

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CLEVELAND METROPOLITAN SCHOOL DISTRICT AND
THE CLEVELAND TEACHERS UNION, AFT LOCAL 279, AFL-CIO
RE: SCHOOL IMPROVEMENT GRANT TIER I SCHOOLS**

This is a Memorandum of Understanding between the Cleveland Metropolitan School District ("District") and the Cleveland Teachers Union, AFT Local 279, AFL-CIO, ("CTU") regarding the implementation of the School Improvement Grant (SIG) Tier I School staff assignments.

A. The parties recognize that the SIG Tier I Schools (Collinwood, East Technical, Franklin D. Roosevelt, Glenville, John F. Kennedy, Lincoln-West and Thomas Jefferson Ninth Grade Academy, Mary B. Martin, and Woodland Hills) identified as the Turnaround Model requires the screening of all teaching staff, the replacement of at least 50 percent of the teaching staff, and the selection of new teaching staff, using "locally adopted competencies to measure the effectiveness of staff who can work within the turnaround environment to meet the needs of students". Therefore the parties agree to the following procedures to implement this Turnaround Model requirement:

1. All teaching staff in the affected school will receive written information outlining the description of the program(s) being implemented in the SIG Tier I School and the commitments required for continued assignment in the SIG Tier I School. The District shall notify affected bargaining unit members in writing by U.S. mail to be postmarked no later than July 28, 2010.
2. Opportunity to continue assignment in a SIG Tier I School.
 - a. All teaching staff will have the opportunity to express interest in a continued assignment in the SIG Tier I School by returning the SIG Tier I School Commitment Form which shall outline the specific competencies required for continued assignment in the SIG Tier I School. In SIG Tier I Schools in which multiple models will be implemented, teaching staff will have the opportunity to express interest in any/all models in rank preference order.

- b. All teaching staff will have the opportunity to express interest in opting out of continued assignment in the SIG Tier I School by returning the SIG Tier I School Opt Out Form. Bargaining unit members who return the Opt Out Form shall be notified of their Necessary Transfer from the SIG Tier I School.
 - c. Should a bargaining unit member be unavailable to complete the SIG Tier I School Opt In Form or SIG Tier I School Opt Out Form, the bargaining unit member may select a proxy to complete these forms on their behalf by notifying the District using the District's Proxy Form or by notifying the District through email communication (HR@cmsdnet.net).
 - d. Staff members who do not return a completed SIG Tier I School Commitment Form or a SIG Tier I School Opt Out Form shall be notified of their Necessary Transfer from the SIG Tier I School but shall have the opportunity to select a continued assignment at the same SIG Tier I School during the Necessary Transfer Meeting outlined in paragraph (7) below.
 - e. Bargaining unit members shall return the appropriate SIG Tier I Commitment Form or SIG Tier I School Opt Out Form to the Human Resources Department by fax, email, or in person and to the SIG Tier I School principal by fax, email, or in person no later than the end of the work day on August 3, 2010. Faxed responses to Human Resources shall be faxed to 216/574-6381. Emailed responses to Human Resources shall be emailed to HR@cmsdnet.net.
3. The Principal and the Chapter Chair of the SIG Tier I School will review each SIG Tier I School Commitment Form to select those staff members who will be eligible to continue their assignment in the SIG Tier I School. In the absence of a Principal, the District shall appoint a Principal designee. In the absence of a Chapter Char, the CTU shall appoint a Chapter Chair designee. The following criteria shall be reviewed in confirming eligibility:

- a. Written commitment by the applicant to each of the competencies outlined on the SIG Tier I School Commitment Form;
- b. Seniority of the applicant;
- c. Certification/licensure and Highly Qualified Teacher status of the applicant;
- d. Balanced representation of staff across departments/grades, with a desired goal of maintaining 50% of each department/grade staff where possible.

This review will be conducted at a SIG Tier I School Staff Selection Review Meeting. Representatives of the District and of the CTU shall be available at this Selection Review Meeting to assist Principals and Chapter Chairs and to monitor the appropriate selection of staff members as outlined in paragraphs 3(a), (b), (c), and (d) above. This Selection Review Meeting will be held at 8:00 a.m. on August 4, 2010.

4. The Principal and Chapter Chair of the SIG Tier I School will notify Human Resources of the staff selection as described in paragraph (3) above. Those staff members who were not selected using the criteria outlined in paragraph (3) above shall be notified of their Necessary Transfer from the SIG Tier I School by Human Resources. Notification shall be provided to affected staff members as described in the separate Staffing For 2010-11 School Year Memorandum of Understanding.
5. At the completion of the staff selection process described in paragraph (3) above, all remaining vacancies shall be posted on the Open Positions List.
6. All CTU teacher members identified for Necessary Transfer will be provided with access to the SIG Tier I School Commitment Forms for each SIG Tier I School.
7. At the Necessary Transfer Meetings, each CTU teacher member shall have the opportunity to be considered for selection for an assignment in a SIG Tier I School. To be considered, the CTU teacher member shall:
 - a. Complete the appropriate SIG Tier I School Commitment Form.

- b. Meet with the Principal and the Chapter Chair of the SIG Tier I School to secure the signature of both the Principal and the Chapter Chair.

Assignment at the SIG Tier I School shall only occur by mutual agreement of the SIG Tier I School Principal and Chapter Chair.

In the event the Principal and Chapter Chair do not mutually agree to accept the teacher member, the teacher member shall make another selection from the Open Position list. The teacher member may continue to make selections which include SIG Tier I Schools until selected for an assignment or may select any other available Open Position list.

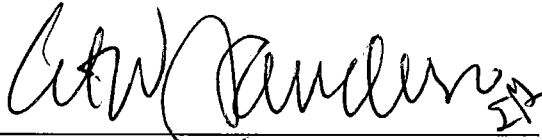
In the event the only remaining Open Position from which a teacher member may select is in a SIG Tier I School, the Principal and Chapter Chair shall not refuse the teacher assignment.

8. Following the completion of Necessary Transfers, all remaining open positions shall be filled by interview using the school's Personnel Selection Committee as outlined in Article 12, Section B. Each teacher member accepting assignment in a SIG Tier I School shall complete the SIG Tier I School Commitment Form upon acceptance of the assignment.

- B. Upon selection of faculty assignments, each SIG Tier I School shall develop an Academic Achievement Plan (AAP) as outlined in Article 5 of the CBA. This AAP must outline the school faculty's plan to address the competencies outlined on the SIG Tier I School Commitment Form, subject to the approval of the Chief Academic Officer who shall monitor compliance of the School Improvement Grant.

All provisions of the CBA shall be in full force and effect except those mutually agreed to be modified as described above.

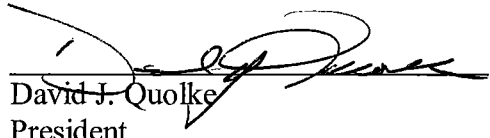
FOR THE DISTRICT



Eugene T.W. Sanders, Ph.D.
Chief Executive Officer
Cleveland Municipal School District

DATE

FOR THE CTU



David J. Quolke
President
Cleveland Teachers Union

7/22/10

DATE