



OFFICE OF THE SUPERINTENDENT

5735 47th Avenue • Sacramento, CA 95824
(916) 643-9000 • FAX (916) 399-2058

Jorge A. Aguilar, Superintendent

November 13, 2018

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Rachel Halbo
Student Board Member

Sent via email to dfisher@saccityta.com

Mr. David Fisher
Sacramento City Teachers Association (SCTA)
5300 Elvas Avenue
Sacramento, CA 95819

RE: Assessment Memorandum of Understanding (MOU)

Dear Mr. Fisher:

As I continue to learn about historical contexts related to student achievement outcomes in Sacramento City Unified, I was briefed about an MOU signed with SCTA in November 2016. The MOU relates to student progress monitoring and states that for assessments which are not:

"specifically and unambiguously directed by state or federal or programmatic (e.g. International Baccalaureate) mandate, the parties will jointly develop and mutually agree to the development of a process for monitoring student progress, which will meet state and/or federal guidelines, if applicable. The parties will make a good faith and timely effort to mutually develop and mutually agree to the specific test or assessment described in the preceding sentence."

I have learned that the decision to pause the assessments in 2016 was, in part, due to concerns about the alignment of the assessments to that which was being taught and their usefulness to inform instruction, the amount of instructional time taken for the assessments, and the amount of time required for teachers to score open-ended assessment items. Pursuant to the MOU, an assessment committee was supposed to be formed no later than January 9, 2017, to agree upon assessments that would be used to monitor student progress. The assessment committee met three times between January 18, 2017 and February 27, 2017, and no consensus was reached. On Friday, March 17, 2017, a request was sent to SCTA for another Assessment Committee meeting and SCTA informed the District that a response would occur after a teacher contract mediation date was set. On March 21, 2017, my understanding is that SCTA again refused to commit to an assessment committee meeting pending the scheduling of a teacher contract bargaining date. It was not until April 2017 that the assessment committee met again and no consensus on assessments was reached for the 2017-2018 academic year even after a subsequent June 2017 meeting.

Nine months later, in February 2018, SCTA agreed to assessments for the end of the 2017-2018 school year for EL Redesignation and for GATE identification purposes for the 2017-18 year. SCTA stated its expectation that curriculum-embedded assessments would be used in 2018-2019. As we enter the fifth month of the 2018-2019 academic year - and almost two years after the MOU was signed - we still have no agreement on how we will monitor student progress District-wide. The fact that we have no agreement on a matter as critical as assessments means that we cannot objectively assess our students and inform parents/guardians how their children are progressing toward grade level readiness. The California Department of Education

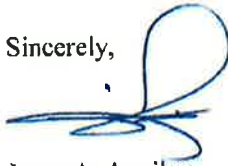
subject matter curricular frameworks for math, ELA/ELD, science, and social science all call for a balanced approach to assessments including assessments for learning and assessment of learning. Additionally, the CA Dyslexia Guidelines call for the universal screening of students for reading annually. As you know, the District's Community Advisory Committee (CAC) has called on the District to assess students for dyslexia. Moreover, assessments to screen, diagnose and progress monitor are foundational and fundamental components of a Multi-Tiered System of Supports, <https://www.cde.ca.gov/ci/cr/ri/mtsscomponents.asp>.

Currently, outside of the annual state mandated assessments, there are no required objective assessments across the District. This is in direct violation of District policies and Administrative Regulations (BP 5121, 5123, 6162.5) which require that we monitor student progress. The lack of assessments also impacts the ability of the District to reclassify English Learners and identify students for Gifted and Talented Education services. At a recent meeting with the Office of Civil Rights, OCR noted the negative impact caused by the inability to use multiple assessment measures for GATE identification, particularly to students from traditionally under-served and under-represented student groups. As such, it is critical that the District commences with the needed assessments for this school year. Attached you will find a spreadsheet detailing state mandated assessments, non-mandated assessments, and site-based assessments that the District plans to administer during the 2018-2019 academic year. Each of these assessments is intended to measure student progress and to inform parents/guardians how their children are progressing towards grade level readiness. Please note that for those assessments that are scheduled on dates that have passed, the District will administer in the next window outlined on the spreadsheet.

Please inform me whether SCTA disagrees with any of the assessments contained in the attachment. If so, please forward me your assessment proposal allowing the District to objectively measure and inform parents/guardians on an ongoing basis how their children are progressing toward grade level proficiency.

As stated above, we look forward to receiving your input on this critical issue that is so important to the success of all District students. We request a reply by Friday, November 16, 2018.

Sincerely,



Jorge A. Aguilar
Superintendent

Attachments

MEMORANDUM OF UNDERSTANDING

Between

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT

And

SACRAMENTO CITY TEACHERS ASSOCIATION

Concerning

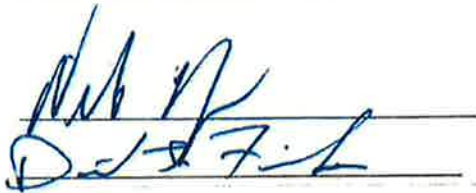
Monitoring of Student Progress

The Sacramento City Unified School District hereinafter called the "District," and the Sacramento City Teachers Association, hereinafter called the "Association." The District and Association are collectively referred to throughout this Agreement as the "Parties," hereby agree to the following terms of this agreement:

1. The District and the Association agree that testing should be meaningful and useful.
2. The parties mutually agree those state and/or federal specifically-mandated assessments (i.e. [the specific test will be inserted here]), will be administered in accordance with state and federal regulations.
3. The parties further agree that where a district initiated / district-wide specific test, assessment or process for monitoring student progress is not specifically and unambiguously directed by state or federal or programmatic (e.g. International Baccalaureate) mandate, the parties will jointly develop and mutually agree to the development of a process for monitoring student progress, which will meet state and/or federal guidelines, if applicable. The parties will make a good faith and timely effort to mutually develop and mutually agree to the specific test or assessment described in the preceding sentence. If the parties are unable to reach agreement, the parties agree to the expedited fact-finding dispute resolution process below:
 - a. An expedited three (3) person fact-finding panel will be convened consisting of one representative selected by the Association, one representative selected by the District, and the neutral, who shall be selected by both parties.
 - b. The fact-finding panel will engage in an informal mediation process to resolve the issue. There will not be formal presentations or briefs, unless mutually agreed upon. The mediation process shall last no longer than forty-eight (48) hours, unless there is agreement to extend the time period. If, at the expiration of the mediation process, no agreement is reached, the Association and the District will each submit its final position. The neutral fact-finder will decide between the two positions, which shall be final and binding.

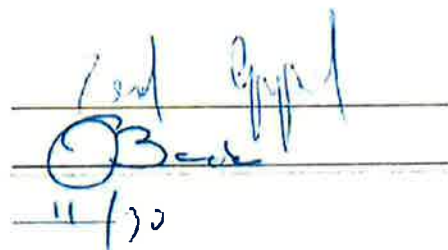
4. Opt out information for parents will be posted on the district web site. Alternative learning opportunities and resources will be provided for those students who opt out. No teacher shall be required both to administer the required test and to provide the alternative learning opportunities for students who opt out of standardized testing.
5. The District and the Association also mutually agree that monitoring student progress in individual classrooms, across grade levels or subject, at site and district levels may be valuable instruments to monitor student progress and may provide information useful to teacher reflection and planning as well as for student feedback.
6. The District agrees to limit the current District-developed Benchmark to the period from November 7th to December 16th only. Any future District-wide assessment and/or other process for monitoring student progress will be jointly developed and mutually agreed according the provisions of this agreement.
7. Teachers who grade the benchmark that require additional work beyond their regular workday will be compensated for the additional time spent grading the benchmark. Thursday collaborative time will not be used to grade or otherwise administer benchmarks unless agreed to by the teachers at the work site.
8. To design a comprehensive and balanced system for monitoring student progress, the District and Association will form a committee, consisting of representatives designated by the Association and representatives designated by the District to develop processes for monitoring student progress and to advise sites and teachers regarding additional local assessment strategies. Decision shall be by consensus between the two parties, except for those areas covered by Paragraphs 2 and 3 of this agreement, which shall apply.
9. The Committee will commence no later than the week of January 9, 2017. Once the committee determines the content, structure and nature of the best processes for monitoring student progress, mutually-agreed upon dates may be determined for implementation of any state or federal assessment described in Paragraph 3 above that apply for the 2016-17 school year.

FOR THE ASSOCIATION:



11/30/16

FOR THE DISTRICT:



CALIFORNIA MANDATED ASSESSMENTS		
Gr Lvl	Assessment / Data Point	Assessment Window
K-12	English Learner Proficiency Assessment for California (ELPAC) Initial Assessments non-English Home Language)	July 1 - June 30
K-12	ELPAC Summative Assessments non-English Home Language	February 1 - April 20
5, 8, 11, and 12	California Science Test (CAST) / - California Alternate Assessment (Science)	New Tech HS & Non-Public March 5 - May 11 Traditional March 19 - May 25
3-8 and 11	Smarter Balanced Assessment (SBAC) / California Alternate Assessment (CAA): ELA & Math	New Tech HS & Non-Public March 5 - May 11 Traditional March 19 - May 25
5, 7, and 9	Physical Fitness Test	February 1 - April 30
4, 8, and 12	National Assessment of Educational Progress (NAEP)	E Phillips 2/26, Woodbine 2/27, California 3/1, AM Winn and Pacific 3/3, Bancroft, Burbank and Malsuyama 3/6
SCUSD ASSESSMENTS		
K	ELA Concepts of Print (COP) - Curriculum embedded	Sept. 4-28, May 13-31
K-2	ELA Basic Phonics Skills Test III (BPST III)	Sept. 4-28, Feb. 4-22 (K-1 only), May 13-31 (K-1 only)
K-6	ELA Oral Reading Record - Curriculum embedded	Sept. 4-28, Feb. 4-22, May 13-31
K-2	ELA Interim #2 - Curriculum embedded	Dec. 20-Jan. 10
K-2	ELA Interim #3 - Curriculum embedded	Mar. 28-Apr. 4
K-2	ELA Interim #4 - Curriculum embedded	June 3-13
3-6	ELA Interim #2 - Curriculum embedded	Dec. 13-21
3-6	ELA Interim #3 - Curriculum embedded	Mar. 18-29
7/8	ELA Beginning of Year (BOY) Interim - Curriculum embedded	Oct. 22-Nov. 8
7/8	ELA Middle of Year (MOY) Interim - Curriculum embedded	Feb. 4-19
9/10	ELA Beginning of Year (BOY) Interim - Curriculum embedded	Nov. 5-16
9/10	ELA Middle of Year (MOY) Interim - Curriculum embedded	Feb. 19-Mar. 5
9/10	ELA End of Year (EOY) Interim - Curriculum embedded	May 20-31
11	ELA Beginning of Year (BOY) Interim - Curriculum embedded	Oct. 22-Nov. 8
11	ELA Middle of Year (MOY) Interim - Curriculum embedded	Feb. 4-19
K	Math Test 4 Topics 13-16 - Curriculum embedded	Oct. 1-12
K	Math Test 1 Topics 1-4 - Curriculum embedded	Jan. 14-25
K	Math Test 2 Topics 5-8 - Curriculum embedded	Feb. 25-Mar. 8
1-2	Math Test 1 Topics 1-4 - Curriculum embedded	Nov. 5-16
1-2	Math Test 2 Topics 5-8 - Curriculum embedded	Feb. 25-Mar. 8
1-2	Math Test 3 Topics 9-12 - Curriculum embedded	May 20-31
3-4	Math Test 1 Topics 1-4 - Curriculum embedded	Nov. 5-16
3-4	Math Test 2 Topics 5-8 - Curriculum embedded	Feb. 25-Mar. 8
5	Math Test 1 Topics 1-4 - Curriculum embedded	Nov. 5-16
5	Math Test 2 Topics 5-7 - Curriculum embedded	Jan. 14-25
6	Math Test 1 Topics 1-3 - Curriculum embedded	Oct. 22-Nov. 2
6	Math Test 2 Topics 5-7 - Curriculum embedded	Feb. 12-22
Math 7	Math Ch. 1-3 - Curriculum embedded	Nov. 5-16
Math 7	Math Ch. 4-6 - Curriculum embedded	Mar. 11-22
Math 8	Math Ch. 1-3 - Curriculum embedded	Nov. 5-16
Math 8	Math Ch. 4-6 - Curriculum embedded	Mar. 11-22
Math 1	Math Unit 1 - Curriculum embedded	Oct. 22-Nov. 2
Math 1	Math Unit 2 - Curriculum embedded	Dec. 10-21
Math 1	Math Unit 4 - Curriculum embedded	Mar. 18-29
Math 2	Math Unit 1 - Curriculum embedded	Sept. 24-Oct. 5
Math 2	Math Unit 2 - Curriculum embedded	Dec. 10-21
Math 2	Math Unit 4 - Curriculum embedded	Mar. 18-29
Math 3	Math Unit 1 - Curriculum embedded	Oct. 22-Nov. 2
Math 3	Math Unit 2A - Curriculum embedded	Dec. 10-21
3-12	PFT Baseline	September 1 - October 27
1 and 3	GATE Identification	January 14 - February 22
6 and HS	Math Placement GR 6 & Math 1	May 6 - June 7
8 and 8	PSAT	October 10
10	PSAT	October 10
11	SAT School Day	March 6
3-12	School Climate Survey - Student, Staff, and Parent/Family	January 14 - February 28
SITE COORDINATED ASSESSMENTS		
11 and 12	SAT - GR 11 and 12	2018: August 25, October 6, November 3, December 1 2019: March 9, May 4, June 1
10 - 12	California High School Proficiency Exam (CHSPE) - Age 16+	2018 ESTIMATED: October 20 and 2018: March 16
11 and 12	Advanced Placement (AP) - GR 11 and 12	2019: May 6 through 10 and May 13 through 17



OFFICE OF THE SUPERINTENDENT

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Jorge A. Aguilar, Superintendent

November 26, 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

Darrel Woo
Vice President
Trustee Area 6

Re: Assessment Committee

Michael Minnick
2nd Vice President
Trustee Area 4

Dear Mr. Fisher:

Jay Hansen
Trustee Area 1

Please consider this letter as the District's offer to meet and convene the Assessment Committee that has been previously referenced in correspondence between SCUSD and SCTA. These meetings are especially important because the Office of Civil Rights ("OCR") recently issued the attached letter to the District expressing concern over the negative impact to students caused by the inability to use multiple assessment measures for GATE identification. As you are aware, I made reference to a recent meeting with OCR and expected further communication from them. As mentioned in their letter, OCR is concerned that: "having only a single data point on achievement testing, because of the District's current restrictions on assessment, gives students fewer opportunities to demonstrate their eligibility for GATE services, and significant disparities remain." Beyond GATE certification, our English Learner redesignation process relies on a single data point on achievement testing as a result of this MOU which we plan to discuss with you.

Ellen Cochrane
Trustee Area 2

Christina Pritchett
Trustee Area 3

Mai Vang
Trustee Area 5

Staff is available on the following dates and times to meet:

- Monday, December 3, 2018 at 3:30
- Friday, December 7, 2018 at 3:30
- Tuesday, December 11, 2018 at 3:30
- Wednesday, December 12, 2018 at 4:00

Rachel Halbo
Student Board Member

Please inform us which of these dates work best for you. As noted in the communication dated November 13, 2018 and attached here, we have provided SCTA with the assessments the District has identified for administration for the 2018-2019 school year. We request that SCTA submit any assessments that they would like us to consider *prior* to any selected meeting dates.

We would appreciate a response to this request by Friday, November 30, 2018.

Sincerely,

Jorge A. Aguilar
Superintendent

Attachments



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

50 UNITED NATIONS PLAZA
MAIL BOX 1200; ROOM 1545
SAN FRANCISCO, CA 94102

REGION IX
CALIFORNIA

November 16, 2018

Jorge A. Aguilar
Superintendent
Sacramento City Unified School District
5735 47th Avenue
Sacramento, California 95824-4528

(In reply, please refer to Docket # 09-14-1190.)

Dear Superintendent Aguilar:

On August 12, 2014, the Sacramento City Unified School District (District) signed a Resolution Agreement with the Office for Civil Rights (OCR) under the above-referenced docket number. As part of the Agreement, the District committed to provide all students in the District an equal opportunity to participate in the District gifted and talented education (GATE) program. The District agreed to analyze data for GATE program eligibility Districtwide and, based on the review, to implement strategies to increase equal access to the GATE program for all groups of students who were underrepresented in enrollment.

The District has provided OCR with documentation of the GATE testing and qualification of students in the first and third grades during each of the past five years, broken down by race and ethnicity. The data show that a substantial disparity in GATE eligibility between African American, Latino, and English learner students and white students during the 2013-14 and 2014-15 school years. The District significantly reduced this disparity during the 2015-16 school year, due in large part to an increased number of opportunities for students to demonstrate their ability and achievement, through multiple administration of local assessments each year, as well as through universal screening of students in first and third grades. These strategies were closely aligned with the District's review of its GATE data, in compliance with the District's agreement with OCR.

According to the information provided to OCR, the District reduced the schedule of local assessments during the 2016-17 and 2017-18 school years, and assessments that measured academic achievement were administered only once during each of those years. OCR's review of the GATE eligibility data for those years show that disparities have again increased, especially between African American and white students. In particular, OCR notes in the 2017-18 school year, only 3.6% of GATE students identified in 1st grade were African-American, even though they represent 14.4% of the population.

As we discussed in our meeting with you on November 8, 2018, OCR is concerned that the District has not taken all necessary steps to provide all students, regardless of race or national origin, with equal access to the District's GATE program, as required by the Resolution Agreement. The District's current GATE eligibility process relies on a combination of ability and achievement testing, with the latter captured in site-based assessments in math and language arts. Having only a single data point on achievement testing, because of the District's current restrictions on assessment, gives students fewer opportunities to demonstrate their eligibility for GATE services, and significant disparities remain.

We look forward to further discussion with you about the District's GATE program and an to additional data to be provided by January 15, 2019.

If you have any questions about this letter, please contact me at (415) 486-5513 or Katherine Riggs, Civil Rights Attorney, at 415-486-5544.

Sincerely,



Ava De Almeida Law
Acting Team Leader



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Jorge A. Aguilar, Superintendent

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Trustee Area 2

Christina Pritchett
Trustee Area 3

Mai Vang
Trustee Area 5

Rachel Halbo
Student Board Member

January 9, 2019

Sent Via Email (dfisher@saccityta.com)

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

Re: Assessment Committee

Dear Mr. Fisher:

This letter follows up on the District's letter of November 26, 2018 wherein we proposed four meeting dates in December to discuss the institution of needed District Assessments. On December 21, 2018, SCTA proposed an Assessment Committee meeting on January 15, 2019. The District hereby confirms acceptance of this proposed Assessment Committee meeting at SCTA on January 15, 2019 at 4:00 pm.

We again request that you provide any proposed assessment plans **prior** to the January 15, 2019 committee meeting as we have made this same request on November 13 and November 26, 2018. For your reference, attached is the District's proposal which we previously sent to you.

We look forward to meeting with you to discuss your proposal.

Sincerely,

Jorge A. Aguilar
Superintendent

Attachment

CALIFORNIA MANDATED ASSESSMENTS		
Gr Lvl/s	Assessment / Data Point	Assessment Window
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3-8 and 11	Smarter Balanced Assessment (SBAC) / California Alternate Assessment (CAA) ELA & Math	New Tech HS & Non-Public March 5 - May 11 Traditional March 19 - May 25
5, 7, and 9	Physical Fitness Test	February 1 - April 30
4, 8, and 12	National Assessment of Educational Progress (NAEP)	E Phillips 2/26, Woodbine 2/27, California 3/1, AM Winn and Pacific 3/3, Bancroft, Burbank and Matsuyama 3/6
SQUAD ASSESSMENTS		
K	ELA Concepts of Print (COP) - Curriculum embedded	Sept. 4-28, May 13-31
K-2	ELA Basic Phonics Skills Test III (BPST III)	Sept. 4-28, Feb. 4-22 (K-1 only), May 13-31 (K-1 only)
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3-6	ELA Interim #2 - Curriculum embedded	Dec.13-21
3-6	ELA Interim #3 - Curriculum embedded	Mar 18-29
7/8	ELA Beginning of Year (BOY) Interim - Curriculum embedded	Oct.22-Nov.8
7/8	ELA Middle of Year (MOY) Interim - Curriculum embedded	Feb. 4-19
9/10	ELA Beginning of Year (BOY) Interim - Curriculum embedded	Nov. 5-16
9/10	ELA Middle of Year (MOY) Interim - Curriculum embedded	Feb.19-Mar.5
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6	Math Test 2 Topics 5-7 - Curriculum embedded	Feb.12-22
Math 7	Math Ch. 1-3 - Curriculum embedded	Nov.5-16
Math 7	Math Ch. 4-6 - Curriculum embedded	Mar.11-22
Math 8	Math Ch. 1-3 - Curriculum embedded	Nov.5-16
Math 8	Math Ch. 4-6 - Curriculum embedded	Mar.11-22
Math 1	Math Unit 1 - Curriculum embedded	Oct.22-Nov.2
Math 1	Math Unit 2 - Curriculum embedded	Dec.10-21
Math 1	Math Unit 4 - Curriculum embedded	Mar.18-29
Math 2	Math Unit 1 - Curriculum embedded	Sept.24-Oct.5
Math 2	Math Unit 2 - Curriculum embedded	Dec.10-21
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8 and 8	PSAT	October 10
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Jorge A. Aguilar, Superintendent
Iris Taylor, Ed.D., Chief Academic Officer

January 22, 2019

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Sent Via Email (dfisher@saccityta.com)

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

Darrel Woo
Vice President
Trustee Area 6

RE: Assessment Committee

Michael Minnick
2nd Vice President
Trustee Area 4

Dear Mr. Fisher,

When the Assessment Committee met on 01/15/19, SCTA requested copies of all planned assessments. The proposed math and ELA assessments can be found at the Google folder at the link below:

Lisa Murawski
Trustee Area 1

[Assessment Information for SCTA Spring 2019](#)

Leticia Garcia
Trustee Area 2

We would like to schedule the next Assessment Committee meeting and are available on either of the following:

Christina Pritchett
Trustee Area 3

- Tuesday 1/29/19 at 4:00 at Serna
- Wednesday, 1/30/19 at 4:00 at Serna

Mai Vang
Trustee Area 5

Please reply by Friday 1/25/19 letting us know your availability or to propose alternative meeting dates.

Rachel Halbo
Student Board Member

Sincerely,

Iris Taylor, Ed.D.
Chief Academic Officer
Sacramento City Unified School District
5735 47th Ave
Sacramento, CA 95824
916-643-9086



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Trustee Area 5*

*Rachel Halbo
Student Board Member*

April 24, 2019

Sent via email to dfisher@saccityta.com

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

Re: English Learner/Math Assessments

Dear Mr. Fisher:

Consistent with state and federal mandates, District policies and regulations, and long-standing past practice, the Sacramento City Unified School District (“District”) will be administering the following student assessments in the subject of math to determine math placement and GATE identification and ELA for the purposes of re-designation of English Learners and GATE identification:

Assessment	Assessment Window
Pearson EnVision Enhanced Math Assessment (Grades 1, 3)	April 29 th – May 17 th
Mathematics Diagnostic Testing Program (Grade 6)	April 29 th – May 10 th
Math 1 End of Course Exam (All students taking Math 1)	May 6 th – June 13 th
Benchmark Advanced ELA Interim Assessment 4 (Grades K, 1, 2, 3) and Pearson My Perspectives End of the Year ELA Assessment (Grades 10,11).	April 29 th – May 17 th

As the District has previously communicated to you, the District is required by law and District policies to consistently monitor student progress and to use that information to ensure that students are receiving appropriate educational support and services. These assessments are also used to inform parents/guardians how their children are progressing towards grade-level readiness and to identify areas of need for additional support. Please let me know if you have any questions or concerns.

Thank you for your attention to this matter.

Sincerely,

Jorge A. Aguilar
Superintendent