
SUPERINTENDENCY COUNCIL

Thursday, October 28, 2021 | 10:00am - 2:00pm

In-Person & Via Zoom

[Meeting Recording](#) | Passcode: h\$3D1&J^

DR. RON CARRUTH, COUNCIL PRESIDENT

Minutes

I. Welcome

Ron Carruth, Ed.D., Superintendents' Council President

Edgar Zazueta, Ed.D., ACSA Senior Director of Policy & Governmental Relations

- a. Dr. Ron Carruth opened the meeting and welcomed everyone to the first in-person council meeting of 2021-22.

II. Council Operating Business (10:05am)

Ron Carruth, Ed.D., Superintendents' Council President

- a. Appointment of Council Secretary (Minutes)
 - i. ACSA staff will capture quarterly standing council minutes, and Superintendent Audra Pittman will review.
 - ii. For weekly meetings, in place of minutes, ACSA staff will provide the recording with links and materials shared.
- b. Appointment of Council Vice President
 - i. Superintendent Shelly Viramontez, Campbell USD, R8 was appointed.
- c. Council Bylaw Review
 - i. Current council bylaws were provided to council members; no modifications needed at this time.
- d. Identifying Key Discussion Topics
 - i. The group identified the topics below:
 - 1. Masking related to CIF – mandate is not an executive order, but it is a public health order. Dr. Phuong Luu, Yuba-Sutter Health Officer, has confirmed with CDPH that if all fans, coaches, and bench players are masked, and all athletes and coaches are tested weekly, then players may remove masks while playing on the court."
 - 2. Resolution regarding mask/vaccine mandates – asking for something in writing to assist at the local level; perhaps messaging from "higher ups" would be beneficial.
 - 3. J13 Waivers – LEA must offer independent study and have asked COE and SPI for assistance. ACSA will work on finding a guest speaker from CDE to address this topic at a future meeting.
 - 4. Is ACSA able to create a toolkit related to hostile board meetings, protests? ACSA will find material to share, and possibly partner with legal regarding options and best practices.
 - 5. Financial & space requirements for mandatory TK – (Leilani)

III. 2022 Superintendents Symposium (10:15am)

Danelle Buckley, ACSA Conference Services Manager

Parvin Ahmadi, Chair, Superintendents Symposium Planning Committee

- a. [Registration](#) is currently open for the Symposium, which is being held January 26th-28 at the Hyatt Regency in Indian Wells and will feature both in-person and virtual components.
- b. This annual event brings district and county leaders from around the state together for an invaluable two days of professional learning, networking and advocacy. More information can be found [here](#).

IV. West Ed Special Education Study (10:35am)

Anjanette Pelletier, Associate Superintendent, San Mateo County SELPA

Eli Gallup, ACSA School Services & Special Education Council President

- a. A presentation, [found here](#), was outlined for the group as well as [talking points](#). In addition, there is a coalition simulation by SELPA which can be found [here](#).

V. Ethnic Studies Bill & Politics (11:20am)

Lee Angela Reid, Partner, Capitol Advisors

- a. [AB 101, Medina. Pupil instruction: high school graduation requirements: ethnic studies](#).
- b. The bill would require local educational agencies, including charter schools, to offer an ethnic studies course, as specified, to offer a one-semester ethnic studies course commencing with the 2025-26 school year. Ethnic studies become a graduation requirement commencing with pupils graduating in the 2029–30 school year, including for pupils enrolled in a charter school. At their discretion, they can require a full-year course in ethnic studies.
- c. Because the bill would add new duties to local educational agencies, it would constitute a state-mandated local program.
- d. Deep-dive presentation on Critical Race Theory topic will be held during the 2022 Superintendents Symposium.

VI. Break (12:00-12:30pm)

VII. Government Relations Updates (12:30pm)

ACSA Governmental Relations Team

- a. COVID-19 Testing & Vaccination Mandates
 - i. mask/vaccine mandates – asking for something in writing to assist at the local level; perhaps messaging from “higher ups” would be beneficial
- b. AB 438, Reyes. School employees: classified employees: layoff notice and hearing
 - i. On October 8, 2021, Governor Newsom signed Assembly Bill (AB) 438 into law. AB 438 modifies the Education Code’s classified layoff statutes by providing classified employees with the same notice and hearing rights afforded to certificated employees.
 - ii. Prior to AB 438, classified employees of school districts and community colleges districts could be laid off at any time during the school year if given at least 60 days’ advance notice. Further, classified employees subject to a layoff notice were not entitled to a hearing to contest their layoff.
 - iii. Beginning January 1, 2022, permanent classified employees cannot be laid off during the school year; they can only be laid off for the following school year, unless the layoff is due to the expiration of a specially-funded program.
 - iv. ACSA’s Human Resource Council will be hosting a meeting on November 9th to discuss this legislation further, all are welcome.

- c. School Services of California – Leilani Aguinaldo, Dir. of Governmental Relations – joined us to discuss the implementation of TK
 - i. Schools for Finance – community funded districts
 - ii. Are basic aid districts or community funded districts required to implement TK in their elementary school
 - 1. It depends on who you ask
 - a. State & CDE would argue “Yes,” the law compels all elementary schools to provide and implement TK
 - b. That said, there is a legal interpretation that some of our community funded districts have leaned on for the last few years since TK has been in existence - hinges on phrase “as contingent on funds” Ed Code 4800 (i.e. If they do not get additional funding for this grade/students, they argue they do not need to implement TK)
 - 2. Interpretation has never been litigated, no existing lawsuits
 - iii. As we move to UTK, there will be greater pressure and attention on this cohort of students locally
 - iv. For questions, please contact Leilania@sscal.com
 - v. School Services is working with ACSA and other organizations on this existing issue
 - vi. Hope this would be funded through the rebenching to bring more money into Prop 98 so all can receive access and funding for this new mandated grade

VIII. Legislative Priorities Discussion (1:00pm)

- a. The council discussed the results of the Superintendent’s survey that was sent out previously. From the results, Council President Dr. Carruth drafted key observations and priorities for consideration:
 - i. Key Observations:
 - 1. Staffing shortages are significant, historic and result in a profound disruption to operating schools as staff at all levels cover vacancies, quarantines and absences.
 - 2. Schools are being thrust into an era of great political divide causing a loss of focus on educating students and managing significant cultural disruptions.
 - 3. School districts have been tasked with ensuring schools are protected against COVID-19 but have been further expected to implement testing mandates, assume the task of contact tracing, collecting vaccine documentation as well as creating on-line instructional programs.
 - 4. In responding to this disruptive time there has been a dramatic and profound increase in the bureaucratic reporting requirements being asked of districts through implementing numerous mandates, writing multiple plans, reporting requirements, engagement expectations all in a time of constraint change that tests the limits of capacity of our public institutions.
 - ii. Key Legislative Priorities to Consider:
 - 1. Due to the dramatic disruption to attendance and enrollment during the pandemic there needs to be a three year averaging for districts as they face declining enrollment to stabilize staffing and programs to help struggling learners in an environment defying previous predictive statistics.
 - 2. There needs to be a priority of buying down the escalating CALSTRS and CALPERS district contribution rate increases with one time funds collected from the State to further stabilize districts.
 - 3. With attendance rates at historic lows due to COVID-19 quarantines and anxieties there needs to be a more streamlined mechanism to

assist districts in collecting ADA to ensure the funding districts planned on is received.

- b. Consideration was given to adding a 4th legislative priority “protecting and raising the base” and a 5th related to SELPA and the concern that the legislature is trying to fix something that is already working. The GR team will draft further language and information that will be shared with the council for feedback.

IX. Upcoming Advocacy Opportunities (1:30pm)

- a. *Local Legislative Advocacy Meetings with VPLAs*
 - i. November 29 – December 16, 2021
- b. *Legislative Action Week*
 - i. Sunday, April 3 – Friday, April 8, 2022
 - ii. *For more information regarding advocacy opportunities, please contact your region vice president for legislative action, or Suzanne Caffrey at scaffrey@acsa.org

X. Q&A

MEETING DATES**

Date	Meeting Location	Time
October 28, 2021 Thursday	Superintendency Council Meeting In-Person ACSA Sacramento Office 1029 J St, 3rd Floor #320, Sacramento, CA 95814	10:00am-2:00pm
December 2, 2021 Thursday	Superintendency Council Meeting San Diego in conjunction w/CSBA AEC Location TBA	8:30am-11:00am
January 26, 2022 Wednesday	Superintendency Council Meeting Indian Wells, CA In conjunction with Superintendents' Symposium	10:00am-2:00pm
January 26-28, 2022 Wed-Fri	Superintendents' Symposium Indian Wells, CA	Schedule TBA
March 18, 2022 Friday	Superintendency Council Meeting Virtual Zoom Meeting	10:00am-2:00pm
May 5, 2022 Thursday	Superintendency Council Meeting Virtual Zoom Meeting	10:00am-2:00pm