

Subject: ACE Negotiations Update 5.6.2026

Sent on behalf of the SCCOE Bargaining Team:

Below is a timeline of recent events and context regarding the County Office's request to proceed to fact-finding.

Timeline of Events

- ACE Unilaterally Requested Mediation: ACE submitted a request for mediation to PERB without returning to the bargaining table.
- SCCOE Position: SCCOE held the position of wanting to continue to negotiate in good faith and collaboratively with ACE to reach an agreement through ongoing negotiations.
- PERB Determination: PERB granted ACE's request, and the parties proceeded to mediation.
- Mediation Process: The parties participated in mediation on February 6 and March 19. As a result of mediation SCCOE and ACE tentatively agreed on one article while twelve articles remained outstanding.
 - On March 19, after two mediation sessions, ACE requested to be released to file for fact-finding.
- Release to File for Fact-finding: On March 25, 2026 ACE was granted the release to file for fact-finding.
 - At the April 22, 2026 board meeting the ACE President stated that the parties were in fact-finding
 - Based on the prior actions, SCCOE was awaiting formal notification of fact-finding via PERB
 - SCCOE checked with PERB on several occasions for updates as to whether ACE had formally filed
 - As of May 4, 2026 ACE still had not filed for fact-finding
 - In the absence of ACE filing, on May 4, 2026 SCCOE formally filed for fact-finding
- Additional ACE Actions:
 - On March 19, 2026, ACE posted information on its website regarding a strike authorization vote it conducted.
 - On or about April 6, 2026, ACE filed a PERB unfair practice charge

Current Alignment and Rationale for Fact-finding

Based on these developments, both parties are now aligned in recognizing the need for additional support through the fact-finding process. Fact-finding is a lawful and constructive step under the Educational Employment Relations Act, allowing a neutral third party to review outstanding issues and provide non-binding recommendations to help move negotiations forward.

The primary issues underlying the impasse remain consistent:

- Differences in the understanding of program funding structures

- The scope of the County Office’s mandated responsibilities
- The appropriate use of restricted funds
- The fiscal viability of funding the ACE proposal and the overall impact on the SCCOE budget

These factors directly impact the feasibility and sustainability of any compensation agreement.

Fiscal Context

ACE has proposed a 16% increase over three years, while SCCOE has proposed a 1% off-schedule payment. Any proposal must be evaluated through the lenses of affordability, sustainability, and our responsibility to maintain services countywide.

Current average total compensation (salary, benefits, and retirement) is as follows:

- Special Education Teacher: \$195,165
- Alternative Education Teacher: \$202,561
- Opportunity Youth Academy Teacher: \$254,304

Based on an [external review](#), the comparative analysis of certificated salaries and health and welfare benefits total compensation for 2024–2025 shows that SCCOE is ranked sixth in Santa Clara County for the highest salary offered on the certificated salary schedule and employer contribution for average health and welfare benefits provided to employees.

PERB Filing

The PERB charge filed by ACE will be addressed through the established process. Consistent with standard practice, SCCOE will respond through PERB rather than in public settings. I will continue to keep the Board informed, including our position that we have bargained in good faith.

The County Office remains committed to bargaining in good faith and to reaching an agreement that supports our employees while ensuring the continuity and sustainability of services for districts, students, and families across Santa Clara County. The fact-finding process provides an opportunity to establish a shared understanding and help move negotiations forward on a constructive path.