

**M-DCPS / UTD
LETTER OF UNDERSTANDING
REOPENING OF SCHOOLS
2020-2021**

This Letter of Understanding (LOU) confirms the collaborative agreement held between Miami-Dade County Public Schools (M-DCPS) and the United Teachers of Dade (UTD) regarding the 2020-2021 M-DCPS Re-Opening Plan. The parties, along with representatives from the Office of Academics and Transformation, School Operations, the Office of Human Capital Management, and the Office of Labor Relations and Compensation Administration, met to discuss modifications to the contract provisions referencing Article XI, Planning for Teaching and Learning; Article XVII – Paraprofessional/Associate Educator/School Support Personnel; Article XVIII – Office Employees; Article XX – Teaching Conditions; Article XXII, Academic Freedom; Article XXVI, EESAC Waivers; and other employee expectations during both face-to-face instruction and continued virtual instruction during the 2020-2021 school year.

As we embark on an unprecedented year, both parties remain committed to providing students with a world-class education while also maintaining a safe environment for working and learning. The parties also recognize that the ability to pivot between distance learning and face-to-face learning as a response to fluctuating community COVID-19 conditions is imperative to student success. That is why both parties agree to monitor eight metrics, or gating criteria, to inform decisions regarding a return to the schoolhouse as described in the “Reopen SMART Return SAFE” guide presented to the School Board. As conditions improve, it is possible that on Monday, October 5, 2020, M-DCPS students whose families chose to return to their assigned schoolhouse while those that have chosen to learn from a distance will experience no change. If local conditions continue to improve, an earlier return to the schoolhouse may be considered based on recommendations from local health experts. As such, the parties agree to the following contractual modifications that facilitate this ability while providing for continued student and family support and science based safety guidelines for students and employees.

Health and Safety

Health screening and facial coverings. All employees, students, and visitors in the worksite shall be required to wear facial coverings. Employees will be required to attend mandatory professional development regarding safety protocols and Core Practices. School-sites will maintain a supply of facial coverings for employees to be provided as necessary to ensure facial coverings are consistently worn. When physically reporting to the schoolhouse, employees will also complete a daily health screening. It is recommended that the health screening is accessed and completed through the M-DCPS Mobile App prior to arrival at the worksite. Upon arrival at school daily, the app results must be displayed to the identified personnel. Employees who have not completed the screening prior to arrival will be asked to do so prior to entering the building. Employees completing the screening on site will be provided gloves for their protection while completing the paper screening questionnaire. Personnel who ensure the completion of the health survey will be provided with the necessary personal protection equipment. Employees who physically report to the workplace and do not pass the clearance criteria should not remain at the worksite, but will be compensated for the

day. Supervisors may allow the employee to work remotely, if possible. Impacted employees shall follow the quarantine procedures herein, as applicable.

Enhanced benefits to protect employee's well-being. The following benefits are being enhanced:

- *Bringing children to work.* During Stage I, employees will have the ability to bring their PreK – 12th grade child(ren) to work with them if the following conditions are met: 1) the employee can fulfill their job responsibilities while supervising their PreK-12th grade child(ren) at all times, 2) the child(ren) must remain in the employee's stationary workspace/classroom, 3) the child(ren) must be under the direct supervision of the employee at all times, including during restroom, lunch or other necessary breaks and 4) the employee must sign and agree to abide by a district developed waiver. This option does not apply to employees who are mobile throughout the workday or those who are not assigned to a stationary workspace on campus.
- *Extended Professional (Other) COVID Leave.* Both parties understand that employees may not be able to return to the school-site due to COVID-19 related circumstances. As such, COVID-19 Concerns, will be recognized as an additional category of the Professional Leave Without Pay (Non-Study) provision. Leave requests for COVID-19 concerns must be submitted prior to the start of the fourth week of Stage II. All timely submissions that meet the requirements under the Professional Leave Without Pay (Non-Study), with the exception of the start date, shall be approved through the end of the 2020-2021 school year.
- *Retirement Incentives.* Understanding the changing landscape of instruction, staffing requirements, and the impacts of student enrollment on FTE, the parties agree to meet as soon as possible to explore the feasibility of offering an early retirement incentive for eligible employees.
- *Healthcare.* The 90-day waiting period for employee healthcare, dependent healthcare, life insurance and short-term disability shall be waived through June 30th, 2021. All employee insurance co-pays and cost shares shall be waived for any COVID-19 related testing and diagnosis services covered under Board paid insurance. Additionally, UTD and M-DCPS will explore minimizing out-of-pocket expenses for individuals who have tested positive for COVID-19 and make applicable subsequent modifications to the 2020 and 2021 Healthcare MOU's.
- *Quarantine.* Employees who are asked to quarantine due to Direct Exposure (<6 feet for ≥ 15 minutes) to a COVID-19 positive individual at the workplace, may work remotely, if possible. Their attendance will be recorded as Temporary Duty, if working remotely, and the comment "Working remotely due to workplace exposure" should be indicated in the comment portion of the leave card until they obtain a doctor's note allowing them to return to work. If working remotely is not an option, the employee will be provided the application and given assistance in acquiring benefits under the Families First Coronavirus Response Act (FFCRA) while applicable.

As proffered in Board Item H-5 of the August 12, 2020 School Board Meeting, Risk Management will research and analyze the financial, legal, and operational feasibility of establishing temporary COVID-19 testing sites for M-DCPS employees and their

immediate families, within the current M-DCPS insurance program and any other private, state, or federal health insurance programs available to the insured.

If an employee's return to work is hindered due to an inability to obtain a medical clearance because of delayed testing results, the employee may work remotely, if possible. Their attendance will be recorded as Temporary Duty, if working remotely, and the comment "Working remotely while seeking medical diagnosis" should be indicated in the comment portion of the leave card until they are cleared to return which should occur within a reasonable time period. If working remotely is not an option, the employee will be provided the application and given assistance in acquiring benefits under the Families First Coronavirus Response Act (FFCRA) while applicable.

- *Contact tracing and closures.* Contact tracing will be done in the event a student or staff member tests positive for COVID-19, or other specified communicable disease, to determine who may have been exposed to this student or staff member. Employees who are asked to quarantine due to direct exposure shall follow the quarantine procedures above. These types of cases will be reported to the Florida Department of Health in Miami-Dade County (FLDOH). UTD shall be provided a report, upon request, of staff and student exposures by school; the report shall not include personal identifying information of the employees or students.

Any school-wide, classroom, or specific school area closures will be determined in collaboration with the Florida Department of Health in Miami- Dade County. The District will also follow guidance from the Florida Department of Health in Miami-Dade County for any school-wide or community notification that is deemed necessary.

Enhanced Health and Safety Precautions. The school environment will experience significant changes centered around enhanced health and safety precautions as outlined in the *Reopen SMART Return SAFE* reopening guide. These changes, which may include the items listed below, were created using information and guidance from the Centers for Disease Control (CDC).

- All work sites, including SBAB, will maintain the same standards/protocols for entry.
- Physical barriers, such as plexi-glass, will be utilized in areas where employees work with the public. This is being expedited to begin placing barriers during Stage I.
- Restrooms and elevators will be limited to 2 people at a time.
- When the physical school lay out allows, schools will use one-way hallways and stairways to avoid crowds in hallways and other common spaces.
- Be provided with a workspace that is regularly sanitized to limit spread of the virus. This includes regular cleaning of all common touch points such as doors and bathrooms with appropriate disinfectants throughout the day.
- Soap and hand sanitizer shall be readily available in all bathrooms and common areas (preferably 'no touch' dispensers).
- Be provided safe access to drinking water. Water dispensers shall be regularly cleaned with appropriate disinfectants throughout the day.
- Arranging student desks and/or seating arrangements to promote social distancing. This includes the removal/identification of non-essential furniture or desks. Desks that are not to be utilized in order to create greater spacing between students will be indicated as such. As recommended by the CDC, schools will utilize a six feet social distancing guideline. When six feet of social distancing is not feasible, the requirements of the World Health Organization guideline will be implemented. If these guidelines

cannot be implemented, other alternative options, which may include an alternative classroom setting or a reduction in the number of students assigned, will be identified and implemented.

- Teachers shall refer students who exhibit symptoms during school hours to the identified isolation room as appropriate. These rooms will be monitored by appropriate staff or a school administrator; UTD bargaining unit members will not be required to staff the isolation room. The isolation areas shall provide physical distancing.
- In addition to these minimum safety requirements and in order to heighten safety and health measures, M-DCPS may enact additional safety requirements that align with those of the FLDOE, FLDOH in Miami-Dade County, the CDC, and the World Health Organization.

School Calendar and Reporting Procedures

In order to provide for ongoing professional development and the ability for teachers to prepare classrooms for in-school instruction, the parties agree to the following modifications to the 2020-2021 school calendar.

August 19, 2020 remains a teacher planning day, not available to opt. August 20, 2020 through August 27, 2020 will be mandatory professional development days to address the curriculum platform, mental health, and other topics. August 28, 2020 remains a teacher planning day, not available to opt. The first day of school for students will be August 31, 2020. October 23, 2020 remains a teacher workday; however, it will not be available to opt. January 22, 2021 will become a non-opt “floating” teacher workday to be utilized when M-DCPS transitions from a distance learning school experience to an in-school experience following the gating criteria recommended by local medical and public health experts as reflected in the *Reopen SMART Return SAFE* reopening guide. Should M-DCPS not be able to transition to an in-school experience, May 28, 2021 will be a teacher workday available to opt. All other existing teacher workdays remain as previously indicated on the 2020-2021 school calendar.

Sign-in Procedures

Employees, instructional and non-instructional, will sign-in daily prior to the beginning of their scheduled reporting time through the Full-time Employee Sign-in application available in the employee portal and the M-DCPS mobile app. Employees will also continue to follow worksite protocols for notification of intended absence. Hourly employees will email the identified worksite employee to denote their attendance including arrival and departure times.

Curriculum and Schedules

The ability to pivot between a distance learning experience and an in-school learning experience is imperative to the continued academic success of students. A consistent curriculum, communication platform, and schedule are essential components to ensure that pivoting between delivery models is successful. As such, the K12 curriculum and platform will be the required M-DCPS curriculum and communication platform, for the 2020-2021 school year for both distance learning and the in-school learning experiences, with the exception of Dual Enrollment courses that require the platform of the university or college. Teachers have the discretion to utilize other supplemental resources to enhance their instruction and communication. Teachers are able to modify and supplement the K12 content to best meet the needs of their learners. Empty course shells will be populated in the K12 platform for all courses without content. District curriculum staff will develop course content for a select group of courses in Microsoft Teams. Teachers assigned to teach courses with district developed content in Teams will use those courses, but all courses will initially be accessed through the

K12 platform. As with the K12 courses, the Teams courses can be modified by teachers to best meet the needs of their learners. For remaining courses without K12 or district developed content, teachers may utilize either the K12 platform, or Microsoft Teams, including Zoom through Microsoft Teams for instructional delivery. While schoolwork, assignments, and instructional delivery must be delivered through the K12 platform, Microsoft Teams, or Zoom through Microsoft Teams as aligned for their course, teachers may also use other familiar tools for additional communication that points students and parents back to the required curriculum platform. The Office of Academics and Transformation will provide support and guidance for courses not available through K12 or Teams whenever practical. Content submitted by teachers (including text, photos, images, sound, video and other materials) to the K12 Systems is “Customer User Content” and not owned by K12 Systems. M-DCPS will not unilaterally provide, transmit, or upload any content (including text, photos, images, sound, video and other materials) that has been wholly created by a teacher employed by the school district to vendor K12 Systems and will also not authorize K12 Systems use of such content without the creator's permission.

In both the traditional Schoolhouse model and the My School Online (MSO) model, school start and stop times for students, by school configuration, will be consistent throughout M-DCPS. Work hours for teachers will align with contractual requirements; however, principals will have flexibility regarding arrival and departure times to allow for supervision. Employees shall be provided a schedule of their work hours, in writing, prior to the start of Stage II. Should changes to the provided schedule be necessary, the employee will be given the change, in writing, ten workdays in advance. Additionally, while all secondary schools will continue with their faculty selected number of periods (six or eight), all secondary schools will utilize a full block schedule (3 x 3 or 4 x 4) and a common bell schedule by school configuration.

Daily Instruction. Teachers will instruct for the entire class block/period each day utilizing the curriculum. For classes of an hour or less, at least fifty percent of each class block/period shall be utilized for live, synchronous instruction (whole group or small group) with cameras turned on. For classes more than an hour in length, at least one-third of each class shall be utilized for live, synchronous instruction (whole group or small group). Until such time as a virtual background option, currently in development by Newrow, is activated in K12, specific matters of teacher privacy concerns that may interfere with the live teaching portion of the K12 experience will be discussed with individual school principals for live suitable remote teaching alternatives, while still utilizing the approved K12 content. Teachers will connect for live, full-group instruction with students at the beginning of each class block/period for attendance and lesson delivery. Where class periods are ninety minutes or longer, teachers are encouraged to re-connect for live, lesson closure at the end of each class period. The remainder of the class block/period should follow the instructional frameworks developed by each content area from the Office of Academics and Transformation (if provided) and will include small group and individual instruction and/or monitoring of synchronous or asynchronous work. Teachers retain autonomy to modify the instructional framework based on the needs of their students.

Teachers will provide access to school-site administrators into all K12 ClassConnect or O365 Teams/Zoom instruction. By choosing a platform with content, teachers have a set of resources that can be customized and prepped for online delivery. Should teachers or students be absent, students can work independently while benefitting from automated instruction, feedback and opportunities for independent practice. As direct instruction from teachers is always preferred, teachers are encouraged to pre-record lessons and make them available for student review and skill enhancement; ideally two anchor lessons may be recorded weekly and

available for students to view. These lessons may be pre-recorded and no recorded lessons shall include students. No recording is allowed unless initiated by the teacher. Content submitted by teachers (including text, photos, images, sound, video and other materials) to the K12 Systems is “Customer User Content” and not owned by K12 Systems. M-DCPS will not unilaterally provide, transmit, or upload any content (including text, photos, images, sound, video and other materials) that has been wholly created by a teacher employed by the school district to vendor K12 Systems and will also not authorize K12 Systems use of such content without the creator's permission.

Teaching Assignments

To the extent possible, teaching assignments will be matched with student enrollment and preference for distance or in-school learning. Teachers with approved ADA accommodations will be provided distance teaching assignments where certification and student enrollment are appropriate. Additionally, teachers who have indicated other impediments will be assigned distance learning teaching assignments to the extent possible. Teachers may be required to provide distance instruction to students from another school location for this purpose. Teachers will not be required to teach both modalities (online and face-to-face) simultaneously. However, both parties recognize that schools may encounter difficulties when scheduling singleton classes and these classes may necessitate dual modalities. As such, school administrators and the teacher of record for the course will work collaboratively to determine the appropriate delivery model(s) of the course(s). If an agreement cannot be reached, the teacher may decide to teach the entire class virtually or via dual modalities.

Physically Reporting to the School-Site

In Stage I, teachers have the flexibility to teach from home and will be allowed to utilize their classrooms for instruction. As conditions permit for a transition into Stage II, teachers will report to the schoolhouse to provide the greatest flexibility regarding parent and student choice for greater academic success as well as for flexible scheduling, departmental pairing, and dual mode schedules. Exceptions will be made for teachers with ADA accommodations. Teachers who are experiencing other impediments, not considered or covered as an accommodation by ADA, and who have a full-schedule of distance learning, may be provided the opportunity to work remotely temporarily if student enrollment, parental choice, and school-site factors permit.

Parent Communication

To assist with parent communication and limit the necessity for teachers to utilize their personal phones, instructional personnel will be provided a Ring Central account through which they can contact parents. Instructional personnel will access Ring Central through an app on their phone and/or through their computer. Instructional personnel will share the school's dedicated Ring Central phone number, along with their own extension to parents. Instructional personnel are encouraged to use a web-conferencing format for parent communication. Other contractual provisions for parent communication apply.

Instructional Delivery – Classroom Teachers

Lesson Planning and Preparation. Teachers will provide, maintain, and upload to their online class page five days of emergency lessons. Teachers may pre-record lessons for students to follow when teachers are absent. No recorded lessons shall include students. Content submitted by teachers (including text, photos, images, sound, video and other materials) to the K12 Systems is “Customer User Content” and not owned by K12 Systems. M-DCPS will not unilaterally provide, transmit, or upload any content (including text, photos, images, sound, video and other materials) that has been wholly created by a teacher employed

by the school district to vendor K12 Systems and will also not authorize K12 Systems use of such content without the creator's permission. All other contractual provisions will be followed. Teachers will participate in meetings to develop the Distance Learning Implementation Plan for students with disabilities who have an IEP, but the LEA will be responsible for completion of any required documents.

Assignments and Grading. All grading will follow the current Student Progression Plan. However, as an additional assurance to support and review student learning throughout the distance learning environment, a teacher will input a minimum of one grade a week per student, per subject.

Proctoring of I-Ready and Other Assessments. Teachers will continue to proctor I-Ready and other assessments aligned to the testing calendar. Proctoring guidelines will be jointly reviewed and updated at the Standardized Testing/Assessment of Educational Progress Committee to address liability concerns under virtual testing conditions. The committee shall be scheduled as soon as possible.

Student Attendance. Teachers will continue to record student attendance in the electronic gradebook. However, similar to secondary teachers, elementary teachers will also record student attendance each time they receive a new set of students. Teachers will contact school administrators to communicate any student issues relative to inability to login to the K12 platform that may affect their attendance.

Instructional Support - Exceptional Student Education (ESE) Support Personnel

Classroom Support. Based on the complexity of offering two modalities (face-to-face or remote) during the 2020-2021 academic school year, curriculum support specialists may be temporarily assigned to a school-site to provide classroom instruction when needed. All other contractual provisions will be followed.

Instructional Support – Counselors and CAP Advisors. Counselors and CAP Advisors will follow contractual guidelines and fulfill job responsibilities. Both counselors and certified CAP Advisors may be temporarily assigned to provide classroom instruction when needed or may be used to provide classroom/student supervision.

Mental Health Coordinators. Mental Health Coordinators will support the social-emotional and mental health needs of students while also working closely with their families. They will assist with the integration of preventative programs and provide mental health services and crisis interventions for those students needing additional support. They will assist parents who call the M-DCPS Mental Health Services Parent Assistance Line, collaborate with and support Threat Assessment Teams on potential threats or students of concern. Furthermore, they will conduct school-site presentations for staff and parents to enhance their knowledge of mental health awareness, how to recognize early warning signs of mental health challenges in children and adolescents, and ensure they refer them to the appropriate help. Additionally, they will continue to participate in on-going professional development to further support their role as a mental health coordinator.

Media Specialists

Media/Innovation Specialists will share with students, parents and teachers on how students can access eBooks, audiobooks and other online resources through Destiny Discover and Axis 360 and should utilize various activities, such as contests, challenges, quests, or games to help

promote reading and information literacy skills. As well, they will continue to collaborate with teachers to locate and integrate available on-line resources to support and enhance their standards-aligned lessons. To help foster a sense of community and continuity, Media/Innovation Specialists will organize and create a daily video recorded announcement program delivered on the K12 platform. Besides providing daily updates on school activities, the program will give administrators and teachers the opportunity to share and promote what their students are doing. Media/Innovation Specialists will also serve as a school site instructional technology champion, providing support for instructional technologies including but not limited to the K12 platform, K12 core curriculum resources, Big Universe, Microsoft Teams, and Microsoft Class Notebook. Media/innovation Specialists will lead professional development and webinar sessions to keep the entire school community current on emerging instructional technologies and practices to assist in both distance and blended learning. They will also be available to communicate directly with teachers, students, and their families to provide personalized support for those tools. As other support personnel, Media/Innovation Specialists may be temporarily assigned to provide classroom instruction when needed or may be used to provide classroom/student supervision.

Instructional Support - Academic Coaches

Based on the complexity of offering two modalities (face-to-face or remote) during the 2020-2021 academic school year, coaches may be temporarily assigned to provide classroom instruction when needed or may be used to provide classroom/student supervision. All other contractual provisions and job responsibilities apply.

Instructional Support - Curriculum Support Specialists (non-ESE) and Other Instructional Support Employees

Curriculum Support Specialists. Curriculum Support Specialists shall prepare and share curriculum resources, create and facilitate virtual professional development to support teachers on distance learning lessons, support families, and assist with assigned duties on the Distance Learning Help Desk. Other academic tasks, including teaching, may be assigned by supervisors as needed. Additionally, based on the complexity of offering two modalities (face-to-face or remote) during the 2020-2021 academic school year, curriculum support specialists may be temporarily assigned to a school-site to provide direct instruction when needed or may be used to provide classroom/student supervision; others may be offered the option to work flexible hours in order to provide virtual after-school/evening support.

Other Instructional Support Employees. Instructional Support Employees not specifically identified shall collaborate with their site administrators to determine how they can best support students and teachers. Some instructional support employees may be temporarily assigned to provide classroom instruction when needed or may be used to provide classroom/student supervision.

Paraprofessionals, Associate Educators, and School Support Personnel

Paraprofessionals. Paraprofessionals, as requested by the classroom teacher or administrator, will assist in calling the parents/guardians of students who are not actively engaged in distance learning and may be utilized to provide classroom/student supervision. IEP Support Paraprofessionals will also support parents/guardians in helping students access the educational resources. All full-time and part-time paraprofessionals will support a practicable routine to clean and disinfect high touch surfaces in classrooms, including manipulatives and equipment. Full-time and part-time Pre-K paraprofessionals (i.e., VPK, Head Start, Pre-K ESE) will be provided sanitizing materials, including gloves, and be required

to clean and disinfect high touch centers and outside areas (e.g. outside area toys) regularly. These routines will maximize healthy learning environments for all stakeholders. All other contractual provisions and job responsibilities apply.

Head Start/Early Head Start. Associate Educators who work in the Head Start/Early Head Start program will follow the parameters established for classroom teachers, as appropriate. Assistants who work in the Head Start/Early Head Start program will follow the parameters established for Paraprofessionals, as appropriate. Head Start/Early Head Start staff will continue to access and input data on online platforms required by Miami-Dade County as the Grantee. All other contractual provisions and job responsibilities apply.

Title I Schoolwide Program. At the request of school-site administrators, counselors or teachers, Title I CISs and CLSs will contact parents/guardians when students are not actively engaged in distance learning or do not complete assignments. CISs/CLSs will support parents/guardians in assisting students to access learning resources and may be utilized to provide classroom/student supervision during student lunch periods.

All office employees, associate educators, and school support personnel may be used to provide classroom/student supervision during student lunch periods. Hourly school support personnel may also be used to assist with answering phones, assisting parents, greeting guests, ensuring social distancing, and wiping down commonly used areas (e.g. doorknobs/handles, countertops, chairs, and phones). All cleaning supplies, including gloves, shall be provided by the district.

School-site Communication

Faculty meetings may be held through Microsoft Teams or Zoom. All other contractual provisions apply.

Formal Observations

Both parties agree to jointly develop the 2020-2021 formal observation process (IPEGS) through the M-DCPS/UTD Joint Committee. The committee will be scheduled as soon as possible.

Continuous Labor Management Reviews Related to COVID-19 Employee Health and Safety

The parties agree to address concerns related to implementation of this LOU as they arise and to work collaboratively to solve issues resulting from the community conditions that may continue to evolve. As such, both parties agree to continuous labor management discussions regarding issues related to COVID-19. These discussions may include the provisions of this LOU, employee and student safety, adherence to worksite safety compliance requirements, Board policy, published procedures, changing community conditions, and information received from county public health officials, the Centers for Disease Control and Prevention, the World Health Organization, the Florida Department of Health, and/or the Florida Department of Education.

Existing Contractual Provisions

Both parties agree that any provision not expressly contained within this LOU will continue to be governed by the existing M-DCPS/UTD collective bargaining agreement. Nothing in the

Reopen SMART Return SAFE reopening guide or any other published M-DCPS policy constitutes a waiver of any specific provision of the UTD/M-DCPS contract.

Duration and Renewal

The provisions of this LOU expire the last workday of the 2020-2021 school year for ten month employees. Both parties agree to revisit the LOU for summer school and for the 2021-2022 school year if needed, based on Centers for Disease Control and Prevention updates. Similarly, both parties agree to revisit the LOU should the Florida Department of Education impose additional mandates.

