

Memorandum of Agreement Between the Manchester Essex Teachers Association and the
Manchester Essex Regional School District School Committee

As a result of negotiations in the matter of the impact of COVID on the structure and the opening of the Fall 2020-2021 school year the parties to the Collective Bargaining Agreement between META and MERSDSC, the following are modifications to terms and conditions of the 2019-2022 Collective Bargaining Agreement. All other provisions of the 2019 -2022 Collective Bargaining Agreement will continue in full force and effect. While not covered by all of the META - MERSD Collective Bargaining Agreement Teaching Assistants are covered by the specific contents of this Memorandum of Agreement unless otherwise stated.

META and MERSDSC agree that the 2020-2021 school year will begin under a remote K-12 learning model (Reentry Plan), prioritizing and making available opportunities for high and special needs students and others as recommended and approved by the Superintendent. The School Committee will review data and assess the possibility of the hybrid and return-to-school models at the first School Committee meeting of each subsequent month. Given the fluid nature of the situation and the understanding that it is the intent of the school committee to implement a phased-in approach to bringing hybrid model online (Reentry Plan), META and MERSDSC agree to continue regular meetings to monitor, negotiate, and implement language changes necessary to manage the evolving model.

K-5 Hybrid & In-Person Programs

As of October 19, 2020 the elementary school will begin to transition to the hybrid model in accordance with the MERSD Reentry Plan.

- K-2 October 20, 2020
- 3-5 October 27, 2020

To facilitate the implementation of the elementary hybrid model, every other Monday will be scheduled has a half day for the purpose of teacher planning. Dates are as follows: October 19, November 2, November 16, November 30, December 14, 2020 & January 4, 2021.

Special Educators have the option to participate in planning or deliver scheduled services on the Monday afternoons listed above.

- If Special Educators are engaged in planning, student services are to be reschedule Tuesday through Friday before or after school and members will be compensated at \$40 per hour
- Special Educators will inform their principals and director or whether they will engage in planning or the delivery of services on the dates listed above.

Unit members will have autonomy over delivery of instruction, balancing screen and off-screen time as appropriate for the developmental level of students and activity.

At a minimum, all in-person programs will comply with DESE and MERSD safety guidelines and policies (for example: 6ft distancing, masks, proper PPE).

Unit members and TAs will report to buildings for in-person programs Tuesday-Friday.

Unit members and TAs may work either remotely or from district facilities on Mondays

Memorandum of Agreement Between the Manchester Essex Teachers Association and the
Manchester Essex Regional School District School Committee

Unit members and TAs will receive additional PPE immediately upon request

Programs will be staffed to allow unit members and TAs frequent breaks to attend to student needs such as toileting, change PPE if necessary, etc.

Programs will be staffed sufficiently to allow unit members and TAs preparation time, breaks to change PPE, have mask breaks, and use toilet facilities. In addition, said staff will have 30 minute duty-free lunch away from students and preparation time of regular contractual length away from students.

- Student lunches will take place outside of the classroom (ex. cafeteria, gymnasium, large group space, etc.).

Unit members will consult with building and program administrators to determine which students qualify for in-person instruction.

The District will provide outdoor spaces for outdoor learning, recess, mask, snack, and lunch breaks outdoors - weather permitting.

META and MERSDC agree to implement in-person learning for the highest need special education students, and establish a faculty implementation working group that meets regularly with the Director of Student Services to develop protocols and problem solve.

META and MERSDC agree to implement outdoor in-person community building/meet the teacher opportunities to begin the school year.

Unit members who serve the District in a capacity outside of their 2019 – 2020 school year assignment will return to their 2019 – 2020 assignment effective the 2021 -2022 school year.

Unit members who teach grades 6-12 will transition to four days a week in the building as of the week beginning 11/30/20 (if District meets safe opening criteria). Faculty members who seek to extend or apply for new child care or health accommodations should submit their requests to Central Office.

No later than December 3, the META and the District will begin IBB discussions regarding the implementation of hybrid at grades 6-12.

Collaboratively META and the District will monitor the implementation of the K-5 hybrid to inform discussion and engage in any IBB discussions necessary.

Beginning October 20, 2020, unit members will be expected to complete a daily COVID health attestation form.

Faculty will be expected to return to work beginning August 31, 2020.

Beginning of the Year Community Building – Remote Model

- Professional Development August 31-September 15
 - Unit members will complete all virtual professional development either remotely or from District facilities.

Memorandum of Agreement Between the Manchester Essex Teachers Association and the
Manchester Essex Regional School District School Committee

- Staff will meet in-person one-on-one with parents and students (K-5) or in small student groups (6-12) on September 11, 14, and/or 15. The meetings will be outside, safety guidelines and policies in place (6 feet, masks, etc.).
 - These meetings are optional for in-person special education staff.

Regular expectations for communication with parent(s) will apply.

Meetings and conferences are to be conducted virtually.

Remote Program

- Unit members will have autonomy over delivery of instruction, balancing screen and off-screen time as appropriate for the developmental level of students and activity.
- Unit members and TAs will report to buildings a minimum of three (3) days a week unless individuals have qualified for FFCRA-related leaves or District accommodations.
- Every effort will be made to provide unit members and TAs with individual rooms/workspaces.
- Unit members and TAs may work either remotely or from District facilities, maintaining the 7:45-2:45 (secondary) / 8:05-3:05 (elementary) schedule. Unit members will do their best to inform principals of their weekly schedule.
- Unit members and TAs will transition to four (4) days of working in the building if the District moves to hybrid instruction.
- The District may requisition any building space when transitioning or evolving to hybrid model which might affect onsite delivery of remote instruction. If this happens, unit members and TAs may be required to work from home.
- Unit members and TAs may opt to work from home during excessive heat.
- Unit members who work out of two (2) buildings will work remotely from one of the sites and will select which one will be their remote site.

Paid/Unpaid Leave

Sick Leave - Traditional: Current contractual agreements for use of sick time apply.

Sick Leave - COVID Related: A unit member/TA will be eligible for Families First Coronavirus Response Act (FFCRA) entitlements, if a unit member/TA ...

- is subject to a Federal, State, DESE or local quarantine or isolation order related to COVID-19;
- has been advised by a health care provider to self-quarantine related to COVID-19;
- is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
- is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);

Quarantine resulting from unapproved travel to restricted areas as defined by the State of Massachusetts would result in use of personal sick time. If possible, unit members or TAs will notify the District of such travel ahead of time if any resulting quarantine might be assigned to leave other than personal sick leave.

Approved travel would be considered bona fide care of family member, child going to / returning from school, etc.

FFCRA Child Care (#5): While MERSD is in the remote model, unit members/TAs who would qualify for a documented FFCRA-related leave absence will be given the following work schedule options as a means of addressing the concern if it is not a core responsibility/essential duty for them to be working with children in-person as identified in number one of this section.

- FFCRA paid leave of absence, paid using the proportions formula outlined in the law.
- An authorized work from home schedule that allows for an individual with health related concerns to work from home during remote learning.
- An authorized work schedule that allows for remote work on the days/partial days need for school age childcare (K-8 and/or significant developmental disabilities) if town of residency childcare options are unavailable to the member.
- Access to fee-based MERSD partner child care if it becomes available.

Unit members/TAs who anticipate that they will be unable to return to work, should contact HR as soon as possible to notify HR of the intent to pursue an FFCRA qualification. (Email: [Diane Coons](mailto:Diane_Coons@mersd.org) coonsd@mersd.org w/ copy to Superintendent and Director of Finance). HR will acknowledge receipt of the unit member's email or the TA's email within two (2) school days and send him/her the instructions for next steps. See Appendix for overviews of the contractual leaves and the Family Medical Leave Act entitlements.

Building Safety

Unit members and TAs will receive additional PPE and cleaning supplies upon request.

At a minimum, each space designated as a workspace where a unit member and/or TA will work will receive:

- Hand sanitizer
- Disinfectant and paper towels and/or disinfectant wipes
- Masks
- Goggles
- Gloves
- First aid kits and flow chart when to send to the health room
- Tissues

MERSD Facilities will comply with all DESE and MERSD safety guidelines.

META reserves the right to call for additional third party air quality and ventilation testing and to have an expert review the report received by the District.

See Appendix for HVAC overview and cleaning protocol.

Evaluation

The annual evaluation process and calendar will not begin until October 2nd or later.

- The annual evaluation schedule will realigned to a 170 day school year beginning on October 2nd.

Evaluation will continue under the current model wherein activities typically conducted in person will be moved to an online format.

- All rules of notice and timelines for feedback will be maintained.
- Administrators may join unit members' classes for formative observation.
- Formal evaluation will be outlined in a future MOA.

District-wide goals will be established to support the implementation of remote/hybrid learning.

- Unit members who are mid-cycle may choose to retain previously established goals or choose to establish new goals that are more applicable to the remote format.

Hybrid Teaching:

Evaluators will not downgrade members based on lack of expertise in using technology for remote teaching as long as the unit member is making appropriate efforts to gain the expertise necessary to provide effective instruction. It is expected that educators will demonstrate continuing improvement. The mechanics of evaluation may vary based on the District's method of delivery of instruction to students.

The unit member in collaboration with his/her supervisor will determine whether observations occur in person, with the evaluator in the room, or remotely, with the evaluator in the remote classroom. All monitoring or observation of the work performance of an educator will be conducted with the educator's knowledge.

The META and MERSD Negotiation Teams will revisit the evaluation schedule to ensure that dates are appropriately aligned to the calendar.

Unit members will resume the status they were at when the evaluation system was paused due to the COVID-19 shutdown in spring 2020.

The parties to this Memorandum of Agreement recognize that the circumstances related to the closure of the District's schools may remain in flux and that there may be need for additional conditions that they

Memorandum of Agreement Between the Manchester Essex Teachers Association and the
Manchester Essex Regional School District School Committee

need to reduce to writing by way of either subsequent memoranda or through modification of the terms of this Memorandum of Agreement.

Upon execution of this Memorandum of Agreement, the content of this Memorandum of Agreement is hereby incorporated into the existing collective bargaining agreement between the parties and is made a part thereof. This document will result in a stand-alone document for the TA's which will become attached to the School Committee's 10-month Employee policy until such time as a TA Collective Bargaining Agreement is ratified.

The parties may receive additional guidance from DESE or other areas that may guide the parties to this MOA to add to, delete or modify provisions of the MOA in order to address the educational needs brought about by the closure of school districts through the last day of this school year.

If parties are unable to agree to modifications of this document, this MOA will remain in place until such an agreement can be completed.

Ratified META 10.15.20

Approved MERSDSC 10.20.20

Appendix

HVAC Systems

MERSD has reviewed its Heating, Ventilation and Air Conditioning (HVAC) systems and identified methods to maximize introduction of outside fresh air, and improve air filtration, in accordance with DESE recommendations and guidance. HVAC systems in all three MERSD facilities have been upgraded in recent years to facilitate these adjustments, although due to the varying ages of each building, some differences do exist, as noted below.

HVAC systems will begin running two (2) hours before the start of each day in order to maximize fresh air introduction prior to staff and student arrival. Systems will continue to run for two (2) hours after the end of each day to ensure a complete refreshing of indoor air each day. HVAC system settings will also be adjusted to eliminate or minimize the use of recycled air to the extent possible.

Upgraded, recommended MERV-13 and MERV-14 air filters have been introduced in all classrooms to more effectively treat incoming fresh and returned air. Filters will be changed quarterly instead of our previous semi-annual process, to further improve air quality. MERSD is also contracting with a 3rd party to professionally clean out all components of the HVAC systems prior to the start of school, which will not only improve air quality, but also improve ventilation efficiency. Exhaust fans at all schools have been serviced over the summer, and in some cases replaced to ensure full functioning when school re-opens.

As outside air temperatures begin to drop, further changes to HVAC settings will be necessary to balance the need for outdoor, fresh air, with sustainable indoor temperatures that are conducive to a learning environment. This calibration will also be necessary to prevent significant damage to the HVAC systems from introduction of colder, fresh air. MERSD has engaged an HVAC design engineer to review all settings to promote optimal fresh air ventilation and occupant safety.

Manchester Memorial Elementary School

The new two-story classroom wing, which will be operational at the start of the school year, contains the latest in HVAC technology, including a building automation system (BAS) that facilitates control of HVAC settings and maximization of fresh air intake. The ventilation system in the new school uses displacement technology to introduce fresh air into the building at low velocities, which further helps to improve air quality. In the older D-wing and gymnasium, which have yet to move to the new system, HVAC dampers will be adjusted manually to bring in maximum outside air.

Essex Elementary School

MERSD introduced a new BAS system in FY19, through a Green Communities grant program in partnership with the Town of Essex. This BAS, like that in the other school buildings, facilitates control of HVAC settings and maximization of fresh air intake. The BAS is in place for

approximately half of all classrooms, although plans to extend the system – a significant capital project – have previously been identified to occur in the next several years, either through a similar grant program, or through Stabilization Reserves. In spaces not currently covered by the BAS, HVAC dampers can be adjusted manually to bring in maximum outside air.

Manchester Essex Regional Middle High School

Modern HVAC equipment was installed with the new school project in 2010. The entire building is covered by a modern BAS that facilitates control of HVAC settings and maximization of fresh air intake.

Daily Cleaning & Sanitizing

Staffing

- Consider adding custodians whose primary responsibility will be to disinfect the schools.
- All custodial staff will be properly trained on cleaning protocols, and be provided with the appropriate PPE according to the CDC and EPA.
<https://www.cdc.gov/coronavirus/2019-ncov/community/reopen-guidance.html>

Equipment

- All appropriate PPE items for staff/students set forth by CDC have been ordered and delivered.
- 200 hands free soap and sanitizer dispensers have been ordered, and will be installed throughout the district prior to the start of school.
- 5 electrostatic disinfectant sprayers have been ordered and expected to be delivered in mid-August. Training and trials runs will be conducted to determine time it takes to disinfect school building.

Locations

- Hands free soap dispensers will be installed in all bathrooms and classrooms sinks.
- Hands free sanitizer dispensers will be installed in all entries/exits, hallways, shared activity spaces, offices, recess areas, etc.
- All classrooms will be provided with hand sanitizer pump bottles with 75% alcohol, as well as disinfecting wipes and paper towels.

Chemicals

MERSD will use disinfectants and cleaners that are registered by the EPA. They include the following

- **Multi-Clean 128 E-Fecticide** Disinfectant Cleaner. EPA Registration No. 6836-365-5449.
- **Hillyard Arsenal 1 Re-Juv-Nal:** Disinfectant/detergent cleaner. EPA Registration No. 6836-365-5449
- **Bru Tabs 6S-**Disinfecting tablets for electrostatic sprayers. EPA Registration No 71847-6-106

Cleaning Areas

- High touch surfaces will be cleaned in accordance with DESE and MERSD safety guidelines. Bathrooms will be cleaned by the district maintenance/custodial team between uses until requisitioned lids are installed and then in accordance with DESE safety guidelines.
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- Per Facility and Operation Guidelines the following frequently touch surfaces will be cleaned and disinfected between 3-4 times per day.
 - Door handles
 - Light switches
 - Handrails
 - Drinking fountains
 - Restrooms
 - Elevator buttons
 - Shared material/electronics
 - Etc.
- Per Facility and Operation Guidelines the following items will be cleaned and disinfected on a nightly basis.
 - Classroom desks
 - Tables
 - Chairs
 - Offices
 - Shared spaces
 - Etc.
- In addition on all remote days each building will receive a complete and thorough deep cleaning and disinfecting.