Experts Evaluation Report for Sacramento City School District
Special Education, School Discipline, and Implicit Bias

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Background and Executive Summary

This report is designed to partially fulfill the requirements of the negotiated service agreement between Sacramento City Schools, plaintiff students and their representatives, and the Black Parallel School Board.

The format of the report is as follows:

- An Executive Summary including findings and recommendations
- A brief literature review for each topic area to establish the experts understanding of best practice research and to provide a framework for findings and recommendations
  - Special Education
  - Implicit Bias
  - School Discipline
- A summary of the evaluation questions by topic area. Many of the questions cross topic areas so they are repeated to ease the burden for the reader
- Evaluation methods including a summary of documents and interviews used as data sources
- Findings from the evaluation activities
- Recommendations aimed at improving practices and outcomes
- Limitations of the evaluation activities
- Attachments
  - Expert responses to Questions submitted by Plaintiffs and the District upon submission of the final report in October 2021 were included as separate file attachments and provided to both parties.

The language outlining the required content of this evaluation activity and reporting format is provided below.

Role of the Experts

The Expert Team worked in collaboration and coordination with one another, to complete

Executive Summary

This executive summary provides the following:

A summary of the evaluation questions by topic area. Many of the questions cross topic areas so they are repeated to ease the burden for the reader
Evaluation methods including a summary of documents and interviews used as data sources
Findings from the evaluation activities
Recommendations

The reader is ***strongly*** encouraged to read the full report in detail to best understand the overall logic and coherence of the methods, findings, and recommendations.

Executive Summary: Special Education Practices and Outcomes

This portion of the evaluation project sought to review the district's policies, procedures, and practices to detect if students with disabilities, particularly Black students were disabilities, had equitable access to adequate education, special education, related services, accommodations, and modifications. We paid particular attention to those factors (including implicit bias) that may contribute to disproportionate access of students from racial/ethnic minority groups, students with disabilities, and gender. While the evaluation team collaborated on all aspects of the evaluation, Dr. Jean Gerard served as the lead to conduct an in-depth, data-driven analysis of the district's policies and practices related to special education services to students with disabilities.

A summary of the evaluation questions for the special education topic area

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What is the availability of a continuum of placements and inclusive placements for students with disabilities, particularly Black students with disabilities?

- If the continuum is not available in an equitable manner, what is influence of implicit bias? What is influence of implicit, explicit, and structural racial and disability bias and intersection of the two?

What policies, procedures and practices are in place to ensure appropriate placement of students with disabilities, particularly Black students with disabilities, in inclusive placements?

- If such policies, procedures, and practices are in place, are they uniformly implemented?
- If policies, procedures, practices are not in place or unclear, what is influence of implicit bias?

Does the district monitor the alleged disproportionate impacts, based on race and type of disability, of previous non-inclusive placement?

- If so, how does the district monitor and address this?
  This means disproportionate impact by race and type of disability, e.g., emotional disturbance.

What disparities exist in access to adequate education, special education, related services, accommodations, and modifications for students with disabilities?

- If disparities exist, what is the influence of implicit bias?

How does the district provide reasonable accommodations and/or modifications, including through modifications to policies and procedures, to avoid discrimination against students with disabilities and Black students with disabilities?

- How does the district ensure that accommodations/modifications on a student's IEP are provided?
- If insufficiencies identified, what role does implicit bias play?

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Evaluation methods including a summary of documents and interviews used as data sources

To address these questions, we reviewed and analyzed the following:

- District policies, procedures and practices related to prereferral/SST process
  - SCUSD BP 6164.6 Identification and Education Under Section 504 (SC2489….)
  - SCUSD BP 6164.5 Student Study Teams (SC248950xAAE13)
  - SCUSD BP 6162.5 Student Assessment (SC248954xAAE13)
  - SCUSD AR 6164.6 Identification and Education Under Section 504 (SC2489....)
  - SCUSD AR 6162.5 Student Assessment (SC248953xAAE13).
- District policies, procedures and practices related to special education services
  - SCUSD BP 6164.4 Identification of Individuals for Special Education
  - SCUSD BP 6162.5 Student Assessment (SC248954xAAE13)
  - SCUSD BP 6159.2 Appointment of Surrogate Parent for Special Education
  - SCUSD BP 6159.3 Nonpublic Nonsectarian School and Agency Services for Special Education
  - SCUSD BP 6159.1 Procedural Safeguards and Complaints for Special Education
  - SCUSD BP 6159 Individualized Education Program (SC248963xAAE13)
  - SCUSD BP 5145.3 Nondiscrimination Harassment (SC248970xAAE13)
  - SCUSD AR 6164.5 Student Study Teams (SC248949xAAE13)
  - SCUSD AR 6164.4 Identification of Individuals for Special Education
  - SCUSD AR 6162.5 Student Assessment (SC248953xAAE13)
  - SCUSD AR 6159.4 Behavioral Interventions for Special Education Students
  - SCUSD AR 6159.2 Appointment of Surrogate Parent for Special Education Students
  - SCUSD AR 6159.3 Nonpublic Nonsectarian School and Agency Services for Special Education
  - SCUSD AR 6159.1 Procedural Safeguards and Complaints for Special Education
  - SCUSD AR 6159 Individualized Education Program (SC248962xAAE13)
  - SCUSD AR 5145.3 Nondiscrimination Harassment (SC248969xAAE13)
  - SCUSD AR 5144.2 Suspension and Expulsion Due Process (Students with Disabilities)
- Consistency and overall implementation of policies, procedures, data collection and reporting and practices across school sites. These were assessed using informal interviews with selected district personnel. A fidelity of implementation survey was to be administered to building level

administrators, but the survey contractor omitted these items in the survey. This was also true for the School Discipline items.

IEPs of Represented Students

Student records for DRC clients

Informal interviews with Christine Beata, Chief Academic Officer; Jennifer Kretschman, Director of MTSS; Sadie Hedegard, Assistant Superintendent of Special Education, Innovation, & Learning; Geovannni Linares, Director, Special Education Local Plan Area (SELPA)

A focus group interview with SCTA leadership (https://sacteachers.org/)

Interview with Brian Gaunt, MTSS consultant/trainer

Focus groups

Plaintiff parents and those represented by Disability Rights California

BIPOC administrators group

Black Parallel School Board ("BPSB")

The African American Advisory Board ("AAAB")

Community Advisory Council (Special Education)

The Coalition for Students with Disabilities

Sacramento City Teachers Association (SCTA) leadership

Findings

The findings indicate that there is not consistent implementation of a proactive, preventative "child find" approach to identifying and supporting students who demonstrate academic and behavioral challenges. There also is a lack of clarity of how the district's Student Study Team process and its Response to intervention efforts (i.e., MTSS) interface as well as how the MTSS initiative involves and is aligned with special education processes and services. Furthermore, there does not appear to be a consistent process used throughout the district to determine the least restrictive environment for individual students; rather placement appears to be determined by a student's eligibility category. Findings also indicate that clear offers of FAPE were not offered in a timely manner and there were situations where no or limited services were provided when a student was in transition between settings, especially when the student was suspended and/or awaiting placement in a more restrictive setting.

- Continue district's efforts to create a district-wide system to address the ongoing issues and problems that arise related to disproportionate impact of race, type of disability, etc.
- Develop an equitable process to increase opportunities for students with disabilities to receive special education services and supports within the general education settings in their home school or school of choice.
- Develop a process for routine monitoring and review of IEPs to ensure that reasonable accommodations and/or modifications are provided to support student's learning and individual needs in the least restrictive environment.
- Develop a process to determine the least restrictive environment for individual students to be used consistently across IEP teams and schools.
- Ensure all IEP team members (including family members, general education teachers) are involved when determining special education and supplementary services for students.
- Provide guidance and processes so that functional behavioral assessments are conducted, and positive behavioral interventions and support plans are developed and implemented in a timely manner to support students' access to the LRE.
- Provide professional development to all staff to help identify bias in the IEP process and placement of students of color.
- Provide ongoing professional development for all areas of need, including but not limited to implicit bias, inclusive practices, IEP and 504 processes, etc. for all personnel who interact with students who have disabilities.

Adequate and effective district staffing

- Develop a plan to recruit and retain staff of color which can include outreach to members of the community who can support students of color and assist with efforts to recruit staff of color.
- Develop and implement a plan to improve the ration of school psychologists to students, such that they can provide and support MTSS interventions and special education services.

MTSS and other proactive/prevention initiatives in the district

- Continue to implement the proposed MTSS plan to include ongoing professional development for school site administrators and staff to build the capacity of schools to implement data-based decision making.
- Include stakeholders that special education (special education teachers, inclusive practices coaches, school psychologists, related service providers, etc.) are part of the MTSS professional development plan.
- Collaborate with SCTA and other stakeholder groups to ensure school staff buy-in to the implementation of MTSS.

- Is there evidence that students improve? Is the improvement equitable?
- What is the influence of implicit bias?

Is the use of discipline and behavior management approaches for students with disabilities (and without identified disabilities) equitable, clear, and fair? Are discipline and exclusion used instead of providing students with disabilities supports and services they need? If any, what is the influence of implicit bias?

What disparities exist in access to adequate education, special education, related services, accommodations, and modifications for students with disabilities and Black students with disabilities?

- If disparities exist, what is the influence of implicit bias?

Do students have access to safe and inclusive learning environments, which includes effective and appropriate measures to address bullying and harassment of students with disabilities and Black students with disabilities?

- If not, what is the influence of implicit bias?

What type of PD has been offered relative to bullying and harassment? Policy and Practice (Do they exist)

- How does it impact students with disabilities?
- How is it implemented across race and gender?

How does the district provide reasonable accommodations and/or modifications, including through modifications to policies and procedures, to avoid discrimination against students with disabilities and Black students with disabilities?

How does the district ensure that accommodations/modifications on a student's IEP are provided?

- If insufficiencies are identified, what role does implicit bias play?

What is the staff development plan?

What is the effectiveness and sufficiency of training and ongoing development for the district's personnel who instruct, support, and/or serve students with disabilities and Black students with disabilities?

What is the effectiveness and sufficiency of training and ongoing professional development for District administrators who are involved in the development and implementation of IEPs and Section 504 Plans?

Is District staffing adequate, and effective in efforts to identify, instruct, and serve students with disabilities, including Black students with disabilities?

Does the staffing pattern meet CDE standards for staffing (race; gender; grade-level teaching; caseloads and staffing ratios)?

Evaluation Methods

Procedures and Data Sources. To address these questions, we reviewed and analyzed the following:

District policies, procedures and practices related to prereferral/SST process

SCUSD BP 6164.6 Identification and Education Under Section 504 (SC2489….)

- SCUSD BP 6164.2 - Student Study Teams (SC248950xAAE13)
- SCUSD BP 6162.5 - Student Assessment (SC248954xAAE13)
- SCUSD AR 6164.6 - Identification and Education Under Section 504 (SC2489....)
- SCUSD AR 6162.5 - Student Assessment (SC248953xAAE13).

District policies, procedures and practices related to special education services

- SCUSD BP 6164.4 - Identification of Individuals for Special Education
- SCUSD BP 6162.5 - Student Assessment (SC248954xAAE13)
- SCUSD BP 6159.2 - Appointment of Surrogate Parent for Special Education
- SCUSD BP 6159.3 - Nonpublic Nonsectarian School and Agency Services for Special Education
- SCUSD BP 6159.4 - Procedural Safeguards and Complaints for Special Education
- SCUSD BP 6159 - Individualized Education Program (SC248963xAAE13)
- SCUSD BP 5145.3 - Nondiscrimination Harassment (SC248970xAAE13)
- SCUSD AR 6164.2 - Student Study Teams (SC248949xAAE13)
- SCUSD AR 6164.4 - Identification of Individuals for Special Education
- SCUSD AR 6162.5 - Student Assessment (SC248953xAAE13)
- SCUSD AR 6159.4 - Behavioral Interventions for Special Education Students
- SCUSD AR 6159.2 - Appointment C22dal Inm (59.at)6 (t)-4 ((o)-2 io)-2 rts-1tE0 Tє

Interview with Brian Gaunt, MTSS consultant/trainer
Focus groups
- Plaintiff parents and those represented by Disability Rights California
- BIPOC administrators group
- Black Parallel School Board (“BPSB”)
- The African American Advisory Board (“AAAB”)
- Community Advisory Council (Special Education)
- The Coalition for Students with Disabilities
- Sacramento City Teachers Association (SCTA) leadership

The evaluation team had designed a Special Education survey to be delivered by an organization called Kelvin (https://kelvin.education/features/) along with fidelity items related to School Discipline and Implicit Bias. Unfortunately, the Special Education items were omitted from the survey when sent out to all school administrators in the district in late Spring, 2021. The evaluation team did not learn about this error until late summer due to long intervals between replies from Kelvin, and we chose to complete our report based on available data and information rather than attempt to readminister the surveys. We believe strongly that these fidelity measures are collected and will include this as a recommendation resulting from our work. Those surveys/fidelity measures are included as Attachment A

Findings

Findings indicated that the district policies and procedures that are currently being used have not been updated for many years, some as far back as 2002. State and federal guidelines have since changed, and the Sacramento City Schools have yet to adopt these changes. The guidelines have not been updated to reflect the new policies on bullying, suspension, and expulsion. School sites vary in terms of culture, policies, procedures, and expectations for students with disabilities to receive services in the general education setting. Findings indicated the need for professional development around Implicit Bias for all staff to support working with students of color.

Recommendations

The recommendations for improvement are summarized in much greater detail in the body of the full evaluation report and the reader is strongly encouraged to refer to the full document.

District Policies and Procedures

It would behoove the district to ensure policies and procedures are updated to meet State and Federal Mandates supporting all students. There have been many changes regarding discipline, suspension, and expulsion, etc. that should be updated. The updated policies and procedures should be viewed through a lens of equity and should eliminate any bias that may be embedded into them.

- School attended

What is influence of implicit bias?

Is the use of discipline and behavior management approaches for students with disabilities

- Ed Eldridge Director III, Strategy and Innovation
- Rhonda Rode, Director, Student and Data Systems

Consistency and overall implementation of policies, procedures, data collection and reporting and practices across school sites. These were assessed using informal interviews with selected district personnel. A fidelity of implementation survey was to be administered to building level administrators, but the survey contractor omitted these items in the survey. This was also true for the Special Education items.

- Ed Eldridge Director III, Strategy and Innovation
- Rhonda Rode, Director, Student and Data Systems

Collective bargaining agreements and contract proposals related to out of disciplinary exclusion

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Findings from the evaluation activities

Discipline Data recording, reporting and use

Use of reporting policies and practices (Infinite Campus) is inconsistent from school to school and administrator to administrator

- Discipline data reports as reflected in Infinite Campus, and the California Dashboard should be considered inaccurate and unreliable
- Sites report and use Office Discipline Referral data differently (some are paper, computer, etc.)
- Administrators have received written guidance for reporting exclusionary discipline, but use of the reports is low
- Administrators receive guidance on "data based decision making" for reviewing exclusionary discipline data (Illuminate usage report) and there is a system for monitoring Illuminate usage by school/administrator, but use of the reports is low

Implementing Alternatives to Exclusionary Discipline (office referrals, in and out of school suspensions)

Administrators receive limited guidance for implementing "other means of correction". Non-reportable offenses become "other means of correction" (locally defined behaviors)

There is a policy allowing use of "cool down" rooms or in school suspension but there is no common approach or clear guidance for administrators

Some parents and administrators are reluctant to record exclusionary discipline events for fear of negatively impacting the student in the future

Equity of Discipline Procedures

Multiple state reports and citations note a high suspension rate with racial/ethnic, disability and gender disproportionality higher in some schools than others

Bullying and Harassment policies, procedures, and data collection

Full Report

Evaluation Questions	Activities/Analysis	Measures and Data Sources (s)
Do students with disability have timely access to effective services, programs, and activities for disabilities in the least restrictive environment? What is the continuum of placements for students with disabilities, particularly Black students with disabilities? Is there appropriate placement (FAPE/LRE) of students with disabilities,		

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Evaluation Questions	Activities/Analysis	Measures and Data Sources (s)
with disabilities, particularly Black		

Evaluation Questions	Activities/Analysis	Measures and Data Sources (s)
How does the district provide reasonable accommodations and/or modifications, including through modifications to policies and procedures, to avoid discrimination against students with disabilities and Black students with disabilities? How does the district ensure that accommodations/modifications on a student's IEP are provided? If insufficiencies identified, what role does implicit bias play? (See Influence of Implicit Bias Section)	Review and Analyze:	

school sites are necessary as opposed to the addition of initiatives to either general education or special education within a district.

Over the last decade, the federal government has recognized the need to research and

classroom. The Task Force issued a report of its findings and recommendations in March of 2015 titled *One System: Reforming Education to Serve ALL Students* (Statewide Special Education Task Force, 2015). The report called for a more unified, coherent, and integrated system of education that ends the separation between special and general education. This separation contributes to a special education system that the Task Force concluded was "siloed" in much of its implementation and less effective than it could be. The recommendation for a more unified system was not just intended for the state level , but also for the district and school levels.

Following this report, many local school districts and county offices of education launched initiatives and projects that grew out of the Task Force's recommendations. One

Evaluation Questions	Activities/Analysis	Measures and Data Sources (s)
	transfers Voluntary transfers Interview site administrators to determine the extent to which they include or do	

Recommended Referral/Suspension Form Elements

- Date and time
- Student name
- Student grade
- Student demographics (may be automatically filled from school records database)
-

the goal is reversed. For most of the other measures, the desired outcome is a high number or percent in the current year and an increase from the prior year. For this measure, however, the desired outcome is a low suspension rate, which means a low percent in the current year and a decline from the prior year rate. The box below summarizes how the outcome data are summarized from this data source.

Calculations. Performance on this measure is determined by (1) the percent of students in a school or district or student group who were suspended for an aggregate total of one full day anytime during the school year, and (2) whether results (i.e., the suspension rate) increased or declined from the prior year. Suspension Rate Formula. Number of Students Suspended for an Aggregate Total of One Full Day in Current Year divided by Cumulative Enrollment. Difference from Prior Year Suspension Rate Formula. Current Year Suspension Rate minus Prior Year Suspension Rate

Determining a Performance Level on the CDE Dashboard. Based on the current year and prior year data, a performance level (or color) is given for this measure. The performance level is determined by using a five-by-five colored grid (see below).

Example. Little League Elementary School has the following suspension rate data:

In the current year, its suspension rate was 4.0 percent
From the prior year to the current one, the suspension rate declined by 1.6 percentage points

Using the five-by-five grid for Elem c rate declin lrSdD 20 >lrSdD 20 > 8.(o)12 (wi)14 (ng)6 (s)Q -

Direct observation
Fidelity Checklists
Self-report (checklist)
Permanent product (e.g., examining products such as the office referral form or summary data reports for quality or completeness)

The tables below include the fidelity items from the School Wide Information System Readiness Checklist (https://www.pbisapps.org/resource/swis-readiness-checklist) and the PBIS Tiered Fidelity Inventory (Algozzine et al., 2014) and illustrate critical features of a high-fidelity discipline data collection system. These items were used to assess fidelity of the data collection and decision-making practices of schools in the district.

PBIS Data Collection Readiness Criteria. These fidelity items were adapted from https://www.pbisapps.org/Pages/Default.aspx and (https://www.pbisapps.org/resources/swis%20publications/forms/allitems.aspx)

Feature	Data Source	Scoring Criteria
Building administrator supports the implementation and use of the Discipline Data Collection and Reporting System.	• Administrator Interview	0 = Not in place 1 = Partially in Place 2 = In Place
A school/facility-wide behavior support team exists and reviews the Discipline Data Collection and Reporting System referral data at least monthly.	• Team Roster & Meeting Schedule	0 = Not in place 1 = Partially in Place 2 = In Place
The school/facility has an incident referral form and 2 = Indy in Place		

Feature	Data Source	Scoring Criteria
school is committed to having in place a clearly documented, predictable system for managing disruptive behavior (e.g., School-wide PBIS).		

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PBIS TFI Data System Fidelity Measure (Algozzine et al., 2014)

Feature	Data Source	Scoring Criteria
1.5 Problem Behavior Definitions School has clear definitions for behaviors that interfere with academic and social success and a clear policy/procedure (e.g., flowchart) for addressing office-managed versus staff managed problems.	• Staff handbook • Studenthandbook • School policy • Discipline flowchart	0 = No clear definitions exis and procedures to manage problems are not clearly documented 1 = Definitions and procedures exist but are not clear and/or not organized by staff versus office-managed problems 2 = Definitions and procedures for managing problems are clearly defined, documented, trained, and shared with families
1.6 Discipline Policies: School policies and procedures describe and emphasize proactive, instructive, and/or restorative approaches to student behavior that are implemented consistently.	• Discipline policy • Student handbook • Code of conduct • Informal administrator interview/focus group	0 = Documents contain only reactive and punitive consequences 1 = Documentation includes and emphasizes proactive approaches 2 = Documentation includes and emphasizes proactive approaches AND administrator reports consistent use
1.12 Discipline Data: Tier 1 team has instantaneous access to graphed reports summarizing discipline data organized by the frequency of problem behavior events by behavior, location, time of day, and by individual student.	• School policy • Team meeting minutes • Student outcome data	0 = No centralized data system with ongoing decision making exists 1 = Data system exists but does not allow instantaneous access to full set of graphed reports 2 = Discipline data system exists that allows instantaneous access to graphs of frequency of problem behavior events by behavior, location, time of

behavioral expectations school-

illustrate the features of effective prevention approaches, and it is up to the district and local stakeholders to decide which interventions to adopt.

Recent studies by Bradshaw et al., (Double Check 2018), Cook et al., (Greet Stop Prompt) (2018), Gregory et al., (2018) (restorative practice), and Cornell et al. on (threat assessment) (2018) offer insights into how clear guidance in intervention procedures can be effective in reducing overall use of disciplinary exclusion, as well as impacting their disproportionate use. The collective work presented in these studies can guide adults and students to "slow it down," consistent with the available research on addressing implicit bias, stereotype threat, and racial anxiety (Godsil, Tropp, Goff, & powell, 2014; McIntosh, Girvan, Horner, Smolkowski, & Sugai, 2014)

Greet, Stop, Prompt: A study by Cook et al., (2018) focused on reducing the influence of implicit bias using the Greet-Stop-Prompt approach. This intervention involves proactive classroom behavior management strategies, a self-regulation technique to minimize the impact of teacher implicit bias in classroom decision-making during disciplinary encounters, and reactive behavior management strategies designed to generate more empathic responses to problem behavior. Through a single case experimental design, they reported data suggesting that the Greet-Stop-Prompt approach is associated with reductions in disproportionality in office disciplinary referrals for Black males, as well as concomitant improvements in Black males' self-report of belonging and connection at school, suggesting the potential effectiveness of the interventions' focus on addressing the influence of implicit bias.

Double Check: Double Check is a professional development and coaching framework that builds on School-Wide Positive Behavioral Interventions and Supports (SWPBIS) to help teachers enhance five core components of culturally responsive practices. The overarching goal of Double Check is to address the overrepresentation of students of color in disciplinary referrals, suspensions, and special education referrals (Ishfeldt et al., 2009). A randomized controlled trial (RCT) tested the impact of a novel coaching approach utilized as one element of the Double Check cultural responsivity and student engagement model. The RCT included 158 elementary and middle school teachers randomized to receive coaching or serve as comparisons; all were exposed to school-wide professional development activities. post comparisons of self-reported culturally responsive behavior management indicated improvements for teachers in both conditions following professional development exposure. Fewer office discipline referrals were issued to Black students by teachers assigned to receive coaching relative to comparison teachers. Similarly, trained observers recorded significantly more teacher proactive behavior management and anticipation of student problems, higher student cooperation, less student non-cooperation, and less disruptive behaviors in classrooms led by coached teachers relative to comparison teachers. These findings suggest the school-wide activities were associated with improved teacher-self-efficacy. Teachers who were additionally coached demonstrated significantly lower disproportionality DRS among Black students and improved classroom management practices.

Restorative Practices in Schools: In addition to its being used in the juvenile justice system, some schools have adopted a restorative justice approach in dealing with school-based juvenile problem behaviors, such as peer conflict, bullying, and possession of substances (Reimer, 2020). And in addition to the overall goals of the practice discussed

and disability discipline gap (Catherine P. Bradshaw et al., 2018). Even less is known about the

no guidance is given in when and how to choose and implement an “alternative” (Peterson, 2005).

The role of functional behavior assessment (O'Neill, Albin, Storey, Horner, & Sprague, 2014) methods to specifically (at a more micro level) the antecedents (e.g., poor teacher student relationships, overreaction by a teacher in a vulnerable situation, etc.) behaviors (e.g., possibly those that are culturally typical for a student and aversive to the teacher) and consequences (e.g., reprimands, warnings, removals) that are occasioning and maintaining student behaviors that may result in exclusion. This set of practices, combined with training in classroom management and culturally responsive teaching, may be especially beneficial for students whose behaviors persist after high fidelity “tier 1 and 2” supports are provided.

Other Means of Correction. In 2012 the California legislature passed AB 1729 requiring that all students in California are provided appropriate due process protections before they are expelled or suspended. The legislative goal in enacting the discipline code was to:

> "[S]afeguard the constitutional and statutory right of California children to a free education . . . by establishing fair procedures which must be followed before that right is withdrawn."
>
> - Slayton v. Pomona Unified Sch. Dist., 207 Cal. Rptr. 705, 713 (1984)

This bill authorized school districts to document the other means of correction used and place that documentation in the pupil’s record. The bill also spen inh bhe ba 12iari139i1d003 Tw

ARTICLE 1. Suspension or Expulsion [48900 - 48927] (Article 1 repealed and added by Stats. 1983, Ch. 498, Sec. 91.)

48900.5.

(a) Suspension, including supervised suspension as described in Section 48911.1, shall be imposed only when other means of correction fail to bring about proper conduct. A schoo

Bullying and harassment have always existed in contexts where diverse groups of individuals are grouped together for extended periods of time. However, as we have gradually become more socially divided, diverse, tribal, and confrontational in our beliefs and actions, the opportunities for bullying and harassment have grown. This cultural shift seems tont toar (hapi)8 (be

What is the proper response if a student reports a socially aggressive behavior or bullying incident to you?

- What should you say to the student?
- What information do you need to collect and report?
- Who do you report the socially aggressive behavior or bullying to?
- What is the follow up safety plan and who is responsible for monitoring the plan?

Promote the importance of active supervision of students in common and low traffic areas.

Respond to chronic bullying and harassment with appropriate supports, needed sanctions and proven intervention methods.

Assist and support chronic victims to avoid dangerous situations and to learn bully/harassing response skills.

Track instances of bullying and harassment and adjust the intervention program as needed based on this information.

The Influence of Implicit Bias

This section of the report responds to the questions in the evaluation plan related to implicit bias and whether bias is evident in the district's policies and procedures, relevant discipline, student records, and special education referral process. They are presented below for ease of access.

This evaluation activity sought to detect if there is an influence of implicit bias on the district's procedures and policies that are consistently implemented and effective in achieving equitable and fair outcomes for students.

Activities/Analysis	Measures and Data

higher rate of disciplinary issues, referrals, and suspension and expulsions and will more likely be referred to special education for behavior issues

Because the implicit associations we hold arise outside of conscious awareness, implicit biases do not necessarily align with our explicit beliefs and stated intentions. This means that even individuals who profess egalitarian intentions and try to treat individuals fairly can still unknowingly act in ways that reflect their implicit rather than their explicit biases. Thus, even well intentioned individuals can act in ways that produce inequitable outcomes for different groups (Staats, 2016). As implicit biases are stored in our subconscious, it is imperative that we learn to identify implicit biases, how they come about, and certain biases we all hold so that we can identify them when they show up.

Implicit Bias in Special Education. Implicit bias can be identified in many aspects of the school systems, including but not limited to the referrals for discipline and other programs, like special education. Referrals by school staff members may be subject to implicit bias that these educators have against students of color and/or students with disabilities. The educators may not even be aware that they hold biases against students of color or students with disabilities, but these biases become evident in the referral process (Rynders, 2019). These biases can show up at any time during the referral process and many times have been missed by those reviewing the process and protocols. Redfield and Kraft (2012) asserted, “Color is a likely factor considered implicitly when finding and making those critical referrals and subsequent educational decisions as to 2 minority children” (p. 133). They further contended “black boys” received the label in high incidence categories, such as mild intellectual disability; although in recent years, new eligibility categories are disproportionate, thus resulting in disproportionate placements (Whatley, 2017).

According to Losen and Orfield (2002), African American students 37 are overrepresented in nine of thirteen categories and more likely than their White peers

Evaluation Methods

In this section we describe the evaluation methods used across the three major topic areas. Adjustments were made to the initial TOS to accommodate logistics of carrying out this project during the COVID pandemic and to correct any errors in logic or consistency made during the evaluation planning discussions. We start with Special Education, followed by School Discipline. Implicit Bias methods and questions are embedded in the two major topic areas.

Special Education

Evaluation Questions. The questions are (also listed above) are:

Does the district achieve timely identification, assessment, and access to services for students with disabilities and Black students with disabilities, including the district's use of Student Study Team meetings?

Do students with disabilities have timely access to effective services, programs, and activities for disabilities in the least restrictive environment?

- What is the continuum of placements for students with disabilities, particularly Black students with disabilities?
- Is there appropriate placement (FAPE/LRE) of students with disabilities, particularly Black students with disabilities, in inclusive placements?
- What is influence of implicit, explicit, structural racial and disability bias and intersection of the two?

What is the availability of a continuum of placements and inclusive placements for students with disabilities, particularly Black students with disabilities?

- If the continuum is not available in an equitable manner, what is influence of implicit bias? What is influence of implicit, explicit, and structural racial and disability bias and intersection of the two?

What policies, procedures and practices are in place to ensure appropriate placement of students with disabilities, particularly Black students with disabilities, in inclusive placements?

- If such policies, procedures, and practices are in place, are they uniformly implemented?
- If policies, procedures, practices are not in place or unclear, what is influence of implicit bias?

Does the district monitor the alleged disproportionate impacts, based on race and type of disability, of previous non-inclusive placement?

- If so, how does the district monitor and address this?
  This means disproportionate impact by race and type of disability, e.g., emotional disturbance.

What disparities exist in access to adequate education, special education, related services, accommodations, and modifications for students with disabilities?

- If disparities exist, what is the influence of implicit bias?

How does the district provide reasonable accommodations and/or modifications, including through modifications to policies and procedures, to avoid discrimination against students with disabilities and Black students with disabilities?

- How does the district ensure that accommodations/modifications on a student's IEP are provided?
- If insufficiencies identified, what role does implicit bias play?

What is the staff development plan?

- What is the effectiveness and sufficiency of training and ongoing development for the district's personnel who instruct, support, and/or serve students with disabilities and Black students with disabilities?
- What is the effectiveness and sufficiency of training and ongoing professional development for District administrators who are involved in the development and implementation of IEPs and Section 504 Plans for students with disabilities?

Is District staffing adequate, and effective in efforts to identify, instruct, and serve students with disabilities, including Black students with disabilities?

- Does the staffing pattern meet CDE standards for staffing (race; gender; grade level teaching; caseloads and staffing ratios)?

SCUSD AR 6162.5 Student Assessment (SC248953xAAE13)
SCUSD AR 6159.4 Behavioral Interventions for Special Education Students
SCUSD AR 6159.1 Appointment of Surrogate Parent for Special Education Students
SCUSD AR 6159.2 Nonpublic Nonsectarian School and Agency Services for Special Education
SCUSD AR 6159.1 Procedural Safeguards and Complaints for Special Education
SCUSD AR 6159 Individualized Education Program (SC248962xAAE13)
SCUSD AR 5145.3 Nondiscrimination Harassment (SC248969xAAE13)
SCUSD AR 5144.2 Suspension and Expulsion Due Process (Students with Disabilities)

Consistency and overall implementation of policies, procedures, data collection and reporting and practices across school sites. These were assessed using informal interviews with selected district personnel. A fidelity of implementation survey was to be administered to building level administrators, but the survey contractor omitted these items in the survey. This was also true for the School Discipline items.

IEPs of Represented Students

Student records for DRC students

Informal interviews with Christine Beata, Chief Academic Officer; Jennifer Kretschman, Director of MTSS; Sadie Hedegaard, Assistant Superintendent of Special Education, Innovation, & Learning; Geovannni Linares, Director, Special Education Local Plan Area (SELPA)

A focus group interview with SCTA leadership (https://sacteachers.org/)

Interview with Brian Gaunt, MTSS consultant/trainer

Focus groups

Plaintiff parents and those represented by Disability Rights California
BIPOC administrators group
Black Parallel School Board (“BPSB”)
The African American Advisory Board (“AAAB”)
Community Advisory Council (Special Education)
The Coalition for Students with Disabilities
Sacramento City Teachers Association (SCTA) leadership

The evaluation team had designed a Special Education survey to be delivered by Com.0 (f).0

resulting from our work. Those surveys/fidelity measures are included as Attachment A

School Discipline

Evaluation Questions. The questions (also listed above) were:

- SCUSD AR 5144 Discipline (SC248975xAAE13)
- https://naacpsac.com/wp-content/uploads/2021/01/2020-Suspension-Capitol-of-Suspensions-II-Dec-2020.pdf

District policies, procedures, and practices on exclusionary discipline data entry, monitoring and reporting. These were provided by district personnel identified as responsible for this area of practice or compliance.

- Ed Eldridge Director III, Strategy, and Innovation
- Rhonda Rode, Director, Student and Data Systems

Consistency and overall implementation of policies, procedures, data collection and reporting and practices across school sites. These were assessed using informal interviews with selected district personnel. A fidelity of implementation survey was to be administered to building-level administrators, but the survey contractor omitted these items in the survey. This was also true for the Special Education items.

- Ed Eldridge Director III, Strategy and Innovation
- Rhonda Rode, Director, Student and Data Systems

Collective bargaining agreements and contract proposals related to use of disciplinary exclusion

- LIMITS ON SUSPENSION FOR VIOLATION OF EDUCATION CODE § 48900(k) 2/3/2020
- Distance Learning Discipline Protocol 8/25/2020
- 2020-2021 Standards of Behavior Document
- Affective Statements Memo
- Memo to Staff on Discipline-21-21

A focus group interview with SCTA leadership (https://sacteachers.org/)

District/site-based discipline data:

- Office referrals, in school and out of suspension, “soft suspensions,” expulsion disaggregated by race, gender, and disability. Summary for all schools provided by Ed Eldridge
- California Dashboard data
- Infinite campus data provided by the district (Rhonda Rode)

- IEPs of Represented Students
  - Student records for DRC clients
- Focus groups
  - Plaintiff parents and those represented by Disability Rights California
  - BIPOC administrators group
  - Black Parallel School Board (“BPSB”)
  - The African American Advisory Board (“AAAB”)
  - Community Advisory Council (Special Education)
  - The Coalition for Students with Disabilities
- Law enforcement presence and reason for calls/interactions and enforcement by officers in or outside of the district
  - Informal Interview with Raymond Lozada

SCUSD Reports August 2019 to May 2020 Law Enforcement Activities by School

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION RESOLUTION NO. 3157

RESOLUTION TO REIMAGINE SCHOOL SAFETY AND WORK TO DISMANTLE STRUCTURAL RACISM IN SACRAMENTO CITY UNIFIED SCHOOLS 7/16/2020

Implicit Bias

This section will describe in detail the procedures, and results of the evaluation plan regarding Implicit Bias.

Evaluation Questions. The questions were:

Does the district achieve timely identification, assessment, and access to services for students with disabilities and Black students with disabilities, including the district's use of Student Study Team meetings?
Do students with disabilities have timely access to effective services, programs, and activities for disabilities in the least restrictive environment?
What is the continuum of placements for students with disabilities, particularly Black students with disabilities?
Is there appropriate placement (FAPE/LRE) of students with disabilities, particularly Black students with disabilities, in inclusive placements?
What is the influence of implicit, explicit, structural racial, and disability bias and the intersection of the two?
What is the availability of a continuum of placements and inclusive placements for students with disabilities, particularly Black students with disabilities?
If the continuum is not available in an equitable manner, what is the influence of implicit bias? What is the influence of implicit, explicit, and structural racial and disability bias and the intersection of the two?
What policies, procedures, and practices are in place to ensure appropriate placement of students with disabilities, particularly Black students with disabilities, in inclusive placements?
If such policies, procedures, and practices are in place, are they uniformly implemented?
If policies, procedures, practices are not in place or unclear, what is the influence of implicit bias?
Does the district monitor the alleged disproportionate impacts, based on race and type of disability, of previous non-inclusive placement?
If so, how does the district monitor and address this?
How effective are District-wide and school-based student discipline and behavior management systems, policies, and practices?
- Data collection and data-based decision-making practices?

- How equitable are exclusionary discipline outcomes?
    - Race/ethnicity
    - Gender
    - Disability
- Is there evidence that students improve? Is the improvement equitable?
- What is the influence of implicit bias?

Is the use of discipline and behavior management approaches for students with disabilities (and without identified disabilities) equitable, clear, and fair? Are discipline and exclusion used instead of providing students with disabilities supports and services they need? If any, what is the influence of implicit bias?

What disparities exist in access to adequate education, special education, related services, accommodations, and modifications for students with disabilities and Black students with disabilities?

- If disparities exist, what is the influence of implicit bias?

Do students have access to safe and inclusive learning environments, which includes effective and appropriate measures to address bullying and harassment of students with disabilities and Black students with disabilities?

- If not, what is the influence of implicit bias?

What type of PD has been offered relative to bullying and harassment? Policy and Practice (Do they exist)

- District policies, procedures, and practices on disciplinary exclusion. These were provided by district personnel.
- Consistency and overall implementation of policies, procedures, data collection and reporting, and practices across school sites. These were assessed using informal interviews with selected district personnel and fidelity of implementation survey administered to building-level administrators.
- IEPs of Represented Students
    - Student records for DRC clients

Collective bargaining agreements and contract proposals

Focus groups

- Plaintiff parents and those represented by Disability Rights California
- BIPOC administrators group
- Black Parallel School Board (“BPSB”)
- The African American Advisory Board (“AAAB”)
- Community Advisory Council (Special Education)
- The Coalition for Students with Disabilities
- Sacramento City Teachers Association (SCTA) leadership

Administrator Survey, July 2021

Results

Checklist Manifesto (Gawande, 2010)

The volume and complexity of knowledge today has exceeded our ability to effectively deliver it to people-- consistently, correctly, safely. We train longer, specialize more, use ever advancing technologies and we still fail.

Failure type 1: Ignorance

We do not know what to do

Failure type 2: Ineptitude

We have the knowledge and do not apply it properly

Special Education

Is there timely identification and assessment of students with disabilities and Black students with disabilities?

Interviews with families, focus group interviews with parent groups and other stakeholder groups, and a review of students' records revealed a pattern of students exhibiting behavior, social and academic challenges over time, often with multiple suspensions, prior to referrals to the Student Study Team process or formally be assessed for eligibility to receive special education services. Parents reported delays in responses to their multiple requests for assessment and in following required timelines. Furthermore, there does not appear to be a consistently implemented proactive, preventative "child find" approach to identifying and supporting students who demonstrate academic and behavioral challenges.

There is lack of clarity of how the district's Student Study Team process and its Response to Intervention efforts interface. Currently, the district has begun a new initiative and professional development for a Multi-tiered Systems of Supm6 ( )1M(o)12 (nafTc 0.0030.003 3)4 (

subsequent development and implementation of positive behavioral support plans were not done proactively. There was a pattern of student suspensions and multiple parent requests prior to functional behavioral assessments being completed. When plans were developed, there is no evidence that the students' teachers received training on implementation or that plans were implemented with fidelity. There were also reports that clear offers of FAPE were not offered in a timely manner and situations where no or limited services were provided when a student was in transition between settings, especially when the student was suspended and/or awaiting placement in a more restrictive setting.

Is there the availability of a continuum of placements and inclusive placements for students with disabilities, particularly Black students with disabilities?

As previously mentioned, a relatively small number of school sites implement inclusive practices. There is currently no district wide plan to increase and strengthen inclusive service delivery. School sites vary in terms of culture, politics, procedures, and expectations for students with disabilities to receive services in the general education classroom setting. Based on data reported to the state for the annual performance report, 57.67% of students with disabilities receive their education services in the general education classroom setting 80% or more of the school day. Interviews with families, focus group ire-4 (a)10 Tw 25.2ots (h)-4 ( )1

and Stakeholder group, and there have been some meetings with stakeholder groups.

student records noted that outside district providers were often contracted to conduct functional behavior assessments.

What is the staff development plan?

Other than the professional development plan for Multi-Tiered Systems of Support (discussed in the subsequent section), there is no evidence of a professional development plan to provide ongoing and sustained learning opportunities for administration, teaching staff, related service providers that are consistent with a district vision and goals to meet the diverse needs of all students, including those with disabilities. There is no current plan for professional development for all school site administrators and personnel to implement evidence-based inclusive education strategies, including but not limited to co-teaching. There is also no evidence of ongoing training for district administrators related to implementation of IEPs and 504 plans to provide FAPE in the LRE.

MTSS and other proactive prevention initiatives in the district

SCUSD has in recent years initiated and has not sustained nor fully implemented (District wide) a series of prevention initiatives. These include PBIS (some PBIS elements are known as SPARK in the district) and SPARK included other practices and restorative practice (also referred to as Restorative Justice in some policy documents and reports (Wood, Harris III, & Howard, 2018). The District's PBIS system was halted because of SCTA's objections, including the filing of an unfair practice charge with the Public Employees Relations Board.

The most recent major initiative is focused on Multi-Tiered Systems of Support (MTSS). A new cohort of District Schools had begun PBIS training with the California PBIS Coalition (https://pbisca.org/) out of the Placer County Office of Education and according to Doug Huscher, staff development activities were postponed by CIO Beata to allow for the MTSS training. The MTSS initiative is addressed here briefly as the discussion of planned work arose in multiple focus group conversations.

MTSS is mentioned in federal legislation, but it not required. The Every Student Succeeds Acts (ESSA), which is the federal legislation for public education, references "multi

These initiatives were driven at least in part by grant funding and then stalled when the funding was used up. A similar finding was reported in the CCEE SIR report (https://ccee-ca.org/wp-content/uploads/2021/01/SCUSD-SIR-Report_Final.pdf).

There is a MTSS staff development initiative that reportedly has support from SCTA (https://ccee-ca.org/services/systemic-instructional-review/sir-reports/), but their representatives indicated in an interview with the expert team were not aware of the scope and sequence or dissemination plan.

Administrators have received written guidance for reporting exclusionary discipline but adoption and use of the reports is low. Administrators receive guidance on "data-based decision making" for reviewing exclusionary discipline data (Illuminate usage report) and there is a system for monitoring Illuminate usage by school/administrator discipline but use of the reports is low.

The ABC reports, which were implemented in 2018-19, are an outgrowth of PBIS (Spark) implementation and early warning (school failure risk) research (Bruhn, Lloberger et al., 2017). The district's student support services and academic offices had invested significant resources to track student engagement data and requested additional district support to automate their processes as much as possible to increase their ability to "see" and "support" all students across multiple measures.

In keeping with the vision of adopting and implementing formative reporting measures aligned to the district's Performance and Targeted Action Index (PTAI) performance management system, district personnel collaborated with UC Merced to develop the Attendance, Behavior, and Course performance (ABC) Reports within Illuminate (https://www.scusd.edu/illuminate). These reports are designed to be a collection of easy-to-use tools that incorporate early warning system research regarding the importance of attendance, behavior, and course performance as essential indicators for identifying and intervening with at-risk students (Balfanz, Bridgeland, Moore, & Fox, 2010; Lloberger et al., 2017). The reports are designed to help individual educators, site instructional leaders, school site councils, and other members of the school community identify trends and patterns across grade levels, ethnic and racial groups, and student programs.

The strength of the system is that data elements are linked to California Dashboard summary data and a planning/goal setting function is built into the system. This could be a powerful information management tool and has potential to link to the MTSS staff development project reportedly underway in the district. Ed Eldridge Director III, Strategy and Innovation provided a personal observation that schools do not utilize the reports, and even when a report is generated for a site administrator, it is unlikely to be used. In addition, in an interview with Brian Gaunt, MTSS trainer and consultant for the district, he stated he was unaware of this system, even though the "year 1" MTSS trainings is focused on data-driven

Administrators receive limited guidance for implementing “other means of correction”. Non-reportable offenses become “other means of correction” (locally defined behaviors). There is a policy allowing use of “cool down” rooms or in school suspension but there is no common approach or clear guidance for administrators

Written Protocols for implementing Suspension Alternatives are Absent. While there are policies encouraging the use of disciplinary alternatives (see Other Means of Correction in the background section), there is little guidance in effective or equitable implementation of these practices, and no fidelity of implementation data were reported or found.

Recently (before the COVID pandemic), a Behavior subcommittee was working on consistent discipline protocols. These were shared with all principals and assistant principals for feedback 2 years ago. This committee was in the process of responding to the feedback and were asked by the Chief Academic Officer to pause. The pause coincided with the introduction of the MTSS staff development work, and the district has not returned to the Climate/Behavior workgroup. The working draft of the discipline protocols can be viewed here: https://docs.google.com/document/d/1kZF3MtNZlzx99BKqarQF2twmVDH0trvNKvK1IhJAXRI/edit?usp=sharing. This document illustrates a sequence of “suspension alternatives” and it is recommended that this document be completed, and it’s use required and adopted district wide.

Some parents and administrators are reluctant to record exclusionary discipline events for fear of negatively impacting the student in the future. A troubling finding that emerged in our focus groups with parents and administrators is a reluctance to report and record the use of disciplinary incidences (refer to lack of clear guidance or data entry protocols) due to the belief that juvenile court judges will use these data to provide stronger sanctions for justice-involved youth.

What fidelity assessments are currently used by the district?

As described in the background section of this document, routine use of fidelity assessments is considered a critical best practice for assuring the consistency and quality of service delivery, including how exclusionary discipline (or other means of correction) is used, and how the data are reported and used for decision making. We found limited evidence of the use of such fidelity tools, and this likely contributes to inconsistent and biased use of exclusionary discipline. STOP It is also likely to contribute to either over- or under-reporting of disciplinary incidents, making the data systems used by the district (and reported to the state) unreliable and as such, invalid.

Bullying and Harassment policies, procedures, and data collection

-

Many of these strategies have been put in place and the table below summarizes this progress. We observe that the system has mainly achieved methods for reporting and responding to bullying and harassment and there is a need to achieve a more coherent, district wide prevention approach.

Strategy	Progress
Develop District Bullying Policy	Administrative Regulations Approved 4/12/12, Revised 3/16/15, Revised September 2021 BoardPolicy adopted: June 2, 2011
Create District-Wide Committee Focused on Bullying and Harassment	Bullying Prevention Advisory Committee was changed to Schoo Climat ( )]TJed.04 -0 0 11.04 22e

Strategy	Progress
District Bullying Prevention Efforts	
Focus on Populations at Hig Risk for Bullying	Training and information provided specific to High Risk Populati Annual Conference (No Time to Lose) LGBTQ/Bullying Prevention presentations given annually to interns from local universities LGBTQ/Other High Risk populations outlined in training events and materials Ongoing collaboration with the Connect Center on LBGTQ support services https://www.scusd.edu/connect-center
Enrich and Expand Partnerships with City, County and Community organizations	Student Support and Health Services has over 120 community partners, many of which were for utilized for bullying prevention: District Attorney's Office

According to the District Disproportionality survey for Sacramento City, Black students are the fourth large subgroup in enrollment, however, they represent the most students in special education. SCUSD has a history of incomplete implementation of different prevention initiatives (SEL, RP, PBIS) and there is no coherent district coordination of these efforts. They seem to be driven by grant funding and then stall when the funding is gone. There is a new MTSS staff development initiative that reportedly has support from SCTA, but their representatives reported they were not aware of the scope and sequence or dissemination plan. The SCTA is not adequately involved in the planning or implementation of the MTSS initiative, and this is important for the district. There are many stakeholders wi or5i4 (n (ri4 (is)2)3 ( )]

Partially in place: 9/32 (28%)
Not in place: 1/32 (3%)
No Response: 6/32 (18.75%)

Recommendations

Special Education Recommendations

This section details the recommendations regarding special education services resulting from our evaluation activities. Attachment B provides a table aligning the main findings and recommendations.

A vision and plan for inclusive education/service delivery. The district should develop a comprehensive vision and plan for providing equitable inclusive education practices that values and celebrates student diversity and strengths and facilitates meaningful access and participation. The vision and plan development should be a collaborative effort between general education and special education administration and staff as well as all relevant stakeholders, including but not limited to students, family members, community leaders, SCTA representatives. The plan should include actionable steps to increase opportunities to all students with disabilities, particularly Black students with disabilities, to receive special education services and supports within general education settings in their home school. In addition, the plan should include a realistic timeline to scale up implementation of inclusive service delivery across the district. As part of this plan, the district should provide professional development, including coaching, for all staff (general and special education teachers, administrators, related services personnel) on appropriate definitions, models, and evidence-based practices for inclusive service delivery. All professional development opportunities provided should be considered complementary and viewed as parts of separate initiatives.

As the district moves forward with implementation of the plan, it should develop their

processes for referring students to be evaluated for special education eligibility (i.e., when during the MTSS process it becomes evident that the student may qualify for special education services). Furthermore, the district should develop routine and consistently implemented monitoring and review of referral, evaluation, and eligibility decisions

The district should provide training on timelines and evidence-based practices for all processes, including “child find”; referral to assess for eligibility; initial, annual, and triennial assessments; and IEP development and implementation. In addition, procedures that facilitate timely response to parental requests for assessment should be

color. The district also can develop and implement a plan to improve the ratio of school psychologists to students, such that they can provide and support MTSS and special education interventions.

Continued implementation of the MTSS initiative. The district should continue to implement the proposed MTSS plan to include ongoing professional development for school site administrators and staff to build the capacity of schools to implement data-based decision-making. It is essential that stakeholders that represent special education (e.g., special education teachers, inclusion practices coaches, school psychologists, related service providers, etc.) are part of this professional development plan, in terms of providing input and receiving the training and on-going coaching. The district needs to collaborate with SCTA and other stakeholder groups to ensure school staff-buy in to implementation of MTSS.

The plan for MTSS implementation also needs to ensure collaboration between general education and special education staff so that the MTSS process is followed through and exhausted prior to special education referral. As part of MTSS implementation, each school should have monthly reviews of student progress data and problem-solving around outcomes. However, the MTSS process should not stand in the way of a referral for eligibility to receive special education services. MTSS can enhance but cannot supplant special education services.

School Discipline Recommendations

This section details the recommendations regarding school discipline resulting from our evaluation activities. Attachment B provides a table aligning the main findings and recommendations.

Reporting policies and practices. Given the lack of clarity and consistency regarding discipline incident reporting, data entry, and data use, the following recommendations are offered:

Produce a detailed guide (Data Discussion Guide) for recording and using Infinite campus with standardized behavior definitions and protocols for using “other m

office referrals we recommend a monthly review of these data for each sc hool. These

Meet with SCTA representatives (added by the author of this report)
Attend staff and team meetings
Complete awareness-building activities (as needed)
Assess data to identify root causes
Select Culturally responsive behavior support strategies
Teach about implicit bias and strategies to neutralize it
Develop and use a follow-up plan for each school
Provide individual coaching (as needed)

Facilitators of Success include

Focus on implementing Tier 1 PBIS with fidelity (Algozzine et al., 2014)
Monthly school based PBIS team meetings focused on using data to problem solve (not only on "acknowledgements")
Use a data system that allows for disaggregation, especially by race/ethnicity (e.g., SWIS https://www.pbisapps.org/products/swis). Our view is that if the district enhances use of the Infinite Campus and the SPSA CCI Tool it can be tailored to meet those criteria (see findings and recommendations above)
Provide specialized training/coaching to PBIS/MTSS data specialists
Monthly district level PBIS/MTSS coaches' meetings to provide TA and coaching in a structured manner
Consistent District Leadership Team meetings with senior leadership (Superintendent, Assistant Superintendents, etc.)
A decision making process that allows for stakeholder input and ownership

It is important to note that PBIS researchers have worked to publish research outcomes on what PBIS practices alone have not been shown to accomplish. This is also true of all other interventions. This report included the ReACT research as an example of how PBIS systems can be integrated with other approaches to improve racial equity outcomes.

The ReACT research also demonstrates the need for an intentional focus on implementation systems and fidelity assessments, not simply choosing a labeled approach and implementing staff development activities. One recommended option for SCCSD to use the process outlined by the National PBIS Center (https://www.pbis.org/resource/technical-guide-for-alignment-of-initiatives-programs-and-practices-in-school-districts) and Dr. Sprague was one of the authors. The National Implementation Research Network also offers planning documents https://nirn.fpg.unc.edu/resources/district-capacity-assessment-technical-manual

Based on the findings, it is important that the district look at its current discipline policies to see how they impact all students. It is important that the district support policies that support student learning and are equitable for all students. As each school site has its own policies, it would behoove the district to create a district-wide initiative to ensure fair and equitable treatment for all students. The district has a plan that needs to be put into place and should include all stakeholder's input. There should be collaboration between District, SCTA, and other entities. Buy-in needs to occur for the school staff to buy into implementation. There needs to be collaboration between general education and special education staff to ensure MTSS is followed through and exhausted prior to special education referral. For MTSS to be successful, each school will have monthly reviews of student progress data and problem-solving around outcomes.

To specifically support the exclusionary discipline that impacts Black boys in the district, including mental health professionals when working on the policies can ensure an objective lens of support. Proposed intervention strategies that school-based mental health professionals can use to change the trajectory of African American males within the educational system include a) the review of discipline data to make informed decisions about whether student interventions are necessary; and b) an assessment to determine whether teacher consultations would better address issues surrounding disproportionate discipline practices towards African American males (Darensbourg, et al. 2010). Providing cultural competency trainings for staff members and community members would help ensure anyone who has access to the diverse student population would know how to work with them. Training should be provided by a 3rd party organization that supports working with students of color, specifically Black students to help understand cultural differences and they can be used to support the student, rather than punish them.

Limitations of This Evaluation Activity

It is important to note some limitations to this evaluation project:

The project was carried out during the COVID pandemic.
We were not able to visit any school sites in person, nor conduct in person interviews
The comments on policy and student records were derived only from material provided by the district. It is possible that some of our findings are limited by lack of access to, or discovery of important information.

As stated in the previous section on limitations, this evaluation activity was completed during the ongoing COVID pandemic, creating numerous difficulties in data collection, particularly the opportunity to visit families, teachers, administrators, and district staff members face to face. That said, we collectively found all district staff members to be very willing to help with honest responses to our question and by providing data as available. We are most grateful for that.

We also acknowledge that the solutions proposed from our findings represent a complex set of choices and activities that will require cooperation from all stakeholders in the district (students, families, union, administrative personnel) to have any chance for improving the negative outcomes that led to the implementation of this evaluation activity and the two other major reports (Great City Schools and the California Collaborative for Educational Excellence).

List of Attachments

Attachment A: Discipline Data Collection and Reporting System And Special Education Practices Fidelity Assessment
Attachment B: Summary of Findings and Recommendations
Attachment C: Administrator Survey Results
Attachment D: Admin Survey Responses July 2021

PBIS TFI Data System Fidelity Measures		
Feature	Possible Data Source	Scoring Criteria
		behavior, location, time of day, and student
1.13 Data-based Decision Making: Tier 1 team reviews and uses discipline data at least monthly for decision-making.	• Data decision rules • Staff professional development calendar • Staff handbook • Team meeting minutes	0 = No process/protocol exists, or data are reviewed but not used 1 = Data reviewed and used for decision-making, but less than monthly 2 = Team reviews discipline data and uses data for decision-making at least monthly. If data indicate a problem, an action plan is developed to enhance or modify Tier 1 supports
2.11 Student Performance Data: Tier 2 team tracks proportion of students experiencing success (% of participating students being successful) and uses Tier 2 intervention outcomes data and decision rules for progress monitoring and modification.	• Student progress data (e.g., % of students meeting goals) • Intervention Tracking Tool • Daily/Weekly Progress Report sheets • Family Communication	0 = Student data not monitored 1 = Student data monitored but no data decision rules established to alter (e.g., intensify or fade) support 2 = Student data (% of students being successful) monitored and used at least monthly, with data decision rules established to alter (e.g., intensify or fade) support, and shared with stakeholders
3.14 Data System: Aggregated (i.e., overall school-level) Tier 3 data are summarized and reported to staff at least monthly on (a) fidelity of support plan implementation, and (b) impact on student outcomes.	• Reports to staff • Staff meeting minutes • Staff report	0 = No quanmel)tifET Q q 3 r quaut(t o)(quam)1tid 2.36 rtae3hlft o qtitioility 8nd (tiep Sta46.52 re W n BT -085.8zc No quanmaf85.8zom

PBIS TFI Data System Fidelity Measures		
Feature	Possible Data Source	Scoring Criteria
individual support team meets at least monthly (or more frequently if needed) and uses data to modify the support plan. to improve fidelity of plan implementation and impact on quality of life, academic, and behavior outcomes.	• Tier 3 team meeting minutes	have Tier 3 plans 1 = Fewer than 1% of students have Tier 3 plans 2 = All students requiring Tier 3 supports (and at least 1% of students) have plans

This checklist was adapted from https://www.pbisapps.org/Pages/Default.aspx

Discipline Data Collection and Reporting System Feature	Possible Data Source	Scoring Criteria
place that is compatible with the Discipline Data Collection and Cllectn and Dtcl1l10 -101 Tw 0.003 Tw50 -12.5Td [(S)8 i(n)6 (g)1 (S)10 syst1 (g.)- (c34 (p)]TJ, D)-4 0.		

Discipline Data Collection and Reporting System Feature	Possible Data Source	Scoring Criteria
7. The school/facility agrees to bothnitial and ongoing coaching on the use of Discipline Data Collection and Reporting System for school/facility-wide decision making.	Administrator/ Coordinator Interview	1 = Not in place 2 = Partially in Place 3 = In place

8. Theschool/facility agrees to maintain
D f 378.h291 >>BDC 0.001 Tct9 (ac)chomge
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Cotmmu (s)2ratc (t)4 (o)--4 ( )]TJ -0.w2 ( )-10 c(o)-2a c(rt)-4 (i)randi

Attachment B: Summary of Findings and recommendations

Evaluation Component	Findings	Recommendations
District-wide and school based student discipline and behavior management systems, policies152.28 17i2 195(ms)2.1 (ua)7 nieme hricy Bl84 (m)6 (e)602 1.2.8Edody2.48 488.		

Evaluation Component	Findings	Recommendations
	Administrators receive limited guidance for implementing “other means of correction”. Non-reportable offenses become “other means of correction” (locally defined behaviors)	Provide a guidance document and monthly review of the use of “in school suspension”
	There is a policy allowing use of “cool down” rooms or in school suspension but there is no common approach or clear guidance for administrators	Need more consistency and guidance for implementing “cool down” room procedures, including data collection and decision-making
	Some parents and administrators are reluctant to record exclusionary discipline events for fear of negatively impacting the	

Evaluation Component	Findings	Recommendations

Evaluation Component	Findings	Recommendations
MTSS and other proactive intervention/prevention initiatives in the district	SCUSD has a history of incomplete implementation of different prevention initiatives (SEL, RP, PBIS) and there is no coherent district wide coordination di(0324.1 (d)13diqur)4 (i)4 (n-0.00i)4did (SE)q (t)-u	

Evaluation Component	Findings	Recommendations
Does the district monitor the alleged disproportionate impacts, based on race and type of disability, of previous non-inclusive placements? If so, how does the district monitor and address this? This means disproportionate impact by race and type of disability, e.g., emotional disturbance.	No evidence that there is a plan to monitor disproportionate impact of race and/or type of disability. District requested the Council of the Great City Schools to review services for students with disabilities, but does not appear to have implemented recommendations related to disproportionality	Develop a process for routine monitoring and review of referral, evaluation, and eligibility decisions Create a district wide system to address issues and problems that arise related to disproportionate impact of race, type of disability, etc.
What disparities exist in access to adequate education, special education, related services, accommodations, and modifications for students with disabilities and Black studmTA*R2cabe -2 (t)6 ( )]0		

Evaluation Component	Findings	Recommendations
What is the staff development plan? What is the effectiveness and sufficiency of training and ongoing development for the district's personnel who instruct, support, and/or serve students with disabilities and Black students with disabilities? What is the effectiveness and sufficiency of training and ongoing professional development for District administrators who are involved in the development and implementation of IEPs and Section 504 Plans for students with disabilities?	No evidence of consistent and sustained PD for inclusive education and providing FAPE in the LRE. History of separate PD efforts for SEL, restorative practices, co-teaching, etc. High rate of turnover of staff and lack of sufficient training for new staff No follow-up trainings to support efforts, such as co-teaching No evidence of specific or ongoing training for District administrators related to implementation of IEPs and Section 504 plans There is a new MTSS staff development initiative that reportedlyhas support from SCTA, but their representatives are not aware of the scope and sequence or dissemination plan	Provide ongoing PD for all areas of need, including but not limited to implicit bias, inclusion, IEP and 504 processes, etc. for all personnel who interact with students with disabilities Implement the proposed MTSS plan to include ongoing professional development for administrators and staff to build capacity of school to implement data-based decision making Provide professional development, including coaching, for all staff

Evaluation Component	Findings	Recommendations
students with disabilities, including Black students with disabilities? Does the staffing pattern meet CDE standards for staffing (race; gender; grade level teaching; caseloads and staffing ratios)?		

Attachment C: SCUSD Administrator Survey Questions Regarding Special Education

Adapted from SWIFT Fidelity Integrity Assessment (FIA)

Scale: Not in place/Partially in place/In place

1. Our school has a school-wide system to promote academic success for all students and responds with additional supports for all students when warranted.

2. Our school personnel use instructional strategies for both reading and math to include all students with various needs in the general education curriculum and coursework.

3. All students in our school including those with IEPs have equal access to the general education curriculum and extra-curricular learning activities with appropriate supports.

4. All students in our school participate in the general education curriculum/coursework and activities of their peers in grade level and/or content courses.

5. Our school embraces non-categorical service delivery to support diverse needs of students.

6. All school personnel in instructional and other roles share responsibility to educate all students in our school and employ culturally appropriate and sustaining practices.

7. Our district has a clear vision for inclusive practices that values and celebrates student diversity and facilitates meaningful access and participation of all students in general education curriculum and settings.

9. Our district has guidance for IEP teams to ensure placements decisions are in the students' least restrictive environment (LRE).

10. Our district actively and adequately supports our school's implementation of equity-based multi-tiered systems.

11. Our district supports equity-based MTSS by linking multiple initiatives, revising policies, and extending the practice to other schools.

12. Our district uses school level information to support and ensure professional development regarding research or evidence based practices.

References

Algozzine, B., Barrett, S., Eber, L., George, H., Horner, R., Lewis, T., . . . Sugai, G. (2014). School-wide PBIS Tiered Fidelity Inventory. In: OSEP Technical Assistance Center on Positive Behavioral Interventions and Supports.

Algozzine, B., Putnam, R., & Horner, R. (2010). What we know about the relationship between achievement and behavior. In B. Algozzine, A. P. Daunic, & S. W. Smith (Eds.), *Preventing problem behaviors* (pp. 223-

Root Causes to Feasible and Effective Practices. *School Psychology Review, 47*(2), 135-152. doi:10.17105/spr-2017-0026.V47-2

Cook, C. R., Fiat, A., Larson, M., Daikos, C., Slemrod, T., Holland, E. A., . . . Renshaw, T. L. (2018). Positive greetings at the door: Evaluation of a low-cost, high-yield proactive classroom management strategy. *Journal of Positive Behavior Interventions, 20*(3), 149-159. doi:10.1177/1098300717753831

Cornell, D., Maeng, J., Burnette, A. G., Jia, Y., Huang, F., Konold, T., . . . Meyer, P. (2017). Student threat assessment as a standard schools safety practice: Results from a statewide implementation study. *School Psychology Quarterly*. Retrieved from 2-

Gregory, A., Skiba, R. J., & Mediratta, K. (2017). Eliminating disparities in school discipline: A framework for intervention. *Review of Research in Education, 41*(1), 253-278. doi:10.3102/0091732x17690499

Gregory, A., Skiba, R. J., & Noguera, P. A. (2010). The achievement gap and the discipline gap. . *Educational Researcher, 39*, 59-68.

Gresham, F. M., Sugai, G., Horner, R. H., Quinn, M. M., & McInerny, M. (2000). *Schoolwide values, discipline, and social skills*. Retrieved from Washington, DC

Hammond, K. R., & Adelman, L. (1976). Science, values, and human judgment. *Science, 194*(4263), 389-396. doi:10.1126/science.194.4263.389

Hawken, L. S., MacLeod, K. S., & Rawlings, L. (2007). Effects of the behavior education program (BEP) on problem behavior with elementary school students. *Journal of*

Liberman, A., & Katz, M. (2020). Fidelity in implementing school-based restorative justice conferences. *Justice Evaluation Journal*, 1-20. doi:10.1080/24751979.2020.1836996

Losen, D. J., & Martinez, P. (2020). *Lost opportunities: How disparate school discipline continues to drive differences in the opportunity to learn.* \ Retrieved from Palo Alto, CA/Los Angeles, CA: https://www.civilrightsproject.ucla.edu/research/k-12-education/school-discipline/lost-opportunities-how-disparate-school-discipline continues-to-drive-differences-in-the-opportunity-to-learn

Manassah, T., Roderick, T., & Gregory, A. (2018). A promising path toward equity: Restorative

Skiba, R. J., & Knesting, K. (2001). Zero tolerance, zero evidence: An analysis of school disciplinary practice. In R. J. Skiba & G. G. Noam (Eds.), *New directions for youth development (no. 92: Zero tolerance: Can suspension and expulsion keep schools safe?)* (pp. 17-43). San Francisco: Jossey-Bass.

Implicit Bias References

Carter, P., Skiba, R., Arredondo, M., & Pollock, M. (2014). You can't fix what you don't' look at: Acknowledging race in addressing racial discipline disparities. Discipline Disparities: A Research-to-Practice Collaborative. Retrieved from http://youthjusticenc.org/download/education-justice/disparities/AcknowledgingRace_12152014.pdf