

Sacramento City Unified School District
Board of Education Meeting

November 5, 2020 Public Comments

Name:	Amanda Connolly
Comment:	Good evening and thank you. Gavin Newsom's children are safely returning to their school this month and planning to be full time in person next month at the private school Gavin Newsom sends his kids too. If they can safely return to school so can we. The only difference between their school and our schools are the SCTA and politics. Our kids need to be back in the classroom yesterday, you all need to make it happen. I've encouraged my cousin who just moved here to avoid the SCUSD area, for her daughter's sake, at all costs. If private school teachers can safely return, we can too IF it's what we actually want to do.

Speaking as: Parent/Guardian

Email

Tel:

Date/time Stamp: 11/3/2020 9:21:57 AM

Sacramento City Unified School District
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Name:	Alex Read
Comment:	Schools need to re-open. My kids are falling behind standards, and so are many others. Other schools are opening up and have been open for some time. We love where we live but we are looking at moving just to go to school. There needs to be a plan for re-opening communicated with the parents ASAP. If teachers and some students don't feel safe they can continue online. If you are low on teachers because of the union there are many of us who would be happy to help and go into the classroom if you grant us emergency credentials. Please re-open our schools. The kids need real schooling!

Speaking as: Parent/Guardian

Email

Tel:

Date/time Stamp: 11/3/2020 9:40:03 AM

Sacramento City Unified School District
Board of Education Meeting

November 5, 2020 Public Comments

Name:	Amanda Connolly
Comment:	I'd like to commend the nutrition services staff at Abraham Lincoln elementary for their speedy and streamlined service. As difficult as it can be with 3 kids during this mess, having a quick lunch delivery helps. For any parents still having difficulties scheduling food services between school and work schedules, check neighboring districts like San Juan because they serve food to any children 18 or younger just like SCUSD. Some of them have twice daily service so you could even pick it up daily, before school starts at some sites.

Speaking as: Parent/Guardian

Email

Tel:

Date/time Stamp: 11/4/2020 7:31:45 PM

Sacramento City Unified School District
Board of Education Meeting

November 5, 2020 Public Comments

Name:	Shannon Schmidt
Comment:	<p>Dear Valued School Board Members, November 5, 2020</p> <p>It's been a busy and productive couple of weeks here at the California Montessori Project, Capitol Campus! While we have been continuing implementing our program using a Distance Learning model, teachers have also been diligently preparing for and conducting our first trimester parent teacher conferences via Zoom. These conferences are particularly noteworthy this year, as our teachers are introducing our new Standards Based Report Cards to families for the very first time.</p> <p>Over the past three years, the CMP network has worked diligently to create curriculum guides that align the California Common Core State Standards (CA CCSS), Montessori Curriculum, and Ready Math Curriculum together. To further support this change, CMP made the decision to change our report cards for our 1st-6th graders to Standards Based Report Cards. As we near the end of our conference week, I'm pleased to share that I'm hearing many positive reports from teachers about the experience of both using and sharing our new report cards. We are grateful for our amazing staff and parent community!</p> <p>We wish you well and appreciate you taking the time to hear our periodic updates.</p> <p>Sincerely,</p> <p>Shannon Schmidt, Dean of Students at the CMP Capitol Campus</p>

Speaking as: Dean of Students at the Californai Montessori Project Capitol Campus

Email

Tel:

Date/time Stamp: 11/5/2020 11:03:08 AM

Item 8.0 General Public Comment (10 minutes for combined time)

November 5, 2020

Dear President Ryan, Superintendent Aguilar, and Members of the Board:

Everyone sitting on this Board, or wanting to sit on this Board, should know that this District has been discriminating against students with disabilities for over 25 years. In 1994, the 9th Circuit Court of Appeals told this District that you need to provide a quality education to Rachel Holland and all other students with disabilities in classrooms alongside their nondisabled peers. This District, this Board, ignored that command. Over the years, the District expanded the number of segregated classrooms for students with disabilities. In 1996, the board and SCTA agreed to Appendix D of the collective bargaining agreement, unlawfully allowing teachers to decide whether or not to serve students with disabilities or participate in developing their educational plan. MOUs between former superintendents and SCTA restricted assessments and anti-bullying programs that would have improved conditions for students with disabilities. This District and the teacher's union have repeatedly bargained away student's civil rights! The Council of Great City Schools audit in 2017 painstakingly documented all of the ways this District fails over 7,000 students every year by denying them an appropriate education. The pending lawsuit filed by the Black Parallel School District in 2019 relies on some of the audit's data, painting a shameful picture of how this District significantly and disproportionately disciplines students with disabilities, including Black and Brown children.

This. Must. End.

We have been cautiously optimistic that under President Ryan's and Superintendent Aguilar's leadership that strategic steps would be taken to reverse this institutionalized discrimination against our most vulnerable students. We have applauded key hires, improvements in curriculum, the launching of a pilot program to provide students with reading disabilities with evidenced based intervention, and the District-wide implementation of skills assessments to monitor student literacy in kindergarten through third grade. The District has embraced the resources provided by the State to begin the construction of a robust Multi-Tiered System of Supports. We especially congratulate the Chief Academic Officer for providing District-wide professional development in Universal Design for Learning at the beginning of the pandemic, to help all of our teachers engage our scholars in virtual learning.

Unfortunately, we are all now bearing witness to how the negotiating process between our District and teacher's union is once again throwing our students with disabilities against the curb.

On October 14 -- seven months after the pandemic began -- the District acknowledged that it was failing its Child Find responsibilities under the federal Individuals with Disabilities Education Act. In the District's In-Person Assessment Proposal to SCTA, the District admitted that you are illegally denying hundreds of children the comprehensive evaluation that they are entitled to under the law to plan and receive their educational services. The District's plan sets a "goal" of reducing the backlog of overdue evaluations by 20% each month, while keeping abreast of current demand. This goal is illegal, as every single one of these backlogged cases represents an actual student whose rights to a public education are being denied. Any agreement that enshrines a goal that delays any student's already-late evaluation until April 2021 is unacceptable.

As to in-person testing, the District's proposal states that it will follow the Sacramento County Department of Public Health guidelines for pandemic safety, to ensure the safety of teachers and students while these in-person assessments are being completed. The details of the District's plan focused primarily on the physical environment and other steps to be taken to conduct a safe in-person assessment.

Nine days later on October 23rd, the SCTA responded with its own proposal. It has a different framework. While much of its proposal also discusses the physical environment and other steps for the safety of staff and students, the SCTA shockingly revives the opt-in approach of Appendix D, declaring that staff participation in legally mandated services can be "voluntarily." SCTA further proposes that because of the challenges serving students with disabilities, "each SCTA-represented certificated staff whose workload has been increased because of the challenges posed by the pandemic and distance learning will receive an additional two hours of pay for each instructional day, beginning with August 31, 2020." Let's say that again-- SCTA proposed that each staff person who works with students with disabilities would get 10 hours of extra pay per week for the length of the pandemic for serving students with disabilities. Imagine if a proposal was made to make it "voluntary" to serve any other student group, say based on race. Imagine that they asked for extra money to serve black or brown students. That would be unconscionable.

Every day that the District and SCTA fail to reach agreement on serving students with disabilities is another day that both parties are complicit in the unlawful denial of education to 7,000 students.

We believe both proposals are insufficient and begin at the wrong place. First of all, both proposals include the mis-assumption that assessments must be in-person to occur at all.

On August 15, 2020, the California Association of School Psychologists published a [white paper](#), which outlines an array of effective alternatives to traditional in-person

evaluations, in order to meet the educational needs of students with disabilities during the pandemic. We propose that the District and SCTA begin with these strategies in mind. The CASP guidance emphasizes the fact that in some cases, legally required "evaluations" and "assessments" can occur without "testing", especially where valid alternative data and information exists. CASP says "data collection should encompass all available data sources and not just from tests." This existing data and information can be quantitative or qualitative and can include:

- Outside provider reports, such as physician or therapist examinations and diagnoses provided with parent consent
- Review of educational records, including grades and progress reports
- Data collected from periodic benchmark assessments and response to evidenced-based interventions
- Notes from classroom teacher's formative assessments
- Interviews of parents, care providers, and former teachers

Additionally, many publishers of testing instruments have provided guidance or revised versions of their test batteries so they can be administered remotely or adapted with valid results.

It bears stating that both federal and state law emphasize that there is no one way to conduct evaluations of students with disabilities. Instead of the "Discrepancy Model" of identifying eligible students -- which this District uses almost exclusively and which relies heavily on measured data from standardized testing instruments -- why doesn't the District use the Patterns of Strengths & Weaknesses which is described in the California Education Code and is an equally valid way of identifying students who need special education services? This analytical approach -- which can be recorded on Form 11D of the State's IEP template -- provides the framework for capturing all available quantitative and qualitative information described in the CASP guidance.

In other words, performing in-person assessments is one option for the District to meet its Child Find obligation, but certainly not the only one. Nor, during this pandemic, should it be the primary one. And there is no need to reinvent the wheel given the CASP guidance and CDE's Form 11D.

It seems that a more productive and collaborative path for the District and SCTA should be grounded in the CASP guidance to examine all available data and information through alternative and valid approaches, to minimize the need for in-person assessment and expedite the completion of these evaluations for all kids. This is a Kids First approach!

As parents, and advocates, we ask that the two parties immediately re-design the basic premise of the New Special Education Evaluation MOU, and agree to a framework that puts students first. Both parties should commit to:

- Clear the backlog of overdue assessments for existing and newly referred students with disabilities with urgency.
- Adopt the CASP guidance to prioritize all valid methodologies of conducting evaluations and assessments, so that health risks are not the primary barrier to meeting students' educational needs.
- Following the advice of CASP, the District shall accept and give weight to any available assessments from outside providers, to establish the eligibility and interventions for a student with disabilities.
- The District should prioritize professional development for SCTA members and the procurement of testing and intervention materials that have been updated by publishers for remote or virtual delivery.
- All staff serving students with disabilities should be trained to evaluate a student's eligibility and progress using a pattern of strengths and weaknesses, consistent with the Education Code.
- Performing special education assessments on time should be presumed and mandatory for all staff. Staff who have health concerns for any in-person work should follow an established process (like the reasonable process adopted by Folsom Cordova School District) to seek excusal from that aspect of the work and to reassign the work.
- In-person assessments shall be done at all school sites subject to CDE and Sacramento County Public Health guidelines. Families shall not have to travel to a school site that is not their home school site.
- The District shall provide PPE to all staff.
- If there are not enough staff members available to promptly address the backlog and emerging demand for assessments, the District shall hire outside providers and consultants to do the work, and SCTA shall commit to not filing a grievance.

This framework for serving students with disabilities puts students first. It is doable. It is supported by federal and state law, and professional guidance. We ask that the adults responsible for clearing the barriers to serving our most vulnerable students do so now, utilizing a fresh perspective that prioritizes the pathway to success for students.

Respectfully,

Coalition for Students with Disabilities comment
Angie Sutherland
Angel Garcia
Sarah Williams-Kingsley
Grace Trujillo
Renee Webster-Hawkins

Resources:

CALIFORNIA ASSOCIATION OF SCHOOL PSYCHOLOGISTS RESOURCE
PAPER (August 15, 2020)

School Psychology Practice during COVID Series #1 - Assessment Guidance

<https://casponline.org/pdfs/publications/covid/CASP%20Online%20Assessment%20Resource%20Paper.pdf>

SEIS Form 11D Determination of Eligibility -- Pattern of Strengths and Weaknesses