

Letter of Agreement
Between
Federal Way Education Association
And
Federal Way Public Schools

FWEA and FWPS entered into a letter of agreement in September 2020, that is effective through the end of the 2020-21 school year, hereafter referred to as the 2020-21 LOA, and that agreement covered the guidelines we will follow when returning to in-person instruction.

The agreement identified four areas that needed to be revisited prior to in-person instruction:

1. Time for Training of staff on safety protocols prior to return to in-person instruction. (Section 1 stipulates that training will happen, but we had not identified how and when the training would occur)
2. Emergency Paid Sick Leave (EPSL): Section 14.M of our LOA indicated that if the EPSL expired as planned on December 31, 2020, the parties agree to meet "to reconsider whether the leave entitlements above will be amended.
3. Specialist Rotation: In Section 15 of our LOA we agreed that "Prior to moving to a hybrid instructional model, the parties will meet to discuss the rotation and negotiate the impacts"
4. Workload impacts: In Section 13 of our LOA, we agreed that Labor Management and the Special Education Advisory Committee "will regularly monitor and address workload impacts of the instructional model and digital platform requirements, identify and resolve unaddressed or unforeseen issues involving health and safety of staff and students, and other issues related to agreement management."

The joint Labor Management Committee met to discuss and negotiate resolutions in the areas listed above. The parties have agreed to the following amendments to our 2020-21 LOA, while honoring the original agreements that were negotiated in good faith.

1. Time for training and set up of classrooms and meeting new students:

In order to support transition to Hybrid, four asynchronous days will be identified in the calendar the week prior to the school (in March: Elementary, K12FCP/ETP) transitioning to Hybrid to provide time for the following for all staff. These asynchronous days will be used to provide time for training and transition as listed below:

- Continued Safety training for staff. Per our Letter of Agreement, Staff meetings will continue to be remote at this time.
 - All Staff: Continuation of training given on February 17th, with site specific items including, but not limited to, arrival and dismissal procedures, how to respond if staff and students are not following protocols, etc.
 - Training for specific roles: Hybrid and Program Staff only

Setting up learning spaces:

- Walk through assessment of learning space
 - Implementation of Safety protocols for individual classroom space
 - Preparation of learning space (tear down and set up- not necessarily furniture, but set up materials/space for students)
- Development of classroom protocols, lesson plans, other instructional preparation
 - Collaborating with colleagues around the transition
 - Communication with Parents/Guardians and Students
 - Allow Special Education Itinerants and RSP teachers to adjust schedules (Staff need to know available instructional time)
 - Address workload related to transition

Transition and training time for Staff in Pre-K through 5th grade and K12 FCP/ETP will be as follows (Secondary will follow the same pattern the week prior to returning to hybrid):

Day	Instruction	Educator Implementation	Notes
March 1-5	Remote	Transition week with current class	Wednesday remains asynchronous, with self-directed PD
Monday, March 8	Asynchronous	*Educator Walk-through, assessment of new learning space, and other *Educator/Building Prep and Transition Implementation,	All educators- folks moving out of existing spaces, entering new ones, etc. No need to schedule/stagger spaces, as long as staff maintain safety protocols
Tuesday, March 9	Asynchronous	*Educator/Building Prep and Transition Implementation	
Wednesday, March 10	Asynchronous with no small groups on this day	* All Staff Training about 1 hour- Beyond this timeframe, Administrators will be available to answer specific questions as needed	8:00AM Nurses, SNAs, and COVID Support Paras 11:00AM ESPs 1:00PM Site specific training 2:00PM Staff Q&A

		<p>*Specific Roles Training, including site walk through for staff who will be working site</p> <p>*Educator Transition implementation</p>	<p>(optional)</p> <p>2:30PM SEB, FCP, DHH, PreK, K-2ACP (PPE and safety protocols)</p>
Thursday, March 11	Asynchronous	<p>*Educator/Building Prep and Transition Implementation</p> <p>*Special Education Transition ("Roll Up") Meetings window from 8AM to 2PM</p>	
Friday, March 12	Synchronous Remote with New Educator	*First Synch session with Scholars	<p>New classes meet for AM/PM sessions to meet with new educator and class (welcome and hello)- Inclusive of Hybrid teachers sharing training with scholars and families around masks, social distancing, etc. and welcome new families</p> <p>*Special Education programs will have educator driven welcoming activities for students and families that may look different from the above plan.</p>

Scholars whose families have selected hybrid instruction will begin attending in-person on the following dates:

- i. March 15: Pre-K-1, k-2 ACP, K12 FCP/ETP, and 1-2 splits
- ii. March 29: Grades 2-3, 3-5ACP, and 3-4 splits
- iii. April 19: Grades 4-5
- iv. In-person small groups at secondary will begin after Spring Break. Prior to implementation, a team from FWEA and FWPS will convene to review the small group framework.

2. Staff being reassigned grade levels or buildings or to a split hybrid/remote position:

The parties agree that any staff – reassigned grade levels or buildings, and staff who will be supporting students with both hybrid and remote learning will be compensated 2 days per diem. Staff being assigned to a subject or level they have not taught in 5 years, they will get training. At the discretion of the PLC members, agendas, tasks, and priorities may initially include collaboration to support reassigned teachers in their new role.

- a. **Evaluations.** In terms of CEL 5D, staff on Focus should have a student growth goal from 8.1 and maintain their current professional growth focus. Staff on Comprehensive, may have to adjust their student growth goals from 3.1 and 6.1 for new students.
- b. Staff who move to a new building, will have a new evaluator, and their new evaluator will coordinate with the previous evaluator to transfer evidence.
 - i. In the event a staff member has a new evaluator the first observation of that staff member can be prearranged, at the request of the staff member. No formal observation for the purpose of evaluation can occur within the first ten days of new assignment.
- c. **Staff who will be supporting students with both hybrid and remote learning-ongoing workload issues**
 - i. The number of PLC meetings a staff member is required to participate in will not be increased due to reassignment.
 - ii. Impacted staff will work with their site administrator to address workload issues that arise and can be solved at the building.

3. EPSL:

In Section 14.M of the Letter of Agreement between FWPS and FWEA, signed September 9, 2020, states in part, "The leave entitlements within the FFCRA (both EPSLA and EFMLA) currently expire December 31, 2020, and the parties agree to meet prior to that date to reconsider whether the leave entitlements above will be amended."

The parties agree to the following amendments to that Section of the LOA, regarding Emergency Paid Sick Leave (EPSL):

Emergency Paid Sick Leave (EPSL), will be extended through the end of the 2020-2021 school year with the same rules and parameters that existed under the Family First Coronavirus Relief Act (FFCRA) prior to December 31, 2020, with the same application that exists under the current Letter of Agreement:

- A. The district extension will be effective March 8th through the end of the 20-21 school year.
- B. Staff may use the district extension of EPSL, if not previously exhausted, to access their vaccine appointment (if not available after the work day), and for leave necessary due to side effects of the vaccine.

If the state or federal government approves COVID-19 related leave, that leave will supplant the district-extension of EPSL.

4. Additional PPE:

In addition to providing basic PPE as required by state agency regulations, the district will provide the following, at staff request to their office manager (an initial supply will be delivered to all schools offering hybrid instruction to fulfill requests):

- A. Additional disposable masks to allow for double masking.
- B. One KN95 mask per week
- C. Disposable Gloves
- D. Staff who medically need a greater level of PPE than listed above, may apply for an accommodation through HR for that PPE

5. Specialists:

- A. **Specialist Rotation: This Section replaces Section 15 of the 2020-21 LOA.** The Elementary Specialist Rotation will include PE, Music, and Library. The instruction will continue to be provided remotely through the 2020-2021 school. Specialists will have transition time between sessions.

Per our workload relief agreement, in order to reduce the number of sessions, students from multiple teachers may be combined into a single session without affecting Section overload. If the specialist and principal agree, students from hybrid and remote Sections can also be combined into a single session. In either case, the number of students will not exceed the highest number of students assigned to a core teacher in that grade level at that school.

In recognition of the classroom-based instruction provided by library teachers who work .5 at a particular site, and music, and PE teachers, their instructional duties will not involve regularly scheduled or planned supervision of arrival, dismissal or transition activities. Specialists teaching remotely without an accommodation, still choose the location of where they provide instruction, per our 2020-21 LOA.

With the removal of K3 LDT, Interventionists, and counselors from the specialist rotation, students may not have specialists every day, with the understanding that students will continue to have an average of 1027 hours of synchronous and asynchronous instruction.

- B. **Meeting with principal:** By March 31st, each elementary counselor, instructional coach, LDT, Interventionist, and ELL specialists will meet remotely with the principal to define and prioritize work to focus on job responsibilities specific to their identified role, so that the majority of their work day is focused on those responsibilities. They will also discuss duties, for those working onsite, related to arrival and dismissal and other transitions that may be needed, which will not exceed one hour per day.
- C. **Time during role specific monthly meetings** will be dedicated to address implementation of services during hybrid.
- D. **Counselors:** In addition to addressing the topics listed in paragraph B above, counselors will also work with principals to determine how tier 1 SEL support for scholars will be implemented remotely, they will also discuss whether the counselor has determined additional space is necessary to meet with students on-site, separate from their office, and together, determine where that location will be.

- E. Elementary Instructional Coaches:** Coaches' time will be prioritized to support educators through the coaching model, following past practice of, at minimum, 60% of time spent in coaching. Instructional Coaches will initially prioritize support for educators providing hybrid instruction. Buildings whose coach has an accommodation for remote work will be paired with a partner building where the coach does not need an accommodation so that those two can share responsibilities for remote and on-site coaching. Decision making and planning meetings to determine how to support those on-site needs and working assignments will include the staff members impacted.
- F. Multilingual and ELL Considerations.**
- i. At this time, OSPI has communicated that schools are not required to administer the screener (which requires close proximity to administer, for example sharing a keyboard). Based on current guidance, schools are required to administer the ELPA 21 to students who are receiving in-person instruction. The ELPA 21 window is scheduled to open March 22 through June 4, 2021. Scholars who have returned to in-person instruction and who are identified as provisional must complete the ELPA 21 within 30 calendar days of returning to in-person instruction, in lieu of the screener.
 - ii. The district will work with administration and ELL staff (and other relevant) staff at the buildings to make a plan for assessment administration at the site, which, at a minimum, includes:
 - 1. Staff to support ELPA, including ELL Paraeducators,
 - 2. PPE: Plexiglass barriers, Approved KN95 and Face Shield, and Gloves
 - 3. Identified testing locations
 - 4. Testing schedule
 - 5. Headset rotation and use protocol
 - 6. Cleaning Protocol
 - 7. Need for tech tools, such as appropriate mice
 - iii. ELL Instruction will continue to be provided remotely.
- G. K3 Literacy Development Teachers and Interventionists**
- a. Instruction in small groups will continue to be provided remotely
 - b. Those without an accommodation for remote work, may be asked to support state testing on site.
- H. Assessment plans for federal and state required assessments will include input from impacted staff prior to implementation.**

I. Work Location for Elementary Specialists:

Staff Role	Work Location	Notes
Elementary PE	Remote	Their full teaching assignment is remote
Elementary Music	Remote	Their full teaching assignment is remote
Elementary Librarian	Remote for instruction	Most schools have a .5 librarian and they are teaching classes remotely during that .5. Schools that have 1.0 library, may require the librarian onsite when not teaching
Interventionist	Remote Instruction	Small groups at elementary are also remote at this time. If we determine that we can begin in-person small groups, they may be needed on site for those groups.
K-3 Literacy Development Teachers	Remote Instruction	Small groups at elementary are also remote at this time. If we determine that we can begin in-person small groups, they may be needed on site for those groups.
Counselors	Onsite supporting students in hybrid and remote	Tier 1 SEL instruction is remote Onsite to support scholars who are on site
Instructional coach	Onsite, with meetings done remotely	In order to support staff that are now back on site, coaches should be onsite to provide coaching for them, and other staff, following the coaching model. They will also support students in transition, as needed, especially the first week of in-person learning for each grade group.

Dean	Onsite	Provide supervision for students on site
ELL Specialist	Remote, unless testing ELPA	All services are remote except testing
Resource Room Staff	Remote unless IEP teams determine need for F2F services delivered by RSP teacher	All SDI and services are remote unless determined otherwise by IEP team
Psychologists	Remote, unless doing onsite testing	Still focusing on majority of testing done remotely, unless in-person testing is determined necessary by EVAL/IEP team
SLP/OT/PT/APE/Vision	Remote unless doing onsite testing or IEP teams determine need for in-person services delivered by SLP/OT/PT/APE/Vision	All SDI and services are remote unless determined otherwise by IEP team

6. Safety Committee Compensation and Responsibilities:

- A. FWEA certificated staff, whether appointed by the building admin or selected by the union, will receive a \$500 stipend for this year for the responsibilities related to starting up and implementing the safety committee this year. (Recognizing that teachers are not paid hourly, under the law, but by responsibility). Nurses will be paid the full stipend for each team they are on (so if they serve on two school's team, they will receive two \$500 stipends).
- B. ESPs will be paid their appropriate hourly rate if the meetings happen outside the work day or will be approved for extra/overtime to complete their regular work outside the work day, if the meetings are held within their regularly scheduled hours. Section 10.1 of our FWEA-ESP CBA states, in part, "The employee and the employee's supervisor may agree in writing to pre-approved events or activities that would generate overtime." Secretaries who attend Safety Committee meetings during the work day are approved to work overtime or extra time equal to the amount of time spent in the committee during the work day.
- C. Given that there are many unknowns, in April, we will review submitted meeting minutes to assess if the responsibilities as listed below are reflective of actual work and discuss potential adjustments as needed.
- D. Responsibilities: Per the WAC, "Meetings should be one hour or less, unless extended by a majority vote of the committee." We recommend that for at least the duration of this year, meetings be at least monthly (recognizing the committee decides the frequency and duration, and the committee could decide on multiple shorter meeting).

In the meetings, team members will:

- i. Understand the safety protocols
 - ii. Understand how the safety protocols are implemented in their building
 - iii. Select a chairperson
 - iv. Review safety and health inspection reports to help correct safety hazards.
 - v. Evaluate the accident reports investigations conducted on site since the last meeting to determine if the cause(s) of the unsafe situation was identified and corrected.
 - vi. Evaluate your site implementation of district workplace accident and illness prevention program and discuss recommendations for improvement, if needed, and discuss health and safety concerns submitted to the principal since last meeting (pursuant to FWEA CBA Section 9.1.C.2.I)
 - vii. Maintain an agenda, minutes, accident report log resolution, and document attendance. Minutes from Safety Committee meetings will be available to all building staff.
 - viii. Submit minutes and accident report log to district Risk Management Team and Association leadership.
- E. As part of the responsibility of evaluating site implementation of district illness prevention program, the safety committee will meet by at least the Wednesday prior to the scheduled return of a grade level being brought back to discuss any concerns or questions with implementation so that they can be resolved.
- i. If concerns cannot be resolved within the Building Safety Committee, they will be resolved through Labor Management.
 - ii. If safety protocols are not being followed or if the implementation of the protocols at our site is not working, concerns will be reported to the principal by submitting the online form and concerns will be discussed in the safety committee meeting and included in the minutes. The reporting form will also be sent to all members of the Safety Committee.

7. **Student Led Conferences:**

In order to support meaningful Student Led Conferences, the parties agree to adjust the negotiated calendar, moving Spring SLCs for elementary (including PreK) scholars and K12 FCP/ ETP to April 29-30. Middle School and High School SLCs will remain on March 25 and 26.

8. **Guaranteed and Viable Curriculum-Elementary Math:**

While the GVC is our guide for standards-based delivery of instruction, we have redefined the elementary math GVC for the remainder of the 2020-2021 school year.

It will not be expected that the previously published pacing guide for ready math will be required. In lieu of that, TFL will provide a weekly reminder to elementary staff and principals that highlights the weekly focus standard(s).

District math assessments will continue to be dropped into gradebook, but do not have to be completed in the timeframe of the pacing guide.

9. **ESP duties during school closures:**

If a building or work site is closed due to a COVID-19 outbreak or school closure order, FWEA ESPs will work remotely for the duration of the closure. No ESP will be required to use their wellness leave as a direct result of a school-wide closure due to COVID-19.

10. **Communication Agreements for Office Managers:**

Office managers will be sent a weekly communication containing relevant updates, including pertinent items pulled from Leadership Links, for their work.

In order to support Office Managers in their work so that they can provide informed customer service, the district will make every effort to communicate with Office Managers as much in advance as possible prior to communicating with FWPS families regarding items that may impact the work at the school.

During the week of March 8-12, a team of FWEA-selected ESPs will meet with a district team to complete a review of communication and return-to-hybrid issues utilizing a similar small-group framework and "note catcher" as used in the previous focused problem-solving groups.

Time during role specific monthly ESP meetings will be dedicated to address implementation of services during hybrid, with input on content from attendees. Approximately 20 minutes will be set aside for questions and answers brought by ESPs.

11. **Special Education:**

- A. The MAP adjustments as described in Section 12 of our CBA, will be based on the March count to incorporate caseload changes due to hybrid.
- B. With the exception of ETP, students who change teachers will be placed on the new teacher's caseload. If the former case manager is required to attend the IEP meeting and collaborate on the IEP development, they can submit a timesheet for up to three hours.
- C. In alignment with the 2020-21 LOA, teachers moving to a different building should review the space regarding safety. Additionally, they may also work with administration on site to resolve concerns about the instructional space and available materials and individual needs of scholars on site. Appropriate instructional materials for student use will be provided at every site. Teacher presentation books in ACP may need to be transported across multiple sites.
- D. In order to meet the unique needs of Special Education scholars across programs which are, or will be returning for hybrid instruction (PreK, elementary ACP, DHH, SEB, K-12 FCP/ETP, Friday the 12th may be used for remote individual meetings and orientation, or remote contact with families, in lieu of full remote, whole class sessions.
- E. On Thursday, March 11th, 8AM to 2PM will be set aside for special education staff to collaborate with colleagues around the transition of students, including addressing individual scholar needs related to returning to in-person instruction. The schedule for these meetings will be created and provided by the district, in accordance with established "roll-up"/transition procedures. Program specialists will also reserve this time to support these meetings, as needed.

F. For classroom special education staff in PreK, elementary ACP, DHH, SEB, K-12 FCP/ETP returning to on site to support hybrid, who have had a change in caseload assignment, utilization of the remaining Wednesday asynchronous learning days in March, will be educator driven. Important information presented at building meetings will be communicated digitally by the administrator. For educators in the programs listed above with caseload changes, -additional Wednesdays may also be educator directed, upon mutual agreement with the building administrator to support additional transition needs.

12. **Academic Support Kindergarten Paras:**

Academic support kindergarten paraeducators will support both hybrid and remote kindergarten classes including arrival and dismissal activities.

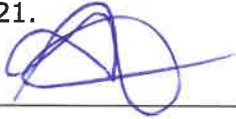
13. **Answering questions and Resolving concerns:**

Per Section 13 of our 2020-21 LOA, the parties will continue "to monitor and address work load impacts of the instructional model and digital platform requirements" through Labor Management, including, but not limited to, areas covered in this amendment.

The parties commit to continuing to answer questions and publish FAQs, updating as needed.

14. **Duration:**

This Letter of Agreement amendment is in effect upon ratification through August 31, 2021.



FWEA
Shannon McCann, FWEA President

03/12/2021

Date



For Federal/Way Public Schools
Dr. Tammy Campbell, Superintendent

March 29, 2021

Date

