

**MEMORANDUM OF UNDERSTANDING**

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**, information pertaining to OTES Professional Growth Plans and OTES Improvement Plans contained in the Collective Bargaining Agreement have been revised at the state level and there is no form included in the CBA for the teacher to select a credentialed evaluator when applicable.

**WHEREAS**, the Board and the Association wish to enter into a Memorandum of Understanding to clarify changes in OTES Professional Growth Plans and Improvement Plans, and also to provide a form to document the teachers' selection of a credentialed evaluators when applicable.

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

1. Teachers who earn a Final Summative Rating of Accomplished must develop a Professional Growth Plan with a minimum of two goals and choose their credentialed evaluator from the Board-approved list for the next evaluation cycle.
2. Teachers who earn a Final Summative Rating of Skilled must develop a Professional Growth Plan with a minimum of two goals collaboratively with a credentialed evaluator from the Board-approved list. The teacher will have input on the selection of a credentialed evaluator for the next evaluation cycle.
3. Teachers who earn a Final Summative Rating of Developing must comply with a Professional Growth Plan with a minimum of two goals developed by the credentialed evaluator assigned by the Superintendent/designee from the Board-approved list for the next evaluation cycle.
4. Teachers who earn a Final Summative Rating of Ineffective must comply with an Improvement Plan developed by the credentialed evaluator assigned by the Superintendent/designee from the Board-approved list for the next evaluation cycle.
5. This updated information will replace the information on page 77 of the CBA under item number 11: Professional Growth Plans or Improvement Plans.
5. A selection form will be used for teachers who earn a Final Summative Rating of Accomplished to indicate their choice of a credentialed evaluator from the Board-approved list for the next evaluation cycle. The same form will be used for teachers who earn a Final Summative Rating of Skilled to provide input on a credentialed evaluator from the Board-approved list for the next evaluation cycle. This form will be placed in the teacher's personnel file. This selection form will be attached to this MOU.
6. 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.
7. This Memorandum shall become affixed to the Collective Bargaining Agreement effective with the signatures of the parties.

8. 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.

<u>Catherine Buckholz</u> Association President	<u>5-25-16</u> Date	<u>Kelly J. Meyers</u> Superintendent	<u>5-23-16</u> Date
<u>Caroline Hum</u> Association Representative	<u>5-25-16</u> Date	<u>Amy A. Hum</u> Board Representative - President	<u>5-23-16</u> Date

**Credentialed Evaluator Choice - Final Summative Rating: Accomplished**

Teacher's Name: \_\_\_\_\_

For the \_\_\_\_\_ school year, I choose the following as my credentialed evaluator:

- Elementary Principal
- Middle/High School Principal
- Superintendent

\_\_\_\_\_

\_\_\_\_\_

Teacher Signature

Date

\_\_\_\_\_

\_\_\_\_\_

Administrator Signature

Date

cc: Personnel file

**Credentialed Evaluator Preference - Final Summative Rating: Skilled**

Teacher's Name: \_\_\_\_\_

For the \_\_\_\_\_ school year, I prefer the following as my credentialed evaluator:

- Elementary Principal
- Middle/High School Principal
- Superintendent

\_\_\_\_\_

\_\_\_\_\_

Teacher Signature

Date

\_\_\_\_\_

\_\_\_\_\_

Administrator Signature

Date

cc: Personnel file

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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 Agreement in effect from September 1, 2014 through August 31, 2017 and from September 1, 2017 through August 31, 2018; and

**WHEREAS**, the Board and the Association wish to enter into a Memorandum of Understanding to update the Final Summative Evaluation Form in the contract.

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

1. The current Summative Evaluation Form contained in the CBA does not reflect the five levels of Student Growth Measures as listed in the OTES MOU contract language and in accordance with the legislated OTES Model. This form will be replaced with a new form that includes the five levels of Student Growth Measures and an option for the teacher to attach a response. These will be the only changes made in the form.

2. The updated form shall be attached to this MOU.

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 Buehler* 5-25-16 *Keely J. Meyers* 5-23-16  
Association President Date Superintendent Date

*Madeline Grum* 5-25-16 *Gregory O. Johnson* 5-23-16  
Association Representative Date Board Representative - President Date

**Final Summative Rating of Teacher Effectiveness**

Proficiency on Standards 50%	INEFFECTIVE	DEVELOPING	SKILLED	ACCOMPLISHED
Cumulative Performance Rating (Holistic Rating using Performance Rubric)				
<i>Areas of reinforcement/ refinement:</i>				
Student Growth Data 50%	LEAST EFFECTIVE	APPROACHING AVERAGE	AVERAGE	ABOVE AVERAGE
Student Growth Measure of Effectiveness				
<i>Areas of reinforcement/ refinement:</i>				
Final Summative (Overall) Rating	INEFFECTIVE	DEVELOPING	SKILLED	ACCOMPLISHED

Check here if Improvement Plan has been recommended.

Teacher Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Evaluator Signature \_\_\_\_\_ Date \_\_\_\_\_

The signatures above indicate that the teacher and evaluator have discussed the Summative Rating.  
 Note: The teacher may provide additional information to the evaluator within 10 working days of the receipt of this form, and may request a second conference with the evaluator. Any additional information will become part of the summative record. Challenges may be made according to the local contract agreement.