

# WHAT IS *Williams v. California?*

On May 17, 2000, the American Civil Liberties Union (ACLU), along with other civil rights organizations, filed a lawsuit against the State of California because of the terrible conditions in many of its public schools (the *Williams v. California* case). Parents, students, and teachers argued that the State is failing to provide thousands of public school students, particularly those in low-income communities and communities of color, with the basic necessities required for an education.

They argued that the State's failure to provide these bare minimum necessities to all public school students in California violates the state constitution, as well as state and federal requirements that all students be given equal access to public education without regard to race, color, or national origin.

In August 2004, a settlement (legal agreement) was announced. The settlement requires that all students have books and that their schools be clean and safe. It takes steps to make sure that students have qualified teachers and that schools deliver these important resources to students. The settlement provides nearly \$1 billion to accomplish these goals.

For more info, please visit  
[www.decentschools.org](http://www.decentschools.org)  
and  
[www.aclu-sc.org](http://www.aclu-sc.org)

All public school students, parents,  
and teachers will be affected by  
this settlement.

## FAQs

**Q. Can anyone file a complaint?**

A. Yes. Any person or organization may file a complaint.

**Q. Do I have to put my name on my complaint?**

A. No. However, if you want the principal or district official to report to you how the problem was fixed, you must include your name and contact information.

**Q. Do I have to use a particular form to file a complaint?**

A. No. Each school must have complaint forms available, but you do not need to use them. For a model complaint form, visit [www.decentschools.org](http://www.decentschools.org) or call the toll-free phone number below to request one.

**Q. What days are not "working days"?**

A. Weekends and holidays.

**Q. How can I find out who my County Superintendent is and how to contact him or her?**

A. Visit [www.ccsesa.org](http://www.ccsesa.org) and click the "County Superintendents" link, or call the toll-free number below.

**Q. Who can I contact if I want more information or would like help filing a complaint or an appeal?**

A. Call toll-free 1-877-532-2533 or email  
Brooks Allen [ballen@aclu-sc.org](mailto:ballen@aclu-sc.org) or Teresa Virgen  
[tvirgen@aclu-sc.org](mailto:tvirgen@aclu-sc.org)



ACLU FOUNDATION OF SOUTHERN CALIFORNIA

1616 BEVERLY BLVD. LOS ANGELES, CA 90026  
PHONE (213) 977-9500 FAX (213) 250-3980  
[WWW.ACLU-SC.ORG](http://WWW.ACLU-SC.ORG)

# KNOW YOUR RIGHTS

YOU HAVE THE RIGHT  
TO A CLEAN AND  
SAFE SCHOOL

YOU HAVE THE RIGHT TO  
HAVE A BOOK TO USE  
IN CLASS AND TO TAKE  
HOME FOR HOMEWORK

YOU HAVE THE RIGHT TO  
A QUALIFIED TEACHER

*This brochure explains  
how to use the new  
Williams complaint process  
to enforce these rights.*

*WILLIAMS v. CALIFORNIA*

CURRENT AS OF APRIL 20, 2005

# NEW COMPLAINT PROCESS

Cal. Education Code Section 35186

You can file a complaint with your school if:

- (1) You do not have a book or instructional materials to use in class and to take home to complete homework assignments; or
- (2) The condition of a school building or facility creates an emergency or urgent threat to the health and safety of students or persons working at the school; or
- (3) You do not have a permanent teacher assigned to your class at the beginning of the semester, or your teacher is not qualified to teach your class.

If you file a complaint, the principal must investigate and fix the problem within 30 working days. If the principal does not have authority to fix the problem, she or he must forward the complaint to the school district. The district must then provide a solution within 30 working days of receiving the complaint (but no later than 40 working days after you first filed your complaint with the principal).

If you put your name on your complaint and ask for a response, the principal or district official must report to you within 45 working days how the problem was fixed. If you are worried about giving your name, you may file an anonymous complaint, but you will not receive a response.

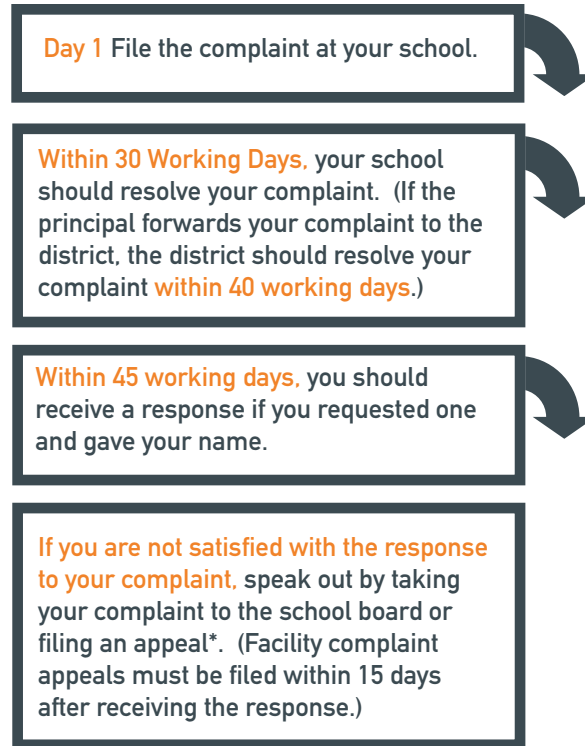
If you are unsatisfied with the response to your complaint (from the principal or district), you may:

- (1) speak at a school board meeting to explain why the resolution was unsatisfactory and request that the board take action; and
- (2) file an appeal\* with the State Superintendent of Public Instruction if your complaint involves an emergency or urgent threat related to school facilities.

# HOW TO FILE A COMPLAINT

1. Find a complaint form: By law, a NOTICE should be posted in each classroom informing you of these rights and where to find complaint forms.
2. Fill out the form: Add additional pages if necessary. Include your name if you want to be informed of the action taken.
3. Turn in the complaint form: The form should tell you where to turn it in. Send a copy to your County Superintendent (see FAQs) and make a copy for your records, if possible.

## Williams COMPLAINT TIMELINE



\*Please contact us if you would like help with filing an appeal.

# POSSIBLE REASONS FOR FILING A COMPLAINT

(Note: These are examples, not the only possible reasons.)

## INSUFFICIENT TEXTBOOKS/INSTRUCTIONAL MATERIALS

- You don't have a book to use in class, or you have to share a book.
- You don't have a book to use at home for homework.
- Your book is in poor condition, missing pages, or so damaged that you can't read it.

## EMERGENCY OR URGENT FACILITIES CONDITIONS THAT POSE A THREAT TO HEALTH AND SAFETY

- The heating, ventilation, fire sprinklers, or air-conditioning systems don't work.
- The school is infested with rats and/or other pests and vermin.
- School windows are broken or exterior gates will not lock and pose a security risk
- Buildings are damaged, creating a hazardous or uninhabitable condition.

## TEACHER VACANCIES OR MISASSIGNMENTS

- The semester begins and a permanent teacher is not assigned to teach the class for the entire semester.
- A teacher is assigned to teach a class for which the teacher lacks subject matter competency.
- A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner students in the class.