



# JEFFERSON COUNTY BOARD OF EDUCATION

July 26, 2016, Regular Meeting

- Agenda Item: **IX.S. Approval of Memorandum of Understanding with the Jefferson County Teachers Association**
- Recommendation: Superintendent Donna Hargens recommends the Board of Education approve the attached Memorandum of Understanding between the Jefferson County Teachers Association and Jefferson County Public Schools.
- Rationale: The attached Memorandum of Understanding is to clarify nomenclature used between the Jefferson County Teachers Association and Jefferson County Public Schools.

Submitted by: Tom Hudson

Attachment

## MEMORANDUM OF UNDERSTANDING

On June 1, 2016, leadership from the Jefferson County Teachers Association ("JCTA") and the Jefferson County Public Schools ("JCPS"), with their respective legal counsel, met to discuss how to best classify various agreements between the parties, as well as which agreements must be reported to or approved by the Jefferson County Board of Education (the "JCBE" or "Board"). The parties reached the following agreements regarding classifications and reporting:

An agreement between JCTA, JCPS and one or more employees to resolve disciplinary, assignment, payment or other employment issues involving the identified employees, where no grievance has been filed, will be titled **EMPLOYEE RESOLUTION AGREEMENT**. It does not require approval of the Board and is not reported to the Board.

An agreement between JCTA, JCPS and one or more employees to resolve a written grievance, which has been filed pursuant to the JCTA – JCPS collective bargaining agreement, will be titled **GRIEVANCE RESOLUTION AGREEMENT**. It does not require approval of the Board and is not reported to the Board.

An agreement made between JCTA, JCPS and an employee to resolve a tribunal proceeding under KRS 161.790 will be titled **TRIBUNAL RESOLUTION AGREEMENT**. It does not require approval of the Board and, consistent with the settlement of other personnel matters as listed above, will not be reported to the Board.

JCTA and JCPS understand and agree that although Employee Resolution Agreements, Grievance Resolution Agreements, and Tribunal Resolution Agreements do not require Board approval or reporting to the Board, alterations to job type, employment status, or the like that are included in such agreements may be reported to the Board within normal and customary reports to the Board.

An agreement between JCTA and JCPS which resolves (1) the interpretation and application of the collective bargaining agreement; (2) operational, logistical and timing issues; (3) compliance with legislative and regulatory requirements; or (4) other collaborative and cooperative endeavors that the parties want to memorialize will be titled a **MEMORANDUM OF UNDERSTANDING** ("MOU"). MOUs may temporarily modify or suspend specific contract provisions to address unusual situations that may arise; however, an MOU may not permanently modify the CBA. An MOU may be used instead of a Grievance Resolution Agreement if the resolution will have an impact on a significant number of employees or on JCPS operations. All MOUs must be reported to the Board, but MOUs do not require Board approval.

Agreements between JCTA and JCPS that (1) alter, amend or modify the terms of the existing collective bargaining agreement; (2) by Board policy or by law require Board action; or (3) the parties agree should be submitted to the Board for approval will be titled a **MEMORANDUM OF AGREEMENT** ("MOA") and will not become effective except upon approval by the Board.

DeeAnn Flaherty 7/18/16  
DeeAnn Flaherty, JCTA (date)

Brent McKim 7/18/16  
Brent McKim, JCTA (date)

Donna Hargens  
Donna Hargens, JCBE (date)

Tom Hudson 18 JUL 16  
Tom Hudson, JCBE (date)

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