

**AMENDED AND RESTATED
MEMORANDUM OF AGREEMENT
Between
Tucson Unified School District (TUSD)
and
Education Leaders, Inc. (ELI),**

This Memorandum of Agreement is entered into on this 6th day of May, 2016 by and between Tucson Unified School District ("TUSD") and Educational Leaders, Inc. ("ELI") who is acting on behalf of the employees who are subject to the Meet and Confer Agreements for ELI Administrators, Psychologists, and Research Project Managers ("ELI Agreement").

1. On April 25, 2016, TUSD and ELI negotiated an agreement ("Salary Tentative Agreement") pursuant to Article 11 of the ELI Agreement.
2. The parties entered into the Salary Tentative Agreement in an effort to present a 2016-2017 ELI Agreement to the Governing Board for consideration, approval and adoption at the May 10, 2016 Board Meeting so that the employees who are subject to the ELI Agreement can have clear terms of employment prior to the end of the 2015-2016 school year.
3. At the time of the Salary Tentative Agreement, there remained the potential for additional funding to be received by TUSD through the May 17, 2016 public vote on Proposition 123 ("Vote").
4. The parties entered into the Salary Tentative Agreement prior to the end of the legislative session which can still address potential legislation that may affect the TUSD budget for the 2016-2017 fiscal year ("End of Legislative Session").
5. The parties thereafter learned that the District submitted a Board Agenda Item which will recommend a salary step increase pending Governing Board approval ("Step Increase") for all employees who are subject to the ELI Agreement for the 2016-2017 contract year as a result of the state of Arizona's confirmation that the District will not be required to transition to current year funding in the 2016-2017 fiscal year.
6. The parties understand that the terms of ELI Agreement will be presented to the Governing Board for consideration, approval and adoption at the May 10, 2016 Board Meeting prior to the Vote and the End of Legislative Session.
7. This Amended and Restated Salary Tentative Agreement addresses that Step Increase as a contingency in addition to the contingencies addressed in the Salary Tentative Agreement dated April 26, 2016.

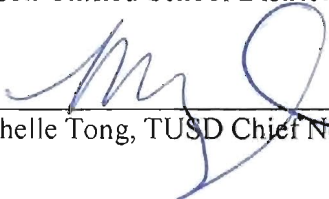
8. In consideration of ELI's agreement to present the 2016-2017 ELI Agreement prior to the end of the 2015-2016 school year, and to forego its right to wait for the Vote and End of Legislative Session before entering into a 2016-2017 ELI Agreement that would address the salary contingencies contained herein, and to avoid the need to return to negotiations after the Vote and End of Legislative Session, the parties have agreed to reach this Salary Tentative Agreement to address each of the contingencies now known that may come to fruition through the Vote and/or End of Legislative Session, the appropriate one of which will be presented by the District to the Governing Board for amendment to Article 11 of the ELI Agreement as described in Article 11-9 of the 2016-2017 ELI Agreement, if and only if the Vote and End of Legislative Session result in additional funding that may be used by TUSD for salaries for the 2016-2017 contract year.
9. The parties agree to the following terms for contingent provisions, the appropriate one of which the District will present to the Governing Board for inclusion in Article 11 of the 2016-2017 ELI Agreement, if and only if the Vote and the End of the Legislative Session result in additional funding that may be used by TUSD for salaries for the 2016-2017 contract year.
 - If Proposition 123 passes and House Bill 2480 fails, and the funding for Proposition 123 is received by the District during the 2016-2017 contract year, then: (a) the base salary for all employees who are subject to the ELI Agreement will increase by 1%; and (b) the District will propose a separate Memorandum of Agreement to be signed by ELI and presented to the Governing Board that will address psychologist compression which makes step 20 of the current psychologist salary schedule the starting salary on the new schedule, provides for placement for current TUSD employees based on their TUSD experience and which will start and be completed during the 2016-2017 contract year. Such salary adjustments shall not result in any decrease in salary for a psychologist who has been and remains employed with the District in 2016-2017.
 - If any one of the following three (3) scenarios ("Scenarios") happens, then there will not be any increase to the base salary or any additional steps permitted to employees who are subject to the ELI Agreement beyond the Step Increase for the 2016-2017 contract year that will be recommended by Dr. Sanchez at the May 10th Board meeting:
 1. If Proposition 123 fails and House Bill 2480 fails;
 2. If Proposition 123 passes and House Bill 2480 passes, and the funding for Proposition 123 is received by the District during the 2016-2017 contract year; or
 3. If Proposition 123 fails and House Bill 2480 passes.

However, if either of the first two Scenarios listed above occurs, the District will propose a separate Memorandum of Agreement to be signed by ELI and presented to the Governing Board that will address psychologist compression that makes step 20 of the current psychologist salary schedule the starting salary on the new schedule, provides for placement for current TUSD employees based on their TUSD experience and which will

start during the 2016-2017 contract year and be completed during the 2017-2018 contract year. Such salary adjustments shall not result in any decrease in salary for a psychologist who has been and remains employed at the time that said employee's adjustment becomes applicable. If the third Scenario listed above occurs, there will be no compression adjustment for psychologists for the 2016-2017 contract year under this scenario.

8. This Memorandum of Agreement may not be disclosed by TUSD and/or ELI unless and until the Vote and the End of the Legislative Session result in additional funding that may be used by TUSD for salaries for the 2016-2017 contract year.


Tucson Unified School District



Michelle Tong, TUSD Chief Negotiator

5/6/16
Date

Education Leaders, Inc.



Daniel Erickson, ELI President

5/6/16
Date