

Memorandum of Agreement

This Memorandum of Agreement (“MOA”) is by and between the Board of Higher Education on behalf of the Massachusetts State Universities (the “Universities”) and the Massachusetts State College Association/MTA/NEA (the “Association”) (collectively, the “Parties”).

WHEREAS, on September 9, 2021, the Task Force for Student Evaluations concluded its work and presented its recommendations to the Parties;

WHEREAS, on October 1, 2021, the Parties signed a memorandum of agreement (“October 1, 2021 MOA”) committing to mid-term negotiations regarding a new student evaluation instrument;

WHEREAS, since signing the October 1, 2021 MOA, the parties devoted a significant amount of time to reaching agreement on Explorance as the preferred vendor to use for the new digital student evaluation instrument, assuming that costs continue to remain in line with market pricing;

WHEREAS, the Parties recognize that negotiating a new digital student evaluation instrument will take additional time to accomplish; and

WHEREAS, the Universities have entered into agreements with Educational Testing Services (“ETS”) to continue use of the current SIR II, all of which allow ETS to terminate the agreements by providing sixty (60) days’ written notice;

NOW, THEREFORE, in consideration of the foregoing premises and of the mutual covenants hereinafter set down, the Parties agree as follows:

1. The Parties shall, as soon as practicable, establish a management/union subcommittee that will be charged with making recommendations on a new set of questions that will replace the SIR II and a process for administering the new digital student evaluation instrument.
2. The Parties’ management/union subcommittee shall conclude its work no later than December 31, 2023. The recommendations from the subcommittee shall then be presented to the Parties, who will then engage in mid-term negotiations regarding the new digital student evaluation instrument to replace the SIR II. The Parties agree to make best efforts to conclude negotiations no later than March 30, 2024.
3. Should the Parties fail to reach an agreement by March 30, 2024, on a new student evaluation instrument to replace the SIR II, the Parties shall, on a temporary basis, implement a new digital student evaluation instrument beginning with the fall 2024

semester, using Explorance and the recommendations of the committee, until agreement on a new digital instrument is reached by the Parties. In recognizing the time that it may take to implement a new student evaluation instrument, the Parties agree that no less than two months prior the start of a semester will be needed to implement the Parties agreed upon new student evaluation instrument.

4. In the event ETS terminates its agreements with the Universities for the continued use of the SIR-II instrument before the spring 2024 semester, the Parties shall, on a temporary basis, implement a new digital student evaluation instrument using Explorance as recommended by the management/union subcommittee, and in no event shall student evaluations not be administered.

WHEREFORE, the Parties hereunder set their signs and seals as follows:

BOARD OF HIGHER EDUCATION

MASSACHUSETTS TEACHERS
ASSOCIATION/MSCA

John D. Keenan
Chair, Council of Presidents
Date: _____

Maria Hegbloom
President, MSCA
Date: _____