

MEMORANDUM OF UNDERSTANDING
between the
FOLSOM CORDOVA EDUCATION ASSOCIATION
and
FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT
Compensation for Substituting and Proctoring

The Folsom Cordova Unified School District (District) and the Folsom Cordova Education Association (Association), collectively referred to as “the Parties,” enter into this memorandum of understanding regarding compensation for elementary and secondary bargaining unit members who provide substitute or proctoring coverage.

Unless otherwise noted below, the provisions of this MOU shall supersede any conflicting provisions of the Collective Bargaining Agreement between the Parties for the duration of this MOU, or until modified by mutual agreement of the District and the Association. The Parties affirm the obligation to comply with all provisions of the Collective Bargaining Agreement (“CBA”) not in conflict with this MOU. Further, the Parties affirm that all provisions of the Educational Employment Relations Act (“EERA”) *California Government Codes 3540 et seq.* apply and remain in effect.

ARTICLE 1 – Substitutes and Proctors

- 1.1 The Parties agree that elementary bargaining unit members who are off duty may substitute for the District during the 2021-2022 school year. The bargaining unit member will be paid their daily per diem rate.
 - 1.1.1 Elementary teachers who lose their prep period due to lack of prep teachers and their yard duty free time will be compensated at seventy-five dollars (\$75/hour).
(1.1.1 added on 9/8/2021. FCUSD Initials DO 9-9-21, FCEA Initials DK 9/9/2021)
- 1.2 The Parties agree that bargaining unit members will not combine classes if it violates COVID related safety protocols for in-person instruction in the event a substitute request cannot be filled.
- 1.3 Bargaining unit members, who in lieu of their scheduled prep time, substitute or proctor shall be paid seventy-five dollars (\$75) per hour.
- 1.4 Duties for proctoring include assisting with technology, managing materials, providing assistance, classroom management, and supporting learning.

- 1.5 Unit members who are not rostered and have a classroom credential may sub for the hourly rate of seventy-five dollars (\$75/hour) up to a maximum of two hours daily. This may include advisory, PAWS, and/or flex-time. (This article has been changed on 9/8/2021. (FCUSD Initials DO 9-9-21, FCEA Initials DK 9/9/21).
- 1.6 Bargaining unit members at Walnutwood, Innovations Academy, and Folsom Cordova Community Charter shall not be required to provide substitute or proctoring coverage. The exception to this practice, if part-time employee(s) are hired to cover additional enrollees at the schools listed, unit members may sub during non-contract time.
- 1.7 When calculating differential pay for bargaining unit members, the District shall use the Traditional School Year (2018-2019) Folsom Teacher substitute rates for all unit members.
- 1.8 All rates of substitute or proctor pay are retro-active to August 11, 2021, for the 2021-2022 school year.
- 1.9 The order of filling subs in the classroom: 1) site office calls subs to fill empty slots, 2) site office asks for unit member volunteers, and 3) if no on-site volunteers are available, then sub assignments will be made on a rotating basis of unit members available for each period.

ARTICLE 2 - General

- 2.1 All provisions of this MOU are subject to the negotiated grievance procedure in the CBA.
- 2.2 All components of the Parties' current CBA not in conflict with this MOU shall remain in full effect. This agreement is a one-time agreement to navigate the pandemic and is non-precedent setting.
- 2.3 This MOU shall remain in full force and effect through June 30, 2022. The Parties may mutually agree to extend or modify the provisions of this MOU in writing.

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Association Representative
Folsom Cordova Education Association

Donald Ogden

District Representative
Folsom Cordova Unified School District

Draft-FCUSD Proposal 8/18/21
FCEA Counter Proposal #1 9/1/21
FCUSD Proposal #2 9/1/21
FCEA Counter Proposal #2 9/1/21
FCUSD Proposal #3 9/3/21
FCEA Proposal #3 9/8/21

9/3/21
Date

9/3/21
Date

FCEA Ratification Date:

Board Ratification Date: