December 2023 – Draft Stockton Unified School District DispropAortionality Plan

District Leadership Team

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Britney Wilson	Coordinator, Disability	Student Support Services Division
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	Data Analysis	Root Cause Analysis	Planning, Implementing, & Monitoring	Continuous Improvement Planning & Monitoring
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Introduction

In January 2019, the Stockton Unified School District ("District") and the California Attorney General's Office ("DOJ") entered into a stipulated judgment ("Agreement") addressing District practices including the involvement of law enforcement in administrative matters.

One component of the Agreement is the requirement of Section XI(D) which provides in pertinent part:

Within one year from both the entry of judgment and the appointment of a monitor, the District and Department shall, with necessary stakeholders, which may include staff, consultants, students and community members, create a plan to reduce disproportionalities in referrals by administrators to law enforcement, which as a result, would reduce the disproportionalities in citations and bookings.

This document sets forth the components of the planning and activities conducted by the District to address the affirmative corrective actions to reduce disproportionalities in referrals by administrators to law enforcement.¶ To best articulate the comprehensive and holistic nature of how the reduction in disproportionalities have been and will continue to be addressed, the various actions and products produced to serve this end are addressed below under the corresponding section of the judgment.

The District leadership team engaged in the following activities in order to proceed with the planning and implementation of the corrective action activities to reduce disproportionalities in referrals by administrators to law enforcement:

- 1. Data Analysis
- 2. Root Cause Analysis
- 3. Review of District Policies, Procedures, and Practices 4. Infrastructure Analysis
- 5. Engagement of Stakeholders
- 6. District Oversight and Accountability

The District enrollment includes 37,101 students, 70% are Hispanic, 8.74% are African American, 8.06% Asian, 4.89% Two or More Races, 4.12% White, 2.92% Filipino, 0.63% American Indian, 0.50% Other Pacific Islander, and 0.08% Declined to State. The genders of the students include 52% Male, 48% Female and 51 students who identify as X. Percent of Students Identified as Students with Disability (SWDs) by Ethnicity: 14.8% of the students have been identified as Students with a Disability (SWD). The groups with a higher percentage of SWDs compared to student enrollment include African American (12.34% v 8.74%) and White (6.80% v 4.12%). The two groups with SWD lower than District count are Asian (5.22% v 8.06% and Hispanic (68.24% v 70.07%). Although Hispanic students comprise 70% of enrollment and 68% of the students with disabilities, 14.44% of the Hispanic students have an IEP. In contrast, 24.48% of the White students are SWDs. They comprise 4.12% of the student enrollment and 6% of the SWDs. Nearly 21% of the African American students are SWDs. They represent 12.34% of SWDs and 8.74% of the District enrollment.

Data Analysis

As it relates to Section X – Data Analysis of the Agreement, the District established a team that meets regularly to review data systems, evaluate the effectiveness of processes, as well as review timelines to ensure that dates are being met that impact students with disabilities. This team works to identify key indicators of compliance that are critical to goal setting and planning in response to corrective action.

This section is focused on collecting data that provides the District a view into the success of the efforts to reduce disproportionalities in referrals by administrators to law enforcement, and the ability to adjust practice if current efforts fall short. This is important because the data collecting gives the District a "view" into practice which, in turn, allows for the opportunity to improve.

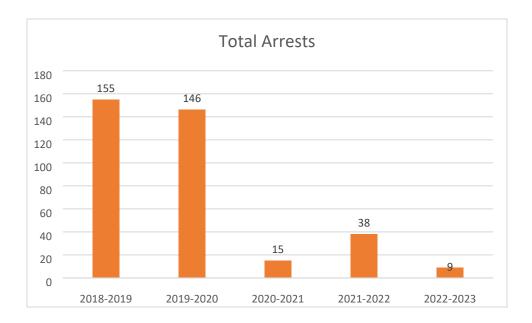
DPS Student Arrests Analysis

Furthermore, the statistics below reflect the arrests conducted by the Department of Public Safety ("Department") officers from the 2018-2019 school year through the current 2023-2024 school year. These arrests include adult and juvenile students. These arrests include both arrests through booking into the San Joaquin County Jail or Juvenile Hall and arrests conducted through a citation and release process and are reflected in the 2023 State of the Department report. The 20182019 stats reflect arrests prior to the Agreement and are used as a baseline; however, the Department had already seen

a decrease of 58% as a result of practices implemented by the department that aimed at reducing disproportionalities in our students as referenced in the State of the Department report.

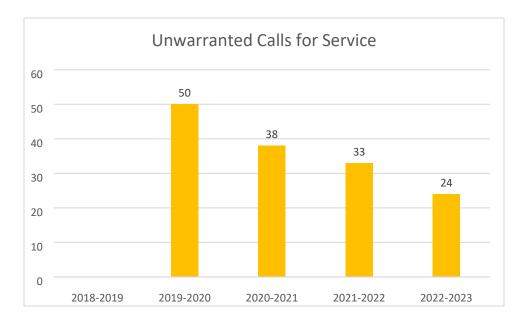
In March 2020, the Country was impacted by the COVID-19 Pandemic which forced school sites to close. As a result, the traditional school setting was impacted, and students attended school virtually. School sites remained closed throughout the 2020-2021 school year, and due to the Department's specialized purpose and jurisdiction, the impact of the pandemic is reflected in the arrest statistics for the school year.

School Year 20182019	School Year 20192020	School Year 20202021	School Year 20212022	School Year 20222023
Total Arrests:155	Total Arrests: 146	Total Arrests: 15	Total Arrests: 38	Total Arrests: 9
Unwarranted calls for service: N/A	Unwarranted calls for service: 50	Unwarranted calls for service: 38	Unwarranted calls for service: 33	Unwarranted calls for service: 24
Calls for Service: 8,117	Calls for Service: 7,494	Calls for Service: 4,128	Calls for Service: 6,154	Calls for Service: 3,799



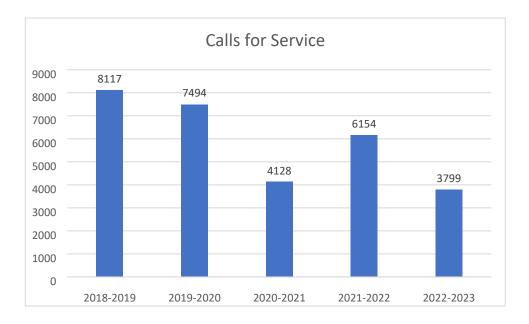
Unwarranted Calls for Service Data

The unwarranted calls for service statistics reflect calls for service that are deemed low-level disciplinary offenses that are to be handled administratively rather than being referred to law enforcement. These low-level disciplinary offenses are identified in Section I(A) – Revision of Policies and Procedures Relating to Role of Law Enforcement in Student Discipline and Criminal Misconduct of the Agreement in addition to truancy-related calls for service. When an unwarranted call for service is received, the Department of Public Safety dispatch center enters the information electronically into an online reporting system that generates a letter notification of the violation and reference to the Agreement that is e-mailed to the school Director, Assistant Superintendent of Educational Services, and the Assistant Superintendent of Support Services indicating the type of call, the school site, and staff member requesting service. This notification allows for notice to be made to the school site administrator along with training and additional support in the handling of low-level disciplinary offenses instead of a referral to law enforcement.



Overall Calls for Service Data

The call for service statistics reflects all calls for service received from the Department of Public Safety, where a Computer Aided Dispatch Incident report was generated. These calls for service include calls generated mainly from within the District but also include calls made by parents or students requesting assistance in relation to an incident that occurred or impacted the campuses.

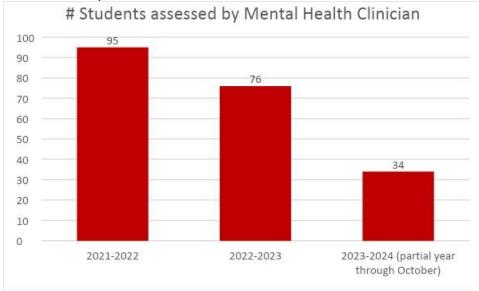


Mental Health Data

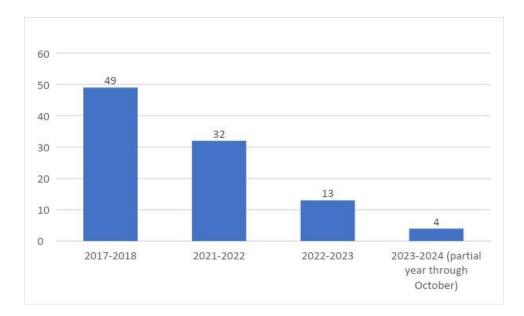
The Department of Public Safety and the Mental Health and Behavior Support Services Department meet monthly to review data, including the number of students assessed according to the established Protocol for Referrals Relating to Students Who Exhibit Mental Health Needs or Who are Experiencing a Mental Health Crisis (Mental Health Crisis Protocol), as well as the number of student crises that meet 5150 Detention/Transport standards to a crisis facility. Initial 5150 data from the 2017-2018 school year show 91 law enforcement calls relating to a juvenile in a mental health crisis out of control and 49 resulted in a 5150 Detention/Transport to a crisis facility.

As part of the Mental Health Crisis Protocol, Mental Health Clinicians assess a student's mental health for crisis before a referral is made to law enforcement. This allows the District to provide student resources to address the student's mental health needs and reduce the likelihood of a crisis diverting from a law enforcement referral. SUSD has invested in the training of site administrators, site-based mental health professionals, and certificated staff in the Mental Health Crisis Protocol and in the development and provision of social-emotional learning, mental health supports and services for students and professional development opportunities for all staff which support emotionally healthy learning and traumaresponsive environments.

Mental Health Crisis Protocol: The total number of students experiencing a mental health crisis in which the Mental Health Clinician completed a Suicide Risk Assessment and/or Mental Health Crisis Assessment.



5150 Detention/Transport by DPS: The number of crises in which the student was deemed to be in immediate danger and met 5150 criteria and was transported to a crisis facility by DPS.



Root Cause Analysis

In addition to the data analysis, the District engaged in a root cause analysis to fully understand how to find solutions and learn from the underlying issues within the root cause to disproportionality. The goal for the root cause is to apply the learnings from the analysis to systematically prevent future issues and to repeat successes. Three major root causes were identified through this process and are as follows:

- 1. Inconsistent implementation of the District's Multi-Tiered System of Support (MTSS) framework and MTSS plan including District-wide interventions in Tier 1, Tier 2, and Tier 3 that address the whole child in the areas of academic, behavior, and social emotional learning.
- 2. Inconsistent implementation of the Stockton Unified School District Discipline Matrix.
- 3. There is cultural dissonance and implicit biases in the areas of understanding how to relate to students and families of different cultures through utilizing culturally responsive practices that reflect equity, diversity, inclusion and belonging practices, including addressing a lack of consistent authentic family engagement and

parent education opportunities for African American families. The problem areas the District intends to explore to determine Root Causes are the following:

- The District's MTSS Framework.
- The District's behavioral, social, and emotional tiered intervention process.
- The District's practices and procedures addressing and supporting family engagement and opportunities.
- The District's policies, procedures, and practices addressing and training District staff In Implicit Bias and Cultural Dissonance.

These root causes will be incorporated in the ongoing professional development capacity building for leadership and school site teams to ensure consistent practices across the District in support of our students with disabilities.

<u>Revision of Policies and Procedures Relating to Role of Law Enforcement in Student Discipline and Criminal</u> <u>Misconduct</u>

Section I of the Agreement provides multiple opportunities for the District to address the necessary reduction in disproportionalities in referrals by administrators to law enforcement.

The most salient product in this section is the Discipline Matrix which is as an exhibit to updated Board Policy 5144, Students-Discipline. The "Matrix" addresses the range of appropriate responses to student conduct as Student Behavior Intervention.

The Matrix informs administration on how to best support students when they potentially violate the Education Code and other requirements. The Matrix contains several strategies for alternative means of correction other than suspension. All site administrators have been trained on the Matrix multiple times to include the most recent trainings held on August 22, 2023 and September 12, 2023. The Matrix has been revised to support the findings of data and root cause analysis performed.

In addition to comprehensive training for administrators, the Department of Public Safety has been trained on the Matrix. Further, the Department of Public Safety developed protocols for dispatchers to gather more information from a caller to determine if the situation warrants a police response. If based on the protocol a call does not warrant a police response, notification will be sent to the site Principal through the unwarranted call for service procedure. This safeguard was developed so that law enforcement are not involved in Education Code and minor violations. These changes shift the administrator's focus to the behavior and making referrals based solely on the exhibited behavior.

The District updated BP/AR 5145.10, Police Assistance and Student Referral Policy, to further clarify that the school site administrators have the responsibility, under the Education Code and District policy, for the investigation of student behavior under the jurisdiction of the District. A component of each investigation includes leveraging the steps in the Matrix to determine the proper school response for addressing student behavior and for implementing appropriate supports and/or consequences, which may include, but are not limited to, parent-teacher contact, counseling, referrals for services and evaluation by a school psychologist, mental health clinician or child welfare attendance personnel, case management, after-school programs, plan development to address specific behavioral issues, student study and guidance teams to develop intervention plans, positive behavioral social and emotional interventions and supports, restorative practices, other alternative means of correction, suspensions, and expulsions. Being explicit about the role of school administrators conducting effective investigations of student behavior and concurrently using the Discipline Matrix will, in turn, reduce disproportionalities in referrals by administrators to law enforcement. All updated board policies and administrative regulations have been Board-approved and provided to parents, students, and the community during the process and part of the ongoing training to staff and the Department of Public Safety.

Furthermore, key findings from the policy, procedure and practice reviews were organized in the following six areas:

- 1. Equity and Culture regarding District policies
- 2. Multi-tiered Systems of Support (MTSS), SST and the use of Evidence Based Interventions prior to making a referral for special education procedures, process, and implementation.
- 3. Discipline Policies and Practices
- 4. 504 Plans procedures, process, and implementation
- 5. Individual Education Plans procedures, process, and implementation
- 6. Significant Disproportionality

It is also important to note the District has changed the composition of the Special Education Department and Department of Public Safety. For the Special Education Department this includes additional staff and the adaptation of roles and responsibilities of the Executive Team. This is to ensure there is on-going monitoring of the data provided and to ensure adequate reporting and ongoing analysis of data is conducted. The District implemented the following:

- 1. Hiring a Data Analyst department specific to support and gather data necessary for day-to-day operations as well as indicator information.
- 2. SELPA program specialists assist the District with Technical Assistance, oversight support of the SELPA's responsibilities and to also report records to CALPADS.
- 3. Created a Compliance Monitoring Team to collaborate with the data analyst and SELPA program specialists on the needs for improvement and training necessary for compliance.
- 4. Psychological Department and Special Education Administration to collaborate on systems related to overidentification and disproportionate representation.
- 5. The Special Education Department recognizes the need for monitoring this data on a more frequent basis and is currently in the process of evaluating the District's personnel's understanding of exclusionary factors.

For Department of Public Safety (DPS) this includes

- 1. DPS has shifted its focus from reactive to proactive and has merged with Emergency Services Department which means the addition of:
 - a. Emergency Services Director
 - b. An additional Sergeant that will report to the Director of Emergency Services
 - c. Executive Assistant 3 to support the Director
 - d. A Corporal and Officer will be assigned to the Director of Emergency Services
 - e. The addition of a Captain to oversee the new division (both departments merging together)

The re-organization will provide additional staff to support the planning, data analysis, and implementation of board policies and provide training Districtwide.

Ensure Non-discrimination of Students with Disabilities

To ensure the District addresses the necessary reduction in disproportionalities in referrals by administrators to law enforcement, site administrators shall not refer students to law enforcement who are experiencing a mental health crisis or who are otherwise suggesting behavior that may be addressed by mental health services and supports, unless it is for the limited purpose of law enforcement determining whether the student should be taken to a mental health evaluation and treatment facility for assessment, evaluation, crisis intervention, or for placement in a facility for evaluation and treatment. To this end, the District updated Board Policy 5141.8, Mental Health needs of students. This approach will not only allow the mental health professionals to support the student in crisis, it will also prevent any further trauma that may be caused

by invoking the support of law enforcement when unnecessary. Training for the "Protocol for referrals relating to students who exhibit Mental Health needs or who are experiencing a Mental Health Crisis" was provided to site Administrators, School Counselors, School Psychologists, School Nurses, Mental Health Clinicians, SPED Program Specialists, and SUSD Department of Public Safety beginning in January 2020 and will continue in the 2023-2024 school year.

As it relates to reducing disproportionalities in referrals by administrators to law enforcement, for students with disabilities, it is important to note that the Department of Public Safety staff received training in the Spring of 2023 for serving students with disabilities. In addition, the District updated AR 5144.2, Suspension and Expulsion/Due Process (Students with Disabilities).

Restraints by School Staff Other than District Police Officers

When a student is potentially a danger to themselves or others, effective restraint will be needed in an attempt to keep the student and others safe and give the student time to de-escalate. Being that this is a need, it is important that school staff know how to safely and effectively restrain as opposed to calling law enforcement. The more effective school staff is at executing safe restraints, there is a much reduced need to involve law enforcement, therefore reducing disproportionalities in referrals by administrators to law enforcement.

To this end, the District updated Board Policy 5144, Student – Discipline, to create written protocols regarding the importance of de-escalation techniques for staff consistent with best practices and strategies for correcting student misconduct through the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures including referrals to law enforcement. De-escalation training has been provided to all Principals and Assistant Principals in the Fall of 2019 and continues throughout the year annually.

Records and Notification

As referred to earlier, the Discipline Matrix explicitly notates the range of appropriate responses to student conduct as Student Behavior Intervention to decrease referrals from administration to law enforcement. Within the Matrix, referral to police and a request for transport by administrators is prohibited after they have misbehaved or have been disciplined. The police department will only transport in exigent circumstances in compliance with Department of Public Safety policy 324. Administrators have all received training on clarifying when exigent circumstances exist. Unwarranted calls and referrals submitted and recorded by the dispatch center will generate an email for assistance. This process will help triage inappropriate referrals. Training has been provided to leadership team and site leaders. (Board Policy and Administrative Regulation 5145.11.)

Searches and Seizures

To reduce disproportionalities in referrals by administrators to law enforcement, the District revised BP/AR 5145.12, Students – Search and Seizure, to clearly articulate that reasonable suspicion shall be based on specific, objective, and articulable facts that the student has engaged in prohibited conduct that is the prerequisite to a search conducted to produce evidence related to the alleged violation. In other words, and more specifically, no more random, non-suspicion searches of students, and no more random police canine searches unless an articulable drug problem exists. This revised policy is intended to reduce disproportionalities in referrals by administrators to law enforcement. All site administrators have been trained on Search and Seizures in the Spring of 2023 and Department of Public Safety receives training yearly.

Community and Advisory Group

The Community Advisory Group (CAG) is a critical aspect in the development of the plan and the ongoing support and accountability. The CAG has representatives from all stakeholder groups and has been meeting and will continue to meet quarterly with the aim of making recommendations to ensure the District is reducing disproportionalities in referrals by administrators to law enforcement. The group has been provided with all developed documents, presentations, and data. The goal is for the system to continue to improve and continue to reduce disproportionalities in referrals by administrators to law enforcement, with a goal of eliminating these disproportionalities. Moving forward the District intends to continue to the CAG meetings quarterly and/or also to utilize the Transformative Justice subcommittee to maintain communications and input with stakeholders. The Transformative Justice subcommittee is facilitated by three board members on a variety of student topics, including but not limited to disproportionality, mental health, behavioral issues, public safety roles, and civil rights issues. The subcommittee will hear presentations, review data and receive updates to ensure the District continues to address the issues addressed in the Agreement with DOJ.

Hiring and Qualifications

SUSD is not immune from the struggles that districts nationwide are currently experiencing with hiring and retaining staff. However, the Department of Public Safety has been working in collaboration with the Department of Human Resources to participate in hiring fairs to support recruiting efforts of highly qualified staff. The District has held various hiring fairs and promotes them widely through social media and posting on the District's online hiring platform EdJoin. The new infrastructure of the Department of Public Safety has increased the opportunity to hire additional officers and provide additional training as needed to new and seasoned police officers. Section 1 describes the reorganization of the Department of Public Safety in support of implementing the correction action as described in the agreement. The recruiting approach has also changed. Police Officer candidates are made aware that the majority of their engagement will be with juveniles in a school system and a focus on recruiting candidates from the local community. Additionally, during the 2023-2024 the District has and is re-organizing the Department of Public Safety and Student Support Services to better align services to students and keep them safe.

<u>Training</u>

The training efforts that specifically address efforts to reduce disproportionalities in referrals by administrators to law enforcement are targeted on conflict resolution, effective de-escalation, and restraint techniques. The theory of action is that the better school administrators are at de-escalating students and resolving conflicts, the more we have students reintegrated into their school communities with little need for discipline or referrals to law enforcement. Other training opportunities focused on implicit bias, cultural competence, responses to trauma and restorative practices are aimed at equipping our administrators to truly see and hear our students.

In addition, the District has established Special Education Local Plan Areas (SELPA) office hours that are available for both site administrators, Department of Public Safety officer service, and case managers. These office hours are intended for support and direct assistance for issues and questions related to compliance, discipline instruction and have proven to be effective in establishing communication practices and allowing for cohesiveness in the information that is being practiced and allowing for cohesiveness in the information that is being disseminated to sites. Moreover, expectations have been set regarding the importance of on-going data review, including but not limited to dashboard indicators, that involve the collaboration of site leadership, Department of Public Safety, and special education providers to continually assess student needs.

Furthermore, the District has established the Culture, Climate, and Inclusion (CCI) Leadership team to include all District leadership such as assistant superintendents, executive directors, directors, principals, assistant vice principals, coordinators, and other managers. All staff is provided training during these meetings related to the discipline matrix, PBIS, de-escalation, cultural competence and implicit bias, students with disabilities, emergency behavior interventions and documentation, constitutional and civil rights including the Fourth Amendment of the U.S. Constitution, Title IV of the Civil Rights Act of 1964, Positive Behavior Intervention and Support, de-escalation and compliance with the ADA/Search and Seizure, and policies/procedures. Five training sessions have been provided to District and school site leaders so far this school year. The plan is to offer additional sessions through the end of the school year. The District leadership team

met eight times this school year to review data, plan training and training agendas, and will continue to do so in order to remain proactive in the continuous improvement of the systems put in place.

The District also offers ongoing Crisis Prevention Institute trainings for District and site staff throughout the school year and during breaks.

Engagement of Stakeholder

The District as part of their commitment to addressing disproportionality and to taking affirmative steps to support its school-site leadership, teachers, staff, and parents to support students provided multiple avenues and presentations to allow the staff, parents and the community to provide feedback in order to assist with the District's goal of reducing disproportionality. These presentations and opportunities included community conversations during the 2022-2023 school year under the leadership of Dr. Traci Miller, followed by Town Hall meetings during the 2023-2024 school year under the leadership of Dr. Michelle Rodriguez. The town hall meetings and the information received from the various stakeholders was incorporated into the State of the District message which is located on the District's website. The State of the District includes information regarding reducing disproportionality. Additionally, Board meetings discussed and adopted policies to address Mental Health Crisis Protocols, Counseling Services and incorporated presentations from the Department of Public Safety related to student issues and disproportionality.

In addition to the community meetings above, the District also engaged internal stakeholders by establishing and holding Culture, Climate, and Inclusion ("CCI") meetings during the 2023-2024 school year. CCI meetings were established to ensure the District provided a voice for and received feedback from site and District principals, assistant principals, all District management, Superintendent, Assistants Superintendent of Student Services and Assistant Superintendent of Education Services on student issues, including and emphasizing the need to reduce disproportionality. As part of these meetings, training was provided prior to and at the meetings as discussed above. Additional leadership meetings were also established to allow discussions between principals, assistant principals, all District management which included representatives from Mental Health, Counseling, Department of Public Safety, Superintendent, Assistants Superintendent of Student Services and Assistant Superintendent of Education Services. The District also implemented a New Administrators University, which provides training for and input from new school site leaders on topics related to disproportionality, student issues, and mental health, and addressing behavioral and justice issues. Further, the District has monthly meetings between Mental Health and DPS in order to recognize and discuss opportunities and potential deficiencies in District protocols. The District has also established quarterly meetings for the Department of Public Safety

to review every use of force incident to ensure the actions of the officers are following the agreement with the DOJ and school board policy. The District has and will continue to have regular meetings between Special Education Executive Director, Chief of Department of Public Safety, Coordinator of Disability, and Director of Mental Health. Finally, the District holds monthly meetings of the Behavior Emergency Report Committee to review data and develop systems for monitoring and implementing interventions and supports.

Moreover, in addition to the above measures, the District has also created committees to allow stakeholder input, for example, the CAG and the Transformative Justice subcommittee as outlined above.

District Oversight

The District has established mission, vision, values and goal statements that support improved outcomes for all students. The established mission, vision, values, and goals are routinely communicated with stakeholders and in turn by stakeholders. In addition, Special Education and Department of Public Safety staff are involved in discussions and planning meetings that are related to instruction, discipline practices, allocation of resources and communication with site leaders across schools to support implementation of revised board policies and fidelity in practices.

The response from the District is designed to support all District community stakeholders by supporting, including, and building awareness. This includes reducing disproportionalities perpetuated in the system. Pursuant to Section XI(D) of the agreement, the District, its Department of Public Safety and other stakeholders must create a plan to "reduce disproportionalities in referrals by administrators to law enforcement, which as a result, would reduce the disproportionalities in citations and bookings. The District will continue to monitor this work through committees and subcommittees established this school year such as:

- Safety and Student Conduct Subcommittee
- Equity Diversity Subcommittee
- Black Students Thrive Sub
- Monthly Department of Public Safety (DPS and Behavior Support Services)
- Behavior Emergency Report Monthly Meeting
- SELPA hours
- Ongoing Education Partner Meetings
- Policy Sub committee

In addition, moving forward the District will continue training staff and working with stakeholders to maintain and further improve the disproportionalities through the following initiatives. To accomplish this commitment the District will continue with all meetings, training, presentations, data chats, and opportunities for feedback as outlined above. Further, the Disability Coordinator will continue to provide training and support to school sites and meet with principals to ensure disproportionality is addressed in an intentional and consistent manner. The District also will continue to leverage the support/service of expert Alan Caddel.

Additionally, the District has created a new position, the Director of Equity which will support and develop systems that promote equity and eliminate disproportionality across the District. Further the Board has authorized another new professional development coordinator position to help support and ensure the continuance of the training as outlined above.

Also, the District has committed to the purchase/contract of a Panorama online survey to capture student and staff opinions and voice.

Finally, pursuant to the request of the DOJ, the District agrees to continue to specifically collect and report to the CAG and Transformative Justice subcommittee (and the police expert) on a quarterly basis, the disaggregated and anonymized data on use of force, law enforcement contacts, citations, arrests, and calls for assistance ($\P X(B)$ -(C)), as well as complaint summaries ($\P X(B)$).