



California County Superintendents Educational Services Association

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TO: County Superintendents
Williams Lawsuit Settlement Coordinators

FROM Sue Burr, Executive Director
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SUBJECT: Williams Settlement Update:

1. CDE Issues Guidance for Charter Schools/Williams Settlement Participation
2. State Allocation Board Adopts New School Inspection Instrument – the Facility Inspection Tool (FIT)
3. Clarification Provided Regarding Williams Reviews for State-Monitored Schools
4. Facilities Visits are Required for all “Williams” Schools

As a follow-up to questions we received during our Williams training sessions in May and to update you on recent actions by state agencies, we are providing additional guidance below. We hope this clarification will be helpful as county offices of education prepare for the 2007-08 site visits.

1. CDE Issues Guidance for Charter Schools/Williams Settlement Participation

This week the California Department of Education issued a letter to charter schools and charter-authorizers providing an opportunity for eligible charter schools to “opt-in” to the *Williams* settlement. Charter schools that are listed on CDE’s website as being ranked in deciles 1 through 3 on the 2006 base API may opt-in if they do so by **Friday, August 10, 2007**. However, CDE cautions that charter school participation in the *Williams* settlement is an “all or nothing” proposition for a three-year period, and the CDE recommends careful consideration before deciding to opt-in. Please see attached correspondence from Marta Reyes, Director of CDE’s Charter School Division. We will let you know as soon as the charter school participation list is finalized.

2. State Allocation Board Adopts New Facilities Inspection Instrument

On June 27, the State Allocation Board adopted the Facility Inspection Tool (FIT). **Effective immediately** the new form replaces the Interim Evaluation Instrument (IEI) as the instrument that districts and county superintendents must use to determine if a school is in “good repair.” The FIT includes an objective rating system to evaluate fifteen components of a school facility on a scale ranging from good/fair/poor and ranks the overall condition of the school as exemplary/good/fair/poor.

The Office of Public School Construction has posted the FIT and an example of the completed documents on its updated Good Repair website at the following link:

http://www.opsc.dgs.ca.gov/SABPrograms/Good_Repair_Std.htm

3. Clarification Provided Regarding Williams Reviews for State-Monitored Schools

Under current law (Education Code sections 52055.5, 52055.51, and 52055.650), the State Superintendent of Public Instruction, with the approval of the State Board of Education, is required to impose various sanctions on “state-monitored” schools. “State-monitored” schools are those that participate in the Immediate Intervention/Underperforming Schools Program (II/USP) or High Priority Schools Grant Program (HPSGP) and fail to meet their program’s definition of significant growth based on the results of the Academic Performance Index (API). One option is to require the district to enter into a contract with a School Assistance and Intervention Team (SAIT). The purpose of a SAIT is to provide intensive support and assistance to “state monitored” schools focused on improving student learning.

For *Williams* review purposes, the 2006 list of Decile 1–3 schools on the California Department of Education’s website denotes the schools that are considered “state monitored.” These schools are exempt from county superintendent instructional materials sufficiency visits and the annual teacher vacancy/misassignment reviews. (Education Code §§ 1240(i), 44258.9(b)(1)(A)). However, **county superintendents are required to annually visit these schools to determine the condition of facilities.** Furthermore, teacher misassignment reviews are still required for these schools on the standard four-year review cycle.

Please note that the exemptions related to instructional materials and annual assignment/vacancy monitoring **ceases to apply once the school exits “state-monitored” status.** We are working with CDE to establish a process whereby county superintendents are notified when schools are no longer considered “state monitored”.

4. Williams Facility Reviews Are Required for All Decile 1 through 3 Schools

County superintendents are required to annually visit Decile 1 – 3 schools to determine, among other things, the condition of facilities. (Education Code §1240(c)(2)(I)(ii)). Although schools constructed after January 1, 2000 are ineligible for the Needs Assessment Grant and Emergency Repair Funding (See 2 C.C.R. §§1859.311, 1859.321), **county superintendents are still required to visit such schools regardless of the year in which they were constructed.**

If you have questions or need additional information, please call (916) 446-3095 or e-mail sburr@ccsesa.org or edwards@gvtlaw.com.

Attachment