

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is entered into by and between the East Aurora Council-Local 604, AFT/IFT, AFL-CIO ("Union") and the Board of Education of the East Aurora School District No. 131 ("District") effective as of the 1<sup>st</sup> day of August, 2014.

**WHEREAS**, the District and the Union are parties to a collective bargaining agreement, which Agreement expires on June 30, 2015, (the "Agreement"); and

**WHEREAS**, the provisions of the Performance Evaluation Reform Act of 2010 required the parties to develop an evaluation plan for all teachers incorporating the requirements of Article 24A of the School Code at the times stipulated therein; and

**WHEREAS**, in accordance with the requirements of Article 24A the parties have developed revised evaluation plans as provided herein; and

**WHEREAS**, the parties desire by this Memorandum of Understanding to implement those provisions, changes and amendments to the Agreement;

**NOW THEREFORE** the parties agree that effective upon the approval of this Memorandum as follows:

1. That Section 10.3 is amended to read as follows:  
**10.3** Formal teacher observations may take place on any one of up to three days in a week designated by the evaluator provided such observation is preceded by a conference between the evaluator and the teacher and, prior to such conference, the teacher has submitted to the evaluator the written lesson plans and/or other evidence of planning for the instruction that will be conducted on each of the days designated by the evaluator as eligible for the formal observation and the teacher shall make recommendations for areas on which the evaluator should focus during the observation. In addition, the Pre-Observation Form (Appendix E-5) must be completed by the teacher and brought to the conference. During such conference the evaluator and the teacher shall discuss the Pre-Observation form and all relevant factors involved in the evaluation process.
  
2. That Section 10.4 is amended to read as follows:  
**10.4** A formal classroom observation shall be defined as one involving a classroom visitation of approximately thirty (30) minutes, but not less than twenty (20) minutes, and a written observation of the visitation followed by a conference between the evaluator and the teacher. The evaluator will provide verbal feedback to the teacher at the conclusion of the visitation or within one school day. A Post-Observation Reflection Form (Appendix E-6) shall be completed by the teacher and returned to the evaluator within five school days following the formal classroom observation. The conference shall take place within twenty (20) calendar days of the classroom visitation.

3. That Section 10.5 is amended to read as follows:  
**10.5** The evaluator shall formally observe/evaluate each teacher in writing, using an observation/evaluation instrument containing the elements described in section 10.1 (Revised Appendix E-1, 8/4/14, attached hereto, or E-3). All formal observations shall be done with the full knowledge of the teacher. The Joint Evaluation Committee will meet during the 2014-2015 school year to revise the Ancillary Staff Formal Observation Form (Appendix E-3) and will further meet to implement the student growth component as required by Article 24A of the School Code.
  
4. That Section 10.6 is amended to read as follows:  
**10.6** Non-tenured teachers shall be formally observed at least twice each year and evaluated once each year. Tenured teachers shall, if determined by the Administration to be necessary, be formally observed at least once each year and formally evaluated biannually (Revised Appendix E-2, 8/4/14, and E-4). However, a tenured teacher who has obtained a “needs improvement” or “unsatisfactory” rating on the previous year’s evaluation shall be evaluated in the next school year after receiving that rating. A formal observation means a specific period of time that is scheduled with the teacher to directly observe professional practices in the classroom. The Joint Evaluation Committee will meet during the 2014-2015 school year to revise the Ancillary Staff Summative Evaluation Form (Appendix E-4) and will further meet to implement the student growth component as required by Article 24A of the School Code.
  
5. That Section 10.8 is amended to read as follows:  
**10.8** The Administration may utilize informal observations and other first hand evaluative criteria for considering the competency of any teacher. An informal observation means observations of the teacher by a qualified evaluator that is not announced in advance of the observation. An informal observation shall be 20 minutes or less. A joint committee consisting of equal representation from the Union and Administration has developed District-wide guidelines for informal observations which guidelines for educators are attached as Revised Appendix I, 8/4/14. For the 2014-2015 school year the ancillary staff will continue to use the existing Appendix I. Informal observations which are used to evaluate the teacher shall be reduced to writing, with a copy given to the teacher and a copy signed by the teacher and returned to the evaluator, and shall be discussed with the teacher at the teacher’s request. In addition to informal observations, the evaluation process may include notes, memoranda, e-mails or other types of documentation. If the teacher feels that the documentation is incomplete, inaccurate or unjust, he/she may put his/her response in writing. The response shall be attached to the documentation to be placed in the official personnel file.
  
6. That the “Revised Appendix E-1, 8/4/14”, “Revised Appendix E-2, 8/4/14”, Appendix E-5, Appendix E-6, and “Revised Appendix I, 8/4/14” are attached hereto and incorporated herein for reference.

7. The foregoing provisions and this Memorandum are non-precedential to the Union or the District with regard to other matters and without prejudice to any position of the Union or the District with regard to other matters and all other provisions of the Agreement remain unchanged and in full force and effect.

East Aurora Council-Local 604

IFT/AFT, AFL-CIO

By: *Lara A. [Signature]*

Date: 8/4/14

East Aurora School District #131

By: *[Signature]*

Date: 8/4/14