



A.J. Duffy, UTLA President

Dear member:

January 27, 2009

Superintendent Ramon Cortines hastily put out a letter on January 26 about our boycott of LAUSD Periodic Assessments, which we expected him to do. When thousands of us take united action, we get LAUSD's attention.

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Are the LAUSD Periodic Assessments legally required? In his letter, Cortines conveniently quoted only a portion of the Education Code to try to prove that the assessments are legally required by the state. If you keep reading Section 60602, it is clear that the intention is for assessments to be used at the discretion of teachers to benefit their students. *Please see the enclosed letter from our attorneys that clarifies these issues.*

The Ed Code does not mandate what kind of assessments to give, when, and how often. Nowhere in the Ed Code does it state that school districts are required to use one-size-fits-all, multiple-choice tests as these assessments. State law *does* require that the District ensure that diagnostic assessment takes place, and the normal work of teachers in evaluating their students' progress meets the law's requirements. Cortines also neglected to quote the section that calls on the testing program to "minimize the amount of instructional time devoted to assessments administered pursuant to this chapter."

Can we be written up? These boycotts are no different from our June 6 one-hour protest and our continuing afterschool meeting boycotts. As with those activities, it is possible that you could be written up. Our greatest protection comes from every one of us participating in the boycotts. Rest assured that UTLA will not sign a contract with LAUSD without a "no reprisal" clause, which protects all members against any adverse action. We are in this fight together. If you get written up, wear it as a badge of honor, because it says that you believe strongly in teaching, not testing.

Taking a stand for overtesting students: Testing has run amok as part of No Child Left Behind, and it's no secret that our students are overtested. *Right now, more than a month of valuable instructional time is spent on test prep and test taking.* Bubbling in a Scantron is not education. Not only will these boycotts *not* hurt student learning as Cortines suggests, they will actually benefit students by freeing up weeks of extra instructional time. In addition, we will still be giving out many other tests, class assignments, and homework, along with regular report cards. We will still be following the rigorous state standards and federal testing requirements that are in place for our students.

LAUSD is threatening to slash our health care, get rid of teachers, and increase class sizes to balance the budget. We are taking a stand—we can no longer stand by while LAUSD wastes valuable resources and instructional time on assessments that do nothing to help our students learn.

Sincerely,

A.J. Duffy, UTLA President

