

12/23/2021 Email

Local Presidents and MSEA Staff,

Since March 13, 2020, we have faced so many unprecedented topics of job actions, negotiations, advocacy, care—you name it I'm sure someone has had to deal with it as we collectively work to support students, educators, and families. We were hoping for some calm to come, but unfortunately this pandemic is still not finished wreaking havoc and calling for more tough decisions, advocacy, and involvement in areas we never imagined.

As we head into the winter break and face a new year of uncertainty with this virus and variants, we have put together some guidance and best practices on relevant topics. We hope this guidance provides you support no matter where you are and what you're dealing with locally. If you have further questions or want guidance from colleagues that may be already engaged in discussions, please don't hesitate to reach out. As we all work to disconnect and take a break, please know that Sean and I are available to assist over break, if needed. We'd prefer you reach out to us first allowing staff and managers to also try to get some downtime over break.

In-person school closures

We are seeing an uptick in school closures due to greater coronavirus spread with the new omicron variant, but also closures due to lack of staffing. The health and safety of all educators, students, and families remains our top priority as we all seek to continue in-person learning for the best delivery of education and support services for students. It will take collective action during these trying times to meet both priorities. The Maryland State Department of Education this week sent out guidance to LEAs strongly advocating against system-wide closures and instead calling for increased availability and frequency of coronavirus testing and increased encouragement and availability for vaccines, as well as continued masking and the use of other layered mitigation strategies. As a result, many districts are not turning to full-scale virtual. Currently, only PGCPSS has closed the entire system to in-person with all students virtual and educators required to report to school to teach virtually. We've heard other districts are contemplating system closures upon return from break, but nothing has been announced yet. Some of the same MOU language from last fall can be reexamined to fit these scenarios. As you discuss school closures at the local level, we encourage you to consider the following items, if you haven't already.

- Creating two different designations of school closures: operational and medical. An operational closure is due to the lack of adequate staff members to cover the classes and oversee school operations as a whole, which creates an unsafe working and learning environment. Medical closure is due to the number of staff and students that are quarantined or test positive for coronavirus.
- For both types of closures as stated above, working with the district to ensure there are clear and transparent criteria, aligned with CDC and Maryland Health Department guidance and appropriate staff to student ratios, that will be used and communicated consistently across the district to determine a school closure.
- Clear plans in case a school closure is deemed appropriate, including how it will be announced to staff, students, and families in a timely manner. If in-person days are to be transformed to virtual learning days of learning, that message should be conveyed as far in advance as possible so those impacted can prepare, including taking home needed items to equitably and easily move to a virtual platform for instruction for all students and staff, providing for connectivity for staff and students, planning time provided for synchronous and asynchronous instruction, ensuring support staff are still paid and engaged in student support, food services are arranged for students, planning for the transition, etc.
- Collaboratively determining the threshold or criteria to be used for reentry to in-person instruction and ensuring timely and clear communication to all. Consideration if a negative coronavirus test will be a requirement from everyone's return and providing such tests. Governor Hogan and President Biden have both committed to providing more kits for testing.

- Determining the process to ensure a deep cleaning of closed buildings, including ventilation and filters, is conducted and verified. This should also include overtime or hazard pay needed for cleaning crews.
- Continuation of school teams (educators, parents, ESP, administrators) engaged in the use of the MSEA Health and Safety Checklist to ensure layered mitigation strategies are fully being used and enforced. This includes the proper wearing of required face coverings, physical distancing, handwashing, and proper ventilation. Superintendent Choudhury has also stated publicly that contact tracers don't need to be nurses or administrators and can be done by anyone with a high school diploma or GED. Contact tracing is important but should not create added workload for employees.
- Local districts should initiate the closure of all extracurricular activities to limit opportunities of high exposure in order to better maintain in-person learning.
- Verification of health forms should be required for all students where parents/guardians validate that they are not sending students to school sick.

Coronavirus testing and vaccinations

We strongly encourage school systems and individuals to follow the CDC and Maryland Health Department guidance when it comes to mitigation strategies to reduce the impact and spread of coronavirus. This includes the encouragement for all eligible to be fully vaccinated. Booster shots are highly recommended and medical experts advise the booster is the best defense against the omicron variant, but is not currently considered a requirement to be fully vaccinated.

Earlier this month, on December 17, a federal circuit court ruled that OSHA's Emergency Temporary Standard (ETS) requirements for employers of over 100 employees goes into effect on February 9, 2022. The new ETS requires employees to show proof of vaccination or be subjected to weekly coronavirus testing. The federal guidelines are being appealed to the U.S. Supreme Court with a decision expected soon. Currently five Maryland school districts require all staff to show proof of vaccination or frequently undergo coronavirus testing and most districts are moving in this direction, which is supported by MSEA and NEA. Because it is important for the exclusive bargaining representative to be a part of those discussions, here are some items to consider when discussing testing and vaccines.

- The district should work collaboratively and create an MOU when initiating a proof of vaccine or test requirement. Religious and medical exemptions should be included, which would result in those individuals being automatically part of the weekly testing group.
- Vaccines and tests must be made available, as well as time provided for employees to get tested and vaccinated.
- If you are negotiating vaccine incentives, work to ensure equal distribution between and among bargaining units. Coronavirus leave has also been negotiated in some districts for those who are vaccinated.
- The four MSEA districts that already have the proof of vaccination or test in place for all staff currently and can provide assistance or sample language are Anne Arundel County, Baltimore County, Howard County, and Montgomery County (mandated vaccines and dropped the testing requirement). Prince George's County is reporting the requirement for some staff, not all.
- A memorandum was previously circulated and may be used to ensure that privacy is ensured as well as leave time for vaccination is provided. It also addresses quarantine procedures and protocols.

Workload relief

As you hear daily, educators are drowning in workload demands coupled with their own trauma, anxiety during a pandemic, and situations within our schools and classrooms that are tenuous and in some places dangerous. Recently, we asked members for their workload stories and received over 500 responses in just a couple days. We will continue to advocate at the state level for workload relief, additional staffing, especially mental health personnel, through the use of the American Rescue Plan (ARP) funding, increased pay for all

employees, additional planning time, and more. Many of you are advocating for the same items and more nuanced remedies. Here are items colleagues in local associations have won or are working on, along with items to consider.

- Conduct an electronic workload survey giving educators a voice to share specific workload items that can be reduced or removed.
- Form a workgroup including members and system officials to identify, communicate, and enforce workload relief at the school level.
- Additional pay items that have been negotiated and/or done collaboratively between the district and union: payment for covering classes during planning time, retention bonus for signing a declaration of intent to return, and increased substitute pay.
- Agreement to not roll out any new initiatives, curriculum, assessments, etc.
- Make professional development days planning time days instead.
- Provide half day or whole day teacher planning days. Please note that currently the state has not waived the regulatory 180-day requirement for students which also includes a requirement of 1,080 hours for elementary school students and 1,171 hours for secondary students. We are working with MSDE on possible waivers. It is also important to ensure hourly support staff are not negatively impacted financially by these planning days.
- School committee work or any other additional work or after-hour allowable requirements to be removed for the remainder of the year.
- We are working with MSDE on SLO waivers or reductions, but school districts and the bargaining unit may come to mutual agreement to reduce the number, paperwork, and time involved with SLOs.
- Schoolwide social emotional learning time: Superintendent Choudhury stated at the last State Board meeting teachers should feel they can take time to stop lessons to address the social emotional needs of students. We know that is easier said than done in some places. We continue to advocate for less testing and a federal waiver of the spring testing, but districts can help with scheduling time during the day to strictly work on building community and addressing needs before situations get out of hand. This includes hiring more mental health professionals with the use of the ARP funds.

MSEA Event Changes and NEA Event Updates

As stated earlier, health and safety as well as doing everything we can to ensure in-person learning are our priorities. In order for MSEA to actively assist in those priorities, we have decided to move all January in-person events to virtual. We will make a determination on events in February and March once we return from break.

January 15 MSEA Martin Luther King, Jr. Celebration

All registered participants have been notified that this event will be completely virtual. All reservations will be switched to virtual and a link sent out to all just before the event. Anyone who paid for a guest will be reimbursed.

January 26 MSEA Gubernatorial Candidate Forum

We are excited to offer a forum to get to know the gubernatorial candidates since we weren't able to during the October RA. This forum will be held virtually and broadcast out. Look for more information to come. We strongly encourage Endorsement Council members and delegates to the April 2 Spring RA to tune in.

January 27 MSEA Joint Governance and Staff meeting

This will now be virtual with the agenda and information expected to be sent out in early January.

NEA Events

Information is always in a state of flux due to the pandemic. Below is the most current information.

February 25-27 NEA MLT/WLT East Conference: Currently being planned to be an in-person event in Washington, D.C.

March 11-13 NEA Leadership Summit: Currently being planned as an in-person event in Las Vegas, NV.

March 25-27 NEA ESP Conference: Currently being planned as an in-person event in New Orleans.

July: NEA just announced that the 2022 NEA Representative Assembly and Convention will be held in Chicago, IL. Maura will be busy selecting our hotel and getting information out as soon as possible. Please make sure you conduct local delegate elections, even if you are not planning to fund delegates. Every local affiliate is required to hold an election.

This was a lot of information to take in just before break. Please know if we can be of any assistance in helping to message items to your members, work through MOU language, or just vent, we're here and we're in this together.

Wishing everyone a healthy and restful holiday break!

Sincerely,
Cheryl and Sean

cc. MSEA Board
MSEA Managers
Local Executive Directors

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