



# Update on Re-Opening MOU Next Steps

Board Meeting  
May 6, 2021  
Agenda Item No. 9.3

Presented by: Raoul Bozio, In-House Counsel

# Collapsing of Cohorts Based on Three Feet Distancing Guidance and Attempts to Meet and Confer with SCTA

- CDC, CDPH, SCDPH allow for three feet distancing between students in classroom settings (six feet between adults, adults and students, when eating, etc.)
- Section I.A. of the MOU with SCTA provides the District will comply with guidelines and regulations from CDC, CDPH, CDE, Cal/OSHA, and SCDPH

# Collapsing of Cohorts Based on Three Feet Distancing Guidance and Attempts to Meet and Confer with SCTA

- Section A.3 of the MOU with SCTA provides: *All revisions and updates to the above health and safety guidelines. If any provision contained in this MOU conflicts with revised or updated guidelines, best practices, recommendations, and considerations from SCDPH or CDPH the Parties agree to meet and confer.*

# History of Communications

- [District's March 31, 2021 Request to Meet and Confer](#)
- [SCTA's April 5, 2021 Refusal to Meet and Confer](#)
- [District's April 7, 2021 Second Request to Meet and Confer](#)
  - [Quoting the CDE](#), *“an LEA with more than sufficient space, staffing, hygienic supplies, etc. to ensure health and safety of all students should be offering full-day and full-week in-person instruction to all of its students.”*

## SCTA April 9 Communication

- SCTA stated it *would be open to having discussions with the District regarding possible modifications to the instructional model, the composition of the cohorts and even whether cohorting would have to continue **once in-person instruction resumed and we had a clearer sense of how many students were returning for in-person instruction.***

# District April 20, 2021 Communication

- *In order to facilitate these discussions around next steps for bringing students back for more in-person learning each day and week, we are providing SCTA with data we have gathered regarding in-person attendance of Cohorts A and B, grades TK-3 from April 8- 14, 2021.*
- *We have also included information in this dataset that is important as we consider reducing the **spacing between students** consistent with CDC, CDPH and SCDPH guidance.*

# District's May 6 Letter and Collapsing of Cohorts at 6-Foot Social Distance

- Many class cohorts could be merged into single groupings of students attending in-person 4 days each week even at 6-foot social distancing.
- The District has shared information which shows every grade level at each site where this can be done based on in-person attendance.
  - There are 24 school sites where all grade level cohorts could be collapsed into single class groupings at the 6-foot standard.
  - There are a total of 255 site grade levels that could have classes collapsed into single groups
  - There are also many schools where most, but not all, of the grade levels/classes could be collapsed at 6-foot social distancing.
    - 8 additional schools have all but one grade level that can be collapsed at this standard.

# Collapsing of Cohorts Based on Three Feet Distancing Guidance and Attempts to Meet and Confer with SCTA

- The District has shared a [map that shows how many classrooms at each elementary school can support a single group of students at 6-foot social distancing.](#)



## Next Steps

- District plans to collapse the cohorts of all District classes where doing so can be done at 6-foot student-to-student and student-adult social distancing, initially for elementary grades.
- The parties will discuss the collapsing of cohorts on May 12, 2021.

Q & A