

**Tentative Agreement  
Between  
The San Diego Unified School District  
And  
The San Diego Education Association**

**March 12, 2021**

**Onsite Instruction for the 2020-2021 School Year**

1. Instructional Minutes (Elementary TK/4 through Grade 5). For the remainder of the 2020-2021 school year, the elementary school day shall include a minimum of three-hundred and sixty (360) minutes of synchronous and asynchronous instruction as follows:
  - a. All Elementary Students:
    - i. Sites shall assign students to stable groups that adhere to the health and safety guidelines for physical distancing of students and staff members.
      1. The number of days each stable group of students attends onsite instruction will be determined by the number of students who opt into onsite instruction while adhering to health and safety guidelines.
    - ii. All elementary students shall receive one-hundred and eighty (180) minutes of daily simultaneous online and in-person whole group and small group synchronous and asynchronous instruction in the morning, inclusive of a thirty (30) minute wellness break. The division of instructional time between whole group and small group instruction shall be determined by the educator based on the needs of students. Educators shall build daily whole group instruction into their schedules.
      1. Online students not attending in-person class shall participate in asynchronous learning for the remainder of the three-hundred and sixty (360) minute instructional day.
      2. When an onsite schedule only permits students to attend two days per week, the students in these groups shall participate in asynchronous learning for the remainder of the three-hundred and sixty (360) minute instructional day on their offsite days.
    - iii. Each stable group of students attending onsite instruction shall receive one-hundred and twenty (120) minutes of daily onsite instruction in the afternoon, inclusive of a minimum of sixty (60) minutes which may be used to support on-site students with asynchronous work, small group, and/or one-on-one support, or facilitation of social-emotional learning experiences with District provided lessons. These District provided

lessons shall be made available to students remaining online only. The educator shall have discretion over how this time is utilized.

- b. The remainder of the educators' workday shall be flex time and preparation time. Flex time and preparation time may include, but is not limited to, the following activities:
    - i. Planning instruction and/or services for synchronous and asynchronous learning
    - ii. Co-planning and collaboration amongst colleagues
    - iii. Monitoring student activity
    - iv. Gathering formative and summative assessments
    - v. Grading
    - vi. Coordination of enrichment activities
    - vii. Voluntary participation in District professional development
    - viii. Participating in IEP, SST, and 504 meetings
  - c. When possible, sites will assign a second staff member to onsite learning groups receiving simultaneous online whole group and small group instruction.
    - i. During the first two weeks of resuming onsite instruction, priority shall be given to TK and/or Kindergarten onsite learning groups.
2. Instructional Minutes (Secondary). For the remainder of the 2020-2021 school year, the secondary school day shall include a minimum of three-hundred and sixty (360) minutes of synchronous and asynchronous instruction as follows:
- a. For students participating in onsite learning:
    - i. Sites shall assign students to stable groups that adhere to the health and safety guidelines for physical distancing of students and staff members.
    - ii. The number of days each stable group of students attends onsite instruction will be determined by the number of students who opt into onsite instruction while adhering to health and safety guidelines.
  - b. Each stable group of students attending onsite instruction and online learners shall participate in three-hundred and sixty (360) minutes of synchronous and asynchronous learning inclusive of:
    - i. One hundred and eighty (180) minutes shall be dedicated to in-person and simultaneous online whole group and small group instruction daily. The division of instructional time shall be determined by the educator based on the needs of students. Educators shall build daily whole group instruction into their schedules.

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- ii. Sixty (60) minutes of teaching shall be dedicated to additional small group instruction, conferring with students, and/or teacher-initiated office hours, while the remainder of students complete independent work.
  - 1. Conferring with students for the purpose of providing feedback may include phone calls to students, commenting digitally on student work, and video conferencing.
  - 2. Schools who have the additional sixty (60) minutes of small group instruction, conferring with students, and/or teacher-initiated office hours built into their existing online learning class periods shall provide these instructional minutes onsite and in-person.
  - 3. Schools who have the additional sixty (60) minutes of small group instruction, conferring with students and/or teacher-initiated office hours built outside of their existing online learning class periods shall provide these instructional minutes in an online format if the site can ensure students have enough time to transition and are able to participate online. If sites cannot ensure access for all students, then the minutes will be reallocated into the class periods.
  - 4. Students shall participate in asynchronous learning for the remainder of the three-hundred and sixty (360) minute instructional day.
- iii. When possible, sites will assign a second staff member to onsite learning groups receiving simultaneous online whole group and small group instruction.
- c. The remainder of the educators' workday shall be flex time and preparation time. Flex time and preparation time may include, but is not limited to, the following activities:
  - i. Planning instruction and/or services for synchronous and asynchronous learning
  - ii. Co-planning and collaboration amongst colleagues
  - iii. Monitoring student activity
  - iv. Gathering formative and summative assessments
  - v. Grading
  - vi. Coordination of enrichment activities
  - vii. Voluntary participation in District professional development
  - viii. Participating in IEP, SST, and 504 meetings
  - ix. Daily preparation time provided for secondary educators and non-classroom educators.

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- d. For the 2020-2021 school year, the secondary school teacher schedule shall be capped at no more than three (3) teaching periods per school day.
  - e. The Parties shall follow Section 8.10 of the Collective Bargaining Agreement regarding the limitation on the number of preparations for secondary teachers. Concerns from the affected unit member over the implementation of this section will be addressed with the appropriate Area Superintendent. Any unresolved concerns would be referred to the Contract Administration Committee for final resolution.
3. Early Learning Preschool Part Day (blended and separate) programs. For the remainder of the 2020-2021 school year, the Early Learning Part Day Blended Preschool classroom educator's school day shall include a minimum of three-hundred and sixty (360) minutes of synchronous and asynchronous instruction as follows:
- a. For students participating in onsite learning:
    - i. Sites shall assign students to stable groups that adhere to the health and safety guidelines for physical distancing of students and staff members.
    - ii. The number of days each stable group of students attends onsite instruction will be determined by the number of students who opt into onsite instruction while adhering to health and safety guidelines.
    - iii. No more than one daily stable group of students per educator roster shall attend onsite and shall receive a minimum of one-hundred and eighty (180) minutes of onsite instruction, inclusive of a thirty (30) minute wellness break.
  - b. Online learners and students not participating onsite shall receive one-hundred and eighty (180) minutes of daily online whole group and small group synchronous and asynchronous instruction, inclusive of a thirty (30) minute wellness break. The division of instructional time between whole group and small group instruction shall be determined by the educator based on the needs of students. Educators shall build daily whole group instruction into their schedules.
    - i. The online learning classes shall each contain one-hundred and eighty (180) instructional minutes inclusive of synchronous and asynchronous learning, as follows:
      - 1. A minimum of thirty (30) instructional minutes per session of teaching that shall include live online whole group instruction.
      - 2. Forty-five (45) instructional minutes per session, allowing for flexible scheduling between online learners, inclusive of live small group instruction, and conferencing with students and families while the remainder of students complete independent work, including, but not limited to, the following activities:
        - a. Sharing progress with students and families
        - b. Providing feedback to students

- c. Availability for questions from students and/or families
    - d. Coordination of enrichment activities.
  3. Students shall participate in asynchronous learning for the remainder of the instructional day.
- c. The remainder of the educators' workday shall be flex time and preparation time. Flex time and preparation time may include, but is not limited to, the following activities:
  - i. Planning instruction and/or services
  - ii. Co-planning and collaboration amongst colleagues
  - iii. Monitoring student activity
  - iv. Gathering formative and summative assessments
  - v. Progress reporting
  - vi. Voluntary participation in District professional development
  - vii. Participating in IEP meetings
  - viii. State compliance
  - ix. Parent education on activities, and sharing progress with students and families
4. Secondary Physical Education, and all (inclusive of elementary and secondary) Performing Arts educators shall determine the division of synchronous and asynchronous instructional minutes for online learners which may include, but is not limited to:
  - a. Simultaneous whole group instruction
  - b. Small group instruction
  - c. Daily "live" check-in
  - d. Asynchronous online activities
5. Alternative Models. If a school needs to offer an alternative instructional model to best meet the needs of their students the site educators may initiate a collaboration with their site administrator to develop an alternative model. All models must minimally consist of three hundred-sixty (360) minutes of synchronous and asynchronous instruction adhering to all health and safety guidelines, and the following criteria:
  - a. The weekly student online instructional minutes shall be taken into consideration and shall not be reduced by this waiver.
  - b. In-person student instructional minutes at comprehensive school sites shall align with the requirements of Sections 1 (Elementary), 2 (Secondary), and 3 (Early Learning) of this Agreement.
  - c. The chosen model shall not incur an additional expense.
  - d. The plan must be approved by a two-thirds (2/3) electronic ballot vote (i.e. Google Form) of the certificated staff who submitted votes. The plan must then be submitted to the Area Superintendent for review and final approval.

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- e. Bell Schedules: Sites that do not rely on District bussing services may deviate from their PowerSchool bell schedules by submitting a waiver request to the District's Operations Support Officer and the Chief Business Officer.
6. Elementary Preparation and Enrichment Educators
- a. For the remainder of the 2020-2021 school year, Elementary Preparation and Enrichment teachers will provide instruction during synchronous or asynchronous learning time and will have the choice between providing instruction over four (4) days or five (5) days per week.
    - i. Educators on the four (4) day schedule shall receive a weekly Educator Planning and Preparation Day.
    - ii. Educators on the five (5) day schedule shall *not* receive a weekly Educator Planning and Preparation Day, but must collaborate with their site to participate in the ninety (90) minutes of professional development and/or staff meetings on this day.
  - b. Instruction may be provided online only or a combination of in-person and online instruction. The model of instruction shall be at the discretion of the Elementary Preparation and Enrichment Educator.
  - c. Each group of students shall receive a combination of synchronous and asynchronous instruction. The combination of synchronous and asynchronous instruction shall be determined by the educator based on the needs of the students.
  - d. Elementary Preparation and Enrichment Educators will have the ability to double-up groups of online students for synchronous instruction.
7. Non-Classroom Educators. Non-Classroom educators shall perform their regular job duties within their workday, and adhere to the schedule defined in section 8.5.2 of the Parties' Collective Bargaining Agreement.
8. Stable Groups. The provision of IEP services shall be taken into consideration when designing stable groups.
9. Part-Time Unit Members. The schedule of instruction/services for part-time unit members will be proportionally reduced in accordance with the unit member's full-time equivalency.
10. Voluntary Tutoring Services and Extended Learning Opportunities
- a. Sites may provide extended learning opportunities by creating onsite workspaces for students engaged in synchronous and asynchronous learning.
  - b. Elementary and Secondary: Voluntary tutoring services and extended learning opportunities may occur in addition to the workday if the participating classroom and non-classroom educator is compensated at the Tutoring Hourly Assignment rate of pay. District tutoring funds distributed during Phase 1 may continue to fund the cost of the Tutoring Hourly Assignment rate of pay for educators

conducting tutoring in addition to their workday, upon prior approval by the appropriate administrator. Such requests shall not be unreasonably denied.

- c. Early Learning: Voluntary tutoring services may occur in addition to the workday if the participating educator is compensated at the Tutoring Hourly Assignment rate of pay for ECSE and the Hourly Assignment rate of pay for ECE. District tutoring funds distributed during Phase 1 may continue to fund the cost of the Tutoring Hourly Assignment rate of pay (and Hourly Assignment rate of pay for ECE) for educators conducting tutoring in addition to their workday, upon prior approval by the appropriate administrator. Such requests shall not be unreasonably denied.

11. Weekly Educator Preparation and Planning Day. During the remainder of the 2020-2021 school year, unit members will utilize one day per week for professional development, collaboration and planning following the student check in and assignment of asynchronous work.

- a. Each classroom educator shall spend a minimum of thirty (30) minutes checking in with students every Educator Preparation and Planning Day. Each student must receive a minimum of thirty (30) minutes of live synchronous interaction focused on asynchronous work to be assigned.
  - i. Secondary schools may choose to identify one class for check-in each week. At the classroom educator's discretion it is permissible to provide synchronous interactions beyond the thirty (30) minutes outlined in this section and with additional classes.
- b. During the Educator Preparation and Planning Day ninety (90) minutes may be used for professional development and staff meetings. The remainder of the day shall be used for educator preparation and planning.
- c. Educators shall have the option of working remotely, or onsite, during the Educator Preparation and Planning Day. Educators choosing to work onsite shall follow the provisions of Section 11.a. and subsections of the July 30, 2020 Agreement between the Parties, and the December 1, 2020 Addendum to the July 30, 2020 Agreement.

12. Preparation, Planning, and Training. Educators shall report onsite one week prior to students reporting as follows:

- a. Five (5) days consisting of the following:
  - i. District developed training on classroom technology, transitioning students to onsite instruction, wellness, social/emotional learning and health/safety procedures, and site procedures that will be a maximum of thirty (30) minutes per day.

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- ii. A minimum of one hundred twenty (120) minutes of daily live instruction with students.
  - 1. Educators may choose to offer additional minutes of live instruction based on curriculum and student instructional needs as determined by the educator.
- iii. Asynchronous instruction shall be provided to ensure a minimum of two-hundred and forty (240) total minutes per day of instruction.
  - 1. Asynchronous instruction may include health and safety videos and/or district assessments to adhere to state testing and monitoring requirements.
- iv. The remainder of the educators' workday shall be used for educator preparation and planning.

13. Children in the Workplace

- a. When an educator's site can accommodate an age appropriate setting following health and safety guidelines and the educator's child(ren) are enrolled in a district school but does not have access to their own onsite learning, the site may offer an opportunity for an employee to bring their school-aged child(ren) to their classroom in accordance with the Children in the Workplace Policy.
- b. In the event such an option is available and does not conflict with health and safety protocols, unit members shall have access to extended learning opportunities for the school age children of the unit member, either at the child's school, or when there is an age-appropriate setting at the unit member's school site.

14. Materials and Equipment. Unit Members shall follow site and District procedures and coordinate with their site administrator to obtain all necessary equipment to deliver the instructional program prescribed in this Agreement, including but not limited to:

- a. Clear masks to be used for speech-language and D/HH services.
- b. Sufficient connectivity to the internet.
- c. Educators will exercise their professional discretion when determining the technology utilized to deliver simultaneous online and in-person instruction.

15. Layoffs. In order to maintain a stable learning environment for students there shall be no certificated layoff notices issued during the 2020-2021 school year.

16. The District will provide the instructional models for the 2021-2022 school year that allow for students who choose to remain online to be taught by an online only instructor. The Parties agree to bargain the impacts and effects of any instructional models.

17. This agreement is non-precedent setting.

18. All components of the current Collective Bargaining Agreement between the SDEA and District not addressed by the terms of this Agreement shall remain in full effect.



- 19. Given the fast-changing nature of this pandemic, the Parties may amend, delete, or add to this agreement with mutual consent.
- 20. This Agreement shall expire in full without precedent on the last day of the 2020-2021 traditional school year, unless extended by mutual written agreement.

FOR THE DISTRICT:

FOR SDEA:

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*Jessica Falk Michelli* March 14, 2021

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Jessica Falk Michelli Date  
Executive Director, Labor Relations

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*Kisha Borden* March 14, 2021

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Kisha Borden Date  
President

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*Acacia Thede* March 14, 2021

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Acacia Thede Date  
Chief Human Resource Officer

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*Kyle Weinberg* March 14, 2021

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Kyle Weinberg Date  
Vice President

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*Abdul Sayid* March 14, 2021

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Executive Director