

**MEMORANDUM OF AGREEMENT
BETWEEN
JEFFERSON COUNTY BOARD OF EDUCATION
AND
ESSILOR VISION FOUNDATION
LOUISVILLE, KENTUCKY**



This Agreement entered on November 12, 2013, between the Jefferson County Board of Education ("JCBE") having its office at 3332 Newburg Road, Louisville, Kentucky 40218, and Kids Vision for Life promoted by Essilor Vision Foundation having its office at 13515 North Stemmons Freeway, Dallas, Texas, 75234 for the use of Jefferson County Public Schools' ("JCPS") facilities by the Kids Vision for Life employees/volunteers to conduct eye screening exams.

GENERAL TERMS OF AGREEMENT:

1. The terms of the Agreement shall be reviewed annually, during the year, or as the need arises, by the respective administrative officers of Kids Vision for Life and JCPS.
2. This Agreement shall be effective beginning on November 12, 2013, and ending on November 12, 2018. This Agreement shall automatically renew for successive one-year terms for five (5) years terminating on December November 12, 2018. This Agreement may be terminated immediately by mutual consent of the Parties or by either Party upon ninety (90) days written notice to the other party. If JCBE terminates this Agreement, the Kids Vision for Life employees/volunteers will be permitted to complete the program for the period in which the ninety (90) day notice becomes effective.
3. JCBE and Kids Vision for Life are independent parties and neither shall be construed to be an agent or representative of the other party. Kids Vision for Life agrees to hold harmless the JCBE from and against all losses, claims, expenses, actions, cases of action, costs, damages and obligations final or otherwise, arising from any and all negligent acts or omissions or wilful misconduct of Kids Vision for Life in the performance of its obligations under this Agreement that result in injury to persons, or damage to or loss of use of property, and not caused by the negligent act or omission or wilful misconduct of JCBE. Nothing in this Agreement shall be deemed to create an employment relationship between JCBE and Kids Vision for Life employees/volunteers.
4. This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Kentucky.

This Agreement contains the entire agreement between JCBE and Kids Vision for Life and supersedes any and all prior agreements, either written or oral; provided, however, that any written agreements executed contemporaneously with the execution of this Agreement and incorporated herein by reference shall remain in full force and effect.

KIDS VISION FOR LIFE AGREES TO:

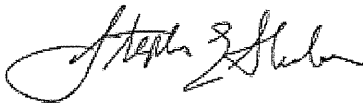
1. Send to the JCPS Health Services Coordinator a schedule of participating schools each year.
2. Provide a vision screening and a vision exam. This screening exam is for elementary age students in the 3rd, 4th, and 5th grades specifically to help with any vision issues and also to help meet the state health requirements for this age group.
3. Provide eye examinations and corresponding documentation for JCPS students age six and above who have not had the vision examination required for school entry (KY Eye Examination Form for School Entry).

4. Provide a vision exam to students in other elementary grades who have been identified as needing an exam in the past but have not yet received one.
5. Kids Vision for Life will provide permission forms for parents to approve the service and provide corrective lenses for students determined to need them.
6. Require and verify that all employees/volunteers are covered by professional liability insurance in amounts no less than \$1,000,000/\$3,000,000 and provide JCBE with a certificate of insurance upon request.
7. Meet at appropriate times with the Coordinator of JCPS Health Services and/or his/her designee to evaluate the services being provided.
8. Inform Kids Vision for Life employees/volunteers that they are not entitled to wages for their activities during the period of affiliation with JCBE and that they are not employees of the JCBE when they are assigned to use the JCPS facilities. Each individual assigned to JCPS facilities shall sign a statement acknowledging that they are not employed by JCBE.
9. Require all Kids Vision for Life employees/volunteers to complete a Criminal Records Check per JCBE requirements. Employees/volunteers convicted of or pleading guilty to sexual or drug offenses or any felony offense shall not be considered.
10. Notify the JCPS Health Services Coordinator of variations in the schedule due to illness, inclement weather, etc.

JEFFERSON COUNTY BOARD OF EDUCATION AGREES TO:

1. Provide the use of facilities for Kids Vision for Life employees\volunteers. Such facilities shall be mutually agreed upon by JCPS administrative personnel and Kids Vision for Life administrative personnel. Such facilities shall be available annually during the academic year.
2. When and where possible, provide the use of conference rooms, teaching and instructional areas, library facilities and resources.
3. Assist Kids Vision for Life employees\volunteers with the interpretation of JCBE policies and procedures.
4. Provide the JCPS Health Services Coordinator with student results to follow-up with parents/guardians if needed.
5. Provide employees/volunteers of Kids Vision for Life with a brief report on the number of children who Kids Vision for Life gave vision care solutions under this Agreement.

ESSILOR VISION FOUNDATION



President

Date

JEFFERSON COUNTY BOARD OF EDUCATION

Donna M. Hargens, Ed.D
Superintendent

Date