

STATE EMPLOYMENT
RELATIONS BOARD

MEMORANDUM OF UNDERSTANDING

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This Memorandum of Understanding is entered into by the LITTLE MIAMI LOCAL SCHOOL DISTRICT BOARD OF EDUCATION ("Board") and the LITTLE MIAMI TEACHERS' ASSOCIATION ("Association") for the purpose of addressing changes to Ohio law related to teachers' performance evaluations and reduction in force.

WHEREAS, the Board and the Association are parties to a current Collective Bargaining Agreement in effect from July 1, 2012 through June 30, 2014.

WHEREAS, recent changes to Ohio law set forth in House Bill 153 and Senate Bill 316 require a modification to the current teacher performance evaluation system and further requires the Board to adopt a standards-based teacher evaluation policy and, thereafter, to include such policy in the Collective Bargaining Agreement between the parties; and

WHEREAS, in order to facilitate the adoption of Board policy as required by law, an Evaluation Review Committee ("ERC") will be formed by the Board and the Association.

NOW, THEREFORE, BE IT AGREED UPON, by the Board and the Association as follows:

1. Formation of Committee.

An Evaluation Review Committee ("ERC") will be formed. The ERC shall recommend to the Board a standards-based teacher performance evaluation policy that complies with the requirements of Ohio law. This evaluation policy, where in conflict, shall supercede the evaluation procedure set forth in Article 32 of the Collective Bargaining Agreement.

2. Composition of Committee.

- a. The ERC shall be established no later than September 1, 2012.
- b. The ERC shall be comprised of three (3) representatives from the Association and three (3) representatives from the administration. The Association shall appoint its members and the Superintendent shall appoint the administration members.
- c. Members of the ERC shall receive, at Board expense, training in the state-adopted evaluation framework model.
- d. The ERC shall be chaired jointly by a bargaining unit and administrative committee member.
- e. The ERC shall establish, by mutual agreement, a meeting calendar and timeline for completion of the ERC work in compliance with any time requirements set forth in this Memorandum of Understanding. At the initial meeting, the ERC will develop the guidelines by which the ERC will operate.
- f. The ERC may establish sub-committees to assist with their work and members of said sub-committees will be jointly appointed by the committee co-chairs.
- g. The ERC may invite additional persons to ERC meetings to provide additional information and/or input to the ERC regarding aspects of the evaluation process. Such persons will not be involved in any decision making process established by the ERC.
- h. The Board will provide secretarial support and clerical assistance to the ERC.

3. Pilot Program.

- a. Any changes recommended by the ERC, prior to final Board adoption, will be implemented initially as a Pilot Program during the 2013-2014 school year.

- b. Participation in the Pilot Program shall be voluntary. To be eligible to participate in the Pilot Program, a volunteer must be a member of the Association and employed under a continuing contract.
- c. Participants in the Pilot Program will be provided an opportunity to be trained on the OTES Model; any cost associated with the training will be at the Board's expense
- d. Association members will not be adversely affected due to their participation or non-participation in the Pilot Program or by the results of any evaluation done by the Pilot Program.
- e. All evaluators participating in the Pilot Program will be certified administrators employed by the Little Miami Local School District trained in the OTES Model and credentialed by the Ohio Department of Education.
- f. Any evaluations or documents created through the Pilot Program will not become part of a member's employment record or personnel file provided the member makes a written request to exclude this information by July 1, 2014.

4. Recommendation to the Board.

- a. At the completion of the Pilot Program, the ERC shall evaluate the Program and make a final recommendation to the Board on a standards-based evaluation system in compliance with Ohio law no later than May 1, 2014.

- b. If necessary, and to the extent required by law, following the Board's adoption of the standards-based evaluation policy, the parties shall engage in bargaining to address the effects of the new teacher evaluation policy on terms and conditions of employment, ~~including but not limited to the evaluation procedure.~~ If there still remains disagreement as to the policy or its effects on terms and conditions of employment, the parties may exercise any and all rights in accordance with Chapter 4117 of the Ohio Revised Code.

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5. Presentation/Training.

The ERC will be charged with the responsibility to develop a program to educate all staff on the new standards-based evaluation policy adopted by the Board and the evaluation procedure developed by the parties.

6. Impact on Reduction in Force.

For the 2012-2013 and 2013-2014 contract years, the provisions and procedures contained in Article ___-Reduction in Force shall be utilized and all bargaining unit members evaluations shall be deemed "comparable" as defined in Ohio Revised Code §3319.17.

7. OTES Model

Nothing contained within this Memorandum requires the parties to adopt the OTES Model in whole or in part.

IN WITNESS WHEREOF, the duly authorized representatives of the Little Miami Local School District Board of Education and the Little Miami Teachers' Association have executed this Memorandum on the dates opposite their signatures.

LITTLE MIAMI LOCAL SCHOOL DISTRICT
BOARD OF EDUCATION

Date: 10-23-12

By:  10-23-12
President

By: 
Treasurer

LITTLE MIAMI TEACHERS' ASSOCIATION

Date: 10-23-2012

By: 
President

By: _____
Secretary