

**Comments from David Fisher, President of the Sacramento City Teachers Association to the Sacramento City Unified School Board, June 25, 2020. According to the provisions of the collective bargaining agreement, SCTA may have up to 15 minutes to give this report.**

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

On Tuesday, June 23<sup>rd</sup>, we met with representatives from SCUSD to discuss reopening schools, the contract, and the status of the SCUSD budget.

Despite repeated statements that these negotiations were among the most important issues impacting the District, neither Superintendent Aguilar nor Board President Ryan participated in the negotiations.

It's also important to note that the negotiations occur in history of bad faith bargaining on behalf of the District. Just yesterday, in fact, the California Public Employment Relations Board issued another complaint against SCUSD, the seventh in the last two years.

This complaint relates to the District's bad faith bargaining around the implementation of Distance Learning. PERB's complaint makes an initial determination that among other things:

SCUSD's bargaining team "lacked the authority to bargain, as they were repeatedly countermanded by Superintendent Jorge A. Aguilar, who had declined to participate in actual negotiations, resulting in [SCUSD] contradicting and backtracking from proposals" related to Distance Learning;

And that "[SCUSD] provided [SCTA] with incorrect information and misrepresented the bases for its bargaining positions, as when [SCUSD] rejected [SCTA's] proposal to protect day-to-day substitute pay on the grounds that it needed these monies to purchase laptops for students, even though this was not true;"

And that "[SCUSD implemented its Distance Learning program] without having negotiated with [SCTA] to agreement or through the exhaustion of the impasse procedures . . ." and "bargaining regressively."

**The SCUSD Budget**

We shared the vastly improved news with the District about the California Budget which--as expected--reversed the major cuts to K-12 education first advanced by Governor Newsom in his May Revise. Unfortunately, unless there has been a last -

minute change, the SCUSD budget for 2020-21, which is set to be approved by this school board, is based on the draconian cuts contained in the May Revise, and continues a practice under this leadership to greatly exaggerate the District's fiscal challenges, while papering over the District's fiscal mismanagement.

The District's representative did not know when the District intended to revise its 2020-21 budget based on the new and vastly improved California budget.

Included as part of the State Budget is a provision that **prevents layoff for certificated staff** for the 2020-21 school year. Certain classified staff--custodians, food service and transportation are also exempt from layoffs. Administrators, however, are specifically **not exempted** from being laid off.

### **Reopening Schools**

Although the official start of classes in SCUSD is September 3, two schools in the District have an earlier start date: New Joseph Bonnheim on August 3rd, and New Tech High School on August 17<sup>th</sup>.

Our discussion with the District was generally positive and constructive, but we were disappointed that the District did not have an actual proposal to discuss regarding the reopening of schools.

The District acknowledged that it's not sure when it will have a proposal to make. Prior to the meeting, **in his June 15<sup>th</sup> letter to SCTA**, Superintendent Aguilar committed that the District would "specifically discuss options related to reopening our District schools with an early start date. This will also allow us the opportunity to hear any questions that SCTA has about reopening schools and for the District to share information that it has around reopening schools."

We were encouraged by the District agreeing with the following overriding goal contained in the CDE Guidebook: "The health and safety of students and staff is the top priority when making the decision to physically reopen school campuses for use by students, staff and others."

District representatives acknowledged the challenge of providing education to students who may not be able to attend in-person classes, as well as the substantial number of educators who may be at high risk, which means that a Distance Learning only option is likely to be provided. District representatives said they were still working on the various hybrid models it wants us to consider, in addition to the numerous health and safety concerns related to considering the resumption of in-person classes. Towards that end, we gave the District a health and safety proposal that addresses ongoing concerns including alternative assignments for staff who are in high-risk categories or who have family members who are in high-risk categories. Our proposal also calls for the

immediate hiring of school nurses at the nationally recommended 1 nurse to 750 student ratio, in contrast to the current workload of 1 nurse for approximately 3,200 students.

Over the next few days, **we will be putting together a membership** survey to solicit input about various ideas about reopening schools, and we strongly encourage the District to conduct its own survey among parents and students and the greater SCUSD community that encourages honest feedback and an opportunity for real input regarding the reopening of schools.

### **No Responses to Our Previous Proposals**

The District also had no response to our previous proposals and provided no date when it expected to be able to provide one. Our proposals included the following:

- **Mandatory Implicit Bias Training:** A necessary first step is mandatory, implicit bias training for all SCUSD staff. In 2014, the SCUSD school board passed a new policy mandating this training, but the district has not implemented it. This is included as part of our Restorative Practices proposal.
- **Restorative Practices as an Alternative to Punitive Discipline:** SCUSD has the highest rate of school suspensions for African Americans in California. The only way to change is to actively develop alternatives to suspensions, expulsions and more punitive means of student discipline in the form of restorative practices. Our proposal was developed with the Black Parallel School Board and was first proposed in March 2018.
- **African-American Literature in Our Schools:** All students, not just students from African-American families, should be exposed to books and images that tell the story of African Americans along with the stories of other citizens from diverse racial, religious and ethnic backgrounds. As a start, SCTA has proposed that each school be provided with \$2,000 to buy books on Black heroes and historical figures for inclusion in school libraries and classrooms. We also proposed using a portion of health plan savings to pay for the educational materials. Because our district lacks librarians, especially at the elementary school level, who could help guide young readers, these books must be made readily available and accessible.
- **Multi-tiered Systems of Support (MTSS):** Together with restorative practices, we have proposed that SCUSD implement Multi-tiered Systems of Support. This approach is grounded in a robust early education intervention system that provides additional instructional and behavioral support to curtail the misidentification of special-needs students. Too many Black and minority students are written off or improperly placed in special education settings when

the help of a specialist or tutor would keep them on the same trajectory as their peers.

- **Use Savings from the Terminated Contract with the Sacramento Police Department to Get Students the Support Services They Need:** In an effort to break the school-to-prison pipeline, we continue to advocate that SCUSD terminate its multimillion dollar contract (budgeted over three years) with the Sacramento City Police Department to provide School Resource Officers (SROs). We proposed that the dollars saved be used to hire additional school psychologists, social workers, counselors and nurses to provide much needed mental and physical health support for students. This was a recommendation of the SCUSD African American Achievement Task Force, which included SCTA Second-Vice President Hasan McWhorter, but until recently has been rejected by the SCUSD school board. The school board is now expected to cancel the contract.
- **Using Health Plan Savings to Allow for Social Distancing Requirement and Safe Schools for Students During the Pandemic:** Recently both SCOE and the California Department of Education have issued guidance on how schools might reopen in the Fall. There is general consensus that in whatever form the reopening takes, it will require significant additional resources to apply social distancing standards in the educational setting. **As a gesture of good faith, together with SEIU Local 1021**, we gave a proposal to SCUSD to use health plan savings in 2020-21 to address "costs associated with social distancing requirements that could result in severely reduced class sizes, staggered schedules or hybrid learning models; nurses to monitor student health, trained professionals to address students' mental health needs exacerbated by the pandemic; the purchase of personal protective equipment (PPE) for staff and students; and increased cleaning costs to allow for thorough disinfection of school sites." With SEIU, we represent 95% of SCUSD employees. In 2021-22, and assuming that classes return to a more traditional setting, savings would then be used to lower class sizes and improve services to students according to the Agreement we reached with SCUSD in 2017.

The District has had our proposals since June 9<sup>th</sup> and still has not provided a response, including on our proposal regarding health plan changes and savings that looked at an August 1<sup>st</sup> goal for making health plan changes. Once again, the District's rhetoric regarding the urgent need to work together doesn't match its actions of obstruction and obfuscation. And this now includes working together to ensure that classes can resume—in the safest manner possible—this fall.

We expect to have a follow-up meeting after the District has had a chance to develop a written proposal.