



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 11.11

Meeting Date: August 17, 2023

Subject: Approve Resolution No. 3338 on the Recognition of the Rights of Students with Disabilities to a Quality and Inclusive Education

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: _____)
- Conference/Action
- Action
- Public Hearing

Division: Special Education

Recommendation: Approve Resolution No. 3338 on the Recognition of the Rights of Students with Disabilities to a Quality and Inclusive Education

Background/Rationale: SCUSD and BPSB agreement.

Financial Considerations: N/A

LCAP Goal(s): N/A

Documents Attached:

Exhibit A

Estimated Time of Presentation: N/A

Submitted by: Yvonne Wright, Chief Academic Officer

Geovanni Linares, SELPA Director

Approved by: Lisa Allen, Interim Superintendent

BPSB et al. v. SCUSD et al.

U.S.D.C., E.D. Cal., Case No. 2:19-cv-01768-DJC-KJN

COMPROMISE AND RELEASE AGREEMENT

EXHIBIT A

Sacramento City Unified School District
Board of Education

RESOLUTION No. 3338

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, the Unruh Civil Rights Act, the Fair Employment and Housing Act, Section 11135 of the Government Code, the Lanterman-Petris-Short Act, and the Lanterman Developmental Disabilities Services Act; and

WHEREAS, the California Education Code requires California schools to adopt instructional materials that accurately portray the cultural and racial diversity of our society, including the role and contributions of Black people, persons with disabilities, among those of members of other groups; and

WHEREAS, the FAIR Education Act enacted January 1, 2012 requires that California schools provide Fair, Accurate, Inclusive and Respectful (FAIR) representations of people with disabilities and people who are lesbian, gay, bisexual or transgender in History and Social studies curriculum and mandates schools to include the contributions of people with disabilities and members of the LGBT community in the curriculum; and

WHEREAS, the Board of Education and SCUSD recognize the rights of students with disabilities and their parents/guardians under federal and state law, and are committed to ensuring compliance with federal and state laws and providing equal opportunity for all individuals in District programs and activities; and

WHEREAS, as educational leaders the Board of Education and SCUSD recognize that evidenced-based instructional methods, inclusive practices, restorative justice practices, social and emotional learning, bullying prevention and intervention, mental health supports, and authentic family engagement are proven to substantially improve the educational and equitable outcomes for all students, including students with disabilities, students of color, and English language learners; and

WHEREAS, the Board of Education and SCUSD recognize that our students with disabilities are general education students first, and that every educational, operational, and budget decision we make begins with the belief that students with disabilities have a right to and have the ability to learn alongside their non-disabled peers and equitable and meaningful opportunities to learn and grow; and

WHEREAS, the Board of Education and SCUSD recognize that school climate refers to the norms, values, and expectations that support people to feel physically, socially, and emotionally safe and connected. To be their best, students must feel a sense of connectedness and belonging to their school community. Specifically, schools that are committed to promoting a variety of positive relationships with caring adults will have more connected and engaged students with disabilities, including students of color and English language learners.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education and SCUSD remain committed to work towards equitable outcomes for students with disabilities, including Black students and other students of color and English language learners, and support a vision of high expectations for all students and a commitment to learning goals, standards, interventions, and supports that are strong, clear, understood, and put into practice; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education and SCUSD value and support diversity and inclusion and recognize both the legal right to and the reciprocal benefits of inclusive education; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education and SCUSD remain committed to ensuring the implementation and efficacy of a Multi-Tiered System of Supports (MTSS), including an early identification and early intervention system to identify and document interventions for students whose performance and/or progress indicates they are at-risk for attendance, behavior, and/or course performance; and

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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:

Lisa Allen
Secretary of the Board of Education

Chinua Rhodes
President of the Board of Education