

**Memorandum of Understanding
between
Sweetwater Education Association and
Sweetwater Union High School District regarding
Implementation of State Health Order Requiring Staff to Vaccinate or Test
August 13, 2021**

Whereas, on August 11, 2021, the State of California issues a State Health Order requiring that all schools identified in this Order must verify vaccine status of all employees, paid or unpaid, and volunteers and must require mandated testing for all school staff that are not fully vaccinated. Attached as [Exhibit A](#).

Whereas, this order is effective August 12, 2021, but the District will be out of compliance if the District has not verified the vaccination status of all its employees and implemented weekly testing for any staff that are not fully vaccinated.

Whereas, the parties recognize that vaccines are one of the single most effective mechanism for ensuring staff and student safety.

Whereas, the parties have previously entered into COVID related MOUs requiring staff testing and encouraging vaccination.

Implementation of the Health Order:

1. Vaccinations:

- A. On or about September 1, 2021, District shall present a system to collect vaccination information from all District employees, which will be coordinated by Human Resources. This information will be shared with the Association at least 5 work days prior to this date.
- B. All Unit Members shall provide to Human Resources evidence of being fully vaccinated as required by the August 11, 2021 CDPH Order beginning on September 1, 2021. Unit members shall provide evidence of vaccination as required by CDPH to Human Resources.
- C. If a Unit Member does not submit evidence of vaccination by September 17, 2021, they shall be considered unvaccinated and must submit evidence of the required weekly testing to Human Resources. Unit members may submit proof of vaccination after this date, but until that evidence is submitted, the unit member shall have to participate in weekly testing, beginning no later than October 5, 2021 (staff will be required to test to return from Fall Break).


2. Testing:

- A. On or about September 27, 2021, District shall have a plan in place for tracking test results and conducting workplace contact tracing, and must report results to local public health departments. This information will be shared with the Association at least 5 work days prior to this date.

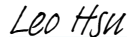
Union 
District 

- B. The District will provide one or more designated District locations where Unit Members can obtain free testing, during the duty day. The District will attempt to provide testing one day of the week at as many school sites as possible to minimize lost instructional time. Employees will be provided release time during the duty day to obtain the testing, but shall coordinate their testing time with their site administrator to minimize impact to students. District will work with testing providers to prioritize staff to minimize prep period time lost for the weekly test. Employees are not required to test at a district site, during district work hours, but if they select to test on their own time at a non-district site, must present their results to HR from other authorized vendors in a timely manner.
- C. All District provided testing shall comply with HIPAA and, where appropriate, FERPA requirements.
3. Any employee who does not submit proof of vaccination and does not complete weekly testing, will be required to utilize their paid (sick/vacation) leave until they submit the COVID test result and may be subject to discipline for more than two instances of failure to test in a semester.
4. Parties acknowledge that should the state require employees to be vaccinated, following FDA approval of COVID vaccine, the parties will implement that requirement but agree to meet and discuss the impacts of that mandatory vaccination requirements at the request of the Association within five school days.

For the Association:



Dalisay Quitlen, SEA Bargaining Chairperson



Leo Hsu (Aug 17, 2021 08:41 PDT)

Leo Hsu



Lourdes A Renteria (Aug 17, 2021 09:23 PDT)

Lourdes Renteria



John Cox



Cesar Gamez (Aug 17, 2021 13:42 PDT)

Cezar Gamez



Chad Cooper (Aug 17, 2021 09:33 PDT)

Chad Cooper, Executive Director STCU, CTA/NEA

For the District:



Vernon Moore (Aug 17, 2021 08:47 PDT)

Vernon Moore, Chief of Educ. Equality & Support



Ana Maria Alvarez (Aug 17, 2021 09:26 PDT)

Ana Maria Alvarez, Asst. Supt, Teaching & Learning



Jenny Salkeld, CFO



Eduardo Reyes, Chief Human Resources Officer



Maribel Gavin, Principal



Jennifer Carbuccia (Aug 17, 2021 15:14 PDT)

Jennifer Carbuccia, General Counsel