

April 9, 2020

BOARD OF EDUCATION Sent via email to dfisher@saccityta.com

Je ~~ie R an~~
Pre ~~iden~~
Tr ~~ee Area 7~~

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

Chj ~~ina Pri che~~
Vice ~~Pre iden~~
Tr ~~ee Area 3~~

Michael ~~Minnick~~
2nd ~~Vice Pre iden~~
Tr ~~ee Area 4~~

Re: Demand to Cease and Desist – Distance Learning Tech Support

Dear Mr. Fisher:

Li ~~a M ra ki~~
Tr ~~ee Area 1~~

I am writing in regard to a communication the Sacramento City Teachers Association

Le ~~icia Garcia~~
Tr ~~ee Area 2~~

Mai ~~Vang~~
Tr ~~ee Area 5~~

Darrel ~~Woo~~
Tr ~~ee Area 6~~

Oli ~~ia Ang-Ol on~~
S ~~den Board Member~~

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District employees. The District has employees who are responsible for providing technology support to District employees, students, and families and who are represented by SEIU Local 1021 bargaining unit. Allowing SCTA or its members to perform technology support would, if the District acquiesced to it, constitute an unlawful transfer of SEIU bargaining unit work. Therefore, SCTA's action constitutes an attempt to cause the District to violate Government Code section 3543.5, which is an unfair practice pursuant to Government Code section 3543.6.

The District has also not authorized its certificated employees represented by SCTA to purport to serve student technology needs during this closure. As you know, student information is highly protected by state and federal law. Student records include information gathered within or outside the district that is directly related to an identifiable student such as the name of the student's parent or guardian. (Education Code sections 49061 and 49062; 5 CCR 430; 34 CFR 99.3; AR 5125). Any use of parent or guardian emails that have been obtained by an employee in their role as an employee with the District is unauthorized for these purposes.

The communication and form is likely to give parents/guardians/caregivers the impression that th