

Date of Hearing: March 26, 2025

ASSEMBLY COMMITTEE ON EDUCATION
Al Muratsuchi, Chair
AB 927 (Sharp-Collins) – As Introduced February 19, 2025

SUBJECT: County superintendent of schools: inspection of public schools

SUMMARY: Extends the time during which the required the inspection of schools eligible for monitoring pursuant to the settlement of *Williams v. State of California* (*Williams* list) established in the 2024-25 fiscal year conducted by the county superintendent of schools to occur from within the first four weeks of the school year to within the eight weeks of the school year. Specifically, **this bill:**

- 1) Requires, for schools that are identified on the list established in the 2024–25 fiscal year by the Superintendent of Public Instruction (SPI) for which the county superintendent is required to inspect annually, and only in the fiscal years in which that list is used, a county superintendent to complete the visit and review by the eighth week of the school year.
- 2) Requires the county superintendent to prioritize reviewing, within that timeframe, schools for which the county superintendent has received information from a survey, a specified filed complaint, or any other reliable source that the school does not have sufficient textbooks, or that a facility of the school poses an emergency or urgent threat to the health or safety of pupils or staff, or is not in good repair.

EXISTING LAW:

- 1) Requires the county superintendent of schools to visit and examine each school in the county at reasonable intervals to observe its operation and to learn of its problems. (Education Code (EC) 1240)
- 2) Requires, commencing with the 2021–22 fiscal year, the SPI to identify a list of schools, which is required to include charter schools, for which the county superintendent, or a designee, is required to inspect annually, and about which the county superintendent, or a designee, is required to submit an annual report, at a regularly scheduled November board meeting, to the governing board of each school district under the jurisdiction of the county superintendent, the county board of education of that county, and the board of supervisors of that county, that describes the state of the schools in the county. (EC 1240)
- 3) Requires the list established in the 2021–22 fiscal year to also be used as the list established in the 2022–23 and 2023–24 fiscal years. Requires the list of schools to be reestablished in the 2024–25 fiscal year and again every three fiscal years thereafter. (EC 1240)
- 4) Requires the *Williams* list to be compiled as follows:
 - a) Include on the list all schools that were most recently identified for comprehensive support and improvement (CSI) and additional targeted support and improvement (ATSI) pursuant to the federal Every Student Succeeds Act (Public Law 114-95) or identified as low performing under the federal Elementary and Secondary Education Act of 1965 (Public Law 89-10), or any subsequent amendments to that act;

- b) Include on the list all schools where 15% or more of the teachers are holders of a permit or certificate, such as a temporary or short-term permit, a substitute permit, a waiver, an intern credential, or any other authorization that is a lesser certification than a preliminary or clear California teaching credential. Requires, with the exception of alternative schools, all schools within a local educational agency (LEA) that fail to meet specified requirements to be included on the list for the applicable reporting cycle; and
 - c) Exclude alternative schools and other schools accepted for participation in the Dashboard Alternative School Status program by the CDE. (EC 1240)
- 5) Requires the annual report to include the determinations for each school made by the county superintendent, or the county superintendent's designee, regarding the status of all of the specified circumstances, teacher misassignments and teacher vacancies. Requires the county superintendent, or the county superintendent's designee, to use a standardized template to report the circumstances, teacher misassignments and teacher vacancies unless the current annual report being used by the county superintendent, or the county superintendent's designee, already includes those details with the same level of specificity that is otherwise required. (EC 1240)
- 6) Requires the county superintendent of the Counties of Alpine, Amador, Del Norte, Mariposa, Plumas, and Sierra, and the City and County of San Francisco to contract with another COE or an independent auditor to conduct the required visits and make all reports required. (EC 1240)
- 7) Requires, on a quarterly basis, the county superintendent, or the county superintendent's designee, to report the results of the visits and reviews conducted that quarter to the governing board of the school district at a regularly scheduled meeting held in accordance with public notification requirements. Requires the results of the visits and reviews to include the determinations of the county superintendent, or the county superintendent's designee, for each school regarding the status of all of the circumstances, teacher misassignments and teacher vacancies. Requires, if the county superintendent, or the county superintendent's designee, conducts no visits or reviews in a quarter, the quarterly report to report that fact. (EC 1240)
- 8) Requires the visits to be conducted at least annually, and consist of not less than 25% unannounced visits in each county. (EC 1240)
- 9) Requires in federal law, each state to use a set of indicators as a means to identify the lowest-performing schools for support and improvement. (Every Student Succeeds Act (ESSA) § 1111, 20 U.S.C. § 1111 et seq. (2015)).

FISCAL EFFECT: Unknown

COMMENTS:

Need for the bill. According to the author, "California's *Williams v. State of California* settlement established fundamental requirements for all schools: well-maintained facilities, qualified teachers, and adequate learning materials. Due to the pandemic, the number of schools requiring *Williams* inspections is projected to grow by approximately 75%, reaching 3,161 schools across California, placing a significant burden on COEs. Rushing through inspections

risks overlooking critical deficiencies in facilities, instructional materials, and teacher assignments—issues that disproportionately impact students in low-income communities. Extending the inspection period from four to eight weeks is essential to ensure thorough evaluations, helping vulnerable students avoid unsafe learning environments and ensuring access to fundamental conditions for learning.”

Williams v. State of California. In 2004, a settlement agreement was reached in the case of *Williams v. State of California*. Five bills implementing the agreement were signed into law by Governor Schwarzenegger, and the court approved the agreement in 2005.

The *Williams* settlement agreement:

- Established minimum standards and accountability systems regarding school facilities, teacher quality, and instructional materials;
- Prohibited the operation of the “Concept 6” calendar program which provided 163 days of classroom instruction, instead of 180 days;
- Required the Uniform Complaint Procedures (UCP) to allow students, teachers, and others to submit complaints about insufficient instructional materials, teacher vacancies and misassignments, and unsafe or unhealthy facilities conditions;
- Required annual inspection visits within the first four weeks of the school year from the county superintendent of schools ranked in deciles one to three of the Academic Performance Index (API) in their counties to determine compliance with the new instructional materials and facilities standards and whether the schools’ School Accountability Report Cards (SARCs) accurately reported this data;
- Required county superintendents of schools to review teacher misassignments;
- Required SARCs to be posted online and in paper form and include accurate and current information regarding sufficiency of instructional materials, the number of teacher misassignments and vacancies, and the condition of school facilities;
- Updated K-12 audits and audit guides; and
- Provided up to \$800 million beginning in the 2005-06 fiscal year for districts to repair facility conditions that threatened health and safety and approximately \$25 million in 2004-05 for a one-time comprehensive facilities needs assessment of schools ranked in the bottom three deciles under the 2003 statewide API. Funding for this program became unrestricted pursuant to SBX3 4 (Chapter 12, Statutes of 2009), enacted in February 2009.

Frequency of inspections. Schools identified are required to be visited by the county superintendent within the first four weeks of the school year. This bill would authorize county superintendents to conduct the inspection of schools on the *Williams* list established in the 2024-25 fiscal year within the first eight weeks of the school year.

In counties with 200 or more schools in the Williams list, county superintendents are authorized to use a combination of visits and written surveys (may include paper, electronic, or online surveys) of teachers for the purpose of determining the sufficiency of textbooks and instructional materials. If a county superintendent elects to conduct written surveys of teachers, the county superintendent is required to visit the schools surveyed within the same academic year to verify the accuracy of the information reported on the surveys.

During the COVID-19 pandemic, many in-person inspection requirements were temporarily waived pursuant to SB 820 (Committee on Budget and Fiscal Review), Chapter 110, Statutes of 2020.

History of changes to the Williams list. SB 114 (Committee on Budget and Fiscal Review), Chapter 48, Statutes of 2023 requires the *Williams* list established in the 2021–22 fiscal year to also be used as the list established in the 2022–23 and 2023–24 fiscal years, using the list of schools identified in the 2019–20 fiscal year for CSI and ATSI, as well as the existing requirement to include schools where 15% or more of the teachers are holders of a permit or certificate, such as temporary or short-term permit, a substitute permit, a waiver, an intern credential, or any other authorization that is a lesser certification than a preliminary or clear California teaching credential. The 2021–24 *Williams* list of schools eligible for monitoring included 1,815 schools. SB 114 further requires the *Williams* list to be reestablished in the 2024–25 fiscal year and again every three fiscal years thereafter.

AB 599 (Jones-Sawyer), Chapter 667, Statutes of 2021, required that the list of schools compiled:

- a) Include all schools, including charter schools, identified for CSI and ATSI pursuant to federal law. For the 2021–22 fiscal year and until a new list of federally identified schools is established, requires the SPI to use the list of schools identified in the 2019–20 fiscal year for comprehensive support and improvement and for additional targeted support and improvement.
- b) Include on the list all schools where 15% or more of the teachers are holders of a permit or certificate, such as temporary or short-term permit, a substitute permit, a waiver, an intern credential, or any other authorization that is a lesser certification than a preliminary or clear California teaching credential.
- c) To exclude alternative schools and other schools accepted for participation in the Dashboard Alternative School Status program by the California Department of Education (CDE).

Prior to AB 599, the criteria for school identification on the *Williams* list included schools performance (deciles 1-3) under the former state accountability metric, the API. The *Williams* list last compiled in 2013 based on the API results included 2,182 schools. Charter schools were not required to be included on the list, but were given the option of participating in visits by the county superintendent.

According to the author's office:

The COVID-19 pandemic's effect on chronic absenteeism rates has increased the number of schools that qualify for ATSI. Therefore, the three-year list of schools identified for

Williams inspections, beginning in the 2025-26 school year, is projected to grow by approximately 75%, from 1,813 schools under the current 2021-24 list, to approximately 3,161 schools.

The criteria under AB 599 identified just over 1,800 schools beginning in 2021–22. The Budget Act of 2023 extended the use of 2021–22 list through the 2024–25 school year. The COVID-19 pandemic’s effect on chronic absenteeism rates has increased the number of schools that qualify for ATSI. Approximately two-thirds of schools in California would have been identified for *Williams* monitoring prior to the Budget Act’s amendment.

A school may also be identified when its local educational agency failed to timely submit California Longitudinal Pupil Achievement Data System (CALPADS) or teacher assignment information to the CDE.

By June 30, 2025, the SPI must establish a new list of schools to be used for a three-year period beginning with the 2025–26 school year.

This increase in identifications will adversely affect the system’s capacity to perform high-quality and meaningful annual inspection visits to each school identified by the current criteria within the current four-week inspection window.

School identification under the Every Student Succeeds Act. The 2018–19 school year was the first time that states were required under the ESSA to determine which schools were eligible for CSI based on the criteria in the ESSA State Plan. Such identification must occur at least once every three years and include at least the lowest performing 5% of all schools receiving Title I funds. In addition, any public high school whose graduation rate has fallen below 67% for three consecutive years will be automatically eligible for CSI, regardless of its Title I status.

The ESSA also requires that states determine which schools are eligible for Targeted Support and Improvement (TSI), based on student group performance. Under California’s ESSA Plan, schools that are not eligible for CSI will be eligible for TSI regardless of their Title I funding status if they have one or more student groups(s) that, for two consecutive years, meet the criteria applied to identify the lowest performing five percent of Title I schools. Normally, TSI eligibility will be determined annually. School identification for ATSI occurs on a three-year cycle. The criteria used to identify schools for TSI and ATSI are essentially identical. A school can only be eligible for one category of assistance. In other words, a school cannot be eligible for CSI and TSI (or ATSI) at the same time. In addition, schools in all three categories have the opportunity each year after their initial identification to exit support and improvement by meeting the exit criteria included in the ESSA State Plan.

Misassignments and the California State Assignment Accountability System (CalSAAS).

Monitoring assignments of teachers involves reviewing all certification and assignment records for all certificated staff in the public schools of California. The monitoring is necessary to determine if educators hold the appropriate credential and authorization for the instruction they are providing or if they are otherwise legally authorized to serve via a permit, waiver, or other local assignment option.

According to a 2019 report by the Learning Policy Institute, *California’s Positive Outliers Districts Beating the Odds*, “The percent of teachers holding substandard credentials is significantly and negatively associated with student achievement. In our analyses, we used

credentialing and experience as proxies for this knowledge and skill base (i.e., whether teachers hold a full credential, rather than an intern credential, temporary or short-term permit, or waiver for their teaching position). We recognize that a concentration of such teachers is also a sign of difficulty recruiting and retaining staff, which may signal broader differentials in teaching and learning conditions as well as teacher quality. Districts that have been able to avoid the effects of the widespread teacher shortages by recruiting and retaining fully prepared teachers are much more likely to produce strong student achievement for African American and Hispanic students as well as for White students.”

The CalSAAS was established by AB 1219 (Jones-Sawyer), Chapter 782, Statutes of 2019. The Commission on Teacher Credentialing developed and implemented a statewide-automated system for the annual monitoring of teacher misassignment in schools, including charter schools, and revised the responsibilities of LEAs for the monitoring of teacher misassignments.

Funding. As a key part of the *Williams* settlement, funds were provided to COEs for oversight purposes, including reviewing, monitoring and reporting on the state of schools ranked in deciles 1 to 3 of the API. Funding was appropriated based on the number of identified schools within a particular county. Funding for this program became unrestricted pursuant to SBX3 4 (Chapter 12, Statutes of 2009). It is likely that the distribution of identified schools has changed since the last appropriation, and the funding levels flexed in 2009 may not match an increased or decreased COE responsibility.

Arguments in support. Public Advocates, California County Superintendents, and the Los Angeles County Office of Education writes, “Our organizations collectively represent the interests of California’s students, including the plaintiff class in the historic *Williams* civil rights settlement, and the county superintendents who are today responsible for conducting credential monitoring and on-site inspections that ensure the proper conditions of school facilities and the sufficiency of instructional materials and textbooks. In 2021, our organizations co-sponsored legislation to update how schools are identified for monitoring (*see* Ch. 667, Stats. 2021).

AB 927 reflects our belief in meaningful and high-quality *Williams* monitoring by county offices of education. Every three years, the State Superintendent of Public Instruction identifies a list of schools for *Williams* monitoring and inspections. Due to the pandemic’s impact on attendance, the schools identified in the forthcoming three-year cycle are projected to grow by an unprecedented 75 percent statewide to a total of 3,161 schools. While every county is estimated to experience an increase in schools identified, 20 of the 58 counties are expected to double the number of schools identified with no additional funding to perform oversight inspections.

AB 927 is critical to addressing this problem. For the list of schools applicable to inspections in the 2025–26 school year, and for the three-year cycle in which that list is utilized, AB 927 provides additional time to perform the oversight activities required under the *Williams* legislation.”

Recommended Committee Amendments. Staff recommends that the bill be amended to add an urgency clause, at the author’s request.

Related legislation. SB 114 (Committee on Budget and Fiscal Review), Chapter 48, Statutes of 2023 requires the *Williams* list established in the 2021–22 fiscal year to also be used as the list

established in the 2022–23 and 2023–24 fiscal years. Requires the *Williams* list to be reestablished in the 2024–25 fiscal year and again every three fiscal years thereafter.

AB 1078 (Jackson), Chapter 229, Statutes of 2023, requires that if a county superintendent of schools determines there are insufficient textbooks or instructional materials, as specified, the county superintendent to provide the school district with the opportunity to remedy the deficiency, and if the deficiency is not remedied the county superintendent is required to request to the CDE to purchase the textbooks or instructional materials necessary to comply with the sufficiency requirement.

AB 599 (Jones-Sawyer), Chapter 667, Statutes of 2021, updates the criteria used to identify schools for inspection by a county superintendent of schools for purposes of the *Williams* settlement regarding the sufficiency of instructional materials and school facilities.

SB 820 (Committee on Budget and Fiscal Review), Chapter 110, Statutes of 2020, temporarily waived many of the *Williams* inspection requirements due to the COVID-19 pandemic.

AB 1716 (Jones-Sawyer) and AB 2472 (Jones-Sawyer) of the 2019-20 Session both would have established a process for identifying schools required to be reported and reviewed by the county superintendent of schools. Both bills were held in the Assembly Education Committee.

AB 1219 (Jones-Sawyer), Chapter 782, Statutes of 2019. This bill requires the Commission on Teacher Credentialing to develop and implement a statewide automated State Assignment Accountability System for annual monitoring of teacher misassignment in schools, including charter schools, and revises local responsibilities for the monitoring of teacher misassignments.

SB 6 (Alpert), Chapter 899, Statutes of 2004, provided up to \$800 million beginning in the 2005-06 fiscal year for districts to repair facility conditions that threaten health and safety and approximately \$25 million in 2004-05 for a one-time comprehensive facilities needs assessment of schools ranked in the bottom three deciles under the 2003 statewide API.

SB 550 (Vasconcellos), Chapter 900, Statutes of 2004. Established minimum standards regarding school facilities, teacher quality, and instructional materials.

AB 1550 (Daucher), Chapter 901, Statutes of 2004. Phased out the use of the Concept 6 calendar by July 1, 2012, and set benchmarks for districts to reach the goal.

AB 3001 (Dymally), Chapter 902, Statutes of 2004. Encouraged the placement of qualified teachers in low performing schools; enhanced an existing oversight mechanism to ensure that teachers are qualified to teach the subject matter to which they have been assigned and to ensure that teachers of English learners are properly trained; and streamlined the process for highly qualified teachers from out of state to teach in California schools.

AB 2727 (Daucher), Chapter 903, Statutes of 2004. Established accountability systems to enforce the new minimum standards regarding school facilities, teacher quality, and instructional materials.

REGISTERED SUPPORT / OPPOSITION:

Support

ACLU California Action
Alameda County Office of Education
California County Superintendents
Los Angeles County Office of Education
Public Advocates

Opposition

None on file

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