

Memorandum of Understanding Between the Berkeley Unified School District and the Berkeley Council of Classified Employees

Subject: Impacts of COVID-19 Pandemic, Part 4

1. The District will make every effort to limit the use of our classified staff during the pandemic to those considered essential. It is the District's goal to provide safe working environments for our staff.
2. Given the need to provide classified academic support to students and meet IEP goals and service requirements during the implementation of the Distance Learning Plan:
 - a. The following positions will be asked to report to work remotely starting on May 4, 2020:
 - Instructional Assistant – ECE
 - Instructional Assistant I – Special Ed.
 - Instructional Assistant II – Special Ed.
 - Instructional Assistant Visually Impaired – Braille Transcriber
 - Instructional Assistant
 - Instructional Specialist
 - Instructional Technician- Before and After School
 - Instructional Technician- Cooking
 - Instructional Technician- Garden
 - Afterschool Program Specialist
 - Behavioral Intervention Specialist

Support for Instructional Support Staff to be provided by the District:

Chromebook

- BUSD will provide to employees as needed/requested at the ed hub
 - send an email to chromebook@berkeley.net or call 510-644-8931 with their name and your contact information to request

Internet Access

- BUSD will support the employees in the procurement of hotspots/internet service

Google Voice/Cell Phone

- BUSD will provide a monthly stipend of \$10.

Training

- BUSD will provide webinars and individualized support starting May 1, 2020.
 - Staff can participate in the following training sessions:
 - Google Classroom for Beginners (self-directed or interactive)
 - Google Classroom Intermediate (self-directed or interactive)

- Google Meet for BUSD Staff (self-directed or interactive)
- Zoom for BUSD Staff (self-directed or interactive)
- Any ongoing training to support meeting with students remotely (with reasonable notice)
- Social-Emotional Learning webinars (at scheduled times)
 - May 8, 15, and 29, 10:00 a.m-12:00 noon

Staff Responsibilities During Distance Learning:

Time expectation -

Assistants will not be asked to be actively working more than their pre-COVID duty hours in any given day or exceed the number of hours in a week described in previous agreements.

Instructional Staff will perform tasks within their job description, including:

Online Time

- Staff will participate in distance learning in alignment with the district's "Distance Learning Plan" model.
- As a general guideline, Staff supporting students at the elementary level will provide three (3) hours of daily interaction with students; three (3) hours daily at the middle and HS level. (Certificated Supervision will be provided for these interactions in a variety of ways, including an as-needed review of recorded online interactions between students and staff; or check-ins between the IA and a certificated staff member.) The number of hours of daily interaction will be prorated if FTE is less than 0.8.
- During online hours, Staff will support students' completion of the weekly distance learning activity sets and any other tasks created and assigned by the case manager, special education teacher, general education teacher(s), and/or related service providers.
- Staff will monitor and support students' participation in office hours.
- Staff will support teachers for larger group online sessions with the management of student behavior and online tools.

Preparation & Resource Development

- Outside of online hours but no more than three hours daily, Staff will review the weekly distance learning activity sets and other resources (e.g., supplemental recommendations, recorded lessons) shared in teachers' Google Classrooms.

- Support in the development of materials (e.g., visual schedules, token boards, first/then boards, task analysis, etc.) to implement strategies listed in individual students' behavior intervention plans during office hours with teachers or specialists.
- Participate in instructional professional development provided by the district or an outside agency.
- All work activities should be scheduled during the same hours the employee worked prior to the COVID shelter-in-place.

Connection with Students

- Check in/check out with students: work on support of the student's overall well-being and sense of connection- use provided script (text, email, phone, Google Hangout, Zoom, Google Meet, etc). Speak with family/guardians at the PK-8 level. District to provide a script. Share any feedback given privately or any observations to the case manager, teacher etc.
- District policies and guidelines regarding the appropriate interaction with all stakeholders remain in effect and should be observed virtually as they would be in a physical setting. These include expectations for student conduct, as well as staff behavior; and Mandated Reporting requirements.

After/Before School and Instructional Technicians

- **Hours of Operation:** The extended learning programs provide academic support and enrichment/recreation activities via Google Meet between the hours of 2:00-4:00 p.m. during the school week. Class leaders set regular meeting teams based on staff and student availability with most classes meeting 2-3 days a week for 30-45 minutes a session.
- **Scope of Work:** Extended Learning staff members meeting regularly with students remotely.
 - a. Meetings include social-emotional check-ins, read alouds, activities for students to connect, physical activities to get students moving, and academic support.
 - b. Emphasis on supporting students' social-emotional needs given the current situation.
 - c. Communication with families in need of support with the goal of connecting them with resources (food, supplies, etc.).
 - d. Other support
 - Collaboration with school-day teachers during classroom meetings.
 - Provide 1:1 math or reading tutoring to students identified by RTI teams, literacy coaches, and/or math coaches.
- LEARNS Program Specialists

- Conduct weekly staff meetings
- Participate in weekly LEARNS meetings
- Provide ongoing communication and support for LEARNS students and families
- Support ITs with student meetings
- LEARNS Instructional Technicians
 - Meet with students at least 3 days per week for 30-45 minutes
 - Participate in weekly staff meetings (no longer than 1.5 hours)
 - Provide ongoing communication and support for LEARNS students and families
 - IAs/BIS who are also ITs would reduce their IA/BIS online time by the time required as an IT online
- LEARNS Instructional Specialists (Middle School Athletic Directors)
 - Participate in weekly staff meetings
 - Provide ongoing communication and support for LEARNS students and families
 - Coordinate with the District Learning Team to provide support for the distance learning physical education curriculum

Best Practices:

It is suggested that the parent/caregiver should be in the home for the duration of any remote interaction between a student and a staff member.

Some students will need a parent/caregiver in close proximity to assist with facilitating instruction.

Case managers/teachers would schedule and attend office hours with the student and assistant and send the calendar invite for video chat to both the assistant and student.

Evaluation:

No BCCE employee will be evaluated based on their actions or the actions of others during the Distance Learning starting March 16-June 30, 2020.

Regarding Absences and Inability to Work:


1. For the staff groups being asked to come back to work starting on the pre-determined start date:
 - a. Staff who exhibit symptoms of COVID-19, or are caretakers of a sick person will not be required to report back to work. Staff who are 60 years old or older, or have immune-compromised health conditions may opt to not take the assignment. Staff who are providing caregiving for children whose school/daycare is closed may opt to not take the assignment.

- b. Staff who are not able to work due to illness, caregiving, childcare, or decide not to take the assignment may use accrued sick leave, the FFCRA leave, extended illness leave, or unpaid leave. Leave without pay requests will not be denied. If an employee chooses to take leave without pay they will need to see if they qualify for FMLA or will need to pay for their medical separately to continue to receive their medical benefits.
- Accrued Sick Leave - does not require a doctor's note
 - FFCRA Leave - available starting April 1, 2020 - [see attached flyer](#) for details: provides up to 80 hours(or two weeks) of additional paid sick leave that is prorated based on FTE, and/or an additional up to 12 weeks of FMLA at $\frac{2}{3}$ pay (must have been an employee for the past thirty days) Accrued sick leave can be used to get to full pay.
 - Extended Illness Leave - up to 100 days paid at 50%.
- c. Staff who were on an approved leave prior to the shelter in place who are given a start date will on that date have their leave started and new end dates/docks (exception of leaves based on medical notes which determine end dates) based on the changes calculated and emailed to them. March 16-April 10 (no docks) will not be counted against their leave balances.
2. BCCE staff in a group who are not asked to work will remain in paid status and will not be required to use any accrued leave.
3. Based on the Part 1 MOU: All BCCE employees who are asked to work during the shelter in place will receive a 5% differential paid on a timesheet.

If the need for this MOU as it is related to COVID-19 extends beyond June 30, 2020, BCCE and BUSD will renegotiate this agreement based on the continuity of state funding for the closure.

This is a one-time, non-precedent setting agreement.

For BCCE:




Linnette Robinson, President

4/27/2020

Date

For BUSD:



Samantha Tobias-Espinosa, Assistant
Superintendent

April 27, 2020

Date