



Executive Order: 2020-11

Effective Date: September 23, 2020

Title: Temporary Suspension of Regulations Limiting Interim Appointments Due to the COVID-19 State of Emergency

Executive Order 2020-11 is issued pursuant to title 5, section 52020, of the California Code of Regulations, adopted by the Board of Governors of the California Community Colleges on September 21, 2020, conferring on the Chancellor's authority to take emergency actions, upon a written finding made in consultation with the President and Vice President of the Board of Governors, for the purpose of maintaining the continuity of educational services. This authority allows the temporary suspension of regulations adopted by the Board of Governors and the temporary suspension of local rules and regulations that are a barrier to the continuity of educational services; and the temporary establishment of procedures in order to promote the continuity of educational services.

WHEREAS, the COVID-19 state of emergency declared by the Governor on March 4, 2020 continues; and

WHEREAS, the COVID-19 pandemic and the resulting public health measures, such as required social distancing, have substantially disrupted the California economy, and the administration of California Community Colleges; and

WHEREAS, to address these public health measures, community college districts throughout the state have converted face-to-face courses to online or alternative formats, and have limited campus access to essential personnel; and

WHEREAS, the COVID-19 pandemic has caused the community colleges to suffer economic uncertainties and related planning challenges, logistical obstacles to recruitment, a need to fill positions to continue public education, and a need for flexibility to adjust the workforce to provide remote education;



WHEREAS, it is vital during the COVID-19 pandemic to provide flexibility in the management of community college and community college district staff so that community college districts can maintain the continuity of educational services; and

WHEREAS, the President and Vice-President of the Board of Governors have authorized the issuance of this executive order.

THEREFORE, as the Chancellor of the California Community Colleges, I declare the following:

1. The above recitals are true and correct.
2. Section 52020, of the California Code of Regulations, authorizes me to take all appropriate actions to maintain the continuity of educational services for community college students during the period of emergency proclaimed by the Governor of the State of California on March 4, 2020, including the temporary suspension of regulations adopted by the Board of Governors and the suspension of local rules and regulations that are a barrier to the continuity of educational services; and the temporary establishment of procedures in order to promote the continuity of educational services.
3. After consultation with affected stakeholders prior to the issuance of Executive Order 2020-04 under my prior temporary authority, I find that the logistical obstacles to recruitment of employees occasioned by the COVID-19 pandemic and the uncertainties related to enrollment levels and budgets will render it difficult for community college districts to conduct recruitments and engage in hiring necessary to meet current limits on interim appointments.
4. Due to the existing state of emergency, strict adherence to section 53021, subdivision (b)(1), of title 5, of the Code of California Regulations, will impose barriers to the continuity of educational services. The provisions of this subdivision which limit specified interim appointments, including “in-house or promotional” recruitments, to “the minimum time necessary to allow for full and open recruitment,” and prohibit such interim appointments from



exceeding two years in duration, are hereby temporarily suspended for the remainder of the 2020-2021 fiscal year.

5. The California Community Colleges remain committed to equal employment opportunity and equity in hiring across all employment classifications. Notwithstanding the regulatory relief granted by this executive order, community college districts are strongly encouraged to exercise their discretion in favor of conducting full and open recruitment when circumstances permit during the COVID-19 emergency. Upon the expiry of the term of this suspension, community college districts shall proceed expeditiously with “full and open recruitments” for all those positions that have been filled through interim appointments for more than two years.
6. Any local district board policies or regulations in conflict with the above regulatory suspension shall also be suspended for the remainder of the 2020-2021 fiscal year.
7. This executive order shall remain in full force and effect through the end of the 2020-2021 fiscal year.

A handwritten signature in black ink, appearing to read 'EOO'.

Eloy Ortiz Oakley, Chancellor

Dated: September 23, 2020