

[TO BE PLACED ON DISTRICT LETTERHEAD]

September __, 2024

The Honorable Presiding Judge Bunmi Awoniyi
Sacramento County Superior Court
720 9th Street
Sacramento, CA 95814

Re: Response to Sacramento County Grand Jury 2023-2024 Investigative Report titled,
“*Sacramento City Unified School District Fails Its Most Vulnerable Students*”

Dear Presiding Judge Awoniyi:

I. INTRODUCTION

This response is being submitted on behalf of the Sacramento City Unified School District Board of Education (“Board”) pursuant to Penal Code sections 933 and 933.05 and in response to the Sacramento County Grand Jury 2023-2024 Investigative Report titled, “*Sacramento City Unified School District Fails Its Most Vulnerable Students*,” (“Report”) which the Sacramento City Unified School District (“District or “SCUSD”) received on June 17, 2024.

At the outset, the District respects the function of the Grand Jury to investigate and report on the operations of local government agencies, and the District has fully cooperated with the Grand Jury's requests, including production of documents and interviews with witnesses. The District recognizes that the Grand Jury plays an important role in ensuring that school districts. After reviewing the Grand Jury’s Report, the District publicly acknowledged the valid concerns expressed in this Report about the District’s need to improve special education as an equal component of its District’s general education program.

2

In actively addressing the Findings and Recommendations noted in the Report, the District has taken several steps to improve our special education services, including correcting systems that contribute to a disproportionately high number of students in general and Black and African American students, in particular, identified as having disabilities. As noted in the Report, a positive step in addressing this issue is the legal settlement reached in May 2023 with the Black

¹ 2023-2024 Grand Jury Investigation Report, Summary, p. 1.

Parallel School Board (“BPSB”) and the use of an independent monitor to develop an action plan with specific goals and timetables. In accordance with the BPSB Action Plan, which was finalized on August 23, 2024, the District is updating its board policies, procedures, and manuals; creating a committee on the effectiveness of fully segregated schools; establishing a framework and plan for developing fully inclusive schools based on feeder patterns; developing an infrastructure for adopting evidence-based practices and programs; and demonstrating a commitment to developing a district-wide MTSS framework. (See Exhibit A.) In addition, SCUSD has been approved by the California Department of Education (“CDE”) to continue implementing its 2022 Comprehensive Coordinated Early Intervening Services (“CCEIS”) Plan, which is designed to improve disproportionate representation of students with disabilities by race or ethnicity within a specific disability category. (See Exhibit B.) The SCUSD SELPA and Special Education Department is implementing a program review and design for emotional disturbance (“ED”)

SCUSD's Response to Finding F1

The District agrees with the Grand Jury's Finding F1 to the extent that federal and state laws require special education students to participate in a general education classroom with nondisabled peers to the maximum extent appropriate based on the student's individualized needs. Students who are eligible for special education are entitled to the ri

- Implemented consistent monitoring and accountability;
- Developed inclusive educational vision through MTSS;
- Established inter-departmental collaboration; and
- Developed an alternative dispute resolution process.

In addition, and in consideration of the recommendations from the above listed reports, the District is implementing the BPSB Action Plan (Exhibit A), CCEIS Action Plan (Exhibit B), and LCAP (<https://www.scusd.edu/local-control-and-accountability-plan-lcap-resources>).

Finding F3

The District administration and the SCUSD Board of Education have failed to adopt a working plan with specific steps and measurable outcomes to guide special education, resulting in a lack of focus and effectiveness in the Special Education Department. (R2, R3)

SCUSD's Response to Finding F3

The District agrees with the Grand Jury's Finding F3 to the extent that adopting a working plan with specific steps and measurable outcomes to guide special education will provide SCUSD's Special Education Department with better focus and effectiveness. The District has adopted multiple plans to guide special education. For example, SCUSD's Special Education Department and SELPA are umbrellaed within the Academic Office of the District. The Special Education Department has been implementing initiatives set forth in the Academic Office including MTSS, antibias/antiracism practices, trauma informed practices, and a focus on literacy. In addition, the Special Education Department is working on implementing a number of activities to improve special education services. They include

The District’s failure to provide ongoing communication and outreach leaves parents/guardians uninformed and unengaged about the special education process and their student’s progress. (R12, R13)

SCUSD’s Response to Finding F9

The District agrees with the Grand Jury’s Finding F9 to the extent that the District is continuously working to improve its communication and outreach to parents/guardians to ensure that they are informed and engaged in the special education process and their student’s progress. The District has several communication strategies in place. For example, the SCUSD SELPA actively collaborates with its Community Action Committee (“CAC”) to build strong community engagement opportunities. Further, the SCUSD SELPA website provides comprehensive and valuable information for parents and the community about special education including but not limited to information regarding parent resources, a parent handbook, the CAC, child find, and alternative dispute resolution processes, Warmline Family Resource Center, Procedural Safeguards, and SCUSD Special Education Department. (<https://selpa.scusd.edu/>.) In addition, the District sends an annual notice to all families of enrolled students the provides detailed information about programs, protections, and special education.

III. RESPONSES TO RECOMMENDATIONS

The District has reviewed the Grand Jury’s recommendations and provides the following responses to each recommendation pursuant to Penal Code section 933 and 933.05.

Recommendation R1

The SCUSD Board should direct administrators, teachers, and staff to formally collaborate to develop a plan to ensure special education is included as an equal component of the general education program rather than being treated as a segregated entity by January 3, 2025 and a formal adoption by February 3, 2025. (F1)

SCUSD’s Response to Recommendation R1

This recommendation is in the proces(l)-2 (op a-2 (s)-1./P Mmp (NDAT)-5 (I)-1 (tr)5 (ic)6 r)-7bsuaendaew 1.

Independent Monitor. The District's actions include review and revision of policies, procedures, and practices pertaining to the LRE for students with disabilities, with special attention to Black students with disabilities, address the placement of students with disabilities and Black students with disabilities in more restrictive placements through an LRE analysis process based on the four-prong test established by *SCUSD v. Rachel H.*; institutionalize new LRE practices within systems and through Professional Development (PD); devise a

This recommendation will be implemented by January 3, 2025.

Recommendation R4

SCUSD should take corrective action as recommended by CDE to reduce the number of students of color in special education by January 3, 2025. (F4)

SCUSD's Response to Recommendation R4

This recommendation is being implemented. The District has developed plans to address disproportionality in special education. The BPSB Action Plan includes actions the District is committed to taking to reduce the number of students of color in special education. Directives 7, 8, and 9 of the BPSB Action Plan specifically target over and under-identification of Black students to special education and timely referrals for special education assessments. The actions include improving the District's systems for special education identification and IEP reviewing practices, including but not limited to enhanced translation and interpretation services. The District will revise policies and procedures, develop a procedural manual, institutionalize new practices within systems and through professional develop, and build capacity for linguistic access in special education processes. In addition, the Independent Monitor will review perform monitoring activities to measure successful implementation of the District's actions. The District is also implementing a CCEIS Action Plan (Exhibit B) that was approved by CDE.

Recommendation R5

SCUSD should create and implement district-wide policies that identify and assess the learning needs of all students for early intervention services by January 3, 2025. (F5)

SCUSD's Response to Recommendation R5

This recommendation is being implemented. The District has developed plans to create and implement district-wide policies that identify and assess the learning of all students for early intervention services. Please refer to the BPSB Action Plan (Exhibit A), CCEIS Action Plan (Exhibit B), MTSS, and LCAP (<https://www.scusd.edu/local-control-and-accountability-plan-lcap-resources>).

Recommendation R6

SCUSD should complete the implementation of MTSS at all elementary schools as the underlying structure for all work designed to improve student outcomes by August 1, 2025. (F5)

SCUSD's Response to Recommendation R6

This recommendation is being implemented through the development and implementation of the BPSB Action Plan and MTSS frameworks. Professional learning will be introduced and measured for fidelity beginning during the 2024-2025 school year and continuing through the 2028-2029 academic year and includes school sites being in cohorts based on data analysis conducted by the

independent monitor. Please refer to the BPSB Action Plan (Exhibit A), CCEIS Action Plan (Exhibit B), MTSS, and LCAP (

Recommendation R10

SCUSD should hold principals, teachers, and support specialists accountable to ensure IEPs are updated annually beginning January 3, 2025. (F6, F7)

SCUSD's Response to Recommendation R10

The District understands its obligation to ensure that IEPs are updated annually. In order to build accountability at each school site, the District will implement this recommendation by January 3, 2025, by requiring

