

**Memorandum of Understanding
between
Mercer Island Education Association ("MIEA")
and
Mercer Island School District ("District")**

Regarding

Enhancing Elementary In-Person Learning Access

The health and safety of staff, students, and visitors are a priority. For that reason, the Parties agree to continue following the guidance promulgated by the Washington Department of Health (DOH) and [Washington State Labor & Industries](#) (L&I).

On March 25, 2021, DOH issued revised [K-12 School Guidance](#) to align with the CDC option to shift to at least three feet of physical distancing between students in groups and classrooms as much as possible. *See* [K-12 School Guidance](#) at 8. In certain circumstances, like when students are eating, students must still maintain six feet of distance. That guidance also reflects that staff “should continue to maintain six feet of physical distance from other staff and students in classrooms and otherwise.” (*Id.*)

The Governor’s March 12, 2021 proclamation regarding [Children and Youth Mental Health Crisis](#) outlines requirements for offering in-person learning opportunities for K-12 students. The Parties worked diligently to first meet the requirement to offer at least 30% of average weekly instructional hours as on-campus, in-person instruction. Now the Parties turn their attention to working to exceed the 30% minimum in-person instructional hours for our elementary students. *See* [Children and Youth Mental Health Crisis](#) at 5. The Parties further acknowledge that in-person instructional hours offered to middle and high school students currently exceeds the 30% minimum imposed by the Governor’s proclamation. To achieve this, the Parties will use the DOH guidance to make in-person learning available to current 2nd-5th grade hybrid A/B students five days per week between 9:10 a.m. and 12:35 p.m.

Though the District will utilize the current DOH guidelines for physical distancing where necessary to increase in-person learning access, the Parties remain committed to maximizing physical distancing between students in the classroom up to six feet (6) or more, where possible and appropriate.

5-days of In-Person Learning: 2nd-5th

The District is increasing in-person learning available to current 2nd-5th grade hybrid A/B students to five (5) days per week. This change will take effect for 2nd and 3rd grade on Monday, April 26, 2021, and 4th and 5th grade on Wednesday, April 28, 2021.

If a streaming-only student seeks to return to in-person, that student’s request will be considered and permitted if space is available. However, before converting from a streamer to an in-person student on a consistent schedule (this does not apply to kids who are just streaming because they

are sick), the educator shall be given two days notice. Such notice period can be waived by the educator. At no time will a classroom be set up in a manner inconsistent with the DOH or L&I guidance. Accordingly, it is possible that space limitations would prevent a 2nd-5th grade streamer from returning to in-person learning. A streaming-only student will not be able to transition to an in-person student after June 11, 2021, absent an extremely unusual circumstance.

Classroom In-Person Capacity: COVID-19 Limits

Before current 2nd-5th A/B hybrid students are all offered access to five days per week in-person learning, each classroom will be evaluated to determine the maximum student capacity given the guidance. At no time will a classroom or instructional area be set-up in a manner that is inconsistent with applicable DOH and L&I guidance. Staff are encouraged to work in partnership with their administrator and custodial staff to find ways to maximize the effectiveness of a space given COVID-19 limitations.

Once this has been achieved, maintenance and/or custodial staff will bring in seating adequate to accommodate all 2nd-5th A/B Hybrid students while still meeting the DOH guidance of a minimum of three feet of physical distance between students and six (6) feet of physical distance between staff and between staff and students. This will be completed five (5) workdays before the April 26, 2021 expansion.

If changes occur, educators will be given an updated roster that reflects any changes of students moving from in-person to streamer or streamer to in-person at least two (2) workdays before the expansion occurs on April 26, or April 28, depending on the grade.

If a classroom in-person roster (comprised currently of A/B and D) is greater than the classroom capacity given DOH guidance, a building administrator and the impacted educator will work collaboratively to determine an alternate classroom/space in the building that will accommodate the class roster. The building administrator will notify the impacted educator that they can request an MIEA building representative to join this process, if desired by the educator. Such alternate spaces will have all resources needed by the educator and students so it is instructionally appropriate. Any educator that needs to move to an alternate location will time-card for any time spent outside of their contract day to move from their current classroom to the alternate instructional space up to 7.5 hours to pack up, and another 7.5 hours to set up the new instructional area classroom. If this move is reversed for the 2021-2022 SY, the educator will again receive up to 7.5 hours to pack up, and another 7.5 hours to unpack and set up consistent with the applicable CBA. The educator may ask for this time to be used by a classified staff member (e.g. the educator and classified staff member may each work and time card 3.25 hours).

If there is not a space that is large enough to accommodate the class in-person roster, that class will remain in an A/B hybrid model.

Educators will be advised to work with their admin/custodial staff to move furniture to maximize the instructional effectiveness of the space. If an educator believes that a classroom setup is instructionally inappropriate (e.g. students cannot read the board, staff/students cannot appropriately exit the space), the educator will have a meeting to share their concerns with a

building custodian, MIEA building representative, if desired, and the director of maintenance and operations or designee.

Educators must be informed of additions to their in-person roster from their streaming roster (C students) at least two (2) workdays prior to the addition occurring unless agreed to by the educator.

Adapting the Classroom and Schedule Changes

Any staff member that is impacted by the expansion of students to five (5) days a week in-person for 2nd-5th grade may choose to offer asynchronous lessons during the (1:20-2:00) afternoon blocks on April 22 and 23 so that they may set up their classroom. Any educator who does not have the ability to create asynchronous afternoon lessons (eg. resource room educators, ESAs, ELL educators, LSP educators, etc.), may seek a half-day (am or pm) release time or timecard up to four (4) hours outside of their contract day at contract rate to set up their classrooms and adjust their schedules because of this expansion of in-creased in-person access.

Learning Modality

At the elementary level, 2nd-5th grade students will have only the following options:

- in-person for five (5) days a week from 9:10-12:35, or
- full-time streamer.

After April 26, 2021, or April 28, depending on grade, students will not have the option to attend in-person on the previous hybrid A/B schedule.

Specialists Partner Teachers

Specialists who are working as partner teachers to support general education classroom instruction will work with their partner teacher to determine if support should be given in-person or remote. It is possible that specialists will need to be in-person for some blocks but not others. Any partner teacher who is working remotely to support classrooms may work in an alternate location. Partner teachers who are supporting their classroom remotely and intend to work in their building will be given a designated location in which they can appropriately support their classroom remotely.

Access to Handwashing Stations

Each classroom will have access to a sink or provided hand sanitiser for students to use throughout the day, especially before snack.

Technology Support

If an educator finds that the increase of in-person learners creates audio challenges for full-time streamers, the District will work with the IT department to source amplification devices like the Boundary Mic to provide amplification of in-person student voices.

Staff Lunch and Break Locations

Any staff who is unsure of their break and/or lunch location will contact their supervisor or building administrator.

Snack

A clarifying email regarding designated student snack areas will be sent or time will be dedicated during the April 22nd staff meeting at each site. Any staff who is unsure of where or when students should consume snack will contact their supervisor or building administrator.

Classified Schedules

Prior to expanding in-person learning access for 2nd-5th grade hybrid learners, all classified staff whose work schedules will change because of this expansion will be provided with an updated daily schedule that includes scheduled breaks, the transition time, communication time, and duty-free lunches. Such schedules will be provided to classified staff at least two (2) workdays before the expansion occurs to allow staff to review their schedule and meet with their supervisor with any concerns. If changes need to be made to classified schedules, the changes will be clearly communicated to the staff member and allow for input from the classified staff member.

Supports and Training

Any employee who will be assigned to new duties will be given the appropriate supports and/or trainings for such work, inclusive of any COVID-19 specific health and safety training. All training will follow the guidelines outlined in the Collective Bargaining Agreements (CLASS Art. IV, Sect. 15)

Health Attestations and School Arrival

The increased offering of 5 days a week in-person learning for A/B hybrids students will not change the health attestations requirements. The District will work to add an additional MIEA staff member at the elementary sites before school to support any increase in duties at the start of the day during the week of April 26. The site safety team will have an on-going review of any impacts of expanded in-person learning access as it relates to the completion of health attestation and student safety and provide recommendations as to any need for increased support beyond the first week.

Recess Locations and Supervision

To keep the health and safety of students a priority, the District will ensure that each classroom has its own designated space(s) at recess. Building administrators will work collaboratively with their paraprofessionals supervising recess and seek their input to establish the appropriate number of recess supervisors to best keep our students physically distanced and safe.

Paraprofessionals will continue to be given time to clean and sanitize recess equipment in between different classes where appropriate.

Lunch Distribution

With an increase of students in each building, there will also be an increase in lunches that will need to be distributed to each classroom. The District will ensure there is sufficient staffing to achieve this distribution.

Crossing Guard Duties

Building administrators will work collaboratively with their crossing guards and seek their input to establish an appropriate start and end time for crossing guard duties to best keep our students and community safe.

Bus Transportation

In accordance with the March 25, 2021 DOH “K-12 Schools 2020-2021 Guidance,” the District will work to keep bus transportation safe. The District will employ strategies for loading and seating designed to keep riders as far apart as practical. Students will not be seated closer than three (3) feet to drivers. The parties recognize that this may mean the first bench of the bus behind the driver is left vacant. Drivers will be provided PPE consistent with the [L&I guidance](#). If a bus is nearing bus capacity given COVID-19 guidance, currently 52 to 54 students, depending on the bus, then the driver will inform the Director of Transportation or designee who will provide additional buses/routes to create safe distances on buses.

Drivers will continue to be provided with a roster of students assigned to their bus. For the purposes of facilitating contact tracing, the District will continue to explore ways to upload the bus assignments into Skyward in addition to Versa Trans.

Students will be encouraged to wash or sanitize their hands when they leave their home or classroom immediately before boarding the bus.

The Parties recognize that with an increase in ridership, in some situations, an entire bus may need to quarantine due to a COVID-19 case.

Restroom Cleaning

Custodians will establish a time during their day when they can adequately clean student restrooms. Upon request, custodians will be provided with signage to signal to students that the restroom is closed and to keep students out of the restroom facility as custodians are engaging in cleaning.

Contact Tracing

With increased students in person at closer distances (moving from six to no less than three feet), there may be an increase in a need for contact tracing. When nursing staff request additional supports for contact tracing, the District will provide the supports as needed.

Any employee supporting contact tracing for COVID-19 at any level who has to use time outside of their contract hours will be able to time card the time spent on contact tracing outside of their contract day if such work is not otherwise captured as part of a supplemental contract.

Schedule Consistency

The Parties recognize that consistency and predictability are critical for the success of students, staff, and families. After the expansion that allows 2nd-5th grade A/B hybrid students to access in-person learning five (5) days a week, there will not be further building-wide expansions to in-student access to in-person learning at the elementary level absent a mandate by OSPI or the

Governor's office. Schools will still be able to follow the already established protocol allowing for changes for specific students on a case-by-case basis.

Secondary Expansion

Instruction at the secondary level (IMS and MIHS) will continue to be implemented in their current instructional model and further building-wide expansion of student access to in-person learning for the 2020/21 school year will not be implemented absent a mandate by OSPI or the Governor's office. In the event of such mandate, the Parties agree to negotiate any further expansion at secondary. Any increase in individual students' access to in-person learning may still occur but must be based on student need and using the existing processes. As noted above, the District will continue to follow the guidance from DOH.

This is a non-precedent setting Agreement and will expire at the end of the 2020-21 academic year.

<i>Dr. Frederick D. Rundle</i>	Apr 22, 2021	<i>Sally Loeser</i>	Apr 23, 2021
_____ Fred Rundle	date	_____ Sally Loeser	date
MISD Acting Superintendent		MIEA President	
<i>Erin C. E. Battersby</i>	Apr 22, 2021	<i>Alyssa Mitchell</i>	Apr 22, 2021
_____ Erin C. E. Battersby	date	Alyssa Mitchell (Apr 22, 2021 14:18 PDT)	date
District Representative		Alyssa Mitchell	date
		MIEA Representative	
		<i>Creighton Laughary</i>	Apr 23, 2021
		_____ Creighton Laughary	date
		MIEA Representative	