

Comments by David Fisher, President of the Sacramento City Teachers Association (SCTA), to the Sacramento City Unified School District (SCUSD) Board of Education, Public Comment (Report of Unions), Agenda Item 10.0

November 5, 2020

Good evening. I'm David Fisher, president of the Sacramento City Teachers Association.

On Friday, October 9, 2020, SCTA along with the Natomas Teachers Association and the Twin Rivers United Educators wrote to the superintendents of Sac City Unified, Natomas Unified and Twin Rivers Unified as well as Dave Gordon of the Sacramento County Office of Education about our concern regarding the safety of students and staff if in-person classes resume before the end of this calendar year.

In our letter, the teachers from the three school districts expressed the following unified position:

“Educational equity is tied to health equity. We must ensure that there is COVID-19 health equity in all neighborhoods and places across our county before schools return to in-person instruction. Grave health inequities exist related to COVID-19. A disproportionate number of people of color are getting sick and dying from COVID-19. A simple scan of zip codes across our county shows how the virus has had a devastating impact on low-income neighborhoods and communities of color.

Community COVID-19 conditions must be steadily low in all zip codes and with the necessary public health preparedness in place. When some get a head start, it deepens inequality. And, the rush to open school doors with high background transmission rates places unsafe pressure on low-income communities and our most under-resourced public schools.”

We still have not received a response.

We have seen, however, that Superintendent Aguilar joined with the superintendents of six other large urban school districts, including Los Angeles and San Diego in a November 2nd letter to Governor Gavin Newsom. According to EdSource, the signatories stake out the position that in-person instruction will not resume in either a hybrid or more traditional form until January 2021 at the earliest, and yet, for some reason, our school district won't state that position publicly. Why can't the district clearly communicate it's intentions?

The letter continues:

“California has long maintained a set of standards for health, education and employee practices in schools. This crisis is not a time to lessen standards which could compromise the health and safety of all in the school community, the quality of education being provided to students or the protections for employees in the workplace.”

Unfortunately, the District’s position with the other six large urban school districts contradict the position it is taking in its recent negotiations with us.

Despite our best efforts to obtain information, SCUSD has been neither timely nor transparent in providing information regarding the spread of COVID within SCUSD. The District dragged its feet on providing the number of employees who have tested positive. By our count, at least seven additional SCUSD employees have tested positive since this board last met on October 15th. The total number of employees who have tested positive since July 1, 2020 is now at least 27. The District still has not provided the information for employees who tested positive prior to July 1st. We also know that at least three employees have died from COVID. And despite the statements from Health Services that no employee has gotten COVID from an exposure at work, because of the absence of a comprehensive contact tracing system in Sac City, there is no basis to make such a declarative statement. In fact, such non-factually based assertions may actually create a greater risk to health and safety by giving employees and the community a false sense of security.

The District still has not implemented a comprehensive contact tracing protocol, has given no indication of its ability to provide COVID testing to students and staff, and has provided no detailed information regarding the installation and replacement of school site filtration systems. The District remains unable or unwilling to answer our basic questions on these matters.

The Superintendent continues to refuse to participate in our negotiations, in contrast to surrounding school districts, like Natomas and Twin Rivers.

At the same time, the District still has not made the Chief Business Officer available so that we could get answers to our numerous questions about the budget, including a more detailed explanation of the District’s 2019-20 \$23 million surplus. We also wanted to discuss the District’s choice to park \$101.3 million in its books and supplies budget, tens of millions that the District will not spend on books and supplies. When the District included the CBO on its bargaining team in June, she was able to clarify a number of matters, including her confirmation of the District’s eight-year trend of projecting deficits that in all but one year (2017-18) resulted in surpluses, in some cases massive surpluses. For the record, the deficit in 2017-18 was the result of the disastrous \$6 million vacation buyout for top administrators, the increase in the

number of administrative staff, and the implementation of a poorly-planned and executed summer school program.

Additionally, the District's team has not been prepared to bargain. Despite another commitment from the Superintendent that the District's team would be responding to the contract proposals that SCTA made on June 9, 2020, the District still has provided no response. No response on our proposal regarding Restorative Practices; no response on our proposal regarding the implementation of Multi-tiered Systems of Support (MTSS); no response on our proposal on Safety for staff in this pandemic; no response to our proposal to recruit and retain language, speech and hearing specialist, a proposal we made to the District in December 2019.

Unfortunately, Superintendent Aguilar is not the only District representative who fails to respond to communications and concerns from 3000 certificated educators in the District.

On October 1, 2020, we wrote to school board president Ryan and the rest of the school board regarding another conflict of interest issue in SCUSD. We raised a concern about the apparent conflict of interest with your General Counsel, Jerome Behrens. In our letter, we requested that the District submit our concern to review by an outside third party recommended by State Superintendent Tony Thurmond.

Rather than honor our request and provide the assurances to our community that this school board operates in a fully transparent manner without conflict of interest, the matter was referred to the Superintendent for a response. Apparently based on his own legal analysis, he concluded that there was no conflict of interest. It is worth noting that concerns have been raised about Mr. Aguilar's own conflicts of interest including how he continued to be employed by UC Merced while working as the Superintendent here in Sac City and how Board member Woo signed a contract between UC Merced and Sac City, when Board member Woo was not authorized to sign contracts on behalf of the District.

In sum, we raise concerns about a conflict of interest involving the District's general counsel. The board refers the matter to the Superintendent who provides his legal opinion and declares there is no conflict of interest. To say we are not convinced is an understatement.

Finally, at the last meeting, we asked the board to respond to the text message exchange between Board Member Lisa Murawksi and the Sacramento Bee's ethically-challenged opinion columnist Marcos Breton who threatened Ms. Murawski: "The

first person to crack on this current board will be featured prominently in my column.”

On October 15, we asked the board:

First, did Ms. Murawski report to the full board that she had been threatened by Mr. Breton?

Second, what are you as an elected body going to do in response to this threat? While we recognize that Mr. Breton is your ally, surely you don't support an opinion writer threatening to use his column as a way to browbeat you and other elected officials to carry out his own political agenda, even if it matches your own.

We are awaiting your response.