

## MOU Cheat Sheet

### Vaccination Requirements:

Type of Vaccination*	Date Due	Proof	Leave available
1 <sup>st</sup> shot	10/15/21	<ul style="list-style-type: none"><li>• A handwritten vaccination card - <b>temporary proof</b> for 30 days after the vaccine, but no later than 12/15/21</li><li>• State-issued Department of Health Certificate of COVID Vaccination</li><li>• Vaccination verification from A health insurance provider</li><li>• Letter from the employee's primary care physician attesting to vaccine status</li></ul>	2 hours max to obtain vaccination; 4 hours max to recover the following day
2 <sup>nd</sup> shot	11/15/21	See above	See above
Booster Vaccine	Upon Request by MCPS	See above, except: A handwritten vaccination card serves as temporary verification for thirty days after the date booster is administered.	See above
<i>Unless the employee has requested an exemption based on upon a medical reason documented by a medical doctor.</i>			
<b>Members are responsible for submitting proof of vaccination and/or booster or medical exemption to a centralized MCPS repository electronically.</b>			

**Testing:**

Who	Where	Type	Leave - Only if there is <b>NO onsite Vendor</b>	Frequency
All employees that fail to provide proof of vaccination (inc. booster) or are unable to obtain a vaccination due to medical reasons*	Onsite vendor if available, or Montgomery County Department of Health and Human Services testing site or at any other site where testing is made available at no cost to the employee, including at a location provided by MCPS.	PCR Tests only. <b>(Rapid COVID-testing and home test kits do not satisfy the testing requirement.)</b>	Employees will receive up to two (2) hours of paid Unusual and Imperative Leave to be tested.  The unvaccinated employee will make every effort to schedule the test at a time when class coverage is <b>not</b> required.	Weekly
Vaccinated unit members who have a close contact with a known COVID-19 positive individual	Onsite vendor if available, or other locations where testing is offered	As recommended by the CDC	Two (2) hours of paid Unusual and Imperative leave to be tested off-site, unless you choose to be tested during off hours	As advised by a medical professional - within 3 to 5 days of exposure

\*While unvaccinated employees and those who have not attested to vaccination status are permitted to continue working at MCPS, the weekly testing requirement will continue.

**Other COVID Related Leaves:**

<b>Who</b>	<b>Situation</b>	<b><u>Unusual and imperative Leave*</u></b>	<b><u>Documentation</u></b>
A vaccinated employee or an unvaccinated employee with an approved medical exemption	<b>Contracts COVID-19</b>	up to 80 hours of Unusual and Imperative leave, not to exceed a period of ten total days	
Unvaccinated employees without an approved medical exemption	<b>Contracts COVID-19</b> or are required to quarantine due to a direct exposure or close contact	None. Required to use sick, annual, personal, or unpaid leave	
Any employee	Required to care for a family** member ordered to isolate/quarantine due to COVID-19 including direct exposure/close contact	Up to 80 hours of Unusual and Imperative leave, not to exceed a period of ten total days	a positive COVID test result, a government order, letter from the individual's physician
Any employee	Approved remote work performed while in isolation or in quarantine	Shall not count against the hours of unusual and imperative leave provided for in this Agreement.	
*Additional hours of unusual and imperative leave may be granted on a case-by-case basis. Employees requiring additional unusual and imperative leave shall submit MCPS Form 430-1C ( <a href="https://ww2.montgomeryschoolsmd.org/departments/forms/pdf/430-1c.pdf">https://ww2.montgomeryschoolsmd.org/departments/forms/pdf/430-1c.pdf</a> ) with the appropriate documentation.			
**Family - spouse, child, parent, adult child incapable of self-care, sibling, or anyone who regularly lives in the employee's household, for whom the employee has a durable medical or personal representative power of attorney, or who raised the employee in lieu of a parent.			

No unit member shall be terminated due to illness or absence because of their own personal illness as a result of COVID-19 infection, or while caring for an immediate family member as a result of COVID-19 infection, for any reason, including but not limited to the lack of available leave. In situations where the unit member cannot return to work, procedures in place for short-term, long-term, or other qualifying available leave shall be followed.

**Options for Non-vaccinated employees without a medical exemption:**

If you notify OHRD by no later than November 15, 2021\*, you may:

1. Resign without prejudice
2. Use any earned annual or personal leave in their accounts.
3. Take unpaid leave of absence up to June 30, 2022 (upon exhaustion of earned leave) with the option to continue in the MCPS employee benefit plan if you assume the full cost of the premiums while on unpaid leave.

Upon return, you must notify OHRD one month in advance and you must provide proof of vaccination in accordance with this Agreement. If leave is taken for less than 60 days you will be returned to your previous position. If your leave is longer than 60 days, OHRD will assign you to a vacancy that it determines you are qualified to fill.

\*In the event the deadline to comply with the vaccine mandate is delayed, the deadline to notify OHRD of the decision to resign or use leave will be extended to the same deadline. Anyone who has already given such notice will be assumed to remain in their position until the first duty day after the delayed deadline unless the unit member indicates otherwise.

**Recovery Plan:**

**All school-sponsored activities shall practice all mitigation measures as recommended by the CDC and as required by the State of Maryland, the Montgomery County Board of Health, and the Montgomery County Department of Health and Human Services, including but not limited to screening, testing, masking, distancing to the extent possible, ventilation, cleaning and disinfection, and proper implementation of quarantine/isolation policies.**

**Quarantine of Students or Educators:**

<p>Isolation required for you or someone you are a caretaker of, but your students can attend school/receive services</p>	<ul style="list-style-type: none"> <li>• The teacher has the choice to either take leave (see above to determine the type of leave indicated), or, in consultation with the school administration, to continue to teach virtually from a remote location.</li> <li>• The school administration and teacher shall consider instructional and operational needs when determining whether to teach virtually.</li> <li>• If a teacher chooses to teach from a remote location, students will remain in their assigned classroom and be monitored and assisted by a substitute teacher. If the school is not able to secure a substitute teacher to serve as a monitor, a staff member who is not a teacher of record for another group (or other groups) of students if a substitute is not available.</li> <li>• Home-based services staff have the choice to continue to provide services virtually from a remote location or take leave.</li> </ul>
<p>When an entire class, except the teacher, is quarantined or ordered into isolation</p>	<ul style="list-style-type: none"> <li>• Instruction will continue through a virtual platform.</li> <li>• Unless a special accommodation is made, the teacher will work from their primary work site and shall still be responsible for any regular non-teaching responsibilities.</li> </ul>
<p>When an entire class, including the teacher, is quarantined or ordered into isolation</p>	<ul style="list-style-type: none"> <li>• Instruction will continue through a virtual platform.</li> <li>• The teacher has the choice to take leave (see MOU or <b><u>FAQ 1: Vaccination, Testing, and Leaves</u></b>), or, in consultation with the school administration, to continue to teach virtually from a remote location.</li> <li>• If the teacher chooses to teach virtually, the teacher will be given 1 day for planning to prepare for virtual instruction unless a teacher is responsible for providing instruction to the same students for the majority of the school day. In which case, the planning day shall include at least a 30-minute morning virtual meeting with the students and a 30-minute afternoon virtual meeting with the students.</li> <li>• Teachers are also encouraged, but not required, to have a virtual, asynchronous plan for the remainder of the student day.</li> </ul>
<p>Virtual Teaching While Quarantined</p>	<ul style="list-style-type: none"> <li>• The teacher will be given 1 day for planning to prepare for virtual instruction. Afternoon 30-minute virtual meetings with the students (same students for the majority of the day) or availability to connect with students at designated times for no less than 45 minutes (can be broken into two blocks) are required on the planning day.</li> </ul>
<p>All Teachers</p>	<ul style="list-style-type: none"> <li>• Teachers shall not be required to teach simultaneously in person and virtually.</li> </ul>

Elementary Homeroom Student(s) require virtual instruction	<ul style="list-style-type: none"><li>• The affected team will decide how to address the situation so that all teachers are teaching exclusively either virtually or in-person.</li></ul>
Secondary General Education Classroom Student(s) require virtual instruction	<ul style="list-style-type: none"><li>• The affected department will decide how to address the situation so that all teachers are teaching exclusively either virtually or in-person.</li></ul>

**Non-School-Based Services**

<p>Home visits and other non-MCPS settings:</p>	<ul style="list-style-type: none"> <li>• Indoor Services - All people in the non-MCPS setting, including the client, will practice mitigation measures as recommended by the CDC. Mitigation measures will be differentiated to meet the unique instructional and/or operational needs of the students being served, or job duties/responsibilities being performed, and consistent with the CDC and MSDE recommendation.</li> <li>• Outdoor Services- Outdoor services without a mask. The provider will be responsible for practicing social distancing by sitting within the distance recommended by the CDC guidelines.</li> <li>• Virtual Services</li> </ul>
<p>Non-School-Based and 12-Month Unit Members</p>	<ul style="list-style-type: none"> <li>• Non School-Based and 12-month Unit Members assigned to work on curriculum development, professional development, or other school-system projects to support virtual or hybrid learning models may adjust their work schedules as reasonable under the circumstances with the approval of their supervisor. When work extends beyond 40 hours per week the unit member and supervisor may agree on options in writing to flexibly adjust the unit member’s schedule. Where practical, volunteers may be sought first to complete this work.</li> <li>• Assignments and Workload - The parties recognize that providing educational services in the current health crisis may require modifications and adjustments to working hours, tasks, and other aspects of work. Non-school-based and 12-month unit members who are given new assignments out of necessity due to virtual and/or hybrid learning will be given an opportunity to discuss with their supervisor: 1) the assignment requirements, 2) the impacts on their regular workload, 3) and be given guidance on how these demands are to be prioritized. If additional assignments are given, the supervisor and unit member will discuss options for prioritizing completion of the assignments or adjusting the workload of non-school-based and 12-month unit members to reasonably allow work to be completed within the regular work week.</li> </ul>
<p>MCITP</p>	<ul style="list-style-type: none"> <li>• MCPS will maintain the current agreement regarding caseload for unit members assigned to the Infants and Toddlers program (MCITP) prior to COVID and will allow MCITP staff to use client-provided materials for assessment purposes when in the client’s home.</li> <li>• MCITP bargaining unit members may also request a review of their caseload and schedules if they have workload concerns.</li> <li>• Existing collaborative structures shall be used to address programmatic changes that impact the work of unit members.</li> </ul>

**Meetings/Events:**

<b>Type/Issue</b>	<b>Requirement(s)</b>
All employee meetings	<ul style="list-style-type: none"> <li>• Virtual or hybrid option</li> <li>• Meeting start times do not need to be adjusted to accommodate an employee's commute home for virtual participation</li> </ul>
Back-to-School Night (BTSN)	<ul style="list-style-type: none"> <li>• Virtual</li> </ul>
Events requiring external non-MCPS guests to be in an MCPS facility except*	<ul style="list-style-type: none"> <li>• Virtual or outside default</li> </ul>
*Parent-Teacher Meetings & IEPs	<ul style="list-style-type: none"> <li>• Virtual unless parents/caregivers do not have access to virtual meetings</li> <li>• In-person meetings will be held in an appropriate space in compliance with Mask-wearing and social distancing guidelines.</li> </ul>
*Events Related to an Essential Function of the Job Description/Job Type	<ul style="list-style-type: none"> <li>• Events that are central to the educational program such as performance events (e.g., plays, choral concerts, band concerts, etc.), should be held outdoors whenever possible.</li> <li>• If an outdoor venue is not appropriate or available and the event is held, the unit member shall be expected to attend.</li> </ul>
*If MCPS makes a system-wide/large scale decision that certain types of events are required that may need to be held indoors, or if there are site-specific events that may need to be held indoors.	<ul style="list-style-type: none"> <li>• The decision on how to hold the event, including but not limited to additional mitigation measures, shall be made by the administrator with the site-based safety committee, in consultation with the ILT (if different and/or when appropriate), the affected unit member(s), and the affected school community group.</li> <li>• If there is a dispute, the concerned party may advance the issue to the Department of Labor Relations who will involve the appropriate Union representative(s) and central office administrator(s) in attempting to resolve the dispute. Whenever possible, a meeting will be held within two business days and the matter resolved within three business days. If it is not resolved within the above timeframe, it will be advanced to the Superintendent's designee for resolution in collaboration with the unions.</li> </ul>
Professional Development	<ul style="list-style-type: none"> <li>• Hybrid, except for professional development trainings that can only be completed in-person (i.e., CRP training, CPI training, etc.). A PD may be held fully virtually.</li> </ul>
Remote work	<ul style="list-style-type: none"> <li>• Permitted in accordance with MCPS Regulation GEH-RA, Teleworking, or any successor or amended policy MCPS may implement.</li> <li>• If remote work is not approved, employees may still participate in meetings virtually from an MCPS facility.</li> </ul>



**Other shifts to Virtual Instruction/Special Assignments:**

Switch to a system-wide or whole school hybrid model due to a COVID-19 outbreak	<ul style="list-style-type: none"> <li>• 1 day of planning time to prepare materials.</li> <li>• 20% - 30% of the planning time will be for collaborative planning, unless otherwise agreed by the team to exceed thirty percent (30%).</li> <li>• The remainder of the time will be spent on individual unit member planning.</li> </ul>
Special assignment in the virtual academy	<ul style="list-style-type: none"> <li>• It may be necessary to seek volunteer elementary homeroom teachers to serve on special assignment in the virtual academy.</li> <li>• Combining in-person classes for this purpose will be limited to a combined in-person class total of no more than 85% of the recommended class enrollment, per MCPS guidelines, rounded up to the nearest whole number.</li> <li>• The teacher on special assignment shall maintain their school assignment and seniority.</li> <li>• The teacher will be required to fulfill the same non-classroom duties as prior to the special assignment (e.g., hallway duty, bus duty, etc.).</li> <li>• Teachers on special assignment to the virtual academy will attend staff meetings and collaborative planning meetings with the virtual academy rather than at their worksite.</li> </ul>
Part-time unit members who are available to work additional hours (provide coverage and/or class support)	Compensated at the hourly substitute rate for the additional time worked.

**Health Services:**

- No MCPS bargaining unit member will be required to handle used COVID-19 testing/bio-hazard materials or provide coverage for a school health suite or for the COVID-19 isolation room, except for true emergency situations.
- The designated school health services professional will escort students displaying COVID-like symptoms to the triage room except for true emergency situations.
- If health professionals are not available and the student is unable to independently report to the triage room, a staff member (on a rotational basis when possible) may be called upon to supervise the student to the destination, maintaining physical distancing, mask wearing and other safety measures.
- An emergency situation is defined as an unplanned and unavoidable occurrence. For example, lunch and bathroom breaks for techs and nurses would not be considered an emergency situation.

**PPE, Air Quality, & Communications**

<p>PPE</p>	<ul style="list-style-type: none"> <li>• Maintain a supply of face coverings and replace coverings when they become worn or need to be cleaned</li> <li>• Provide all visitors entering the building with a disposable mask if they do not have one.</li> <li>• Train staff and students on how to use, safely store, and when and how to clean or replace PPE.</li> <li>• Maintain and distribute a supply of face coverings for clients and families of itinerant employees.</li> </ul> <p>MCPS will ensure that all PPE provided:</p> <p>(a) meets the CDC, OSHA, and MOSH guidelines and standards for use in schools,</p> <p>(b) is distributed to worksites in unopened packaging, clean, and without contamination to ensure the health and safety of all staff,</p> <p>(c) is provided to each individual staff member so there is no sharing of PPE equipment,</p> <p>(d) is inclusive of appropriate PPE, differentiated to meet the unique instructional and/or operational needs of the students being served or job duties/responsibilities (i.e., face shields, gloves, gowns, or masks), and consistent with the CDC and MSDE recommendations,</p> <p>(e) is without rotation and will be replaced when damaged or destroyed,</p> <p>(f) is inclusive of sufficient soap and hand sanitizer stations at worksites, and</p> <p>(g) is inclusive of disposable disinfecting wipes and other necessary cleaning materials.</p>
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<p>Physical Space</p>	<p>Address workspace and office conditions by implementing a combination of risk mitigation approaches which may include: maximizing ventilation and increasing filtration, modifying operations to maximize social distancing, and/or modifying/adjusting seats, furniture, and workstations to increase physical separation. This may include modifications or adjustments in subject areas such as band, chorus, and physical education, where local administration will work with the teacher(s) and other appropriate parties to minimize risk of infection.</p>

<p>HVAC/Air Quality</p>	<p>Office Locations and Space</p> <p>MCPS will review specific office situations with building administrators and in collaboration with the site-based safety committees. Mitigation measures may include one or more of the following strategies:</p> <ul style="list-style-type: none"> <li>i) Decrease occupancy in areas where outdoor ventilation cannot be increased.</li> <li>ii) Increase air filtration to as high as possible without significantly reducing design airflow.</li> <li>iii) Increase airflow to occupied spaces when possible.</li> <li>iv) Check filters to ensure they are within their service life and appropriately installed.</li> <li>v) Operate the HVAC system at maximum outside airflow for 2 hours before and after the building is occupied.</li> </ul> <p>HVAC Mitigations (Student-Occupied Spaces)</p> <p>MCPS shall address ventilation and filtration systems to maximize/enhance indoor air quality standards within each teaching space. In doing so, the Board shall consider or address the following areas:</p> <ul style="list-style-type: none"> <li>(a) Review each building and each HVAC system from maximizing ventilation and increasing filtration within existing systems.</li> <li>(b) Improve central air and teaching space filtration in existing systems where possible.</li> <li>(c) Consider running the HVAC system at maximum outside airflow for 2 hours before and after a building or school is occupied.</li> <li>(d) Use of portable high efficiency particulate air (HEPA) fan/filtration systems to enhance air cleaning.</li> <li>(e) Modify the control system to maximize and modify air flow.</li> <li>(f) Consider possible or partial building closures, when equipment is not functioning as intended.</li> </ul>
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<p>Communication of Exposure</p>	<p>Without disclosing the name(s) of individuals, or any protected information, employees shall be kept informed of any reported cases of COVID 19 among employees and/or students at their respective worksites and whether the employees had potential exposure as determined through contact tracing</p>