

Sacramento City Unified School District
Board of Education Meeting

September 3, 2020 Public Comments

Name: Liz Guillen

Comment:

Speaking as: Community Member

Email

Tel:

Date/Time Stamp: 09/03/2020 10:06:15 AM

September 3, 2020

Superintendent Jorge Aguilar
Sacramento City Unified School District

Lisa Matuszewski, SCUSD Board Area 1

Jessie Ryan, President of the Board
Sacramento City Unified School District

Leticia Garcia, SCUSD Board Area 2

Christina Pritchett, SCUSD Board 1st VP Area 3

Mel Yano, SCUSD Board Area 5

Michael Minnick, SCUSD Board, 2nd VP, Area 4

Darrel Woo, SCUSD Board Area 6

RE: Item 9.1 Public Hearing: Learning Continuity and Attendance Plan

Dear Superintendent Aguilar and SCUSD Board Members:

requirements, laws relating to English learners and special education students, and federal and state civil rights laws are all in effect during the upcoming academic year. **We attach for public record the letter sent to all school district superintendents in California from Public Advocates and the American Civil Liberties**

Union of California which explains some of the relevant educational requirements governing California public schools on the school year basis. See Attachment A-17-2020 Guidance to Public School Districts

and Requirements During the 2020-21 School Year letter from Public Advocates and the ACLU to all

parents/guardians, students and the community should have for distance learning implementation.³ We urge the Board and district to ensure this is uniformly applied.

- **Students with exceptional needs** face many of the greatest challenges during the pandemic, and school districts must continue providing them with services consistent with their Individualized Education Programs, as required by the Individuals with Disabilities Education Act, and ensure equal access to educational programming for students with disabilities under Section 504 of the Rehabilitation Act of 1973 (“Section 504”). The federal government expressly declined to waive the special education requirements⁴ and the California Department of Education (“CDE”) has

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school districts must “do their best in adhering to IDEA requirements, including federally mandated timelines, to the maximum extent possible” and “are encouraged to consider ways to use distance technology to meet these obligations.”⁵ We know that providing services for students with exceptional needs has been a challenge area for the District. We align ourselves with the comments submitted by our colleagues at the Disability Rights California, Equal Justice Society, National Center for Youth Law and Western Center on Law & Poverty.

Please do not hesitate to reach out to us if you have questions about our comments. We look forward to working with SCUSD and other stakeholders to improve the education that SacCity students are receiving.

Sincerely

Liz Guillen
Director of Legislative & Community Affairs
Public Advocates Inc.

Samantha Tran
Education Policy Director
Children Now

Natalie Wheatfall-Lum
Director of P-16 Policy
The Education Trust–West

Attachment: Aug. 27, 2020 Guidance to Public School Districts About Legal Requirements During the 2020-21 School Year letter from Public Advocates and the ACLU to all California Public School Superintendents.

cc Rose Ramos, Chief Business Officer
Christine Baeta, Chief Academic Officer

[REDACTED]

Vincent Harris, Chief Continuous Improvement and Accountability Officer
Cancy McArn, Chief Human Resources Officer

[REDACTED]

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
Southern California

MAKING RIGHTS REAL

Aug 27, 2020

Sent via e-mail

Re: Guidance to Public School
School Year

To: all California Public School Superintendents

[Redacted content]

While this letter describes the legal requirements for the upcoming school year, we also offer links to resources and best practices as an addendum to support school leaders to prioritize equity and provide the best possible education during these challenging times.

I.

[REDACTED]

...a person instruction and be accessible to all students, particularly those who traditionally have

B. School districts must address the unique needs of English learners, students with

LEAs are required to describe the additional support that they will provide during the

[REDACTED]

learning to support English learners, students with exceptional needs, students who are unhouseed, and students in foster care and identify the targeted strategies that they will use to accelerate learning progress for these students.¹¹

School districts must continue providing English learners with targeted supports during the pandemic. As you are aware, federal and state law require districts to deliver effective language instruction to English learners and to eliminate barriers to core curricular requirements and equal educational opportunity.¹² Indeed, the Governor and legislature confirmed that these English

[REDACTED]

and support the social and emotional well-being of students and staff during the school year, including professional development and resources to address trauma and other impacts of COVID-19 on the school community.¹⁶

The state has allocated additional funding for these purposes, including a block grant to fund

[REDACTED]

pupil supports, including “the provision of health, counseling, or mental health services,” “programs to address pupil trauma and social-emotional learning,” and “[f]amily and community supports including mental health resources to support pupil learning.”¹⁷ Given the

[REDACTED]

[Redacted text]

[Redacted text]

[Redacted text]

[Redacted text]

[Redacted text]

[Redacted text]

[Redacted text]

[Redacted text]

[Redacted text]

We all share the same goal—to ensure that our school communities have the supports they need to endure through, and thrive following, the pandemic. Please ensure that you understand and comply with the legal requirements described above and reach out to Victor Leung at leung@aclusocal.org or John Affeldt at [redacted] if you have any questions or concerns. We look forward to serving as a resource as we recover from the pandemic.

[Large redacted area]

Sincerely,



John Affeldt
Managing Attorney
Public Advocates, Inc.

Victor Leung
Deputy Litigation Director
ACLU Foundation of Southern California

Attachment

Addendum: Best Practices and Resources

The following are best practices we collected from partners, stakeholders, and families to ensure that all students have access to a high-quality education this school year. Please continue to consult your communities to ensure that you develop and implement education plans that best support their needs.

Best practices to ensure that remote instruction is high-quality and accessible include:

Ensuring structures for consistent two-way communication (a feedback loop) with students and families around the distance learning experience, including 1-to-1 outreach to every student and family at the start of the school year to assess their readiness and needs for distance learning.

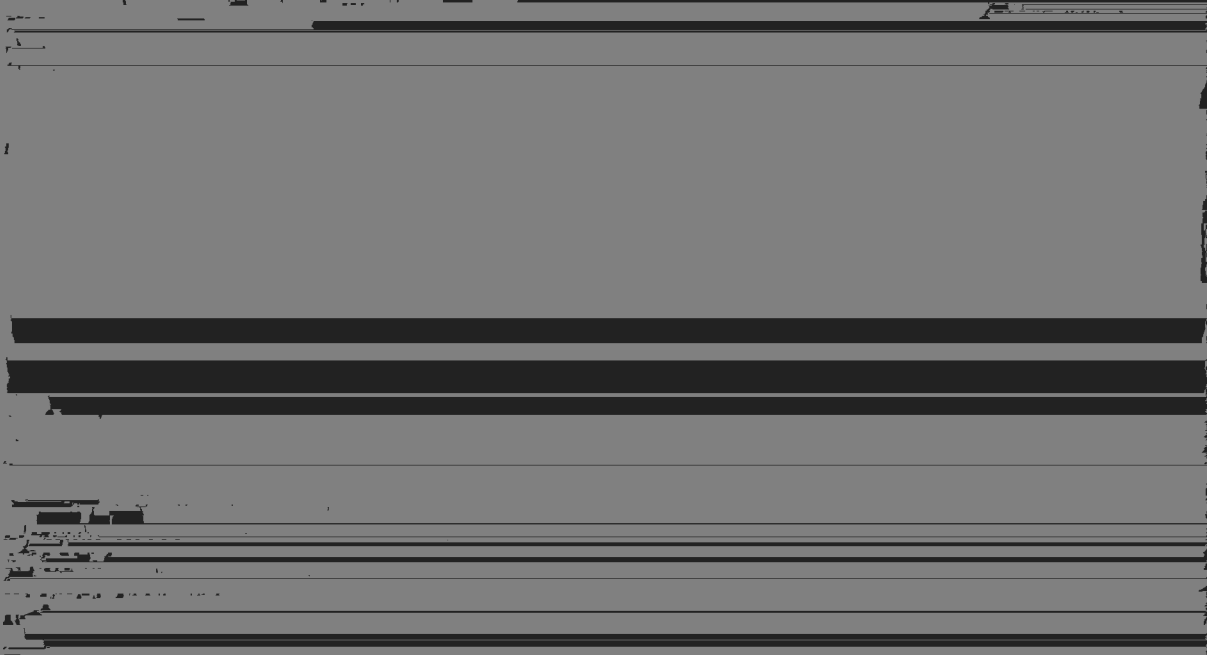
Capacity building for caregivers and instructional staff to ensure they have necessary skills to build successful partnerships to support children’s learning.

Loaning tablets, laptops, or Chromebooks to families without requiring them to pay, provide deposits, or sign liability forms.

Providing families with mobile hot spots with sufficient data to access all learning opportunities.

Providing synchronous instruction with teachers interacting directly with students in large and small groups through Zoom, Google Classroom, or other comparable digital platforms.

Providing expanded learning opportunities to students most impacted by COVID and opportunities for small group instruction for all students, not only those with families



- Reaching out to LGBTQ students to develop protocols to safeguard student information

<https://www.publiceducation.org/>

about sexual orientation and gender identity, especially in communications involving parents and guardians, and to ensure digital platforms reflect students' chosen names and pronouns without requiring legal documentation.

Ensuring technological resources, including laptops and digital platforms, do not use internet filters that might block access to critical health and support resources like LGBTQ hotlines.

Leveraging Federal relief funds and state, county and local resources to invest in community schools, health, and other social-emotional supports in collaboration with other agencies and community partners.

Use the *Mental Health and Social Emotional Checklist* tool from the CA Partnership for the

Ensuring that students and caregivers receive training to effectively utilize technology required for instruction, including developing strategies to provide technical support for

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

non-English speaking families or others who experience barriers to access and use. Reaching out to families using multiple modes of communication designed to reach even those families without internet and families who speak languages other than English.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Additional resources on many of these best practices are available in a recently released report from the Learning Policy Institute, *Restarting and Reinventing School: Learning in the Time of*

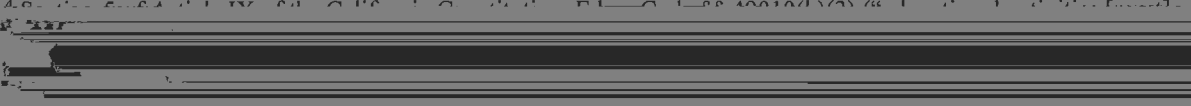


ources/. Additional resources from the ACLU of California about students' rights, including those during the pandemic, are available at

¹ Educ. Code § 43503(b)(2); *see also Butt v. California*, 4 Cal. 4th 668, 685 (1992) (a school district violates students' constitutional rights if it fails to provide education that falls substantially below statewide standards).

² CDE, Learning Continuity and Attendance Plan Instructions (2020-21) at pp. 3-4, *available at*

³ Educ. Code § 43503(b)(1).



²⁰ See LAUSD CDE Decision, p. 22 (July 30, 2020).

²¹ [REDACTED]

²² Cal. Code Regs. Tit. 5 § 15496(b).

²³ See *supra* note 2 at pp. 2-3; see also Cal. Educ. Code 43509(b)(5)(B).

²⁴ See Educ. Code §§ 43509(b)(1)-(2).

²⁵ Consistent with Educ. Code § 48985.

²⁶ Educ. Code § 43509(b)(3).

²⁷ Educ. Code § 43509(b)(4).

²⁸ Educ. Code § 43509(b)(5)(A).

²⁹ Educ. Code § 43509(b)(5)(B).

³⁰ Paloma Esquivel, et al., *L.A. Latino, Black students suffered deep disparities in online learning, records show*, LA Times (Jul. 16, 2020),

[https://www.latimes.com/local/lanow/la-fi-ln-2020-07-16#hpid=hp-local-story%3A-latinos-black-students-suffered-deep-disparities-in-online-learning-records-show%3Ahomepage%2Fstory](#)

[REDACTED]

learning cheats poor students, Times survey finds, LA Times (Aug. 13, 2020),

³¹ Educ. Code §§ 43504(f)(2); 43509(f)(1)(F).

³² See *supra* note 2 at p. 8.

Angie Sutherland

Public comments for Sept. 3, 2020 SCUSD Board of Education meeting

0.4 Public Hearing

The Learning Continuity and Attendance Plan is the plan the LCAP PAC and other

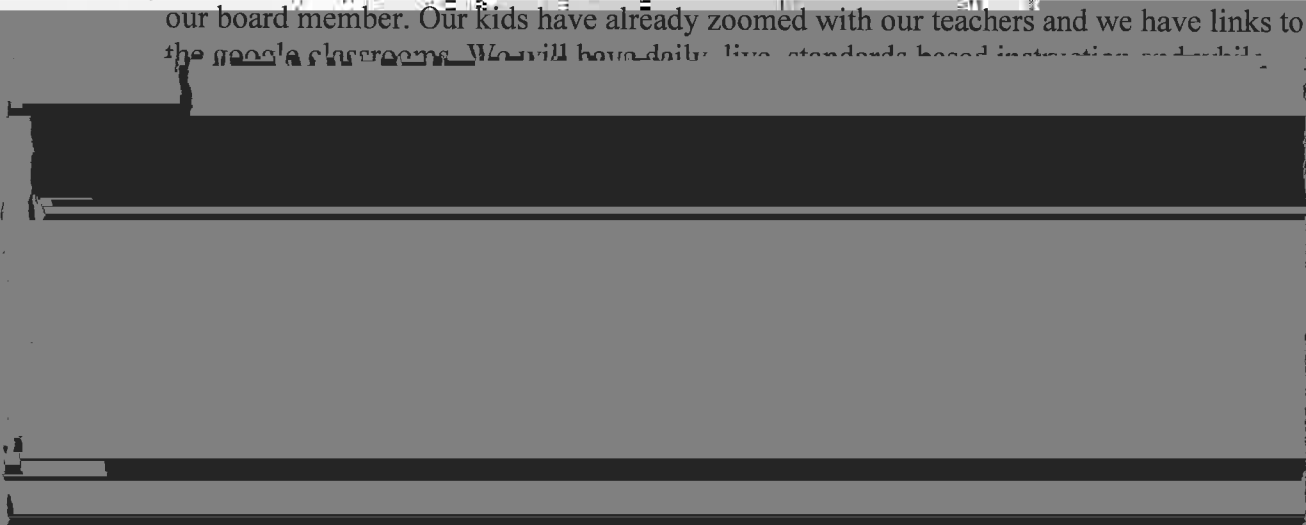
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Name:	Alina Cervantes
Comment:	<p>Dear Board members,</p> <p>If you are going to agree to the bare minimum standards for instructional time for our children, please ensure that those precious minutes count for something. I am of the opinion that you can have quantity AND quality, but if we are being forced to choose by those that think our kids can't have it all, please make sure there are safeguards in any signed MOUs with SCTA. We need clear language for what those minutes represent. My children attend a high performing school along with the children of the SCTA VP and our board member. Our kids have already zoomed with our teachers and we have links to the parents' classrooms We will have daily live standards based instruction and</p>



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Name: Manuel Buenrostro

Comment I am writing to support and reiterate the importance of some aspects of SCUSD's draft Learning Continuity and Attendance Plan. These include:

[Redacted content]

additional time for targeted student groups. The clear guidelines that clarify how much

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Name Junior Goris

Comment: I am writing to support and reiterate the importance of some aspects of SCUSD's draft Learning Continuity and Attendance Plan. These include:

~~Clear minimum minutes of daily synchronous instruction for all students.~~

additional time for targeted student groups. The clear guidelines that clarify how much daily synchronous learning time will be provided for each student is critical. In addition, the plan to ensure additional time for some student groups, such as ELs and SPED students is a must for equity. As it pertains to ELs, the clear guidelines for daily synchronous learning for ELD and doubling of time for newcomer EL students is something to be commended and protected.

Ensure flexible access to lessons and materials, including recording of lessons. It is my hope that SCUSD's final plan provides for the recording of lessons while also addressing the privacy concerns. This should be accomplished through guidelines, policy, and more conversations with teachers. However, recording of lessons is important for some students, especially those that might not be able to log-in at the scheduled time and those

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Name: Martha Zaragoza Diaz

Comment My name is Martha Zaragoza Diaz and I am a member of the Sacramento community and advocate for English Learners, I thank the board and the superintendent for the opportunity to comment on the District's Learning Continuity and Attendance Plan (LCP).

Upon review of the LCP, I am providing the following comments and recommendations:

1. Regular communication from teachers and schools. I support the weekly communications to students and parents on learning goals and student progress as well as a report of student progress. During this time of distance learning, parents and students need consistent, clear communication from teachers and administrators.



Sacramento City Unified School District
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Name: Sarah Lillis

Comment: I am writing to support some of the aspects of SCUSD's Learning Continuity and Attendance Plan and reiterate their importance. These include:

1. ~~Classroom~~ minutes of class

[REDACTED]

Speaking as: Parent/Guardian

Email

Tel:

Date/time Stamp 9/3/2020 11:50:15 AM