





The Board of Governors of the California Community Colleges

PRESENTED TO THE BOARD OF GOVERNORS
 DATE: January 19-20, 2016

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| SUBJECT: Equal Employment Opportunity training in preparation for new Chancellor selection | | Item Number: 4.10 | |
| | | Attachment: No | |
| CATEGORY: | Legal Affairs | TYPE OF BOARD CONSIDERATION: | |
| Recommended By: |  Thuy Thi Nguyen, Interim General Counsel | Consent/Routine | |
| | | First Reading | |
| Approved for Consideration: |  Brice W. Harris, Chancellor | Action | |
| | | Information | X |

ISSUE: This item provides background information on Equal Employment Opportunity (EEO) training.

BACKGROUND:

Title 5, Section 53003(c)(4) requires:

- “[D]istrict employees who participate on screening or selection committees receive training, prior to their participation. Training shall include, but need not be limited to:
- (A) the requirements of this subchapter and of state and federal nondiscrimination laws;
 - (B) the educational benefits of workforce diversity;
 - (C) the elimination of bias in hiring decisions; and
 - (D) best practices in serving on a selection or screening committee[.]”

Although there is no legal requirement that the Board of Governors receive EEO training, the Board as authors of Title 5 regulations has expressed a desire to undergo EEO training prior to the beginning of the search and selection process for the new Chancellor. The three non-board members of the Chancellor Search Committee will join the Board to receive the training.

(Background cont'd)

RECOMMENDATION: This item is presented to the Board as a training program.

(Background cont'd)

Interim General Counsel Thuy Nguyen will present on the legal requirements and benefits of a diverse workforce, while Kimberly Papillon will present on the neuroscience of hiring decisions and best practices.

Kimberly Papillon will present brain imaging and decision-making studies to explore how the unconscious and physiological processes affect our assessment of intelligence, veracity, threat, and competence. Participants will learn how hiring can all be helped or hurt by unconscious processes, and the course will identify ways to increase fairness guided by science.

Bio for Kimberly Papillon:

Kimberly Papillon is a nationally recognized expert on the subject of decision-making in law, education, business, and medicine. She has served as regular faculty at the National Judicial College since 2005. She has delivered over 200 lectures nationally and internationally on the implications of neuroscience, psychology and implicit association in the analysis of decision-making. She has lectured to medical students and medical school faculty, as well as physicians nationwide and in Australia on the neuroscience of decision-making in differential diagnosis and treatment. She has provided presentations to multiple audiences including Kaiser Permanente, Health Care Partners, California Association of Physician Groups, and Michigan State University School of Medicine. She has been appointed to the Georgetown University “think tank” for physician education at the National Center for Cultural Competence.

She has provided presentations to the judges of the High Court of New Zealand, the Supreme Court of Victoria, Australia, the Caribbean Association of Judicial Organizations, the U.S. National Council of Chief Judges of the State Courts of Appeal, the U.S. District Court for the Eastern District of California, the D.C. Court of Appeals, the United States Courts for the Ninth Circuit and the Tenth Circuit, the National Council of Juvenile and Family Court Judges, and numerous other national judicial organizations. She has delivered lectures to the United States Securities and Exchange Commission, the United States Department of Justice, the United States Department of Education and the judiciaries of over 20 states. She regularly lectures to attorneys in private firms and corporations. She lectures to state bar associations nationwide as well as prosecutors, public defenders and police officers throughout the U.S.

She has been appointed to the National Center for State Courts, National Training Team on Implicit Bias, a “think tank” for national judicial education. She has produced documentaries on neuroscience and judicial decision-making which have received national recognition. Her documentary on neuroscience and implicit association was used in the American Bar Association’s implicit bias education program for the Litigation Section. She is a member of the Cognitive Neuroscience Society.

Ms. Papillon is an attorney who previously served as a Senior Educator for the California Judicial Council. Prior to that, she worked as an attorney in large law firms representing Fortune 500 Companies, government entities and tech start-ups. Kimberly has a BA degree from U.C. Berkeley and a JD degree from Columbia University School of Law.