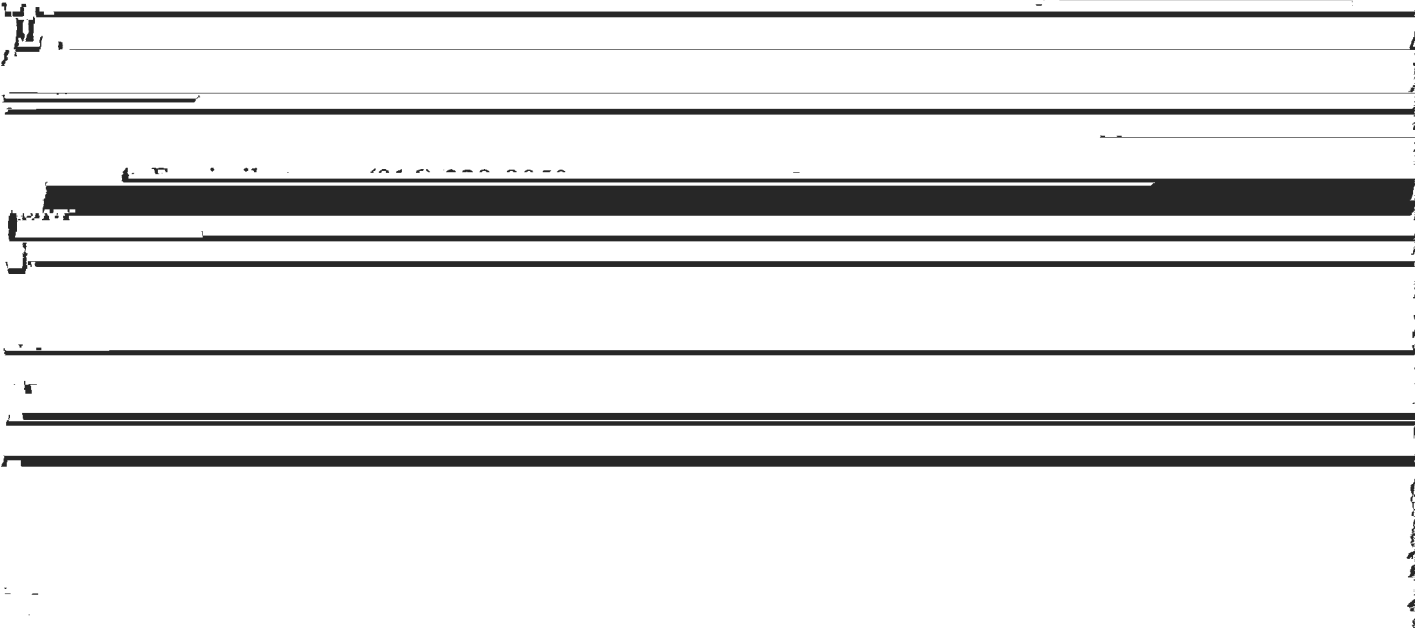
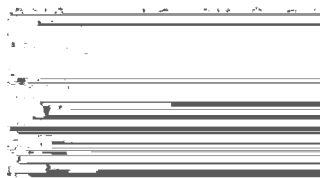


RECEIVED
CIVIL DROP BOX

1 Sloan R. Simmons, SBN 233752
Erin M. Hamor, SBN 306673
2 **LOZANO SMITH**
One Capitol Mall, Suite 640
3 Sacramento, CA 95814
Telephone: (916) 220-7422



5 Attorneys for Plaintiff
SACRAMENTO CITY UNIFIED SCHOOL DISTRICT

6

7

8

SUPERIOR COURT OF THE STATE OF CALIFORNIA

9

COUNTY OF SACRAMENTO

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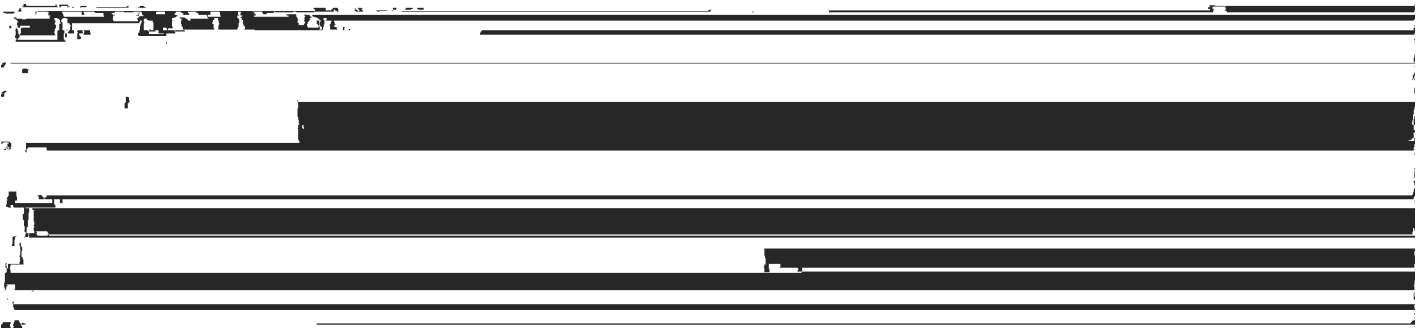
SACRAMENTO CITY UNIFIED SCHOOL

Case No.

11 DISTRICT,

COMPLAINT AND REQUEST FOR

nia 95814



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1 District has vet to implement the agreed-union adjustment to the certificated salary schedule because

[REDACTED]

2 CCTA

[REDACTED]

1
2

PARTIES

[REDACTED]

3 duly organized under the laws of the state, and operating within Sacramento County, with its District
4 office located in the city of Sacramento, California.

5 10. SCTA is a California non-profit corporation, and an employee association and chartered
6 chapter of the California Teachers Association (“CTA”). SCTA maintains its principal place of business
7 in Sacramento, California.

8

VENUE AND JURISDICTION

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1 16. Under Civil Code section 1565, the consent of parties to a contract must be: (1) free;

2 (2) mutual; and (3) communicated by each to the other. As expressed

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

3 free when obtained through mistake. (*Id.*, § 1567.) Consent is deemed to have been obtained through

4 mistake only when a party would not have consented to the contract if the party had known of the

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

2 among the issues discussed at the bargaining table over the course of negotiations. The District

[REDACTED]

1 presentations. The District and SCTA were again unable to reach an agreement through mediation, and
2 the panel's neutral fact-finder subsequently issued its non-binding Report and Recommendation of the

3 [REDACTED]

4 30. In or about October 2017, prior to issuance of the Fact Finding Report, SCTA took a

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 34. The Framework Agreement was initially intended to memorialize the parties' agreements

4 (1) Salary agreemt [sic]
5 July 1, 2016 – June 30, 2019

	7/1/16-6/30/17	7/1/17-6/30/18	7/1/18-6/30/[19]
6 Salary increases	2.5%	2.5%	2.5%

7 Adjustment to

9 Union's proposed structure District expenditure

10
11 (See Exhibit A.)

nia 95814

1 36. The District further understood the Framework Agreement to be an agreement between
2 the parties to later meet and finalize a mutually agreeable adjustment to the salary schedule conforming

3 to expenditure parameters defined in the Framework Agreement (not to exceed 3.5% maximum District
4 expenditure).

5 37. The District did not understand the Framework Agreement to bind the District to

1 40. SCTA’s own documentation confirms SCTA’s understanding of the 3.5% maximum
2 expenditure regarding an adjustment to the certificated salary schedule for the 2018-2019 school year.
3 One document prepared by SCTA and provided to Superintendent Aguilar after the Framework

5 states: “Working within the 3.5% maximum allocation The parties have agreed to a maximum
6 District allocation of 3.5% to implement the new salary schedule If [after calculating expenditures]
7 the cost is higher than 3.5% then the parties will need to”

///

schedule will be adjusted equivalent to 3.5%." Similarly, paragraph 9 of the AB 1200 references a 3.5% expenditure for the salary schedule adjustment. The Board did not ratify or approve any salary schedule adjustment—in either the November 29, 2017 TA or the AB 1200 Disclosure—that would exceed a total

1013

2 did not agree to the same in the Framework Agreement.

3 10 SCTA attaches a materially different meaning than the District ...

1 A.) This is evidenced by at least the following: (1) 1. E. 1. 16 (2) 1. 27 1

[REDACTED]

2 30, 2017 email from Superintendent Aguilar to SCTA representatives. a print conv of which was

[REDACTED]

27 arbitration.

28 ///

1

58. There was not mutual assent between the District and SCTA regarding Framework

1 adjustment, does not constitute a valid contract for one, several, or all of the following reasons:

2 a. The Framework Agreement terms regarding salary schedule adjustment does not
3 constitute a valid enforceable contract between the parties because there was not mutual assent between
4 SCTA and the District regarding the proposed adjustment to the certificated salary schedule, including
5 whether the parties agreed the District would implement an adjustment to its certificated salary schedule
6 for 2019-2020, and whether such adjustment is limited to a maximum 2.5% District-wide increase. ///

[REDACTED]

1

(a) declaring the Framework Agreement provision regarding salary schedule

2 ~~adjustment does not constitute a valid enforceable contract between the parties because there was not~~

3 mutual assent between SCTA and the District regarding the proposed adjustment to the certificated

22 D-11-N-1-16-2019

D-11-N-1-16-2019

24

25

26

27

28

Sacramento City Unified School District
vs.
Sacramento City Teachers Association, CTA/NEA
Sacramento County Superior Court Case No. TBD

EXHIBIT A

EXHIBIT A

panel tax 2020

D.S. JA
2

Framework Agreement

Section 11.01 - 11.02

11/5/17 3:25 PM

1 Salary agreement

US
DA

JA

(3)

... of ... Committee to

Common based organizers, leaders,

Q 5/ JA

(5)

C) School Nurse

1 per 750 Students

(D) Librarians

1 every secondary school
except opportunity schools.

0:00 SA
07

(7)

This agreement is
subject to the approval
of the City School Board
and the SCTA bargaining team.

11/17

Jorge Aguilar
Superintendent

David
Fisher

SCTA

[Faint signature]

Sacramento City Unified School District
vs.
Sacramento City Teachers Association, CTA/NEA
Sacramento County Superior Court Case No. TBD

EXHIBIT B

Lisa Allen

Sent: Thursday, November 30, 2017 11:58 PM
To: Borsos, John
Cc: Fisher, David; nmilevsky@saccityta.com; Lisa Allen
Subject: RE: Tying of the last loose ends
Attachments: Article 17 11-30-17.docx; TJudah MOU.DOCX; FINAL Article 5 Jointly agreed to 11-30-17.docx; TA Summary Signature Document.docx

DT

Colleagues.

Colleagues.

DT

DT

DT

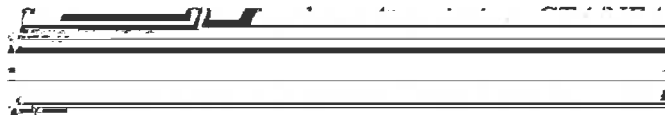
DT

1. Wage Placement

We agree that the local council will...

Sacramento City Unified School District

vs.



COMPLAINT AND REQUEST FOR DECLARATORY RELIEF

EXHIBIT C

1. The Need to Restructure the Sac City salary schedule.

Step	Rate	Rate	Rate	Rate	Rate	Rate	Rate	Rate	Rate
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3									
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Step	Rate	Rate	Rate	Rate	Rate	Rate	Rate	Rate	Rate
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100									

Red shows the cells (step and column) where Bill Green and S. J. ...

[Redacted content]

Vertical Compression: Vertically, the salary schedule is compressed by each line

educators to reach the top of the scale at year 20, rather than being delayed until year 26.

B. Horizontal Correction: Horizontally, the salary schedule is compressed by converting Column C from BA + 75 to BA + 60; converting Column D from BA + 90 to BA + 75; and converting Column E from BA + 103 to BA + 90. This enables educators to avoid

Max Step →

Step Increase

2

4

6

8

7

8

9

10

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20

Percent Change from 2017-2018 (with 3 x 2.5% raises) to Uncapped 2018-2019 Salary Schedule

	A	B	C	D	E
	BA	BA+50	BA+70	BA+90	
1	0.00%	1.25%	6.25%	15.40%	3.93%
2	0.00%	5.12%			
3	0.59%				
4	7.11%	11.22%			
5	8.80%	10.24%			
6			1		6.01%
7			11	11	5.07%
8			10.00%	10.01	5.22%
9			10.01%	10.01	4.68%
10					
11					4.01%
12		7.42%		9.22%	3.80%
13				8.38%	3.10%
14				6.1	0.96%
15				9.93%	4.58%
16			8.93%	9.93%	
17				6.97%	
18					
19					
20			11		
21			11.70%		
22			11.70%		
23					
24					0.00%

The new K-12 2018-19 salary schedule:

	BA	BA+50	BA+70	BA+90
1	\$46,388	\$48,688	\$51,120	\$53,678
2	\$47,991	\$50,390	\$52,909	\$55,555
3	\$49,671	\$52,154	\$54,781	\$57,489
4	\$51,408	\$53,979	\$56,678	\$59,511
5	\$53,208	\$55,868	\$58,682	\$61,594
6	\$55,070	\$57,820	\$60,795	\$63,738

Within the 2.5% maximum allocation

Asset Class	Allocation
Equity	1.5%
Fixed Income	1.0%
Real Estate	0.5%
Commodities	0.5%
Private Equity	0.5%
Private Debt	0.5%
Alternative	0.5%
Other	0.5%



Sacramento City Unified School District

vs.

~~_____~~
~~_____~~
~~_____~~

COMPLAINT AND REQUEST FOR DECLARATORY RELIEF

EXHIBIT D



Date: December 7, 2017

[REDACTED]

Subject: Approve AP 1800 Disclosure Card and Approval of the Tentative Agreement

[REDACTED]

with Bargaining Unit, Sacramento City Teachers' Association (SCTA)

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference and First Reading (Action Anticipated)

[REDACTED]

Board of Education Executive Summary

Human Resources Services

Sacramento

[REDACTED]

Approve AB 1200 Disclosure of Cost and Approval of the Tentative Agreements with Sacramento City Teachers' Association (SCTA)

City Unified District

December 7, 2017 Board Meeting

I. OVERVIEW / HISTORY

[REDACTED]

as the public, with a summary and costs of negotiated agreements with exclusive representatives before they are implemented. The AB 1200 Disclosure provides a summary of the major provisions of the terms of the negotiated tentative agreement

Board of Education Tentative Summary

Human Resources Services

Approve AB 1200 Disclosure of Cost and Approval of the Tentative

Sacramento
City Unified
School District

Attachment B.

V. MAJOR INITIATIVES

Sacramento City Teachers Association "SCTA"

The key provisions of the Tentative Agreement with SCTA are summarized as follows:

Duration

~~This is a 3-year contract from July 1, 2016 to June 30, 2019.~~

~~[REDACTED]~~

~~[REDACTED]~~

Meet within fifteen (15) days upon ratification and Board approval to discuss multi-year school attendance calendars for the next three (3)

Board of Education Executive Summary

Human Resources Services

Approve AB 1200 Disclosure of Cost and Approval of the Tentative Agreements with Sacramento City Teachers' Association (SCTA)



December 7, 2017 Board Meeting

Evaluation Article 6

[Redacted content]

convene a committee with the purpose to revise and update the evaluation tool for certificated teachers in the District, including potential revisions to the substitute evaluation form.

The committee shall be comprised of District Human Resources Services and representatives from the District's various schools.

[Redacted content]

Board of Education Executive Summary

Human Resources Services

Sacramento
City Unified

[Redacted content]

Board of Education Executive Summary



Human Resources Services

[REDACTED]

Appendix A-B 1200 Disclosure of Cost and Approval of the Tentative

City Unified

[REDACTED]

NEXT STEPS

[REDACTED]

PUBLIC DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT

Cost Prior to

			2.36	5.25%
6	.00		10.00	
	2131.	2131.67		2213.67
8			6,594.82	
			2.36	5.25%

... of the cost class was set in the middle of the school year.

[Redacted]

[Redacted]

11 . Please include comments and explanations as necessary. (If more room is necessary, please attach an additional sheet.)

Commencing with the 2018-19 school year, there will be a maximum District expenditure of 3.5% to adjust the salary schedule.

12 . Does this bargaining unit have a negotiated cap for Health & Welfare Yes No

[Redacted]

[Redacted]

[Redacted]

D. What contingency language is included in the proposed agreement (e.g., reopeners, etc.)?

N/A

Will this agreement result in a decrease deficit financing in the current or subsequent year(s)? "Deficit financing" is defined as the amount of money that the State must raise through taxes to cover the operating expenses of the State. If the answer is "Yes," please provide a detailed description of the contingency language in the proposed agreement that would result in a decrease deficit financing in the current or subsequent year(s). If the answer is "No," please provide a detailed description of the contingency language in the proposed agreement that would not result in a decrease deficit financing in the current or subsequent year(s).

G. Source of Funding for Proposed Agreement
1. Current Year

Provide a detailed description of the source of funding for the proposed agreement for the current year. If the source of funding is not specified in the proposed agreement, please provide a detailed description of the source of funding that you expect to be used to fund the proposed agreement.

IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET

[REDACTED]

2	062	97,100,000
		0

Unrestricted General Fund				
Direct Support/Indirect Cost	Enter Bargaining Unit: Sacramento City Teachers Association			
	Column 1	Column 2	Column 3	Column 4
	Level 1 - Administrative Support	Level 2 - Administrative Support	Level 3 - Administrative Support	Level 4 - Administrative Support
				\$3,333,198

[REDACTED]

	Before Settlement (As of August 1, 2017, 45 Day Budget Revision)	of Settlement	(Columns 1+2+3)
REVENUES			
LCFF Sources (8010-8099)	\$367,365,706		367,365,706
			\$33,928,421

H IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET

Category	Original Budget	Proposed Budget	Change	Net Change
Combined General Fund				
[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
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[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
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[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]

H. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET

Cafeteria Fund

Enter Remaining Unit: Sacramento City Teachers Association

	Column 1 Latest Board - Approved Budget Before Settlement (As of August 3, 2017, 45 Day Budget Revision)	Column 2 Adjustments as a Result of Settlement	Column 3 Other Revisions	Column 4 Total Current Budget (Columns 1+2+3)
REVENUES				
LCFF Sources (8010-8099)	\$0	\$0	\$0	0
Remaining Revenues (8100-8799)	\$25,883,636	0	\$0	\$25,883,636
TOTAL REVENUES	\$25,883,636	0	\$0	\$25,883,636
EXPENDITURES				
Certificated Salaries (1000-1999)	\$0	\$0	\$0	\$0
Classified Salaries (2000-2999)	\$5,857,300	\$0	\$0	\$5,857,300
				\$25,883,636
Employee Benefits (3000-3999)	\$4,462,396	\$0	\$0	\$4,462,396
Books and Supplies (4000-4999)	13,162,620	\$0	\$0	\$13,162,620
Services, Other Operating Expenses (5000-5999)	257,817	0	0	0
Capital Outlay (6000-6999)	7,972	0	0	87,972
Other Outlays (7000-7299) (7300-7499)	0	0	0	0
Direct Support/Indirect Cost (730)	1,045,	0	0	0
Other Adjustments	\$0	\$0	\$0	\$0

Page 4f

H. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET

**Child Development Fund
Enter Bargaining Unit: Sacramento Child Development Fund Teachers Association**

	Column 1 Latest Board - Approved Budget Before Settlement (As of August 3, 2017, 45 Day Budget Revision)	Column 2 Adjustments as a Result of Settlement	Column 3 Other Revisions	Column 4 Total Current Budget (Columns 1+2+3)
	\$0	\$0	\$0	\$11,068
REVENUES				
LCFF Sources (8010-8099)	\$0	0	\$0	\$0
TOTAL REVENUES	1,461,848	\$0	\$0	\$1,461,848
	\$2,797,883	\$164,235	\$0	\$2,833,648

IMPACT OF PROPOSED AGREEMENT ON SUBSEQUENT YEARS

Combined General Fund

\$0

0)

\$2,804,347

\$0

\$0

J. IMPACT OF PROPOSED AGREEMENT ON UNRESTRICTED RESERVES

1. State Reserve Standard

		2017-18	2018-19	2019-20
a.	Total Expenditures, Transfers Out, and Uses (Including Cost of Proposed Agreement)	\$506,061,909	\$542,206,063	\$537,863,017
b.	State Standard Minimum Reserve Percentage for this District	2%	2%	2%

2% enter percentage:
a. an a minimum reserve amount or s
District (For districts with less than 1,001 ADA,
this is the greater of Line a. times Line b. OR

Table with multiple rows, mostly redacted with a grey block.

4. How do you plan to restore your reserves?

5. If the total amount of the adjustment in Column 2 on Page 4 does not agree with the amount of the Total Compensation Increase in Section A, Line 5, Page 1 (i.e., increase was partially



6. Please include any additional comments and explanation of Page 4 if necessary:

N/A

K. SALARY NOTIFICATION REQUIREMENT

The following section is applicable and should be completed when any Salary/Benefit Negotiations are settled after the district's final budget has been adopted.

[REDACTED]	

Tentative Agreement 11/29/17

Resolution of Outstanding Issues Related to the 2016-2019 Collective Bargaining Agreement
By and Between

~~The Sacramento City Unified School District~~

And

The Sacramento City Teachers' Association (SCTA)

With the support of Sacramento Mayor Darrell Steinberg, the Sacramento City Unified School District (hereafter "the District") and the Sacramento City Teachers' Association (hereafter "SCTA") reached a tentative framework agreement on November 5, 2017, on several outstanding issues.

~~In addition, there remained several open unresolved issues on which the parties have since reached agreement~~

Stammarie Saw
a. utto

07
2022

MEMORANDUM OF UNDERSTANDING
Between
SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
And

[REDACTED]

Concerning

[REDACTED]

The Sacramento City Unified School District hereinafter called the "District," and the Sacramento

[REDACTED]