs.ca.gov/Programs/SABPrograms/ERP.htm)



## Teacher Misassignments

- New focus on misassignments, particularly for ELLs
- More teachers receiving necessary training

**“The *Williams* settlement created a new focus in the review of English learner assignments resulting in better identification of teachers that lacked the authorization to provide instructional services to English learners. The significant rise in numbers for this report cycle as a result of the more rigorous monitoring conducted by the county offices is viewed as a positive outcome of the *Williams* settlement.”**

Purdue, Roxann. Assignment Monitoring of Certificated Employees in California by County Offices of Education 2003-2007, A Report to the Legislature, California Commission on Teacher Credentialing, August 2008:

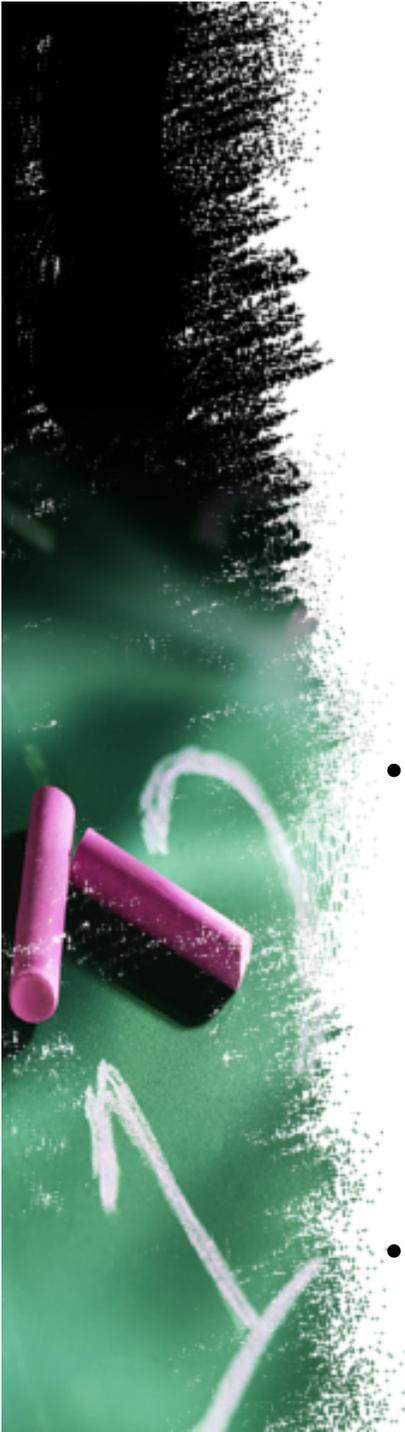
<http://www.ctc.ca.gov/reports/AMR-090108.pdf>

# Teacher Misassignments – Four Year Cycle

Table A.1. Percentage of ELD/SDAIE Misassignments, 1999-2003 and 2003-2007

Year	Total Number of Assignments Monitored	Total Number and Percent of Misassignments Identified	Number and Percent of ELD/SDAIE of all Misassignments
1999-2003	363,000	9,112 (2.51%)	1,458 (16%)
2003-2007	353,368	22,352 (6.33%)	11,807 (53%)

- “The majority of this increase can be attributed to the focus on monitoring the assignments of teachers of English Learners and identifying the teachers who lack the appropriate English learner authorization resulting from the *Williams* settlement. As a result of this in-depth monitoring, the Commission has seen a sharp increase in the number of applications requesting an English learner authorization as more teachers pursue the training necessary for appropriate certification.”
- “the increase appears to be the result of additional scrutiny rather than an increase in actual misassignments”





# Teacher Misassignments – Annual Reviews of Decile 1-3 Schools

A Comparison of Total Decile 1-3 Certificated Staff Monitored Relative to Misassignment,  
2005-2007

	2005-2006	2006-2007	Change Between 2005-2006 and 2006-2007
<b>Total Certificated Staff Monitored</b>	100,868	101,315	<b>0.44%</b>
<b>Total Certificated Misassignments</b>	58,283	11,867	<b>-79.64%</b>
<b>Percentage of Certificated Staff Misassigned</b>	<b>57.8%</b>	<b>11.7%</b>	

- Of the 58,283 decile 1-3 misassignments in 2005-2006, 44,414 (76%) were English learner misassignments.
- Of the 11,867 decile 1-3 misassignments in 2006-2007, 7,563 (64%) were English learner misassignments.



## **Teacher Misassignments – Annual Reviews of Decile 1-3 Schools**

- **“A significant finding in this category is that the SDAIE authorization represented between 90-91% of the total English learner misassignments in both school years.”**
- **“While the total number of misassignments at these school sites decreased dramatically, there was not a corresponding rise in the number of local assignment options....”**

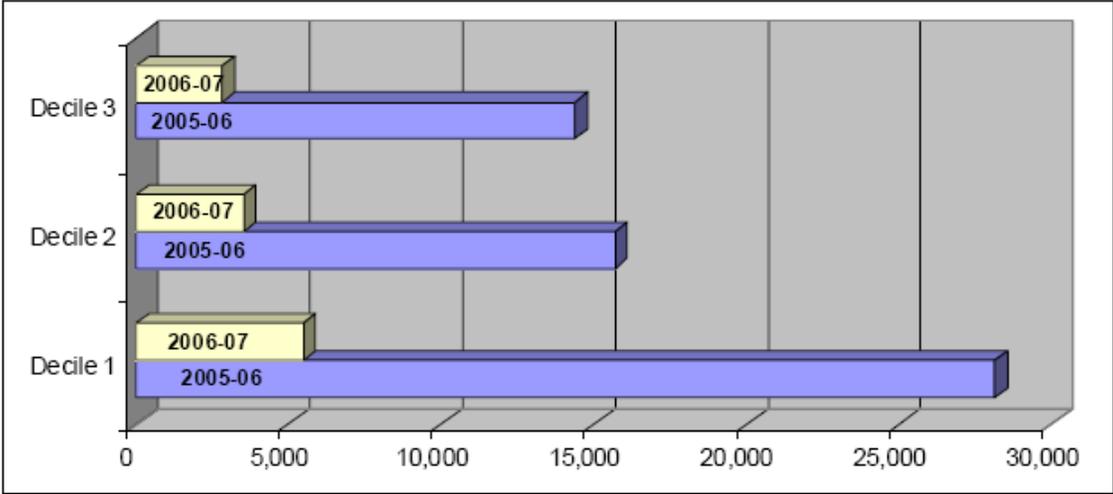
# Decile 1-3 Schools

## Lower Decile Ranking = More Misassignments

Table D: Decile 1, 2 and 3 Certificated Staff Initially Identified as Misassigned, 2005-2007

	2005-2006	2006-2007	% Decrease from 2005-2006 to 2006-2007
Decile 1	28,170	5,498	-80.48%
Decile 2	15,710	3,540	-77.47%
Decile 3	14,403	2,829	-80.36%
Totals	58,283	11,867	-79.64%

Figure 9: Certificated Staff Initially Identified as Misassigned by Academic Year and Decile Rank, 2005-2007



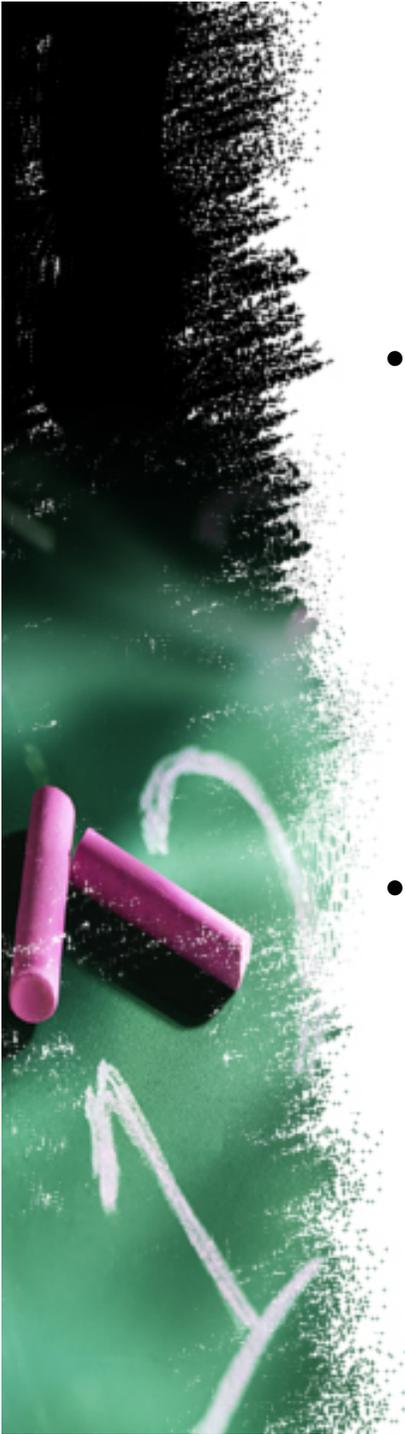
Source: Purdue, Roxann, Assignment Monitoring of Certificated Employees in California by County Offices of Education 2003-2007, A Report to the Legislature, California Commission on Teacher Credentialing, August 2008.

## Decile 1-3 School Classes with 20% or more English Learners

	2004-2005	2005-2006	2006-2007
Total English Learner Enrollment	839,536	839,048	792,864
Total Classes with 20% or more EL students	141,732	151,305	143,645
Total Classes with 20% or more EL students with Teacher holding EL authorization	100,772	131,008	134,102
Total Classes with 20% or more EL students without Teacher holding EL authorization	40,960	20,297	9,545

- **29% of all such classes were taught by misassigned teachers in 2004-05, 13% in 2005-06 and 7% in 2006-07.**





## School Level Progress

- Over the three years of statewide monitoring of decile 1-3 schools, the school with the most misassignments in 20%+ EL classes in any single year experienced the following progress:
  - In 2004-05, **442** of 738 such classes = misassignments
  - In 2005-06, **534** of 980 such classes = misassignments
  - In 2006-07, **26** of 679 such classes = misassignments
- The school with the next highest number of misassignments in 20%+ EL classes in any single year experienced similar progress:
  - In 2004-05, **515** of 1010 such classes = misassignments
  - In 2005-06, **91** of 526 such classes = misassignments
  - In 2006-07, **36** of 867 such classes = misassignments

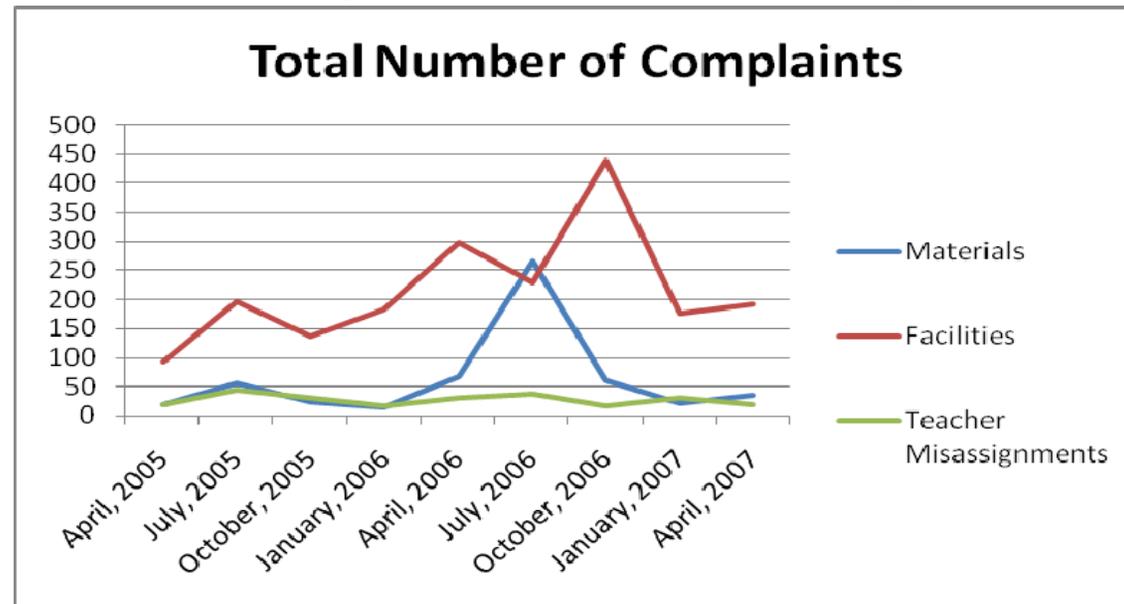


## Looking Ahead...

- **Data used to secure greater focus on attracting and retaining fully qualified teachers at all schools.**
- **List of decile 1-3 schools updated every three years**
- **Annual collection of teacher vacancy data for all districts**
- **Future Modifications to the Assignment Monitoring Report:**
  - **Reports to the Legislature will be provided every two years instead of four**
  - **Data will be aggregated down to the district level for the one-fourth assignment monitoring**
  - **Data for the seven single-district counties monitored by the Commission will be reported in combination with the data reported for all other counties**

# Uniform Complaint Process

- 110 districts surveyed, including the 100 with the highest enrollment in the state (42 reported no complaints)
- 2789 complaints filed in other districts over two years
  - Instructional Materials – 559 (20% of total)
  - Facilities – 1976 (71% of total)
  - Teacher Misassignments – 255 (9% of total)
- Districts self-reported 89% successfully resolved





## School Accountability Report Cards (SARCs)

- All schools – audit compares with complaints, textbook resolution, completed FIT
- August 2008 report from Public Advocates found “dramatic improvement in compliance”
  - In 2005, half of the school districts investigated by Public Advocates were found to have issued their SARCs late, and even more failed to report fully on vital school conditions.
  - In contrast, this year 90 percent of schools published their SARCs on schedule and the overwhelming majority of them did so disclosing all of the data required by law
- Still, “too many schools continue to disregard their duty to provide parents with key data, and too many non-English speaking parents continue to lack timely access to SARCs”

# Observations

- "What we're seeing is that *Williams* can be a force for change. It creates a powerful combination of district self-study supported by county office oversight. I believe the new laws are having their intended effect."
- Dr. Darline Robles, Los Angeles County Superintendent



# DECENT SCHOOLS FOR CALIFORNIA

WILLIAMS V. STATE OF CALIFORNIA

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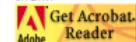
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Documents on this website are available in PDF format. You will need Adobe's free Acrobat Reader to view or print them.



## Settlement Approved

[\(click for information\)](#)

## The Settlement in Action and the New Complaint Process

[\(click for information\)](#)

## Acuerdo Aprobado

[\(oprima aquí para más información\)](#)

## El Acuerdo en Acción y el Nuevo Procedimiento para Hacer Quejas

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### *Williams v. California: The Statewide Impact of Two Years of Implementation*

(report released August 13, 2007; 2.8MB PDF)

[Research Methodology](#)

### *The Williams v. California Settlement: The First Year of Implementation*

(report released December 15, 2005; 3.9MB PDF)

**Should California schoolchildren be taught in crummy, overcrowded schools without enough textbooks and trained teachers?**

**How can we expect students to learn in such schools?**

Far too many California children attend schools that:

- hire too many untrained teachers;
- suffer from serious overcrowding;
- are in terrible shape, with filthy bathrooms, leaky roofs, and heating and cooling systems that do not work; and
- do not have enough textbooks or rely on textbooks that are out-of-date.

Fixing these problems is ultimately the State's job.

That's why we brought this lawsuit -- to achieve decent schools for all California schoolchildren.

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[www.ctc.ca.gov](http://www.ctc.ca.gov) (CTC website)

[www.cde.ca.gov/eo/ce/wc/index.asp](http://www.cde.ca.gov/eo/ce/wc/index.asp) (CDE's *Williams* page)

[www.ccsesa.org](http://www.ccsesa.org) (California County Superintendents Association)

[www.cashnet.org/resource-material/FITGuidebook.pdf](http://www.cashnet.org/resource-material/FITGuidebook.pdf) (FIT Guidebook)

[www.opsc.dgs.ca.gov/Programs/SABPrograms/ERP.htm](http://www.opsc.dgs.ca.gov/Programs/SABPrograms/ERP.htm) (ERP)

[www.opsc.dgs.ca.gov/Programs/SABPrograms/GRS.htm](http://www.opsc.dgs.ca.gov/Programs/SABPrograms/GRS.htm) (Good Repair/FIT)

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