



President's Cabinet Action Notes

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September 24, 2013

1. Cabinet discussed Title 5 changes regarding Equal Employment Opportunity regulations. (See the [attached memo](#) from the Chancellor's Office and the [attached EEO Title 5 regulation revisions](#).) Key changes:
 - The Chancellor's Office will no longer approve district EEO plans.
 - Training of screening committee members includes more topics.
 - The frequency of analysis of demographic data on employees is now left to the district.
 - An analysis of the degree to which monitored groups are underrepresented in job applicant pools is now required only if the Chancellor's Office provides data (which it has never done).
 - The EEO plan is no longer required to have hiring goals, and the required steps to remedy underrepresentation are significantly changed. Rather than the previous stronger measures, districts must now develop and implement strategies to "demonstrate on-going, institutional commitment to diversity and equal employment opportunity."
 - There is now a requirement to train EEO Advisory Committee members on specific topics.
 - The old regulations allowed in-house searches for existing positions but not for new positions, but now all vacancies must have active recruitment both inside and outside. The only exception is filling a vacancy on a temporary basis. Job changes due to reorganization are still allowed.
 - The old regulations allowed a second year of temporary status only for "business necessity," but now all temporary appointments may be for two years with no Chancellor's Office oversight or approval—and no need to establish business necessity.
 - There is no longer a requirement that applicant pools be analyzed to ensure that any failure to obtain projected representation for any monitored group was not due to discriminatory recruitment procedures. Thus there is no requirement for remedies such as extending the application deadline or recruiting further. All the "adverse impact" language has been stricken.
 - Now the only requirement is to screen applicants to be sure that they "satisfy job specifications set forth in the job announcement." This screening cannot be "influenced by factors which are not job related." If the Chief Human Resources Officer finds such non-job related factors in the screening, then "appropriate action" (unspecified) must be taken.¹
 - There is now a new regulation entitled "Developing and Maintaining Institutional Commitment to Diversity" with seventeen (yes, 17) new specific requirements.
 - There is now a new regulation entitled "Accountability and Corrective Action" that is about data, surveys, and responding to complaints. This regulation also gives the Chancellor's Office the right to review this material and, if insufficient, the Chancellor can order a revised EEO plan and monitor implementation.

¹ As a personal observation, I have encountered situations in which screening committees considered information other than specified on the job announcement. For example, the screening committee may say, "we want to give priority to adjuncts who have worked here at the college." A variety of remedies have been used in these situations such as dissolving and reforming the committee, pausing the process and "retraining" the committee on EEO requirements, and rewriting the job announcement and starting the process over. These are now local decisions under the new regulations.

2. Cabinet was joined by Donna Burns, Dean of Continuing Education. Donna serves on the joint Community College-Department of Ed task force on implementation of AB 86 (which enacted [Education Code 84830](#)), the Governor's partnership initiative on adult education—supported by \$25 M in planning funds for 2014-15. (Note that this funding is for NEXT year.) The initial step in the process will be a “survey of interest” which will solicit response from CCC and K-12 districts to determine those interested in forming adult ed partnerships. This survey will be out shortly, and response is just for interest, not a commitment. As reported earlier, Mt. SAC hosted a meeting of our K-12 adult ed partners in our district last month, and our coalition is well on its way. The state will send out a “plan to plan” RFA early next year for regions to qualify for a portion of that \$25 M in planning money. “Regions” are defined in AB 86 as the boundaries of each of the 72 community college districts. If all goes well, we expect the Governor will propose—beginning in 2015-16—an additional \$500 M to be distributed to regions to restore some of the funding for adult education that was lost during the recession. Within our local Mt. SAC coalition, we have a work group gathering data needed to respond to the RFA. The coalition is also working on a document sharing system that will help with the collaboration and alignment that is required by AB 86. We are being inclusive of all the K-12 districts, and now have a clean list of all the right people to include in our coalition.
3. Donna then updated Cabinet on the Chamber of Commerce Training Program. After our initial meeting with Chamber Executive Officers, our next step will be a needs assessment utilizing a focus group—now set up for October 16th: a big “Thank You” to our Research Office. This expansion in contract training directly to businesses and their employees will be facilitated by hiring a temporary manager to coordinate the training, and that job description is in the works. Mt. SAC is also working on an application for ETP funds as another source for support of direct training to businesses. ETP is the [Employment Training Panel](#) which “provides funding to employers to assist in upgrading the skills of their workers through training that leads to good paying, long-term jobs.”
4. Donna also commented on the development of the English Language Training Program, the fee-based language training for international students. Included in the team are Glenda Bro (AmLa faculty) and Liza Becker (ESL Director). Discussions are underway regarding AmLa 43W: perhaps adding a 43R/43S for reading and speaking or perhaps creating a version of 43 that integrates these skills. The team is working with faculty on program and curriculum design. English offerings would grow with the use of international student fees covering the additional sections for increased enrollment. Work is also underway on a substantive change proposal to the Accrediting Commission.
5. Items for future agendas (items for the **next** Cabinet meeting are shown in **BOLD**):
 - a. Implementing AP 5142 on Captioning (**All, 10/1**)
 - b. Degree Works Phase 2: Auto-Award, etc. (Audrey, 11/19)
 - c. Employee Wellness Program (Karen Saldana, 10/15)
 - d. Employee Wellness Program State Advocacy (Karen Saldana, Jill Dolan, Bill Rawlings, 10/15)
 - e. Chamber of Commerce Training Partnership (Irene & Donna, 11/5)
 - f. Emergency Response System Mark DiMaggio & Karen Saldana, 10/15)
 - g. Update on International Student Initiative (Audrey & Irene, 11/5)

- h. Adult Ed Partnerships (Irene & Donna, 11/5)
- i. Processes to Support Timely Employee Evaluations (**James, 10/1**)
- j. Executive Information System (Vic & Mike, 10/8)
- k. Remodeled Strategic Plan (Bill, 10/8)
- l. Interventions Regarding Probation (All, 10/8)
- m. EEO Plan Revision/Title 5 Change (James, 10/8)