

The audit exodus

State-mandated advisory committee lost all its members mid-year over administration's delayed response to an independent audit

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In a year that saw the Sacramento City Unified School District descend into a budgetary nightmare, a quieter crisis unfolded behind the scenes: All 11 members of the district's Community Advisory Committee for Special Education resigned in protest after a damning report suggested the administration was failing students with disabilities at every level.



Grace Trujillo, Angel Garcia and Angie Sutherland resigned from SCUSD's committee for special education and formed a new coalition.

That independent audit, performed by Council of the Great City Schools, revealed that disabled students at Sacramento City Unified suffered unusually poor graduation rates, lacked proper access to mental health services and were suspended at disproportionately high levels. The findings were released in 2017. After 12 months of what it perceived as inaction from the district, the committee charged with speaking up for disabled youth made its voice heard through a mass exodus.

Now, as school administrators prepare for a financially uncertain 2019, the ex-committee members are continuing to press for reform.

Signs of trouble

Angel Garcia joined the advisory committee for special education after the district went eight years without telling her it existed.

Though her son is diagnosed with autism, she said the district didn't follow its own policy to let her know about the committee during various independent education plan meetings. The district is required to have and support the committee by the California Education Code. Looking back, Garcia said she believes the lack of communication was a weather vane for bigger problems affecting the district's 6,000 students with disabilities.

"They really disconnect families from support," Garcia said. "The history of the district working with parents is one that involves them withholding information, and then deflecting and denying services."

Sacramento City Unified chief communications officer Alex Barrios painted a different picture this week, saying his agency "remains committed to addressing the systemic issues" with its special education program.

Garcia got actively involved in the advisory committee in 2013. She began working alongside parents including Angie Sutherland, who had already served on it for several years. Sutherland's daughter is also diagnosed with autism.

"I was feeling really isolated and alone and didn't know what to do," Sutherland remembered about her path to the committee. "There's nothing out there that's one resource that says, 'You start here, and then go there.'"

Sutherland was trying to help other parents avoid that same disorientation. That included parents of children with physical disabilities, intellectual disabilities, language impairment and emotional disturbance.

In 2014, the advisory committee discovered Sacramento City Unified had a policy allowing teachers to choose whether or not disabled students were placed in their classrooms. The advisory committee was sure that was illegal under a landmark U.S. Supreme Court ruling that was, ironically, spurred by policies at Sacramento City Unified.

In 1992, the Disability Rights Education & Defense Fund sued the district on behalf of Rachel H., a kindergartener with an intellectual disability who school officials wouldn't allow to attend a general education class. A federal judge ruled that Rachel had a right to be educated alongside her non-disabled peers. The ruling was upheld by the Ninth Circuit U.S. Court of Appeals; the U.S. Supreme Court denied a petition from the school district, leaving the ruling in place.

Garcia and Sutherland say that it took three years of constant pressure to get Sacramento City Unified to follow state law on placements. At one point, Garcia's son testified in front of the district school board about the message it sent.

"My son asked them, would it be wrong if a teacher said, 'I don't want a student in my class because they're poor?'" Garcia recalled. "He said, 'Now just change the words out.'"

The district finally adjusted the policy in 2017, but for Sutherland the years of allowing disabled students to be easily separated from mainstream classes had a ripple effect on the district's culture.

"Finding out about that policy was really like a puzzle piece that came together for us," she recalled. "This was why the district was not inclusive to our kids."

Audit shock

The audit on the district's special education program landed in May 2017. It painted a bleak picture for most disabled students.

The audit especially questioned the handling of young African-American students, many of whom were assessed as experiencing emotional disturbance, and had nearly double the suspension rate as non-disabled students.

Those findings were mirrored by a recent study from San Diego State University, which indicated Sacramento City Unified had the most "egregious" overall suspension rate for black students in the entire state. That study found that black male students with disabilities comprised one of the highest subgroups suffering abnormal suspension rates.

Similar to the San Diego State study, Council of the Great City Schools made a host of recommendations to the district and identified 10 major areas of reform.

The advisory committee suggested the district hire an independent expert to examine the shortcomings across all its departments.

"Some of these issues have been problems for a long time," Sutherland said. "I don't feel their staff have the capacity to achieve a new direction."

Additionally, the advisers wanted the school board to form a special committee to implement the audit's recommendations. They also wanted board members to get in-depth training about serving students with disabilities and the related laws.

A year later, in April 2018, the advisory committee decided none of its recommendations had been meaningfully adopted. More confounding to its members, the district had only shared plans to address three of the audit's 10 big recommendations. That's when the entire committee resigned in protest.

Joseph Barry, a disabilities advocate who's getting his degree in education policy, has closely followed the district's progress on the audit separate from the now-imploded committee.

"Their frustration is warranted, obviously," Barry said. "When you have a child with a disability, these problems really affect your family. But I also understand the district's side, because it's a lot of stuff to take care of and I think they want to do it the right way."

That latter point was something the district's chief education officer, Irish Taylor, and director of special education, Becky Bryant, tried to emphasize when updating the school board on the audit weeks after the committee resigned. Bryant said that, based on its findings, her team had already realigned its assessment practices for identifying students with autism and emotional disturbance.

"That process was developed and has been utilized throughout the entire year by our staff," Bryant told the board.

Taylor emphasized several data-collecting initiatives that were underway that she said would lead to better services and outcomes for the students.

"It's using our data as a means of continuous improvement and accountability," Taylor said. "Using it as a framework and, more importantly, that as we're looking at data, we recognize that behind every number is a child."

But board president Jessie Ryan told district officials their presentation was full of jargon, overly technical and not likely to assure parents that rapid change was coming.

Garcia agrees, especially about the constant highlighting of data accumulation.

“The internal people have had a long time to put their heads together, and what’s happening now is they’re gathering more data; but they’ve gathered so much data, and they’ve had so many task forces and initiatives to gather data,” she said. “How much data do you need to take action?”

Taylor and Bryant could not be reached for further comment, but Barrios said the district had made more progress implementing the recommendations since its spring presentation.

The treatment of special education students took on more urgency following the recent death of Max Benson, a 13-year-old with autism who became unresponsive while being held in a face-down position at the private Guiding Hands School in El Dorado Hills. According to The Sacramento Bee, Sacramento City Unified has contracted with Guiding Hands in the past.

Most of the committee members who resigned have joined a new group called the Coalition for Students with Disabilities. Freed from the confines of a government-sanctioned body, they’re now advocating for their kids more fiercely than ever.

“I plan on going to all the meetings,” Sutherland said. “Because I’m not going away.”