

**Memorandum of Understanding
Between the ECBC/GBEA
and the Gresham-Barlow School District
Regarding Covid-19 In-Person Instruction Protocols and Safety**

The Gresham-Barlow School District (the “District”) and the Gresham-Barlow Education Association (the “Association”) recognize the safety of staff, students, and families is a primary concern. The parties agree the COVID-19 pandemic significantly alters the learning and working conditions for in-person learning. The District will provide programs and resources in accord with current guidelines set by the Governor, Oregon Department of Education (ODE), and local health authorities including ODE’s *Ready Schools, Safe Learners* (RSSL); *Advisory Health Metrics for In-Person Instruction*; *Public Health Protocols*; *Facilities and School Operations*; and *Response to Outbreak*.

Leave Due to COVID-19 Quarantine or Illness

The GBSD will follow local public health authority guidance and requirements regarding Covid-19 isolation and quarantine procedures.

If there is a case, the District will follow MESD and Multnomah County Health Department contact tracing and quarantine procedures.

If a member is diagnosed with a case of COVID-19, the District will provide special paid leave for the amount of isolation time recommended by the OHA, when ordered to isolate by the Local Public Health Department, **District administration, or is recommended to isolate by a medical professional.** After this special paid leave is exhausted, if the employee is still unable to return to work due to COVID-19, the employee may file for FMLA/OFLA Leave. **This leave will be retroactive to the beginning of the school year.**

If needed to be off work for more than the two (2) week period required by the Local Public Health Authority, then the District shall assist the employee with filing a Worker’s Compensation claim.

Masks and Other PPE Requirements

The District will comply with any state mask mandates.

The MOU uses the following definitions from OHA’s Oregon Administrative Rule 333-019-1025:

3(c) "Face covering" means a cloth, polypropylene, paper or other face covering that covers the nose and the mouth and that rests snugly above the nose, below the mouth, and on the sides of the face.

3(g) "Mask" means a medical grade mask.

Expectations for proper mask wearing.

Masks/Face Coverings are required for:

- Staff, students, and partners are required to wear masks/face coverings indoors and outdoors for recess, around people regardless of vaccination status.
- On all public transportation--including school buses.
- Choir classes.

Masks/face coverings are not required for:

- when actively eating, drinking, or playing an instrument that requires the mouth.
- indoor athletes that are actively playing, do not have to wear masks/face coverings . (Athletic events)
- for PE students that are swimming, or playing a sport that could cause strangulation (gymnastics or wrestling)

There is no exception to the mask mandate unless as allowed by the August 17, 2021 RSSL guidelines and ODE's Reasonable Accommodation of Face Covering Requirements guidelines or changes in state mask mandates.

The District shall provide masks for employees that meet standards equivalent to masks (KN95 or N95 or equivalent) as well as enough gloves, gowns, head coverings, and face shields for staff who are in programs and classrooms that place them at increased risk as determined by the District and the Association.

Educators who work with FLS, medically fragile, life skills, and emotional regulation challenged students will be provided protocols (treatment plans, medical instructions, emergency contingencies plans) and training to engage safely in providing the needs of their students.

Hand Washing and Hand Sanitizer

The District will continue to provide and supply ready access to soap, water, and alcohol based hand sanitizer with at least 60% alcohol.

Schools will prioritize handwashing with soap and water after students, educators and partner staff use the restroom and throughout the day as appropriate. Each classroom will continue to have disinfectant and hand sanitizer. Hand hygiene and respiratory etiquette will be reinforced. Regular hand washing is one of the best ways to remove germs, avoid getting sick, and prevent the spread of germs.

In-Person Staff Meeting Safety

Meetings may be offered in-person unless otherwise determined by the administrator, and six (6) feet of physical distance will be maintained to the extent possible. All participants in these meetings will be required to wear masks with the exception of staff who are drinking. If staff are going to eat, they are encouraged to distance themselves further from the group. If six (6) feet distancing and masking protocols cannot be met, meetings will be offered in a virtual format.

Reporting Safety Concerns

If there is a concern over safety conditions, it should be reported to the building principal and the building safety committee,

The District shall provide access (e.g. a link or a printed copy at the District's discretion) to its communicable disease management plan and all COVID-19 safety protocols to each educator who works in the building.

Each building must have a primary, designated contact--the principal. All staff are responsible for safety. Reporting concerns to the building safety committee is an important step. Most planning and concerns can be addressed at the building level.

Any concerns not able to be addressed at the building level will be reported to Facilities/K-12 Schools. The building safety committee will continue to meet at least monthly. At that meeting the status of any past safety concern reports will be reviewed and new ones documented. **All Covid safety concerns reported to the building committee will be reported and collected at the District safety committee meeting.**

This in no way limits the right of the educator and/or the Association to submit complaints to Oregon Occupational Safety and Health Department (OSHA) as they deem necessary.

Virus Testing

The District will follow the COVID 19 rapid testing and contact tracing requirements in RSSL and by the Multnomah County Health Department (MCHD). The District will provide opportunities for symptomatic staff and students to be COVID tested if symptoms develop while on site in accordance with “COVID-19 Testing in Oregon K-12 Schools.”

Should any person connected to a school cohort test positive for COVID-19, the District will follow RSSL and MCHD protocols.

The District will notify staff of the OHA Covid-19 screening tests available to unvaccinated Oregon K-12 educators.

Notification

If there is a positive COVID-19 case at a worksite, the District shall notify all persons who may have been exposed or affected, as determined by the MCHD and School Nursing Services of the Multnomah Education Service District and in accordance with the notification procedures established by OSHA and must include itinerant employees.

Space for Suspected COVID Cases

Each site shall have appropriately supervised and adequately equipped spaces for COVID exposures and separate space for first aid cases.

Workspaces

If a room cannot meet protocols as established by current RSSL guidance and this agreement, every effort will be made to maximize distancing to the extent the space allows.

Employees may change the arrangement of their workspace. If any workspace cannot accommodate sufficient physical distancing according to current RSSL guidelines, Members whose workspaces are not student learning spaces may request HEPA air purifiers through the building principal and GBEA representative.

The purchase and placement of HEPA filters in workspaces will be at the discretion of the District.

Transitions Between Distance Learning and In-Person Instruction

If an individual student is unable to attend school because of COVID, traditional expectations for student absences (providing materials and makeup work, etc.) will not change. Timelines and due dates should remain flexible to allow students to complete and turn in work. The mode that teachers choose to use to provide the work is up to the teacher.

Any transition periods between modes of instruction (e.g. distance learning) are for development of materials, assessments, any needed equipment, and other classroom or student support logistics.

If an entire class at the elementary level is unable to attend in-person for an entire quarantine period (as specified by MESD), staff will be granted a minimum of a two workday transition period.

If an entire school is closed for quarantine, educators will work from their assigned location, unless otherwise directed by their supervisor **or an exception is granted upon request**. A minimum of two (2) workdays will be provided to support the transition to online learning, for each school-wide closure. **During these two days, the district may use up to four hours for meetings and staff development related to the transition to online learning.** Make-up calendar days at the end of the school year may be utilized to make up instructional hours with approval from the School Board **with compensation for extending the contract year.**

No employee will be required to perform distance learning and in-person instruction simultaneously. Due to quarantine issues (such as a specific class quarantined at the secondary level), employees may be required to alternate between either in-person or distance learning modes during their daily schedule. In such cases, the teacher will problem solve any issues associated with this transition.

Lunch Duty and Employee Duty-Free Lunch Break

When employees are assigned meal supervision duties, the meal environment must fully comply with safety guidance (including masking except when directly eating or drinking). When feasible, three (3) feet of social distancing will be maintained for all present.

Meal supervision duties may not infringe on an employee's duty-free lunch time, and employees will be afforded their full Article 24 rights per the CBA. The District will

maintain a safe meal space for employees that allows for appropriate physical distancing if feasible.

Travel Time for Vaccinations

Employees needing to travel to receive any required or recommended COVID-19 vaccine doses may ~~work with their supervisor to allow for flex time to receive their vaccination.~~ **do so within the workday as long as it does not interfere with their instructional duties or required meetings.**

Vaccination Recovery Time

Employees who receive COVID-19 vaccine doses, including any required or recommended booster doses, and then experience side effects significant enough they cannot reasonably perform their work duties may use accrued sick leave.

Reopening Agreement Due to Guidance Changes

By mutual agreement this MOU may be reopened to address new or changing needs. New guidelines, exceptions, or amendments to RSSL/ODE guidance for onsite instruction, including but not limited to a change in mask-wearing, PPE, or physical distancing policies, and/or any changes that substantially change working or safety conditions, must be negotiated with the Association upon timely demand.

This agreement will expire on June 30, 2022

For the ECBC:

For the District:

ECBC President Date

Superintendent Date

GBEA President Date

Executive Director of HR Date

GBEA Bargaining Chair Date

OEA UniServ Consultant Date