

**CALIFORNIA COMMUNITY COLLEGES  
CHANCELLOR'S OFFICE**

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**OFFICE OF THE GENERAL COUNSEL**

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To: All Colleges

From: Marc A. LeForestier, General Counsel

Cc: Eloy Ortiz Oakley, Chancellor  
Frances Parmelee, Assistant Vice Chancellor of Finance and Facilities

Date: January 24, 2018

Re: Allocation of the Equal Employment Opportunity Fund

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California Education Code section 87100 requires “a work force that is continually responsive to the needs of a diverse student population [which] may be achieved by ensuring that all persons receive an equal opportunity to compete for employment and promotion within the community college districts and by eliminating barriers to equal employment opportunity.” Title 5 states that “establishing and maintaining a richly diverse workforce is an on-going process that requires continued institutionalized effort.” (Cal. Code Regs., tit. 5, § 53024.1.) These policies provide our students with the educational benefits of a diverse workforce.

To implement the Equal Employment Opportunity (EEO) policies contained in the Education Code and title 5, the Chancellor’s Office has established a Multiple Methods model for allocating the EEO Fund. For fiscal year 2018 – 2019, the EEO and Diversity Advisory Committee has recommended a change to the allocation model, which the Chancellor’s Office has agreed to implement. In addition to compliance with Multiple Method 1, districts must also demonstrate compliance with 6 (rather than 5) of the 8 remaining Multiple Methods to qualify for the receipt of EEO Funding.

**I. The Nine Multiple Methods**

The Chancellor’s longstanding Equal Employment Opportunity and Diversity Advisory Committee and the Office of the General Counsel have identified nine best-practice areas for “success in promoting” EEO. These serve as the “Multiple Methods” for allocating the EEO Fund. Compliance with Multiple Method #1 is mandatory in order to qualify for EEO Funding. In addition, for fiscal year 2018-19, districts must demonstrate compliance with at least 6 of the remaining 8 Multiple Methods. Each of these methods is described below:

*EEO Planning.*

1. EEO Plan/Advisory Committee/Performance Reporting. This method requires submitting a board-adopted EEO Plan to the Chancellor's Office at least every 3 years, establishing an EEO Advisory Committee to assist in the development and implementation of the EEO Plan, and submitting an Expenditure/Performance report on the use of EEO funds for the prior fiscal year on or before September 30.

*Pre-Hiring Implementation.*

2. Board policies & adopted resolutions.
3. Incentives for hard-to-hire areas/disciplines.
4. Focused outreach and publications.

*Hiring Process.*

5. Procedures for addressing diversity throughout hiring steps and levels.
6. Consistent and ongoing training for hiring committees.

*Post-Hiring.*

7. Professional development focused on diversity.
8. Diversity incorporated into criteria for employee evaluation and tenure review.
9. Grow-Your-Own programs.

The bases for the Multiple Methods described above are intended to implement the "continued institutional effort" to develop "indicators of institutional commitment to diversity" that is envisioned by title 5. (Cal. Code Regs., tit. 5, § 53024.1.) For specific cross-references to title 5 related to the Multiple Method, see the attached "Multiple Methods Cross Reference."

## **II. Multiple-Methods Compliance Must Be Certified**

The district's EEO Advisory Committee, chief human resources officer, chief executive officer, and governing board must certify that the district meets the requirements. See attached Multiple Method Allocation Model Certification form. The form must be submitted to the California Community Colleges Chancellor's Office, Office of the General Counsel, no later than June 1<sup>st</sup> of each year in order to qualify for EEO Funding.

Each district that meets the requirements of the Multiple Methods allocation model will receive a funding amount to be determined by the Chancellor's Office based on available funds.

### **III. Use of the EEO Funds**

The Education Code and title 5 allow districts to use EEO funds for the following purposes:

- Outreach and recruitment;
- In-service training on equal employment opportunity;
- Accommodations for applicants and employees with disabilities pursuant to title 5, section 53025;
- Activities designed to encourage students to become qualified for, and seek, employment as community college faculty or administrators; and
- Other activities to promote equal employment opportunity.

(Ed. Code, § 87108; Cal. Code Regs., tit. 5, § 53030.)

### **IV. Resources**

The certification form requires districts to report the various activities that they are implementing to promote EEO for each of the nine Multiple Methods. In 2016, the Chancellor's Office and the EEO and Diversity Advisory Committee selected some of the best practices reported by the colleges and highlighted them in an "EEO and Diversity Best Practices Handbook." The Handbook was distributed in fall 2016 and is available on our website at <http://extranet.cccco.edu/Portals/1/Legal/EEO/eeo-handbook-final.pdf>. All Multiple Method forms submitted by districts for the 2016-17 fiscal year are also available on our website at <http://extranet.cccco.edu/Divisions/Legal/EEO.aspx>. Please use these resources as necessary to assist you in developing your nine best-practice areas for success in promoting EEO.

### **V. EEO Longitudinal Data Guide**

The Chancellor's Office is finalizing an EEO Longitudinal Data Guide that will provide districts with helpful information related to the collection and analysis of local employment data. We expect that the EEO Longitudinal Data guide will be released within the next four to six weeks, and the Chancellor's Office intends to subsequently provide regional training sessions on the collection and use of longitudinal employment data. We are excited to provide these resources to our colleges and look forward to seeing you at the regional training sessions. If your district has a robust employment data analysis program in place, please feel free to describe your efforts to us as part of your Multiple Methods certification.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact our office.

#### **Enclosures:**

1. Multiple Method Allocation Model, EEO Fund Certification Form
2. 9 Multiple Methods Cross Reference