Memorandum of Understanding
By and Between
San Diego Unified School District and the
San Diego Education Association
Regarding Impacts and Effects of Healthy Start Times 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.; studies have shown that healthy start times have resulted in adolescent students getting significantly more sleep and improved attendance, decreased tardiness, decreased incidents of discipline, improved student achievement and reduced accidents, as well as improvements to physical and emotional health, and scientific research organizations have called for secondary schools to 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; the SDUSD Board of Education indicated its agreement in principle with Healthy Start Times in October 2017 and passed a resolution on May 15, 2018 to implement Healthy Start Times by the 2020-2021 school year; and

WHEREAS, impacted school districts have until July 1, 2022 to fully implement this law; the SDUSD Board of Education recognizes that changes to successfully implement Healthy Start Times requires input from parents, teachers, staff, students, health and wellness, labor relations, transportation, finance, athletics, and other stakeholders to work out the logistics; and

WHEREAS, the District has in the 2019-2020 school year has started the work of planning for the implementation of SB 328 been meeting regularly with bargaining unit leaders to proactively discuss implementation of Healthy Start Times in 2020-2021; and

WHEREAS, the Parties have met and negotiated in good faith regarding the impacts of the implementation of Healthy Start Times SB 328; and

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

1. Unit members impacted by Healthy Start Times changes may voluntarily excess themselves no later than March 49, 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. This Agreement applies to the Healthy Start Times to be implemented in the 2020-2021 school year. The Parties can mutually agree to extend this Agreement to cover SB328.

3. 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.

4. IEP meetings shall not be limited to being held after school.

5. No later than March 1, 2021, the Parties agree to re-enter into discussions over this matter in order to discuss potential changes.