

MEMORANDUM OF UNDERSTANDING  
BETWEEN TEMECULA VALLEY UNIFIED SCHOOL DISTRICT  
AND TEMECULA VALLEY EDUCATORS ASSOCIATION

Secondary Supplemental Reopening

April 29, 2021

The Temecula Valley Unified School District (“District”) and Temecula Valley Educators Association (“Association”) enter into this Memorandum of Understanding (“MOU”) regarding the expanded reopening of schools at the secondary level. The District and Association are hereinafter collectively referred to as “the Parties.”

Recitals:

A. On March 20, 2021, the Center for Disease Control (CDC) updated its guidance concerning the distance between students participating in classroom instruction. The new guidance states a minimum of 3 feet of physical distance between student chairs is strongly recommended, measured from the center of the back of the chair to the center of the back of the chair, when the chair is pushed into the desk or table. Distance teacher and other staff desks at least 6 feet away from student and other staff desks.

B. As a result of this guidance, the parties agree, starting May 10th, Cohorts A and B will blend and students will have the opportunity to attend classes 4 days a week. All Cohort A and Cohort B students will be combined into one cohort. TVUSD will only feature 2 student learning models: In Person & Online

C. Additionally, the District and TVEA have agreed upon certain impacts and effects related to this decision.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Attached as Exhibit A are the agreed upon the following impacts and effects related to the District’s decision to expand in person instruction.
2. Unless modified by this MOU, any non-conflicting provisions of the existing collective bargaining agreement, and the July 27, 2020, and March 9, 2021, Reopening MOU’s remain in effect.
3. This MOU is a non-precedent setting and may not be cited to support any particular interpretation of the collective bargaining agreement.

4. This MOU will expire June 30, 2021, unless extended in writing by the Parties.

For the District:




Francisco Arce  
Assistant Superintendent  
Human Resources Development

4/29/2021

Date

For the Association:



Brian Balaris  
Bargaining Chair  
Temecula Valley Educators Association

4/29/2021

**Date**

**Exhibit A.**

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| <p>Model for Blending of Cohort A/B</p> | <ul style="list-style-type: none"><li>● Starting the week of May 10, 2021, Cohorts A and B will blend and students will have the opportunity to attend in person classes Tuesday through Friday. All Cohort A and Cohort B students will be combined into one cohort. TVUSD will only feature 2 student learning models: In Person &amp; Online.</li><li>● Any students who are online and who wish to return to in-person may request to do so. The District will have a process to determine student preferences.</li><li>● These movements from online to in-person will be based on current in-person numbers in each period throughout the day and will be contingent upon available space in each student's schedule.</li></ul>  |
| <p>Classroom Capacities</p>             | <ul style="list-style-type: none"><li>● Every room type at a school site will have a 3ft capacity assigned to it based on the classroom floor plan by halls, buildings, and like structures. (Ex: All classrooms in the 400 wing can hold ## students). Classroom capacities might vary due to size. Exceptions shall be made for odd sized rooms.</li><li>● The District shall attempt to determine the maximum classroom capacity for all classes and either notify teachers or post the class capacities by the close of business on May 5, but may take up to the close of business of May 6 to do so.</li><li>● Site administration will consider District issued furniture when determining room type capacity and may provide standardized options, when needed if available.</li><li>● In determining maximum capacity, the District will account for adequate classroom ingress/egress.</li><li>● Each site will adhere to these numbers when cohorts are combined and when responding to requests for students to return to in-person from the cohort model.</li></ul> |

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|                                  | <ul style="list-style-type: none"><li>● If a teacher is not able to reach the assigned capacity because there are other pieces of furniture in the room, the expectation is that the site will work with the teacher to have the items removed so that the full 3ft capacity can be reached. This will occur on an as-needed basis.</li></ul>  |
| Protocols for Student "Overages" | <ul style="list-style-type: none"><li>● If on campus classroom attendance exceeds the available seats in a classroom site administration will adhere to the procedures noted below: Procedures:<ul style="list-style-type: none"><li>○ Site administration shall begin seeking student volunteers during the week of May 3rd, to join the class virtually from a designated classroom at another location on campus.</li><li>○ If volunteers are not identified, site administration in consultation with assigned counselors/classroom teachers will consider students' current grade, attendance, and other potential concerns that would interfere with a student's ability to succeed under this option. In these instances, site administration shall implement a resolution, including but not limited to:<ol style="list-style-type: none"><li>1. Reassignment or rescheduling of students.</li><li>2. Assigning students and/staff to a designated classroom to accommodate period overages.</li></ol></li><li>○ In the event that a teacher is asked to provide supervision of an overage classroom, the teacher will be compensated at their per diem hourly rate of pay.</li><li>○ If the designated classrooms are going to be needed for the remainder of the year, the teacher supervising the designated classroom shall be offered a 6/5 assignment for the remainder of the year.</li></ul></li></ul> |

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| Plexiglass | <ul style="list-style-type: none"> <li>● The parties agreed that unit members will have the option of keeping or removing plexiglass. However, teachers must honor a student's request to use plexiglass. Classified employees also have the option to use plexiglass.</li> </ul>  |
| Attendance | <ul style="list-style-type: none"> <li>● Students will be moved to two groups: Online or In-Person. Online-Only students will maintain their same mark as Present. Students who are in person will be marked "P". Students who are in person, but who attend online will be marked "A" with an "S," and attendance will change that to "VP," as they are currently doing.</li> </ul>   |
| PE         | <ul style="list-style-type: none"> <li>● Inclement weather locations and shelters will be identified and communicated to Physical Education teachers in advance. All planned lesson activities will adhere to CDC social distancing guidelines, currently 3ft. If necessary, larger classes may be separated into different locations with site administration approval. Teachers who assist the P.E. teacher with a split class will receive extra duty for the period that they help supervise students.</li> <li>● In the event that students will share equipment, students are to be placed in predetermined teams/groups to permit for contact tracing, if necessary. P.E. teachers shall have the opportunity/choice to use the disinfectant sprayers between periods.</li> <li>● Students may still assist with the cleaning of equipment, using wipes between classes.</li> </ul> |
| VAPA       | <ul style="list-style-type: none"> <li>● Drama protocols are to remain the same with facial coverings and 3 ft of distancing.</li> <li>● Choir and band will continue to rehearse outside.</li> <li>● While singing and/or playing wind instruments that omit aerosol, students must maintain 6ft social distancing</li> </ul>   |

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| Promotion and Graduation Ceremonies                     | <ul style="list-style-type: none"><li>● The District will adhere to local, state, and federal guidelines for outdoor event protocols.</li></ul>  |
| Instruction   | <ul style="list-style-type: none"><li>● Live stream instruction shall continue for virtual students Tuesday-Friday each week.</li></ul>  |
| Intervention  | <ul style="list-style-type: none"><li>● Intervention will continue to be held virtually.</li></ul>   |
| Instructional Model for June 7, 2021, and June 8, 2021. | <ul style="list-style-type: none"><li>● On Monday, June 7, 2021, and Tuesday, June 8, 2021, all unit members will follow an asynchronous schedule. All unit members, except those on approved Reasonable Accommodations, will be required to work on-site.</li></ul> |