



**MONTEREY PENINSULA COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD OF TRUSTEES**

**REGULAR MEETING
WEDNESDAY, MAY 25, 2016**

NEW BUSINESS

Monterey Peninsula Community College District

Governing Board Agenda

May 25, 2016

New Business Agenda Item No. A

Fiscal Services
College Area

Proposal:

That the Governing Board review and discuss the 2015-2016 Monthly Financial Report for the period ending April 30, 2016.

Background:

The Board routinely reviews financial data regarding expenses and revenues to monitor District fiscal operations.

Budgetary Implications:

None.

RESOLUTION: BE IT RESOLVED, that the 2015-2016 Monthly Financial Report for the period ending April 30, 2016, be accepted.

Handwritten signature of Steven L. Crow in blue ink.

Recommended By:

Steven L. Crow, Ed.D., Vice President of Administrative Services

Prepared By:

Rosemary Barrios, Controller

Agenda Approval:

Dr. Walter Tribley, Superintendent/President

Monterey Peninsula College
Fiscal Year 2015-16
Financial and Budgetary Report
April 30, 2016

Enclosed please find attached the Summary of All Funds Report for the month ending April 30, 2016 for your review and approval.

The month ending April 30, 2016 brings the district closer to the fiscal year-end June 30, 2016. The district's purchasing activities are now winding down for the fiscal year with the exception of fixed institutional costs, ongoing contract agreements, and emergency purchases as the Fiscal Services Department begins the process of closing the books for the fiscal year-end June 30, 2016.

Operating Fund net revenue through April 30, 2016 is \$43,420,955 which is 79.3% of the operating budget for this fiscal year. Expenditures year-to-date total \$38,822,287 and Encumbrances of \$4,343,826 which added together is 78.9% of the operating budget for this fiscal year, for a net difference of \$254,842.

Unrestricted General Fund

Revenue

- April Apportionment payment received of \$438,752.
- Mandated One Time funds payment received of \$667,924.
- Second Quarter Lottery funds received this month of \$280,039.
- Property Taxes received this month of \$5,755,448
- Other local revenue received which includes: enrollment fees, non-resident fees, transcripts, and other local revenues totaling \$164,639.

Expenditures

Overall the District operating funds expenditures continue to track as projected.

Restricted General Fund

- Revenue in the Restricted General Fund is low but the district has received additional federal revenues from the National Science Foundation Program, Upward Bound, Student Support, and Math Science Program (TRIO) that will be posted in May.
- State revenues have been received that will be posted in May.
- There will also be year-end receivables setup as we begin closing the books for the fiscal year. This will increase the overall revenue for the Restricted General Fund and bring the revenue close to what has been budgeted.

Unrestricted Child Development Fund

- The revenue in the unrestricted child development fund is low and is being reviewed. Additional district support revenue may be needed before closing out the fiscal year-end.

Restricted Child Development Fund

- The revenue in the restricted child development fund is low because the district has not received its full reimbursement from the state. We are reviewing the contract revenue with the program director to see if there is any anticipated reduction in the revenue that is to be received for the fiscal year.

Self Insurance Fund

- Self Insurance Fund (SIF) expenses are at 95% of budgeted expenditures.
- The percent of actual to budget is high for this period of time because the experience rate was not adjusted for the 2015-16 FY budget. The District will make an adjustment to the 2016-2017 Final Budget to account for the experience rate.
- Revenue received this month from the Unrestricted General Fund, Restricted General Fund, Child Development Fund, and Parking Fund totaled \$1,867,567. Additional revenue is expected to be received from these funds by the month end June 30, 2016. The additional revenue will bring the overall revenue close to the budgeted revenue for the fiscal year.
- Revenue from Retiree Contributions received this month of \$34,560.

OPEB Fund

- Revenue received this month from the Restricted General Fund of \$28,250.

Building Fund

- Revenue received this month from the Lehman's Recovery totaled \$30,949.

Fiduciary Funds

- Budget adjustments will be completed before the fiscal year-end to adjust the revenue and expense budgets of the Financial Aid Trust Fund, Scholarship and Loan Fund, and Trust Fund.

Cash Balance:

The total cash balance for all funds is \$26,730,194 including bond cash of \$9,881,795. and \$16,848,399 for all other funds. Operating funds cash is \$13,224,301. Cash balance in the General Fund is at \$12,075,170 for the month ending April 30, 2016.

Monterey Peninsula Community College

Monthly Financial Report

April 30, 2016

Summary of All Funds

Funds	Beginning Fund Balance	Revised Budgets 2015 - 2016		Ending Fund Balance	Year to Date Actual 2015 - 2016			% Actual to Budget		Cash Balance
	07/01/15	Revenue	Expense	6/30/2016	Revenue	Expense	Encumbrances	Rev	Expense/ Enc.	4/30/2016
General - Unrestricted	\$3,802,947	\$41,684,235	\$41,689,289	\$3,797,893	37,140,341	31,732,316	3,363,248	89.1%	84.2%	\$12,075,170
General - Restricted	0	11,684,917	11,684,917	0	5,348,126	6,211,093	848,877	45.8%	60.4%	0
Child Dev - Unrestricted	0	132,508	132,508	0	95,161	113,434	3,342	71.8%	88.1%	0
Child Dev - Restricted	0	490,493	490,493	0	242,142	359,862	37,771	49.4%	81.1%	-115,225
Student Center	437,044	258,000	258,000	437,044	195,082	82,365	38,962	75.6%	47.0%	576,472
Parking	558,426	484,000	484,000	558,426	400,103	323,218	51,626	82.7%	77.4%	687,884
Subtotal Operating Funds	\$4,798,417	\$54,734,153	\$54,739,207	\$4,793,363	\$43,420,955	\$38,822,287	\$4,343,826	79.3%	78.9%	\$13,224,301
Self Insurance	2,603,459	6,891,882	6,891,882	2,603,459	5,166,667	6,444,582	105,907	75.0%	95.0%	976,164
Worker Comp	125,046	90,000	90,000	125,046	839	89,822	0	0.9%	99.8%	37,379
Other Post Employment Benefits	4,011,612	100,770	4,000,000	112,382	85,738	4,000,000	0	85.1%	100.0%	76,038
Capital Project	378,443	472,898	500,578	350,763	379,299	358,891	46,854	80.2%	81.1%	820,897
Building	9,759,850	60,000	13,788	9,806,062	66,699	5,588	8,200	111.2%	100.0%	9,881,795
Revenue Bond	22,331	22,100	22,100	22,331	22,169	22,100	0	100.3%	100.0%	22,440
Associated Student	92,451	90,000	90,000	92,451	66,494	45,026	0	73.9%	50.0%	225,681
Financial Aid	17,745	5,400,000	5,400,000	17,745	5,489,545	5,489,545	0	101.7%	101.7%	302,832
Scholarship & Loans	272,948	2,149,600	2,149,600	272,948	2,203,796	2,120,436	0	102.5%	98.6%	338,695
Trust Funds	293,917	744,500	744,500	293,917	932,755	734,348	0	125.3%	98.6%	796,233
Orr Estate	12,302	20,000	20,000	12,302	19,869	16,271	0	99.3%	81.4%	27,739
Total all Funds	\$22,388,521	\$70,775,903	\$74,661,655	\$18,502,769	\$57,854,824	\$58,148,896	\$4,504,787	81.7%	77.9%	\$26,730,194

Monterey Peninsula Community College District

Governing Board Agenda

May 25, 2016

New Business Agenda Item No. B

Administrative Services

College Area

Proposal:

That the Governing Board authorize the Vice President, Administrative Services to award the contract for the Lecture Forum Sidewalk Replacement Phase 1-3 Project to the lowest responsible bidder.

Background:

The Lecture Forum Sidewalk Replacement Phase 1-3 Project is a Scheduled Maintenance project. Scheduled Maintenance projects were originally budgeted at \$459,778 and include lock replacements in addition to the Lecture Forum Sidewalk Replacement Phase 1-3 Project. The bid opening is scheduled for May 26th and the proposed start date is June 6th, 2016, therefore requiring that preapproval of the project and authorization to award the project take place prior to the June 22nd Board meeting. Advertisement for the bid was posted in the Monterey County Herald on May 5th and May 10th, 2016. The mandatory bid walk was May 12th, pre-bid inquiries due no later than May 19th at 2:00 p.m. and the bid opening is scheduled on May 26th at 2:00 p.m.

The Project is anticipated to begin June 6, 2016 with every effort made to minimize impact to the campus. The award of the contract will be brought to the Board for ratification at the June 22, 2016 meeting as well as information on the bid respondents.

Budgetary Implications:

Expenses for the Lecture Forum Sidewalk Replacement Phase 1-3 will be paid for using Scheduled Maintenance funds.

RESOLUTION: BE IT RESOLVED, That the Governing Board authorize the Vice President, Administrative Services to award the contract for the Lecture Forum Sidewalk Replacement Phase 1-3 Project to the lowest responsible bidder.

Recommended By: _____


Steven L. Crow, Ed.D., Vice President of Administrative Services

Prepared By: _____


Suzanne Ammons, Administrative Assistant

Agenda Approval: _____


Dr. Walter Tribley, Superintendent/President

Monterey Peninsula Community College District

Governing Board Agenda

May 25, 2016

New Business Agenda Item No. C

Academic Affairs
College Area

Proposal:

That the Governing Board approve the 2-year Institution Participation Agreement dated May 13, 2016 between Monterey Peninsula College and Instructure, Inc. for the Canvas Course Management System (CMS) and Tier 1 Support (evenings and weekends).

Background:

In June 2015 the California Community College Chancellor's Office's Online Education Initiative (OEI) officially announced the selection of Instructure's Canvas platform as the Common Course Management System (CCMS). MPC currently has a contract with Remote-Learner to host Moodle (MPC Online), the Learning Management System used by MPC, through June 30, 2017. After a 10-month, campus-wide evaluation process, the Institutional Committee on Distance Education (ICDE) and the Academic Senate both voted unanimously to recommend that MPC adopt Instructure's Canvas Course Management System (LMS) as a replacement for the Moodle platform currently used for MPC Online.

Budgetary Implications:

None. As part of the contract process, the California Community College Chancellor's Office's Online Education Initiative (OEI) will subsidize 100% of the cost of services for Canvas to all colleges in the system through the 2018-2019 school year – if the college replaces their current systems with Canvas. The OEI "is optimistic that this level of support will continue."

RESOLUTION: BE IT RESOLVED, that the Governing Board approve the 2-year Institution Participation Agreement dated May 13, 2016 between Monterey Peninsula College and Instructure, Inc. for the Canvas Course Management System (CMS) and Tier 1 Support.

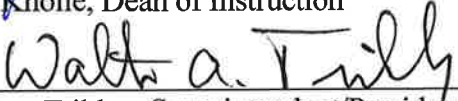
Recommended By: _____


Kiran Kamath, Vice President, Academic Affairs

Prepared By: _____


Dr. Jon Knolle, Dean of Instruction

Agenda Approval: _____


Dr. Walter Tribley, Superintendent/President

INSTRUCTURE

Institution Participation Agreement

Order #: Q-16456-1
Date: 5/13/2016

6330 South 3000 East, Suite 700, Salt Lake City, UT 84121, United States

Customer Information

Customer	Monterey Peninsula College	Contact	Jon Knolle
Address	460 Pierce St	Phone	+1.831.646.3030
City	Monterey	Email	jknolle@mpc.edu
State/Province	California		
Zip/Postal Code	93940		
Country	United States		

Recurring

Description	Metric	Category	Start Date	End Date	Qty	Price	Ext. Price
Canvas Cloud Subscription	FTE	Cloud SaaS Subscription	8/1/2016	6/30/2017	6,632	USD 8.32	USD 55,178
Tier 1 Support - Weekend and Evening Support	Per Minute	Support	8/1/2016	6/30/2017	4,558	USD 0.80	USD 3,646
Year 1 Sub-Total							USD 58,824
Canvas Cloud Subscription	FTE	Cloud SaaS Subscription	7/1/2017	6/30/2018	6,632	USD 9.35	USD 62,009
Tier 1 Support - Weekend and Evening Support	Per Minute	Support	7/1/2017	6/30/2018	4,972	USD 0.80	USD 3,978
Year 2 Sub-Total							USD 65,987
Total							USD 124,811

Non-Recurring

Description	Metric	Category	Start Date	End Date	Qty	Price	Ext. Price
Standard Implementation	\$0.50 / FTE	Implementation			1	USD 0.00	USD 0
Year 1 Sub-Total							USD 0
Total							USD 0

Grand Total:	USD 124,811.00
Balance to be paid by OEI:	USD 124,811.00
Balance due from school:	USD 0.00

Canvas

Deliverables

Two-hour remote webinar on administrating Canvas, for LMS administrators.
Instructs LMS Admins in how to configure the administrative settings in Canvas. Participants learn how to manage users, sub-accounts (domains), courses, and enrollments, as well as how to organize courses, manage users and permissions, and create shared content that can be used by teachers.

One-hour remote webinar on support functions in Canvas, for local support staff.
Teaches local support personnel how to troubleshoot problems and support end users. Participants will learn how to utilize Canvas documentation, interact with the user community, and effectively use the help ticketing system.

Four-hour remote webinar on teaching in Canvas for teachers and instructional designers.
Provides 20 users with an overview of basic Canvas functionality. This will take place in two 90-minute sessions. An additional 1- hour custom follow up session allows each customer to receive training and ask questions specific to their institution.

As needed, your implementation will include the following:

Expertise and best practices on any SIS import and automation work with Canvas. This includes access to API documentation and consulting with client resources on the client initiated strategy.

Assistance in configuring and testing authentication integration for currently supported technologies including LDAP, Shibboleth, SAML, and CAS. Instructure will take a consultant role on the effort and guide client resources to complete the integration. The District makes a preferential requirement for the most current version of Shibboleth/SAML to support CCCID as the systemwide Federated ID.

Through the Theme Editor, branding for Canvas including application of a color scheme and logos for the top navigation and login page.

Access to guides, public courses, and best practices documentation.

Documented best practices for driving high Canvas adoption and usage.

Support

Description

Canvas support is based on a formula using FTE, average time per call and average number of users based on college FTE and is only an estimate as part of a statewide allotment

Canvas FTE

Description

FTE refers to the number of full-time equivalent students calculated in accordance with the Total FTES of the most recent year available from the California Community Colleges Chancellor's Office Datamart.

Payment Terms:

Customer agrees to pay to Instructure the applicable fees set forth on this order form. For any year 1 recurring costs and implementation fees, Customer must pay such amount to Instructure Net 30 on the date of this order. For each term, Instructure will invoice Customer 30 days prior to the beginning of such term and Customer must pay such invoice within 30 days of receipt.

Duration: This order begins on the initial date listed above under Term, and continues until the last date listed above, unless sooner terminated under the Agreement.

Terms: This order is governed by the terms of the Institution Participation Agreement between the parties (Agreement), which terms are incorporated into this order for all purposes. If there is a conflict between the terms of this order and the Agreement, this order governs. This order and the Agreement are the entire agreement between the parties, and they supersede and replace all prior and contemporaneous negotiations, agreements, representations and discussions regarding this subject matter. Only a signed writing of the parties may amend this order. Any terms used in this order but not defined, will use the definitions in the Agreement.

All trainings are invoiced immediately and expire 12 months from the contract date. All other contract items subject to expiration will be billed 30 days prior to expiration and due subject to standard payment terms unless otherwise explicitly stated elsewhere in this agreement.

The price associated with the order form is only available if executed no later than **8/11/2016**

Notes

This Institution Participation Agreement ("IPA") is hereby made and entered into by and between Instructure, Inc. ("Subcontractor") and the entity agreeing to these terms and identified in the signature line below ("Participating Institution") with respect to the Participating Institution's use of the fully hosted learning management system (LMS) provided as a subscription cloud service over the Internet and commonly known as Canvas (the "Work" as the term is more specifically defined in the Subcontract Agreement).

WHEREAS, the Butte-Glenn Community College District ("District") on behalf of its sponsored program, the California Community Colleges Technology Center, ("CCCTC"), has been awarded a Subaward Agreement from the Foothill-De Anza Community College District ("Subaward") under a Grant Agreement from the California Community Colleges Chancellor's Office, Grant Agreement number 14-082-001, ("Grant Agreement") (hereinafter collectively "Subaward" and "Grant Agreement" referred to as "Prime Agreement"), for the purpose of performing work for the project entitled Online Education Initiative (hereinafter referred to as "Project");

WHEREAS, the Grant Agreement authorizes the District to select and contract with a subcontractor to provide certain Work for the Project;

WHEREAS, the District selected Subcontractor and entered into a Subcontract Agreement dated June 15, 2015 ("Subcontract Agreement") for the performance of the Work described in the Subcontract Agreement;

WHEREAS, a community college in California may contract for certain Work identified in the Subcontract Agreement by entering into an IPA which designates the specific scope of services for the institution that will be funded by the Grant Agreement;

WHEREAS, The Participating Institution desires to enter into a IPA with Subcontractor;

WHEREAS, this IPA is intended to set forth the specific scope of services (within the Work identified in the Subcontract Agreement) selected by the Participating Institution and authorize Subcontractor to seek payment from the District for such services, and

WHEREAS, the Subcontractor and Participating Institution acknowledge that the District is not a party to this IPA, but does have certain responsibilities related to this IPA as defined the Prime Agreement.

NOW THEREFORE, the Parties agree as follows:

1. **PURPOSE.** The purpose of this IPA is to define the roles and responsibilities of the parties hereto as it relates to the Work.
2. **APPLICABILITY OF SUBCONTRACT AGREEMENT.** This IPA is governed by the terms of the Subcontract Agreement, which terms are incorporated into this IPA for all purposes, including specifically the terms of the Addendum which set forth terms related to subscription services.
3. **IPA.** The Participating Institution authorizes Subcontractor to submit this IPA to the District identifying the specific scope of services selected by the Participating Institution, the start date for such services, the value for such services and the term of the IPA. The IPA authorizes the District to pay for the services identified in the IPA on behalf of the Participating Institution to the extent the services are consistent with the Work set forth in the Subcontract Agreement.
4. **CONTINUING WORK WHERE GRANT FUNDING NOT AVAILABLE.** In the event the Subcontract Agreement is cancelled due to unavailability of funds, or only partial grant funding is available for the scope of services identified in the IPA, the Participating Institution may elect to discontinue services, or, continue the services by paying for the unfunded portion of the services under this IPA by paying Subcontractor directly for such Work.

5. **SERVICES OUTSIDE SCOPE OF WORK.** Any additional services not within the Work defined in the Subcontract Agreement shall be subject to a separate agreement between Participating Institution and Subcontractor and shall not be paid for by the District.

6. **COMPLIANCE WITH LAWS.** Performance of all obligations under this IPA shall be in compliance with all applicable laws and regulations including, but not limited to the observance of all laws and regulations relating to the privacy of information provided by the Participating Institution or its users.

7. **TERM OF IPA.** This IPA shall commence upon the date of final signature ("Effective Date") and shall continue through the date identified in the above. Subcontractor shall generate a new IPA for each additional term.

8. **TERMINATION.** Except as set forth in Section 9.C. below, this IPA may be terminated by Participating Institution providing written notice to Subcontractor upon either termination of the Subcontract Agreement between District and Subcontractor.

9. **GENERAL PROVISIONS**

A.AMENDMENTS. This IPA may be amended or modified upon the request of either party. Any changes, modifications, revisions or amendments to this IPA which are mutually agreed upon by and between the parties to this IPA shall be incorporated by written instrument, signed and dated by both parties.

B.INDEMNIFICATION. Participating Institution shall defend, indemnify and hold Subcontractor, District, CCCC and their officers, employees and agents harmless from and against any and all third party claims for liability, loss, expense (including reasonable attorneys' fees), or claims for injury or damages arising out of the performance of this IPA but only in proportion to and to the extent such liability, loss, expense, attorneys' fees or claims for injury or damages are caused by or result from the gross negligence or intentional acts or omissions of Participating Institution, its officers, employees or agents.

Subcontractor shall defend, indemnify and hold Participating Institution, District, CCCC and their officers, employees and agents harmless from and against any and all third party claims for liability, loss, expense (including reasonable attorneys' fees), or claims for injury or damages arising out of the performance of this IPA but only in proportion to and to the extent such liability, loss, expense, attorneys' fees or claims for injury or damages are caused by or result from the gross negligence or intentional acts or omissions of Subcontractor, its officers, employees or agents.

C.FUNDS UNAVAILABLE. This IPA may be terminated immediately by the Participating Institution if funds become unavailable for the support of the program for which the services are provided. In the event termination is pursuant to this paragraph, a notice specifying reason for termination shall be sent as soon as possible after the termination as required in paragraph 9.G. of this IPA. The Participating Institution warrants that the appropriation of funds for the Work is based upon a grant that is beyond the control of Participating Institution. No refunds shall be made for any pre-paid fees.

D.Publicity. Participating Institution agrees to allow Subcontractor to use its name, logo and non-competitive use details in both text and pictures in its various marketing communications and materials, in accordance with Participating Institution's trademark guidelines and policies.

E.ENTIRETY OF AGREEMENT. This IPA, including the Addendum to the Subcontract Agreement, contains the entire agreement and understanding between the Subcontractor and the Participating Institution and supersedes all prior oral or written representations and agreements with respect to the subject matter herein.

F.APPLICABLE LAW/REMEDIES. This IPA shall be construed in accordance with and governed by the laws of the State of California. The parties shall have all remedies available by law or in equity.

G.NOTICES. Notices under this IPA will be in writing and delivered personally, or by a recognized overnight courier service or by United States mail, first-class, certified or registered, postage prepaid, return receipt requested, and shall be made to the addresses listed above:

With copy to:

California Community Colleges Technology Center
Butte Glenn Community College District
ATTN: Bruce Racheter
3535 Butte Campus Drive
Oroville, CA 95965

H.SEVERABILITY. If any term, provision, covenant, or condition of this IPA is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the IPA shall remain in full force and effect and in no way shall be affected, impaired, or invalidated.

I.COUNTERPARTS. This IPA may be executed in any number of counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

J.NON-WAIVER. No waiver by a party of any default or nonperformance will be deemed a waiver of any subsequent default or nonperformance.

K.AUTHORITY. The parties to this IPA warrant that the person signing this IPA on its behalf is authorized to enter into this IPA.

L.TERMS AND CONDITIONS. The parties to this IPA acknowledge that they have read and understood this IPA and the Subcontract Agreement completely, and will fully comply with all terms and conditions of this IPA set forth herein.

Monterey Peninsula College

Signature:	_____
Name:	_____
Title:	_____
Date:	_____

Instructure, Inc.

Signature:	_____
Name:	_____
Title:	_____
Date:	_____

Monterey Peninsula Community College District

Governing Board Agenda

May 25, 2016

New Business Agenda Item No. D

Academic Affairs
College Area

Proposal:

To adopt the 2017–2018 College Academic Calendar.

Background:


The attached recommended 2017-2018 academic calendar conforms to the legal and contractual obligations of the District. The 2017-2018 academic calendar is being proposed in order to facilitate advance planning.


This calendar has been developed in consultation with the Calendar Committee, which consists of the Vice President of Academic Affairs and representatives from the Monterey Peninsula College Teachers Association (as per Article 11.4 of the MPCCD and MPCTA/CTA/NEA agreement), Monterey Peninsula College Employees Association (MPCEA, CSEA #245), the Academic Senate, and Associated Students, Monterey Peninsula College (ASMPC).


Budgetary Implications:

None.

RESOLUTION: BE IT RESOLVED, that the 2017-2018 College Academic Calendar be approved as proposed.

Recommended By: 
Kiran Kamath, Vice President, Academic Affairs

Prepared By: 
Leslie Procive, Administrative Assistant IV, VP, Academic Affairs

Agenda Approval: 
Dr. Walt Tribley, Superintendent/President

DRAFT Monterey Peninsula Community College District Calendar 2017-2018

Teaching Days Per Month

Wk. #	Month	S	M	T	W	Th	F	S	
FALL SEMESTER – August 18, 2017 through December 15, 2017									
	AUGUST	6	7	8	9	10	11	12	
		13	14	15	(16)	(17)	18	19	Scheduled Flex Days – August 16 and 17
1		20	21	22	23	24	25	26	Semester begins August 18
2		27	28	29	30	31			10
2	SEPTEMBER						1	2	Labor Day – September 4
3		3	4*	5	6	7	8	9	Census day – September 5
4		10	11	12	13	14	15	16	
5		17	18	19	20	21	22**	23	Native American Day Commemoration – September 22
6		24	25	26	27	28	29	30	20
7	OCTOBER	1	2	3	4	5	6	7	
8		8	9	10	11	12	13	14	
9		15	16	17	18	19	20	21	
10		22	23	24	25	26	27	28	
11		29	30	31					22
11	NOVEMBER				1	2	3	4	
12		5	6	7	8	9	10*	11	Veteran's Day Observance – November 10
13		12	13	14	15	16	17	18	
14		19	20	21	22	23*	24*	25	Thanksgiving Holiday – November 23, 24 and 25
15		26	27	28	29	30			19
15	DECEMBER						1	2	
16		3	4	5	6	7	8	9	
17		10	11	12	13	14	15	16	Finals: December 11 – 15; Semester ends December 15
		17	(18)	19	20	21	22*	23	Scheduled Flex Day - December 18
		24	25*	26*	27*	28*	29*	30	
		31							TOTAL 82
EARLY SPRING SESSION – January 2, 2018 through January 19, 2018									
	JANUARY		1*	2	3	4	5	6	Early Spring Session begins January 2; ends January 19
		7	8	9	10	11	12	13	Note: Overlap of Early Spring with Flex Days
		14	15*	16	(17)	(18)	(19)	20	MLK Day – January 15; Scheduled Flex Days January 17, 18 & 19
SPRING SEMESTER – January 22, 2018 through May 25, 2018									
1	JANUARY	21	22	23	24	25	26	27	Semester begins January 22
2		28	29	30	31				8
2	FEBRUARY					1	2	3	
3		4	5	6	7	8	9	10	Census Day – February 5
4		11	12	13	14	15	16*	17	Lincoln Day Observance – February 16
5		18	19*	20	21	22	23	24	Washington Day – February 19
6		25	26	27	28				18
6	MARCH					1	2	3	
7		4	5	6	7	8	9	10	
8		11	12	13	14	15	16	17	
9		18	19	20	21	22	23	24	Spring Recess – March 18 to March 24
		25	26	27	28	29	30	31**	March 31 – Cesar Chavez Day
10	APRIL	1	2	3	4	5	6	7	
11		8	9	10	11	12	13	14	
12		15	16	17	18	19	20	21	
13		22	23	24	25	26	27	28	
14		29	30						21
14	MAY			1	2	3	4	5	
15		6	7	8	9	10	11	12	
16		13	14	15	16	17	18	19	
17		20	21	22	23	24	25	26	Finals: May 21–25; Semester end May 25; Commencement May 26
		27	28*	(29)	30	31			Memorial Day – May 28; Scheduled Flex Day May 29
	JUNE						1	2	TOTAL 83
SUMMER SESSION – June 4, 2018 through July 13, 2018 (6-week session) June 4, 2018 through July 27, 2018 (8-week session)									
1		3	4	5	6	7	8	9	Summer session begins June 4
2		10	11	12	13	14	15	16	
3		17	18	19	20	21	22	23	
4		24	25	26	27	28	29	30	
5	JULY	1	2	3	4*	5	6	7	Independence Day – July 4
6		8	9	10	11	12	13	14	End of Six-Week Session – July 13
7		15	16	17	18	19	20	21	
8		22	23	24	25	26	27	28	End of Eight-Week Session – July 27
		29	30	31					
	AUGUST				1	2	3	4	

* Holidays for Classified Staff and Administrators

Non-Teaching Days within Session
 () Scheduled Flex Days for Faculty

** Native American Day/Cesar Chavez Commemoration

Board Approved _____

Faculty is required to be on duty a total of 175.5 days. This calendar has 165 teaching days, 7 scheduled flex days, and .5 day of commencement. Each full-time contractual faculty member teaching census week classes must contract individually for another 3 days of flex time

FALL SEMESTER – August 18, 2017 through December 15, 2017

August 16 and 17	Scheduled Flex Days for Faculty
August 18	Semester Begins
September 4	Labor Day
September 5	Census
November 10	Veterans' Day
November 23, 24 and 25	Thanksgiving Holiday
December 11 through 15	Finals Week
December 15	Semester Ends
December 18	Scheduled Flex Day for Faculty
December 22	Christmas Eve Day Observance
December 25	Christmas Day
December 26	In lieu of Cesar Chavez Day
December 27	Admissions Day Alternate Holiday for Classified
December 28	Periodic Holiday
December 29	New Year's Eve ½ Day and Spring Holiday ½ Day Observance
January 1	New Year's Day

EARLY SPRING – January 2, 2018 through January 19, 2018

January 2	Session Begins
January 15	Martin Luther King, Jr. Day
January 19	Session Ends

SPRING SEMESTER – January 22, 2018 through May 25, 2018

January 17, 18 and 19	Scheduled Flex Days for Faculty
January 22	Semester Begins
February 5	Census
February 16	Lincoln's Day Observance
February 19	Washington's Day
March 18 through March 24	Spring Recess
May 21 through 25	Finals Week
May 25	Semester Ends
May 26	Commencement
May 28	Memorial Day
May 29	Scheduled Flex Day for Faculty

**SUMMER SESSION – June 4, 2018 through July 13, 2018 (Six-Week Session)
June 4, 2018 through July 27, 2018 (Eight-Week Session)**

June 4	Session Begins
July 4	Independence Day
July 13	End of Six-Week Session
July 27	End of Eight-Week Session

Faculty is required to be on duty a total of 175.5 days. This calendar has 165 teaching days, 7 scheduled flex days, and .5 day of commencement. Each full-time contractual faculty member teaching census week classes must contract individually for another 3 days of flex time.

Board Approved _____

Monterey Peninsula Community College District

Governing Board Agenda

May 25, 2016

New Business Agenda Item No. E

Human Resources
College Area

Proposal:

That the Governing Board receive the Equal Employment Opportunity Annual Applicant Pool and Employee Demographics Report for 2015.

Background:

The Monterey Peninsula College Equal Employment Opportunity (EEO) Plan and California Code of Regulations, Title 5 §53004 require that the District annually review the workforce composition and monitor applicants on an ongoing basis. The purposes of the report are to evaluate the District's progress in implementing the EEO Plan, to provide data needed for analyses, and to determine whether any monitored group is underrepresented.

The report reviews the demographics of the applicant pools, hires, and overall employee workforce by job category for the calendar year 2015. It also provides an historical overview of the demographics of the employee workforce.

Budgetary Implications:

None.

Information Only: That the Governing Board receive the Equal Employment Opportunity Annual Applicant Pool and Employee Demographics Report for 2015.

Recommended By: Susan Kitagawa
Susan Kitagawa, Associate Dean of Human Resources

Prepared By: Susan Kitagawa
Susan Kitagawa, Associate Dean of Human Resources

Agenda Approval: Walter A. Tribely
Dr. Walter Tribely, Superintendent/President



Equal Employment Opportunity Annual Applicant Pool and Employee Demographics Report

2015

Revision 6: 3/10/16

Commitment to Diversity and Inclusion

The Legislature finds and declares all of the following:

*(1) In fulfilling its mission within California's system of public higher education, the California Community Colleges are **committed to academic excellence and to providing all students with the opportunity to succeed in their chosen educational pursuits.***

*(2) Academic excellence can best be sustained in a **climate of acceptance and with the inclusion of persons from a wide variety of backgrounds and preparations to provide service to an increasingly diverse student population.***

Education Code Section 87100 (a).

Mission Statement

Monterey Peninsula College is an **open-access institution that fosters student learning and achievement within its diverse community**. MPC provides high quality instructional programs, services, and infrastructure to support the goals of students pursuing transfer, career training, basic skills, and lifelong learning opportunities.

Commitment to Equal Employment Opportunity

"Equal employment opportunity" means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and fully enjoy the benefits of employment by a community college district. Ensuring equal employment opportunity is advanced in an inclusive environment that fosters cooperation, acceptance, democracy, and the free expression of ideas. An inclusive environment is welcoming to men and women, persons with disabilities, individuals from all ethnic groups, and individuals from all other groups protected from discrimination by this article.

Education Code Section 87101 (a)

Federal & State Laws & Regulations

There are numerous federal, state, and systems laws and regulations that prohibit discrimination, including but not limited to:

Title VI & VII Civil Rights Act of 1964, Title IX, Americans with Disabilities Act, the Age Discrimination Act, Accreditation Standards, Ca. Government Code, Ca. Constitution, Ca. Education Code, Ca. Code of Regulations-Title 5, MPC Board Policies and Procedures.

Post Proposition 209

Added Section 31 to Article I of the state Constitution. The major provision in Article 31 reads: (a) The state shall **not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education or public contracting.**

Legislative Response to 209

- Government Code 11139.6

“It is the intent of this section that all governmental agencies shall engage in **general recruitment and outreach programs to all individuals, including persons who are economically disadvantaged.**”

“...recruitment that should result in increasing diversity **of the public sector workforce**” to include general circulation newspapers, radio and TV, electronic media, and in the same recruitment sources whose primary audience are audience is comprised of **minority and low-income communities and women.**

Accreditation Standard III.A.12

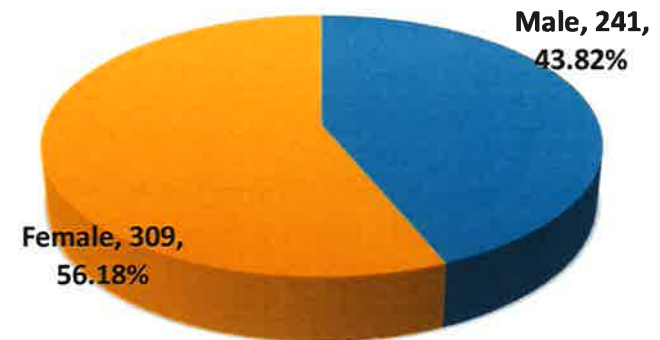
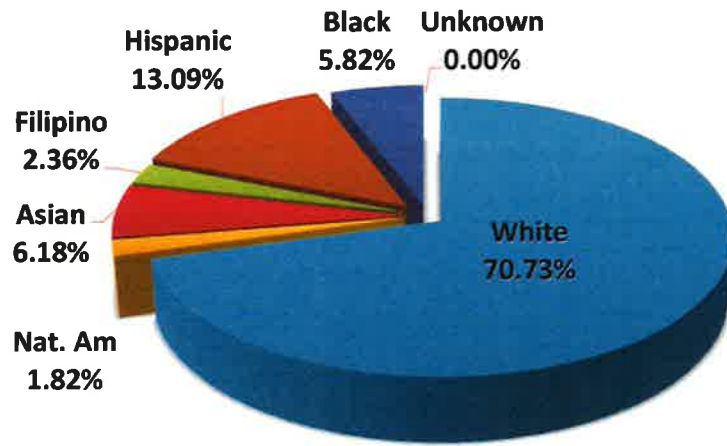
*Through its policies and practices, the institution creates and maintains appropriate programs, practices, and services that **support its diverse personnel**. The institution regularly assesses its record in employment equity and diversity consistent with its mission.*

Equal Employment Opportunity Plan

Human Resources will annually survey the District's applicant pool and workforce composition to evaluate progress in implementing the plan, to provide data needed for longitudinal analysis and to determine if any group is underrepresented in recruitment, hiring, retention, and promotion.

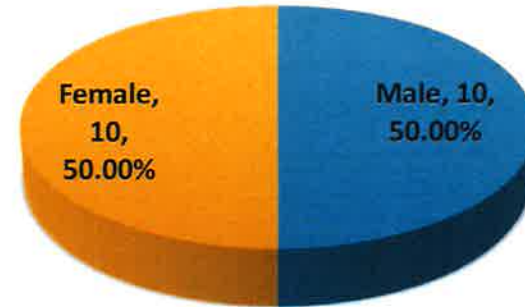
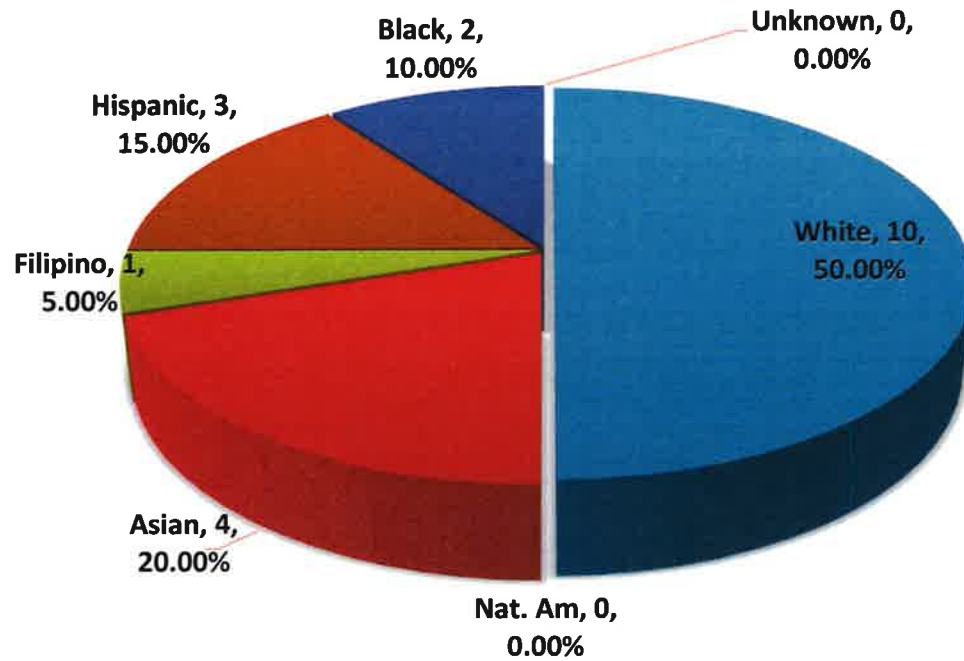
California Code of Regulations, Title 5 §53000(c)(6), §53004, and §53006

Snapshot of Total Workforce 2015



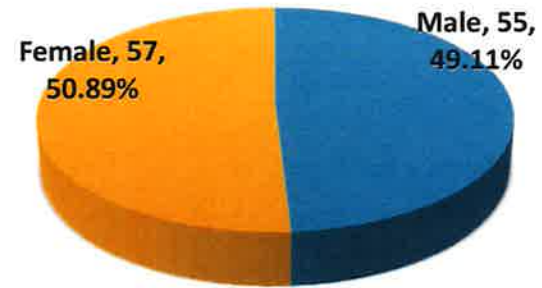
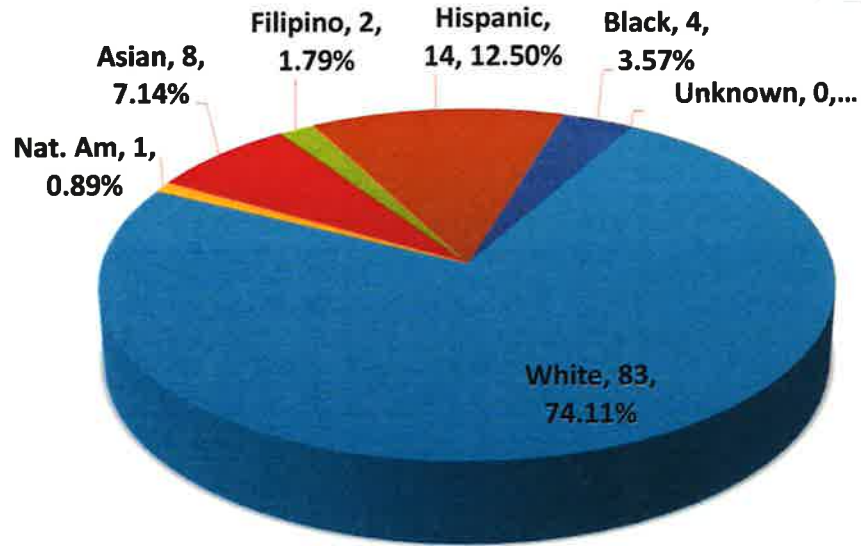
	Total	Male	%M	Female	% F	White	%W	Nat. Am	% NA	Asian	% A	Filipino	% F	Hispanic	% H	Black	% B	Unknown	% U	Disability	% D
Executive/ Admin/ Managerial	20	10	50%	10	50%	10	50%	0	0%	4	20%	1	5%	3	15%	2	10%	0	0%	1	5%
Faculty-Career Education	12	8	67%	4	33%	10	83%	0	0%	1	8%	0	0%	1	8%	0	0%	0	0%	0	0%
Faculty-English	17	8	47%	9	53%	17	100%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Faculty-Health & PE	7	5	71%	2	29%	6	86%	0	0%	1	14%	0	0%	0	0%	0	0%	0	0%	0	0%
Faculty-Humanities	14	8	57%	6	43%	10	71%	0	0%	0	0%	0	0%	4	29%	0	0%	0	0%	1	7%
Faculty-Instr. & Support Services	26	8	31%	18	69%	14	54%	1	4%	3	12%	1	4%	5	19%	2	8%	0	0%	2	8%
Faculty-Mathematics	12	6	50%	6	50%	8	67%	0	0%	2	17%	1	8%	1	8%	0	0%	0	0%	1	8%
Faculty-Natural Sciences	12	7	58%	5	42%	8	67%	0	0%	1	8%	0	0%	2	17%	1	8%	0	0%	0	0%
Faculty-Social Science	12	5	42%	7	58%	10	83%	0	0%	0	0%	0	0%	1	8%	1	8%	0	0%	0	0%
Clerical/ Secretarial	39	5	13%	34	87%	21	54%	1	3%	1	3%	3	8%	7	18%	6	15%	0	0%	2	5%
Professional Non-Faculty	17	4	24%	13	76%	11	65%	0	0%	1	6%	1	6%	4	24%	0	0%	0	0%	2	12%
Service/ Maintenance	26	20	77%	6	23%	6	23%	0	0%	0	0%	1	4%	14	54%	5	19%	0	0%	0	0%
Skilled Crafts	9	8	89%	1	11%	4	44%	0	0%	2	22%	0	0%	3	33%	0	0%	0	0%	0	0%
Technical/ Paraprofessional	68	32	47%	36	53%	39	57%	1	1%	9	13%	4	6%	11	16%	4	6%	0	0%	0	0%
Adjuncts- Fall 2015	259	107	41%	152	59%	215	83%	7	3%	9	3%	1	0%	16	6%	11	4%	0	0%	0	0%
Total	550	241	43.82%	309	56.18%	389	70.73%	10	1.82%	34	6.18%	13	2.36%	72	13.09%	32	5.82%	0	0.00%	9	1.64%

Administrators and Managers 2015



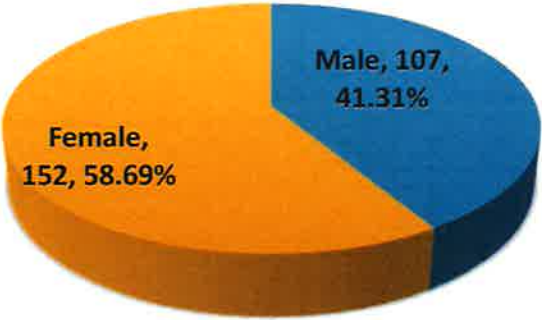
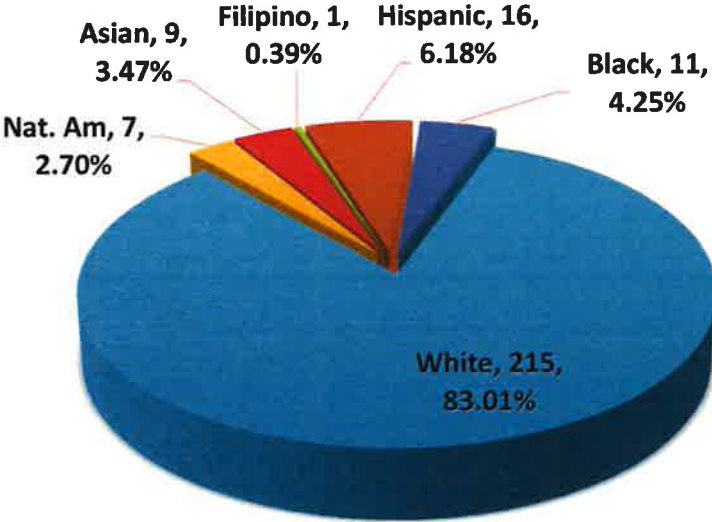
Total	Male	%M	Female	%F	White	%W	Nat. Am	%NA	Asian	%A	Filipino	%F	Hispanic	%H	Black	%B	Unknown	%U
20	10	50.00%	10	50.00%	10	50.00%	0	0.00%	4	20.00%	1	5.00%	3	15.00%	2	10.00%	0	0.00%

Full Time Faculty 2015



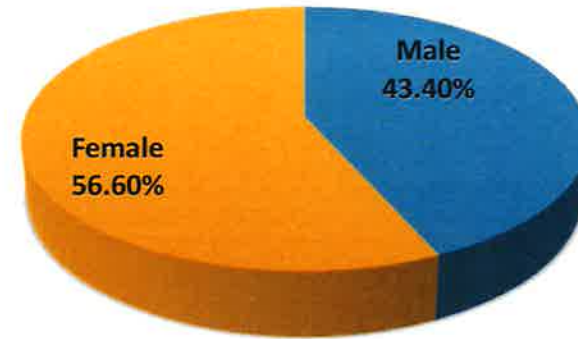
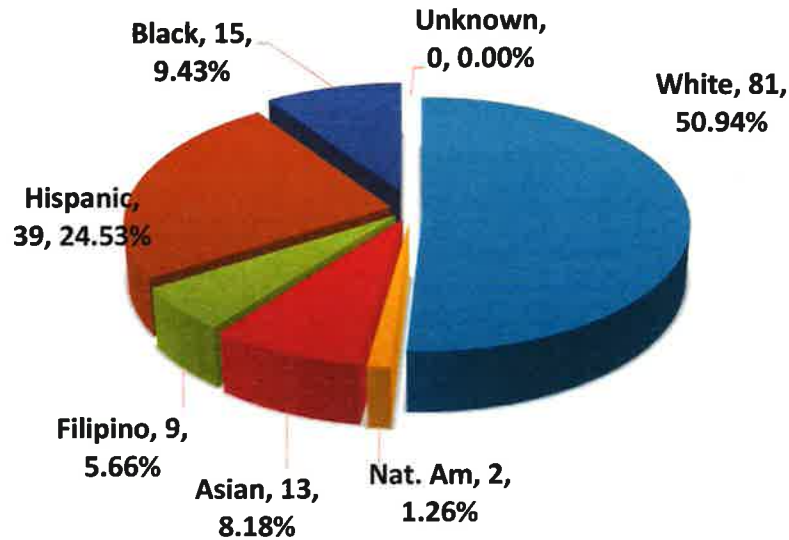
	Total	Male	%M	Female	% F	White	%W	Nat. Am	% NA	Asian	% A	Filipino	% F	Hispanic	% H	Black	% B	Unknown	% U	Disability	% D
Faculty-Career Education	12	8	67%	4	33%	10	83%	0	0%	1	8%	0	0%	1	8%	0	0%	0	0%	0	0%
Faculty-English	17	8	47%	9	53%	17	100%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Faculty-Health & PE	7	5	71%	2	29%	6	86%	0	0%	1	14%	0	0%	0	0%	0	0%	0	0%	0	0%
Faculty-Humanities	14	8	57%	6	43%	10	71%	0	0%	0	0%	0	0%	4	29%	0	0%	0	0%	1	7%
Faculty-Instl & Support Svcs	26	8	31%	18	69%	14	54%	1	4%	3	12%	1	4%	5	19%	2	8%	0	0%	2	8%
Faculty-Mathematics	12	6	50%	6	50%	8	67%	0	0%	2	17%	1	8%	1	8%	0	0%	0	0%	1	8%
Faculty-Natural Sciences	12	7	58%	5	42%	8	67%	0	0%	1	8%	0	0%	2	17%	1	8%	0	0%	0	0%
Faculty-Social Science	12	5	42%	7	58%	10	83%	0	0%	0	0%	0	0%	1	8%	1	8%	0	0%	0	0%
Total	112	55	49.11%	57	50.89%	83	74.11%	1	0.89%	8	7.14%	2	1.79%	14	12.50%	4	3.57%	0	0.00%	4	3.57%

Adjunct Faculty 2015



	Total	Male	% Male	Female	% F	White	% W	Nat. Am	% NA	Asian	% A	Filipino	% F	Hispanic	% H	Black	% B	Unknown	% U	Disability	% D
Adjuncts- Fall 2015	259	107	41.31%	152	58.69%	215	83.01%	7	2.70%	9	3.47%	1	0.39%	16	6.18%	11	4.25%	0	0.00%	0	0.00%

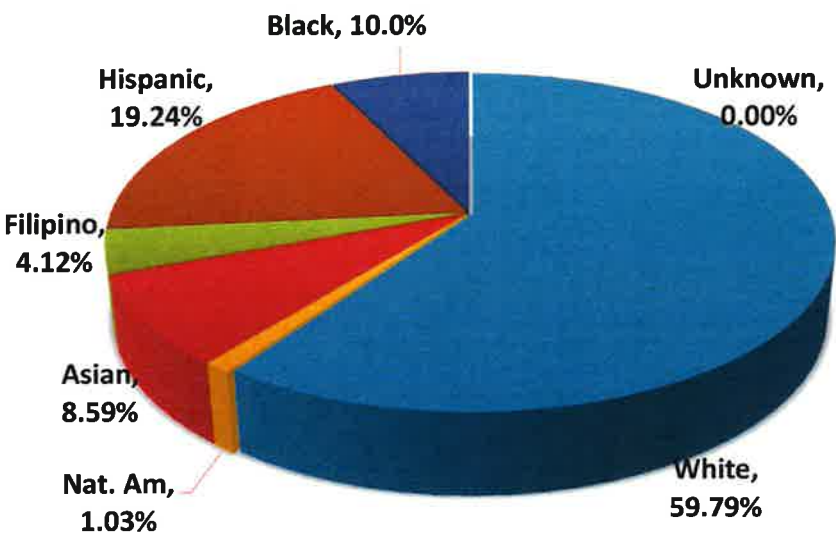
Classified Workforce 2015



	Total	Male	%M	Female	% F	White	%W	Nat. Am	% NA	Asian	% A	Filipino	% F	Hispanic	% H	Black	% B	Unknown	% U	Disability	% D
Clerical/ Secretarial	39	5	13%	34	87%	21	54%	1	3%	1	3%	3	8%	7	18%	6	15%	0	0%	2	5%
Professional Non-Faculty	17	4	24%	13	76%	11	65%	0	0%	1	6%	1	6%	4	24%	0	0%	0	0%	2	12%
Service/ Maintenance	26	20	77%	6	23%	6	23%	0	0%	0	0%	1	4%	14	54%	5	19%	0	0%	0	0%
Skilled Crafts	9	8	89%	1	11%	4	44%	0	0%	2	22%	0	0%	3	33%	0	0%	0	0%	0	0%
Technical/ Paraprofessional	68	32	47%	36	53%	39	57%	1	1%	9	13%	4	6%	11	16%	4	6%	0	0%	0	0%
Total	159	69	43.40%	90	56.60%	81	50.94%	2	1.26%	13	8.18%	9	5.66%	39	24.53%	15	9.43%	0	0.00%	4	2.52%

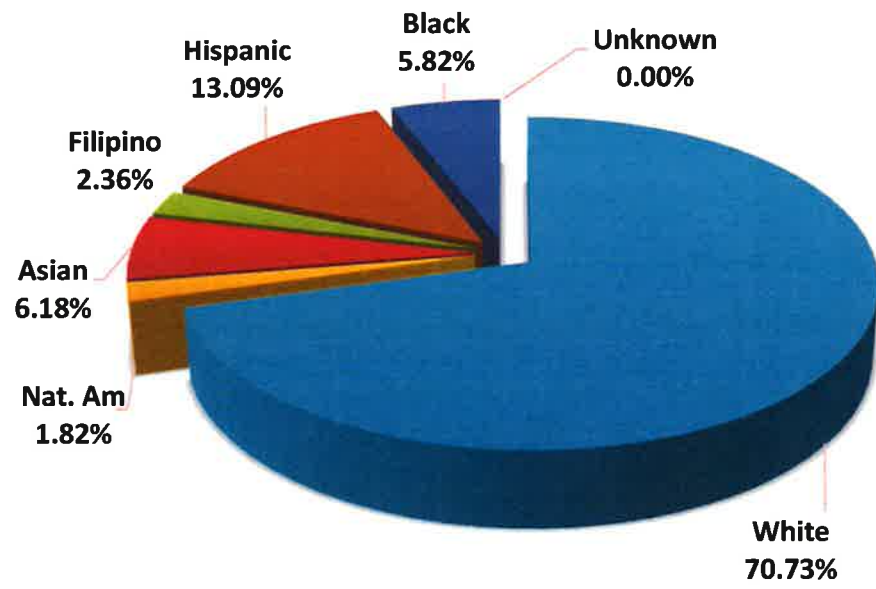
Total Workforce Comparison 2015

Permanent



All

Including Adjuncts



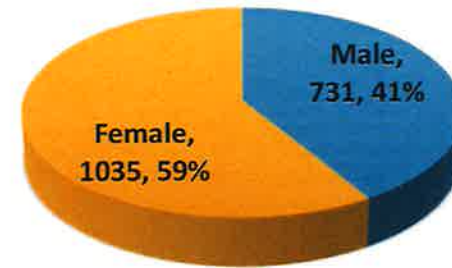
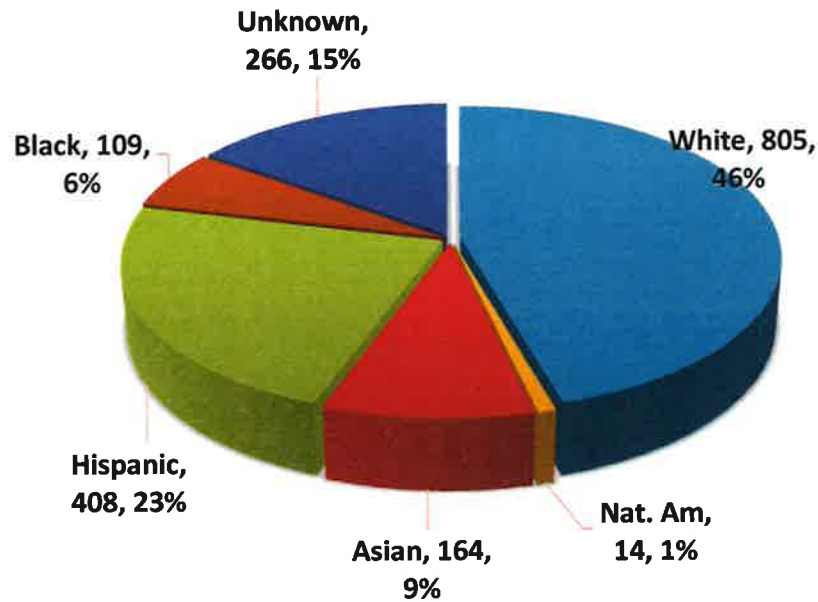
Recruitment Sources

- Academic Positions
 - Chronicle of Higher Ed Online and Print
 - Higher Ed Jobs.com (annual subscription)
 - Inside Higher Ed (annual subscription)
 - CommunityCollegeJobs.com
 - UCSC/CSUMB Placement Centers
- Specialized Recruitments
 - Trade or professional organizations
 - List Serves
- All
 - MPC Employment Site
 - Edjoin.org (annual subscription)
 - Monterey Herald
 - Monterey Weekly
 - Craigslist
 - EDD/CalJobs
 - One Stop Career Centers Monterey/Monterey County Dept of Social Services
 - MontereyBayJobs.com (annual subscription)
 - CCC Registry
 - ALL USERS emails
 - NEOGOV emails candidates who signed up for alerts

Monterey Peninsula College Hiring Summary 2015

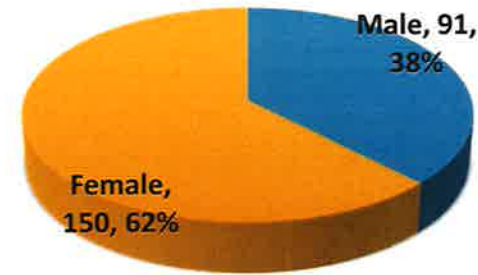
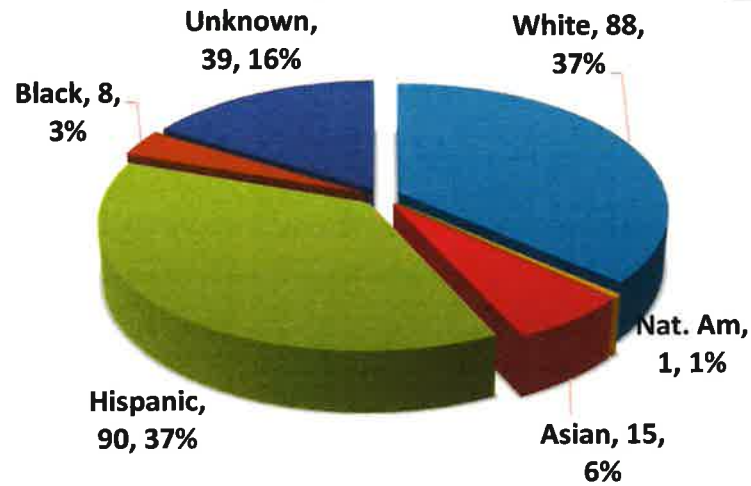
Workforce	Applicants			Hired				
	Recruitments	Male	Female	Positions Filled	Male	% Male	Female	%Female
Executive/Administrative/Managerial	6	109	67	5	2	40%	3	60%
Clerical/Secretarial	9	39	157	5	2	40%	3	60%
Professional Non-Faculty	7	62	206	5	1	20%	4	80%
Faculty	3	91	150	5	2	50%	3	60%
Service/Maintenance	4	77	31	4	4	100%	0	0%
Skilled Crafts	0	0	0	0	0	0	0	0
Technical/Paraprofessional	15	48	60	12	4	33%	8	67%
Adjuncts	94	305	364	51	26	51%	25	49%
Totals	138	731	1035	87	41	40%	46	52%

Demographics of Total Applicant Pool 2015



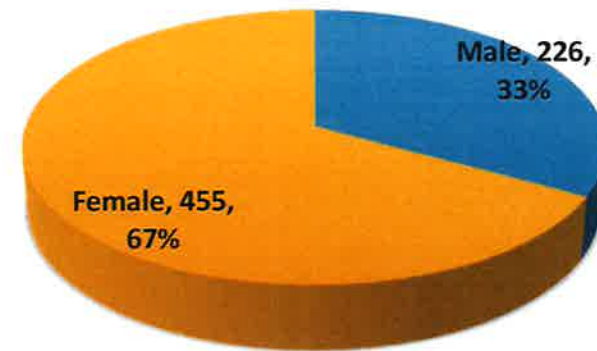
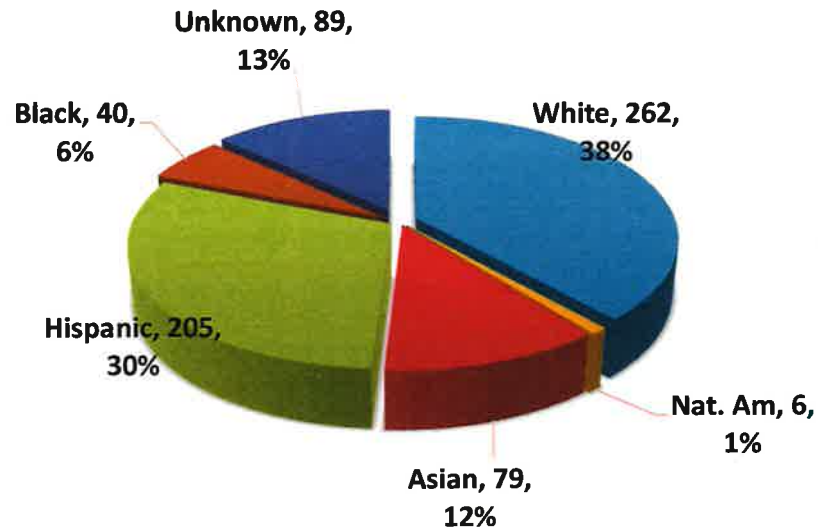
Total	Male	%M	Female	% F	White	%W	Nat. Am	% NA	Asian	% A	Hispanic	% H	Black	% B	Unknown	% U
1766	731	41%	1035	59%	805	46%	14	1%	164	9%	408	23%	109	6%	266	15%

FT Faculty Applicant Pool 2015



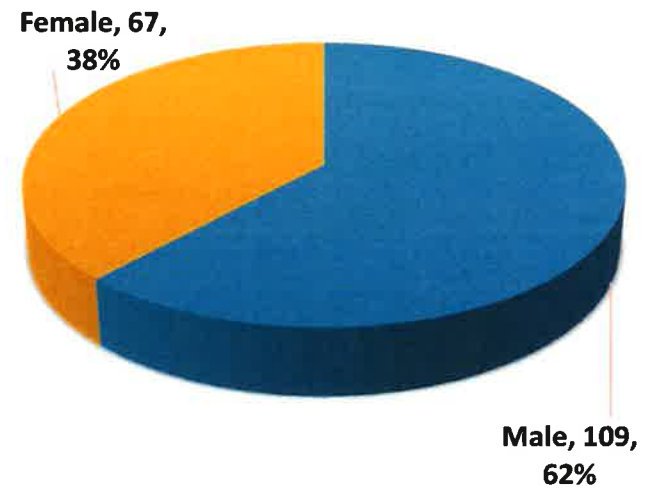
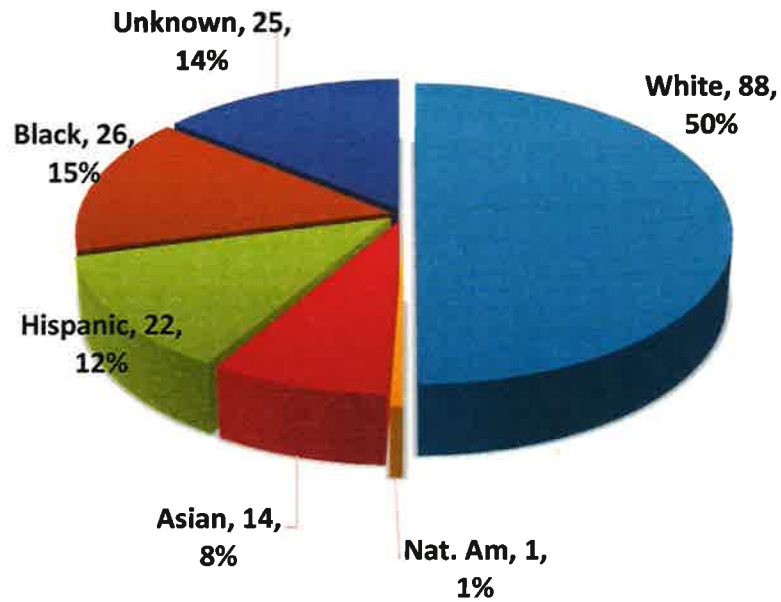
	Total	Male	%M	Female	%F	White	%W	Nat. Am.	%NA	Asian	%A	Hispanic	%H	Black	%B	Unknown	%U
Faculty-Career Education	0	0		0		0		0		0		0		0		0	
Faculty-English	0	0		0		0		0		0		0		0		0	
Faculty-Health & PE	0	0		0		0		0		0		0		0		0	
Faculty-Humanities	121	52	43%	69	57%	36	30%	0	0%	1	1%	66	55%	3	2%	15	12%
Faculty-Inst. & Spprt Serv.	83	10	12%	73	88%	34	41%	1	1%	5	6%	22	27%	3	4%	18	22%
Faculty-Mathematics	37	29	78%	8	22%	18	49%	0	0%	9	24%	2	5%	2	5%	6	16%
Faculty-Natural Sciences	0	0		0		0		0		0		0		0		0	
Faculty-Social Science	0	0		0		0		0		0		0		0		0	
	241	91	38%	150	62%	88	37%	1	0%	15	6%	90	37%	8	3%	39	16%
2015 New Hires	5	2	40%	3	60%	3	60%	1	20%	0	0%	1	20%	0	0%	0	0%

Classified Applicant Pool 2015



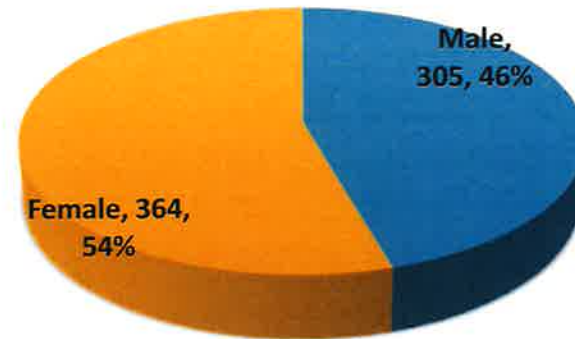
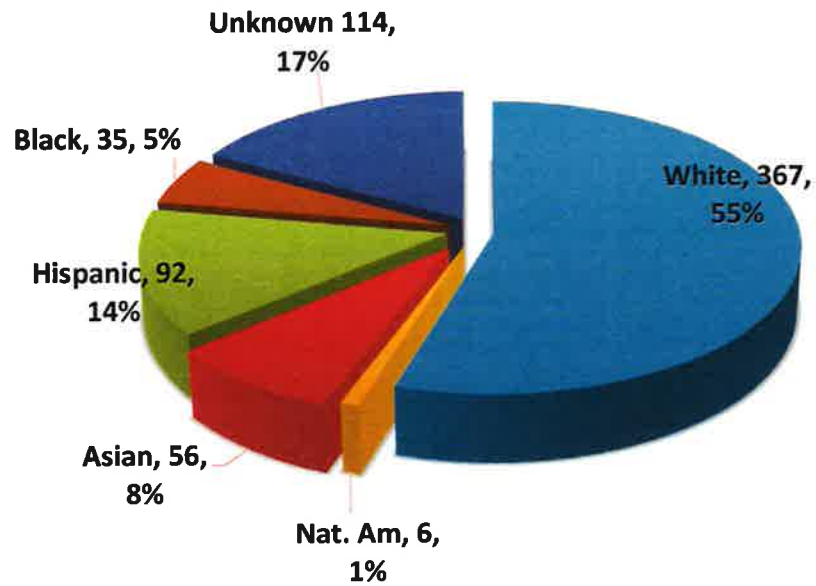
	Total	Male	Female	White	Nat. Am	Asian	Hispanic	Black	Unknown
Clerical/ Secretarial	196	39	157	73	1	6	77	11	28
Professional Non-Faculty	268	62	206	112	4	37	72	15	28
Service/ Maintenance	108	77	31	30	1	19	36	8	14
Skilled Crafts	0	0	0	0	0	0	0	0	0
Technical/ Paraprofessional	108	48	60	47	0	17	20	6	18
Total	681	226	455	262	6	79	205	40	89
2015 New Hires	26	10	16	11	0	6	6	3	0

Administrators and Managers Applicant Pool 2015



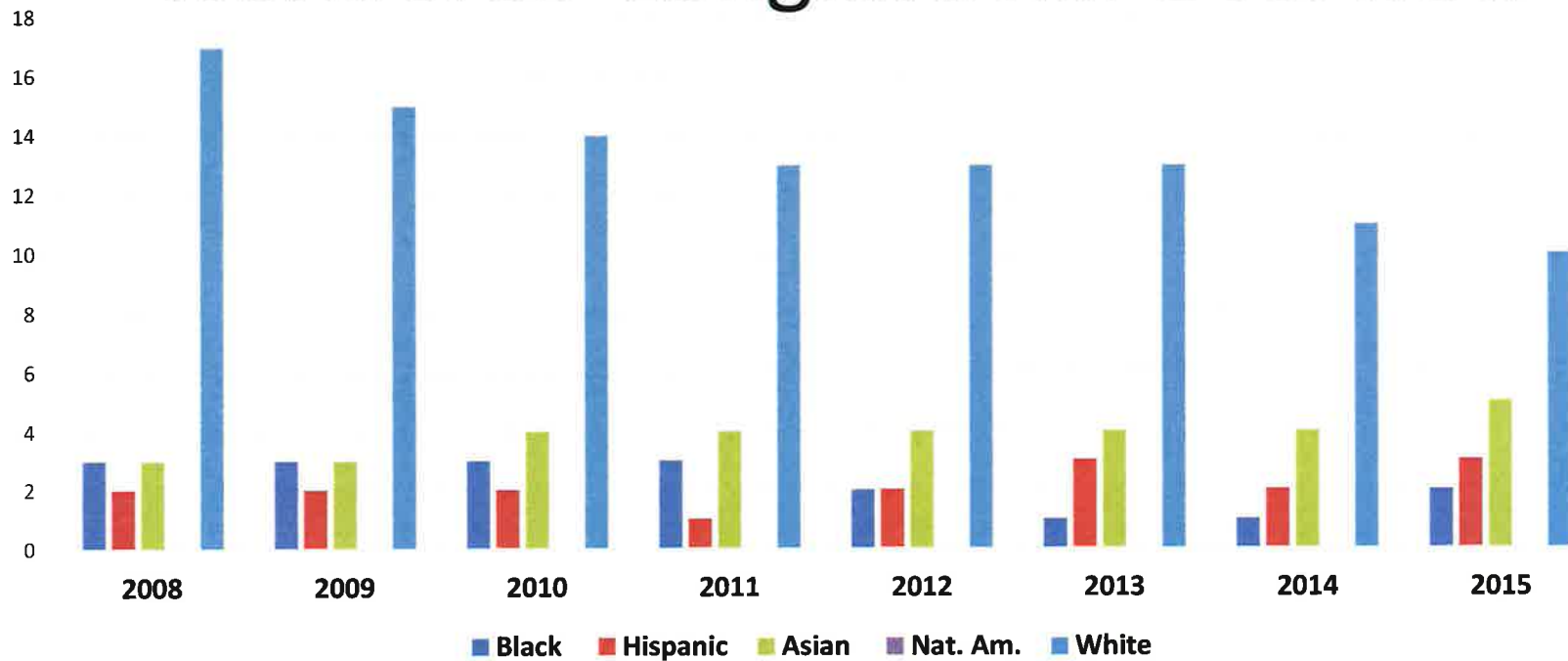
	Total	Male	%M	Female	% F	White	%W	Nat. Am	% NA	Asian	% A	Hispanic	% H	Black	% B	Unknown	% U
Executive/ Administrative/ Managerial	176	109	61.93%	67	13.07%	88	50.00%	1	0.57%	14	7.95%	22	12.50%	26	14.77%	25	14.20%
2015 New Hires	5	2	40.00%	3	60.00%	2	40.00%	0	0.00%	1	20.00%	1	20.00%	1	20.00%	0	0.00%

Adjunct Applicant Pool 2015



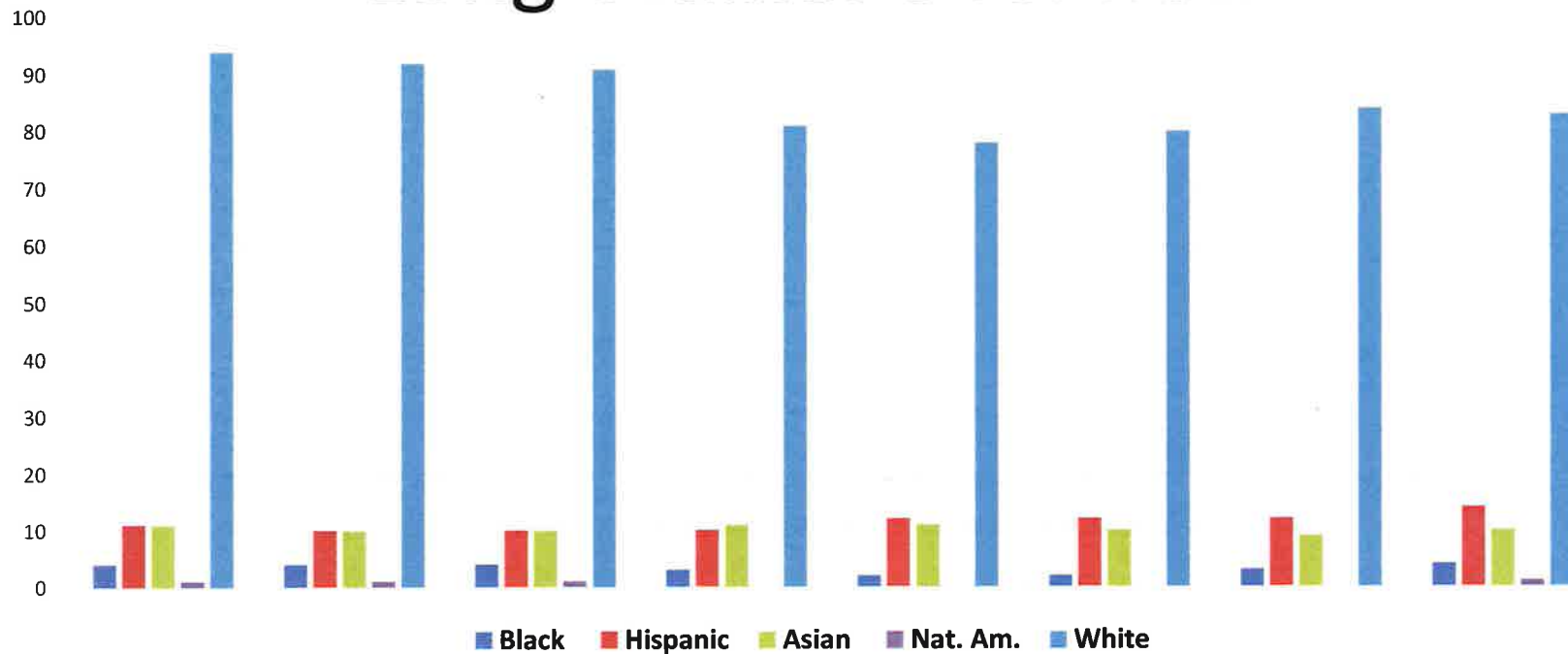
	Total	Male	%M	Female	% F	White	%W	Nat. Am	% NA	Asian	% A	Hispanic	% H	Black	% B	Unknown	% U
Adjuncts	669	305	45.59%	364	54.41%	367	54.86%	6	0.90%	56	8.37%	92	31.02%	35	5.23%	114	16.89%
2015 New Hires	51	26	50.98%	25	49.02%	34	66.67%	0	0.00%	5	9.80%	0	0.00%	4	7.84%	8	15.69%

Administrators and Managers Workforce Longitudinal Overview



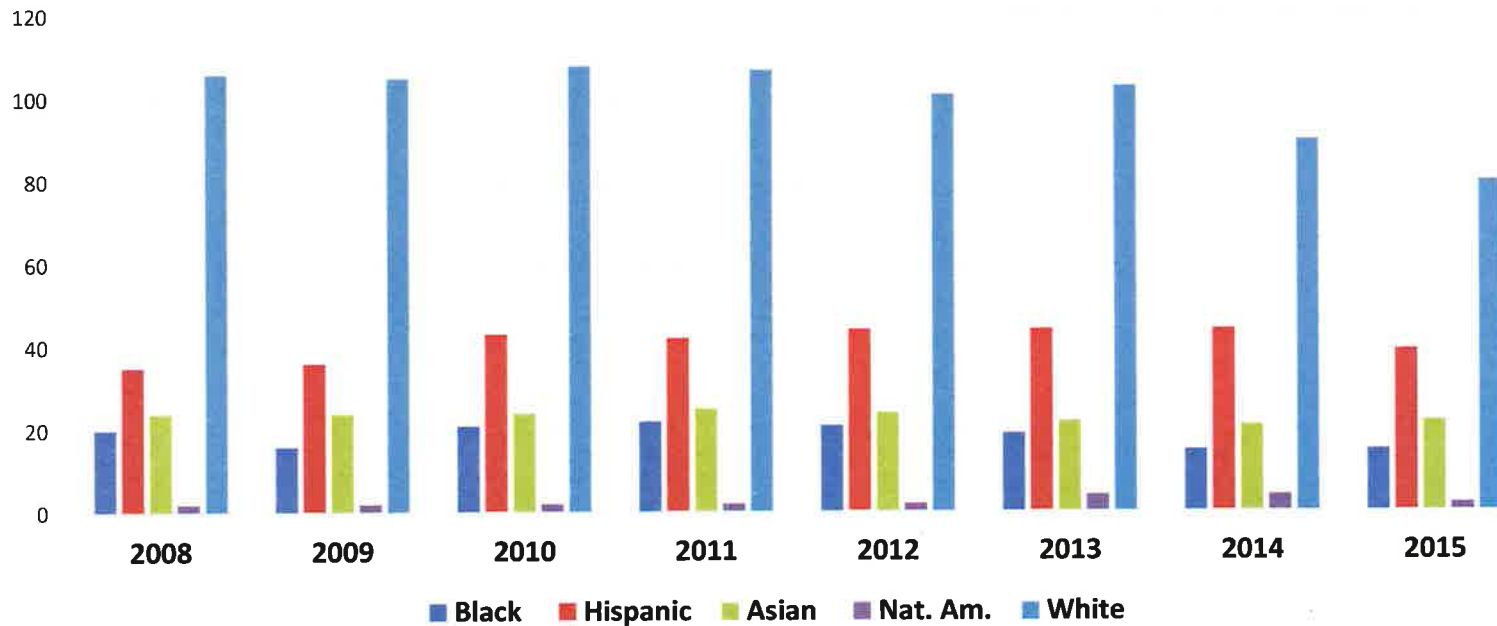
	2008	2009	2010	2011	2012	2013	2014	2015
Black	3	3	3	3	2	1	1	2
Hispanic	2	2	2	1	2	3	2	3
Asian	3	3	4	4	4	4	4	5
Nat. Am.	0	0	0	0	0	0	0	0
White	17	15	14	13	13	13	11	10
Total	25	23	23	21	21	21	18	20

Full Time Faculty Workforce Longitudinal Overview



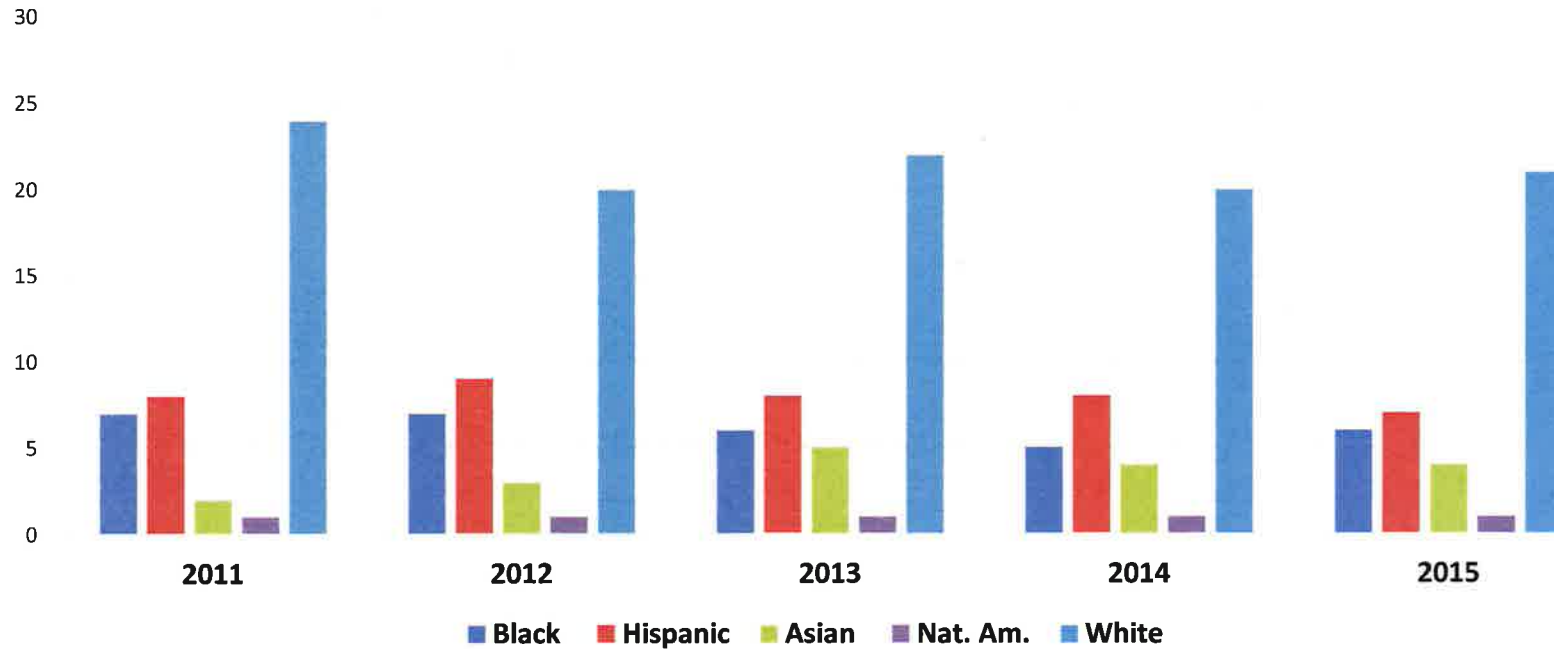
	2008	2009	2010	2011	2012	2013	2014	2015
Black	4	4	4	3	2	2	3	4
Hispanic	11	10	10	10	12	12	12	14
Asian	11	10	10	11	11	10	9	10
Nat. Am.	1	1	1	0	0	0	0	1
White	94	92	91	81	78	80	84	83
Total	121	117	116	105	103	104	108	112

Classified Workforce Longitudinal Overview



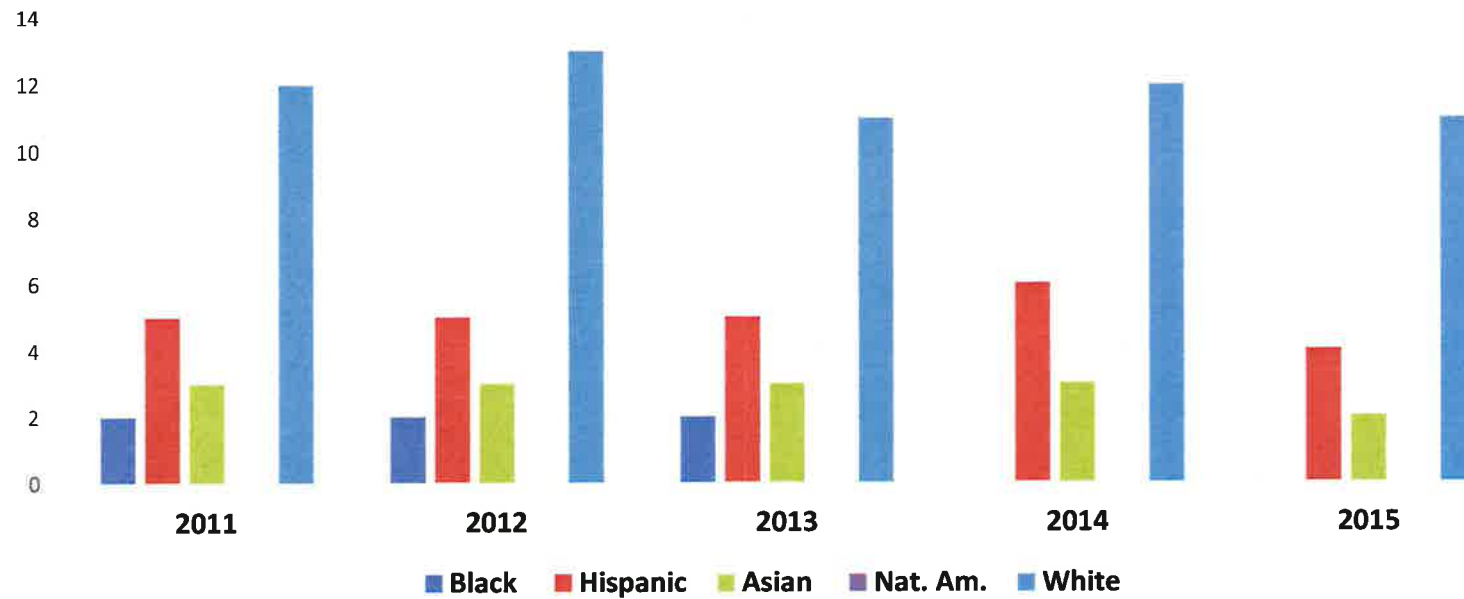
	2008	2009	2010	2011	2012	2013	2014	2015
Black	20	16	21	22	21	19	15	15
Hispanic	35	36	43	42	44	44	44	39
Asian	24	24	24	25	24	22	21	22
Nat. Am.	2	2	2	2	2	4	4	2
White	106	105	108	107	101	103	90	80
Total	187	183	198	198	192	192	174	158

Clerical -Secretarial Workforce Longitudinal Overview



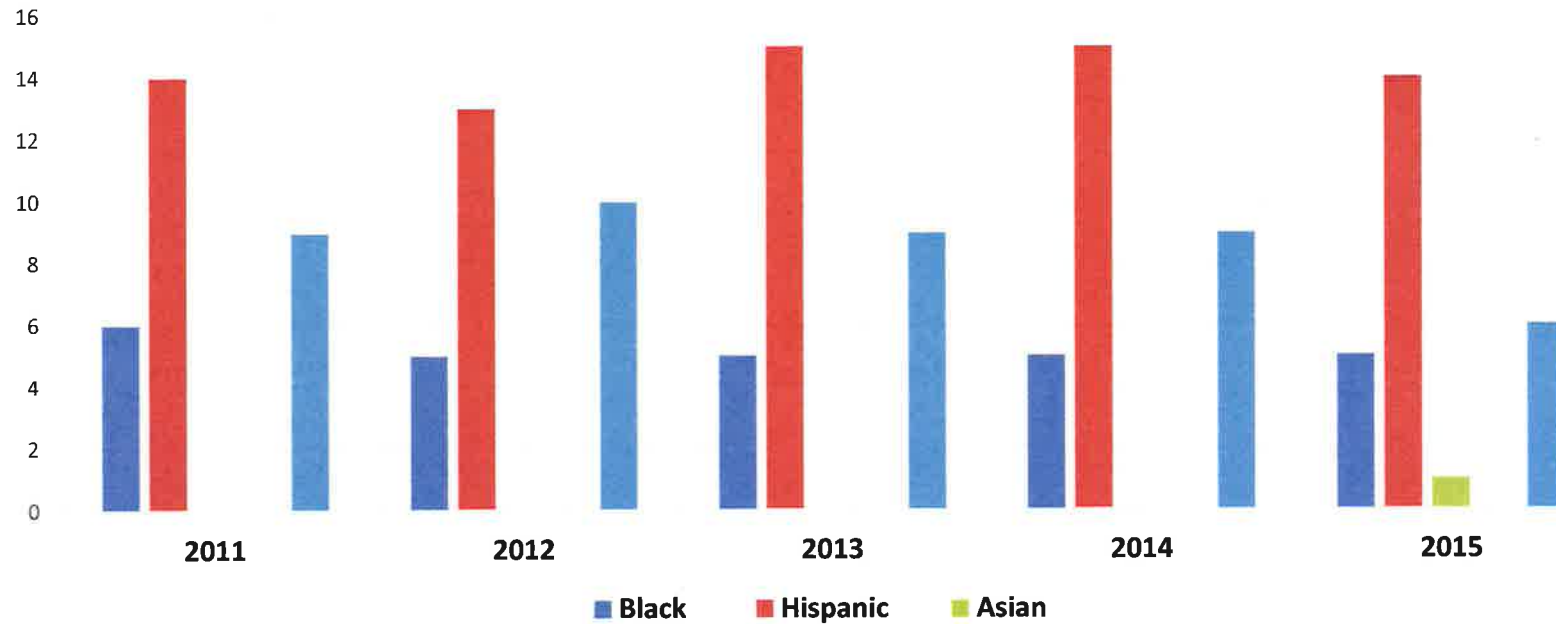
	2011	2012	2013	2014	2015
Black	7	7	6	5	6
Hispanic	8	9	8	8	7
Asian	2	3	5	4	4
Nat. Am.	1	1	1	1	1
White	24	20	22	20	21
Total	42	40	42	38	39

Professional Non-Faculty Longitudinal Overview



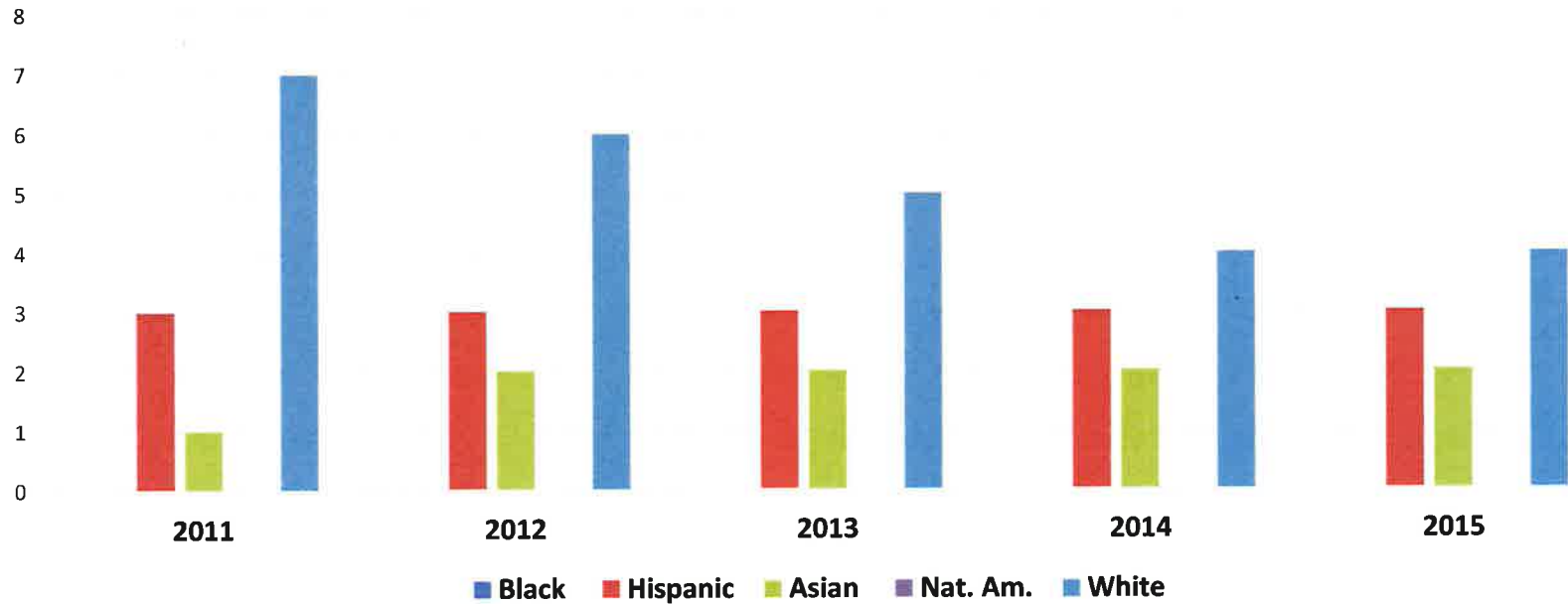
	2011	2012	2013	2014	2015
Black	2	2	2	0	0
Hispanic	5	5	5	6	4
Asian	3	3	3	3	2
Nat. Am.	0	0	0	0	0
White	12	13	11	12	11
Total	22	23	21	21	17

Service-Maintenance Longitudinal Overview



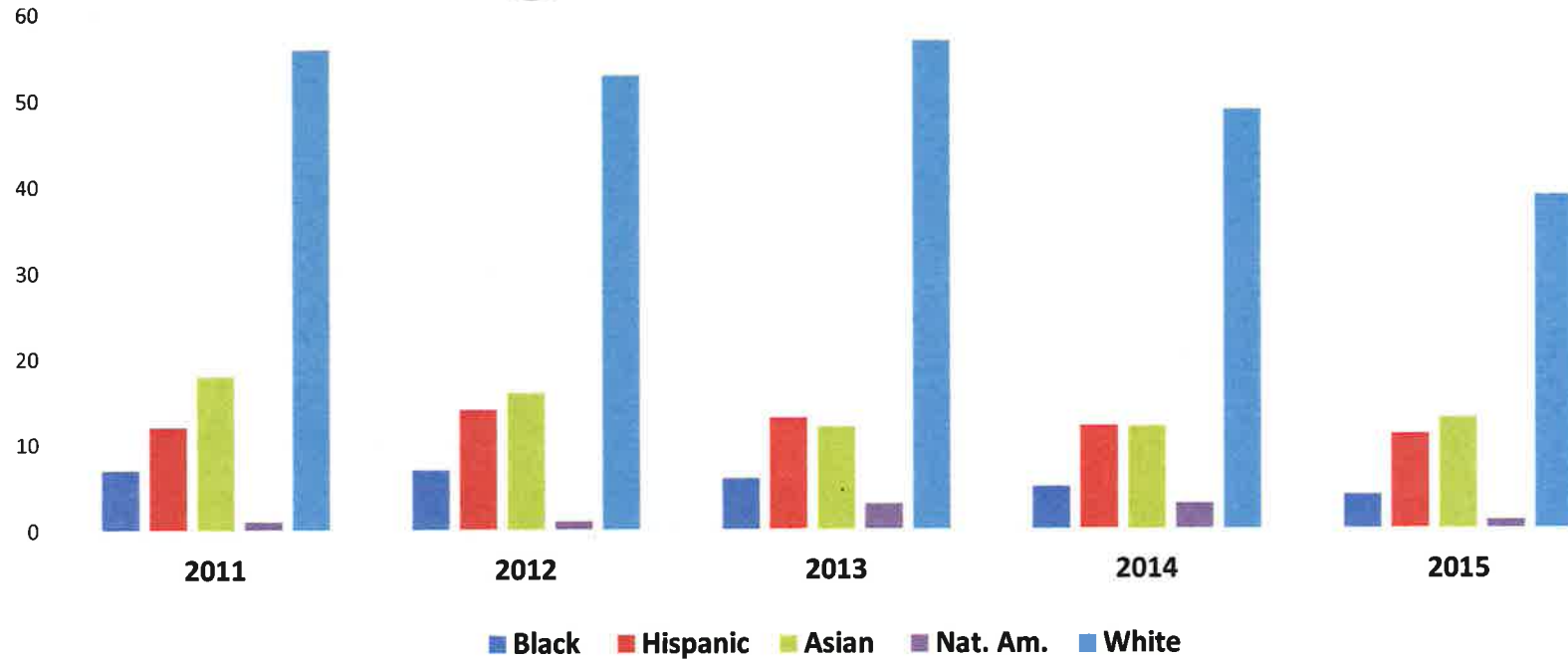
	11	12	13	14	15
Black	6	5	5	5	5
Hispanic	14	13	15	15	15
Asian	0	0	0	0	0
Nat. Am.	0	0	0	0	0
White	9	10	9	9	6
Total	29	28	29	29	26

Skilled Crafts Longitudinal Overview



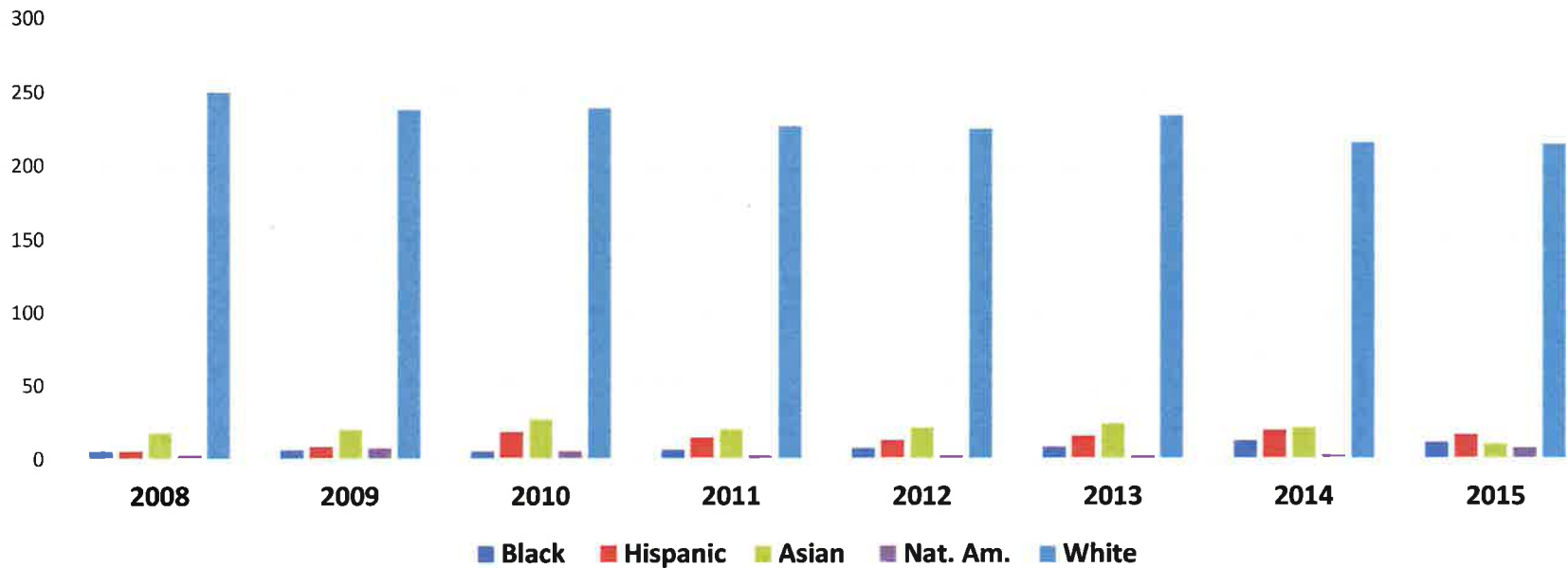
	11	12	13	14	15
Black	0	0	0	0	0
Hispanic	3	3	3	3	3
Asian	1	2	2	2	2
Nat. Am.	0	0	0	0	0
White	7	6	5	4	4
Total	11	11	10	9	9

Technical Paraprofessionals Longitudinal Overview



	2011	2012	2013	2014	2015
Black	7	7	6	5	4
Hispanic	12	14	13	12	11
Asian	18	16	12	12	13
Nat. Am.	1	1	3	3	1
White	56	53	57	49	39
Total	94	91	91	81	68

Adjunct Longitudinal Overview



	2008	2009	2010	2011	2012	2013	2014	2015
Black	5	6	5	6	7	8	12	11
Hispanic	5	8	18	14	12	15	19	16
Asian	18	20	27	20	21	24	21	10
Nat. Am.	2	7	5	2	2	2	2	7
White	250	238	239	227	225	234	216	215
Total	280	279	294	269	267	283	270	259

Best Practices

- Requirement for all positions:
 - Demonstrate an understanding of, sensitivity to and appreciation for the academic, ethnic, socio-economic, disability and gender diversity of community college students in interview process and/or application process
- Broad recruitment. Explore new recruitment sources and analyze ROI and effectiveness
- Targeted recruitment for difficult to hire positions
- Train all search committees on the laws and principles of Equal Employment Opportunity, bias in interviews, effective interview techniques, and value of diversity
- Conduct specialized training for EEO Representatives on FT Faculty search committees revised in 2016
- Attended the CCC Registry Job Fair in San Francisco in January

- Work with the EEO Advisory Committee to develop community list serves and diversity initiatives
- Conduct longitudinal analysis of applicant pools and workforce groups
- Conduct ongoing analyses of initial pools, qualified pools, candidate receiving interviews, finalists, and hires
- Track and analyze reasons candidates withdraw from search processes
- Review search procedures, local requirements, assessments, interview questions for adverse impact and effectiveness
- Update EEO Plan and Board Policies
- Complete CCCCO Multiple Method Allocation Model
- Review hiring procedures for all groups of employees

Monterey Peninsula Community College District

Governing Board Agenda

May 25, 2016

New Business Agenda Item No. F

Human Resources
College Area

Proposal:

That the Governing Board approve the Monterey Peninsula College Equal Employment Opportunity Plan 2016-2019.

Background:

The Monterey Peninsula Community College District approved and adopted its first Equal Employment Opportunity (EEO) Plan in 2009. California Code of Regulations, Title 5 requires that California Community Colleges update their EEO Plans every three years and submit the revised Plan to the California Community College Chancellor's Office (CCCCO).

Additionally, the California Community College Board of Governors approved revisions to California Code of Regulations, Title 5 Sections 53000 et seq. in 2013. These regulations address EEO requirements for California Community Colleges. The EEO Plan 2016-2019 for Monterey Peninsula College has been updated to reflect current regulations.

The revised 2016-2019 EEO Plan has been reviewed by the EEO Advisory Committee, three Advisory Groups, ASMPAC, and College Council. Following review and approval in May by the Board of Trustees, the EEO Plan will be submitted to the CCCCCO.

Budgetary Implications:

None.

Resolution: Be it resolved, that the Governing Board approve the Monterey Peninsula College Equal Employment Opportunity Plan 2016-2019.

Recommended By: Walter A. Tribley
Dr. Walter Tribley, Superintendent/President

Prepared By: Susan Kitagawa
Susan Kitagawa, Associate Dean of Human Resources

Agenda Approval: Walter A. Tribley
Dr. Walter Tribley, Superintendent/President



Equal Employment Opportunity Plan

2016-2019

Originally Adopted July 28, 2009
Revised and Adopted May 25, 2017

Contents

Components

1. Introduction	1
2. Definitions	2
3. Policy Statement	4
4. Delegation of Responsibility, Authority and Compliance	5
5. Advisory Committee	6
6. Complaints	7
7. Notification to District Employees	8
8. Training for Screening/Selection Committees	8
9. Annual Written Notice to Community Organizations.....	9
10. Analysis of District Workforce and Applicant Pool	9
11. Analysis of Degree of Underrepresentation and Significant Underrepresentation	10
12. Methods to Address Underrepresentation	10
13. Additional Measures Necessary to Further Equal Employment Opportunity and the District's Commitment to Diversity.....	11
14. Annual Certification to Chancellor's Office.....	12
15. Persons with Disabilities Accommodations.....	13
16. Graduate Assumption Program of Loans for Education.....	13

Appendix A : Annual Applicant Pool and Employee Demographics Report 2015

Component 1: Introduction

The Monterey Peninsula Community College District (District) is committed to taking active and vigorous steps to ensure equal employment opportunity and creating a welcoming work and academic environment that fosters diversity and promotes excellence. The District's Equal Employment Opportunity Plan (Plan) was adopted by the governing board on April 27, 2016. The Plan reflects the District's commitment to equal employment opportunity, diversity, inclusion, and equity.

Through educational experiences in an inclusive environment, our students will be better prepared to work, contribute to and live in an increasingly global society. To properly serve a growing diverse community population, the District will endeavor to hire and retain faculty and staff who are sensitive to, and knowledgeable of, the needs of the continually changing student body it serves.

I invite you to read the Plan and learn about the methods and procedures Monterey Peninsula College has implemented to support equal employment opportunity and ensure nondiscriminatory practices. Further, I welcome your thoughts and comments that will assist the District in sustaining a welcoming and inclusive work environment.

Dr. Walter T. Tribbley
Superintendent/President

Component 2: Definitions

CCR Title 5, §53001

- a) **Adverse Impact:** a statistical measure (such as those outlined in the EEO Commission's *Uniform Guidelines on Employee Selection Procedures*) that is applied to the effects of a selection procedure and demonstrates a disproportionate negative impact on any group protected from discrimination pursuant to Government Code 12940. A disparity identified in a given selection process will not be considered to constitute adverse impact if the numbers involved are too small to permit a meaningful comparison.

- b) **Diversity:** means a condition of broad inclusion in an employment environment that offers equal employment opportunity for all persons. It requires both the presence, and the respectful treatment, of individuals from a wide range of ethnic, racial, age, national origin, religious, gender, sexual orientation, disability and socio-economic backgrounds.

- c) **Equal Employment Opportunity:** means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the District. Equal employment opportunity should exist at all levels in the seven job categories which include executive/administrative/managerial, faculty and other instructional staff, professional nonfaculty, secretarial/clerical, technical and paraprofessional, skilled crafts, and service and maintenance. Equal employment opportunity also involves:
 - 1. Identifying and eliminating barriers to employment that are not job related; and
 - 2. Creating an environment which fosters cooperation, acceptance, democracy, and free expression of ideas and is welcoming to men and women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination pursuant to Government Code section 12940.

- d) **Equal Employment Opportunity Plan:** a written document that includes specific procedures for ensuring equal employment opportunity.

- e) **Equal Employment Opportunity Measures:** all the various measures by which equal employment opportunity is ensured. Such measures include, but are not limited to, using nondiscriminatory employment practices, actively recruiting, monitoring and taking additional steps consistent with the requirements of section 53006.

- f) **Ethnic Group Identification:** means an individual's identification in one or more of the ethnic groups reported to the Chancellor pursuant to section 53004. These groups shall be more specifically defined by the Chancellor consistent with state and federal law.
- g) **In-house or Promotional Only Hiring:** means that only existing District employees are allowed to apply for a position.
- h) **Monitored Group:** means those groups identified in section 53004(b) for which monitoring and reporting is required pursuant to section 53004(a).
- i) **Person with a Disability:** any person who (1) has a physical or mental impairment as defined in Government Code, section 12926 which limits one or more of such person's major life activities, (2) has a record of such an impairment, or (3) is regarded as having such an impairment. A person with a disability is "limited" if the condition makes the achievement of the major life activity difficult.
- j) **Reasonable Accommodation:** the efforts made on the part of the District in compliance with Government Code 12926.
- k) **Screening or Selection Procedures:** any measure, combination of measures, or procedures used as a basis for any employment decision. Selection procedures include the full range of assessment techniques, including but not limited to traditional paper and pencil tests, performance tests, and physical, educational, and work experience requirements, interviews, and review of application forms.
- l) **Significantly Underrepresented Group:** any monitored group for which the percentage of persons from that group employed by the District in any job category listed in section 53004(a) is below eighty percent (80%) of the projected representation for that group in the job category in question.

Component 3: Policy Statement

CCR Title 5 §53002

The Monterey Peninsula Community College District is committed to the concept and the principles of equal employment opportunity. To this end, the District has established and will maintain a comprehensive program to put that concept and those principles into practice.

It is the District's policy to ensure that all qualified applicants for employment and all employees have full and equal access to employment opportunity. To achieve this end, the District will ensure that applicants for employment and all employees are not subjected to discrimination in any program or activity of the district on the basis of age, ancestry, color, gender, gender identity, gender expression, genetic information, marital status, medical condition, military or veteran status, national origin, physical or mental disability, pregnancy, race or ethnicity, religion, sex, sexual orientation, or on the basis of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

The District will strive to achieve a workforce that is welcoming to all individuals to ensure an inclusive educational and employment environment which fosters cooperation, acceptance, democracy and free expression of ideas.

An Equal Employment Opportunity Plan will be maintained to ensure the implementation of equal employment opportunity principles that conform to federal and state laws.

Component 4: Delegation of Responsibility, Authority and Compliance

CCR Title 5 §53003(c)(1), 53005, 53020

It is the goal of the Monterey Peninsula Community College District that all employees promote and support equal employment opportunity because equal employment opportunity requires a commitment and a contribution from every segment of the District. The general responsibilities for the timely and effective implementation of this Plan are set forth below.

1. Governing Board

The Governing Board is ultimately responsible for proper implementation of the District's Plan at all levels of District and college operation, and for ensuring equal employment opportunity as described in the Plan.

2. Superintendent/President

The Governing Board delegates to the Superintendent/President, the responsibility for ongoing implementation of the Plan and for providing leadership in supporting the District's equal employment opportunity policies and procedures. The Superintendent/President shall advise the Governing Board concerning statewide policy emanating from the Board of Governors of the California Community Colleges and direct the publication of an annual report on Plan implementation. The Superintendent/President shall evaluate the performance of all administrative staff who report directly to him/her on their ability to follow and implement the Plan.

3. Equal Employment Opportunity Officer

The District has designated Susan Kitagawa, Associate Dean of Human Resources, as its Equal Employment Opportunity Officer who is responsible for the day-to-day implementation of the Plan. If the designation of the Equal Employment Opportunity Officer changes before this Plan is next revised, the District will notify employees and applicants for employment of the new designee. The Equal Employment Opportunity Officer is responsible for administering, implementing and monitoring the Plan and for assuring compliance with the requirements of Title 5, sections 53000 et seq. The Equal Employment Opportunity Officer is also responsible for receiving complaints described in Component 6 and for ensuring that applicant pools and selection procedures are properly monitored.

4. Shared Governance Groups

Groups in the shared governance structure, including the Academic Affairs Advisory Group (AAAG), Student Services Advisory Group (SSAG), Administrative Services Advisory Group (ASAG), Associated Students of Monterey Peninsula College (ASMPC), Academic Senate and College Council, may review proposed EEO Plans, policies, procedures and initiatives as appropriate. .

5. Equal Employment Opportunity Advisory Committee

Monterey Peninsula College established and will maintain an Equal Employment Opportunity Advisory Committee (EEOAC) to act as an advisory body to the Equal Employment Opportunity Officer and the District as a whole. To promote understanding and support of equal employment opportunity policies and procedures, the EEOAC shall assist in the implementation of the Plan in conformance with state and federal regulations and guidelines, monitor equal employment opportunity progress, and provide suggestions for Plan revisions as appropriate.

6. Agents of the District

Any organization or individual, whether or not an employee of the District, who acts on behalf of the Governing Board with regard to the recruitment and screening of personnel, is an agent of the District and is subject to all the requirements of this Plan.

7. Good Faith Effort

The District shall make a continuous good faith effort to comply with all the requirements of its Plan.

Component 5: Advisory Committee

CCR Title 5 §53005

The District has established an Equal Employment Opportunity Advisory Committee (EEOAC) to assist the District in implementing its Plan. The committee may also assist in promoting an understanding and support of equal opportunity and nondiscrimination policies and procedures. The committee may sponsor events, training, or other activities that promote equal employment opportunity, nondiscrimination, retention and diversity.

The EEO Officer shall train the advisory committee on equal employment compliance and the Plan itself. The EEOAC shall receive training in all of the following:

- a) The requirements of this subchapter and of state and federal nondiscrimination laws;
- b) Identification and elimination of bias in hiring;
- c) The educational benefits of workforce diversity; and
- d) The role of the advisory committee in carry out the District's EEO Plan.

The committee shall include a diverse membership whenever possible. A substantial good faith effort to maintain a diverse membership is expected. If the District has been unable to meet this requirement, it will document that efforts were made to recruit advisory committee members who are members of monitored groups. The committee must have at least three (3) community members but no more than seven (7), and at least one (1) faculty member, one (1) classified, one (1) MSC member, and the EEO Officer who shall chair the committee. ASMPAC shall be invited to appoint no more than two (2) student representatives. The total membership shall consist of a minimum of 7 but shall not exceed 15. Community representatives shall represent organizations that have a priority interest in equal employment opportunity and the fair treatment of all. A quorum is four (4) or more members.

The EEOAC shall hold a minimum of four (4) meetings per fiscal year. When appropriate, the advisory committee shall make recommendations to the Governing Board, the Superintendent/President, the EEO Officer, and/or any other appropriate college entity it deems necessary.

Component 6: Complaints

CCR Title 5 §53003(c)(2), 53026, 59300 et. seq.

Complaints Alleging Violation of the Equal Employment Opportunity Regulations (Section 53026). The District has established the following process permitting any person to file a complaint alleging that the requirements of the equal employment opportunity regulations have been violated. Any person who believes that the equal employment opportunity regulations have been violated may file a written complaint describing in detail the alleged violation. All complaints shall be signed and dated by the complainant and shall contain, to the best of the complainant's ability, the names of the individuals involved, the date(s) of the event(s) at issue, and a detailed description of the actions constituting the alleged violation. Complaints involving current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than sixty (60) days after such occurrence unless the complainant can verify a compelling reason for the District to waive the sixty (60) day limitation. Complaints alleging violations of the *Plan* that do not involve current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than ninety (90) days after such occurrence unless the violation is ongoing. A complainant may not appeal the District's determination pursuant to section 53026 to the Chancellor's Office, but under some circumstances, violations of the equal opportunity regulations in Title 5 may constitute a violation of a minimum condition for receipt of state aid. In such a case, a complaint can be filed with the Chancellor's Office, but the complainant will be required to demonstrate that he/she made previous reasonable, but unsuccessful, efforts to resolve the alleged violation at the college and/or District level using the process provided by section 53026. (See *California Community Colleges Chancellor's Office Guidelines for Minimum Conditions Complaints* at:

<http://extranet.cccco.edu/Divisions/Legal/Discrimination.aspx>
<http://extranet.cccco.edu/Divisions/Legal/Resources.aspx>

The District may return without action any complaints that are inadequate because they do not state a clear violation of the EEO regulations. All returned complaints must include a District statement of the reason for returning the complaint without action.

The complaint shall be filed with the EEO Officer. If the complaint involves the EEO Officer, the complaint may be filed with the Superintendent/President. To the extent practicable, a written determination on all accepted written complaints will be issued to the complainant within ninety (90) days of the filing of the complaint. The EEO Officer will forward copies of all written complaints to the Chancellor's Office upon receipt.

In the event that a complaint filed under section 53026 alleges unlawful discrimination, it will be processed according to the requirements of section 59300 et seq.

Complaints Alleging Unlawful Discrimination or Harassment (Section 59300 et seq.)

The District has adopted procedures for complaints alleging unlawful discrimination or harassment, *Procedures for Complaints of Unlawful Discrimination, Including Sexual Harassment*. The Associate Dean of Human Resources is responsible for receiving such complaints and for coordinating their investigation.

Component 7: Notification to District Employees

CCR Title 5 §53003 (c)(3)

The commitment of the Governing Board and the Superintendent/President to equal employment opportunity is emphasized through the broad dissemination of its Equal Employment Opportunity Policy Statement and the Plan. The Policy Statement will be printed in the college catalogs and class schedules. The Plan and subsequent revisions will be distributed to the District's Governing Board, the Superintendent/President, administrators, College Council, the academic senate leadership, union representatives and members of the District Equal Employment Opportunity Advisory Committee. The Plan will be available on the District's website and employees will be notified electronically. Hard copies will be available in Human Resources and the Library. The Office of Human Resources will provide all new employees with a copy of the written notice described above when they commence their employment with the District. Each year, all employees will be sent an annual notice containing the following:

- a) The importance of the employee's participation and responsibility in ensuring the Plan's implementation.
- b) Where complete copies of the Plan are available, including the Library, Office of Human Resources and on the District's internet site.

Component 8: Training for Screening/Selection Committees

CCR Title 5 §53003(c)(4)(A)

Any organization or individual, whether or not an employee of the District, who is involved in the recruitment and screening/selection of personnel, shall receive appropriate training on the requirements of the Title 5 regulations on equal employment opportunity (section 53000 et. seq.); the requirements of federal and state

nondiscrimination laws; the requirements of the District's Equal Employment Opportunity Plan; and the District's policies on nondiscrimination, recruitment, and hiring. The training shall also include the educational benefits of workforce diversity, the elimination of bias in hiring decisions, and best practices of selection and/or screening committees. This training is mandatory; individuals who have not received this training will not be allowed to serve on screening/selection committees. The Office of Human Resources is responsible for providing the required training. Any individual, whether or not an employee of the District, acting on behalf of the District with regard to recruitment and screening of employees, is subject to the equal employment opportunity requirements of Title 5 and the District's Equal Employment Opportunity Plan.

Component 9: Annual Written Notice to Community Organizations

CCR Title 5 §53003(c)(5)

Once per year the Office of Human Resources will notify community groups and professional organizations of that they may obtain a copy of the District's Plan, and the need for assistance from these groups in identifying qualified applicants. These groups will also be notified of all job openings. The notice may include mailings and electronic communications. Annually the EEOAC shall identify these appropriate community groups.

Component 10: Analysis of District Workforce and Applicant Pool

CCR Title 5 §53003(c)(6), 53004

The Office of Human Resources will annually review the District's workforce composition and shall monitor applicants for employment on an ongoing basis to evaluate the District's progress in implementing the Plan, to provide data needed for the reports required by this Plan and to determine whether any monitored group is underrepresented. Monitored groups are men, women, American Indians/Alaskan Natives, Asians or Pacific Islanders, Blacks/African-Americans, Hispanics/Latinos, Caucasians, and persons with disabilities.

For purposes of the survey and report each applicant or employee will be afforded the opportunity to voluntarily identify her or his gender, ethnic group identification and, if applicable, her or his disability. Persons may designate as many ethnicities as they identify with, but shall be counted in only one ethnic group for reporting purposes. Chinese, Japanese, Filipinos, Koreans, Vietnamese, Asian Indians, Hawaiians, Guamanians, Samoans, Laotians, and Cambodians will be counted and reported as part of the Asian/Pacific Islander group as well as in separate subcategories.

This information will be kept confidential and will be separated from the applications that are forwarded to the screening/selection committee and hiring administrator(s). The District will annually report to the Chancellor the results of its annual survey of employees. At least every three years the Plan will be reviewed and, if necessary, revised based on an analysis of the ethnic group identification, gender, and disability composition of existing staff and of those who have applied for employment in each of the following identified job categories:

- 1) Executive/Administrative/Managerial
- 2) Faculty and other Instructional Staff
- 3) Professional Non-faculty
- 4) Secretarial/Clerical
- 5) Technical and Paraprofessional
- 6) Skilled Crafts
- 7) Service and Maintenance

A longitudinal overview of District employees by work group, annual applicant pools and hires are reported in the Annual Applicant Pool and Employee Demographics Report. See Appendix A.

Component 11: Analysis of Degree of Underrepresentation and Significant Underrepresentation *CCR Title 5, §53003(c)(7)*

This component cannot be completed until such time as the State Chancellor's Office provides workforce availability data. At the time that such data is provided, the District will revise this component of the Plan.

Component 12: Methods to Address Underrepresentation *CCR Title 5, §53003(c)(8)*

The District will ensure equal employment opportunity, which involves creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas, and that is welcoming to all individuals. In so doing, the district places great emphasis on the recruitment of potential applicants in order to create a diverse pool of qualified individuals from which to hire. With a diverse pool, the District takes steps within the screening/selection process to allow for the hiring of candidates with varied backgrounds who can contribute and effectively communicate in a diverse community.

This Plan component cannot be completed until such time as the State Chancellor's Office provides workforce availability data referenced in title 5 section 53003(c)(7). At the time such data is provided the District will revise this component of the Plan.

Component 13: Additional Measures Necessary to Further Equal Employment Opportunity and the District's Commitment to Diversity

CCR Title 5, §53003(c)9, 53006, 53024.1

The District recognizes that multiple approaches are appropriate to fulfill its mission of ensuring equal employment opportunity and the creation of a diverse workforce. Equal employment opportunity means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the District. Equal employment opportunity should exist at all levels and in all job categories. Ensuring equal employment opportunity also involves creating an environment that fosters cooperation, acceptance, and free expression of ideas and is welcoming to all individuals. To demonstrate the District's on-going, institutional commitment to diversity and equal employment opportunity, additional measures to enhance diversity may include:

- 1) Guest speakers from underrepresented groups who are in leadership positions and who may inspire students and employees alike.
- 2) Highlighting the District's equal employment opportunity and diversity policies in job announcements and in its recruitment, marketing, and other publications.
- 3) Conducting diversity and cultural awareness dialogues, forums, and workshops.
- 4) Ensuring that college/District publications and other marketing tools reflect diversity in pictures, graphics, and text to project an inclusive image.
- 5) Establishing an "Equal Employment Opportunity and Diversity" online presence by posting the District's equal employment opportunity, ADA, nondiscrimination policies including sexual harassment, procedures and programs on the District's website, including contact persons for further information on all of these topics.
- 6) Encouraging and supporting various cultural celebrations on campus.
- 7) Considering multilingualism and knowledge of multiculturalism as a desired, and when appropriate, required skill and qualification for employees.
- 8) Conducting exit interviews with employees, who voluntarily separate from the District's employment, maintain and analyze data for patterns impacting monitored groups.
- 9) Auditing and maintaining updated job descriptions and job announcements.

- 10) Requiring that applicants for all positions demonstrate a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students in a manner specific to the position.
- 11) Conveying a commitment to diversity and equal employment opportunity in the District's mission statement.
- 12) Providing sexual harassment and discrimination prevention training for all employees.
- 13) Promptly and thoroughly investigating all complaints of harassment and discrimination, and taking corrective action as warranted.
- 14) Supporting all employees in strengthening their sensitivity to and ability to work effectively with others from diverse backgrounds.
- 15) Attempting to gather information from applicants who decline job interviews or offers to maintain and analyze data.
- 16) Providing training for the Governing Board on the elimination of bias in hiring and employment at least once every election cycle.
- 17) Conducting longitudinal analysis of various employment events by monitored group status such as: hiring, promotion, retention, voluntary resignation, termination, and discipline.
- 18) Providing leadership opportunities with current staff focusing on diversity.

Component 14. Annual Certification to Chancellor's Office

CCR Title 5, §53024.2

Annually the District shall certify to the State Chancellor's Office that it has timely complied with each of the following requirements of Title 5:

- 1) Recorded, reviewed and reported the data required regarding qualified applicants pools;
- 2) Reviewed and updated, as needed, the strategies component of the District's EEO plan;
- 3) Investigated and appropriately responded to formal harassment and discrimination complaints filed pursuant to Title 5 (commencing with section 59300).

Component 15: Persons with Disabilities: Accommodations

Title 5, § 53025

Reasonable Accommodations Applicants and employees with disabilities shall receive reasonable accommodations consistent with the requirements of Government Code, sections 11135 et seq. and 12940(m); section 504 of the Rehabilitation Act of 1973; and the Americans with Disabilities Act.

The Office of Human Resources is responsible for administering requests from applicants and employees seeking reasonable accommodations.

Component 16: Graduate Assumption Program of Loans for Education

Education Code 87106

The District will take into account system-wide strategies developed by the Board of Governors to encourage community college students to become qualified for, and seek employment as, community college employees. The District will consider strategies to inform students about the opportunity to participate in the Graduate Assumption Program of Loans for Education (GAPLE), when those programs are funded and available.

Monterey Peninsula Community College District

Governing Board Agenda

May 25, 2016

New Business Agenda Item No. G

Human Resources
College Area

Proposal:

That the Governing Board approve the Equal Employment Opportunity (EEO) Fund Multiple Measures Allocation Model Certification Form, Fiscal Year 2015-2016.

Background:

The California Code of Regulations, Title 5 Section 53000 et seq. allocates funds for the purposes of promoting EEO in hiring and employment practices. In the past, these funds have been allocated based on the FTES of each college district. In December of 2014, the California Community College Chancellor's Office (CCCCO) notified all districts of the implementation of the new multiple measures allocation funding model to increase compliance with EEO requirements, promote best practices, and fund diversity initiatives.

Historically, Monterey Peninsula College has received approximately \$5,000 annually that has been used primarily for recruitment and accommodations. The system's EEO fund has received an additional \$4 million attributed to Full-Time Obligation Number (FON) penalties. It is estimated that each district that may receive up to \$45,000 for use in the 2016-2017 year contingent on verification of meeting the multiple measure.

To receive EEO funds, districts must certify they have a current EEO Plan, EEO Advisory Group and have met five (5) of the remaining eight (8) measures. The Monterey Peninsula College EEO Advisory Committee has met, reviewed, and recommended for approval the EEO Plan and the EEO Fund Multiple Method Allocation Model Certification Form, Fiscal Year 2015-2016.

Following the review and approval in May by the Board of Trustees, the Equal Employment Opportunity Fund Multiple Measures Allocation Model Certification Form, Fiscal Year 2015-2016 will be submitted to the CCCCCO for review and consideration to receive funding. The deadline for submittal is June 1, 2016.

Budgetary Implications:

Monterey Peninsula College may receive up to \$45,000 from the California Community College Chancellor's Office for the purposes of promoting Equal Employment Opportunity practices in hiring and employment for the 2016-2017 year.

Resolution: Be it resolved, that the Governing Board approve The Equal Employment Opportunity Fund Multiple Measures Allocation Model Certification Form, Fiscal Year 2015-2016.

Recommended By: Susan Kitagawa
Susan Kitagawa, Associate Dean of Human Resources

Prepared By: Susan Kitagawa
Susan Kitagawa, Associate Dean of Human Resources

Agenda Approval: Walter Tribley
Dr. Walter Tribley, Superintendent/President

**Equal Employment Opportunity Fund *Multiple Method* Allocation Model
Certification Form, Fiscal Year 2015-16**

District Name: _____

The district met Multiple Method #1 (District's EEO Advisory Committee and EEO Plan).

- Yes
 No

The district met at least 5 of the remaining 8 Multiple Methods? (Please mark your answers.)

- Yes
- Method 2 (Board policies and adopted resolutions)
 - Method 3 (Incentives for hard-to-hire areas/disciplines)
 - Method 4 (Focused outreach and publications)
 - Method 5 (Procedures for addressing diversity throughout hiring steps and levels)
 - Method 6 (Consistent and ongoing training for hiring committees)
 - Method 7 (Professional development focused on diversity)
 - Method 8 (Diversity incorporated into criteria for employee evaluation and tenure review)
 - Method 9 (Grow-Your-Own programs)
- No
-

I CERTIFY THAT THIS REPORT FORM IS COMPLETE AND ACCURATE. Please attach meeting agenda of when District's EEO Advisory Committee certified this report form.

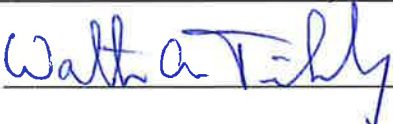
Chair, Equal Employment Opportunity Advisory Committee.

Name: Susan Kitagawa Title: Associate Dean of Human Resources
Signature:  Date: April 7, 2016

Chief Human Resources Officer

Name: Susan Kitagawa Title: Associate Dean of Human Resources
Signature:  Date: April 7, 2016

Chief Executive Officer (Chancellor or President/Superintendent)

Name: Dr. Walter Tribley Title: Superintendent President
Signature:  Date: 5/13/16

President/Chair, District Board of Trustees

Date of governing board's approval/certification: _____

Name: Mr. Rick Johnson Title: President/Chair, Board of Trustees
Signature: _____ Date: _____

Date Due at the Chancellor's Office: June 1, 2016

Return to: Javier Gonzalez (jgonzalez@cccco.edu)

Chancellor's Office California Community Colleges: 1102 Q Street, Ste. 4500, Sacramento, CA 95811

Equal Employment Opportunity Fund *Multiple Method* Allocation Model Certification Form, Fiscal Year 2015-16

This form requires districts to report the various activities that they are implementing to promote Equal Employment Opportunity for each of the 9 *Multiple Methods*. The Chancellor's Office will select some of the practices reported and highlight them in an "EEO and Diversity Best Practices Handbook".

When providing explanation(s) and evidence of your district's success in implementing the *Multiple Methods*, please write a response suitable for publication in the best-practices handbook. Please keep narrative to no more than one page per Multiple Method.

Nine (9) Multiple Methods

Pre-Hiring

1. District's EEO Advisory Committee and EEO Plan
2. Board policies & adopted resolutions
3. Incentives for hard-to-hire areas/disciplines
4. Focused outreach and publications

Hiring

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

Does district meet Multiple Method #1 (District's EEO Advisory Committee and EEO Plan)?

Yes

Under the *Multiple Method* allocation model, districts must minimally have an operational District EEO Advisory Committee and an updated EEO Plan.

- In order to qualify for receipt of the EEO Fund, districts are required to submit a board-adopted EEO plan every three years to the Chancellor's Office. (Title 5, Section 53003).
- EEO Plans are considered active for three years from the date of when the District's Board of Trustees approved the plan.
- The districts are required to establish an EEO Advisory Committee to assist in the development and implementation of the EEO Plan. (Title 5, Section 53005).

Please provide an explanation and evidence of meeting this Multiple Method, #1.

The updated EEO Plan for Monterey Peninsula Community College District (MPC) was approved by the Board of Trustees on May 27, 2016. The EEO Annual Applicant Pool and Employee Demographic Report for 2015 is attached and represents the longitudinal analysis of applicant pools and employee groups. This report is updated annually and presented to the Board of Trustees. Both documents were reviewed by the EEO Advisory Group and various college participatory governance groups.

Component 5 of the EEO Plan describes the EEO Advisory Committee's (EEOAC) diverse composition and responsibilities. This is a standing committee consists of faculty, staff, administrators, and members of the community and meets regularly.

Equal Employment Opportunity Fund *Multiple Method* Allocation Model Certification Form, Fiscal Year 2015-16

To receive funding for that year's allocation amount, districts are also required to meet 5 of the remaining 8 Multiple Methods.

Does the District meet Method #2 (Board policies and adopted resolutions)?

Yes

Please provide an explanation and evidence of meeting this Multiple Method, #2.

The board policies (BP) associated with EEO have been reviewed by the EEOAC and various college participatory governance groups. The Board of Trustees reviewed and approved the policies on May 27, 2016. They include BP 3410 Non Discrimination, BP 3420 Equal Employment Opportunity, BP 7100 Commitment to Diversity, and BP 7120 Recruitment and Hiring.

MPC has established recruitment and hiring procedures for full-time and part-time faculty and classified employees. The procedures are designed to ensure EEO practices are reinforced by accountability and transparency.

The MPC mission statement includes its commitment to fostering student learning and achievement within its diverse community.

Does the District meet Method #3 (Incentives for hard-to-hire areas/disciplines)?

Yes

Please provide an explanation and evidence of meeting this Multiple Method, #3.

MPC has maintained demographic data on its applicant pools and employee groups since 2008. The data is presented to the Board of Trustees and EEOAC on an annual basis.

More recently the demographics of applicant pools for administrative and full-time faculty recruitments have been tracked from the initial submission of application, minimum qualification screening, initial interviews, second interviews and hiring. Reasons for withdrawal of candidacy is also being tracked to determine patterns that may be addressed in the recruitment and hiring processes. Tracking of applicants throughout the process will be conducted on a quarterly basis for classified and adjunct positions.

MPC has also subscribed to new recruitment sources on both national and local levels. Applicants must cite recruitment sources as part of the application process. Data is being collected to determine the effectiveness of these sources. This data will be analyzed to formulate decisions regarding the expenditure of resources for the future.

MPC reviews postings for all positions to eliminate local requirements that may create barriers for applicants. Minimum qualifications for faculty positions reflect Title 5 regulations.

For hard-to-hire disciplines, additional advertisement has been placed in professional and vocational websites and circulations. Extension of recruitment periods has also been used as a method to increase applicant pools for hard-to-hire positions for both faculty and classified positions.

Equal Employment Opportunity Fund *Multiple Method* Allocation Model Certification Form, Fiscal Year 2015-16

Does the District meet Method #4 (Focused outreach and publications)?

Yes

Please provide an explanation and evidence of meeting this Multiple Method, #4.

In 2014, MPC conducted Noel-Levitz Student Satisfaction Inventory. The scales related to campus climate were (1) Campus Climate, (2) Concern for the Individual, and (3) Responsiveness to Diverse Populations. Compared to community colleges across the nation, MPC rated slightly higher in the area of campus climate and slightly lower for responsiveness to diverse populations. There was no significant difference in the area of concern for the individual. The results indicate there are no areas of significant concerns regarding campus climate.

MPC also conducted the Faculty and Staff Accreditation Survey in 2014. Respondents were asked to rate statements addressing each of the four accreditation standards. Below is a summary of responses related to campus climate. For the purposes of this summary, responses indicating strongly agree and somewhat agree were combined.

The majority of respondents agree that

- they are familiar with and understand the mission of the college as reflected in its mission statement
- divergent opinions in courses can be openly presented
- they can distinguish between personal convictions and professionally accepted views in the discipline by presenting relevant data fairly and objectively
- they know where to find policies and procedures relevant to their job
- as an employee they have been treated fairly
- MPC has made progress in increasing awareness of and sensitivity to diversity issues
- professional development activities are relevant and helpful to their work
- MPC has adequate physical accommodations for people with disabilities
- they feel safe on campus during the day and at night
- the campus buildings provide a safe and healthy work and learning environment

Data from both surveys will be used to inform college planning efforts, training needs, and the accreditation self-study.

MPC's website conveys its commitment to diversity by displaying photos and images of its diverse staff and student population. The commitment to EEO is found on all job postings and print advertisements. Hiring committee training examines the value of diversity and inclusion. The EEO Plan is accessible from the HR webpage.

Classified job descriptions are reviewed regularly as part of the reclassification process. Following a classification study, MPC and California School Employees Association agreed to an ongoing 8-year cycle of review for all job classifications. New and revised job descriptions are developed, reviewed, and approved by the Board of Trustees. All job announcements are reviewed for local qualifications.

Many informational brochures regarding student services and programs are available in Spanish.

**Equal Employment Opportunity Fund *Multiple Method* Allocation Model
Certification Form, Fiscal Year 2015-16**

Does the District meet Method #5 (Procedures for addressing diversity throughout hiring steps and levels)?

Yes

Please provide an explanation and evidence of meeting this Multiple Method, #5.

As described in Method #3 above, MPC is analyzing the demographics of applicants throughout the recruitment and hiring process. Instances of withdrawal from candidacy will be reviewed to determine measures to address any barriers to applicants. In addition, the effectiveness of its recruitment efforts will be analyzed to determine future advertising strategies. Demographics of employee groups are analyzed on an annual basis.

The requirement for demonstrating sensitivity to and knowledge of the diverse backgrounds of the students we serve is a component for every search process. A diversity statement is embedded in the application process of faculty and staff. For all positions, there is at least one interview question designed to measure the awareness of diversity and assessment of cultural competency.

Criteria used for screening application materials, interview questions, assessments and exercises are reviewed to determine job relatedness and for the elimination of bias. Training hiring managers and committee members to practice behavior-based interview techniques reinforces that all criteria used are job related and ensures best practices for EEO, thereby eliminating discriminatory practices. Informal and formal complaints of unlawful discriminations are investigated using the district's procedures. MPC has also hired third party unbiased consultants to investigate complaints as necessary. The procedure is posted on the HR webpage and is easily accessible.

Does the District meet

Does the District meet Method #6 (Consistent and ongoing training for hiring committees)?

Yes

Please provide an explanation and evidence of meeting this Multiple Method, #6.

MPC provides consistent and on-going training for hiring committees. The requirement for training for hiring committees is recognized in the recruitment and hiring procedures for faculty and classified staff and the EEO Plan. The trainings are regularly updated with current laws and regulations, the role of bias in interviews and the commitment to and value of diversity and inclusion.

MPC also provides specialized training for EEO Representatives who serve on full-time faculty and administrative hiring committees. This training is extensive and in addition to the topics reviewed in the standard training, it includes Title 5 regulations, board policies and hiring procedures, research on bias in interviews, the annual demographics report, and EEO best practices.

The Office of Human Resources works collaboratively with hiring managers to ensure best practices in hiring. MPC has incorporated practices from Hire with Your Head by Lou Adler and High-Impact Interview Questions by Victoria A. Hoevermeyer. Both books explore methods and practices to combat bias in interviews and advocate for behavior-based interview techniques based on job related criteria.

In 2016, MPC developed a new on-line training and is beta testing it for effectiveness. Due to the increased number of hiring committees, the on-line training ensured that all members were given the opportunity for training.

**Equal Employment Opportunity Fund *Multiple Method* Allocation Model
Certification Form, Fiscal Year 2015-16**

Does the District meet Method #7 (Professional development focused on diversity)?

Yes

Please provide an explanation and evidence of meeting this Multiple Method, #7.

MPC incorporates presentations during its Flex activities that support professional development focused on diversity and mentoring new hires. Over the last three years, included among the presentations and workshops has been: "The Strength & Value of Diversity in Our Society", "Current Approaches to Teaching Gender Topics and Engaging Gender and Sexual Diversity", "Dealing w/Students in Distress", "Accommodations & the Non-Traditional Learner", "When Bad Things Happen to Good People", "Top Ten Tips for Staying Healthy during Stressful Times", "Managing Emotional Meltdowns—Including Your Own" and "Title IX: Be trained and learn how to report incidents".

In addition to leadership training mentioned above, the awards have sponsored attendance at diversity conferences and workshops including, Umoja, "Multi-cultural Classroom", National Assoc. for Chicano and Chicana Studies, National Women's Studies, and Ethnic Studies Assoc.

Does the District meet Method #8 (Diversity incorporated into criteria for employee evaluation and tenure review)?

Yes

No

Please provide an explanation and evidence of meeting this Multiple Method, #8.

Does the District meet Method #9 (Grow-Your-Own programs)?

Yes

Please provide an explanation and evidence of meeting this Multiple Method, #9.

Managers and administrators have attended on-going mentor training with the Association of California Community College Administrators. Administrators, managers, faculty, and staff attend annual and biannual conferences and workshops with colleagues across the state for training in areas including Human Resources, Administrative Services, Student Services and Academic Affairs.

The MPC Foundation sponsors bi-annual Faculty and Staff Awards. From 2013 through 2015, the Foundation has granted awards equaling over \$270,000.

Attendance at conferences and workshops for professional development for specific academic areas are across the disciplines and include foreign language, geophysics, sociology, mathematics, art, theatre, coaching, horticulture, medieval studies, earth science, geology, nursing, literature, writing, psychology, political science, technology, early childhood education, oceanography, and science.

**Equal Employment Opportunity Fund *Multiple Method* Allocation Model
Certification Form, Fiscal Year 2015-16**

A survey of the academic departments reveals similar informal practices to assist both new full-time and part-time faculty. These include the assignment of mentors, orientation meetings and workshops, dissemination and review of course materials and syllabi, training for distance attendance professional development conferences, workshops and training, participation in program review and action plans, development of a webpage for new hires, dissemination of handbooks for new-hires, shadowing, participation on college wide committees, and the auditing of courses.

Administration provides an orientation for all new full-time and part-time faculty that introduces them to college resources, procedures, culture, and the responsibilities of faculty.

Monterey Peninsula Community College District

Governing Board Agenda

May 25, 2016

President's Office

College Area

New Business Agenda Item No. H

Proposal:

That the Governing Board adopt Board Policies: 3410 - Nondiscrimination; 3420 - Equal Employment Opportunity; 7100 - Commitment to Diversity; and 7120 - Recruitment and Hiring.

Background:

In May 2012, the District approved a new approach for revision of board policies where the policy language provided through the Community College League of California (CCLC) policies and procedure subscription service would be adopted without change, including the numbering, except in limited circumstances. The goal of the new approach is to adopt CCLC's policy manual in its entirety, as a replacement for the District's existing policies. This approach will ensure the District has the essential policies in place and the deleting of out-of-date or noncompliant policies will be accomplished more efficiently. The acceptance of the CCLC policy language without revision is advised to safeguard the District and avoid the need for review of language modifications by local legal counsel, saving District legal costs.

An extensive update of board policies is currently underway to reflect CCLC policy language and policies will be presented to the Board in a group for review and approval to facilitate the policy update. The attached policies pertaining to equal opportunity and diversity were presented to the Board for a first reading at the April Board meeting and are recommended for adoption:

Board Policy 3410	Nondiscrimination (no existing MPC policy)
Board Policy 3420	Equal Employment Opportunity (existing MPC policy 5100)
Board Policy 7100	Commitment to Diversity (existing MPC policy 5100)
Board Policy 7120	Recruitment and Hiring (existing MPC policy 5005)

Budgetary Implications:

None.

RESOLUTION: **BE IT RESOLVED,** That Board Policies 3410 - Nondiscrimination; 3420 - Equal Employment Opportunity; 7100 - Commitment to Diversity; and 7120 - Recruitment and Hiring, be adopted.

Recommended By:

Walter A. Tribley
Dr. Walter Tribley, Superintendent/President

Prepared By:

Vicki Nakamura
Vicki Nakamura, Assistant to the President

Agenda Approval:

Walter A. Tribley
Dr. Walter Tribley, Superintendent/President



GOVERNING BOARD POLICIES

Chapter 3 General Institution

3410

BP 3410 Nondiscrimination

The District is committed to equal opportunity in educational programs, employment, and all access to institutional programs and activities.

The District, and each individual who represents the District, shall provide access to its services, classes, and programs without regard to national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or military and veteran status, or because he/she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

The Superintendent/President shall establish administrative procedures that ensure all members of the college community can present complaints regarding alleged violations of this policy and have their complaints heard in accordance with the Title 5 regulations and those of other agencies that administer state and federal laws regarding nondiscrimination.

No District funds shall ever be used for membership, or for any participation involving financial payment or contribution on behalf of the District or any individual employed by or associated with it, to any private organization whose membership practices are discriminatory on the basis of national origin, religion, age, gender, gender identity, gender expression, race, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or military and veteran status, or because he/she is perceived to have one or more of the foregoing characteristics, or because of his/her association with a person or group with one or more of these actual or perceived characteristics.

See Administrative Procedure 3410 – Nondiscrimination

References: Education Code Sections 66250 et seq., 72010 et seq., and 87100 et seq.;
Title 5 Sections 53000 et seq. and 59300 et seq.;
Penal Code Section 422.55;
Government Code Sections 12926.1 and 12940 et seq.;
ACCJC Accreditation Eligibility Requirement 20 and ACCJC Accreditation Standard
Catalog Requirements

Adopted:



MONTEREY PENINSULA
COLLEGE

GOVERNING BOARD POLICIES

Chapter 3 General Institution

3420

BP 3420 Equal Employment Opportunity

The Board supports the intent set forth by the California Legislature to assure that effort is made to build a community in which opportunity is equalized, and community colleges foster a climate of acceptance, with the inclusion of faculty and staff from a wide variety of backgrounds. It agrees that diversity in the academic environment fosters cultural awareness, mutual understanding, harmony, and respect, and suitable role models for all students. The Board therefore commits itself to promote the total realization of equal employment through a continuing equal employment opportunity program.

The Superintendent/President shall develop, for review and adoption by the Board, a plan for equal employment opportunity that complies with the Education Code and Title 5 requirements as from time to time modified or clarified by judicial interpretation.

See Administrative Procedure 3420 – Equal Employment Opportunity

References: Education Code Sections 87100 et seq.;
Title 5 Sections 53000 et seq.;
ACCJC Accreditation Standard III.A.12

Formerly Governing Board Policy 5100 – Equal Opportunity and Commitment to Diversity in Employment

Adopted: May 10, 1989

Revised and Adopted: April 27, 1993; August 25, 2009

Revised, Renumbered, and Adopted:

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

5000 SERIES PERSONNEL

B. Equal Employment Opportunity and Non Discrimination

5100 Equal Employment Opportunity and Commitment to Diversity in Employment

~~The Monterey Peninsula Community College District is committed to the concept and the principles of equal employment opportunity. To this end, the District has established and will maintain a comprehensive program to put that concept and those principles into practice.~~

~~It is the District's policy to ensure that all qualified applicants for employment and all employees have full and equal access to employment opportunity. To achieve this end, the District will ensure that applicants for employment and all employees are not subjected to discrimination in any program or activity of the district on the basis of ethnic group identification, race, color, national origin, religion, age, sex, physical disability, mental disability, ancestry, sexual orientation, or on the basis of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.~~

~~The District will strive to achieve a workforce that is welcoming to men, women, persons with disabilities and individuals from all ethnic and other groups. Such a workforce will promote an inclusive educational and employment environment which fosters cooperation, acceptance, democracy and free expression of ideas.~~

~~An Equal Employment Opportunity Plan will be maintained to ensure the implementation of equal employment opportunity principles that conform to federal and state laws.~~

Reference: Education Code Section 87100 et seq.;
Title 5, Section 53000, et seq.

Formerly Governing Board Policy 5.10.

Formerly Adopted: May 10, 1989

Revised, Numbered and Re-Adopted: April 27, 1993

Revised and Adopted: August 25, 2009



GOVERNING BOARD POLICIES

Chapter 7 Human Resources

7100

BP 7100 Commitment to Diversity

The District is committed to employing qualified administrators, faculty, and staff members who are dedicated to student success. The Board recognizes that diversity in the academic environment fosters cultural awareness, promotes mutual understanding and respect, and provides suitable role models for all students. The Board is committed to hiring and staff development processes that support the goals of equal opportunity and diversity, and provide equal consideration for all qualified candidates.

References: Education Code Sections 87100 et seq.;
Title 5, Sections 53000 et seq.

Formerly Board Policy 5100 -- Equal Employment Opportunity and Commitment to Diversity in Employment

Adopted: May 10, 1989

Revised and Adopted: April 27, 1993; August 25, 2009

Revised, Renumbered, and Adopted:

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

5000 SERIES PERSONNEL

B. Equal Employment Opportunity and Non Discrimination

5100 Equal Employment Opportunity and Commitment to Diversity in Employment

~~The Monterey Peninsula Community College District is committed to the concept and the principles of equal employment opportunity. To this end, the District has established and will maintain a comprehensive program to put that concept and these principles into practice.~~

~~It is the District's policy to ensure that all qualified applicants for employment and all employees have full and equal access to employment opportunity. To achieve this end, the District will ensure that applicants for employment and all employees are not subjected to discrimination in any program or activity of the district on the basis of ethnic group identification, race, color, national origin, religion, age, sex, physical disability, mental disability, ancestry, sexual orientation, or on the basis of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.~~

~~The District will strive to achieve a workforce that is welcoming to men, women, persons with disabilities and individuals from all ethnic and other groups. Such a workforce will promote an inclusive educational and employment environment which fosters cooperation, acceptance, democracy and free expression of ideas.~~

~~An Equal Employment Opportunity Plan will be maintained to ensure the implementation of equal employment opportunity principles that conform to federal and state laws.~~

Reference: Education Code Section 87100 et seq.;
Title 5, Section 53000, et seq.

Formerly Governing Board Policy 5.10.

Formerly Adopted: May 10, 1989

Revised, Numbered and Re-Adopted: April 27, 1993

Revised and Adopted: August 25, 2009



MONTEREY PENINSULA
COLLEGE

GOVERNING BOARD POLICIES

Chapter 7 Human Resources

7120

BP 7120 Recruitment and Hiring

The Superintendent/President shall establish procedures for the recruitment and selection of employees including, but not limited to, the following criteria.

An Equal Employment Opportunity Plan shall be implemented according to Title 5 and BP 3420 – Equal Employment Opportunity.

Academic employees shall possess the minimum qualifications prescribed for their positions by the Board of Governors.

The criteria and procedures for hiring academic employees shall be established and implemented in accordance with board policies and procedures regarding the Academic Senate's role in local decision-making.

The criteria and procedures for hiring classified employees shall be established after first affording the Monterey Peninsula Classified Employees Association (MPCEA) an opportunity to participate in the decisions under the Board's policies regarding local decision making.

See Administrative Procedure 7120 – Recruitment and Hiring

References: Education Code Sections 70901.2, 70902(b)(7) & (d), and 87100 et seq.;
Title 5 Sections 53000 et seq. and 51023.5;
ACCJC Accreditation Standard III.A.1

Formerly Board Policy 5005 – Employment

Adopted: May 10, 1989

Revised: August 20, 1991

Revised, Renumbered, and Adopted:

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

5000 SERIES PERSONNEL

A. All Employees

5005 Employment

~~It shall be the policy of the Governing Board to approve the employment of each person hired by the District. The Board shall fix the compensation and establish the term of employment of each person employed by the District, subject to applicable provisions of collective bargaining agreements and Education Code provisions.~~

~~Recruitment and selection of personnel shall be conducted in accordance with the laws and regulations of the United States and the State of California, and the District Affirmative Action Plan. Only those candidates shall be recommended for employment who are best qualified to perform the duties of the position without regard to race, color, religion, sex, age, national origin, physical or mental handicap, status as Vietnam era veteran or marital status or other conditions unrelated to the requirements of the position.~~

~~Selection procedures for selecting full and part time faculty and administrators are included as Appendices 5005A, 5005B, and 5005C respectively.~~

Reference: Education Code 87360, and 87400 et.seq., 87600 et. seq.
Government Code Section 3543.2
California Code of Regulations, Title 5, 57350
Monterey Peninsula College Affirmative Action Plan

Adopted: May 10, 1989

Revised: August 20, 1991

Monterey Peninsula Community College District

Governing Board Agenda

May 25, 2016

President's Office
College Area

New Business Agenda Item No. I

Proposal:

That the Governing Board rescind former Board Policies: 2100 - Fiduciary Responsibilities; 2105 - Budget and Finances; 2106 - Budget Standards and Policy; 2110 - Accounting Systems; 2115 - Financial Reports; 2120 - Budget Transfers; 2125 - Investment of Surplus Funds; 2135 - Bookstore Operations; 2160 - Community Use of Facilities; 2170 - Risk Management; 2180 - Claims Against the District; 2190 - Real Property Management; 2205 - Campus Traffic and Parking Policy; 2230 - Campus Security; 2235 - Health and Safety; 2245 - Disaster Response Plan; 2260 - Weapons on Campus; 3030 - Contract Instruction; 3035 - Contract Education; 3100 - Open Enrollment; 3110 - Course Repetition; and 3120 - Academic Freedom

Background:

In May 2012, the District approved a new approach for revision of board policies where the policy language provided through the Community College League of California (CCLC) policies and procedure subscription service would be adopted without change, including the numbering, except in limited circumstances. The goal of the new approach is to adopt CCLC's policy manual in its entirety, as a replacement for the District's existing policies. This approach will ensure the District has the essential policies in place and the deleting of out-of-date or noncompliant policies will be accomplished more efficiently. The acceptance of the CCLC policy language without revision is advised to safeguard the District and avoid the need for review of language modifications by local legal counsel, saving District legal costs.

An extensive update of board policies is currently underway to reflect CCLC policy language and policies have been presented to the Board in a group for review and approval to facilitate the policy update. In the update process, several former policies have been superseded by new or revised policies. To eliminate any conflicts existing between the new/revised policies and previous policies as well as prevent potential legal liability, previous board policies will be rescinded as necessary. The following former policies are recommended for rescission:

Board Policy 2100	Fiduciary Responsibilities (<i>superseded by BP 6100 - Delegation of Authority</i>)
Board Policy 2105	Budget and Finances (<i>superseded by BP 6200 - Budget Preparation</i>)
Board Policy 2106	Budget Standards and Policy (<i>superseded by BP 6200 - Budget Preparation and BP 6210 - General Fund Reserve</i>)
Board Policy 2110	Accounting Systems (<i>superseded by BP 6300 - Fiscal Management</i>)
Board Policy 2115	Financial Reports (<i>superseded by BP 6300 - Fiscal Management</i>)
Board Policy 2120	Budget Transfers (<i>superseded by BP 6250 - Budget Management</i>)
Board Policy 2125	Investment of Surplus Funds (<i>superseded by BP 6320 - Investments</i>)
Board Policy 2135	Bookstore Operations (<i>superseded by BP 6900 - Bookstore</i>)
Board Policy 2160	Community Use of Facilities (<i>superseded by BP 6700 - Civic Center and Other Facilities Use</i>)

Board Policy 2170	Risk Management (<i>superseded by BP 6540 – Insurance</i>)
Board Policy 2180	Claims Against the District (<i>superseded by BP 3810 - Claims Against the District</i>)
Board Policy 2190	Real Property Management (<i>superseded by BP 6500 - Real Property Management</i>)
Board Policy 2205	Campus Traffic and Parking Policy (<i>superseded by BP 6750 – Parking</i>)
Board Policy 2230	Campus Security (<i>superseded by BP 3500 - Campus Safety</i>)
Board Policy 2235	Health and Safety (<i>superseded by BP 6800 – Safety</i>)
Board Policy 2245	Disaster Response Plan (<i>superseded by BP 3505 - Emergency Response Plan</i>)
Board Policy 2260	Weapons on Campus (<i>superseded by BP 3530 - Weapons on Campus</i>)
Board Policy 3030	Contract Instruction (<i>superseded by BP 4330 - Instructional Service Agreements</i>)
Board Policy 3035	Contract Education (<i>superseded by BP 4335 - Contract Education</i>)
Board Policy 3100	Open Enrollment (<i>superseded by BP 5052 - Open Enrollment</i>)
Board Policy 3110	Course Repetition (<i>superseded by BP 4225 - Course Repetition</i>)
Board Policy 3120	Academic Freedom (<i>superseded by BP 4030 - Academic Freedom</i>)

Budgetary Implications:

None.

RESOLUTION: BE IT RESOLVED, That former Board Policies 2100 - Fiduciary Responsibilities; 2105 - Budget and Finances; 2106 - Budget Standards and Policy; 2110 - Accounting Systems; 2115 - Financial Reports; 2120 - Budget Transfers; 2125 - Investment of Surplus Funds; 2135 - Bookstore Operations; 2160 - Community Use of Facilities; 2170 - Risk Management; 2180 - Claims Against the District; 2190 - Real Property Management; 2205 - Campus Traffic and Parking Policy; 2230 - Campus Security; 2235 - Health and Safety; 2245 - Disaster Response Plan; 2260 - Weapons on Campus; 3030 - Contract Instruction; 3035 - Contract Education; 3100 - Open Enrollment; 3110 - Course Repetition; and 3120 - Academic Freedom, be rescinded.

Recommended By: Walter Tribley
 Dr. Walter Tribley, Superintendent/President

Prepared By: Vicki Nakamura
 Vicki Nakamura, Assistant to the President

Agenda Approval: Walter Tribley
 Dr. Walter Tribley, Superintendent/President

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

B. Business Services

~~2100~~ Fiduciary Responsibilities

~~The Governing Board has the legal responsibility to insure the District's financial solvency. In discharging this duty the Board hereby adopts the policies in subsection B, following, in order to protect and safeguard the District's assets and resources. The Governing Board designates the Superintendent/President and the Vice President for Administrative Services as the responsible officials to carry out these policies.~~

Reference: Education Code 72282.

Adopted: June 1, 1988.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

B. Business Services

~~2105 Budget and Finances~~

~~A Budget Calendar shall be developed by February 1st of each year. The tentative budget will be presented to the Governing Board not later than June 15 each year. The administration shall have a copy of the tentative budget delivered to each member of the Board at least two weeks prior to the public meeting in June. A special study session will be scheduled prior to the regular July Board meeting to provide the Governing Board an opportunity to review the budget in detail with the staff.~~

~~The administration shall adopt a final budget at a public hearing during the last week in August each year. The Superintendent/President shall have a copy of the final budget delivered to each member of the Board at least two weeks prior to the public hearing.~~

~~Each of the budgets named shall contain details of anticipated income and projected expenditures for the coming fiscal year. Each shall also provide sufficient financial information to permit comparison between the current and proposed budgets.~~

~~In addition, the detailed budgets shall meet the following criteria:~~

- ~~1. They must be balanced.~~
- ~~2. They shall reflect the best possible allocation of financial resources.~~
- ~~3. They must provide for a reserve for contingencies.~~
- ~~4. They must contain a Board designated General Reserve.~~

~~Budget work sessions may be prescribed by the Board at its discretion prior to the adoption of the final budget by August of each year.~~

~~The Vice President for Administrative Services is responsible for filing the Tentative and Adopted Budgets, in the prescribed forms and by the established deadlines, with the proper authorities.~~

Reference: Education Code 85020, et seq.

Adopted: June 1, 1988.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

B. Business Services

~~2106~~ Budget Standards & Policy

A. Budget Development Actions

~~To achieve and maintain fiscal stability and to dedicate resources to meet the objectives of strategic planning, Monterey Peninsula Community College District will follow a plan that requires a balanced budget on a year-to-year basis. To achieve each of the standards of the plan, each year the Budget Committee will develop a budget that results in steady and progressive progress in achieving each of the requirements of this Fiscal Plan. While the development of the annual budget occurs through the shared governance process, the Vice President for Administrative Services, serving as the Chief Business Officer, is responsible for submitting a budget to the Superintendent/President that complies with the requirements of this plan.~~

Budget Development

~~The annual district budget shall be prepared in conformance with the California Community College Budget and Accounting Manual, and in conformance with provisions of the Education Code. The following standards will be used in development of the annual operating budget:~~

Operating Budget Standards

Total Salaries and Benefits: ~~Total salary and benefit costs should not exceed 80% of total expenditures. This level is consistent with other California community colleges. Permanent additions to staff levels will be made under one or more of the following conditions:~~

- ~~(1) — Increases in full-time faculty personnel required by increased state funding.~~
- ~~(2) — Additional staff that will result in an increase in FTES revenue.~~
- ~~(3) — Inability to obtain part-time faculty within an academic discipline.~~
- ~~(4) — Workload demands resulting from growth and increased volume of work.~~
- ~~(5) — Enhancements to support services necessary to support development of instructional programs, student retention efforts or increased technology.~~

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

B. Business Services

2106 Budget Standards & Policy (continued)

Personnel:

Salary Rates: The Board of Trustees follows a practice of retaining a salary structure that is within the median range of other like agencies. For faculty members, the comparison is made against California community colleges. Classified employees are compared to other community colleges as well as local public agencies. Administrative employees are compared to California community colleges.

Faculty: A Faculty Obligation Number is established by the State of California and is the minimum full-time faculty requirement for the College. The statewide goal for the full-time faculty versus part-time faculty ratio is 75% full time compared to 25% part time.

Classified: Classified employee positions are to be evaluated on a year-to-year basis to determine where additional employees are needed to support student success, the instructional and service programs, or to enhance the working and learning environment. Support staffing levels are to be considered when evaluating changes to instructional programs.

Administration: Salaries and benefits for administrative employees should be in the range of 5% to 8% of expenditures.

Retirement Incentives: A retirement incentive will be offered only when there are substantial savings available to the College. A retirement incentive is to be an infrequent action.

Maintenance:

An allocation of a minimum of ½ of 1% of the Unrestricted General Fund revenues in excess of permanent staff costs and services agreements will be made each year to preserve and enhance the College's investment in its facilities. These expenditures will be used to address recurring and on-going maintenance needs. In determining work to be performed, the College will refer to the work product of the Educational Master Plan.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

B. Business Services

2106 Budget Standards & Policy (continued)

Revenue Standards

~~State funded growth revenue is actively pursued. Growth revenue is viewed as an essential element in obtaining the resources necessary to meet the Strategic Plan goals of providing and increasing community access to the College's educational services and in bringing high technology into the classroom.~~

~~The College will provide contract education services to meet the needs of the community and to maximize non-State funding.~~

~~Categorical and grant revenue provided by State and local agencies for specific support purposes is to be pursued by the College when these services are consistent with the objectives of the Strategic Plan.~~

~~Funding from the Monterey Peninsula College Foundation will also be sought to assist in providing funding for specific Strategic Plan projects.~~

Reserve Standards

~~General Fund Reserve: The target reserve is 10% of the Unrestricted General Fund revenues.~~

~~The reserve is to be used for unanticipated changes in expenditures or revenues and to provide some amount of capital that can be used to pursue opportunities.~~

~~Other Debt Service Reserve: A reserve of one year's total annual debt payments will be maintained in the Other Debt Service Fund.~~

~~Investments: Cash not needed for ongoing operations will be invested with Monterey County or a Local Agency Investment Fund.~~

Debt and Capital Lease Obligations Standards

~~Long-term debt and capital lease obligations will not exceed 5% of total unrestricted general fund revenue.~~

~~Long-term debt will only be issued to obtain capital equipment or facilities for which State funds are unavailable or insufficient to meet the cost of these projects.~~

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

B. Business Services

2106 Budget Standards & Policy (continued)

~~Prior to financing any project, an assessment will be made to define how that project assists in meeting the goals of the Strategic Plan.~~

~~Long-term debt will not be used to pay for operating fund deficits.~~

~~Capital lease obligations will only be incurred for capital purchases in excess of \$25,000 and will have a lease term of no longer than five years.~~

~~Certificate of Participation issues will not exceed 10 years.~~

~~Accounting, Auditing, and Financial Reporting Standards~~

~~Independent audits will be performed each year as required by law.~~

~~Annual financial reports will be produced in accordance with Generally Accepted Accounting Principles (GAAP), as defined by the Governmental Accounting Standards Board and the California Community College's Budget and Accounting Manual.~~

~~An internal control structure will be in place to ensure reasonable accuracy of accounting information, to safeguard assets from loss and to ensure operating policies and procedures are being followed.~~

~~Capital Budget Standards~~

~~A five-year Capital Construction Plan will be prepared each year. The Plan will be developed based on facility needs identified in the Educational Master Plan.~~

~~Each year the College will allocate a minimum of \$25,000 to the Capital Projects funds to obtain the service of professionals to develop Initial Project Proposals, Financial Project Proposals, and other documentation necessary to submit funding requests for capital projects.~~

~~A construction management firm will be used as a project manager whenever total cost of a project exceeds \$750,000 at the College.~~

~~Every ten years a Facility Master plan will be revised.~~

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

B. Business Services

2106 Budget Standards & Policy (continued)

Review of Standards

~~Each year the Board of Trustees will review the budget standards to determine the appropriateness of application of the standards. If the financial situation warrants a deviation from the parameters established in the budget policies, the Superintendent/President will seek authorization from the Board of Trustees to waive certain provisions of this policy for any specific fiscal year.~~

B. ~~—~~ Budgeting Monitoring Actions

~~The approved annual budget will be monitored to ensure actual performance is consistent with the budget and that corrective action will occur as necessary.~~

Monitor and Enhance Revenue Management

~~An enrollment management team will monitor the status of FTES throughout the course of the year to ensure that target FTES level is achieved. Corrective action will be taken as needed to respond to changing enrollment trends. In developing course offerings, the following guidelines will be considered:~~

- ~~(1) — Credit courses will be offered in favor of non-credit courses so that the higher funding rate per FTES may be achieved.~~
- ~~(2) — Traditional in-district curriculum credit courses and contract instruction will be offered to the extent possible to achieve the maximum available state revenues.~~
- ~~(3) — Contract education courses will be offered to enhance revenues and augment services provided to the community.~~

~~In addition to monitoring FTE levels, locally generated revenues such as interest income, non-resident tuition and other miscellaneous sources of funds, will be monitored to determine the accuracy of total revenues.~~

Monitor District Expenditures and Seek Opportunities to Reduce Expenditures

~~Spending authorization is granted by the Board of Trustees through adoption of the Final Budget. Prior to authorization of expenditures,~~

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

B. Business Services

2106 Budget Standards & Policy (continued)

~~budgeted amounts will be reviewed to verify that expenditures do not exceed the spending authorization granted by the Board of Trustees. At times, it will be necessary for expenses to exceed budget levels to maintain the operations of the college. When this occurs, other expenditure allocations will be reviewed college wide to determine if any accounts have excess funds available. On a monthly basis, budget adjustments will be made to transfer funds among various programs and accounts to ensure that overall expenditures do not exceed the total budgeted expenditures.~~

Adopted: May 23, 2000

Revised and adopted: October 25, 2005.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

B. Business Services

2110 Accounting Systems

~~The Vice President for Administrative Services is responsible for maintaining a system of accounts, which will allow an accurate presentation, and lend itself to periodic analysis, of all funds or monies entrusted to the control or supervision of the Governing Board. The system of accounts will be maintained in accordance with the guidelines prescribed in the California Community Colleges Budget and Accounting Manual, and shall be subject to audit pursuant to section 84040 of the Education Code.~~

~~The Vice President for Administrative Services is responsible for developing and implementing fiscal procedures and internal accounting controls designed to ensure ongoing fiscal stability of the District.~~

~~The Vice President for Administrative Services shall periodically evaluate management and internal methods and systems designed to safeguard funds and property of the District, and to verify the authenticity of required financial and budget reports. This internal auditing function shall receive the cooperation of all administrators. All administrators share in the responsibility of recommending areas for review and for implementing suggested revisions.~~

Reference: Education Code 71073, 71080, 84030, 84031, 84040.
California Code of Regulations, Title 5, 59010.

Formerly Governing Board Policy 7.2.

Revised, Renumbered and Adopted: June 1, 1988.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

B. Business Services

~~2115~~ Financial Reports

~~Financial statements and supplemental information depicting the financial condition of the District shall be prepared monthly and included in the Consent section of the Governing Board agenda.~~

~~A quarterly financial status report shall be presented to the Board at the first public meeting of the Board following the end of a particular quarter. This report shall be presented in the form prescribed by the California Community Colleges Board of Governors. The Vice President for Administrative Services is responsible for filing this report with the proper authorities within five working days of the Board meeting in which the report is presented.~~

Reference: Education Code 72413(g), 84043.

Adopted: June 1, 1988.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

B. Business Services

~~2120~~ Budget Transfers

~~The adopted budget of the District is a financial plan subject to adjustments during the fiscal year. Such adjustments may be caused by changes in enrollments, programs, and/or the cost of goods and services. Recognizing this need for flexibility, the Governing Board authorizes the Superintendent/President to approve budget transfers between major account classifications, including reserve for contingencies, where such transfers do not increase the District's total fiscal year budget. A list of all transfers made during a month will be presented to the Board for ratification at their next monthly public meeting.~~

~~Budget transfers from the Board-designated General Reserve must have prior Board approval except in the event of an emergency.~~

Reference: Education Code 85200.

Adopted: June 1, 1988.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

B. Business Services

2125—Investment of Surplus Funds

~~To ensure the maximum possible interest yield on funds under the custody of the Governing Board, such funds will be evaluated regularly to determine amounts in excess of working capital requirements, and will be invested in a manner, which will earn the maximum amount with the minimum of risk. Funds required by law to be deposited with the Monterey County Office of Education shall be deposited within one week.~~

~~The Vice President for Administrative Services is authorized to invest excess funds not deposited with the Monterey County Office of Education, such as scholarship, bookstore, associated students, loans, and gifts funds, with local financial institutions.~~

Reference: Education Code 76063, 84050.
Government Code 53600, 53601.

Adopted: June 1, 1988.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

B. Business Services

~~2135 Bookstore Operations~~

~~The Monterey Peninsula College Bookstore is established to facilitate the sale of textbooks, school supplies, related supplies and services, and other items to meet student needs.~~

~~The disposition and accounting of revenues and expenditures of this operation shall be as prescribed by the California Community Colleges Budget and Accounting Manual. Funds derived from this operation shall be subject to audit pursuant to section 84040 of the Education Code.~~

Reference: Education Code 81676.

Adopted: June 1, 1988.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

B. Business Services

~~2160 Community Use of Facilities/Equipment~~

~~The policy of the Governing Board is to permit other public agencies or other entities/groups use of designated College buildings, grounds, and equipment within the law, so long as there is no conflict with the College's programs and functions; and so long as such groups abide by the rules and regulations established by the Board for such uses. These rules and regulations are included as appendix 2160 of the Governing Board Policies Handbook.~~

Reference: Education Code 81600, 81601, 82530-82543.

Formerly Governing Board Regulation A.2.

Adopted: June 1, 1988.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

B. Business Services

~~2170~~ Risk Management

~~The Governing Board recognizes its responsibility to protect the District's human and physical resources and to this end it hereby establishes policy to identify risks; avoid risks without compromising educational activities; and transfer such risks when feasible through appropriate agreements, purchase of insurance, or establishing self insurance reserves.~~

~~The Board reserves the right to participate in self insurance programs either on its own or by becoming a member of a Joint Powers Agency; or by purchasing the necessary coverage from reputable insurance carriers. This right will be exercised on an individual basis and by individual resolution for each type of coverage acquired. The Superintendent/President or designee shall represent and act on behalf of the Board in that resolution.~~

~~The Board directs the administration to provide for insurance coverages mandated by law and collective bargaining agreements, and such other coverages as may be necessary to meet District needs. All insurance coverages shall be reviewed and approved annually by the Board.~~

Reference: Education Code 72506, 76470, 81600 through 81605, 81953, 81954.

Adopted: June 1, 1988.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

B. Business Services

~~2180 — Claims Against the District~~

~~Any claims against the District for money or damages, which are not governed by any other statutes or regulations expressly relating thereto, shall be presented and acted upon in accordance with Title I, Division 3.6, Part 3, Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910) of the California Government Code.~~

~~Claims must be presented according to this policy and related procedures as a prerequisite to filing suit against the District.~~

~~Claims that are subject to the requirements of this policy include, but are not limited to, the following:~~

- ~~• Claims by public entities: claims by the state or by a state department or agency or by another public entity.~~
- ~~• Claims for fees, wages and allowances: claims for fees, salaries or wages, mileage, or other expenses and allowances.~~

~~The designated place for service of claims, lawsuits or other types of legal process upon the District is:~~

~~Office of the Vice President for Administrative Services, located in the Administration Building on the Monterey campus.~~

Reference: Education Code Section 72502;
Government Code Sections 900 et seq.; 910
CCLC BP 3810

Adopted: June 24, 2008.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

B. Business Services

~~2190 — Real Property Management~~

~~The Superintendent/President or designee is delegated the authority to act as the Board's negotiator regarding all property management matters that are necessary for the benefit of the District. No transaction regarding the lease, sale, use or exchange of real property by the District shall be enforceable until the Board of Trustees acts on the transaction.~~

~~The Superintendent/President or designee shall establish such procedures as he/she deems necessary to assure compliance with all applicable laws relating to the sale, lease, use or exchange of real property by the District.~~

Reference: Government Code Sections 81300, et seq.; CCLC BP 6500.

Adopted: December 14, 2010.

See Administrative Procedure 2190

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

C. General Campus Policies

~~2205 Campus Traffic and Parking Policy~~

~~In order to ensure the health and safety of faculty, students, staff and visitors to Monterey Peninsula College, the Governing Board has authorized the development of appropriate campus traffic regulations. These regulations are included as Appendix 2205 of the Governing Board Policies Handbook.~~

Reference: California Vehicle Code 21113.

Formerly Governing Board Regulation 8.2.

Revised and Adopted: June 1, 1988; _____.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

C. General Campus Policies

~~2230~~ Campus Security

~~It is the Policy of the Governing Board that a Department of Security is established to provide for the safety of students, College employees and visitors to the campus, and for the security of real and personal property of the District.~~

~~The Security Department is not a primary law enforcement agency; rather, it is a security unit assigned the mission of minimizing injury, fear, anxiety, or hazards to life or health, and for protecting District and personal property from vandalism, fire, theft, and other hazards. Security personnel shall be Peace Officers as defined by Section 72230, California Education Code, and Section 830.31, Penal Code and shall not be authorized to carry side arms on District property or at any time while performing their assigned duties.~~

~~Specific responsibilities of Security Department personnel will include:~~

- ~~Providing effective traffic and parking control;~~
- ~~Prevention of crimes through patrol and building security;~~
- ~~Providing crowd control at College events as designated by an authorized administrator;~~
- ~~Providing assistance as authorized by District policies;~~
- ~~Notifying an authorized administrator of potential or actual emergency conditions or situations;~~
- ~~Summoning the Monterey Police Department or the Monterey Fire Department when necessary;~~
- ~~Carrying out the mandates of Government Code Section 54957.9 related to the Disruption of a Public Meeting by a group or groups of persons;~~
- ~~Carrying out the mandates stipulated in the Memorandum of Understanding between Monterey Peninsula College and the Monterey Police Department;~~
- ~~Providing other services and assistance as needed.~~

Reference: Education Code 72230.

Formerly Governing Board Policy 8.8

Revised, Renumbered and Adopted: June 1, 1988.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

C. General Campus Policies

~~2235—Health and Safety~~

~~The protection of students, staff, and the public while participating in a College related activity is of primary concern to the Governing Board. In order to provide a safe and healthful educational and working environment, the administration of the District shall support a safety program, which will actively seek to identify and reduce hazards.~~

~~The Vice President of Administrative Services is appointed the District's Safety Officer. It shall be his/her primary responsibility to provide leadership in developing and implementing a safety program for the College.~~

~~A Health and Safety Committee, composed of representatives from the faculty, the classified staff, management, students and the Safety Officer, shall be established to review safety procedures, to facilitate feedback on unsafe conditions, and to suggest improvements throughout the campus.~~

Reference: 8 California Code of Regulations 330 et. seq.; 340 et. seq.
Education Code 32040 et. seq., 81134.
Labor Code 6305.

Adopted: June 1, 1988.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

C. General Campus Policies

~~2245—Disaster Response Plan~~

~~In order to protect lives first, then property and buildings of the College District, the Governing Board directs that a Disaster Response Plan, to be included as Appendix 2245 of the Governing Board Policies Handbook, be prepared by the Administration and approved by the Board. The plan shall include the following as its major purposes:~~

- ~~1. Establish mutual understanding of the authority, responsibility, functions and operations of the College management during major emergencies/disaster;~~
- ~~2. Provide the basis for the conduct and coordination of emergency operations and the management of crucial resources and personnel during major emergencies;~~
- ~~3. Identify, access and coordinate the College's disaster management operations with mutual aid/emergency services from the cities and county;~~
- ~~4. Describe the procedures for setting up an Emergency Shelter at the College for any off-campus disaster, as designated by Monterey County and city officials.~~

Formerly Governing Board Policy 8.5.

Revised, Renumbered and Approved: June 7, 1989.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATION & BUSINESS SERVICES

C. General Campus Policies

~~2260~~ Weapons on Campus

~~Firearms or other weapons shall be prohibited on any college or district center or in any facility of the District except for activities conducted under the direction of district officials or as authorized by an official law enforcement agency.~~

Reference: Penal Code Section 626.09 – 626.10

Adopted: December 15, 2009.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

3000 SERIES EDUCATIONAL PROGRAMS AND STANDARDS

A. Educational Programs

~~3030 — Contract Instruction~~

~~In accordance with state regulations, the College may contract with public or private agencies, corporations or associations, to provide instructional services for the College.~~

~~Courses offered through contract instruction shall meet all legal requirements, to include Collective Bargaining agreements, and shall be approved Monterey Peninsula College courses.~~

Reference: California Administrative Code, Title 5, 58058.

Adopted: August 10, 1988.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

3000 SERIES EDUCATIONAL PROGRAMS AND STANDARDS

A. Educational Programs

3035 — Contract Education

~~In accordance with state law and regulations, the College may contract to provide workshops, seminars, courses and related educational services for public or private agencies, corporations, and associations.~~

~~Where such courses and services do not meet legal requirements for state apportionment, no less than their direct costs and direct support costs shall be paid for by the contracting agency or through user fees. For courses, which meet the requirements for state apportionment, the College may receive from the agency compensation that will not exceed the full direct educational cost of the course or courses contracted for.~~

~~All contract education courses for which College credit is offered shall be approved College courses.~~

Reference: Education Code 78021, 78300 et. seq., 78462.5
California Administrative Code, Title 5, 55001-2, 55170, 58050.

Adopted: August 10, 1988

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

3000 SERIES EDUCATIONAL PROGRAMS AND STANDARDS

B. Educational Standards

~~3100~~ Open Enrollment

~~It is the policy of the Governing Board that, in compliance with applicable state law and regulations, every course, course section or class, the average daily attendance of which is to be reported for state funding, wherever offered or maintained by the District, shall, with the following legal limitations, be fully open to enrollment and participation by any person who has been admitted to the college in accordance with Governing Board Policy 4105:~~

- ~~1. Students may be required to meet necessary and valid prerequisites which are in compliance with Governing Board Policy 3015. Enrollment in pre-collegiate basic skills courses will be based on advisory prerequisites.~~
- ~~2. Enrollment in a course may be limited based on health and safety considerations, facility limitations, or legal requirements imposed by statute regulations.~~
- ~~3. Enrollment in classes shall be on a "first come first served" basis, or on such other non-evaluative selection techniques as may be required by the registration system being employed or as determined by the administration.~~
- ~~4. Title 5, Section 58110 requires governing boards to ensure that fair and equitable procedures are established for admission of qualified students to classes, courses, or programs which must be limited due to limitations in physical facilities, availability of qualified instructors, funding limitations, and the constraints of regional planning. Due to these limitations, the Maurine Church Coburn School of Nursing program will give priority admission to local residents.~~

Reference: Education Code 55700, 70901, 84500.1
California Administrative Code, Title 5, 58100 et. seq.

Adopted: August 10, 1988
Revised and Readopted: November 19, 1991, November 22, 2005

MONTEREY PENINSULA COLLEGE

3000 SERIES EDUCATIONAL PROGRAMS AND STANDARDS

B. Educational Standards

~~3110~~ Course Repetition

~~In accordance with state regulation, the College shall establish regulations and procedures which will allow a student to repeat a course: (A) for which substandard work has been reported; (B) as a result of extenuating circumstances; or (C) due to a significant lapse of time since a course was previously taken. These regulations and procedures shall be published in the college Catalog.~~

~~The curriculum may also include repeatable courses in which the course content differs each time it is offered: (A) to enhance skills or proficiencies by supervised repetition and practice and/or (B) where active participation in individual study or group assignments is the basic means by which learning objectives are maintained. Credit for repeatable courses may be earned to a maximum of four times the highest unit value of each course.~~

~~Repeatable courses shall be so designated in the College Catalog, and mechanisms for the proper monitoring of such repetition shall be developed and implemented by the College.~~

Reference: California Administrative Code, Title 5, 58161.

Adopted: August 10, 1988.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

3000 SERIES EDUCATIONAL PROGRAMS AND STANDARDS

B. Educational Standards

3120 — Academic Freedom

The purpose of this policy is to define “academic freedom” so as to protect the institutional neutrality of Monterey Peninsula College (MPC) in its practice of intellectual pluralism¹ and to defend faculty, students, and the curriculum from the influence of any current or future political fashion or orthodoxy.² The college is a bastion of competing ideas; unanimity is anathema to academic freedom and intellectual life.

In general, at MPC academic freedom means that “faculty and students are free to examine and test all knowledge appropriate to their discipline or area of major study as judged by the academic/educational community in general. Regardless of institutional affiliation or sponsorship, [MPC] maintains an atmosphere in which intellectual freedom and independence exist.”³

More specifically, MPC defines academic freedom as that aggregate of principles which comport with the American Association of University Professors’ (AAUP) 1940 “Statement of Principles on Academic Freedom and Tenure” and its 1970 “Interpretive Comments” (Appendix #1) except where those documents conflict with the Monterey Peninsula Community College District/Monterey Peninsula College Teachers Association Collective Bargaining Agreement. MPC thereby recognizes the freedom of teachers to teach and students to learn as educationally constitutive and essential to academic life. Further, as a publicly funded institution of higher learning, MPC embraces its obligation to obey and enforce the rights and principles of the United States Constitution, Bill of Rights, and the U.S. Department of Education Office for Civil Rights (OCR).⁴

¹ “The university is the home and sponsor of critics; it is not itself the critic.” The Kalven Committee, “Report on the University’s Role in Political and Social Action,” (1967).
<<http://www.uchicago.edu/docs/policies/provostoffice/kalverpt.pdf>>.

² “It is a human failing common to us all that we rarely see our own abuses of power, and no one, right, left, or center, is innocent of that failing. Once these abuses are called to consciousness, however, it becomes a moral imperative to restrain ourselves and to grant to others the academic freedom that we would demand for ourselves.” Professor Alan Charles Kors, letter, July 19, 2000.

³ WASC Accreditation Reference Handbook, 2006, page 8
<<http://www.accjc.org/documents/Accreditation%20Reference%20Manual%20Rev%20Aug%2031%202006.pdf>>.

⁴ “OCR has consistently maintained that schools in regulating the conduct of students and faculty to prevent or redress discrimination must formulate, interpret, and apply their rules in a manner that respects the legal rights of students and faculty, including those court precedents interpreting the concept of free speech. OCR’s regulations and policies do not require or prescribe speech, conduct or harassment codes that impair the exercise of rights protected under the First Amendment.” Letter from Gerald A. Reynolds, Assistant Secretary, Office for Civil Rights, United States Department of Education, July 28, 2003 <<http://www.thefire.org/index.php/article/5046.html>>

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

3000 SERIES EDUCATIONAL PROGRAMS AND STANDARDS

B. Educational Standards

3120 Academic Freedom (continued)

Moreover, in order that students may experience a representative “marketplace of ideas,”⁵ MPC promotes robust intellectual pluralism practiced in an atmosphere of objectivity, respect, and civility. MPC agrees that “[s]tudents have a right to courses that accurately reflect the description in the course catalog. Students have a right to courses that are not misused to advance professors' personal social or political agendas or their subsidiary interests, as described in the AAUP Statement on Professional Ethics (1987).⁶ Students have a right to learn in an environment that fosters open inquiry and freedom of expression—without fear of reprisal, ridicule, or hostility.”⁷ Education leads students to independent thought, not to conversion or conformity. Teachers have the right and responsibility to select texts and educational materials for their courses based on their professional training and expertise.

That a college curriculum may be intellectually dynamic and produce discomfort for students of fixed belief does not create a conflict with students' right to a decorous learning environment. Subjective criteria such as discomfort and even offensiveness are impermissible grounds on which to base a complaint; appropriateness of classroom material and discussion can only be determined by disinterested peers applying professional standards appropriate to the discipline. While MPC instructors should make every effort not to be gratuitously invidious or offensive, they have the right to present material which may be considered offensive by some. Teachers should be thorough about explaining their teaching methodologies in course syllabi because without doing so, some courts have found that “[a]n instructor's choice of teaching methods does not rise to the level of protected expression”⁸ Students, however, will at all times be evaluated only by how well they master the subject matter of a course, not by whether they personally agree with it or reject it.

Method of evaluation, formulation of objectives or outcomes consistent with the course description, and assignment of a final grade are the right and responsibility

⁵ *The United States Supreme Court in Keyishian v. Board of Regents of the State University of New York* (1967) declared that the First Amendment “does not tolerate laws that cast a pall of orthodoxy over the classroom . . . [which is] peculiarly the marketplace of ideas”
<<http://caselaw.lp.findlaw.com/scripts/getcase.pl?court=us&vol=385&invol=589>>.

⁶ <<http://www.aaup.org/AAUP/pubsres/policydocs/statementonprofessionalethics.htm>>.

⁷ <<http://www.noindoctrination.org/acadf.shtml#noindoc>>.

⁸ Sixth District Court, *Dambrot vs. Central Michigan University*. 2001 FED App. 0057P (6th Cir.). File Name: 01a0057p.06.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

3000 SERIES EDUCATIONAL PROGRAMS AND STANDARDS

B. Educational Standards

3120 Academic Freedom (continued)

~~of the individual instructor. In order to maintain a climate of free inquiry for students, MPC recognizes that not all knowledge and educational benefit is immediate, concrete, or measurable. Evaluation of student learning may reflect factual knowledge when appropriate; however, in some disciplines, evaluation concerns qualities which are not measurable, do not represent factual knowledge, and/or cannot be stated in quantifiable terms. Teachers of these subjects, therefore, should not be forced to measure student learning using quantifiable criteria. Evaluation criteria derived from doctrinal principles extraneous to the discipline as well as attitudinal, behavioral, and/or values-laden evaluations unrelated to the course description should never be formulated or applied. Similarly, teachers should not be coerced by ideological or dogmatic curricular mandates or standards, and teachers are never required to teach against conscience or expertise.⁹~~

~~Teachers in some disciplines (as in, the humanities and the social sciences) must hew to the unsettled, problematic, imponderable, or ambiguous nature of their discipline's knowledge, the teaching of which may entail, as proper pedagogy, the asking of provocative questions (Socratic dialogue) or even expressing opinions which they do not in fact hold (playing devil's advocate). The nature of knowledge in other disciplines (such as math and science, business) obliges teachers to concentrate on transmitting established professional ideas, standards, and robust scholarly theories to students. Teachers may rightfully choose not to expend class time refuting tendentious objections or metaphysical speculations. Still other disciplines (as in art, music, creative writing) require the most liberal conception and exercise of academic freedom as their realms concern the exploration of artistic expression. Within these disciplines, academic freedom must protect the validity of intuitive knowledge and presentational art forms, and the instructor's right to choose programming content within these art forms for classroom or public presentation. Academic freedom includes the recognition and encouragement of the traditional role of the arts to explore content which may be controversial and discomfiting. Instructors have the right and obligation to exercise subjective judgment, informed by training and experience, in evaluating student work and choosing the content of public presentations. MPC fully subscribes to the AAUP 1990 Committee A Policy Statement on Academic Freedom and Artistic Expression (Appendix #2).~~

⁹ *West Virginia Board of Education v. Barnette* (1943) (319 U.S. 624), "If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion, or force citizens to confess by word or act their faith [in it]." <<http://www.law.umkc.edu/faculty/projects/ftrials/conlaw/barnette.html>>.

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

3000 SERIES EDUCATIONAL PROGRAMS AND STANDARDS

B. Educational Standards

3120 Academic Freedom (continued)

Outside the classroom, teachers are as free as all other citizens to publish personal opinions but should take care not to officially associate their name with the institution; at the same time, teachers cannot be expected to prevent others from making such an association. Similarly, when maintaining a personal website or blog, teachers should again take care not to officially associate their name with the institution. Inside the classroom, by training and experience, teachers are experts in their disciplines, not advocates. In controversial matters, they should be able to differentiate between fact and interpretation and to summarize salient alternative interpretations of facts while keeping their own sentiments behind a veil of professionalism. When a teacher's personal opinion on a controversial or unsettled matter is offered in a course, it should be clearly identified as personal.¹⁰

The rights of academic freedom that apply in traditional course settings apply equally to courses offered through electronic media/cyberspace. While MPC does not equate cyberspace with a physical classroom, neither does MPC find any diminution of academic freedom rights implied by virtual space. However, teachers should recognize the volatile and emerging nature of laws and practice pertaining to computer resources and cyberspace, such as copyright, ownership, proceeds from advertising, confidentiality, and so on. They should also realize that some kinds of electronic information that teachers generate may exist in multiple locations permanently, and while other kinds of electronic information may seem evanescent, liability may ensue from either kind. Although teachers are not expected to be experts on the constantly changing field of law involving cyberspace, websites, email, and other computer resources, they should take reasonable steps to comply with legislation, legal decisions, and Board policies which affect their professional lives online. For more detailed information on email, please consult MPC Board Policies 2163 and 2164.

Reference: Education Code 72292; California Administrative Code, Title 5, 51023; Governing Board Policy 5040.

Formerly Governing Board Policy 3.15.

Revised, Renumbered and Adopted: August 10, 1988.

Revised and Adopted: May 27, 2008

¹⁰ "The teacher ought also to be especially on his guard against taking unfair advantage of the students' immaturity by indoctrinating him with the teacher's own opinions before the student has had an opportunity fairly to examine other opinions upon the matters of question, and before he has sufficient knowledge and ripeness in judgment to be entitled to form any definitive opinion of his own. It is not the least service which a college or university may render to those under its instruction, to habituate them to looking not only patiently but methodically on both sides, before adopting any conclusion upon controverted issues."

1915 AAUP Declaration of Principles, <<http://www.akronaaup.org/documents/AAUP1915.pdf>>

Monterey Peninsula Community College District

Governing Board Agenda

May 25, 2016

New Business Agenda Item No. J

Superintendent/President
College Area

Proposal:

To review the attached Calendar of Events.

Background:

The Trustees request that the Calendar of Events be placed on each regular Governing Board meeting agenda for review and that volunteer assignments be made so that the Trustees become more visible on campus.

Trustees will attend meetings as observers and will not represent the Board's view on issues/topics.

Budgetary Implications:

None.

INFORMATION: Calendar of Events.

Recommended By: Dr. Walter Tribley, Superintendent/President

Prepared By:

Shawn Anderson

Shawn Anderson, Executive Assistant to Superintendent/President and Governing Board

Agenda Approval:

Walter A. Tribley

Dr. Walter Tribley, Superintendent/President

MPC Governing Board 2016 Calendar of Events

MAY 2016

- Friday, May 20 MPC Employee Recognition Ceremony: 11:30am, MPC Amphitheater
MPC Special Board Meeting (Study Session): 2:00-4:00pm, **LF-103**
- Tuesday, May 24 MPC Scholarship Awards Ceremony: 4:00-7:00pm, MPC Theatre
- Wednesday, May 25 Regular Board Meeting, MPC Library Technology Center
Closed Session: 11:00am, Stutzman Room
Regular Meeting: 1:30pm, Sam Karas Room
- Thursday, May 26 Veterans' Club Memorial Day Event, 12:00pm, Student Center
TRIO MSUB/Upward Bound Senior Recognition Ceremony, 5:30pm, Student Center
- Monday, May 30 Memorial Day Holiday

JUNE 2016

- Wednesday, June 1** Veterans Recognition Ceremony: 12:00-2:00pm, Student Center
Automotive Technology Graduation Banquet: 5:00-8:00pm, Tarp's Roadhouse
CDC Preschool Graduation: 5-7:30pm, Student Center
- Thursday, June 2 Latino Graduation Ceremony: 6:00pm, LF-103
- Friday, June 3 Spring Semester Ends
Fire Academy Graduation Ceremony: 10:00am, MPC Theatre
Early Childhood Education Graduation Celebration: **Time and location to be determined.**
Asian Student Assn Ceremony & Dinner: 5:00-7:30pm, Sakura Buffet (Salinas)
Kente Ceremony: 7:00pm, MPC Music Hall
- Saturday, June 4 Faculty Retirement Breakfast: 8:30am, Ferrante Room (Monterey Marriott)
Commencement: 12:00pm, MPC Stadium
(Line-up at 11:30am in Amphitheater)
Nurse Pinning Ceremony, 3:00pm, Amphitheater
- Wednesday, June 22 Regular Board Meeting, MPC Library Technology Center
Closed Session: 11:00am, Stutzman Room
Regular Meeting: 1:30pm, Sam Karas Room

JULY 2016

- Thursday, July 4 Independence Day Holiday

AUGUST 2016

- Wednesday, August 24 Regular Board Meeting, MPC Library Technology Center
Closed Session: 11:00am, Stutzman Room
Regular Meeting: 1:30pm, Sam Karas Room

SEPTEMBER 2016

- Wednesday, September 28 Regular Board Meeting, MPC Library Technology Center
Closed Session: 11:00am, Stutzman Room
Regular Meeting: 1:30pm, Sam Karas Room

OCTOBER 2016

- Mon., October 10 through Thursday, October 13 ACCJC External Evaluation Team Visit

MPC Governing Board 2016 Calendar of Events

OCTOBER 2016, continued

Wednesday, October 26 Regular Board Meeting, Public Safety Training Center
Closed Session: 11:00am, Room to be announced
Regular Meeting: 1:30pm, Room to be announced

NOVEMBER 2016

Wednesday, November 16 Regular Board Meeting, MPC Library Technology Center
Closed Session: 11:00am, Stutzman Room
Regular Meeting: 1:30pm, Sam Karas Room

DECEMBER 2016

Wednesday, December 14 Regular Board Meeting, MPC Library Technology Center
Closed Session: 11:00am, Stutzman Room
Regular Meeting: 1:30pm, Sam Karas Room