By Representatives Turnbull, Chestnut, Mackenzie and Constantine $% \left(1\right) =\left(1\right) +\left(1\right) +\left$

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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:

240.2475 State University System employment equity accountability program.--

- (1) No later than August 1, 1992, Each state university shall maintain an annual equity develop a plan for appropriate representation increasing the number of women and minorities in senior-level administrative positions, within tenure-track faculty, and within faculty granted tenure. Such plan shall be maintained until appropriate representation has been achieved. As used in this subsection, the term:
- (a) "Appropriate representation" means category employment representation that at least meets comparable national standards for at least two consecutive reporting periods.
- (b) "Category" means major executive, administrative, and professional grouping, including senior-level administrative and professional positions, senior academic administrative-level positions, and tenure-track faculty for increasing the number of women and minorities in ranked faculty positions, and for increasing the number of women and minorities granted tenure. The plan must include specific measurable goals and objectives, specific strategies for accomplishing these goals and objectives, a time period for accomplishing these goals and objectives, and comparative national standards. The plan shall be submitted to the Legislature on or before September 1, 1992.
- (2)(a) By April 1 October 31 of each year, each state university president shall submit an annual equity accountability report to the Chancellor and the Board of Regents. The equity report shall consist of a status update, an analysis, and a status report of selected personnel transactions. As used in this paragraph, the term, "selected

personnel transactions" means new hires in, promotions into, tenure actions in, and terminations from a category. Each 2 university shall provide the job classification title, gender, 3 race, and appointment status of selected personnel 4 5 transactions. The status update shall assess 6 underrepresentation in each category. The status report shall 7 consist of current category employment representation, comparable national standards, an evaluation of 8 9 representation, and annual goals to address underrepresentation. which shows the number of administrative 10 positions in the faculty and in the administrative and 11 professional pay plans which were filled in the previous 12 13 fiscal year. Administrative positions include faculty positions that, in whole or in part, are defined as academic 14 15 administration under standard practice CM 87-17.1 and positions in the administrative and professional pay plans 16 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; 2. Gender; 22 23 3. Ethnicity; 24 4. Appointment status pursuant to chapter 6C-5.105, 25 Florida Administrative Code; 5. The salary at which the individual was hired; 26 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 31

salary range, where applicable, compared to the number of new hires;

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

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

9. An assessment of the university's accomplishment of

- annual goals and of long-range goals for hiring and promoting women and minorities in senior-level administrative positions.
- annually thereafter, for those categories in which prior year goals were not achieved, each university shall provide, in its annual equity report, a narrative explanation and a plan for achievement of equity. The plan shall include guidelines for ensuring balanced membership on selection committees and specific steps for developing a diverse pool of candidates for each vacancy in the category. The plan shall also include a systematic process by which those responsible for hiring are provided information and are evaluated regarding their responsibilities pursuant to this section. Each university's equity accountability report must also include the following information pertaining to candidates formally applying for tenure:
 - 1. Rank;

- 2. Gender;
- 3. Ethnicity;
- 4. The salary at which the individual was hired; and
- 5. Comparative information including, but not limited to, composite information regarding the total number of positions within the particular classification for the

university by race, gender, and the average salary or salary range, where applicable, compared to the number of new hires.

- assessment of the university's accomplishment of annual goals, as specified in the university's affirmative action plan, for increasing the representation of women and minorities in tenure-earning and senior-level administrative positions. The report must also include:
 - 1. The requirements for achieving tenure;
- 2. The gender and ethnic composition of the committees that review tenure recommendations at the department, college, and university levels;
- 3. Guidelines for ensuring the equitable distribution of assignments that would enhance tenure opportunities for women and minority faculty; and
- 4. Guidelines for obtaining feedback on the annual progress towards achievement of tenure by women and minorities.
- (d) The equity report shall also include the current rank, race, and gender of faculty eligible for tenure in a category. In addition, each university shall report representation of the pool of tenure-eligible faculty at each stage of the transaction process, and provide certification that each eligible faculty member was apprised annually of progress toward tenure. Each university shall also report on the dissemination of standards for achieving tenure; racial and gender composition of committees reviewing recommendations at each transaction level; and dissemination of guidelines for equitable distribution of assignments.
- (3)(a) A factor in the evaluation of university presidents, vice presidents, deans, and chairpersons shall be

their annual progress in achieving the annual and long-range hiring and promotional goals and objectives, as specified in the university's equity plan and affirmative action plan.

Annual budget allocations for positions and funding shall be based on this evaluation. A summary of such evaluations Such evaluation shall be submitted to the Chancellor and the Board of Regents as part of the university's annual equity report.

- (b) Beginning January 1994, The Chancellor and the Board of Regents shall annually evaluate the performance of the university presidents in achieving the annual equity and long-term goals and objectives. A summary of the results of such evaluations shall be included as part of the annual equity progress report submitted by the Board of Regents to the Legislature and the State Board of Education.
- (4) The Board of Regents shall submit an <u>annual</u> equity progress report to the <u>President of the Senate</u>, the <u>Speaker of the House of Representatives</u>, <u>Legislature</u> and the State Board of Education on or before <u>August</u> <u>December</u> 1 of each year.
- incentive plan to support and ensure attainment of the goals developed pursuant to this section. The plan shall specify, at a minimum, how resources shall be allocated to support the achievement of goals and the implementation of strategies in a timely manner. After prior review and approval by the university president and the Board of Regents, the plan shall be submitted as part of the annual equity report submitted by each university to the Board of Regents. Effective July 1, 1993, positions that become vacant in the faculty or the administrative and professional pay plans at a university shall be transferred into a pool at that university to be allocated by the administration to departments to reward

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

- (6) Relevant components of each university's affirmative action plan may be used to satisfy the requirements of this section.
- (7) Subject to available funding, the Legislature shall provide an annual appropriation to the Board of Regents to be allocated to the universities to further enhance equity initiatives and related priorities that support the mission of departments, divisions, or colleges in recognition of the attainment of equity goals and objectives.

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

- 240.3355 Community College System employment equity accountability program.--
- (1) No later than May 1, 1993, Each community college shall include in its annual equity update plan must include a plan for increasing the representation number of women and

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minorities in senior-level administrative positions and, for increasing the number of women and minorities in full-time ranked faculty positions, and for increasing the representation number of women and minorities who have attained continuing-contract status. Positions shall be defined in the personnel data element directory of the Division of Community Colleges. The plan must include specific measurable goals and objectives, specific strategies and timelines for accomplishing these goals and objectives, and comparable national standards as provided by the Division of Community Colleges a time period for accomplishing these goals and objectives. The goals and objectives shall be based on meeting or exceeding comparable national standards and shall be reviewed and recommended by the State Board of Community Colleges as appropriate. Such plans shall be maintained until appropriate representation has been achieved and maintained for at least 3 consecutive reporting years. (2)(a) On or before May 1 of each year, each community

college president shall submit an the annual employment accountability plan equity update to the Executive Director of the State Board of Community Colleges. The accountability plan equity update must show faculty and administrator employment data according to requirements specified on the federal Equal Employment Opportunity (EEO-6) report the number of deans, associates, assistant deans, vice presidents, associate and assistant presidents, provosts, legal counsel, and similar administrative positions which were filled in the previous 12-month period. Administrative positions include faculty positions that, in whole or in part, are defined as academic administration by rule and positions that are defined

as administrative positions under the Community College System's classification of occupational groupings.

- (b) The <u>plan</u> report must show the following information for those positions including, but not limited to:
 - 1. Job classification title. \div
 - 2. Gender.÷

- 3. Ethnicity.÷
- 4. Appointment status.÷
- 5. Salary information. At each community college, salary information shall also include including the salary ranges in which new hires were employed compared to the salary ranges for employees with comparable experience and qualifications. at which the individual was hired compared to the salary range for the respective position and to other employees in the same job title classification;
- 6. Other comparative information including, but not limited to, composite information regarding the total number of positions within the particular job title classification for the community college by race, gender, and salary range compared to the number of new hires.
- 7. A statement certifying diversity and balance in the gender and ethnic composition of the selection committee for each vacancy, including a brief description of guidelines used for ensuring balanced and diverse membership on selection and review committees.
- 8. Steps taken to develop a diverse pool of candidates for each vacancy; and
- (c)9. The annual employment accountability plan shall also include an analysis and an assessment of the community college's attainment accomplishment of annual goals and of long-range goals for increasing the number of women and

minorities in <u>faculty and</u> senior-level administrative positions, and a corrective action plan for addressing underrepresentation.

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

- 2. A brief description of the process used to grant
 The gender and ethnic composition of the committees that
 review continuing-contract status. recommendations;
- 3. A brief description of the process used to annually apprise each eligible faculty member of progress toward attainment of continuing-contract status. The enhancement of continuing-contract opportunities for women and minority faculty; and
- 4. Written documentation of feedback on the annual progress towards achievement of continuing-contract status by women and minorities.
- (3) Community college presidents and the heads of each major administrative division shall be evaluated annually on the progress made toward meeting the goals and objectives of the community college's employment accountability equity update plan.
- (a) The community college presidents, or the president's designee, shall annually evaluate each department chairperson, dean, provost, and vice president in achieving the annual and long-term goals and objectives. A summary of the results of such evaluations shall be reported annually by the president of the community college to the board of trustees. Annual budget allocations by the board of trustees

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

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

(4)(c) The State Board of Community Colleges shall submit an annual equity progress report to the <u>President of the Senate</u>, the Speaker of the House of Representatives, <u>Legislature</u> and the State Board of Education on or before January December 1 of each year.

incentive plan to support and ensure attainment of the goals developed pursuant to this section. The plan shall specify, at a minimum, how resources shall be allocated to support the achievement of goals and the implementation of strategies in a timely manner. After prior review and approval by the community college president and the State Board of Community Colleges, the plan shall be submitted as part of the annual employment accountability plan submitted by each community college to the State Board of Community Colleges.

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

enhance equity initiatives and related priorities that support the mission of colleges and departments the department managers in recognition of the attainment of the equity goals and objectives. Section 3. This act shall take effect July 1, 1997. ********** SENATE SUMMARY With respect to the State University System and State Community College System equity accountability programs, requires each state university and community college to maintain a plan to increase the representation of women and minorities in faculty and administrative positions. Provides for the submission of reports. Requires the development of a plan for corrective action. Provides for administrative evaluations. Requires the development of a budgetary incentive plan a budgetary incentive plan.