



SUPERINTENDENCY COUNCIL

Thursday, February 25, 2021 | 10:00 a.m. - 11:00 a.m.

Via WebEx

KATIE MCNAMARA, COUNCIL PRESIDENT

Minutes

1. Welcome

Julie Vitale, Superintendents' Council Vice President

Wes Smith, ACSA Executive Director

- Wes welcomed the group and thanked them for their leadership as well as all of their advocacy over the past couple of weeks – it is making a difference

2. Response to SB 86 Letter

Wes Smith, ACSA Executive Director

Naj Alikhan, Senior Director, ACSA Marketing & Communications

- Wes and Naj shared video clips featured as part of the Legislative Lunch Break yesterday, comments from Assemblyman Ting which were shared on the floor earlier this week. Wes shared concerns with his comments as well as a compliment that our action clearly has his attention.
 - Video Link: <https://www.youtube.com/watch?v=vtjTvjGncwk>

3. SBE Action: Spring Assessments

Diana Vu, ACSA Governmental Relations

Patti Herrera, School Services

- Diana thanked members and all they do to support students. Public comment made by members at the SBE meeting made a difference
- Earlier this week, USDOE released guidance for states on assessment, states should continue to administer assessments this year with flexibilities including:
 - Extending the testing window or moving assessments to the summer or fall
 - Remote testing
 - Shortened assessments
 - [US Dept. of Ed Press Release on Assessment Guidance for States](#)
 - [US Dept. of Ed Assessment Guidance](#)
- [SBE Approves Additional Assessment Flexibilities](#)
- [CDE News Release](#)
 - CDE recommended
 - Extend assessment window to July 30th; or
 - Open a second window in the fall

- Blanket waiver was not an option presented by CDE, but it was considered by board members due to the impact of public comment (most of whom were ACSA members)
- Some members of SBE were still adamant data was necessary
- Resulting compromise was to direct staff to develop a waiver plan for assessments that will permit LEAs to use some local assessments if they are still distance learning, and the SBAC if they have returned to in-person instruction
- SBE will take up a vote on or before the March 17th meeting
- Other approved items for the CA flexibility request include:
 - Decoupling assessments from the state accountability system
 - Waiving the 95% participation rate
 - Extending the testing window for CAASPP and ELPAC to July 30th (as applicable)
 - Waive administration of the California Science Test altogether
- SBAC would not have to be administered remotely and they propose lowering the bar for assessments by removing it from the accountability system, and removing the penalty for not meeting the 95% (studies show students should be in class for at least 3 weeks before participating in testing)
- Board action only affects the federal assessment and accountability requirements. The Legislature or Governor would have to take action in order to waive the state's corresponding requirements (ACSA will be working to address this as well)
- [CDE News Release](#)

4. School "Reopening" - Update on Negotiations

Wes Smith, ACSA Executive Director

Edgar Zazueta, Senior Director, ACSA Policy & Governmental Relations

Laura Preston, ACSA Governmental Relations

- Laura shared there is a difference in the tone and priorities between the Assembly and the Senate – the Assembly is pushing more for collective bargaining, they included the 10% set aside for classified, and are pushing for testing cadences
- The more the legislation is pushed out, the greater benefit to schools/districts
- ACSA is working closely with leadership, there is pushback from all parties to address testing cadences – this appears to be the biggest issue
 - Student testing likely to be out of the bill, but don't bank on that yet
 - 10% classified set aside has not been removed yet, but it looks like that may happen
 - 2 weeks of paid COVID-19 sick leave, do not know if that will remain but has been discussed
- Unclear on role of vaccinations with testing, the feeling is employees would still be required to participate in surveillance testing even if they are vaccinated, but this is still being considered. A bigger question remains moving forward going into next year.
- Cannot require students be tested or vaccinated, parents have the right to opt out absent legislation requiring either
- In conversations with legal, Laura shared districts can make vaccinations a requirement for coming to the work site, but employers would have to provide an alternate work arrangement if they decline to be vaccinated.

- Edgar thanked those who responded to the Call To Action last week. He knows our pushback and advocacy resulted in swift action. The phone calls and correspondence made a difference as evidenced by Ting's floor statement. It has made a difference and things are headed in the right direction. There is still plenty of "room for disappointment", but on some of the issues we have been hitting the hardest (grandfathering clause for schools already open, collective bargaining, etc.) they have garnered attention. The other piece is the testing cadence, you were pushing on this the hardest and we potentially could see some movement there

5. Update on CDPH Guidance

Edgar Zazueta, Senior Director, ACSA Policy & Governmental Relations

- Key notable changes
 - Under old guidance, when your district met 25/100,000 case rate you had to wait 7 days to offer in-person instruction. New guidance: using the Blueprint for a Safer Economy, once a county meets the threshold and it is posted (typically this is on Tuesday), the next day districts are eligible to offer in-person instruction (typically Wednesday)
 - The same applies to the "red" tier, as soon as your county meets the threshold, district is able to offer in-person instruction the following day
 - If the district announces they are planning to offer in-person instruction when the county meets the threshold, but the metrics change and the county's tier reverts to the previous tier the next week, districts can continue to proceed with offering in-person instruction within a 3-week window
 - [Updated CDPH Guidance Email](#)
 - [CDPH School Testing Cadence](#)
 - The guidance continues to be revisited, including the physical distancing requirement

6. Significant Legislation

Laura Preston, ACSA Governmental Relations

Diana Vu, ACSA Governmental Relations

- Laura shared an update on trends she is seeing
 - Mental health issues
 - Medi-Cal coverage
 - Professional development requirements on mental and behavioral health
 - Updating suicide prevention plans
 - Learning loss
 - Early education
 - Teaching credentialing process
 - Increasing diversity by removing some barriers that exist
- Two bills that she highlighted included:
 - [AB 438 \(Gomez-Reyes\)](#) – change layoff structure for classified employees and require a March 15 notice, a lot of questions and concerns with this one
 - [SB205 \(Leyva\)](#) – eliminate differential pay when employees are on a 5 month leave once exhausted, district would be responsible to pay full salary

7. Q&A