

November 30, 2023

Dr. Sabrina Bow, Executive Director
Encore Jr./Sr. High School for the Performing and Visual Arts
16955 Lemon Street
Hesperia, CA 92435

RE: Board Agenda Item: Fiscal Year 2022/2023 Williams Annual Report

Dear Dr. Bow:

Per California Education Code section 1240, San Bernardino County Superintendent of Schools (SBCSS) staff continues to regularly monitor and report on the status of all Williams-monitored schools in the county to ensure compliance with the Williams legislation. Enclosed is a copy of the Williams Annual Report for your district as well as countywide findings by supervisorial district based on the **2022/2023** school year visitation and review findings.

Per Section 1240(c)(2)(A)(i), the annual report shall be submitted to the governing board of each school district, the county board of education, as well as the county board of supervisors at a regularly scheduled November meeting held in accordance with public notification requirements. Please note that the annual report has been submitted to the San Bernardino County Board of Education and the San Bernardino County Board of Supervisors in accordance with this provision. ***Please make sure to include this report as an agenda item for your next regularly scheduled Board meeting.***

As you may know, Education Code 1240 was modified to establish a new list of schools by the State Superintendent of Public Instruction (SSPI) for monitoring beginning with fiscal year 2022/2023 pursuant to Assembly Bill 599 (Chapter 667, Statutes of 2021). Additionally, Senate Bill 114 (Chapter 48, Statutes of 2023) further modified this statute to extend the duration of the new list for monitoring purposes. The list of schools is set to be reestablished by the SSPI in fiscal year 2024/2025 and every three (3) fiscal years thereafter.

Thank you and your staff for the continued efforts and collaboration in support of this important work.

Sincerely,



Ted Alejandre
County Superintendent

Attachment: Fiscal Year 2022/2023 Williams Annual Report

cc: Mr. Chandale Sutton, Board President
Mrs. Patricia Alaimalo, Williams Liaison
Mr. Isaac Newman-Gomez, HUSD Asst. Superintendent - Innovative Technology & Communication
Ms. Jenny Owen, SBCSS Director, Communications and Intergovernmental Relations
Mr. James Fields, SBCSS Senior Manager, Intergovernmental Relations and Communications
Ms. Amanda Shoffner, SBCSS Manager, Credential Services



**Williams Settlement
Fiscal Year 2022/2023
Annual Report**

for

**Encore Jr./Sr. High School for the
Performing and Visual Arts**

November 2023

San Bernardino County Superintendent of Schools Williams Settlement Monitoring Fiscal Year 2022/2023 Annual Report

Preface

The Williams Lawsuit Settlement, reached and enacted into law in August 2004, has set the standard for providing equitable educational opportunities 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 (4) 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, not including charter 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 misassignments or vacancy.

In Fiscal Year 2013/2014, 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.

In Fiscal Year 2021/2022, new criteria were established with the passage of Assembly Bill 599, which replaced the previously used Academic Performance Index, to identify a list of schools, including charter schools, to be monitored by the County Superintendent to ensure Williams Settlement compliance. The criteria included schools identified for comprehensive support and improvement and additional targeted support and improvement pursuant to the Every Student Succeeds Act. In addition, the criteria included schools where fifteen (15) percent or more of the teachers held a permit or certificate lesser than a preliminary or clear California teaching credential. In accordance with Education Code 1240, the list of schools identified is set to be reestablished by the State Superintendent of Public Instruction in Fiscal Year 2024/2025 and every

three (3) fiscal years thereafter. Fiscal Year 2022/2023 was the first year of the fifth cohort. One hundred thirty-three (133) schools in San Bernardino County were subject to review and received at least one site visit.

San Bernardino County Superintendent of Schools review teams conducted the instructional materials and facilities reviews at all monitored schools within their first four weeks of the 2022/2023 school year based on district-specific start dates. At the conclusion of the instructional materials monitoring process, there were two (2) schools with instructional materials insufficiencies, meaning they could not resolve the shortages identified at the time of visitation by the eight-week deadline specified in Education Code.

Overall, the county review teams found facilities conditions to be in good repair. Eleven (11) emergency or extreme conditions were observed: six (6) cases of non-functional air conditioning systems, two (2) instances of play/sports equipment posed an extreme safety hazard, one (1) scenario where exposed broken glass or glass-like material was accessible to pupils and staff, one (1) observance of severe cracks, and one (1) instance where an emergency exit was covered or blocked. Two (2) of the conditions were remedied prior to the end of the site visit.

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. At the conclusion of the SARC review, all inaccuracies observed were communicated to districts/schools and they were provided an opportunity to resolve the inaccuracies. There were two (2) schools with inaccurate SARCs by the conclusion of the review period.

The annual assignment monitoring and review process for Fiscal Year 2022/2023 was significantly delayed due to changes in state reporting deadlines that impacted the new California Statewide Assignment Accountability System monitoring process. The 90-day review period for Fiscal Year 2022/2023 began August 1, 2023, and concluded on November 1, 2023. Due to the conclusion date of this review, the findings were not included in the Fiscal Year 2022/2023 Annual Report.

*SB 6 (Alpert), SB 550 (Vasconcellos), AB 1550 (Daucher), AB 2727 (Daucher), AB 3001 (Goldberg), AB 831 (Committee on Education)

**San Bernardino County Superintendent of Schools
Williams Settlement Monitoring
Fiscal Year 2022/2023 School Year District Summary**

School District	Total Enrollment	Total Schools	Total Williams-monitored Schools	Total Williams-monitored Charter Schools	Total "Good Repair" Facility Deficiencies	Remedied "Good Repair" Facility Deficiencies	Total "Emergency Repair" Facility Deficiencies	Remedied "Emergency Repair" Facility Deficiencies	Instructional Materials Insufficiencies	Inaccurate School Accountability Report Cards	Teacher Vacancies ¹	Teacher Vacancies Filled ¹	Overall Misassignments ¹	Overall Misassignments Corrected During CalSAAS Review ¹
Adelanto Elementary	8,213	16	9	0	69	29	1	1	0	0	N/A	N/A	N/A	N/A
Apple Valley Unified	15,087	16	4	0	21	13	0	0	0	0	N/A	N/A	N/A	N/A
Barstow Unified	6,396	13	8	0	20	12	0	0	0	0	N/A	N/A	N/A	N/A
Bear Valley Unified	2,145	6	2	0	16	11	0	0	0	0	N/A	N/A	N/A	N/A
Chaffey Joint Union High	23,145	12	2	0	125	54	0	0	0	0	N/A	N/A	N/A	N/A
Chino Valley Unified	26,601	36	1	1	30	20	0	0	60	0	N/A	N/A	N/A	N/A
Colton Joint Unified	19,297	29	5	0	53	25	2	0	0	0	N/A	N/A	N/A	N/A
Fontana Unified	34,170	47	1	0	1	0	0	0	0	0	N/A	N/A	N/A	N/A
Helendale	6,824	8	1	1	23	8	0	0	0	0	N/A	N/A	N/A	N/A
Hesperia Unified	25,006	31	9	3	210	28	2	1	33	0	N/A	N/A	N/A	N/A
Lucerne Valley Unified	11,145	11	2	0	8	1	0	0	0	0	N/A	N/A	N/A	N/A
Morongo Unified	7,407	16	7	0	30	11	1	0	0	0	N/A	N/A	N/A	N/A
Needles Unified	955	7	3	0	2	0	0	0	0	0	N/A	N/A	N/A	N/A
Ontario-Montclair	18,471	34	4	0	20	6	0	0	0	0	N/A	N/A	N/A	N/A
Redlands Unified	20,019	28	2	1	15	9	0	0	0	0	N/A	N/A	N/A	N/A
Rialto Unified	24,132	30	11	0	68	29	0	0	0	0	N/A	N/A	N/A	N/A
Rim of the World Unified	2,890	10	1	0	4	1	0	0	0	0	N/A	N/A	N/A	N/A
San Bernardino City Unified	50,434	87	28	4	222	113	3	0	0	1	N/A	N/A	N/A	N/A
San Bernardino County Supt. of Schools	6,461	8	0	2	83	24	0	0	0	0	N/A	N/A	N/A	N/A
Silver Valley Unified	1,949	8	4	0	84	15	2	0	0	0	N/A	N/A	N/A	N/A
Snowline Joint Unified	7,961	12	2	0	7	5	0	0	0	0	N/A	N/A	N/A	N/A
Trona Joint Unified	247	2	1	0	21	10	0	0	0	1	N/A	N/A	N/A	N/A
Upland Unified	10,079	15	2	0	73	39	0	0	0	0	N/A	N/A	N/A	N/A
Victor Elementary	12,420	19	9	0	33	15	0	0	0	0	N/A	N/A	N/A	N/A
Victor Valley Union High	12,105	12	3	0	20	18	0	0	0	0	N/A	N/A	N/A	N/A
Totals	353,559	513	121	12	1,258	496	11	2	93	2	N/A	N/A	N/A	N/A

¹The annual teacher assignment monitoring and review process for the 2022/2023 fiscal year was postponed. The review process began on August 1, 2023, and concluded on November 1, 2023.

**Hesperia Unified School District
Fiscal Year 2022/2023 Williams Annual Report**

School	Total Enrollment	Monitoring Determinant(s)			Total "Good Repair" Facility Deficiencies	Remedied "Good Repair" Facility Deficiencies	Total "Emergency Repair" Facility Deficiencies	Remedied "Emergency Repair" Facility Deficiencies	Instructional Materials Insufficiencies	Inaccurate School Accountability Report Cards	Teacher Vacancies ¹	Teacher Vacancies Filled ¹	Overall Misassignments ¹	Overall Misassignments Corrected During CalSAAS Review ¹
		ESSA Assistance Status 2019	15% or More Teachers Not Credentialed	% Teachers Not Credentialed										
Carmel Elementary	792	ATSI	N/A	0	0	0	0	0	0	0	N/A	N/A	N/A	N/A
Cedar Middle	1,023	ATSI	N/A	0	0	0	0	0	0	0	N/A	N/A	N/A	N/A
Encore Jr./Sr. High School for the Performing and Visual Arts*	630	N/A	Y	0.265	103	5	0	0	33	0	N/A	N/A	N/A	N/A
Eucalyptus Elementary	728	ATSI	N/A	0	2	0	0	0	0	0	N/A	N/A	N/A	N/A
Hesperia Junior High	1,164	ATSI	N/A	0	2	0	0	0	0	0	N/A	N/A	N/A	N/A
Kingston Elementary	784	ATSI	N/A	0	0	0	0	0	0	0	N/A	N/A	N/A	N/A
Lime Street Elementary	860	ATSI	N/A	0	2	0	0	0	0	0	N/A	N/A	N/A	N/A
Maple Elementary	927	ATSI	N/A	0	1	1	0	0	0	0	N/A	N/A	N/A	N/A
Mission Crest Elementary	926	ATSI	N/A	0	8	1	2	1	0	0	N/A	N/A	N/A	N/A
Pathways to College*	372	N/A	Y	0.3	51	11	0	0	0	0	N/A	N/A	N/A	N/A
Ranchero Middle	1,160	ATSI	N/A	0	13	2	0	0	0	0	N/A	N/A	N/A	N/A
Summit Leadership Academy*	224	CSI Grad	Y	0.167	28	8	0	0	0	0	N/A	N/A	N/A	N/A
Subtotals	9,590				210	28	2	1	33	0	N/A	N/A	N/A	N/A

¹The annual teacher assignment monitoring and review process for the 2022/2023 fiscal year was postponed. The review process began on August 1, 2023, and concluded on November 1, 2023.

*District-authorized charter school

Williams Glossary of Terms

Academic Performance Index (API) – A component of California’s Public Schools Accountability Act of 1999 formerly utilized to determine Williams-monitored schools. The API measured the academic performance and growth of schools. The API is no longer calculated due to the launch of the new accountability system known as the California School Dashboard, which has been designed to better measure the State’s educational goals based on a growth model. For more information on the current list of Williams-monitored schools, please see Monitoring Determinant(s).

Additional Targeted Support and Improvement (ATSI) – Pursuant to the Every Student Succeeds Act, a school that is not eligible for comprehensive support and improvement (CSI) and has one or more student group(s) that meet any of the criteria used to determine CSI Low Performing school.

Annual Teacher Assignment Monitoring and Review – An annual review conducted to ensure teachers are appropriately certificated for their specific teaching assignment, including English Learner Authorization. The 90-day review period for the 2022/2023 fiscal year began on August 1, 2023, and concluded on November 1, 2023.

California Statewide Assignment Accountability System (CalSAAS) – As defined by the Commission on Teacher Credentialing, “CalSAAS is a new system of Assignment Monitoring allowing annual monitoring of all certificated educator assignments. CalSAAS works through the comparison of the California Department of Education’s California Longitudinal Pupil Achievement Data System (CALPADS) assignment data and the Commission’s Credential authorization data by educator’s California Statewide Educator Identifier (SEID). Through this comparison the system identifies questionable assignments, referred to as “exceptions,” and provides Local Educational Agencies (LEAs) and County Offices of Education (COEs) with an opportunity to address anomalies, and correct misassignments.”

Comprehensive Support and Improvement (CSI) Grad – Pursuant to the Every Student Succeeds Act, a high school eligible to receive assistance in the CSI category based on low graduation rate.

Comprehensive Support and Improvement (CSI) Low Performing – Pursuant to the Every Student Succeeds Act, a school eligible to receive assistance in the CSI category based on the criteria for lowest-performing school.

Emergency Repair – Structures or systems of a facility are in a condition that poses an emergency or urgent threat to the health and safety of pupils or staff.

Good Repair – Good repair means a facility is maintained in a manner that ensures it is clean, safe, and functional. Good repair status is determined by a school facility inspection and evaluation instrument (known as the *Facilities Inspection Tool* [FIT]) developed by the Office of Public School Construction or a local evaluation instrument that meets the same criteria.

Inaccurate School Accountability Report Card (SARC) – SARCs with outstanding inaccuracies or missing information pertaining to the quality, currency, and availability of sufficient textbooks and/or instructional materials and the safety, cleanliness, and adequacy of school facilities. These areas are reviewed in accordance with the state’s data definitions and the previous year’s Williams visit findings. All California public schools must annually

publish SARCs which contain specific information about themselves to the community allowing the public to evaluate and compare schools for student achievement, environment, resources, and demographics.

Instructional Materials Insufficiencies – The number of insufficiencies identified in the four core subject areas (English language arts, mathematics, science, and history-social science) at each school during the Williams site visit that were not corrected by the eighth week of school. Sufficient textbooks or instructional materials means, “each pupil, including English Learners, has a standards-aligned textbook or instructional materials, or both, to use in class and to take home.”

Local Control Funding Formula (LCFF) – The current K-12 funding system that provides funding to districts based on the demographic profile of the students they serve. Implementation of the formula began in Fiscal Year 2013/2014.

Local Control and Accountability Plan (LCAP) – Required under the LCFF, the LCAP is a locally developed three-year plan that describes how a local educational agency intends to meet annual goals for all pupils, including specific activities to address state and local priorities identified in Education Code.

Local Control and Accountability Plan (LCAP) Priority 1 – One of the state-defined priorities that must be addressed in a local educational agency’s LCAP to capture local measurement of progress for meeting Williams Settlement requirements, including: the degree to which the teachers of the school district are appropriately assigned and fully credentialed in the subject areas, and, for the pupils they are teaching; ensuring every pupil in the school district has sufficient access to the standards-aligned instructional materials; and school facilities are maintained in good repair.

Monitoring Determinant(s) – In 2021/2022, new monitoring criteria was established with the passage of Assembly Bill 599, which replaced the previously used Academic Performance Index, to identify the list of schools, including charter schools, for the county superintendent’s annual Williams Settlement monitoring. The criteria included schools identified for comprehensive support and improvement (CSI) and additional targeted support and improvement (ATSI) pursuant to the Every Student Succeeds Act. In addition, the criteria included schools where fifteen (15) percent or more of the teachers held a permit, certificate, or any other authorization that are lesser certifications than a preliminary or clear California teaching credential. In accordance with Education Code 1240, the list of schools is set to be reestablished by the Superintendent of Public Instruction in the 2024/2025 fiscal year and every three (3) fiscal years thereafter.

The monitoring determinant(s) identified in the Annual Report are as follows:

- **ESSA Assistance Status** – Any school identified as CSI Low Performing, CSI Grad or ATSI.
- **15% or More Teachers Not Credentialed** – “Y” identifies schools that have 15 percent or more teachers not credentialed. “N/A” indicates schools that have not been identified for Williams-monitoring based on this criteria.
- **% of Teachers Not Credentialed** – The percentage of teachers not credentialed at a specific school.

Overall Misassignments – Total vacancies and corrected or uncorrected assignments based on Census Date identified during the Fiscal Year 2022/2023 Assignment Monitoring process utilizing the CalSAAS program. “Misassignment” means the placement of a certificated

employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold (Education Code 35186[h][2]).

Please note more than one misassignment may be identified within a certificated assignment (e.g., a special education teacher lacking authorization for potentially more than one disability). English learners misassignments are one per teacher of record and included with the overall misassignments.

Overall Misassignments Corrected During CalSAAS Review – Total misassignments corrected by the local education agency after Census Date and prior to the monitoring process utilizing the CalSAAS program. “Misassignment” means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold (E.C. 35186[h][2]).

Please note more than one misassignment may be identified within a certificated assignment (e.g., a special education teacher lacking authorization for potentially more than one disability). English learners misassignments are one per teacher of record and included with the overall misassignments.

Remedied “Emergency Repair” Facility Deficiencies – The number of facility deficiencies identified as emergency repair issues that were corrected prior to the completion of the Williams site visit.

Remedied “Good Repair” Facility Deficiencies – The number of facility deficiencies identified as good repair issues that were corrected prior to the completion of the Williams site visit.

Teacher Vacancies – Total number of Fiscal Year 2022/2023 teacher vacancies which are based on SARC data annually reported by local educational agencies to the California Department of Education.

“Teacher vacancy” means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester (E.C. Section 35186[h][3] and C.C.R. Title 5 Section 4600[b]).

Teacher Vacancies Filled – Total number of Fiscal Year 2022/2023 teacher vacancies that were filled after the beginning of the year or semester. “Teacher vacancy” means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester (E.C. Section 35186[h][3] and C.C.R. Title 5 Section 4600[b]).

Per the California Department of Education’s SARC Data Definitions for 2021-2022 regarding teacher vacancies, “Beginning of the year or semester means the first day classes necessary to serve all the students enrolled are established with a single-designated certificated

employee assigned for the duration of the class, but not later than 20 working days after the first day students attend classes for that semester.”

Total “Emergency Repair” Facility Deficiencies – The total number of facility deficiencies identified as emergency repair issues at the time of the site visit.

Total Enrollment – Total enrollment figures for districts overall and individual schools based on the California Department of Education’s Fiscal Year 2022/2023 DataQuest District and School Enrollment Reports.

Total “Good Repair” Facility Deficiencies – The total number of facility deficiencies identified as good repair issues at the time of the site visit.

Total Schools – Total number of schools in each district based on the California Department of Education’s Fiscal Year 2022/2023 DataQuest District and School Enrollment Reports.

Total Williams-monitored Charter Schools – The total number of charter schools within a district identified to receive oversight from the County Superintendent to ensure compliance with the Williams Settlement.

Total Williams-monitored District Schools – The total number of schools within a district identified to receive oversight from the County Superintendent to ensure compliance with the Williams Settlement.

Williams Settlement – The American Civil Liberties Union filed *Williams v. California* 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 issues of equity for disadvantaged and minority students, particularly in large and urban school districts, were the crux of the case.

The Williams Lawsuit Settlement was reached and enacted into law in August 2004. County superintendents must annually monitor and report on the lowest performing schools (based on statewide decile rankings for the 2021/2022 fiscal year) for each of the following 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 SARC. Additionally, all schools, not including charter 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.

Note: All schools, regardless of identification on the monitored schools list, must adhere to Williams requirements.