

MEMORANDUM OF AGREEMENT

This **MEMORANDUM OF AGREEMENT** (“Memorandum of Agreement”) is entered into this 27 day of May 2017, by and between the Board of Education of Oak Park and River Forest High School District 200 (the “District” or the “Board”) and the Oak Park and River Forest High School Faculty Senate, IEA/NEA (the “Union”) (collectively, the “Parties”)

WITNESSETH

WHEREAS, Union member Paul Noble (“Affected Member”) submitted to the District a timely and irrevocable Notice of Retirement on February 28, 2013 communicating his intent to retire at the end of the 2019-2020 school year;

WHEREAS, this Notice of Retirement was submitted to the District in accordance with Article 27 (“Retirement”) of the Agreement between Oak Park and River Forest High School District 200 and the Oak Park and River Forest High School Faculty Senate, IEA/NEA (2014-2018) (the “CBA”); and

WHEREAS, the Parties seek to change the date of the Affected Member’s retirement and have a mutual interest in doing so.

NOW, THEREFORE, in consideration of the promises and mutual undertakings and agreements of the parties hereto, it is hereby agreed to by the District and the Union as follows:

1. Rescission and Resubmission

The District and the Union agree that the Affected Member may rescind his Notice of Retirement and resubmit a revised notice of retirement (the “Revised Notice”) in order to counteract the negative financial implications of the expired ERO on his retirement benefits. This Revised Notice shall be submitted within thirty (30) calendar days of execution of this Agreement and shall allow the Affected Member to remain in his current position for one (1) additional year, until June 30, 2021.

2. Compensation

The Parties agree that the Affected Member’s compensation during this additional 2020-2021 school year of service shall be at no additional cost to the District. As such, the Affected Member will not receive the 6% increase in salary to which he is otherwise entitled for the 2017-2018 through 2018-2019 school years under Article 27, Paragraph A of the CBA. All other provisions of the CBA, however, will continue to apply.

3. Waiver of Claims

The Union waives any complaints, objections, grievances, claims, actions or unfair labor practices it may have against the Board, its members, individually or collectively, its officers, agents, and successors, whether known or unknown,

asserted or unasserted, related to this Memorandum of Agreement, the Affected Member's Notice of Retirement, and the negotiations and discussions which resulted in this Memorandum of Agreement.

4. Non-Precedential Effect

The District and the Union acknowledge and agree that the decision to enter into this Memorandum of Agreement is based solely on the unique circumstances relating to the Affected Member's Notice of Retirement. Specifically, the Notice of Retirement was entered into in reliance on the Teachers' Retirement System of Illinois' ("TRS") Early Retirement Option ("ERO") as set forth under Public Act 98-0042. The ERO allowed qualified TRS members the option to retire early without reduction in their pension benefits if they were at least 55 years old and had at least 20, but not more than 35, years of service. The General Assembly of Illinois, however, failed to extend the ERO provision of Public Act 98-0042 before its expiration on July 1, 2016, thereby prohibiting TRS members from retiring early without accepting a reduction in their pension benefits.

The parties further agree that this Memorandum of Agreement shall not bind them with respect to the parties' respective treatment of any future situations involving a Union member's request to revoke his or her irrevocable notice of retirement. In addition, the parties agree not to submit this Memorandum of Agreement to any labor arbitrator or state or federal administrative or judicial court as evidence of the parties' alleged past practice regarding the parties' treatment of any future situations involving irrevocable notices of retirement.

5. No Amendment to the Collective Bargaining Agreement

The District and the Union acknowledge and agree that nothing in this Memorandum of Agreement constitutes an amendment to or revision of the Parties' CBA.

6. Effective Date

This Memorandum of Agreement is effective immediately upon execution by the authorized representatives of the District and the Union as set forth below.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement on this 22 day of August 2019.

Dated: August 22, 2019

Board of Education of Oak Park and River Forest High School District 200

By: _____
Board President

Attest: _____
Board Secretary

Dated: August 22, 2019

Oak Park and River Forest High School Faculty
Senate, IEA/NEA

By: _____
President

Dated: August 22, 2019

Affected Member

By: _____
Paul Noble