MEMORANDUM OF AGREEMENT
January 25, 2012

This Memorandum of Agreement ("Memorandum") is by, between and among the Essex Junction Westford Education Association, both Teacher and Support Staff Units ("Association"), the Essex Junction Incorporated School District, the Essex Union #46 High School District, and the Westford School District ("Districts").

WHEREAS, the Districts offer dental insurance to eligible employees pursuant to the corresponding master agreements; and,

WHEREAS, said dental insurance provides only "limited scope" dental benefits as defined under Patient Protection and Affordable Care Act (PPACA); and,

WHEREAS, in order for limited scope dental insurance plans to be exempt from having to comply with particular aspects of both HIPAA and the PPACA that do apply to major medical group health plans, the following conditions must be met:

1. The dental plan has to either be provided under a separate policy, certificate or contract of insurance, or "otherwise not [be] an integral part of a group health plan"; and,
2. Employees must have the right to opt out of the dental plan; and,
3. If participation is elected, employees must pay an additional premium or contribution for that coverage.

WHEREAS, the dental insurance plan offered by the Districts currently meets provisions 1 and 2 above; and,

WHEREAS, the parties desire and intend for the dental insurance plan to be exempt from the major medical group health plan provisions of HIPAA and the PPACA;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties hereto, intending to be legally bound, agree as follows:

1. Beginning with the 2011-12 contract year, eligible employees electing coverage under the Districts' group dental plan shall contribute one dollar ($1.00) per contract year for participation in said plan. Said contribution shall be the same regardless of the number of months of coverage during said contract year. Said contribution shall be made in one lump sum deduction from the employee's pay check. The date for the deduction shall be determined by the Superintendent or his/her designee.
2. For the 2011-12 contract year, participating employees who do not wish to be subject to the one dollar deduction shall be given the option to discontinue coverage effective 3/1/12 and not be subject to the one dollar deduction for the 2011-12 contract year. In order to avoid the one dollar deduction in subsequent contract years, participants must discontinue coverage effective on or before the start of the contract year through the duration of the contract year.
3. Part-time teachers participating in the Districts' group dental plan who are already contributing towards said plan pursuant to the corresponding master agreement, shall not subject to the additional one dollar contribution specified in #1 above.
4. This Agreement shall remain in effect unless and until negotiated otherwise.
5. The Association agrees not to grieve the existence of this Agreement, and the Association furthermore agrees not to use this Agreement as a basis for grievance on this topic.

As authorized representatives, these agents set their hands and seals in agreement with the above:

For the Essex Junction Incorporated School District

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Authorized Signature Date

For the Essex Union #46 High School District

_____
Authorized Signature Date

For the Westford School District

_____
Authorized Signature Date

For the ASSOCIATION

_____
Authorized Signature Date