BOARD OF EDUCATION FOR THE SAN LEANDRO UNIFIED SCHOOL DISTRICT

RESOLUTION 21-16

SCHOOL REOPENING IN ACCORDANCE WITH AB/SB 86

Whereas, in March 2020, the Governor of California declared a state of emergency as part of the state's response to address the global COVID-19 pandemic; and

Whereas, the COVID-19 pandemic emergency forced schools throughout the state, including the San Leandro Unified School District (District), to shut down and revert to remote learning and forced most schools in California to open the 2020-2021 school year with distance learning; and

Whereas, the Board of Education recognizes that the distance learning environment and stay at home orders have created inequities for many students hindering their ability to learn, including without limitation heightened stress and mental health pressures, reduced access to educators, inequitable access to high-quality internet services and lack of access to appropriate spaces to study and learn; and

Whereas, in July 2020, the District entered in to MOUs with the California School Employees Association (CSEA) Chapter 94 and Teamsters Local 856/Alameda Buildings Trades Council, including health and safety measures to be taken in light of the pandemic; and

Whereas, in July 2020, the District entered into an MOU with the San Leandro Teachers Association (SLTA), following extensive negotiations, which includes negotiated health and safety steps to be taken by the District in light of the pandemic and a negotiated notice to be given to SLTA members prior to reopening schools once the District makes a determination that it is safe to do so; and

Whereas, the District has taken all steps required by local, state and federal law and all additional steps negotiated with its labor partners to ensure a safe and healthy working and learning environment for the District's staff and families; and

Whereas, the spread of COVID-19 has been declining in Alameda County, which met the health equity metric for the less restrictive "red tier" as of March 8, 2021; and

Whereas, more than 85% of District staff report having already received at least one vaccine dose and the overwhelming majority of District staff will have all required doses by the beginning of April 2021; and

Whereas, the state legislature's adoption of AB/SB 86 requiring school reopening by April 1, 2021 as a pre-condition for receipt of millions of dollars was an unforeseen circumstance which now requires immediate action by the District; and

Whereas, Article XXI F. of the collective bargaining agreement between the District and SLTA requires that its provisions "are intended to be interpreted consistent with legally necessary requirements for available funding"; and

Whereas, in order to receive full funding in compliance with the requirements of AB/SB 86, the District has no alternative but to return to either full in-person instruction or to a model of hybrid instruction that includes in-person instruction to the "greatest extent possible" on or before April 1, 2021; and

Whereas, there is an urgent need for the District to address student inequities resulting from an instructional model offering only distance learning and;

Whereas, approximately half of the District's students and families would like to return to school in-person.

Now, therefore be it resolved that the Board declares that an emergency exists which requires immediate action in order for the District to access State funding under AB/SB 86 and prevent further loss of educational opportunities by the District's most vulnerable students; and

Be it further resolved that the Board has determined that the District can now safely reopen its schools in a hybrid model in compliance with AB/SB 86 and all other applicable local, state and federal guidelines and can accommodate all students whose parents wish them to return to in-person instruction and directs the Superintendent to do so; and

Be it further resolved that the Board directs the Superintendent or his designee to provide the previously agreed upon notice to members of the SLTA bargaining unit and other stakeholders that the District has determined that it is safe to reopen schools and that schools will reopen on April 1, 2021 or as soon as practicable thereafter; and

Be it further resolved that the Board directs the Superintendent and the District bargaining team to continue to meet and confer with the District's labor partners in the implementation of the district's hybrid learning model.

Adopted by the San Leandro Unified School District Governing Board on March 16, 2021.

By the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

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Dr. Michael McLaughlin
Superintendent and Secretary of the Governing Board
of the San Leandro Unified School District