

MEMORANDUM OF UNDERSTANDING

This **MEMORANDUM OF UNDERSTANDING** (hereinafter referred to as the “MOU”) is made as of the ____ day of August, 2010 between:

ERIE COUNTY TECHNICAL SCHOOL organized and existing in accordance with the Pennsylvania Public School Code at 24 P.S. §1801 et seq. with a principal address of 8500 Oliver Road, Erie, Pennsylvania 16509, (hereinafter referred to as “ECTS”);

AND

ERIE COUNTY a third class county organized in existence with the Third Class County Code with its principal address of 140 West Sixth Street, Erie, Pennsylvania 16501, (hereinafter referred to as “ERIE COUNTY”).

Recitals

WHEREAS, ECTS is created pursuant to Pennsylvania Public School Code by eleven Erie County School Districts including Fairview School District, Fort LeBoeuf School District, General McLane School District, Girard School District, Harborcreek School District, Iroquois School District, Millcreek Township School District, Northeast School District, Northwestern School District, Union City Area School District and Wattsburg Area School District;

WHEREAS, ECTS is operated by an Operating Committee comprised of a member of the School Board of each School District and operates a vocational high school and a regional skill center providing high school education and adult educational programming for residents of Erie County;

WHEREAS, ERIE COUNTY is creating a Community College Plan for the operation of a public college to provide an educational program in accordance with Pennsylvania School Code at 24 P.S. §19-1901A et seq.;

WHEREAS, ECTS supports ERIE COUNTY’s Community College Plan; and

WHEREAS, ECTS and ERIE COUNTY desire to set forth their understanding with respect to such matters.

Terms of Memorandum

NOW, THEREFORE, ECTS and ERIE COUNTY agrees as follows, intending only to express their respective perceptions of opportunity and understanding and not to be legally bound hereby:

1. ECTS does support the ERIE COUNTY’s Community College Plan.
2. ECTS would be willing to enter into an agreement with ERIE COUNTY for lab space at the Erie County Technical School to be used after 3:00 p.m. on a daily basis and use of

the Regional Skill Center on a daily basis for all available space for such educational programming.

3. ECTS would be willing to explore and develop other opportunities and coordinate and integrate the efforts between ERIE COUNTY and its Community College Plan and the ECTS for operating agreements and joint ventures in order to provide appropriate educational facilities and programs between ECTS and ERIE COUNTY.

4. The parties acknowledge that they have entered into this MOU solely for the purpose of exploring possible future relationships between the parties. No contract or agreement with respect to any business relationship between the parties shall deem to exist unless or until a separate lease agreement or other cooperation or joint venture agreements have been executed and delivered by the authorized officers of each party, and each party's sole discretion.

5. This MOU shall be governed and construed in accordance with the laws of the Commonwealth of Pennsylvania.

6. This MOU constitutes the entire agreement between the parties with respect to the subject matter hereof, and supersedes in their entirety all prior agreements, negotiations, and discussion of the parties with respect thereto.

7. This MOU may be amended only in writing which is duly executed by the representative of each party. In witness whereof, the duly authorized representatives of the parties hereto have executed this memorandum of understanding as of the date mentioned above.

ERIE COUNTY

By: _____
Title: _____

ERIE COUNTY TECHNICAL SCHOOL

By: _____
Title: _____