



School Business Law Update

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NEW REQUIREMENTS FOR K-12 DISTRICTS IN WILLIAMS CLEAN-UP LEGISLATION

Assembly Bill 831, enacted as urgency legislation effective July 25, 2005, makes a series of changes to the statutes which implemented the settlement of the *Williams* lawsuit. Among them are changes to the requirements concerning uniform complaint procedures, hearings on the sufficiency of textbooks, and the manner of determining sufficiency of textbooks in some counties.

CHANGES TO CLASSROOM NOTICE REQUIREMENTS

Previous *Williams* legislation required districts to use their uniform complaint procedures to help identify and resolve deficiencies relating to instructional materials, conditions of facilities not maintained in a clean and safe manner or in good repair, and teacher vacancies and misassignments. The law required that districts post a notice in each classroom in each school notifying parents that there should be sufficient textbooks or instructional materials, that school facilities should be clean, safe and in good repair, and stating the location where complaint forms can be located. The law neglected to require the notice to address teacher misassignments and vacancies. AB 831 amends Education Code section 35186 to now require the notice to contain a statement informing parents and guardians that there should be no teacher vacancies or misassignments. It also modifies the language in the notice concerning textbooks to be taken home (language stating that students must have textbooks to take home "to complete required homework assignments" was deleted).

The California School Boards Association has revised its sample forms to reflect this change, and Districts are advised to place revised notices in classrooms as soon as possible. However, further changes may be enacted prior to the end of the legislative session which could require additional modifications.

INSTRUCTIONAL MATERIALS HEARINGS

Existing law requires districts to hold hearings to determine whether pupils have sufficient textbooks or instructional materials aligned to content standards in specified subjects, before the end of the eighth week from the first day of school. The law now provides that if the governing board determines there are insufficient textbooks or instructional materials, or both, it must provide information to classroom teachers and the public setting forth, for each school in which an insufficiency exists, the percentage of pupils who lack sufficient standards-aligned textbooks or instructional materials in each subject and the reasons for this. In addition, the board is required to take any action, except an action that would require reimbursement as a state mandate, to ensure each pupil has sufficient textbooks or instructional materials within two months of the beginning of the school year in which the determination is made. (Education Code section 60119). AB 831 specifies that sufficiency of instructional materials is defined as each student having a standards-aligned textbook or instructional materials to use in class and at home, effectively eliminating the ability to use a "class set" of materials.

TIMING AND METHOD OF DETERMINING SUFFICIENCY OF TEXTBOOKS AT *WILLIAMS* VISIT

The law originally required a county superintendent of schools to conduct an annual review of the use of textbooks and instructional materials at schools in deciles 1-3 of the 2003 Academic Performance Index within the first four weeks of the school year. AB 831 modified Education Code section 1240(i) to call for the review to be completed "by the fourth week of the school year," and to permit the use of a combination of visits and written teacher surveys to determine the sufficiency of textbooks and instructional materials in counties with 200 or more schools ranked in deciles 1-3.

If you have any questions concerning these legislative changes, feel free to contact our office or your county superintendent of schools' designated *Williams* liaison.

—*Grant Herndon*

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