

MEMORANDUM OF UNDERSTANDING

14-MED-05-0757

This Memorandum of Understanding is entered into by the **HOLGATE LOCAL SCHOOL DISTRICT BOARD OF EDUCATION** ("Board") and the **HOLGATE TEACHERS' ASSOCIATION** ("Association").

WHEREAS, the Board and the Association are parties to a current Collective Bargaining Agreements in effect September 1, 2014 through August 31, 2017 and September 1, 2017 through August 31, 2018; and

WHEREAS, the OTES Observation Form and OTES Final Summative Evaluation Form contained in the Collective Bargaining Agreement includes the option of a teacher response or rebuttal.

WHEREAS, the Board and the Association wish to enter into a Memorandum of Understanding to clarify the placement of rebuttal documents from bargaining unit members in response to observations and summative evaluations under OTES.

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

1. Teachers who choose to write a rebuttal to any observation will have that rebuttal attached to the specific observation they are rebutting. Any attached observation rebuttal will not be attached to the Final Summative Evaluation and will not be placed in the personnel file.
2. Teachers who choose to write a rebuttal to a Final Summative Evaluation will have the rebuttal attached to the Final Summative Evaluation. Any attached Final Summative Evaluation rebuttal will be placed in the personnel file.
3. The Board and Association understand that this MOU will not be utilized as "past practice" or "precedent setting" in any future bargaining, grievance, arbitration, litigation or contractual interpretation.
4. This Memorandum shall become affixed to the Collective Bargaining Agreement effective with the signatures of the parties.
5. This Memorandum shall constitute the full and complete understanding of the parties concerning this subject matter, and any amendments or modifications shall be in writing and signed by the parties.

IN WITNESS WHEREOF, the duly authorized representatives of the **HOLGATE LOCAL SCHOOL DISTRICT BOARD OF EDUCATION** and the **HOLGATE TEACHERS' ASSOCIATION** have executed this Memorandum on the dates opposite their signatures.

Catherine Buchholz 5-25-16
Association President Date

Kelly J. Meyers 5-23-16
Superintendent Date

Caroline Gurn 5-25-16
Association Representative Date

Amy O. Shum 5-23-16
Board Representative - President Date