

Additional Information
April 28, 2020 Board Meeting

The following additional information was provided regarding the April 28 Board meeting agenda:

Item 3.c, Agreement with Stamats Communications for NOCE Digital Marketing Campaign:

1. This work sounds useful, but the timing for it seems off. The contract is for 12 months; the description implies that the first six months (starting May 1) will be spent planning and developing a marketing campaign, and the second six months will involve evaluating the success of the campaign. But it may be 4-6 months (or longer) before we even know what programs will be going forward and in what format, or even whether in-person classes will be held. Any marketing planning in the near future that is based on guesses about what will happen, or that assumes things will just go back to the way they were before, seems likely to be off base and wasted effort.

It makes more sense to wait for perhaps six months and evaluate then whether the situation is stable enough to justify planning a marketing campaign. Maybe it will be, or maybe an even longer delay will be advisable. **Now, more than ever, NOCE needs to invest in digital marketing efforts to reduce expected enrollment drops. The timing of the contract was planned carefully to cover the fall and spring term registration periods. The media buys will include ensuring that NOCE programs are on top of the list when searched by Google, and that NOCE offerings are advertised through main social media outlets like Facebook and online radio. Advertisements can be developed to introduce Distance Education instruction or in-person instruction, so there is much flexibility. With so many people at home and engaged online, NOCE wants to capitalize on the opportunity to advertise its programs – whether they are offered face-to-face or remotely. With so many facing unemployment and underemployment this is a critical time for NOCE to inform the community about options for gaining job-specific skills in a quick manner.**

Item 4.a, FEMA Public Assistance Grant:

1. Aside from hardware, software, and personnel, are there any other costs that could further assist students (i.e. food, emergency grants, etc.)? **The FEMA Public Assistance Grant for the current pandemic is for reimbursement of 75% of costs of emergency protective measures that are incurred by the organization to protect the public health and safety. At this point, guidance related to this is not very clear and we don't have any definitive information yet. Staff's interpretation is that this funding is going to be very restrictive. However, we intend to try to participate in this funding to the extent possible, which is why we have submitted this agenda item and resolution for approval.**

In addition to possible FEMA Public Assistant Grant Reimbursements, Fullerton College and Cypress College have applied for and received CARES Act funds, which are less restrictive. A minimum of 50% of the funds must be used for direct aid to students and the remaining 50% may be used for COVID-19 related expenses.

Item 5.b, Classified Personnel Listing:

1. Promotion: NOCE LEAP Program Manager: How many applications were received for this position and how many applicants were interviewed for this position? **55 applications were submitted for this position. 50 applicants met the minimum qualifications and were reviewed by the search committee. Six applicants were invited for a first-round interview and five applicants accepted the invitation and were interviewed.**

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2. Promotion: NOCE LEAP Program Manager: How much in dollars will the promoted employee receive per Range 14, Column B? **A manager at range 14, column B on the salary schedule receives \$90,250.**

Item 5.e., Classified Reclassifications: **Attached, for reference, is an excerpt from the February 25, 2020 “Additional Information” that was provided when the Associate Vice Chancellor of Human Resources was originally presented and pulled from the agenda.**

1. Regardless if you're classified, confidential, and management, do all approved reclassifications get retroactive pay? **Yes. The process is outlined in AP 7230-13, Confidential Employee Classification Review; AP 7240-13, Management Employee Classification Review; and the CSEA Collective Bargaining Agreement, Article 18.**

Item 6.a, Re-adoption of BP 2015, Student Members:

1. What process would entail to include NOCE a student trustee? **The Education Code states, “The students selected to serve on the governing board, shall be enrolled in a community college of the district and shall be chosen, and shall be recalled, by the students enrolled in the community colleges of the district in accordance with procedures prescribed by the governing board.” The District’s current Board Policy also states that students must have completed 12 units prior to being elected, and must maintain enrollment in a minimum of 5 units and a 2.0 GPA. The fact that NOCE is currently classified as a “Center,” does not have an Associated Student body, and that students must maintain unit and grade point average requirements are barriers to having an NOCE student trustee.**

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Item 5.b, Classified Personnel:

1. What process was used for the reclassification? Who is eligible for reclassification? **The North Orange County Community College District has approved procedures to address classification review requests for classified, confidential, and management employees. Classification Review procedures for management and confidential employees were approved in 2008 (AP 7230-13, AP 7240-13). Classification Review procedures for classified employees were approved through the collective bargaining agreement and are found in Article 18.**

In general, a reclassification is approved after the committee evaluates the employee's current duties, responsibilities, scope, complexity, impact, and the minimum qualifications necessary to perform the job duties in comparison to the employee's original job description. Classified employees' reclassification requests are reviewed twice a year, while the confidential and management employees' reclassification requests are reviewed once a year. The Classification Review Committee may determine and make a recommendation that results in a change to the job description and/or salary grade. The Vice Chancellor, Human Resources, reviews the recommendation and recommends a course of action to the Chancellor. The decision of the Chancellor is final for the confidential and management classification reviews; the decision of the Vice Chancellor is final for the classified classification reviews. The action is then placed on the Board agenda for approval.

2. How many employees have been reclassified in this past few years?

Employee Group	Number of Requests Submitted to Committee	Committee Approved	Board Approved
Classified (Spring 2018 – Spring 2019)	41	25	25
Management (2016 – 2019)	10	4*	3

*One pending February 25, 2020 Board approval

3. What are the differences in the approval processes for reclassification, reorganization, and new positions?

Reclassification: Occurs when an employee requests a classification review through the administrative procedures or collective bargaining agreement. A reclassification arises out of the classification review process in which an employee's current job duties are evaluated compared to the original job description and does not result in a net increase in the number of employees (Title 5 §53021). The job description is then updated to reflect the additional or changed job duties, title, and/or salary range. If recommended and approved, the new position is placed on the Board agenda. Once approved by the Board, the salary schedule is updated to reflect the Board's action.

Approval: The approval begins with a recommendation from the classification review committee, a determination by the Vice Chancellor of Human Resources, approval by the Chancellor, and placement on the Board agenda for final approval.

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Reorganization: Occurs when a department reorganizes and that reorganization does not result in a net increase in the number of employees. (Title 5 §53021)

Approval: The approval begins with the submission of the new department organizational structure, collegial consultation with the appropriate committees, a review by the Vice Chancellor of Human Resources, approval by the Chancellor, and placement on the Board agenda for approval.

New Position: Occurs when a new position is established, resulting in an increase in the number of employees in the department. This requires an open recruitment to fill the new vacancy (Title 5 §53021).

Approval: The approval begins with the creation of the new job description, collegial consultation with the appropriate committees, a recommendation by the Vice Chancellor of Human Resources, approval by the Chancellor, and placement on the Board agenda for approval.

4. Page 5.b.5 states that this is a 'new classified management job' If this is a new job, why is this an appointment and not subject to the established hiring procedure for new positions? **This is not a new job or position; it is a new job description that reflects the duties being performed by the existing employee. Reclassifications do not result in a hiring process because the incumbent has already been performing the duties and the recommendation of the committee is that the employee be reclassified to the Associate Vice Chancellor of Human Resources.**
5. How did the Associate Vice Chancellor, Human Resources reclassification come about? **On July 18, 2019, the District Director, Human Resources requested a classification review. On August 5, 2019, the Management Classification Review Committee ("Committee") reviewed the proposed reclassification request for the District Director, Human Resources, salary range 32, and recommended the position be reclassified to the Associate Vice Chancellor, Human Resources, salary range 39 (Management classification; not Executive Officer classification).**

To come to the recommendation, the Committee reviewed the provided materials and analyzed how the position has changed significantly, supervision exercised and received, impact and authority for decisions, and scope and level of complexity. In addition, the Committee reviewed the justification for the salary placement at the range of 39, discussing the salary comparisons related to positions doing similar work, and considered internal equity.

The Chancellor was provided the Committee recommendation and determined the salary placement needed further consideration. After research, the Chancellor determined the Associate Vice Chancellor, Human Resources should be placed at a salary range of 37. This has been placed on the February 25, 2020 Board agenda for approval.

The request for classification review for the District Director, Human Resources position followed the established NOCCCD administrative procedures and approval processes.

6. When was the reclassification process of the District Director, Human Resources to Associate Vice Chancellor, Human Resources initiated? Did this take place during the time specified in BP/AP? **July 18, 2019. Yes, the window to submit for reclassification is between July 1 and July 20 each year.**

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7. Who else was in those meetings and when did those meetings take place? **The Committee is comprised of one (1) regular management employee appointed by the Vice Chancellor of Human Resources or designee, and two (2) regular management employees appointed by the District Management Association. In this case, the Vice Chancellor of Human Resources recused herself and designated Simone Brown Thunder, District Manager of Human Resources to chair the committee. The meeting took place on August 5, 2019.**

8. BP/AP outlines the membership of the reclassification committee, with the District Director of Human Resources chairing the committee. For the new Associate Vice Chancellor position, did the Director chair the reclassification meetings for their own reclassification? **Per AP 7240-13 the Vice Chancellor of Human Resources typically chairs the Committee, not the District Director of Human Resources. The Classification Review Committee consists of the Vice Chancellor of Human Resources or designee, one (1) regular management employee appointed by the Vice Chancellor of Human Resources or designee, and two (2) regular management employees appointed by the District Management Association. In this case, the Vice Chancellor of Human Resources recused herself from the interview and deliberation process and designated Simone Brown Thunder, District Manager of Human Resources to chair the committee.**

9. What are the implications if this reclassification is not approved? **The duties currently being performed by the District Director, Human Resources that are outside of the scope of the classification will have to be performed by outside counsel for additional legal fees. These duties include, but are not limited to:**
 - **Legal representation related to EDD, Department of Industrial Relations, civil litigation**
 - **504 compliance**
 - **Workers compensation**
 - **Unlawful discrimination**
 - **Accommodations**

10. How does AP 3100 on Organization Structure apply to a reclassification? **AP 3100 offers direction for when a reorganization of substantial areas of a department or system needs to take place. It is most often used when a gap occurs in an internal process and work is not getting done because of structural issues.**

The Reclassification Administrative Procedures (AP 7240-13 for Managers, AP 7230-13 for Confidentials), and Article 18 of the Classified contract affect one person/one job description. It is used when an existing employee feels that their duties have been significantly, consistently, and permanently changed and that they are now working out of class.