On July 31, 2020, the Mt. Diablo Education Association (MDEA) and the Mt. Diablo Unified School District (MDUSD) agreed to a Memorandum of Understanding (MOU) to address Distance Learning due to the Coronavirus. The 20-page document, which can be viewed here, addresses how instruction will be provided to our students by the educators of MDEA.

Within the document it was agreed that students will receive the required minimum instructional minutes for the 2020-2021 school year, as laid out by the California legislature in SB 98, and that within those minutes our educators will provide “Daily Live Interaction” minutes. Senate Bill 98, which outlines the state requirements, defines Daily Live Interaction:

“[6] Daily live interaction with certificated employees and peers for purposes of instruction, progress monitoring, and maintaining school connectedness. This interaction may take the form of internet or telephonic communication, or by other means permissible under public health orders.”

The California Department of Education has further clarified the language from SB 98 with the following:

Education Code Section 43503 requires that distance learning include “daily live interaction.” Daily live interaction is two-way communication between a certificated employee and student each instructional day, at the actual time of occurrence. Daily live interaction is required for every student with both a certificated employee and their student peers. In particular English learners, and students with special needs benefit from daily oral language development opportunities.

Examples of daily live interaction include in-person and virtual communication or interactions, including but not limited to synchronous online instruction (per statute) and phone calls where both parties communicate at the time of occurrence. One-way communication, including voicemails, emails, or print materials, is not considered a live interaction.

The state has stressed that one of the key elements of Daily Live Interaction is the opportunity for students to interact with their teacher and peers. As such, 1:1 interaction between just the teacher and one student does not qualify as Daily Live Interaction.

The MOU contains the following language:

Teachers will provide the following amounts of daily live interaction on Monday, Tuesday, Thursday, and Friday:

- PK 60 minutes
- TK-K 90 minutes
- 1-3rd Grade 120 minutes
- 4-5th Grade 120 minutes
- 6-12th Grade 120 minutes

Teachers will provide the following amounts of daily live interaction on Wednesday:

- PK 30 minutes
- TK-K 45 minutes
- 1-3rd Grade 60 minutes
- 4-5th Grade 60 minutes
6-12th Grade 60 minutes
The Parties agree to meet and re-negotiate the number of daily live interaction minutes on or about September 17, 2020.

Each MDEA member is a qualified certificated educator that will use their professional autonomy to implement how these agreed upon minutes will be used in their class(es). Our students will receive daily live interaction time with their assigned teacher(s) per SB98, however, each teacher will determine how that daily live interaction time will be spent in their virtual setting.

The differing needs of each classroom, grade level, subject, and/or school, as well as the use of small group instruction, the use of break out rooms, the needs of English Learners, the importance of library instruction and music instruction at the elementary level, and other factors will impact the number of Daily Live Interaction minutes each student receives.

Teachers must provide a substantial majority of their Daily Live Interaction in whole group settings to their class(es).

Daily Live Interaction may also include small group instruction. The minutes the teacher spends with each small group are to be included in the calculation of the teacher’s minutes of Daily Live Interaction. Teachers will attempt to ensure that all students receive an equalized amount of Daily Live Interaction minutes.

Minutes spent co-teaching and minutes spent providing ELD are considered Daily Live Interaction.

Educators working less than full time will provide a pro-rated number of Daily Live Interaction minutes.

Secondary educators will provide fewer minutes of Daily Live Interaction on days they have their “prep period.”

Currently, there are a lot of unknowns about how the 2020-21 school year will progress, and both parties trust the judgement of our educators to provide the best education possible to the students of MDUSD in these challenging times.

Dan Scudero – for MDUSD
Linda Ortega – for MDEA

8-13-20
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