

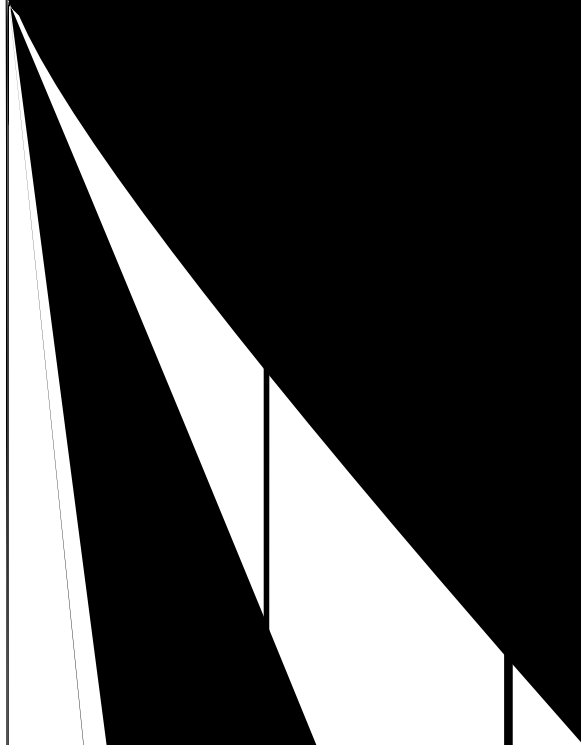
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BPSB et al.

Compromise and Release

Case No. 2:19-cv-0

Dated: 5/18/23

Jorge A. Amador
Unified School District
District's Governing Board, and all other District
Defendants

APPROVED AS TO FORM AND CONTENT

Dated:

By: _____
Attorneys for Plaintiffs

Dated:

By: _____
Attorneys for Plaintiffs

Dated:

NATIONAL CENTER FOR SOUTH LAW
By: Michael Harris
Attorneys for Plaintiffs

Dated:

WESTERN CENTER FOR SOUTH LAW
By: Antonette Dozier
Attorneys for Plaintiffs

Dated: 5/19/2023

LOZANO SMITH
By: Sloan R. Simmons
Attorneys for Plaintiffs

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EXHIBIT \$

Sacramento City Unified School District
Board of Education

RESOLUTION No. _____

Recognition of the Rights of Students with Disabilities to a Quality and Inclusive Education

WHEREAS, the Sacramento City Unified School District (SCUSD) serves approximately 6,573 students formally identified with disabilities, representing 16% of the total student population.

WHEREAS, despite the affirmative rights and appreciation for students with disabilities in our federal and state laws, students with disabilities suffer the worst academic and social emotional outcomes in our District, especially Black students and other students of color and English language learners; and

WHEREAS, October includes National Disability History Month, National Bullying Prevention Month, Worldwide Dyslexia Awareness Month, National Learning Disabilities Awareness Month, and National Disability Employment Awareness Month; and

WHEREAS, the Americans with Disabilities Act (ADA) prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public and assures that people with disabilities have the same civil rights protections and opportunities as everyone else, similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion; and

WHEREAS, Section 504 of the federal Rehabilitation Act regulations requires a school district to provide related aids and services designed to meet the student's individual educational needs; and

WHEREAS, the Individuals with Disabilities Education Act (IDEA) requires all public schools to address the needs of pupils with disabilities and develop Individualized Education Plans (IEPs) which provide a Free and Appropriate Public Education (FAPE) reflecting the specific needs of each pupil; and

WHEREAS, California has been a leader in furthering disability rights with the enactment of such pioneering legislation as the Disabled Persons Act, S(t)4(h)1.3(i)-60.9(d)-1.el)45(v)10.8(i)-6.4(l)

WHEREAS,

NOW, THEREFORE, BE IT RESOLVED, that the Superintendent transmit copies of this resolution to its administrators, teachers, staff, departments, and schools for appropriate distribution and implementation.

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

ATTESTED TO:

Jorge A. Aguilar
Secretary of the Board of Education

President of the Board of Education

Dear Mona and Michael:

Thank you for your cooperation and professionalism on behalf of your clients in working together with us and the Sacramento City Unified School District to reach settlement in this litigation. The District's leadership is excited about the changes that will come to fruition to the benefit of the District's special education students and in particular Black special education students as a consequence of the settlement. The District trusts that the Black Parallel School Board (BPSB) is also very pleased of the results of the settlement discussions and promise of change the settlement agreement brings.

The above in mind, we have already communicated with Mona the District's interest in a joint statement and/or press conference to discuss the success of reaching settlement in this matter. Correspondingly, the District's Communication Team has shared this interest with BPSB's Rayvn McCullough. We also acknowledge that Mona indicated that BPSB wishes to hold their own press conference.

September 17, 2019, as you recall, upon notice of BPSB's complaint, the District promptly engaged with you as BPSB counsel about entering into a stay and immediately working toward an intended cooperative settlement in the interest of the students who the lawsuit is intended to benefit. That shared commitment resulted in the parties' Structured Negotiations Agreement, a unique concept in itself, through the parties sought (successfully) to jointly cooperate toward an amicable set of solutions for the benefit of the District's students with disabilities, and in particular-2 (udees ,)2 (a)6 cdy a during the negotiations process.

As such, having reached the successful conclusion of the litigation phase of this matter through compromise and settlement, the parties are now looking forward to the even more important implementation phase, the end result of which is intended to result in vast improvements for the District and the success of the District's students. The District jointly held interests with BPSB and we believe both parties are committed to cooperating on to achieve this. The District thus feels strongly in a joint press conference and/or press release. Such an approach can and should signal a combined commitment by the District, its leadership, and BPSB to BPSB as partners, the goals and requirements cooperatively agreed upon and set by the settlement.

The District thus requests that BPSB reconsider the District's request to jointly commemorate the settlement of this case. **The District kindly asks that you let us know the answer to this request by end of business today.**