

MEMORANDUM OF AGREEMENT
BY AND BETWEEN
THE AVERILL PARK CENTRAL SCHOOL DISTRICT
AND
THE AVERILL PARK CENTRAL TEACHERS' ASSOCIATION

WHEREAS, the Averill Park Central School District (“School District”) and Averill Park Central Teachers’ Association (“Association”) are parties to a collective bargaining agreement (“Agreement”); and,

WHEREAS, the School District employs special education teachers who are also members of the Association; and,

WHEREAS, the Regulations of the Commissioner of Education (8 NYCRR 80-3.15) require, effective July 1, 2020, that special education teachers who teach one or more subject area(s) in a special class in grades 7-12 (excluding teachers of classes composed solely of alternate assessment students) must either be certified in the subject area(s) that they teach, or meet certain experience requirements for a Statement of Continued Eligibility (SOCE); and,

WHEREAS such regulations also require that teachers who require and are qualified for a SOCE must submit an application for a SOCE to the New York State Department of Education (NYSED) on or before June 30, 2020; and

WHEREAS, the School District and Association have discussed this new requirement and the costs which may be incurred by individual special education teachers who are required to obtain the SOCE; and,

WHEREAS, the School District and Association are willing to enter into this Memorandum of Agreement to accommodate this situation under the following terms.

IT IS HEREBY AGREED AS FOLLOWS:

1. The Memorandum of Agreement only applies to those Special Education teachers currently employed by the School District who are required to obtain a SOCE for their current teaching assignment by the above referenced new regulation.

2. Such teachers will only pay the initial application fee of \$100 on or before June 30, 2020 and will be reimbursed that application fee in accordance with the conditions established herein. Teachers filing more than one application for subject areas must submit an email to the Office of Teaching Initiatives for waiver of any subsequent application fee(s) as directed by NYSED.

3. District will reimburse a teacher who has filed a SOCE application for fingerprint clearance (not to exceed \$102). Teachers must submit requests for reimbursement of fingerprint clearance to District on or before June 30, 2020 to be eligible for reimbursement by District.

4. SED also requires that applicants satisfy certain workshop requirements. Those are discussed below:

- School Violence Intervention and Prevention – This is available on line for a fee of \$30.00. If the teacher satisfies this requirement with the on-line course, the School District will reimburse the teacher the fee. If the teacher elects to satisfy this requirement with any other or more expensive course, the School District will only reimburse the teacher up to the sum of \$30.00;

- Autism – This is available on line for a fee of \$45.00. If the teacher satisfies this requirement with the on-line course, the School District will reimburse the teacher the fee. If the teacher elects to satisfy this requirement with any other or more expensive course, the School District will only reimburse the teacher up to the sum of \$45.00;

- Dignity for All Students Act - District will make available to teachers who have filed a SOCE application the Dignity for All Students Act workshop required to complete the SOCE. In the event a teacher who has so filed a SOCE application is unable to complete a district-provided workshop, upon prior approval of district, district will reimburse such teacher for the workshop registration fee up to a maximum sum of \$80.

4. Teachers participating in the above workshops are not eligible for any salary reimbursement or payment of credits as a result of such participation that might otherwise be available in the Agreement.

5. This Memorandum of Agreement is unique to the circumstances of this situation and shall not constitute precedent in any future situation.

6. This Memorandum of Agreement is subject to Board of Education approval.

DATED: _____, 2020

FOR THE DISTRICT:

James Franchini
Superintendent of Schools

FOR THE ASSOCIATION:

Gordon Kaedy
President