

**Memorandum of Agreement**

Made as of Aug. 24, 2016 by and among the Marimor Education Association (“Association”) and the Allen County Board of Developmental Disabilities (“Board”).

Whereas, the Negotiated Agreement in effect between the Association and the Board identifies the Association as the exclusive representative “for all licensed teaching personnel employed by the Board.” See Article I “Recognition” clause, Section A.1.

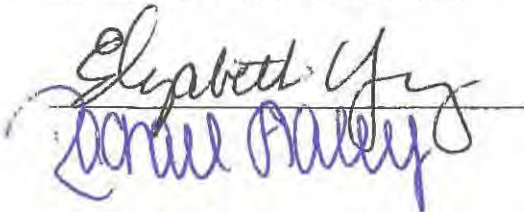
Whereas, the positions of Early Intervention Specialist historically required teaching licenses pursuant to state law, but no longer have such a requirement. Further, the State Teachers Retirement System (STRS) and the School Employees Retirement System (SERS) issued a memorandum of clarification in January of 2014 that mandated changes in membership and identified this position as outside the scope of STRS. Consequently, the positions have been moved to the Ohio Public Employees Retirement System (OPERS).

Whereas, there are two (2) Early Intervention Specialists employed by the Board and one (1) Speech Therapist employed by the Board. None of these employees are licensed teaching personnel.

Therefore, the above-referenced positions do not meet the definition of the “Recognition” clause set forth in Article I of the Negotiated Agreement and are not members of the Association.

As such, the Association and Board agree that the positions of Early Intervention Specialist and Speech Therapist are not represented by the Association and this Memorandum of Agreement shall specifically supersede any conflicting provisions of the Negotiated Agreement. The Association and Board further agree to file a Petition for Amendment of Certification with the State Employment Relations Board (SERB) to seek the removal of the above-referenced three (3) positions from the bargaining unit.

Marimor Education Association:



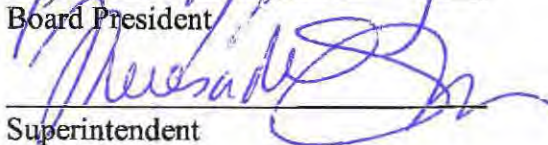
8-24-16  
Date 8/24/16

Allen County Board of Developmental Disabilities



Board President

9-27-2016  
Date



Superintendent

9/27/2016  
Date