



# MEMORANDUM OF UNDERSTANDING

This document shall constitute a Memorandum of Understanding (MOU) between The Teachers Association of Lee County (TALC) and The School District of Lee County relating to Article 5 (General Employment Practices), Article 7 (Work Schedule), and Article 10 (Compensation) of the Collective Bargaining Agreement.

This agreement is necessary to satisfy the requirements of Florida Statute 1001.42(21) (Educational Emergency), which requires the parties to negotiate an MOU that addresses a Florida Department of Education (FL DOE) identified Educational Emergency at schools with school grade of "D" or "F."

FL DOE has identified an Educational Emergency at G. Weaver Higgs Elementary, Manatee Elementary, and Fort Myers Middle Academy.

## **General Employment Practices**

In order to ensure the correct and proper operations of the District, the parties agree that the District may involuntarily transfer instructional staff to locations with an FL DOE identified Educational Emergency and, if the school's emergency status changes, will attempt to return these employees to their prior work location during the current fiscal year (FY24), if the employee so chooses. At the end of the fiscal year, all involuntarily transferred employees will be given the right of first refusal to transfer back to their previous work location.

Due to the necessity for the employee to have an Effective or Highly Effective State VAM score, the District will prioritize the transfer of employees with positions classified as "classroom instructional" over "non-classroom instructional"; see Appendix. Internal transfer timelines are not applicable for employees transferring to schools with an FL DOE identified Educational Emergency. Administrators must arrange for the release of employees wishing to transfer to schools with an FL DOE identified Educational Emergency within two (2) weeks of an offer of employment.

## **Work Schedule**

In order to provide support and assistance to those individuals who transfer to schools with an FL DOE identified Educational Emergency, employees will be eligible



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for up to three (3) duty-free work days to allow them to acclimate to the change in their assigned duties.

## Compensation

In accordance with Article 10.02(3) (Differential Pay), employees assigned to schools with an FL DOE identified Educational Emergency are eligible for a Turnaround School Supplement in the amount of \$4,000.00.

The FL DOE Bureau of School Improvement (BSI) allocated funds to the District to provide a bonus or incentive payment for employees with a "Highly Effective" or "Effective" aggregate value-added model (VAM) rating. Eligibility for this bonus or incentive are based upon assignment at a school FL DOE identified Educational Emergency and qualifying VAM rating, as determined by FL DOE standards.

This agreement will be effective July 1, 2023 and will remain in effect until June 30, 2024 or the ratification of a subsequent collective bargaining agreement.

Agreed to:

The Teachers Association of Lee County

Kevin Daly  
President

8/1/23

Date

Kerr Fazzino, Ph.D.  
Chief Negotiator

8/1/23

Date

The School District of Lee County

Christopher Bernier, Ed.D.  
Superintendent

8/2/23

Date

Robert Dodig  
Chief Negotiator

8/2/23

Date