

Memorandum of Understanding Between
La Habra City School District and the La Habra Education Association
for the Hybrid Instructional Model
September 24, 2020

In preparation for allowing students to physically return to schools during the 2020-21 school year, the parties recognize the need to address both the District's Distance Learning Model and the Hybrid Instructional Model given the continuing pandemic. It is in the mutual interest of the parties to abide by the recommendations of public health officials to prevent illness and further spread of the virus. The parties recognize that schools are critical to daily life and that collaboration between local public health, education officials, and educators is the best means to determine and balance competing concerns surrounding school reopening decisions. The transition between learning models will be in accordance with guidance from the Centers for Disease Control and Prevention ("CDC"), California Department of Public Health ("CDPH"), California Department of Education ("CDE"), and the California Department of Industrial Relations Division of Occupational Safety (Cal/OSHA).

The parties are bargaining after the District has reopened under the Distance Learning Model. The Distance Learning Model will continue until such time that the infection numbers are on a downward trend, and there are protections for parents, students, staff, and those at risk for severe illness. This MOU demonstrates the parties are working collaboratively to assure that proper screenings are in place, and the campuses are safe for screened individuals to have entry.

Hybrid Instructional Model

Adherence to Health Guidelines

The District shall adhere to the COVID guidelines issued by the Centers for Disease Control and Prevention ("CDC"), California Department of Public Health ("CDPH"), California Department of Education ("CDE"), the California Department of Industrial Relations Division of Occupational Safety and Health (Cal/OSHA), and the Orange County Health Care Agency (OCHCA) issued as of September 24, 2020. The parties agree to meet as soon as possible to negotiate the impact and effects of any revisions or updates to those guidelines.

Preparation

In the week prior to their grade level start date in the Hybrid Instructional Model, teachers will be provided time to prepare their classrooms for their students' return. Families will be notified that while students will still receive their required instructional minutes, teachers may reduce their direct instructional time with students to allow teachers time to prepare their classrooms. Families will also be notified that teachers will not be available for Office Hours in the week leading up to their grade level start. On Wednesdays, teachers who are due to start the next week have no more than one hour of meeting/PLC time.

Physical Distancing

Physical distancing is subject to, and limited to, the physical layout and configuration of each school site. However, the District will support unit members' efforts to regulate and maintain safe distances in the learning environment.

- **Classroom Space**
The District shall ensure minimum physical distancing of four (4) to six (6) feet between student workspaces. A minimum of six (6) feet will be maintained between educator and student workspaces, and between employee workspaces.
- **One-way Directions/Movement**
Stairways and hallways will be one-way when possible. Two-direction hallways are preferred to maintain social distancing, but this is determined on a site-by-site basis. Elevators will be kept to individual use, limited to two people with staff assisting student/s.
- **Multiple and Assigned Entry/Exit Points**
On a site-by-site basis, if the District requires a unit member to regularly monitor ingress and egress locations, beyond their normal before/after school duty, he/she shall be compensated at his/her hourly rate of pay, pursuant to the contract language, if over 15 minutes.
- **Recess Issues**
If the District requires a unit member to monitor outdoor recess to maximize distancing and limit contacts, and/or preventing students from using shared equipment, a process will be created to allow for a certificated ten to fifteen-minute break.

Personal Protective Equipment (PPE) or Essential Protective Gear (EPG)

- **Masks, Face shields and Drapes**
The District shall require the use of facial coverings ("masks"). Masks may not be required for children age two and under or for students with medical apparatus, which prevents or obstructs the use of the apparatus.
 - *All staff and students will be required to wear masks.*
 - *Cloth face masks may be removed for meals, snacks, or outdoor recreation, or when it needs to be replaced.*
 - *Students with IEPs that specifically address the inability to wear a face mask are exempt.*
- **Aprons/Smocks/Enhanced Facial Coverings**
The District shall provide disposable aprons/smocks and/or enhanced facial coverings for staff caring closely for those individuals requiring close physical contact due to their special needs or accommodations.
- **Hand Sanitizer/Soap/Gloves**
The District shall comply with the following hand washing logistical requirements:
 - a) *every room with a sink shall be stocked with soap, hand sanitizer (60% minimum alcohol content), and proper hand-drying equipment;*
 - b) *every classroom shall be provided hand sanitizer;*
 - c) *non-classroom workspaces shall be provided hand sanitizer;*

- d) hand sanitizer shall be provided at each ingress and egress point;
- e) all hand-washing/hand-sanitizing supplies noted above or otherwise provided shall be checked and restocked immediately as needed and prior to the beginning of each day.
- f) disposable, non-latex gloves shall be available.

Other Health and Safety Issues

- **Daily Cleaning and Disinfecting**

The District shall ensure that all classrooms, restrooms, and workspaces are cleaned and disinfected daily, including but not limited to desks, doorknobs, light switches, faucets, and other high-touch fixtures, using the safest and most effective disinfectant necessary, as recommended by federal, state, and/or local health officials.

- **HVAC**

The District shall ensure all HVAC systems operate on the mode which delivers the freshest air changes per hour, including disabling demand-controlled ventilation, and open outdoor air dampers to 100% as indoor and outdoor conditions safely permit. Portables and/or other rooms without adequate central HVAC shall be equipped with low-noise air filters with a large enough capacity and flow rate for the square footage of the room. All air filters will be in compliance with guidelines and highly effective.

- **Health Screening, Testing, Notification, and Contact Tracing**

The District shall ensure all students, employees, and visitors are checked for symptoms daily prior to entering school, including but not limited to, self-monitoring and temperature checks via no-touch thermometers. Visitors with any symptom consistent with COVID-19 shall be denied entry. Staff and students with any symptom consistent with COVID-19, or who have had close contact with a person with COVID-19, should be sent home or sent to an on-site isolation room pending travel home.

Upon notification that an employee or student has tested positive or been infected with COVID-19, the District shall initiate contact tracing in conjunction with local health department officials. All persons identified through the contact-tracing process who may have come in contact with the infected individual shall be notified on a need-to-know basis. All bargaining unit members shall be provided the opportunity for free COVID testing.

- **Handwashing**

Students, employees, and visitors shall be required to wash their hands or use hand sanitizer upon entering district sites and every time a classroom is entered.

- **At-Risk Members**

The Families First Coronavirus Response Act (FFCRA) requires employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19.

- *FFCRA shall be available to unit members before they are required to use accrued sick leave or other available leaves. Employees may use this leave on an intermittent basis absent a binding judicial decision to the contrary.*
- *The District acknowledges that the interactive process may be required to make work safe for employees with health conditions that heighten the risk of severe outcomes with COVID-19. The District agrees to support bargaining unit members who are diagnosed with COVID-19, and who have been advised by a healthcare provider to self-quarantine related to COVID-19; and who are experiencing COVID-19 symptoms and are seeking a medical diagnosis; and who are caring for an individual who is quarantined or has been advised to self-quarantine; or are caring for a child whose school or place of care is closed or childcare provider is unavailable for reasons related to COVID-19 by developing worksite accommodations that may include a flexible work schedule plan in an attempt to reduce the use of their earned leaves, where practicable. This could include accommodations involving remote work, work schedule, or job duties if this would allow unit members to continue working and meet the operational needs of the District. Unit members who have exhausted all paid leaves may choose to take unpaid leave for coronavirus-related reasons.*

Until December 31st, the FFCRA, Families First Coronavirus Response Act, provides up to two weeks (80 hours, or a part-time equivalent) of paid sick leave. This is in addition to, and to be used prior to, the 10 sick/personal leave days in Article 13. If the Federal Government does not extend this entitlement after December 31, 2020, the District will continue to honor the up to two weeks as mentioned above until the end of the 2020-21 school year.

- **Scheduling**

During the 2020-21 school year, student attendance shall follow the AM/PM Model agreed to in negotiations. The scheduling will address the safety and health concerns arising out of the current COVID-19 pandemic.

Sample Hybrid Instruction Model Attached

- **Assignment to a Distance Learning Position**

The District shall determine assignments and staffing based upon parental preference for the Virtual Learning Model, Distance Learning 2.0 or the Hybrid Instructional Model.

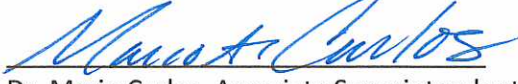
SCHOOL RE-CLOSURES

The District shall immediately notify the health departments, the community impacted, and the Association when an outbreak occurs. The District shall adhere to the determination by the local public health department if schools or work sites need to be closed. If the local public health department recommends closure, the District and Association shall immediately bargain the effects of the closure. If there is a quarantine, those who are affected will continue to provide distance learning instruction. If Distance Learning is to be reimplemented, every effort will be made to return students to the learning environment that is least disruptive.

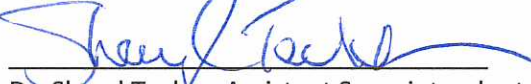
Dated: _____

LA HABRA CITY SCHOOL DISTRICT

Steven Montanez, District Representative



Dr. Mario Carlos, Associate Superintendent,
Human Resources



Dr. Sheryl Tecker, Assistant Superintendent,
Educational Services

Anna Dorado, Principal

Cathy Seighman, Principal

LA HABRA EDUCATION ASSOCIATION

Jim Rogers, LHEA Representative

Shannon Belknap, LHEA President


Ann-Marie Fuller, Negotiating Team

Ryan Bean, Negotiating Team

Tamara Swindle-Warfield, Negotiating
Team

Michelle Atkinson, Negotiating Team

LHCSD AM/PM Elementary Sample Teacher Schedule

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
7:50-8:10 AM Students Arrive	Teacher Prep (7:50-8:00) Students go to class (8:00-8:10)	Teacher Prep (7:50-8:00) Students go to class (8:00-8:10)	<p style="text-align: center;">Live Whole Class Lesson (30 minute minimum)</p> <p style="text-align: center;">Asynchronous TK/K (150 min) 1-3 (200 min) 4-6 (210 min)</p> <div style="text-align: center;">  </div> <p style="text-align: center;">Teachers train and meet in Professional Learning Communities to discuss students' needs and plan lessons</p>	Teacher Prep (7:50-8:00) Students go to class (8:00-8:10)	Teacher Prep (7:50-8:00) Students go to class (8:00-8:10)
8:10-10:55 165 minutes total with a 10 minute rotating bathroom break (155)	AM Cohort On Campus for In-Person Instruction PM Cohort Distance Learning	AM Cohort On Campus for In-Person Instruction PM Cohort Distance Learning		AM Cohort On Campus for In-Person Instruction PM Cohort Distance Learning	AM Cohort On Campus for In-Person Instruction PM Cohort Distance Learning
10:55-11:10 AM Student Dismissal	Teachers walk students and drop off at exit areas or grab-n-go meal locations. Support staff supervise students until they leave campus.	Teachers walk students and drop off at exit areas or grab-n-go meal locations. Support staff supervise students until they leave campus.		Teachers walk students and drop off at exit areas or grab-n-go meal locations. Support staff supervise students until they leave campus.	Teachers walk students and drop off at exit areas or grab-n-go meal locations. Support staff supervise students until they leave campus.
11:10-11:50	LUNCH (40 min)	LUNCH (40 min)		LUNCH (40 min)	LUNCH (40 min)
11:50-12:05 PM Students Arrive	Teachers return to classroom by 11:55 to welcome students.	Teachers return to classroom by 11:55 to welcome students.		Teachers return to classroom by 11:55 to welcome students.	Teachers return to classroom by 11:55 to welcome students.
12:05-2:50 165 minutes total with a 10 minute rotating bathroom break (155)	PM Cohort On Campus for In-Person Instruction AM Cohort Distance Learning	PM Cohort On Campus for In-Person Instruction AM Cohort Distance Learning		PM Cohort On Campus for In-Person Instruction AM Cohort Distance Learning	PM Cohort On Campus for In-Person Instruction AM Cohort Distance Learning
2:50 PM Student Dismissal	Teachers walk students to exit areas or grab-n-go meal locations. Teachers and all support staff will be on duty and rotate if possible.	Teachers walk students to exit areas or grab-n-go meal locations. Teachers and all support staff will be on duty and rotate if possible.		Teachers walk students to exit areas or grab-n-go meal locations. Teachers and all support staff will be on duty and rotate if possible.	Teachers walk students to exit areas or grab-n-go meal locations. Teachers and all support staff will be on duty and rotate if possible.

*25 minutes of student work completes the minimum daily instructional minutes (180) for TK/K

*75 minutes of student work completes the minimum daily instructional minutes (230) for 1-3

*85 minutes of student work completes the minimum daily instructional minutes (240) for 4-6