

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

November 16, 2021

FROM

TED ALEJANDRE, County Superintendent, San Bernardino County Superintendent of Schools

SUBJECT

Williams Settlement 2020-21 Annual Report

RECOMMENDATION(S)

Receive the Williams Settlement 2020-21 Annual Report from Ted Alejandre, San Bernardino County Superintendent of Schools, as required pursuant to Section 1240(c)(2)(E)(i) of the Education Code describing the state of the schools in the county that are ranked in Deciles 1-3, currently based on the 2012 Base Academic Performance Index.
(Presenter: Ted Alejandre, County Superintendent, 386-2407)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

The approval of this action is non-financial in nature, and therefore, does not impact Discretionary General Funding (Net County Cost).

BACKGROUND INFORMATION

The *Williams* Lawsuit Settlement, reached and enacted into law in August 2004, has set the standard for providing equitable educational opportunities and closing the achievement gap in San Bernardino County and throughout California. *Williams* legislation has provided an opportunity for county and district superintendents to work collaboratively to support and assist underperforming schools to improve student achievement.

The American Civil Liberties Union filed *Williams v. California* in 2000 on behalf of the plaintiffs – nearly 100 students from San Francisco County – as a class action lawsuit against the State of California and its educational agencies. The basis of the lawsuit was that public-school agencies failed to provide public school students with equal access to instructional materials, safe and clean school facilities, and qualified teachers. The issue of equity for disadvantaged and minority students, particularly in large and urban school districts, was the crux of the case.

The settlement covered four key areas:

- **Instructional Materials:** All students, including English learners, must have sufficient access to standards-aligned instructional materials or textbooks in all core subject areas for use in class and at home.
- **Facilities:** All schools must be safe, clean, and in good repair.

- **Teacher Credentialing and Assignment:** All schools must have teachers that are appropriately certificated for their specific teaching assignment, including English Learner Authorization.
- **Public Reporting:** All schools must include information on the sufficiency of instructional materials, repair of school facilities, and teacher misassignments and vacancies in their School Accountability Report Card (SARC). Additionally, all schools must post a notice in each classroom informing parents and guardians of their right to file a Uniform Complaint regarding instructional materials sufficiency, facilities repair, and teacher vacancy or misassignments.

In 2013-14, the Local Control Funding Formula was implemented and made significant changes to education statute. *Williams* Settlement requirements for all schools remained in effect and were further distinguished as the first of eight state priorities that must be addressed in mandated Local Control Accountability Plans (LCAPs). This means all schools (monitored and those that are not) must continue adhering to *Williams* requirements and all districts must identify and address actions that will be taken each year to achieve and/or correct any deficiencies related to *Williams* compliance in their LCAPs.

The *Williams* legislation also requires county offices to monitor schools ranked in Deciles 1-3 currently determined by rankings on the state's Academic Performance Index (API) reports. 2020-21 was the eighth year of the fourth cohort (typically a three-year monitoring cycle) based on the 2012 API. One hundred and forty-nine (149) schools in San Bernardino County were subject to review and received at least one site visit. Although a new accountability system is in place, the California School Dashboard, Education Code still requires county monitoring based on the 2012 Base API.

Due to the COVID-19 pandemic, all *Williams*-monitored school sites in San Bernardino County, except for Lucerne Valley Elementary School (Lucerne Valley Unified School District), implemented a distance learning model in the first four weeks of the 2020-21 school year. With the passage of Senate Bill 820, San Bernardino County Superintendent of Schools (SBCSS) reviewers conducted the instructional materials review for *Williams*-monitored schools implementing a distance learning model through a site-reported sufficiency review process. In addition, SBCSS reviewers conducted the instructional materials and facilities reviews at Lucerne Valley Elementary School within the first four weeks of their 2020-21 school year. At the conclusion of the instructional materials monitoring process, there were no insufficiencies, meaning any shortage identified at the time of the visitation or during the site-reported sufficiency review process was resolved by the eighth week of school as required in Education Code.

Additionally, the facilities reviews at all *Williams*-monitored schools, except Lucerne Valley Elementary School, were conducted between April 1 and May 7, 2021. Overall, the county review teams found facilities conditions in good repair. Five emergency or extreme conditions were observed (three of which were remedied before the end of the site visit) which included: two cases of exposed broken glass/glass-like material accessible to pupils and staff, two observances of hazardous chemicals and flammable materials not stored properly, and one play/sport equipment posed an extreme safety hazard.

The teacher assignment monitoring review for the 2020-21 fiscal year was postponed by the California Commission on Teacher Credentialing (CCTC) due to changes to Education Code 44258.9. Key provisions effective January 2020 included the monitoring of all California schools on an annual basis; corresponding roles and responsibilities of monitoring authorities; and

partial automation of the monitoring process through the development of the CCTC's California Statewide Assignment Accountability System. The assignment monitoring review for the 2020-21 fiscal year began August 1, 2021 and concluded November 1, 2021.

A separate in-office review was conducted to evaluate each monitored school's SARC for accuracy of information reported to the public pertaining to the sufficiency of instructional materials and the condition of school facilities based on statutory requirements and county monitoring findings. Any inaccuracies observed were communicated and resolved by the conclusion of the review period.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by Finance (Allegra Pajot, Administrative Analyst, 387-5005) on October 21, 2021; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on October 31, 2021.

**Williams Settlement 2020-21 Annual Report
November 16, 2021**

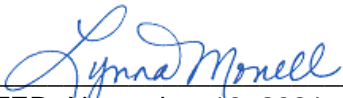
Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Dawn Rowe

Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: November 16, 2021



cc: File - Superintendent of Schools w/attach
CCM 11/24/2021