



July 31, 2020

To all Chief Human Resources Officers

RE: EEO Fund Allocation for Fiscal Year 2020-2021

Dear Colleagues:

The purpose of this letter is to communicate the amount of funding to be apportioned to each community college district from the Equal Employment Opportunity (EEO) Fund for the 2020-2021 fiscal year and to notify you that due to the deferral of Faculty Obligation Number (FON) penalties pursuant to Executive Order 2020-05, such funding may be reduced in subsequent fiscal years.¹ Nevertheless, we are happy to report that based on the Legislature's EEO Fund appropriation for the 2020-2021 fiscal year, each district that certified having met the Multiple Methods requirements, explained below, will receive **fifty thousand dollars (\$50,000)** in EEO funds in the 2020-2021 Advance Apportionment to be paid out on or about July 30, 2020.

Beginning in fiscal year 2016-2017, the California Community Colleges Chancellor's Office (Chancellor's Office) implemented a new model for allocating the EEO Fund consistent with title 5, section 53030. As part of this new funding allocation model, the EEO and Diversity Advisory Committee and the Office of General Counsel identified nine best-practice areas for success in promoting EEO. These best-practice areas serve as the "Multiple Methods" districts must employ to qualify for EEO funding.

To be in compliance, districts must certify by June 1 of the fiscal year prior to the fiscal year in which funding is allocated that they meet seven of the nine Multiple Methods. We are happy to note that this year, every district met the Multiple Methods funding requirements on time or

¹ In most years, the EEO Fund is composed of two funding streams: 1) Prop 98 funds appropriated by the Legislature directly into the fund; and 2) funds appropriated by Legislature equal to the FON penalties calculated in prior fiscal years. For the past few years, the Prop 98 component of the EEO Fund has remained constant at \$2,767,000 while the FON penalty amounts have varied. Thus, the total EEO Fund available to allocate to districts can and does vary year to year depending on the FON penalty amounts calculated.

has contacted the Chancellor's Office to seek an extension of time to comply due to delays occasioned by the COVID-19 emergency.

Since the move to the Multiple Methods funding model, the Legislature's appropriations into the EEO Fund have allowed the Chancellor's Office to allocate approximately fifty thousand dollars (\$50,000) per year to each complying district. However, as explained above, the amount of each year's allocation remains dependent in large part on the variability of the amounts assessed as FON penalties and is therefore subject to change from year to year. Further compounding this inherent annual uncertainty in the EEO Fund, the deferral of 2020 FON penalties resulting from Executive Order 2020-05² to a future date, will result in a likely decrease in EEO allocations in the 2021-2022 fiscal year, unless remedied by the Legislature with increased Prop 98 EEO funding in the 2021-2022 Budget Act.

While the Chancellor's Office remains committed to supporting robust EEO programs at the local level and will continue to advocate for more resources to support these efforts, the fiscal realities occasioned by the COVID-19 pandemic and the resulting economic downturn will make these efforts ever more challenging. We take this opportunity to invite you to continue your own efforts to advocate for this much-needed EEO funding in upcoming years. We thank you for your attention to this matter and for all of your hard work.

Sincerely,

Fermin Villegas for

Marc A. LeForestier
General Counsel

cc: Eloy Oakley, Chancellor
Daisy Gonzales, Deputy Chancellor
Lizette Navarette, Vice Chancellor for College Finance and Facilities Planning

Enclosures

² For a more detailed explanation of the effects of Executive Order 2020-05, see Guidance Memo FS 20-05 entitled "Novel Coronavirus (COVID-19) Guidance – Deferral of Faculty Obligation Penalties for Fall 2020" issued by the Chancellor's Office's College Finance and Facilities Planning Division on April 27, 2020, enclosed herein.