Memorandum of Understanding
By and Between
San Diego Unified School District and the
San Diego Education Association
Regarding Impacts and Effects of SB 328

WHEREAS, California State Law (SB 328) requires school districts to ensure that middle schools start no earlier than 8:00 a.m., and that high schools start no earlier than 8:30 a.m.; and

WHEREAS, SB 328 prohibits most middle and high schools from starting the regular school day earlier than those times;

and

WHEREAS, impacted school districts have until July 1, 2022 to fully implement this law;

; and

WHEREAS, the District in the 2019-2020 school year has started the work of planning for the implementation of SB 328 in the 2020-2021 school year; and

WHEREAS, the Parties have met and negotiated in good faith regarding the impacts of the implementation of SB 328 in the 2020-2021 school year; and

NOW THEREFORE, the District and SDEA agree to the following:

1. Unit members impacted by SB 328 changes may voluntarily excess themselves no later than March 9, 2020 and will receive priority consideration for the May 2020 Post and Bid. Unit members not selected for a position during May 2020 Post and Bid will participate in the process outlined in 12.2.1.1. of the Collective Bargaining Agreement.

   a. Consistent with 12.2.8., unit members who have received a remediation plan or whose latest summary performance evaluation rating is other than “effective” shall not participate in the post and bid procedure.

2. All schools, and programs, impacted by SB 328 shall determine the time of day when their staff meetings occur (inclusive of whole staff, department/grade level, or committee meetings) through their governance team. The parties agree schools and programs can best determine the times when meetings will occur. Nothing in this Agreement is intended to restrict schools and programs from scheduling employee meetings (e.g. whole staff, department/grade level, etc.) before or after the student day. The administrator for all schools and programs impacted by SB328 shall provide staff and the governance team the opportunity to give input on any changes to current meeting times.

3. IEP meetings shall not be limited to being held after school. The parties agree IEP meetings may continue to be held before, during or after school, based on the ability of the parents and IEP members; the changes in legislation do not require adult meetings to be restricted to after school meetings only.
4. No later than March 1, 2021, the Parties agree to re-enter into discussions over this matter in order to discuss potential changes.

FOR THE DISTRICT:

Jessica Falk Michelli  
Executive Director, Labor Relations  
Date

FOR SDEA:

Abdul Sayid  
Executive Director  
Date

Acacia Thede  
Chief Human Resources Officer  
Date

Kisha Borden  
President  
Date