



April 8, 2020

Superintendent Jorge Aguilar  
Sacramento City School District  
5735 47<sup>th</sup> Avenue  
Sacramento CA 95824

Superintendent Aguilar:

***RE: Distance Learning in SCUSD***

This letter will serve as a response to your letter of 7:05 p.m. April 7, 2020.

You have not participated in a single conversation with us regarding our effort to work with the Sacramento City Unified School District (SCUSD) to develop and implement a Distance Learning program in response to the international pandemic caused by the Coronavirus.

Unfortunately, that does not inhibit you from offering your commentary on discussions you were not a part of, reporting as fact statements and actions that never occurred, and offering information that your team never shared with us while you act as if they did.

It is for these reasons that we have repeatedly asked that you participate directly in our conversations: we believe it is important that the primary staff decision-maker participate directly in working on the most significant and important undertaking currently facing the District: the development and implementation of a Distance Learning program for the 40,000 students in SCUSD.

Perhaps even more unfortunately, your letter is riddled with inaccuracies and misstatements.

Rather than rebut each one point-by-point, we will summarize the major takeaways from your letter and then provide a succinct response.

First, you confirm that the District is unwilling to abide by the Governor's Framework for Labor-Management Collaboration: Serving Local Communities During the COVID-19 Emergency."

Second, on behalf of the District, you admit for the first time, that contrary to the repeated assurances from the District's team, SCUSD **will not have** Chromebooks available for all students who need them by April 13. Furthermore, the District appears to be retreating from its commitment that each student who needs one will be provided a Chromebook, by limiting (for an

unspecified period of time) to one Chromebook per family at least at the elementary school level. There is no clarification provided for what happens if a family has multiple children at both the elementary and secondary level.

Third, you confirm that the District will abide by the Education Employment Relations Act.

Fourth, as just mentioned, you reject our offer to have County Supervisor Serna serve as mediator to immediately help the parties resolve their issues related to the development of the Distance Learning program in SCUSD, despite Supervisor's Serna willingness to serve in that role.

Fifth, after admitting for the first time that the District will not be able to provide Chromebooks to all students who need them by April 13, you write: "Thus, even if a student has not received a computer or internet access as of April 13, 2020, the student will still be able to participate in distance learning through other means." To date, the District has provided no details and no explanation, despite our best efforts to engage in such a discussion, how "students will be able to participate in distance learning through other means." You further refer to a "hybrid model" purportedly put forward by the District, but seem unaware that the District's team has provided no details about how such a model might work, including, for example, if paper packets are used for students how those packets would be created and distributed to students.

Sixth, you confirm what we have suspected all along-- that the District's proposed Distance Learning program is less flexible than other districts in the state, contrary to the District's public assertions. Your letter further confirms a widely held concern among teachers that the District leadership is more concerned with creating a Distance Learning program that appears to be state-of-the art on paper, but that lacks practical applicability in reality and may be injurious to students and families.

Seventh, by email, you provide a new proposal for us to consider and unlawfully demand a counterproposal by 3 p.m. today, an artificial deadline you unilaterally created.

In order to evaluate your proposal and to consider making a counterproposal, we have a number of questions that require explanation—answers that cannot be reduced to email questions and answers. Furthermore, we have requested several key pieces of information that the District has refused to produce to date, and now new information required on the basis of your April 7 letter. These include, but are not limited to:

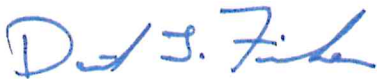
1. The redacted, but complete student responses to outreach conducted by teachers as a result of Memorandum #1.
2. The number of students by school who have indicated they need a district-provided Chromebook by April 13 who will not receive one.
3. The purchase order for the 20,000 Chromebooks purchased out of bond funds.
4. The delivery dates for the 20,000 Chromebooks reference in #3 above.
5. The dates and times of distribution of Chromebooks to students between now and April 13. We understand that as of noon on Wednesday, April 8, 2020, there are no additional distributions scheduled.
6. The process by which packets will be made and distributed for those students who lack computers with internet access, or who prefer non-online learning.

7. The District has not addressed security, confidentiality and other concerns raised by the use of Zoom, and other video conferencing tools, including securing parental permission.
8. The District has not addressed how certain certificated staff could be required to conduct in-person meetings despite a stay and shelter order in California and Sacramento County.
9. The District has provided no details of its “distance learning plan [that] is grounded in the commitment to provide consistency necessary to ensure that our students do not fall any further behind because of this unprecedented crisis,” included, but not limited to, the students who have lost contact with teachers. The District has not shared its plan to accomplish “developing and providing comprehensive and equitable learning opportunities to *all* students.” Despite repeated requests and a promise that the District team would present such a plan on Thursday, March 26, no such plan has ever been presented.

Accordingly, please let us know when you and your team are prepared to discuss your proposal and answer questions so that we can properly evaluate it and consider revising our current position and making a counterproposal. Again, we hope that the fact that you are the author of letters to us setting forth the District’s position and perspective on our discussions and offering new information that has not been shared by the District’s team indicates that you will begin participating directly in our conversations.

Finally, in response to your statement that bargaining cannot “deprive our students their constitutional right to an education,” we reiterate that in the absence of an agreement with the District and until all students have the technology and resources to participate in an equitable manner in Distance Learning, we will continue to provide Distance Learning consistent with the status quo which is reflected in our April 3 resolution and Governor Newsom’s March 13 Executive Order.

Sincerely,



David Fisher  
President



Nikki Milevsky  
First Vice-President



John Borsos  
Executive Director