

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT
AND
THE ASSOCIATION OF CLASSIFIED EMPLOYEES

This Memorandum of Understanding (“MOU”) is entered into by and between Foothill-De Anza Community College District (“District”) and the Association of Classified Employees (“ACE”).

WHEREAS "The Title 2 of the California Code of Regulations (C.C.R.) section 571 exclusively identifies and defines special compensation that is reportable for employees with Classic CalPERS membership. Only special compensation items that are in a collective bargaining agreement that meet the specific definitions pursuant to C.C.R. section 571 are reportable to CalPERS.

WHEREAS Special compensation as defined by the California Code of Regulations, section 571: Under topic #2, Educational Pay, where PGA is categorized:
“Educational Incentive is defined as compensation to employees for completing educational courses, certificates and degrees which enhance their ability to do their job. A program or system must be in place to evaluate and approve acceptable courses. The cost of education that is required for the employee’s current job classification is not included in this item of special compensation”.

WHEREAS The current language in (Article 8.5, Article 10.13 and Appendix A: Professional Growth Award Application, Appendix B) of the ACE Agreement is consistent with the above definition of an educational incentive plan.

WHEREAS The Professional Growth Award is not reportable as special compensation as it is currently reflected in the ACE Agreement.

THEREFORE: Recognizing that educational incentive is tied to completion of courses, degrees or certificates and is part of an existing program which evaluates and approves acceptable courses, the parties agree to the following:

1. Hours earned through a job-related certificate or course, previously recorded under section 5, will now be recorded under section 1 in order for hours to become pensionable.
2. Provide updates to the PGA application, guidelines, and appendix B in order to align the process with CalPERS rules in order for new awards to be properly documented.

Mijiska Washington

Foothill-De Anza Community College District

10/22/2020

Date

Quell

ACE President

10/22/2020

Date

Anthony Booth

Anthony Booth (Oct 22, 2020 14:55 PDT)

ACE Labor Relations Rep

10/22/2020

Date