



**Update on DEIA,
Faculty Evaluations
& Title 5**

FEBRUARY 26TH,
2024

DEIA Legal Overview

Changes in Title 5 in 2023 ([effective April 16, 2023](#))

- Change in minimum qualifications for employment in a California Community District
- New regulations for DEIA and evaluation & tenure review processes ([Subchapter 7](#))

New Requirements:

- Districts must include DEIA competencies & criteria as a minimum standard for evaluating employee performance
- Districts must give *significant emphasis* on DEIA competencies in evaluation and tenure process

Title 5 Requirements - DEIA Competencies & Criteria

Cal. Code Regs. tit. 5 § 52510

Competencies

refer to skills, knowledge, abilities, and behaviors all employees must demonstrate and utilize in interactions with students and colleagues, and the performance of their job duties

Cultural competency

Self-reflection

Self-improvement

DEI Pedagogy & Curriculum

Data

DEI & Mission

Criteria

refer to the elements used in employee evaluation and tenure review processes to measure performance.

Service

Self-assessment

DEI Environment

Pedagogy/Curriculum

Professional Development

Connection to Mission

Employee Interactions

Background on Title 5 - DEIA Competencies & Criteria

Code Regs. tit. 5 § 53601 - [Chancellor's Publication of DEIA Competencies & Criteria](#)

- Charges Chancellor's office to adopt and publish guidelines that are used for reference by local community college district performance evaluation & faculty tenure review
- Integration and implementation is district-specific

Code Regs. tit. 5 § 53602 - Advancing Diversity, Equity, Inclusion, and Accessibility in Evaluation and Tenure Review Processes

- Requires that districts adopt policies that require **demonstrated, or progress toward, proficiency** in the locally-developed DEIA competencies (bold added)
- Requires that districts ensure clarity around new evaluation expectations, including training for evaluators, as well as professional development and opportunities for district employees to work toward and demonstrate competencies and criteria

New Requirements for Faculty Members

Code Regs. tit. 5 § 53605 - Classification-Specific DEIA Obligations

- Faculty members shall employ teaching, learning, and professional practices that reflect DEIA and anti-racist principles, and in particular, respect for, and acknowledgement of the diverse backgrounds of students and colleagues to improve equitable student outcomes and course completion.

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****Any policy changes must seek to emphasize employee growth & development**

Implementation

- **Ed. Code § 87663**
 - Evaluations are a mandatory subject of negotiations
 - The Academic Senate must have an opportunity to provide input on the evaluation process
- FA and District undertook review and revision of **self-evaluation form**
 - discussed in exec FA23
- EDC has expressed necessity of revision to peer-evaluation process (introduced ASR FA23)

Questions to discuss:

What *'input'* do we as a governing body want to give?

How do we work toward consensus?

To what extent does the AS want to make its stance publicly known?

Next steps...?