

By Representatives Turnbull, Chestnut, Mackenzie and  
Constantine

1                                   A bill to be entitled  
2           An act relating to employment equity in  
3           postsecondary education; amending s. 240.2475,  
4           F.S., relating to the State University System  
5           equity accountability program; requiring each  
6           state university to maintain an equity plan to  
7           increase the representation of women and  
8           minorities in faculty and administrative  
9           positions; providing for the submission of  
10          reports; requiring the development of a plan  
11          for achievement of equity; providing for  
12          administrative evaluations; requiring the  
13          development of a budgetary incentive plan;  
14          providing for an appropriation; amending s.  
15          240.3355, F.S., relating to the State Community  
16          College System equity accountability program;  
17          requiring each community college to maintain a  
18          plan to increase the representation of women  
19          and minorities in faculty and administrative  
20          positions; providing contents of an employment  
21          accountability plan; requiring the development  
22          of a plan for corrective action; providing for  
23          administrative evaluations; providing for  
24          submission of reports; requiring the  
25          development of a budgetary incentive plan;  
26          providing an effective date.

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28   Be It Enacted by the Legislature of the State of Florida:

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30           Section 1.   Section 240.2475, Florida Statutes, is  
31   amended to read:

1           240.2475 State University System employment equity  
2 accountability program.--

3           (1) ~~No later than August 1, 1992,~~Each state  
4 university shall maintain an annual equity ~~develop a~~ plan for  
5 appropriate representation ~~increasing the number~~ of women and  
6 minorities in senior-level administrative positions, within  
7 tenure-track faculty, and within faculty granted tenure. Such  
8 plan shall be maintained until appropriate representation has  
9 been achieved. As used in this subsection, the term:

10           (a) "Appropriate representation" means category  
11 employment representation that at least meets comparable  
12 national standards for at least two consecutive reporting  
13 periods.

14           (b) "Category" means major executive, administrative,  
15 and professional grouping, including senior-level  
16 administrative and professional positions, senior academic  
17 administrative-level positions, and tenure-track faculty for  
18 ~~increasing the number of women and minorities in ranked~~  
19 ~~faculty positions, and for increasing the number of women and~~  
20 ~~minorities granted tenure. The plan must include specific~~  
21 ~~measurable goals and objectives, specific strategies for~~  
22 ~~accomplishing these goals and objectives, a time period for~~  
23 ~~accomplishing these goals and objectives, and comparative~~  
24 ~~national standards. The plan shall be submitted to the~~  
25 ~~legislature on or before September 1, 1992.~~

26           (2)(a) By April 1 ~~October 31~~ of each year, each state  
27 university president shall submit an annual equity  
28 ~~accountability~~ report to the Chancellor and the Board of  
29 Regents. The equity report shall consist of a status update,  
30 an analysis, and a status report of selected personnel  
31 transactions. As used in this paragraph, the term, "selected

1 personnel transactions" means new hires in, promotions into,  
2 tenure actions in, and terminations from a category. Each  
3 university shall provide the job classification title, gender,  
4 race, and appointment status of selected personnel  
5 transactions. The status update shall assess  
6 underrepresentation in each category. The status report shall  
7 consist of current category employment representation,  
8 comparable national standards, an evaluation of  
9 representation, and annual goals to address  
10 ~~underrepresentation which shows the number of administrative~~  
11 ~~positions in the faculty and in the administrative and~~  
12 ~~professional pay plans which were filled in the previous~~  
13 ~~fiscal year. Administrative positions include faculty~~  
14 ~~positions that, in whole or in part, are defined as academic~~  
15 ~~administration under standard practice CM 87-17.1 and~~  
16 ~~positions in the administrative and professional pay plans~~  
17 ~~that are defined as administrative positions under the Board~~  
18 ~~of Regents' classification of occupational groupings. The~~  
19 ~~report must include the following information pertaining to~~  
20 ~~the employees hired in those positions:~~  
21       1. ~~Job classification title;~~  
22       2. ~~Gender;~~  
23       3. ~~Ethnicity;~~  
24       4. ~~Appointment status pursuant to chapter 6C-5.105,~~  
25 ~~Florida Administrative Code;~~  
26       5. ~~The salary at which the individual was hired;~~  
27       6. ~~Comparative information including, but not limited~~  
28 ~~to, composite information regarding the total number of~~  
29 ~~positions within the particular job title classification for~~  
30 ~~the university by race, gender, and the average salary or~~  
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1 salary range, where applicable, compared to the number of new  
2 hires;

3 ~~7. Guidelines for ensuring a gender-balanced and~~  
4 ~~ethnically balanced selection committee for each vacancy;~~

5 ~~8. Steps taken to develop a diverse pool of candidates~~  
6 ~~for each vacancy; and~~

7 ~~9. An assessment of the university's accomplishment of~~  
8 ~~annual goals and of long-range goals for hiring and promoting~~  
9 ~~women and minorities in senior-level administrative positions.~~

10 (b) After 1 year of implementation of a plan, and  
11 annually thereafter, for those categories in which prior year  
12 goals were not achieved, each university shall provide, in its  
13 annual equity report, a narrative explanation and a plan for  
14 achievement of equity. The plan shall include guidelines for  
15 ensuring balanced membership on selection committees and  
16 specific steps for developing a diverse pool of candidates for  
17 each vacancy in the category. The plan shall also include a  
18 systematic process by which those responsible for hiring are  
19 provided information and are evaluated regarding their  
20 responsibilities pursuant to this section. ~~Each university's~~  
21 ~~equity accountability report must also include the following~~  
22 ~~information pertaining to candidates formally applying for~~  
23 ~~tenure:~~

24 1. ~~Rank;~~

25 2. ~~Gender;~~

26 3. ~~Ethnicity;~~

27 4. ~~The salary at which the individual was hired; and~~

28 5. ~~Comparative information including, but not limited~~  
29 ~~to, composite information regarding the total number of~~  
30 ~~positions within the particular classification for the~~  
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1 ~~university by race, gender, and the average salary or salary~~  
2 ~~range, where applicable, compared to the number of new hires.~~

3       (c) The equity report shall include an analysis and  
4 assessment of the university's accomplishment of annual goals,  
5 as specified in the university's affirmative action plan, for  
6 increasing the representation of women and minorities in  
7 tenure-earning and senior-level administrative positions. ~~The~~  
8 ~~report must also include:~~

9           1. ~~The requirements for achieving tenure;~~

10          2. ~~The gender and ethnic composition of the committees~~  
11 ~~that review tenure recommendations at the department, college,~~  
12 ~~and university levels;~~

13          3. ~~Guidelines for ensuring the equitable distribution~~  
14 ~~of assignments that would enhance tenure opportunities for~~  
15 ~~women and minority faculty; and~~

16          4. ~~Guidelines for obtaining feedback on the annual~~  
17 ~~progress towards achievement of tenure by women and~~  
18 ~~minorities.~~

19       (d) The equity report shall also include the current  
20 rank, race, and gender of faculty eligible for tenure in a  
21 category. In addition, each university shall report  
22 representation of the pool of tenure-eligible faculty at each  
23 stage of the transaction process, and provide certification  
24 that each eligible faculty member was apprised annually of  
25 progress toward tenure. Each university shall also report on  
26 the dissemination of standards for achieving tenure; racial  
27 and gender composition of committees reviewing recommendations  
28 at each transaction level; and dissemination of guidelines for  
29 equitable distribution of assignments.

30       (3)(a) A factor in the evaluation of university  
31 presidents, vice presidents, deans, and chairpersons shall be

1 their annual progress in achieving the annual and long-range  
2 hiring and promotional goals and objectives, as specified in  
3 the university's equity plan and affirmative action plan.  
4 Annual budget allocations for positions and funding shall be  
5 based on this evaluation. A summary of such evaluations ~~Such~~  
6 ~~evaluation~~ shall be submitted to the Chancellor and the Board  
7 of Regents as part of the university's annual equity report.

8 (b) ~~Beginning January 1994,~~The Chancellor and the  
9 Board of Regents shall annually evaluate the performance of  
10 the university presidents in achieving the annual equity and  
11 ~~long-term~~ goals and objectives. A summary of the results of  
12 such evaluations shall be included as part of the annual  
13 equity progress report submitted by the Board of Regents to  
14 the Legislature and the State Board of Education.

15 (4) The Board of Regents shall submit an annual equity  
16 progress report to the President of the Senate, the Speaker of  
17 the House of Representatives, Legislature and the State Board  
18 of Education on or before August ~~December~~ 1 of each year.

19 (5) Each university shall develop a budgetary  
20 incentive plan to support and ensure attainment of the goals  
21 developed pursuant to this section. The plan shall specify, at  
22 a minimum, how resources shall be allocated to support the  
23 achievement of goals and the implementation of strategies in a  
24 timely manner. After prior review and approval by the  
25 university president and the Board of Regents, the plan shall  
26 be submitted as part of the annual equity report submitted by  
27 each university to the Board of Regents.~~Effective July 1,~~  
28 ~~1993, positions that become vacant in the faculty or the~~  
29 ~~administrative and professional pay plans at a university~~  
30 ~~shall be transferred into a pool at that university to be~~  
31 ~~allocated by the administration to departments to reward~~

1 ~~department managers for attaining equity goals. Each~~  
2 ~~university president shall develop rules regarding the filling~~  
3 ~~of vacant positions and the transferring of positions into the~~  
4 ~~pool. Such rules must provide for a total cap on the vacant~~  
5 ~~position pool at 10 percent of the number of vacant positions~~  
6 ~~for the university as of the date of the preparation of the~~  
7 ~~initial operating budget for each year. The rule must also~~  
8 ~~provide that the number of positions to be transferred into~~  
9 ~~the vacant position pool, at the departmental level, may not~~  
10 ~~exceed 10 percent of the total number of authorized positions~~  
11 ~~for the department as of the date of the preparation of the~~  
12 ~~initial operating budget for each year. Subject to available~~  
13 ~~funding, the Legislature shall provide an annual appropriation~~  
14 ~~to be allocated to the department managers in recognition of~~  
15 ~~the attainment of equity goals and objectives.~~

16 (6) Relevant components of each university's  
17 affirmative action plan may be used to satisfy the  
18 requirements of this section.

19 (7) Subject to available funding, the Legislature  
20 shall provide an annual appropriation to the Board of Regents  
21 to be allocated to the universities to further enhance equity  
22 initiatives and related priorities that support the mission of  
23 departments, divisions, or colleges in recognition of the  
24 attainment of equity goals and objectives.

25 Section 2. Section 240.3355, Florida Statutes, is  
26 amended to read:

27 240.3355 Community College System employment equity  
28 accountability program.--

29 (1) ~~No later than May 1, 1993,~~ Each community college  
30 shall include in its annual equity update ~~plan must include a~~  
31 plan for increasing the representation ~~number~~ of women and

1 minorities in senior-level administrative positions and, ~~for~~  
2 ~~increasing the number of women and minorities in full-time~~  
3 ~~ranked~~ faculty positions, and for increasing the  
4 representation number of women and minorities who have  
5 attained continuing-contract status. Positions shall be  
6 defined in the personnel data element directory of the  
7 Division of Community Colleges. The plan must include specific  
8 measurable goals and objectives, specific strategies and  
9 timelines for accomplishing these goals and objectives, and  
10 comparable national standards as provided by the Division of  
11 Community Colleges ~~a time period for accomplishing these goals~~  
12 ~~and objectives~~. The goals and objectives shall be based on  
13 meeting or exceeding comparable national standards and shall  
14 be reviewed and recommended by the State Board of Community  
15 Colleges as appropriate. Such plans shall be maintained until  
16 appropriate representation has been achieved and maintained  
17 for at least 3 consecutive reporting years.

18 (2)(a) On or before May 1 of each year, each community  
19 college president shall submit an ~~the~~ annual employment  
20 accountability plan ~~equity update~~ to the Executive Director of  
21 the State Board of Community Colleges. The accountability  
22 plan ~~equity update~~ must show faculty and administrator  
23 employment data according to requirements specified on the  
24 federal Equal Employment Opportunity (EEO-6) report ~~the number~~  
25 ~~of deans, associates, assistant deans, vice presidents,~~  
26 ~~associate and assistant presidents, provosts, legal counsel,~~  
27 ~~and similar administrative positions which were filled in the~~  
28 ~~previous 12-month period.~~ Administrative positions include  
29 ~~faculty positions that, in whole or in part, are defined as~~  
30 ~~academic administration by rule and positions that are defined~~  
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1 ~~as administrative positions under the Community College~~  
2 ~~System's classification of occupational groupings.~~

3 (b) The plan report must show the following  
4 information for those positions including, but not limited to:

5 1. Job classification title.†

6 2. Gender.†

7 3. Ethnicity.†

8 4. Appointment status.†

9 5. Salary information. At each community college,  
10 salary information shall also include including the salary  
11 ranges in which new hires were employed compared to the salary  
12 ranges for employees with comparable experience and  
13 qualifications at which the individual was hired compared to  
14 the salary range for the respective position and to other  
15 employees in the same job title classification;†

16 6. Other comparative information including, but not  
17 limited to, composite information regarding the total number  
18 of positions within the particular job title classification  
19 for the community college by race, gender, and salary range  
20 compared to the number of new hires.†

21 7. A statement certifying diversity and balance in the  
22 gender and ethnic composition of the selection committee for  
23 each vacancy, including a brief description of guidelines used  
24 for ensuring balanced and diverse membership on selection and  
25 review committees.†

26 8. ~~Steps taken to develop a diverse pool of candidates~~  
27 ~~for each vacancy; and~~

28 (c) ~~9.~~ The annual employment accountability plan shall  
29 also include an analysis and an assessment of the community  
30 college's attainment accomplishment of annual goals and of  
31 long-range goals for increasing the number of women and

1 minorities in faculty and senior-level administrative  
2 positions, and a corrective action plan for addressing  
3 underrepresentation.

4 ~~(d)(c)~~ Each community college's employment equity  
5 accountability plan report must also include:

6 1. The requirements for receiving a continuing  
7 contract.†

8 2. A brief description of the process used to grant  
9 ~~The gender and ethnic composition of the committees that~~  
10 ~~review continuing-contract status. recommendations†~~

11 3. A brief description of the process used to annually  
12 appraise each eligible faculty member of progress toward  
13 attainment of continuing-contract status.~~The enhancement of~~  
14 ~~continuing-contract opportunities for women and minority~~  
15 ~~faculty; and~~

16 4. ~~Written documentation of feedback on the annual~~  
17 ~~progress towards achievement of continuing-contract status by~~  
18 ~~women and minorities.~~

19 (3) Community college presidents and the heads of each  
20 major administrative division shall be evaluated annually on  
21 the progress made toward meeting the goals and objectives of  
22 the community college's employment accountability equity  
23 update plan.

24 (a) The community college presidents, or the  
25 president's designee, shall annually evaluate each department  
26 chairperson, dean, provost, and vice president in achieving  
27 the annual and long-term goals and objectives. A summary of  
28 the results of such evaluations shall be reported annually by  
29 the president of the community college to the board of  
30 trustees. Annual budget allocations by the board of trustees

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1 for positions and funding must take into consideration these  
2 evaluations ~~this evaluation~~.

3 (b) ~~Beginning January 1994~~, Community college district  
4 boards of trustees shall annually evaluate the performance of  
5 the community college presidents in achieving the annual and  
6 long-term goals and objectives. A summary of the results of  
7 such evaluations shall be reported to the Executive Director  
8 of the State Board of Community Colleges as part of the  
9 community college's annual employment accountability plan, and  
10 to the Legislature and State Board of Education as part of the  
11 annual equity progress report submitted by the State Board of  
12 Community Colleges.

13 (4)~~(c)~~ The State Board of Community Colleges shall  
14 submit an annual equity progress report to the President of  
15 the Senate, the Speaker of the House of Representatives,  
16 ~~Legislature~~ and the State Board of Education on or before  
17 January ~~December~~ 1 of each year.

18 (5) Each community college shall develop a budgetary  
19 incentive plan to support and ensure attainment of the goals  
20 developed pursuant to this section. The plan shall specify,  
21 at a minimum, how resources shall be allocated to support the  
22 achievement of goals and the implementation of strategies in a  
23 timely manner. After prior review and approval by the  
24 community college president and the State Board of Community  
25 Colleges, the plan shall be submitted as part of the annual  
26 employment accountability plan submitted by each community  
27 college to the State Board of Community Colleges.

28 (6)~~(4)~~ Subject to available funding, the Legislature  
29 shall provide an annual appropriation to the State Board of  
30 Community Colleges to be allocated to community college  
31 presidents, faculty, and administrative personnel to further

1 enhance equity initiatives and related priorities that support  
2 the mission of colleges and departments ~~the department~~  
3 ~~managers~~ in recognition of the attainment of the equity goals  
4 and objectives.

5 Section 3. This act shall take effect July 1, 1997.

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SENATE SUMMARY

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10 With respect to the State University System and State  
11 Community College System equity accountability programs,  
12 requires each state university and community college to  
13 maintain a plan to increase the representation of women  
14 and minorities in faculty and administrative positions.  
15 Provides for the submission of reports. Requires the  
16 development of a plan for corrective action. Provides for  
17 administrative evaluations. Requires the development of  
18 a budgetary incentive plan.

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