

Memorandum of Understanding Regarding Race To The Top Application / Agreement

WHEREAS, the Hernando Classroom Teachers Association (“HCTA”) is the certified bargaining agent for teachers in Hernando County.

WHEREAS, the School Board of Hernando County (“School Board”) is the employer and party to a collective bargaining agreement with the HCTA.

WHEREAS, the School Board and the HCTA have signed a Participating Local Education Agency Memorandum of Understanding regarding application for the federal Race to the Top (“RTTT”) grant funds.

WHEREAS, the RTTT Application and Plan will involve mandatory subjects of collective bargaining pursuant to Chapter 447 of the Florida Statutes; and

WHEREAS, there is a need for a mutual understanding that HCTA and School Board are willing to use best efforts to negotiate terms and conditions necessary for submitting the RTTT Application and Plan; and,

WHEREAS, the parties agree that it is not the intent to impair or abrogate the terms and conditions of the parties’ negotiated collective bargaining agreement nor shall the parties be required or obligated in any manner to waive any of their rights under the Florida Constitution, Florida Statutes or the current collective bargaining agreement; and,

WHEREAS, as the parties recognize that the successful execution of the Race to the Top Grant is wholly dependent upon the cooperative and collaborative efforts of the parties and that utilization of Florida Statute 447.403 may be counterproductive under certain circumstances to achieving the goals contained within the Race to the Top Grant.

NOW, THEREFORE, the parties agree as follows:

1. The Parties agree that the execution of the FLDOE RTTT MOU constitutes support of the goals and objectives of the RTTT. The parties further agree that said signature does not constitute agreement to modify the existing CBA or to negotiate additional language consistent with all elements of the FLDOE Preliminary Scope of Work. The parties, however, agree to engage and use their best efforts to develop a mutually agreeable plan to address reforms consistent with the objectives of RTTT.
2. The parties agree to use best efforts to develop a negotiated, mutually agreed upon implementation plan in the areas identified by the parties as part of the Plan. The signature of the Union President on the MOU does not constitute an agreement to (a) reopen or otherwise modify the CBA, unless and until a subsequent negotiated time specific waiver or other agreement has been mutually agreed upon by the HCTA and School Board or (b) limit or waive its rights and protections under the Florida Constitution, the Florida Public Employees’ Relations Act and other applicable laws.

