

**LETTER OF AGREEMENT**  
*Between*  
**BAY-ARENAC ISD**  
*and*  
**BAY-ARENAC EDUCATION ASSOCIATION, MEA/NEA**

**RE: Article XIII, ¶C, (3) EMPLOYEE EVALUATION**

This Letter of Agreement is entered into this 18<sup>th</sup> day of October, 2011, between Bay-Arenac ISD (hereinafter referred to as the "Board") and the Bay-Arenac Education Association, MEA/NEA (hereinafter referred to as the "Association") to amend the observation procedures outlined in Article XXIII, ¶C, (3) Employee Evaluation.

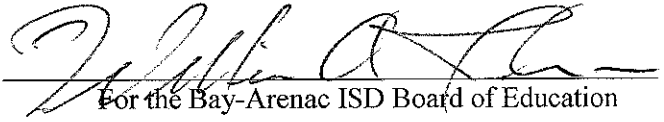
On October 3, 2011, the administration requested a meeting with the unit president to discuss recent changes to §380.1249 of the Revised School Code, enacted July 19, 2011. The parties discussed whether there is a the need to conduct multiple observations of licensed professionals who are not eligible for tenure status according to provisions of the Tenure Act but hold state approval or state authorization appropriate to their assignments. Current provisions of the 2011-2013 agreement between the Board and Association require the administration to conduct two working observations, 30 consecutive minutes in duration regardless of assignment.

After thorough consideration of the matter, the parties agree to the following:

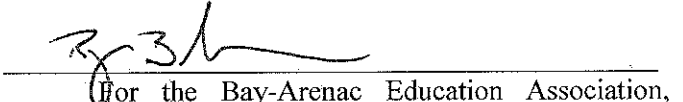
1. The first sentence in Article XIII, ¶C, (3) Employee Evaluation, the sentence shall be amended to read, *"During the life of this agreement, tenure and probationary teachers, as defined by the Teachers Tenure Act, shall be evaluated using the following procedure. The formal evaluation will be preceded by at least two (2) working observations, each of which shall be at least thirty (30) consecutive minutes in duration. The Superintendent / Designee will notify the employee in advance of the working observations.*
2. *Licensed professionals who are not eligible for tenure status according to provisions of the Teachers Tenure Act but hold state approval or state authorization appropriate to their assignment shall be observed at least once every three years. The administration may conduct additional observations at its discretion. The employee may request an additional observation should the employee deem his/her performance as ineffective or minimally effective. The observation may be conducted at the administration's discretion.*
3. This Letter of Agreement entered into pursuant to and in accordance with the authority as set forth in Article XIV, NEGOTIATIONS PROCEDURES, of the 2011-2013 Agreement between the Board and the Bay-Arenac Education Association, MEA/NEA. This Letter of Agreement and its content should be considered as a part of the aforementioned collective bargaining agreement and its terms shall control to the extent of any inconsistency with the provisions of said Agreement.
4. This Letter of Agreement shall become effective the date of its signing by the parties and shall expire on June 30, 2013, and shall incorporate the entire understanding of the parties related to the topic covered by the parties.
5. By executing this Letter of Agreement neither the Board nor the Association modify, alter, or waive any other rights or protections afforded to them respectively under the terms of the 2011-2013 collective bargaining agreement nor shall it deny the Board its duty to comply with all applicable law.

**SIGNATURES OF NEXT PAGE**

Date: \_\_\_\_\_

  
For the Bay-Arenac ISD Board of Education

Date: 10/20/11

  
For the Bay-Arenac Education Association,  
MEA/NEA