



Survey to Inform Advocacy in January Frequently Asked Questions

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Q1: What is the purpose of the survey and how will the survey results be used?

As a member-driven organization, the survey results will inform our union advocacy and priorities. SEA is holding a Special Representative Assembly meeting this Friday at 5:00 PM to discuss the survey results and use the feedback to inform recommend next steps, including any potential district-wide collective actions.

There are different approaches and actions SEA could take based on member feedback to the survey. For example, if members believe the District should pivot to remote based on classroom and building-specific needs, then SEA could advocate to ensure those decisions are centering educator voice. On the other hand, if member feedback shows that members strongly believe SPS should pivot all schools to remote, then SEA could publicly take a position on the need to pivot to remote, hold rallies, organize with the community and more. In addition, Association Representatives could recommend escalated action steps, but certain work actions would require a formal vote of the membership.

Q2: What is SEA Governance's thinking about the current situation?

We are in a difficult situation with no easy solutions. We are a large and diverse district with 104 buildings and over 50,000 students, each with their own needs. We know there will be significant and negative impacts, no matter what the District chooses for the next several weeks. We know many parents, students, and educators experienced trauma last year from remote and hybrid instruction. We also know several schools are in severe crisis right now. Whatever we collectively advocate for as a Union, we need to consider the needs of our entire membership across the District. Our recent advocacy is described below.

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Q3: What actions/advocacy are we as SEA already taking?

SEA successfully advocated for District-wide covid testing and a non-instructional day on January 3 in order to have a better understanding of the prevalence of cases in schools and to identify as many cases as possible before students and staff returned from winter break.

SEA continues to advocate for:

- ✓ Ensure all of the layered mitigation strategies required by DOH are implemented with fidelity
- ✓ Complete and transparent information to the community regarding daily absence rates
- ✓ Decision-making protocol for determining if a classroom or school needs to pivot to remote
- ✓ KN95 masks to all staff upon request
- ✓ Additional rapid COVID testing (without putting the burden of testing on already overworked staff)
- ✓ Workload relief

SEA Leaderships' messaging has been consistently framed as:

We are not public health experts, but we are on the ground experts in what it takes to safely provide instruction in-person.

Now that the District has published its pivot-to-remote decision-making guidelines, SEA is advocating for the District to be proactive in their decisions about pivoting to remote and centering the voices of educators, including Building Safety Teams, who best understand the conditions in our buildings.

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Q4: What actions can we take as a building?

In addition to the actions listed above, there are more ways to take action. We have numerous systems in place and it is best to use our existing systems when possible. In particular, please reach out to your Association Representative and/or Building Safety Team if you have questions or concerns related to health and safety. Members have a right to organize to address health and safety concerns, and to collectively raise those concerns with their administrators and COVID Site Supervisors. Members should connect with SEA leadership and/or staff when concerns are not being adequately addressed by administrators or when there is an emergency or urgent issue. Also, members have the right to file complaints with Labor & Industries (L&I) about safety or health hazards. Use this form: <https://lni.wa.gov/forms-publications/F418-052-000.pdf>

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Q5: Can members organize a sickout?

No, members do not have a right to organize a "sick out" in their building. SEA did not and cannot organize members to call in sick. Members need to understand such action is contrary to our CBA and is unprotected. It potentially puts members at risk, and we discourage members from doing so.

Although members cannot organize a collective "sick out," per our [CBAs](#), members have the right to use sick leave due to "illness, injury, medical disability, poor health of the employee, child care to the extent required by law, or an emergency caused by family illness, where no reasonable alternative is available to the employee." Please notify your supervisor as soon as possible if you anticipate a need to take leave due to personal illness or emergency.

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Q6: What does SEA Governance think about the District's recent guidance about pivoting to remote?

SEA leadership is still reviewing the guidance. SEA is advocating for the District to be more proactive in their decisions about pivoting to remote and centering the voices of educators, including Building Safety Teams, who best understand the conditions in our buildings. SEA is concerned that some of the metrics are overly conservative, but we have not proposed alternative metrics yet.

Q7: In the District's recent guidance about potentially pivoting to remote, one of the scenarios is described as when the "percent and/or mix of unfilled positions in a school creates unmanageable operational and/safety risks." Is there any additional information as to what that means?

In SEA governance's conversations with District leaders, we have emphasized that certain staff roles are critical for operating schools safely. These staff include special education instructional assistants, office professionals, nurses, COVID Site Supervisors, and school leaders. A flat percentage cannot take into account the complexities of this analysis.

In addition, SEA believes Building Safety Teams best understand the conditions in our buildings. SEA is advocating for BSTs to provide input at what percent and/or mix of unfilled positions in their school would create unmanageable operational and/or safety risks based on the unique circumstances of their building.

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Q8: Do buildings or programs have the right to request remote instruction?

The District's recent guidance does not center educator voice in the decision-making. SEA leadership is advocating for the District to update the guidance to center the voices of educators by including Building Safety Teams, who best understand the conditions in buildings.

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Q9: Is there any guidance from OSPI about when a school or district should pivot to remote?

There is little guidance from OSPI. Any closure in response to an emergency must be temporary and documented with OSPI. Districts are required to be in communication and collaboration with public health. If a District transitions to remote instruction temporarily, OSPI requires daily instruction to be 70% synchronous and meet OSPI's other Continuous Learning 2.0+ requirements. If a District is unable to meet the CL 2.0+ requirements, then the day should be made up later in the year, similar to a "snow day". [Continuous Learning 2.0+ Guidance 2021-22 \(www.k12.wa.us\)](http://www.k12.wa.us)

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Q10: What is the Department of Health guidance?

When outbreaks occur, the state Department of Health advises that school districts use a “cascading closures” approach, starting with small-scale cancellations of extracurriculars, then classrooms, then schools, and then an entire district if necessary. Similar to OSPI Superintendent Reykdal, state health officials have also stressed that in-person schooling is still “the best option for kids.”

<https://www.seattletimes.com/education-lab/your-local-school-district-may-need-to-close-temporarily-washington-state-superintendent-warns/?amp=1>

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Q11: How do I ensure I have the appropriate mask for my work environment? What if I am denied?

The department of health is urgently stressing the importance of appropriate PPE and they [encourage people to wear KN95s or better in public life](#). For our work situation, you probably will need a KN95 or higher. To be sure, please review [this L&I document](#). It is likely your working environment is a medium transmission environment, with some members in high transmission environments. For medium transmission environments, you should get a new KN95. Schools are employers and must make these available to staff.

When requesting a KN95 mask, it's important to use the language of L&I. Explain how you cannot maintain physical distancing working in the classrooms with a mix of unvaccinated students. If you have any issues getting the appropriate PPE, contact your supervisor and copy sea@washingtonea.org.

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Q12: What if I test positive for COVID? Do I have to use my ECPL and sick leave?

Last spring, Governor Inslee signed the Health Emergency Labor Standards Act (HELSEA) into law. Click [here](#) to read more about HELSEA.

A key element of HELSEA is expanding Worker’s Compensation coverage for any “frontline” worker who contracts COVID. The presumption is an employee was exposed to COVID while on the job and would qualify for worker’s compensation. The burden is on the employer to provide a preponderance of evidence that the employee contracted COVID somewhere else. Staff should not have to use Emergency Circumstances Paid

Leave (ECPL was negotiated in the [2021-22 Health and Safety MOU](#)) or sick leave to cover an absence due to testing COVID positive.

Procedure: ALL COVID Related Absences for 2021-2022 School Year

Employee absences for ALL absent reasons need to be reported to the Employee's Supervisor, timekeeper, and recorded in ESS. If Employee's absences related to COVID were recorded differently than outlined below in ESS, follow these procedures to correct. These procedures should be used for recording and reporting current, future, and previous COVID related absences.

If an employee's position requires a substitute, follow all normal processes to request a substitute in Frontline. The procedures below for reporting and recording absences in ESS do not create a substitute request in Frontline. If the absences are for COVID related reasons, select sick leave for the Frontline reason, and place in the Frontline "Note to Administrator" that employee is out due to COVID. **Changes will take place immediately.**

All Employees – Isolation Period

Upon supervisor verification of an employee's positive COVID-19 test result, staff are to stay home and isolate from other people for five full calendar days (day 0 is the confirmed positive test date, with five full days of isolation to follow). For example, if an employee received a positive test result on Monday, 1/3/22, the employee would isolate from 1/4/22 through 1/8/22, and be released to work as of 1/9/22. The isolation period is NOT 5 workdays. An employee who tested positive on 1/4/22 would isolate 1/5-1/9/22 and be released to work as of 1/10/22.

Verification of a positive test can be provided by email or text to the supervisor.

All Covid Positive Tests should also be reported to healthinformation@seattleschools.org in compliance with Public Health reporting requirements.

If the supervisor has verified proof that an employee has a COVID positive test result, they should compile a list (one list per school/department please) of these employees, their name, ID number, and absence dates, and send the list to oji@seattleschools.org, by January 18, 2022, and the Leave Department will record the absences with a District pay code (or change/correct absences that were previously entered with other pay codes) for the employees on the list before the February 1, 2022 payroll close.

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