

OFFICE OF THE SUPERINTENDENT
5735 47th Avenue Sacramento, CA 95824

Jorge A. Aguilar Superintendent

September 9, 2020

BOARD OF EDUCATION

Jessie Ryan
President
Trustee Area 7

The Honorable Tony Thurmond
State Superintendent of Public Instruction
1430 N Street
Sacramento, CA 95814

Christina Pritchett
Vice President
Trustee Area 3

Re: Sacramento City Unified School District—Reopening Schools in a Distance
distance learning model. The Sacramento City Unified School District (“District”)
appreciates your leadership, particularly related to opening our schools in a
learning model through the California Department of Education’s (“CDE”) publication

Michael Minnick
2nd Vice President
Trustee Area 4

Lisa Murawski
Trustee Area 1

Leticia Garcia
Trustee Area 2

Mai Vang
Trustee Area 5

“Stronger Together: A Guidebook for the Safe Reopening of California's Pu2 (on)TJ ET 1

Darrel Woo
Trustee Area 6

Isa Sheikh
Student Board Member

of our District school sites that are in conflict with the District's schedules and that do not comply with the law are included in the attached documents.

A review of the attached schedules demonstrates the very concern that the District's proposed distance learning plan attempts to address inequities in the instructional minutes our students are receiving across the District. Those schools provide either less than the required instructional minutes or lack the daily live instruction requirement under the law meaning that at these schools our students are receiving less direct instruction and instructional minutes than their peers at other District schools.

In addition to the instructional schedules not being followed at some of our schools, we also have learned that SCA has informed its members that they do not have to follow other aspects of the District's August 30, 2020 distance learning plan because there is no agreement between the District and SCA. We believe that SCA's position on these issues is in direct conflict with SB 98 and the lawful directive issued by the District. Specifically, SCA has informed its members through the September 8, 2020 SCA Message (attachment) that teachers "have a right to challenge" the District's requirement that they:

- Administer student assessments;
- Track student engagement and attendance
- Upload logs confirming that students with disabilities have received the services required under their Individualized Education Plan (IEP)

Finally, SB 98 specifically states that distance learning must include “content aligned to grade level standards that is provided at a level of quality and intellectual challenge substantially equivalent to in-person instruction.” (Education Code section 43503(b)(2)) Refusing to use District developed math and ELA scope and sequence to guide instruction is contrary to this requirement.

We want to bring these civil rights concerns to your attention because we know as the State Superintendent of Public Instruction you share our goal of ensuring that all of the students of Sac City Unified receive equitable access to high quality instructional and social and emotional supports while our schools are in a distance learning mode. We also believe that SCTA’s actions have the effect of causing the District to be in violation of SB 98. Our State Constitution mandates this and has placed the management and control of the public schools with the State (see *Butt v. State of California* (1992) 4 Cal.4th 668, 688), and the State has the obligation to intervene when on n-2 (e)4 (our2 (nt)-2 (e)4 t)-2 (h)4 (ou992))5po52 210 (ot)-cantr10 w5.1 () publ5-