

Memorandum of Understanding
Between
Mercer Island Education Association, Certificated (MIEA)
and Mercer Island School District (District)
Agreement Regarding Working Conditions Stemming from COVID-19 Pandemic

This Memorandum of Understanding (MOU) addresses changes in MIEA working conditions stemming from the COVID-19 Pandemic and the related closure. This MOU is entered into after a 3/19/2020 MOU between the Parties on the same subject. However, this MOU addresses new changes brought about by the District's need, in light of the [March 23rd OSPI #1](#), Guidance Letter, to offer greater learning opportunities to our students during the time of closure. The District should have a plan to fulfill the new learning guidelines outlined in the March 23 OSPI Guidance Letter (in case the closure extends beyond April 24th) by March 30, 2020.

OSPI expects districts to work with their local associations like the MIEA to continue compensating staff and to ensure that critical work continues during the closure. However, in creating this MOU, the District and the MIEA acknowledge there remain questions that the state has not answered and this MOU may need to be re-negotiated in the event the closure extends beyond April 24, 2020, in a way that changes working conditions.

This MOU is intended to cover the changed working conditions beginning March 30, 2020, through April 24, 2020, or beyond to when schools reopen or the end of school year, whichever is sooner. All provisions of the applicable CBA and 3/19/2020, not in conflict with this MOU shall remain unchanged.

As strong educators, our teachers typically put student learning at the center of decisions and leverage technology to support that learning. Now, in response to the COVID-19 Pandemic, our teachers should, in the interest of student/staff health and safety, consider the social emotional needs of our students and families first. Then evaluate how learning can be equitably achieved while also evaluating technological capabilities to determine how learning can be equitably delivered through all different methods. (i.e. We may need to be printing learning packets (for families who can't connect to the internet) or encouraging students to do project based learning that is done completely offline). Educators should also keep in mind that we may need to address many priorities beyond learning that are weighing on students, teachers, families, and the school community as a whole.

As we move forward as a system to create continuous learning opportunities for our students during school building closure, the Parties agree that we must be thoughtful and intentional in our approach. As a system, we need to start slow to go fast. Staff will need to and should feel free to add their own personal touch to this new learning experience and strive to create balance for themselves and their students.

The below details of the MOU are designed to provide a framework for this ongoing work that will result in new learning, meaning learning that leads to student progression on the learning continuum, being provided beginning April 13, 2020, following the District's Spring Break. There is not an expectation that the District, its staff, or students will be engaging in 7.5 hours of "school" per day. Nor is there an expectation that the District's model for providing new learning materials will be polished or fully formed on March 30, 2020. The Parties agree to move slowly keeping the needs of our students and equity at the center of this developing work.

Given this necessary change in our approach to teaching, the Parties hereby agree to the following:

Direct Communication Platforms

The Parties agree to lean into workflows and leverage technology tools with which students and families are already familiar. This is not the time to try something brand new or make unrealistic or unfair mandates. That will make our staff and students uncomfortable and impede both teaching and learning.

The approved technology platforms that will be used by staff to directly interact with students and families are:

- SeeSaw (elementary);
- Classlink (elementary);
- Nearpod;
- AP Classroom/College Board;
- Schoology (including Schoology Conferences, Discussion, etc.);
- Google suite resources (including GoogleClassroom, etc.);
- District-provided Zoom-Pro Account (these accounts meet FERPA/COPPA Requirements); and/or
- Google-call function (see below)

Generally educators will not need to, and should not call, students. If educators need to call guardians, educators should use the google-call function. (See [District Online Tech page for](#)

[Instructions](#)). It is not anticipated that this will occur frequently, but might be necessary to use personal phones for translation services. In general, staff should not call from their personal phones.

Educators should not post virtual meeting links on a public platform (e.g. posting a meeting link on your public facing teacher website).

Educators should seek guidance prior to initiating/hosting a meeting/event on an online platform. At the start of any meeting/group event, educators should verbally share the following:

- Recording is not allowed during this event;
- Pictures/screen shots should not be shared on personal social media because of privacy concerns;
- Please mute yourself when not speaking;
- Appropriate school behavior/language is expected.

Educators who wish to experiment with new/alternative technology should:

- Check with technology coach first to make sure technology is not already being used, that the problem the new technology is supposed to solve is not otherwise being address with existing apps/resources, or that the new technology has not already been tried and found wanting;
- Conduct a trial of the technology with colleagues; and
- Seek approval from the Information & Technology department (ie: Andreeves Ronser, Julie Hovind, Kara Millsap, Clay Laughary, & Kat Kuszak), prior to using new direct communication platforms with students

In looking at different technology platforms, Educators should be mindful of student and staff privacy issues (e.g. not exploring platforms available to the public at large) as well as how readily our Instructional Technology Coaches will be able to support the new technology.

Example: If you have already set up Google Classroom and your students and families are comfortable accessing content at home and participating in discussions, then keep using this system. But as teacher and student situations may shift over the next few weeks, this tool could be a supplement instead of a mandate. If you already set up and use SeeSaw or Schoology with your students, the same thing goes.

Teachers may find that they have to scale back and adjust after their first week with going online. Give yourself and students plenty of grace during this time. Everyone is adjusting and many have multiple roles at home.

Other Technology

Educators should continue to utilize District-provided applications/programs when working with students and consider whether the platforms used allows all students to access equitably. Again, the advantages of using existing technology are that such technology is familiar to students/families and our technology department already knows how to support these applications/programs.

Communication Expectations

Communication with our students during this time is critical not only to traditional academic growth but also to social emotional learning. Communication with our students should be clear, consistent and regular. Educators are professionals and it is expected that their communications will reflect that at all times.

Educators will continue to check email daily and will respond to student/family academic inquiries as soon as reasonably possible. Some suggested ways to enhance transparency is to include parents/guardians, and principals on email exchanges with students. It might also be helpful to include the PLP teacher, specialists (i.e. reading specialist) or paraeducators a child normally would work with on the communication with students.

Potential Communication Tools: email, Schoology, SeeSaw, GoogleMeet, Zoom, staff websites. Staff should be mindful of issues around privacy (e.g. some families may not want their children or homes on video, so provide an option for call in or explain to students/families on how to turn the video option off). Teacher purpose and discretion should be used when deciding whether to have student video on or off during a meeting.

Communication with an eye towards equity is challenging. As a school community we need to draw on our collective resources to meet this challenge and reach students as best we can. Most often, classroom teachers will be on the front lines leading the parent-student communications. When communicating, teachers are reminded that the District has a host of resources and educational support staff available to collaborate with to better meet kids' needs.

Some guidelines and identified support staff who can assist in providing critical communication in languages representative of student and family/caregiver populations. ELL support or where resources are located, please contact our ELL coordinators, Kristin Kim and Erin Wilson, or Assistant Director of Learning Services, Nova Williams. The District has some resources linked on its [Interpretation & Translation Services](#) page.

If family support is required for a student to access learning opportunities/tasks, teachers should be as responsive as possible. Additionally, if a teacher knows or learns that a supporting family member has a disability (e.g. is blind and requires text to speech software) and needs advice on how to support a parent with a disability, the teacher should contact a Special Education Coach - Hannah Bolivar, Nicki Winder, Julie Riccio, Joan Papasdero or the Director of Special Services, Sue Ann Bube, or Assistant Director of Special Services, Beth DeGrace.

The Parties' goal is to create an inclusive learning environment for our students. Educators should be mindful of available resource support and work with special education classified and certificated staff to maximize access to the extent possible in a continuous learning model when there is no option for physical proximity. Please contact the Special Education Coaches or Administrators for information about these resources. To the extent possible, teachers should modify material and provide it in different forms/alternate formats to facilitate access by students with disabilities (such as students with sensory disabilities, students who are multiply disabled, or students with IEPs or Section 504 Plans).

Recording of meetings with students is not permitted absent consent of all parties to the recording (e.g. if a student is presenting and it is part of the lesson to be recorded, that is permissible. Recording of a normal class exchange is not permitted unless agreed upon by all parties). Again, remember recordings are student and/or public records.

Dedicated Online Direct Connection/Support Time

Relationships are paramount. Even though we are currently working at a distance from students, educators who typically work directly with students must still establish a presence with their students weekly. To achieve this, educators must share with students their preferred mode of communication, by choosing email or using a communication management system such as: SeeSaw, Schoology, or Google Classroom, to post announcements and host discussions.

During this time, educators who typically work directly with students must develop a system of dedicated online direct connection/support time with students (e.g. open office hours, small group rotation, live class instruction, etc.).

- **Each educator should use their professional judgment in determining what is the appropriate system for them/their students.**
- Educators should set and communicate a consistent schedule for this dedicated online direct connection/support time (for example: As a specialist with multiple classes, you could have open office hours 3 times a week where all students from any class/section could access a Google Meet to communicate with you/ask questions or they could just be emailing you during that time and you respond in that time; open office hours 4 times a week MTThF from 2pm-3pm using Schoology; a small group math rotation working with different small groups of students each day for a period of time; or a hybrid like a class meeting twice a week to promote student engagement and then two open office hours for other subjects).
- When planning this time, it is important that teacher availability is spaced out over the day or days of the week, if possible, to try to ensure equitable access for students (not all students will be able to access dedicated online direct connection/support time because of other pressures/obligations at home. Therefore, it is recommended that things done during such time not be credit based).
- Dedicated online direct connection/support time with students should be scheduled by individual teachers, but will require coordination within buildings/level so there is not meeting time conflict between meetings (e.g. MIHS might want to coordinate by period. This will need to be something that a whole grade band at every given site would need to discuss and determine together to make sure that all members of the grade can attend the given session).

Instructional coaches will maintain direct communication and support with teachers by responding actively to teacher inquiries and will do their best to respond to teacher needs within 24/48 hours. Buildings may collaborate to determine how instructional coaches and teachers may best collaborate/communicate.

Learning Opportunity Delivery/Preparation

When approaching learning opportunities, educators should be thoughtful and use equity as a lens in creating continuous learning with instructional goals in mind. Continuous learning should encourage us all to think globally and progressively about how to best meet the learning needs of all our students during this time. To do this, educators should consider: What do they really want and need from and for the learners right now and long-term? This is a time to focus on the essential learning objectives and standards set by OSPI so as to move students along the learning continuum. These essential learning objectives and standards may be modified as the guidelines are adjusted during this school building closure.

In approaching learning opportunities, teachers should, as always, incorporate ways to reach special populations of students, including students with disabilities, English Language learners, migrant students, those who are medically fragile, and students experiencing homelessness.

Each week, all educators working directly with students are expected to prepare “just-in-time”/ asynchronous learning activities/tasks for their classes/courses. Just-in-time/asynchronous learning activities/tasks are defined as those that are pre-prepared by educators and uploaded so that they can be accessed by students as the students have availability (e.g. a pre-recorded math activity explanation, uploading a math problem-set, etc.). These tasks are designed to support student progression on the learning continuum.

Just-in-time/Asynchronous Learning Activities/Tasks

Each educator will create and make available to students lessons/activities that can be accessed at any time by their students. These activities/tasks are often referred to as, just-in-time/asynchronous activities/tasks. Each week per class or course, educators will need to identify and communicate with students/families when this material will be available. Learning activities/tasks can be grouped together to form one culminating project or assignment.

When creating learning activities/tasks, the focus is on quality, not on quantity or length. Cross-curricular learning experiences are encouraged. Such learning activities/tasks may be, and often should be, created in collaboration with other educators (e.g. a grade band creates content for the week and uploads for all students in the grade band). Thus, a student may be given access to learning activities/tasks prepared and/or presented by multiple teachers from a grade band/department who are teaching online lessons/activities/subject matter.

It is critical that educators work together during this time to ensure there is parity/equity in the content provided to students in like classes/courses/subjects. Where possible, teachers are encouraged to work together to create the actual materials and experiences to achieve economies of scale.

At the elementary level, specialists - art, PE, Spanish, library and music - should be considered part of the total continuous learning load for all classes. Consideration should be given for the fraction of the school day/year this class might normally represent.

Self-contained Special Ed Educators & ESAs will utilize available platforms to move their students toward IEP goals as much as possible given our current online/remote platform. These educators may not need to create just-in-time/asynchronous learning opportunities/tasks but instead should use their professional judgment on how to appropriately support their students

during this time of remote learning. Like all other educators, these educators should establish a routine for communication with families and should work with families to provide ideas to help with reinforcement of goals and benchmarks.

The Parties understand that the format/delivery of the work these educators do may look different than the work of other educators because of the needs of the students they primarily serve. All Special Ed & ESA's should follow the guidelines from OSPI as communicated by our Special Education Administrators, Dr. Sue Ann Bube and Beth DeGrace. As always, any decisions regarding changes in Special Education and Related Services for an individual child should be made by the child's IEP Team even in this remote process.

Feedback/Grading

Absent contrary guidance from the state or OSPI, the Parties agree to adopt pass/fail grading, competency-based credit, or other grading methods and similar feedback methods. This decision is being made to help address equity concerns raised by creating learning opportunities in new, ever-evolving distanced environments. This is an opportunity to champion the importance of "feedback" and pivot away from valuing grades and points to valuing learning in and of itself. Educators may collect student work and have students demonstrate student learning by using just a few known platforms.

Suggested platforms for collecting student work are: Schoology, SeeSaw, and Google Classroom. Utilizing these familiar platforms will make both student learning and teacher professional learning more efficient.

Exceptions to this pass/fail type feedback/grading approach are isolated to the High School and include, but may not be limited to:

- Classes/assessments that require scores for graduation/credit (e.g. AP coursework/exams)
- Classes being offered through or in affiliation with other institutions that are still grading (e.g. Running start, College in the High School (Apex, Fuel, etc.))

The District will keep staff apprised on any applicable waivers, etc. for seniors.

Staff should also provide feedback appropriate to individual students tied to learning or specific expectations associated with learning and participation. When giving feedback to students, teachers are reminded to have grace and patience as both students and educators learn how to adapt in the new platforms.

Planned Building/Level Activities

Educators should participate in professional obligations to the extent possible given the remote nature of our work at this time.

Teachers should:

- Attend one weekly touchpoint meeting between district/building admin & staff to troubleshoot/promote positive culture/answer questions/help each other. Maximum one hour. In the week leading up to the return to physical school, there may be additional meetings in regards to re-integration for students that exceed this time, but all attempts will be made to respect staff time and keep this to a minimum.
- Collaborate weekly with your colleagues or other staff that are involved in your instruction (para-educators, specialists, PLP teachers, ELL, etc.) This weekly requirement can be met by participation in staff-initiated meetings, (Such as: PLC/Gator Hour, Grade level team meetings, department meetings etc.)
- Continue book studies, online learning or other teacher selected professional development. Engage in training around technology as necessary.
- Attend other adequately noticed (*see 3/19/2020 MOU*) meetings as required to address IEPs, class placement, grade level progression (in regard to senior graduation issues), and BGT/SST meetings to address concerns about current students. Requirements for attendance at such meetings shall not be excessive and should occur with a frequency consistent with their occurrence prior to school closure (e.g. BGT meetings occur only once per week and only relevant staff partake). The Parties acknowledge that to effectively provide student continuous learning opportunities, educators cannot be encumbered by being in virtual meetings lasting several hours a day. Meetings must begin during the contracted work day and should have clear parameters set forth for when they will end. The District and MIEA both understand that some staff members will have children/other activities going on in the background during online meetings, events, etc. and that these activities may impact staff's ability to fully participate in virtual meetings/collaborative activities.
- Participate in any adequately noticed meetings for which the teacher receives supplemental pay or are an active committee member (e.g. fine arts council meeting, SEAC meeting, etc.). The District and MIEA both understand that some staff members will have children/other activities going on in the background during online meetings, events, etc. and that these activities may impact staff's ability to fully participate in virtual meetings/collaborative activities.

Three-week Contemplated Work Plan

Contemplated Work: March 30, 2020 - April 3, 2020

Elementary:

- Teachers and instructional coaches will collaborate to create learning schedules for students
- Teachers create their “Dedicated Online Direct Connection/Support Time” (e.g. open office hours) schedules and communicate it with students/families
- Teachers will collaborate with grade level/specialists teams to create and prepare lessons, videos, and/or materials that revisit material taught before school closure and to prime students for new learning after Spring Break. Consideration for including Social Emotional Learning (SEL) shall be made by educators. These materials may be posted online for students to access during spring break when teachers are not working
- Work collaboratively across buildings to establish grade-level/specialist vision. Educators will determine essential learning for the remainder of the year
- Grade-level teams/specialist teams will meet early in the week to begin planning the first two-three weeks of new content that will move students along the learning continuum. This new content will be rolled out beginning April 13, 2020 (divide and conquer tasks, if possible). Grade-level/specialist teams will collaborate with members of the special services team and instructional coaching team as needed.

Middle:

- Grade-level/content PLCs will meet to create and prepare lessons, videos, and/or materials that revisit material taught before school closure and to prime students for new learning after Spring Break. Consideration for including SEL shall be made by educators. These materials may be posted online for students to access during spring break when teachers are not working
- Grade-level/content PLCs will work to determine essential learning for the rest of the closure
- Teachers will create their “Dedicated Online Direct Connection/Support Time” (e.g. open office hours) schedules and communicate it with students/families
- Grade-level/content PLCs will meet early in the week to plan the first two-three weeks of new content that will move students along the learning continuum. This content will be rolled out beginning April 13, 2020 (divide and conquer tasks, if possible). PLCs should collaborate with members of the special services team and instructional coaching team as needed.

High School:

- Teachers should create and prepare lessons, videos, and/or materials that revisit/review material taught before school closure and to prime students for new learning after Spring Break. Teachers may include material

addressing SEL, as appropriate. These materials may be posted online for students to access during spring break when teachers are not working. To extent possible, teachers should collaborate with job-alikes/departments

- In the interest of common learning outcomes, teachers and/or departments will collaborate on essential learning outcomes during closure. It is suggested that there be collaboration on utilized materials
- Teachers will create their “Dedicated Online Direct Connection/Support Time” (e.g. open office hours) schedules and communicate it with students/families
- Teachers/departments will meet early in the week to plan the first 2-3 weeks that will move students along the learning continuum (“New Content”). This New Content will be rolled out beginning April 13, 2020 (divide and conquer tasks, if possible). Teachers should collaborate with members of the special services team and instructional coaching team as needed

Contemplated Work April 6, 2020 -April 10, 2020

- **Spring Break:** No work required for those not calendared to work during Spring Break. Those educators who are supporting child care services and other essential work may timecard as this is work outside of our calendared work.

Contemplated Work April 13, 2020 - April 17, 2020

- Teachers at all levels will begin providing student material that will move students along the learning continuum (“New Content”)
- Teachers shall maintain “Dedicated Online Direct Connection/Support Time=open office hours” schedules and adjust as appropriate. Teachers should coordinate with colleagues and across grade level with respect to the timing of their “Dedicated Online Direct Connection/Support Time” offering
- New content will be rolled out beginning April 13, 2020 (divide and conquer tasks, if possible). Teachers should collaborate with members of the special services team and instructional coaching team as needed

Contemplated ongoing work will be shaped as this system/model for continuous learning develops.

This MOU shall not be precedent-setting and shall expire at the end of the academic year, June 19, 2020, or until schools reopen, whichever is sooner.

Parties agree to reconvene should OSPI or other governing agency mandate school operate beyond June 19, 2020.

The Parties further agree to reconvene if federal, state, or OSPI guidance requires the District to pivot away from moving students along a continuous learning model or if there is other such guidance that alters working conditions.

The Parties agree to meet weekly with MIEA President, a learning services representative and HR to discuss how the system/model for continuous learning is evolving and potential adjustments.

Finally, the Parties agree to reconvene to discuss funding changes that impact any school building closure beyond April 24, 2020.

Agreed to this 29 day of March, 2020.

FOR THE ASSOCIATION:

/s/ Sally Loeser

Sally Loeser, President

FOR THE DISTRICT:

/s/ Donna Colosky

Donna Colosky, Superintendent

As a resource in creating student work schedules, educators can look at the Kansas “[Continuous Learning Task Force Guidance](#),” as referenced in the [March 23rd OSPI #1](#), Guidance Letter.