SUPPLEMENTAL MEMORANDUM OF AGREEMENT

BY AND BETWEEN THE SUPERINTENDENT OF SCHOOLS AND BOARD OF EDUCATION OF THE NEWBURGH ENLARGED CITY SCHOOL DISTRICT, hereinafter referred to as "The District" and **THE NEWBURGH TEACHERS' ASSOCIATION,** hereinafter referred to as "the Association" or "the NTA";

WHEREAS, the District and the Association agree that in fairness and equity to the NTA bargaining unit, in light of the late development of the New York State Annual Professional Performance Review amended law, Regents Rules and in the absence of a current guidance document, that the District shall forebear from using the annual composite APPR's in Section 3020-a Education Law proceedings as follows:

1. Any 4th – 8th grade teacher of Math and/or English Language Arts shall not have an ineffective composite Annual APPR rating from the 2011-2012 school year considered as evidence of incompetence in any 3020-a proceeding.
2. Any classroom teacher who receives a local 60 point HEDI band rating at or above the Developing level during the 2012-2013 school year, shall not have an ineffective rating on his/her 2012-2013 Annual APPR composite evaluation considered as evidence of incompetence in any 3020-a proceeding.

SO AGREED this 23RD day of April 2012

THE DISTRICT
By: _____
Superintendent of Schools

THE NTA
By: _____
Association President