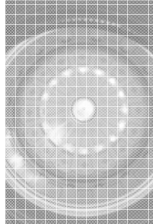




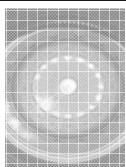
CALIFORNIA'S
COALITION
for ADEQUATE
SCHOOL HOUSING

BE PREPARED: CHANGES IN SACRAMENTO AFFECTING CALIFORNIA AND YOU



Tuesday, Sept. 21, 2004
Doubletree Hotel,
Sacramento

REVIEW OF THE WILLIAMS LAWSUIT



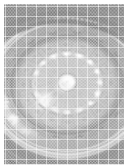
- **Lori Morgan**
Office of Public School Construction



- **Duwayne Brooks**
Murdoch, Walrath & Holmes



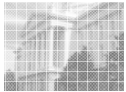
REVIEW OF THE WILLIAMS LAWSUIT



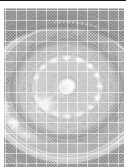
SB 6 – School Facilities



- Establishes the School Facilities Needs Assessment Grant Program and the School Facilities Emergency Repair Account



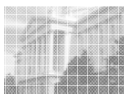
REVIEW OF THE WILLIAMS LAWSUIT



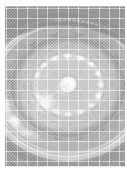
Establishes the School Facilities Needs Assessment Grant Program



- One-time comprehensive assessment of school facilities needs conducted by local school districts and administered by the SAB.
- Applies only to decile 1,2, and 3 schools (based on the 2003 API) that are newly constructed prior to January 1, 2000.



REVIEW OF THE WILLIAMS LAWSUIT



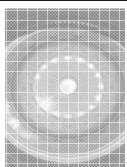
Establishes the School Facilities Needs Assessment Grant Program *(continued)*



- SAB allocates \$10 per pupil in eligible schools. Minimum of \$7,500 for each school site. Appropriates \$25 million from the general fund for this purpose. Any unexpended assessment funds shall be used for repairs identified in the needs assessment.



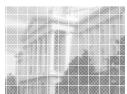
REVIEW OF THE WILLIAMS LAWSUIT



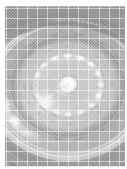
Establishes the School Facilities Needs Assessment Grant Program *(continued)*



- SAB regulations required to be adopted by January 31, 2005 must include a method to ensure independence in the preparation of the needs assessment and the qualifications of the personnel performing the assessment.



REVIEW OF THE WILLIAMS LAWSUIT



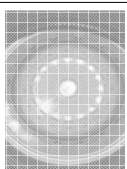
Establishes the School Facilities Needs Assessment Grant Program *(continued)*



- Specifies 12 components that must be in the assessment, including the useful life remaining of all major building systems for each structure housing instructional space, and the estimated costs for five years necessary to maintain functionality of each instructional space to maintain health, safety, and a suitable learning environment.



REVIEW OF THE WILLIAMS LAWSUIT



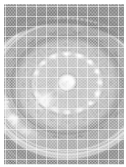
Establishes the School Facilities Needs Assessment Grant Program *(continued)*



- Requires districts to use the assessment as a baseline for the facilities inspection system that will be required to obtain new construction or modernization funding.



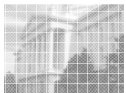
REVIEW OF THE WILLIAMS LAWSUIT



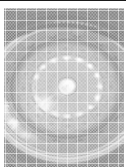
Establishes the School Facilities Needs Assessment Grant Program *(continued)*



- The assessment must be completed by January 1, 2006. A status report must be provided to OPSC (probably in April 2005) to allow OPSC to submit an interim report to the Legislature by June 30, 2005.



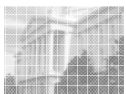
REVIEW OF THE WILLIAMS LAWSUIT



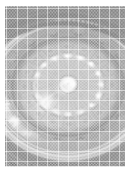
School Facilities Emergency Repair Account



- Allocated to the same decile 1, 2 and 3 schools required to prepare the School Facilities Needs Assessments as reimbursement for repairs to facilities that pose a health and safety threat to pupils or staff.
- Administered by the SAB.



REVIEW OF THE WILLIAMS LAWSUIT



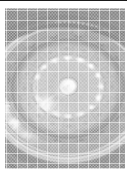
School Facilities Emergency Repair Account *(continued)*



- Commencing with the 2005-2006 Budget Act, transfers the greater of \$100 million or 50% of the unappropriated balance of the Prop 98 Reversion Account to the facilities emergency repair account, until \$800 million is disbursed.
- Funds from this account are to supplement, not supplant existing funds available for maintenance of school facilities.



REVIEW OF THE WILLIAMS LAWSUIT



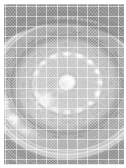
School Facilities Emergency Repair Account *(continued)*



- The SAB may deny funding to a district that fails to exercise due diligence in maintaining its facilities that pose a threat to health and safety.
- Defines “emergency facilities needs” as structures or systems that pose a health and safety threat to pupils or staff.



REVIEW OF THE WILLIAMS LAWSUIT

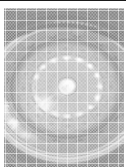


School Facilities Emergency Repair Account *(continued)*

- Requires SAB to adopt emergency regulations by January 31, 2005, including the qualifications of the personnel performing the needs assessment and a method to ensure their independence.
- Appropriates \$5 million from the general fund for grants to school districts to meet emergency repair costs.



REVIEW OF THE WILLIAMS LAWSUIT

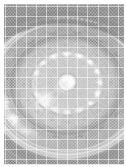


SB 550 – Accountability

- County Superintendent annually must review the condition of schools ranked in deciles 1, 2 or 3 based on the 2003 API, to determine the condition of a facility that poses an emergency or urgent threat to the health or safety of pupils or staff.



REVIEW OF THE WILLIAMS LAWSUIT

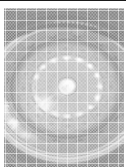


SB 550 – Accountability *(continued)*

- Following the 2004-05 fiscal year to receive SFP new construction or modernization funds each school must develop a School Facilities Inspection System. Components of the system are not defined other than the system must ensure the facilities are maintained in “good repair.”



REVIEW OF THE WILLIAMS LAWSUIT

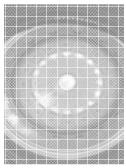


SB 550 – Accountability *(continued)*

- Requires OPSC by January 25, 2005 to develop an interim evaluation instrument for determining “good repair.”
- Requires OPSC by December 31, 2005 to report to the Legislature and the Governor on the options for a State standard for “good repair.”
- By September 1, 2006, the Legislature and Governor must establish in statute a State standard for “good repair.”



REVIEW OF THE WILLIAMS LAWSUIT

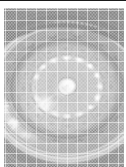


SB 550 – Accountability *(continued)*

- Adds requirement to include in the School Accountability Report Card the condition of school facilities.
- As of January 1, 2005, requires every school district to use the uniform complaint process for complaints regarding emergency or urgent facility problems.



REVIEW OF THE WILLIAMS LAWSUIT

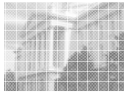
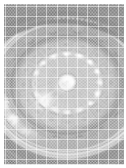


SB 550 – Accountability *(continued)*

- Establishes time lines for responding to complaints, and a process for unresolved complaints regarding facilities that pose an “emergency or urgent threat” to be appealed to the SPI.
- Requires a notice be posted by January 1, 2005 in all classrooms notifying parents that facilities must be clean, safe and in good repair (as defined above).



REVIEW OF THE WILLIAMS LAWSUIT

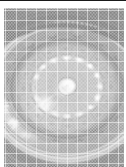


SB 550 – Accountability *(continued)*

- Includes language stating that the intent of the Legislature and Governor in enacting this legislation is to establish these as minimum thresholds for school facilities which are intended to be a floor, rather than a ceiling, and a beginning, not an end to the State's commitment to ensure all pupils have access to the basic elements of a quality public education.



REVIEW OF THE WILLIAMS LAWSUIT

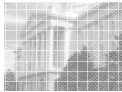
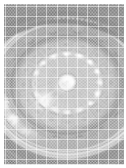


AB 1550 – Concept 6

- Eliminates Concept 6 no later than July 1, 2012.
- Commencing with the 2004-2005 school year, a district or school may not operate Concept 6 unless the district or school operated Concept 6 continuously since the 2003-2004 school year.
- Requires Concept 6 district to prepare a comprehensive action plan detailing the steps it will take to eliminate Concept 6.



REVIEW OF THE WILLIAMS LAWSUIT

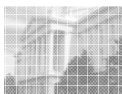
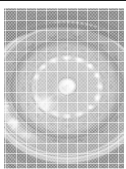


AB 1550 – Concept 6 *(continued)*

- Establishes requirements and timelines to report the status of eliminating Concept 6.
- Establishes penalties for failure to make progress in eliminating Concept 6, including the assignment by the State Board of Education of a monitor to oversee the district's planning and implementation of its school construction program.



REVIEW OF THE WILLIAMS LAWSUIT



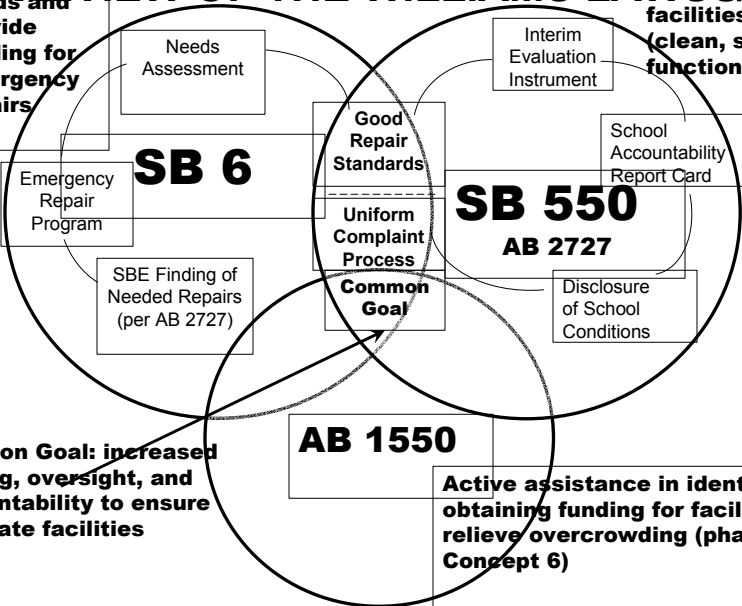
AB 1550 – Concept 6 *(continued)*

- Makes Concept 6 schools eligible for COS funding.



REVIEW OF THE WILLIAMS LAWSUIT

Identify the needs and provide funding for emergency repairs **Create standards to evaluate facilities (clean, safe and functional)**



Needs Assessment

Interim Evaluation Instrument

Emergency Repair Program

Good Repair Standards

School Accountability Report Card

SBE Finding of Needed Repairs (per AB 2727)

Uniform Complaint Process

Disclosure of School Conditions

Common Goal: increased funding, oversight, and accountability to ensure adequate facilities

Active assistance in identifying and obtaining funding to relieve overcrowding (phase out Concept 6)