

Memorandum of Understanding
Between the Whittier City School District
and the Whittier Elementary Teachers Association

Safety Issues Related to the Coronavirus pandemic for
the 2021-22 school year

The Whittier City School District (District) and the Whittier Elementary Teachers Association (Association) recognizes the importance of maintaining safe facilities and operations for students, teachers, staff, and communities. While the availability of safe and effective vaccines against COVID-19 has changed the workplace safety situation in some ways, the parties recognize that coronavirus continues to create potential workplace hazards in school settings. The parties also recognize that COVID-related scientific understanding and public-health guidance continues to evolve.

To preserve the continuity of District operations and protect the health and safety of District employees, students, and the communities the District serves; the District and Association agree to the following:

- 1) Adherence to applicable standards: The District's operations will adhere to the coronavirus safety standards and/or guidance from the California Department of Public Health, California Department of Education, California Division of Occupational Safety and Health (Cal/OSHA), and Los Angeles County Department of Public Health (LACDPH) authorities. The District will clearly communicate and enforce the applicable standards and/or guidelines from the stated entities. The district will implement any updates or changes to safety guidelines as necessary and will notify the Association of such changes and updates to the Districts' [Injury and Illness Prevention Program and COVID-19 Infection Prevention & Control Plan](#).
- 2) Face coverings: The District shall require all persons on District property or at District events to follow the [LACDPH Reopening Protocols for K-12 Schools, Appendix T1](#), and the CDPH and Cal/OSHA guidance on face coverings which currently includes:
 - a) Face coverings must be worn inside all school buildings and offices.
 - b) Face Coverings are not required in outside areas at school sites and District Offices. Employees are encouraged to wear face coverings outside if they are unable to physically distance themselves.
 - c) Face coverings are required inside of, or in line to enter any indoor public space or District provided transportation.

This requirement does not apply to persons younger than two years old, or with a medical condition that prevents wearing a face covering. It may be adapted (for example by using face shields) to accommodate special needs. It shall not apply when persons are actually eating or drinking. Face masks are not required when an individual is the only person present in a room or contiguous workspace.

In alignment with the current Health order, employees exempt from wearing masks indoors must be tested at least twice per week unless the employee provides proof of full

vaccination status against COVID-19.

Assessing for exemption due to a medical condition, mental health condition, disability that prevents wearing a mask, or practitioner, or other licensed medical professional practicing under the license of a physician. Self-attestation and parental attestation for mask exemptions due to the aforementioned conditions do not constitute medical determinations.

3) Personal protective equipment (PPE): The District shall provide sufficient PPE to employees including:

- a) The District will provide PPE including: face masks, face shields, face shields with drapes, disposable gowns, gloves and sanitizer
- b) The District shall provide adequate sanitation facilities stocked with soap and disposable paper towels.
- c) Upon request, the District provides respirators (KN95 masks) along with instructions on how to ensure the mask fits appropriately, for voluntary use to all employees who are not fully vaccinated and who are working indoors or in vehicles with more than one person.
- d) Staff may use face shields or face shields with drapes, along with face masks for additional barriers between students.
- e) Sufficient PPE will be stocked at every worksite.

4) Screening: The District shall daily screen all persons who come onto District property or attend District events by, at minimum:

- a) providing parents with the list of COVID-19 symptoms and instructed to keep their child at home if the child is feeling ill or has symptoms of COVID-19, even if symptoms are very mild.
- b) providing an isolation room for students exhibiting one or more symptoms of COVID-19 while at school, and providing instructions for students and staff for proper procedures should such symptoms arise
- c) Require staff to complete a self-administered health screening prior to entering the facilities
- d) Temperature checks for employees, staff, students and community prior to entering the facilities
- e) Employees who have not been vaccinated must complete the daily on-line District Health Certification

5) Testing: The District will have a plan or protocol for incorporating COVID-19 testing into regular school operations which at minimum will describe the strategy to ensure access to testing for students and/or employees who are asymptomatic, symptomatic or have known or suspected exposure to an individual infected with COVID-19.

6. Physical Distancing Measures

Physical Distancing strategies are recommended as long as they do not interfere with full-time attendance for all students. Where possible, the District implements and encourages physical distancing at all times in all workplaces by:

- Signage is posted at each public entrance of all facilities to inform all employees and the

public that they should avoid entering the facility if they exhibit COVID-19 symptoms and maintain physical distance from one another as much as feasible.

- Tape or other markings on the floor may be placed in areas inside where lines may form and on walkways with signs directing occupants to use the markings to maintain appropriate distance or indicating paths of travel.
- In-person meetings (such as staff meetings, IEPs, SLCs, professional development, etc.) will be transitioned to virtual meetings when possible. Members can request to attend meetings virtually when available.
- Employees shall maintain at least three (3) feet between persons at the workplace as much as possible.
- Stagger arrival, departure, work, and break times when possible and as needed. ● When feasible, adjust work processes or procedures to allow greater distance between employees.
- Contact with visitors (such as parents dropping off and picking up students) shall be done via drive thru whenever possible.
- Reduce the number of persons in an area at one time, including visitors.
- Avoid sharing workspaces (desks, offices, cubicles), supplies, and equipment (phones, computers, classroom equipment) whenever possible.

7. Quarantine and Return to Work Procedures (LACDPH T1 & CalOSHA)

The Los Angeles County Department of Public Health (LACDPH) guidance states a COVID-19 case is considered to be infectious from 48 hours before symptoms first appear, until at least 10 days after symptoms first appeared; and 3 days after recovery. Recovery is defined as the resolution of fever and reduction in respiratory symptoms. Asymptomatic persons with laboratory confirmed COVID-19 are considered infectious 48 hours before the date of their first positive test, until 10 days after that initial positive test. The LACDPH definition of “close contact” applies to any individual within the workplace with the following exposures to a person while the person was infectious: 1) Presence within 6 feet of the person for more than 15 minutes in a 24 hour period; 2) Unprotected contact with a person’s body fluids and/or secretions, for example, being coughed or sneezed on, sharing of a drink or food utensils

1. If an Employee tested positive for COVID-19 (Includes both vaccinated and unvaccinated employees):

Home Quarantine, Return to work when:

- Asymptomatic: At least 10 days have passed without COVID-19 symptoms since the date of the positive test.
- Symptomatic: At least 10 days have passed since symptoms first appeared and 3 days have passed since recovery, defined as resolution of fever without the use of fever-reducing medications and improvement in respiratory symptoms (e.g.,cough, shortness of breath).
- It is strongly recommended that such individuals be tested after exposure regardless of vaccination status. The District will provide testing opportunities for all employees.

2. If Employee is a Close contact with a confirmed positive COVID-19 report and Employee is

Symptomatic:

- Quarantine for 10 days from onset of symptoms, recommend COVID-19 test. At least 10 days have passed since symptoms first appeared and 3 days have passed since recovery.
- It is strongly recommended that such individuals be tested after exposure regardless of vaccination status. The District will provide testing opportunities for all employees.

3. If Employee is a Close contact with a confirmed positive COVID-19 report and Employee is Asymptomatic:

- Fully Vaccinated Employees

- Fully Vaccinated employees who are a close contact to a confirmed case are not required to quarantine. However, they should monitor for symptoms of COVID-19 for 14 days following an exposure. It is strongly recommended that such individuals be tested after exposure regardless of vaccination status.

- Unvaccinated Employees

- Employees must quarantine per requirements of LACDPH. Quarantine can end after 10 days from contact. It is strongly recommended that such individuals be tested after exposure regardless of vaccination status. The District will provide testing opportunities for all employees.

4. Symptomatic employee that is not close contacts to a case:

If the employee has a negative SARS-CoV-2 viral test result and/or their healthcare provider determines they do not have COVID-19, the employee may return to work after they have been fever-free (without the help of fever-reducing medicines) for at least 24 hours

5. Persons who have recovered from laboratory-confirmed COVID-19 within the last 90 days AND who are a close contact to a confirmed case are not required to quarantine or test for COVID-19.

8. School Closure Plan and Classroom Quarantine

Steps for Managing Exposures to COVID-19 Cases at School are in alignment with the LACDPH (Appendix A). All positive cases and close contacts are immediately reported to the LACDPH by the District. In the event of an outbreak, the LACDPH will determine and advise if closure is required.

- Required: If a cluster of 3 or more cases occurred within 14 days of each other, District immediately notifies DPH.
- Required: DPH determines if the outbreak criteria have been met. If outbreak criteria are met, a DPH outbreak investigation is activated, and a public health investigator will contact the school to coordinate the outbreak investigation.
- If a classroom is closed, members will not be required to use their sick days.
- The District will develop a system to notify members and staff when a student is quarantined or isolated and when the student can return to campus.
- In the event a classroom is closed down fully due to quarantine, the unit member will provide synchronous and asynchronous instruction. If the unit member is experiencing Covid-19 symptoms, the members can choose to use the Covid-19 Leave and a substitute will be provided for the class:

- Grades TK-K: At minimum 90 minutes of synchronous instruction to students virtually and asynchronous instruction up to the total requirement of 200 minutes.
 - Grades 1-3: At minimum 90 minutes of synchronous instruction to students virtually and asynchronous instruction up to the total requirement of 280 minutes.
 - Grades 4-5: At minimum 90 minutes of synchronous instruction to students virtually and asynchronous up to the total requirement of 300 minutes.
 - Grades 6-8: At minimum 20 minutes of synchronous instruction per period and asynchronous work up to the total class minutes to be delivered during the regularly scheduled class period.
- The District and the Association recognize the importance of providing continuity of instruction for students who are placed on quarantine due to a positive case and/or those identified as a close contact to a positive case. Unit members who are providing services for quarantined students (including, but not limited to, posting assignments on google classroom, SeeSaw, providing feedback, grading, outreach or preparing take home assignments, etc.), will be provided one (1) hour per day at their per diem rate for such services. Eligibility for continuity of instruction during quarantine is subject to the LACDPH quarantine procedures. This will be retroactive to August 10, 2021.

9. Employees with chronic health conditions that would place them at high risk if infected may request a reasonable accommodation.

Reasonable Accommodations : After being informed by the Unit Member, the District agrees to initiate the Interactive Process for Unit Members whose physician designates them as "higher risk" as related to exposure to COVID-19. As part of the interactive process, the District may provide reasonable accommodation(s) for employees particularly vulnerable to COVID 19 due to a confirmed medical condition.

10. In order to minimize person-to-person contact, Back-to-School Night will be done virtually and Parent Conferences may be done virtually either through Zoom or Google Meets. Teachers will have the option to work remotely from home or school sites during back to school night.

11. School sites shall identify multiple access points to be used for student and parent entrance and exit before and after school. Each site will determine how to designate the system of flow of each.

12. Upon verification, the District will notify the Association of known, COVID-19 cases within the District. The District will provide updates to the Association regarding changes regarding COVID-19 protocols and mandates.

13. Teachers may utilize desk shields/barriers at their own desk should they choose to.

14. Supplemental Paid Sick Leave (SB95 Due to Expire September 30, 2021)

- The District and Association agree that the District will ensure employees have access to COVID-19 supplemental paid sick leave per SB95; Expansion of COVID-19 Supplemental Paid Sick Leave, for up to 10 days. To qualify for the paid leave, the member must be unable to

work in-person or remotely due to the following reasons related to COVID-19 (add link to application)

- The member is subject to quarantine or isolation related to COVID-19
- The member is attending an appointment to receive a vaccine for COVID-19 vaccine that prevents the worker from being able to work
- The member is experiencing symptoms related to a COVID-19 vaccine that prevents the worker from being able to work
- The member is experiencing symptoms of COVID-19 and seeking a medical diagnosis
- The member is caring for an individual who is subject to a quarantine or is symptomatic due to COVID-19
- The member is caring for an individual whose school or place of care is closed, or otherwise unavailable, for reasons related to COVID-19 on the premises.
- Documentation will align with SB95 requirements

The District and the Association agree to meet and confer as requested by either party to discuss all components of the current Collective Bargaining Agreement between the Association and District not addressed by the terms of this agreement shall remain in full effect. This agreement is a non-precedent setting.

This MOU shall expire in full without precedent on June 3, 2022 unless extended by mutual written agreement between the Association and the District.

Richard Tauer, Interim Superintendent Date



9/9/2021

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Alex Vogel, WETA Negotiations Chair Date

Appendix A

Appendix A: Steps for Managing Exposures to COVID-19 Cases at School

1 Case	<ol style="list-style-type: none">1) <i>Required:</i> School instructs the case to follow COVID-19 Home Isolation Instructions.2) <i>Required:</i> School informs the case that DPH will contact the case directly to collect additional information and issue Health Officer Order for Isolation.3) <i>Required:</i> School works with the case to identify school contacts.4) <i>Required:</i> School notifies* school contacts of exposure and instructs them to quarantine at home and test for COVID-19. NOTE: Asymptomatic persons who are fully vaccinated AND have an exposure are recommended to test but are not required to quarantine. Asymptomatic persons who have been diagnosed with COVID-19 within the last 90 days AND have an exposure are not required to quarantine or test for COVID-19.5) <i>Required:</i> School informs school contacts that DPH will contact them directly to collect additional information and issue Health Officer Order for Quarantine.6) <i>Required:</i> School submits a report to DPH within 1 business day with information on the confirmed case and persons who were exposed to the case at the site.7) <i>Recommended:</i> School sends general notification* to inform the school community of the school exposure and precautions taken to prevent spread. *Templates for contact notification and general notification are available at: COVID-19 Template Notification Letters for Education Settings.
2 Cases	<ol style="list-style-type: none">1) <i>Required:</i> Follow required steps for 1 confirmed case.2) <i>Recommended:</i> If the 2 cases occurred within 14 days of each other, school works with DPH to determine whether the cases have epidemiological (epi) links. If epi links exist, school implements additional infection control measures.
3+ Cases	<ol style="list-style-type: none">1) <i>Required:</i> If a cluster of 3 or more cases occurred within 14 days of each other, school immediately notifies DPH.2) <i>Required:</i> DPH determines if the outbreak criteria have been met. If outbreak criteria are met, a DPH outbreak investigation is activated, and a public health investigator will contact the school to coordinate the outbreak investigation.



Whittier City School District Contact Tracing Protocol and Return to Work Criteria

The Los Angeles County Department of Public Health (LACDPH) guidance states a COVID-19 case is considered to be infectious from 48 hours before symptoms first appear, until at least 10 days after symptoms first appeared; and 3 days after recovery. Recovery is defined as the resolution of fever and reduction in respiratory symptoms. Asymptomatic persons with laboratory confirmed COVID-19 are considered infectious 48 hours before the date of their first positive test, until 10 days after that initial positive test. The LACDPH definition of "close contact" applies to any individual within the workplace with the following exposures to a person while the person was infectious: 1) Presence within 6 feet of the person for more than 15 minutes in a 24 hour period; 2) Unprotected contact with a person's body fluids and/or secretions, for example, being coughed or sneezed on, sharing of a drink or food utensils

To ensure proper reporting, contact tracing, containment and support to employees, the following outlines the responsibilities of the District and employee:

Employee Responsibility	Supervisor Responsibility	District Responsibility
Employee(s) are asked to notify their supervisor and Human Resources if they: <ul style="list-style-type: none"> • Test positive for COVID-19 • Had "close contact" with an individual who tested positive for COVID-19 • Display COVID-19 symptoms 	When an employee shows COVID-19 like symptoms or self-reports a <u>positive test</u> the supervisor shall: <ul style="list-style-type: none"> • Notify HR immediately • Isolate or send employee home • Assist in <u>informal</u> contact tracing measures with employee • Maintain employee confidentiality 	When a Positive Case is confirmed, the COVID Task Team will adhere to the following: <ul style="list-style-type: none"> • Determine potential exposure timeline • Conduct contact tracing • Notification of close contact to employees • Notification of non-close contact • Data analysis

Employee Guidelines to Return to Work*

Diagnosis	Guidelines to Return to work after COVID-19 Quarantine
Employee Tested Positive for COVID-19 (includes both vaccinated and unvaccinated employees)	Home Quarantine, Return to work when: <ul style="list-style-type: none"> • Asymptomatic: At least 10 days have passed without COVID-19 symptoms since the date of the positive test • Symptomatic: At least 10 days have passed since symptoms first appeared and 3 days have passed since recovery, defined as resolution of fever without the use of fever-reducing medications and improvement in respiratory symptoms (e.g., cough, shortness of breath).
Employee is a Close contact with a confirmed positive COVID-19 report *It is strongly recommended that such individuals be tested after exposure regardless of vaccination status.	Symptomatic Quarantine for 10 days from onset of symptoms, recommend COVID-19 test. At least 10 days have passed since symptoms first appeared and 3 days have passed since recovery. Persons who have recovered from laboratory-confirmed COVID19 within the last 90 days AND who are a close contact to a confirmed case are not required to quarantine or test for COVID-19. Asymptomatic <u>Fully Vaccinated Employees</u> <ul style="list-style-type: none"> • Asymptomatic: Fully Vaccinated employees who are a close contact to a confirmed case are recommended to test for COVID-19 as a result of their exposure but are not required to quarantine. However, they should monitor for symptoms of COVID-19 for 14 days following an exposure. It is strongly recommended that such individuals be tested after exposure regardless of vaccination status. <u>Unvaccinated employees</u> <ul style="list-style-type: none"> • Asymptomatic: <ul style="list-style-type: none"> ○ Quarantine can end after 10 days from contact without taking a COVID-19 test
Symptomatic employee that is not close contacts to a case	If the employee has a negative SARS-CoV-2 viral test result and/or their healthcare provider determines they do not have COVID-19, the employee may return to work after they have been fever-free (without the help of fever-reducing medicines) for at least 24 hours

Rev. 8/13/21 *Source LACDPH