



OFFICE OF THE SUPERINTENDENT

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Jorge A. Aguilar, Superintendent

June 13, 2019

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Rachel Halbo
Student Board Member

Sent via email to dfisher@saccityta.com

David Fisher, President
Sacramento City Teachers Association
5300 Elvas Avenue
Sacramento, CA 95819

RE: State Superintendent Meeting and LMI

Dear Mr. Fisher:

Thank you for attending the meeting on Thursday June 6, 2019 with the District hosted by State Superintendent of Public Instruction Tony Thurmond. The District remains hopeful that we can resolve our differences and commence successor contract negotiations with SCTA in advance of the start of the 2019-20 school year so that we can shift our focus for the upcoming school year on ways to enhance educational opportunities for all of our students.

As we stated in our May 13, 2019 letter to State Superintendent Thurmond which we previously shared with you, we believe that there are three paths to moving our District forward: (1) addressing the District's current budget situation; (2) resolving existing contract disputes, and (3) commencing successor contract negotiations with SCTA. Our letter expressed the District's understanding of the June 6 meeting as part of our continued efforts on the first path— arriving at a common understanding of the District's current budget situation.

While we did not expect a proposal based on the agenda sent to all parties prior to the June 6 meeting, District staff, along with our Fiscal Advisor and staff from the Sacramento County Office of Education ("SCOE") will review such proposal and its viability for addressing the District's budget issues. As I mentioned during the meeting with State Superintendent Thurmond, SCTA's recommendations were presented on the same day the District's proposed final budget was scheduled for public hearing, along with our Local Control Accountability Plan ("LCAP"). The final budget will be acted on by the Board at our final Board meeting for this school year on June 20, 2019. Nonetheless, as we have done throughout our budget process, we will consider ideas and recommendations presented to the District for consideration in addressing our financial challenges beyond the 2019-2020 adopted budget. In fact, the District has considered some of the recommendations that you put forward at the meeting, including but not limited to how to best utilize any savings achieved from health plan changes - if/when achieved. We also have heard other ideas from stakeholders throughout a series of community budget workshops and other venues, including the Labor Management Consortium which is made up of our other labor partners.

As one of the elements of SCTA's budget recommendations, you propose changing health benefit plans and moving into CalPERS. While such may have an impact on the District's budget, that is not simply a budget recommendation. Rather, that is an item that relates to paths 2 and 3 (resolving existing contract disputes and commencing negotiations). We agree with

State Superintendent Thurmond that it would be inappropriate for him to be involved in our negotiations with SCTA and we believe it is critical for those negotiations to begin immediately. The District does not believe that the dispute concerning how to use savings achieved by a switch to health care plans if/when such are achieved should prevent the parties in moving forward with negotiations for a successor contract. First, there have been no changes to health plans and thus no savings from such. Nevertheless, while the grievance SCTA filed on June 4, 2019 concerning health plan savings is proceeding, the District will hold the projected savings from the HealthNet premium market reduction (offset by Kaiser's increased premium), in trust in order to allow for the conclusion of the process. Were it ultimately determined that such funds should go back to the bargaining unit, we would discuss how to appropriately apply these funds pursuant to Article 13.1.1. Beyond this, the District would like to commence with negotiations as we have other proposals to make that do not depend solely on switching health plan providers or yearly health care market force changes.

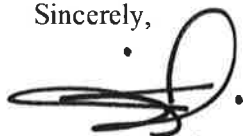
Resolving SCTA's disagreements with the District over current contract terms or the budget itself is not a prerequisite to beginning successor contract negotiations. Those matters can be bifurcated. To that end, we are requesting that SCTA commence negotiations around your proposal to move to CalPERS within the context of our successor collective bargaining agreement given that the current agreement expires on June 30, 2019. We urge you to begin negotiations so that we can move forward together on that path and avoid another school year that is consumed by contract negotiations and labor unrest. As two of the three dates proposed by the District last week have now passed, please send us proposed dates and times to commence negotiations at your earliest convenience.

Lastly, we would like to invite you to consider joining our other labor partners at the upcoming California Labor Management Initiative (CA LMI) taking place on June 25-26, 2019 in San Diego. As you may know, the Labor Management Initiative (LMI) is a CDE organization sponsored by CTA, ACSA, CCEE, CCSESA, California Federation of Teachers, CSBA, and AFL-CIO. This opportunity presents a valuable chance for us to build upon and overcome past dysfunction. We hope that you consider participating. Additional information about LMI can be found at this link:

http://cdefoundation.org/cde_programs/clmi/

In summary, the District looks forward to commencing contract negotiations with SCTA as soon as possible and throughout the summer, and is available to meet on June 18, 25 and 26, 2019.

Sincerely,



Jorge A. Aguilar
Superintendent



OFFICE OF THE SUPERINTENDENT

5735 47th Avenue • Sacramento, CA 95824

(916) 643-9000 • FAX (916) 399-2058

Jorge A. Aguilar, Superintendent

May 21, 2019

BOARD OF EDUCATION

Sent Via Email (dfisher@saccityta.com)

*Jessie Ryan
President
Trustee Area 7*

*Darrel Woo
Vice President
Trustee Area 6*

*Michael Minnick
2nd Vice President
Trustee Area 4*

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*Leticia Garcia
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*Christina Pritchett
Trustee Area 3*

*Mai Vang
Trustee Area 5*

*Rachel Halbo
Student Board Member*

David Fisher
President, Sacramento City Teachers Association
5300 Elvas Avenue
Sacramento, CA 95819

Re: Looking Forward: Commencing Negotiations on Successor (2019-2022) Contract

Dear Mr. Fisher:

I want to express again the District's appreciation of your announcement on May 16, 2019 that the SCTA leadership is delaying its strike that was originally scheduled for tomorrow, May 22, 2019, as a "gesture of good faith in response to a request from Sacramento County Supervisor Phil Serna," and as a "positive step forward". We agree that cancelling the strike is a positive step forward and avoids unnecessary disruption for our students, families, and community.

We also believe it is critical to continue moving forward on each of three paths—reaching a common understanding of the District's budget, addressing issues remaining from the 2017 Tentative Agreement; and moving forward with successor contract negotiations.

Last week, in response to his invitation to a meeting, I shared with State Superintendent Tony Thurmond the District's willingness to meet with him and others, including labor partners, parents, and community members to discuss and understand the District's current budget situation. We believe such a meeting, whether hosted by Superintendent Thurmond or through a fiscal summit held by the District, is a critical path forward.

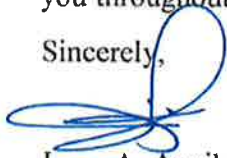
On the second path—addressing issues remaining from the 2017 Tentative Agreement—we appreciate our ongoing discussions with SCTA on the implementation of the salary restructure. The District's position on the remaining issue, including the switching of health benefit providers, has been expressed to SCTA through several communications.

Finally, the third path focuses on commencing negotiations. The District has asked SCTA leaders to agree to commence bargaining on the successor contract since November 2018. As you are aware, we have sent many communications making this request and have offered over twenty-four (24) dates between November and March for the parties to meet and begin negotiations.

While our Third Interim Budget Report buys the District some time before we run out of cash, it is clear that our District continues to run a structural deficit that is not sustainable and must be addressed. Students and families are depending on us to come together to save our schools by beginning negotiations as soon as possible and working together until we complete the process. The District's negotiations team remains ready and willing to meet with SCTA leaders as soon as possible and to continue negotiations throughout the summer so that we can complete the process prior to the start of the 2019-20 school year and ensure that we can launch the year in a positive direction prepared to work together to serve our students and community. Our negotiations team can meet with SCTA leaders on the following dates: May 28, June 4, 6, 10, 11, 13.

As you know, Article 25.1 of our CBA provides that the District and SCTA agree to enter into negotiations "of a successor contract no later than one hundred and twenty (120) days prior to the expiration of this Agreement." Our CBA expires on June 30, 2019. While we are well past March 2, 2019, the date by which we were to commence negotiations under Article 25, we again urge SCTA to begin successor contract negotiations with the District. Please let us know which date(s) work for SCTA leaders to commence negotiations. We look forward to partnering with you throughout this process.

Sincerely,



Jorge A. Aguilar
Superintendent



OFFICE OF THE SUPERINTENDENT

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(916) 643-9000 • FAX (916) 399-2058

Jorge A. Aguilar, Superintendent

May 13, 2019

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Leticia Garcia
Trustee Area 2

Christina Pritchett
Trustee Area 3

Mai Vang
Trustee Area 5

Rachel Halbo
Student Board Member

Sent Via Email to: tthurmond@cde.ca.gov

Honorable Tony Thurmond
California Superintendent of Public Instruction
California Department of Education
1430 N Street
Sacramento, CA 95814-5901

Re: Meeting with Representatives of the Sacramento City Unified School District
and Sacramento City Teachers Association

Dear Superintendent Thurmond:

Thank you for your phone call last Thursday morning asking if Sacramento City Unified School District ("SCUSD") would be willing to meet with you, the Sacramento County Office of Education ("SCOE"), the Fiscal Crisis Management and Assistance Team ("FCMAT"), and leaders of the Sacramento City Teachers Association ("SCTA").

After your call, I received an email message from Mr. Mike Fine, FCMAT Chief Executive Officer letting me know that you had asked and that he was willing to facilitate a meeting to discuss potential solutions to the District's current budget crisis, similar to what he had done in a previous meeting with Mayor Steinberg in January 2019. Based on questions raised during that meeting, SCOE then conducted independent analyses and responded to SCTA in February 2019. I also then received a message on Thursday and had a subsequent phone call with Assembly Member McCarty on Friday asking if I would be willing to participate in a meeting facilitated by Mr. Fine. As I described to you during our phone call, the District had already planned to hold a fiscal summit and agreed to participate in the meeting you suggested because that meeting served the same purpose in taking us forward on the path toward addressing the District's fiscal issues – to determine the scope of our budget deficit and discuss potential solutions to close this deficit.

Based on a letter sent to you by SCTA leaders on Friday afternoon, I understand that rather than the meeting we discussed, SCTA has requested that a "Budget Solutions Committee" be formed and chaired by Mr. Fine. In our conversation, you invited the District to a meeting, not to participate in a committee made up of business, elected, and labor leaders who would purportedly determine whether, among other things, "reasonable alternatives have been exhausted" or whether the District has honored the collective bargaining agreement related to health plan changes. The latter question would be inappropriate for the meeting you described to me as it will be addressed through the Public Employment Relations Board ("PERB") in light of SCTA's filing of an unfair labor charge on this matter. Further, the District cannot allow potential solutions to our budget issues to be subject to delay through a committee process that is outside the roles and responsibilities of the Board of Education and SCOE.

Path 1 – Budget Solution Ideas

As a first path to moving our District forward, we are willing to participate in a meeting if the meeting you have proposed is intended to arrive at a common understanding of the District's current budget situation. For such a meeting, we would not only welcome the individuals listed in SCTA's letter but also ask that additional stakeholders be invited, including our other labor partners (SEIU, Teamsters, TCS, and UPE), parents, and community members given that we had already planned for a fiscal summit.

Path 2 – Existing Contract Disputes

As I described during our phone call, an additional path to moving our District forward is addressing the outstanding issues from the 2017 Tentative Agreement, which pertain to making health benefit plan changes. As I mentioned earlier, SCTA has filed an unfair labor charge on this matter which rests on collective bargaining agreement language requiring the District and SCTA to "negotiate in good faith to effectuate on or before July 1, 2018 changes to the health plan." On no less than ten (10) dates the District asked SCTA leaders to meet with the District to discuss health plan changes away from HealthNet to comparable plans that would yield savings to the District. Those changes never occurred. While SCTA has chosen to go to PERB over the language of article 13.1.1, the District has offered and remains willing to talk through resolution options with SCTA so the matter can be resolved more quickly. Nevertheless, the District has expressed to SCTA that when and if changes to the current health plan providers offered to SCTA members are made and our budget issues are resolved, savings from those changes should go to improving services for students.

Path 3 – Successor Contract Negotiations

Finally, as I mentioned over the phone the last path to moving our District forward is commencing successor contract negotiations. As you may know, the District has asked SCTA to commence successor contract negotiations through seven different letters offering over twenty-four dates between November 2018 and March 2019. SCTA leaders have refused to meet with the District to begin these critical negotiations, which are a necessary component to moving our District forward and addressing our budget issues. We cannot risk that a committee will be used to further delay beginning negotiations with SCTA. In the District's current situation, negotiations-related decisions would have to be carefully considered and made by our Board of Education after public input and are subject to oversight and approval by SCOE.

We urge you to consider the importance of each of these three paths and ask SCTA to look at "going forward" solutions that can be negotiated to address our budget issues, particularly in the area of savings through health benefits instead of impacting student programs. As you may know, the District's current health benefit structure will continue to threaten our long-term budget health.

We believe that an "unfair practice" strike by SCTA on May 22 is contrary to moving our District forward and finding solutions to our challenges. We are committed to reaching a solution with all labor partners that will bring a permanent solution to our structural budget deficit and save our schools from a state takeover. Discussions about our budget is one of several paths to moving our District forward. We believe it is critical to continue moving

forward on each of the following three paths and that taking one path and ignoring the others would be short sighted and a disservice to our students:

- 1) Common understanding of the scope of our budget deficit;
- 2) Addressing issues remaining from the 2017 Tentative Agreement; and
- 3) Moving forward with successor contract negotiations.

The District welcomes the opportunity to meet with you, Mr. Fine, SCOE, SCTA, other labor partners, parents and community members to discuss the first path and reach a common understanding of the scope of our budget deficit. This will then establish the foundation for the District and SCTA leaders to move toward resolving the other areas through the PERB and the negotiations processes.

Sincerely

A handwritten signature in blue ink, appearing to read 'Jorge A. Aguilar', with a large loop at the end.

Jorge A. Aguilar
Superintendent



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5735 47th Avenue • Sacramento, CA 95824

(916) 643-9000 • FAX (916) 399-2058

Jorge A. Aguilar, Superintendent

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April 6, 2019

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*Rachel Halbo
Student Board Member*

David Fisher, President
Nikki Milevsky, First Vice President
John Borsos, Executive Director
Sacramento City Teachers Association
5300 Elvas Avenue
Sacramento, CA 95819

Re: District Response to SCTA Letter and Agreement to Continue Discussions
with SCTA to Avert a Strike

Dear Mr. Fisher, Ms. Milevsky, and Mr. Borsos:

Thank you for [your letter of April 4, 2019](#) following up on the [District's April 2, 2019 letter](#) offering to continue discussions with SCTA leaders to avert a strike. We agree with SCTA leaders that a "fiscal summit" is a necessary and important step in overcoming our disagreements and to begin restoring trust between SCTA leaders and the District. While we asked that the April 2, 2019 letter be shared with the SCTA Executive Council prior to making the decision to select a strike date and then read that this did not occur, we would nonetheless like to discuss its content.

As stated in our April 2, 2019 letter, we remain committed to continuing discussions on the District's budget as well as the District's practices with SCTA leaders in an effort to avoid a strike. To that end, we would like to ask if you would be willing to revisit our offer to meet with SCTA representatives on April 8, 2019, along with a mediator from the State Mediation and Conciliation Service and appropriate District staff, to review the District's budget projections, address any questions that exist, discuss any areas that may be available for savings, and evaluate whether there are any ideas proposed by SCTA leaders that could be, but have not yet, been implemented.

I acknowledge that in an effort to avoid a strike in 2017, the District and SCTA leaders crafted a handwritten "framework agreement" that was less than clear and has resulted in disagreements over interpretation of key provisions related to salary and health benefits. I learned from that experience that hastily crafted agreements to avert labor actions do not allow for our best thinking on how to serve our students. This is why, while we are again on the verge of a strike by SCTA, our community cannot afford and I will not rush into, any take-it-or-leave-it proposals that are not subject to meaningful discussion and developed through collaboration with SCTA leaders. I have asked, and will continue to ask, that SCTA leaders agree to meet with the District to continue important discussions about our budget, understandings of prior agreements, and how we will step back from

this precipice and move our District forward in a way that benefits all stakeholders, most importantly our students.

I think we can agree that health benefits savings can and must be realized, and soon. Our Labor Management Consortium partners met with representatives from the California Education Coalition for Health Care Reform (CECHCR) yesterday to review plan options that could achieve savings to our District. This is an area where we have a mutual interest in working together, so while SCTA leaders did not accept our invitation to attend yesterday's meeting, we would like to work with you to identify future dates where SCTA leaders can participate. While we did not achieve health benefits savings through plan changes for the 2018-19 school year, we remain hopeful we can work together to do so for the 2019-20 school year.

As you know, we have a very short window of time in which to complete these discussions with CECHCR and implement health benefit plan changes prior to the July 1, 2019 anniversary date for benefits set forth in the SCTA collective bargaining agreement. If we miss this window again, significant savings will go unrealized once again for the 2019-20 school year. I hope that we can agree that the status quo would only benefit health insurance companies, and not our students. We would like SCTA leaders to meet with representatives from CECHCR and the District so that we can achieve health plan savings and begin the important discussions of how those savings can be used to serve our students.

We also remain committed to working together with SCTA leaders to discuss options for resolving the salary restructure grievance. We believe there are many ideas that can and must be considered as we continue to work toward resolving our budget crisis and give our students the educational opportunities they deserve. We are also committed to continuing our discussions that we began on March 28, 2019 regarding the District's practices.

While I understand that the relationship between the District and SCTA leaders is fractured, we are committed to improving how we work with each other to meet the needs of our students. We teach our students every day to be problem solvers. As educators, we need to do the same. This is a problem we can and must solve. We can and must avoid state takeover. But it will take collaboration, conversation, and creativity by all of us. Please let us know if you agree to meet with the District through the State Mediation and Conciliation Service next week so we can work together to avoid a strike.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jorge A. Aguilar', with a large loop at the end.

Jorge A. Aguilar
Superintendent



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Jorge A. Aguilar, Superintendent

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Trustee Area 3

Mai Vang
Trustee Area 5

Rachel Halbo
Student Board Member

March 4, 2019

Sent Via E-mail: dfisher@saccityta.com

David Fisher
President, Sacramento City Teachers Association
5300 Elvas Avenue
Sacramento, CA 95819

Re: Commencing Negotiations on Successor (2019-22) Contract

Dear Mr. Fisher:

Thank you for your letter dated February 20, 2019 regarding SCTA's position on commencing negotiations on a successor (2019-22) contract. The District has been asking SCTA to agree to commence bargaining on the successor contract since November 2018. We were hopeful that after SCTA presented its initial proposals for negotiations at our February 7, 2019 Board of Education Meeting, that this process would finally begin. However, your letter appears to once again delay our negotiations process.

With the threat of state takeover looming, the stakes for our students and families could not be higher. They are depending on us to come together to save our schools by beginning negotiations as soon as possible. It appears from your letter that you are not willing to begin negotiations on a successor contract unless and until the District agrees to meet with SCTA, and the SCOE fiscal advisor, to discuss SCTA's ideas for the District's budget. We believe this meeting has already occurred.

If you are ready to come to the table to negotiate with the District, we reiterate that we are available to meet on any of the following dates and times: March 11, 12, and 15, 2019, all day, and March 13, 2019, until 3 P.M. We also reiterate the requests made in our four prior letters that you provide the names of all of the members of SCTA's bargaining team for the current round of negotiations. We also request that you provide the District with SCTA's position on use of a neutral facilitator for negotiations, scheduling full day negotiations to allow us to work through more issues during each session, and selection of a neutral location for negotiations. Please let me know by March 7, 2019, which of the above dates work to begin negotiations.

For a detailed response to the various allegations in your letter, please see the attached. We look forward to partnering with you throughout this process.

Sincerely,

Jorge A. Aguilar
Superintendent

Response to Specific Allegations

In your letter, you repeat claims that I have caused strain in the District's relationship with SCTA by backtracking on the framework agreement signed in November 2107. I disagree with your claims that I backtracked on the framework agreement reached with Mayor Steinberg in November 2017. As you know, we have implemented all of the agreements memorialized in our tentative agreement, including:

- The 7.5% salary increase for all SCTA members;
- Awarding of unlimited experience credit;
- Athletic Director Stipends

We have also attempted to implement the provisions of the framework agreement related to school calendar. We have reiterated the District's commitment to adjust the certificated employee salary schedule consistent with the District's agreement to a maximum district expenditure of 3.5%. Given SCTA's different understanding of that agreement, we requested that the Sacramento Superior Court determine whether there is a valid contract subject to arbitration. This was not a failed lawsuit. Rather, it provided the necessary guidance from the court that the issue of contract formation is appropriately considered by the arbitrator. The District looks forward to presenting its case on March 7 and 8 to the arbitrator. Typically, arbitrators allow for closing briefs that are due anywhere between thirty to forty-five days after the arbitration hearing. The arbitrator's decision then typically follows thirty to sixty days later. Thus, your speculation that had the District agreed to a January 7 arbitration hearing, the issue would have been resolved by this date is without any factual foundation.

We have agreed to the March 7 and 8 dates offered by the arbitrator and have requested that if any other March dates open up for the arbitrator he notify the parties so that we can hold an additional day if needed for the hearing. Our attorneys have also reached out to SCTA's attorney to discuss evidentiary issues and timelines for providing materials to the arbitrator in order to move the hearing process along, including agreement to start the arbitration at an early time and continue the arbitration late into the days as needed.

While I appreciate your interest in hearing from the California Education Coalition for Healthcare Reform (CECHCR) on health plan options, the District and SCTA are able to move forward with negotiations proposals without that information. We remain very interested in receiving the information from CECHCR and working with all of our labor partners to look at benefit plan options when that information is available.

Further, you claim that the District has refused to meet with SCTA to discuss your proposals that "are specifically designed to 'avoid state takeover and save our schools.'" This is not the case. As you may recall, we agreed to meet with you on January 9, 2019, but you showed up to the meeting location late after having entered into an unlocked room and set up that room without our awareness. We did receive your "10 Facts" document at that meeting and told you that we would follow up with any questions. Along with President Ryan, I attended a meeting on January 18, 2019 with SCTA, Mike Fine from FCMAT, and Mayor Steinberg during which you were provided an opportunity to share your ideas to address the District's financial challenges. After you presented your ideas/proposal and following that meeting, FCMAT provided a list of your questions to the Sacramento County Office of Education (SCOE) and their responses were sent to you on February 14, 2019. Question 6 from SCTA specifically asked for SCOE to

provide an analysis of certain SCTA suggested budget adjustments. In response, SCOE recommended against SCTA's proposal to change the District's contributions to post-employment benefits. Further, SCOE pointed out an error in SCTA's projected savings about reducing central office administrators. SCOE's analysis demonstrated that SCTA's budget ideas would not adequately address the structural fiscal deficit faced by the District.

Finally, we are working as diligently as we can - even on holidays - to save our schools from a state takeover. Nevertheless, in response to a separate request from you, we will attempt to avoid asking for future responses from SCTA on days that fall on state or federal holidays.



OFFICE OF THE SUPERINTENDENT

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(916) 643-9000 • FAX (916) 399-2058

Jorge A. Aguilar, Superintendent

February 15, 2019

BOARD OF EDUCATION

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President
Trustee Area 7

Darrel Woo
Vice President
Trustee Area 6

Michael Minnick
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Sent Via Email (dfisher@saccityta.com)

David Fisher
Sacramento City Teachers Association
5300 Elvas Avenue
Sacramento, CA 95819

Re: Commencing Negotiation on Successor (2019-2022) Contract

Dear Mr. Fisher:

Since November 2018, the District has sent four letters to SCTA requesting to meet and begin this school year's negotiation cycle and proposing dates for the same. SCTA has not responded to the District's multiple requests to meet and negotiate, instead informing us that it had no interest in beginning negotiations before February 7, 2019, when it would submit its initial bargaining proposal to the Governing Board. At the Board meeting of February 7, 2019, the Board received SCTA's initial proposal for successor contract negotiations for 2019-22. Now that we have received your initial proposal, we assume SCTA is ready to begin negotiations of the successor contract.

We look forward to beginning this critical process and partnering with SCTA as we explore very difficult decisions needed to address our budget deficit and save our schools. As such, we offer to meet with SCTA on: February 20, 2019, 11:00 a.m.-2:30 p.m., February 22, 10:00 a.m.-12:00 p.m., February 25, at 3:00 p.m., February 26, 9:00 a.m.-1:30 p.m., February 27, at 10:00 a.m., February 28, 9:00 a.m. - 1:00 p.m., and March 1, 2019, at 1:00 p.m.

Additionally, the District has made multiple requests since November 2018 to discuss negotiation norms and ground rules; schedule full day negotiation sessions to allow for more in-depth discussions with release time for a reasonable number of team members; team composition for SCTA's bargaining team; and use of a facilitator for negotiations. On the latter, I have been briefed about the longstanding strained relationship between SCTA and the District related to negotiations, therefore, I am again requesting that we select a neutral facilitator who could help us avoid state takeover and save our schools. The District remains interested in discussing these important issues as we begin negotiations.

Please let us know by February 20, 2019, the dates that work for SCTA to begin negotiations as well as your response to the proposals above. We appreciate you providing your initial proposal and your anticipated partnership throughout this process to ensure that we can continue meeting the needs of our students.

Sincerely,

Jorge A. Aguilar
Superintendent

Attachments



BOARD OF EDUCATION

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Mai Vang
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Student Board Member

HUMAN RESOURCE SERVICES
P.O. Box 246870 • Sacramento, CA 95824-6870
(916) 643-9050 • FAX (916) 399-2016

Jorge A. Aguilar, *Superintendent*
Cancy McArn, *Chief Human Resources Officer*

January 17, 2019

David Fisher
President, Sacramento City Teachers Association
5300 Elvas Avenue
Sacramento, CA 95819-2333

Re: First Negotiations Session

Dear Mr. Fisher:

We are sharing with you the correspondence the District received from SCOE on January 14, 2019, in which SCOE reiterated its request "that the district quickly identify cuts and expedite actions that could be taken on items that do not require negotiations, while planning for those items that do require negotiations." It is with this urgency regarding our budget status in mind, that the District sunshined early and has requested to initiate negotiations with your bargaining unit immediately. SCTA has made it clear that you will not agree to begin negotiations until after February 7, when you present your initial proposal to the Governing Board. Since November 2018, the District has requested to begin negotiations with you and our other labor partners. We repeated this request in letters dated December 11, 2018 and December 21, 2018. To date, you have not responded to our December 21, 2018 letter offering to begin negotiations with SCTA on February 11, 13, or 15, 2019. You also have not responded to our multiple requests to discuss negotiation norms or ground rules; negotiate for full days to allow for more in-depth discussions; use of a facilitator for negotiations; or identity of the team that will represent SCTA in negotiations. As we did in 2016, the District would like to schedule a pre-negotiations session with the SCTA to discuss these issues.

As SCOE further stated in the January 14, 2019 letter "We are therefore requesting that the district provide this office with concrete calculations on valuations of additional budget reduction items as part of a completed budget reduction plan by January 22, 2019." As such, the District will continue to work on developing specific cost savings proposals to share with you at our upcoming negotiation meetings.

Please let me know by January 21, 2019, which of the February dates offered above will work for our first negotiations session. Also please let me know by January 21, 2019 if you are available to meet on January 28, January 30, January 31, or February 1 in the Florida Conference Room for a pre-negotiations meeting. We look forward to working together to address these crucial matters.

Sincerely,

Cancy McArn
Chief Human Resources Officer



OFFICE OF THE SUPERINTENDENT

5735 47th Avenue • Sacramento, CA 95824

(916) 643-9000 • FAX (916) 399-2058

Jorge A. Aguilar, Superintendent

December 21, 2018

BOARD OF EDUCATION

Sent Via Email (dfisher@saccityta.com)

*Jessie Ryan
President
Trustee Area 7*

*Darrel Woo
Vice President
Trustee Area 6*

*Michael Minnick
2nd Vice President
Trustee Area 4*

*Lisa Murawski
Trustee Area 1*

*Leticia Garcia
Trustee Area 2*

*Christina Pritchett
Trustee Area 3*

*Mai Vang
Trustee Area 5*

*Rachel Halbo
Student Board Member*

David Fisher
Sacramento City Teachers Association
5300 Elvas Avenue
Sacramento, CA 95819

Re: First Negotiation Session

Dear Mr. Fisher:

We are in receipt of your December 13, 2018 letter responding to the District's request to commence negotiations as soon as possible based on the guidance of David Gordon, Sacramento County Superintendent of Schools, who has emphasized the importance of the District beginning negotiations with our labor partners immediately given the District's current budget situation. As stated in the Executive Summary to our initial proposal or "sunshine" that was approved by the Board on November 15, 2018, the District presented its initial proposal early and requested to start the bargaining process with our respective labor partners as soon as possible.

Based on your letter, it is clear that SCTA does not intend to begin negotiations early and will instead make its initial proposal for negotiations in February consistent with Article 25. While we appreciate SCTA's adherence to Article 25, there is nothing in that article that prevents SCTA from making its initial proposal and starting bargaining prior to February. If SCTA remains unwilling to come to the negotiations table in January, we would like to schedule negotiations dates for February so that we can begin negotiating as soon as SCTA makes its initial proposal. The District's negotiating team is currently available on February 11, 13, and 15, 2019.

The District has been directed by SCOE to submit a viable Board-approved budget and multi-year expenditure plan that will reverse the deficit spending trend. We recognize that aspects of the expenditure plan will require negotiations with our labor partners before we can finalize the plan. While we acknowledge that you have submitted ideas to address the District's budget issues, and we look forward to discussing those ideas with you on January 9, 2019, SCTA appears unwilling to begin successor contract negotiations sooner than February.

As we head into negotiations, we want to take an opportunity to share information with and request information from your team relative to the negotiations process. Specifically, we want to inform you that the District's team for negotiations with SCTA on 2019-20 contract negotiations will consist of the following team members:

- Dulcinea Grantham, Attorney/Lead Negotiator
- Raoul Bozio, In-House Counsel
- Cancy McArn, Chief HR Officer
- John Quinto, Chief Business Officer
- Cindy Nguyen, Employee Relations Director
- 2 - 4 additional administrators

Generally, negotiations involve a select reasonable number of representatives from both sides to allow for orderly, informal and frank discussion of the issues confronting negotiators. (*Petaluma Federation of Teachers Local 1881* (2016) PERB Dec. No. 2485; *Muroc Unified School District* (1978) PERB Dec. No. 80.) We note that while in the past your negotiations team has consisted of approximately 6 - 12 team members, you increased your team during the last contract negotiation to over sixty (60) "team members." This is an unreasonable number of negotiation team members and makes it very difficult to effectively accommodate and negotiate. To that end, the District would like to discuss some strategies to make our negotiations sessions more productive, such as providing release time for a reasonable number of SCTA members in addition to the three SCTA officers who are on leave for union business so that we can meet for full day sessions. This will allow the District and SCTA to spend more time focusing on negotiations and reaching agreements during each session.

Prior to our next negotiations date (which is proposed for January 7, 2019), please identify a reasonable number of representatives who will compose your team for negotiations both on outstanding items like health plan savings, and on successor contract negotiations, so that we can ensure adequate space, seating, and copies of materials for all participants.

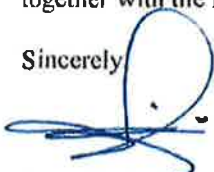
We plan to approach negotiations with the following norms in mind, which we believe have generally guided our approach to negotiations in past years:

- Meetings shall occur at mutually acceptable dates, time, and locations which shall be agreed to by the parties. Adjustments to the agreed upon schedule may only be made by mutual agreement.
- To the extent possible, meetings shall rotate between the District Office and the Union Office.
- The agenda for each session shall be agreed on at the conclusion of the previous session, although it may be altered by mutual agreement.
- The parties agree to engage in conversations with positive intentions.
- As agreements are reached, they shall be put in written form, signed by both parties, dated and timed, and labeled as Tentative Agreements.
- The parties agree to provide advance notice if bringing in attendees other than those included on the negotiations team.

We also remain interested in retaining a neutral facilitator for negotiations who can be mutually agreed upon by the parties as proposed in our November 9, 2018 letter to SCTA.

It is our desire to work collaboratively to reach resolution to negotiations as soon as possible as the District works with SCOE on reducing its deficit spending. We appreciate your willingness to work together with the District throughout this process.

Sincerely



Jorge A. Aguilar
Superintendent



OFFICE OF THE SUPERINTENDENT

5735 47th Avenue • Sacramento, CA 95824

(916) 643-9000 • FAX (916) 399-2058

Jorge A. Aguilar, Superintendent

December 11, 2018

BOARD OF EDUCATION

Sent Via Email (dfisher@saccityta.com)

Jessie Ryan
President
Trustee Area 7

David Fisher
Sacramento City Teachers Association
5300 Elvas Avenue
Sacramento, CA 95819-2333

Darrel Woo
Vice President
Trustee Area 6

Dear Mr. Fisher:

Michael Minnick
2nd Vice President
Trustee Area 4

This correspondence is in regards to the successor contract negotiations with SCTA for 2019-2022. As you are aware, the District presented its initial proposal for negotiations ("sunshine") with all of its labor partners for public hearing and to the Governing Board on November 15, 2018 as required by the Educational Employment Relations Act ("EERA"). As stated in the Executive Summary to each initial proposal, the District presented its initial proposal on that date in an effort to start the bargaining process with our respective labor partners as soon as possible and to help with the District's current budget situation. A copy of the District's sunshine for negotiations with SCTA is attached to this letter for your reference. In our November 9, 2018 letter, we offered you three potential dates for negotiations in late November and early December. To date you have not responded to the District's request to meet.

Lisa Murawski
Trustee Area 1

Leticia Garcia
Trustee Area 2

Christina Pritchett
Trustee Area 3

In our First Interim Report submitted to Sacramento County Office of Education ("SCOE") last week, there was recognition that aspects of strategy to address the District's budget challenges will require negotiations with our labor partners. As part of SCOE's current oversight of the District's fiscal practices and solvency, SCOE has emphasized the importance of the District beginning negotiations with our labor partners immediately and has requested that the District submit a schedule of the collective bargaining process with our labor partners by December 14, 2018.

Mai Vang
Trustee Area 5

Rachel Halbo
Student Board Member

Based on the urgency of addressing our budget challenges, we would like to commence negotiations immediately. As it remains our desire to work collaboratively to reach resolution as soon as possible while the District works on reducing our deficit spending, we would like to schedule dates to meet with your negotiations team. To that end, please inform me by December 13, 2018, of any two of the following dates that you are available to meet to begin negotiations: Tuesday, December 18th, 2018, Thursday, December 20th, 2018 and Wednesday, January 9th, 2019.

We appreciate your response by December 13, 2018 and willingness to work together with the District to commence negotiations for our successor contract.

Sincerely,

Jorge A. Aguilar
Superintendent

Attachment

**SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
November 15, 2018
SUNSHINING OF DISTRICT'S INITIAL PROPOSAL TO THE SACRAMENTO CITY
TEACHERS ASSOCIATION (SCTA)
FOR 2019-2022 SUCCESSOR AGREEMENT**

Pursuant to Government Code section 3547, the District's and SCTA's initial bargaining proposals that relate to matters within the scope of negotiations shall be presented at a public meeting. It further prohibits negotiation on such proposals until after the public has had an opportunity to be informed of the District's proposal and provide any comments, and the proposal has been adopted by the Governing Board. Since this matter involves the reopening of particular articles of the CBA, and to allow the Board an opportunity to provide and receive comment, the District's initial proposal for amending the CBA is presented to the Board at this public meeting for a public reading. The District's initial proposal is also presented to the Board at this meeting for final approval and "sunshining."

The below initial proposal seeks to negotiate in good faith additions and changes to the CBA that will benefit students and employees and ensure the fiscally sustainable operation of the District in the short and long term. As such, and in light of the budget difficulties currently faced by the District, the District is seeking to "sunshine" its initial proposal and commence negotiations with SCTA.

ACTION BY THE BOARD OF EDUCATION AS FOLLOWS:

The Board hereby presents the District's initial proposal for public comment, and thereafter adopts the following initial proposal for a 2019-2022 successor agreement. It is the Board's intent that the District work collaboratively with SCTA's negotiations team to reach a fair and equitable agreement that protects the interests of students, parents/guardians, unit members, and the District, while ensuring the fiscal solvency of the District.

ARTICLE 5: HOURS OF EMPLOYMENT

Propose amendments, including but not limited to revising instructional minutes and day schedules.

ARTICLE 6: EVALUATION

Propose amendments, including but not limited to revising evaluation tools and process.

ARTICLE 8: TRANSFERS

Propose amendments, including but not limited to, process and timelines related to the hiring process.

ARTICLE 11: SAFETY CONCERNS

Propose amendments, including but not limited to, resources and supports for employees concerning appropriate student discipline practices and interventions.

ARTICLE 12: COMPENSATION

Propose to negotiate in good faith over compensation within the limits of available financial resources. The District may propose other amendments to this Article.

ARTICLE 13: EMPLOYEE BENEFITS

Propose to negotiate in good faith over employee benefits within the limits of available financial resources. The District may propose other amendments to this Article.

ARTICLE 17: CLASS SIZE

Propose amendments, including but not limited to revising terms, involving maximum and average class sizes loads, formulas, limitations, and specialized programs.

ARTICLE 18: ORGANIZATIONAL RIGHTS

Propose amendments, including but not limited to revising terms involving the use of Association Officer leaves of absences and/or release time.

ARTICLE 21: ORGANIZATIONAL SECURITY

Propose amendments, including but not limited to revising terms involving processing agency fees to ensure compliance with legal requirements.

ARTICLE 26: DURATION

Propose amendments, including but not limited to updating the term of the successor contract.

APPROVED:

AYES:

NOES:

ABSTAIN:

ABSENT:

Action was taken to adopt this District Initial Proposal for 2019-2022 successor contract negotiations with SCTA on November 15, 2018.

Superintendent



OFFICE OF THE SUPERINTENDENT

5735 47th Avenue • Sacramento, CA 95824

(916) 643-9000 • FAX (916) 399-2058

Jorge A. Aguilar, Superintendent

November 9, 2018

Sent Via Email (dfisher@saccityta.com)

BOARD OF EDUCATION

*Jessie Ryan
President
Trustee Area 7*

*Darrel Woo
Vice President
Trustee Area 6*

*Michael Mirnick
2nd Vice President
Trustee Area 4*

*Jay Hansen
Trustee Area 1*

*Ellen Cochran
Trustee Area 2*

*Christina Pritchett
Trustee Area 3*

*Mai Vang
Trustee Area 5*

*Rachel Halbo
Student Board Member*

David Fisher
Sacramento City Teachers Association
5300 Elvas Avenue
Sacramento, CA 95819

Re: Health Plan Savings

Dear Mr. Fisher:

The District is pleased to learn that SCTA wishes to engage in “immediate discussions ... to consider potential health plan savings,” as stated in your letter of November 1, 2018. The District has been seeking SCTA’s cooperation in order to come to an agreement on health plan costs savings for quite some time.

Contrary to the version of events described in your letter, it has been SCTA who has delayed the effectuation of the health plan costs savings that were agreed to in Article 13.1.1 of the tentative agreement ratified on December 7, 2017. As with previous communications, the November 1, 2018, SCTA letter again leads with the position that the Salary Schedule Structure proposed by SCTA must be implemented at any and all costs, despite the explicit limitation of a 3.5% cost increase that was included in the Framework Agreement. Rather than bargain in good faith on this critical matter of health care costs, SCTA has insisted on numerous occasions, including the recent meeting on October 24, 2018 with Dr. John Quinto (Chief Business Officer), Cancy McArn (Chief Human Resources Officer), Tanisha Turner (Employee Compensation Director), Raoul Bozio (In-House Counsel), and CECHCR representatives, that the District acquiesce to SCTA’s Salary Schedule Structure proposal before SCTA comes to any agreement resulting in the reduction to the District’s health care expenditures.

Regarding the Salary Schedule Structure matter, the District believes that full consideration and process must be given to the determination of this important matter. Moreover, contrary to SCTA’s assertion, the reduction in percentage increase to year-over-year health costs did in fact decrease due to the efforts to employ CECHCR to analyze the District’s health care costs and options available on the market. However, these were due to CECHCR and market forces, not any action by SCTA to come to an agreement to effectuate meaningful changes to the health care plan costs as contemplated under Article 13.1.1. In fact, based on the CECHCR reports, SCUSD loses approximately \$735,416 with each subsequent month that passes without implementing a change to health care costs because SCTA has refused to reach an agreement on this matter.

Nevertheless, and despite the above noted points of disagreement, the District also wishes to resume discussions and hopes that SCTA will comply with the language of Article 13.1.1. Relatedly, we are initiating the “sunshining” process of the District’s initial proposal for a 2019-2022 successor CBA at the upcoming Board Meeting on November 15, 2018 in order to get a jump start in negotiations and to avoid negotiating in arrears as we did last year. We would like to meet to begin negotiations on Thursday, November 29, 2018; Wednesday, December 5, 2018; and Tuesday, December 11, 2018, and we look forward to a productive round of negotiations. To that end, our goal is to come to an agreement with SCTA that will ensure the continued improvement of outcomes for all District students while sustaining the District’s fiscal solvency. We plan to approach negotiations with the following norms in mind:

- Meetings shall occur at mutually acceptable dates, time, and locations which shall be agreed to by the parties. Adjustments to the agreed upon schedule may only be made by mutual agreement.
- To the extent possible, meetings shall rotate between the District Office and the Union Office.
- The agenda for each session shall be agreed on at the conclusion of the previous session, although it may be altered by mutual agreement.
- The parties agree to engage in conversations with positive intentions.
- As agreements are reached, they shall be put in written form, signed by both parties, dated and timed, and labeled as Tentative Agreements.
- The parties agree to provide advance notice if bringing in other negotiators or speakers.

The District would also like to discuss some strategies to make our negotiations sessions more productive, such as providing release time for three to five SCTA members in addition to the three SCTA officers who are on leave for union business so that we can meet for full day sessions. Lastly, we would also propose retaining a neutral facilitator for negotiations who can be mutually agreed upon by the parties.

Again, given your letter of November 1, 2018, we are optimistic that we can come to a mutually beneficial agreement to achieve health care plan costs savings as well as an overall agreement that will benefit students, employees, and our greater community. Please let us know whether you are available to begin these negotiations on Thursday, November 29, 2018; Wednesday, December 5, 2018; and Tuesday, December 11, 2018.

Sincerely,



Jorge A. Aguilar
Superintendent