

To: San Diego Miramar College Administrative Leadership Team

From: Bill H. Pacheco, Multimedia Specialist, Janette Moore, Classified Senate Vice President, Pablo Martin, Academic Senate President, Glenn Magpuri, Instructional Support Supervisor, Ryan Roper, ICS Network Specialist

Subject: Equity concerns with reorganization planning and execution

Date: December 6th, 2022

Greetings, members of the San Diego Miramar College Administrative leadership team. We write to you today to express our concern with the reorganizational changes being formally proposed to the SDCCD Board of Trustees at the December 15, 2022 meeting. We acknowledge that college structures are ever-evolving and that change and innovation often come with growing pains. They also require difficult administrative choices. Nothing in this letter should be construed as an opposition to these reorganization efforts in themselves, nor should they be read as a critique of the qualifications of any employees slated for "reclassification." This letter addresses two specific objectives: 1) Ensuring that decisions around employment follow equity policies and, 2) Promotions center on equal access and qualifications¹. Every qualified person, including those currently serving at Miramar, should be afforded the opportunity to serve in these newly "reclassified" roles.

After careful review of the proposed changes and numerous dialogues with Miramar's Administrative leadership, the authors of this letter feel that the Administration is failing to make a good-faith effort to adequately incorporate District-mandated pro-equity policies, procedures, and considerations into the reorganization's planning and execution.² Moreover, the choice to identify or label three newly created Director positions³ as reclassifications, rather than as new positions, warrants revisiting. These positions could have been identified as new positions, i.e. vacancies, especially considering the Audiovisual Technology Instructional Support Supervisor duties are now being absorbed into the Technology Director role. In its current form, the proposed Administrative Services reorganization unduly deprives women, people of color, and other historically-marginalized groups equal employment

¹ Under San Diego Community College District Administrative Procedure section 4200.6, "EMPLOYMENT OF MANAGERS," the "basic considerations" required for the "selection and employment" of management personnel include "quality leadership for the District and compliance with the Districts EEO Policy" (emphasis added). District EEO policy requires open recruitment.

² 2020 - 2023 SDCCD Equal Employment Opportunity Plan p. 21 – "Equal employment opportunity means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the District. Equal employment opportunity should exist at all levels and in all job categories. Ensuring equal employment opportunity involves creating an environment that welcomes men, women, persons with disabilities, and individuals from all ethnicities and other groups. This environment also fosters cooperation, acceptance, democracy, and free expression of ideas."

³ The three new dean-level Director positions are: Director of Administrative Services, Director of College Facilities and Operations, and Director of Technology.

opportunity under State law and District policy.⁴ It is exactly these groups who are increasingly under-represented at Miramar in technology leadership and other Classified roles.

This reorganization offers Miramar an opportunity to eliminate these gaps among historically underrepresented groups within our campus and District. Given the nature of this opportunity, we feel the failure to hold an open recruitment for the positions, thereby denying women and people of color the opportunity to apply, serves as a tacit endorsement of the structural and implicit racism our State and District have pledged to proactively eliminate.⁵

In short, we ask the following:

1. That the Miramar Administration put a hold on implementing the Administrative Services reorganization plan so that the campus has the opportunity to coordinate and execute full and fair, equity-focused policies and procedures with campus constituencies in a manner consistent with their obligations under State and District policy.⁶
2. We further ask that, upon the reorganization's approval, all proposed Director positions be opened for recruitment to the general public.
3. Further, we ask that the Miramar Administration, and all other colleges in the SDCCD, submit a Waiver Request and Equity Impact Statement (EIS) in the absence of holding an open recruitment for any new position.⁷

⁴ Cal. Code Regs. tit. 5 § 53021 provides: “[C]ommunity college districts shall actively recruit from both within and outside the district work force to attract qualified applicants for all vacancies. This shall include outreach designed to ensure that all persons are provided the opportunity to seek employment with the district. The requirement of open recruitment shall apply to all full-time and part-time vacancies in all job categories and classifications, including, but not limited to, faculty, classified employees, categorically funded positions, and all executive/administrative/managerial positions.” See also 2020 - 2023 SDCCD Equal Employment Opportunity Plan p. 21.

⁵ To paraphrase the State of California, institutional racism, discrimination, and biases exist and must be proactively “eradicated” (see Cal. Cod. Regs. Tit. 5 §51201 (c) and (d)). This means that “all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the District” (2020 - 2023 SDCCD EEO Plan p. 21). These concerns are explicitly addressed the ASCCC’s mission statement as well: <https://asccc.org/about/mission>.

⁶ See Cal. Code Regs. tit. 5 § 53021 et seq., the 2020 - 2023 San Diego Community College District Equal Employment Opportunity Plan, San Diego Miramar College Strategic Goal V: Diversity, Equity, and Inclusion (DEI), and other applicable laws and regulations.

⁷ The Waiver and EIS shall provide a longitudinal data and analysis concerning the effects and implications of the appointment on historically-marginalized and underrepresented groups within the campus, District, and and State of California, and shall be reviewed and approved by a Board-designated EEO representative, the District Board of Trustees, and the campus constituencies. Note that gathering and analyzing longitudinal data on underrepresented historically-marginalized populations is already required under the SDCCD 2020 - 2023 EEO Plan (see p. 23). It should be further noted that, based on

4. We ask that Miramar Administration work with the SDCCD's Office of People, Culture, and Technology Services (or establish a task force consisting of at least one EEO representative and members from each campus constituency) to develop an outreach plan ensuring women, people of color, and other historically-marginalized groups are well-represented in the hiring pool for the three Director positions.⁸
5. Finally, we ask that college leadership enforce, and ideally seek to expand, existing policies and procedures further outlining and affirming the duty of *all District personnel* to hold open and transparent recruitments whenever possible.

We thank you for your time and consideration in this matter. We look forward to working together with you to bring stronger representation, opportunity, and support to marginalized student and employee populations at San Diego Miramar College.

Sincerely, the San Diego Miramar College employees and constituencies:

Bill H. Pacheco, Multimedia Specialist
Janette Moore, Classified Senate Vice President
Pablo Martin, Academic Senate President
Glenn Magpuri, Instructional Support Supervisor
Ryan Roper, ICS Network Specialist

[Note: The final draft of this letter was completed at 10:45am on 12/6/2022; accordingly, we had limited time to add signatories prior to the A.S. meeting at 3:30.]

the District's own longitudinal studies, LatinX populations are presently grossly underrepresented in Classified positions within the District (2020 - 2023 SDCCD EEO Plan p. 15).

⁸ However, the best way to guarantee that we have the most qualified people for the positions is to hold an open and competitive recruitment with sufficient good-faith outreach to underrepresented groups. (Under San Diego Community College District Administrative Procedure section 4200.6, "EMPLOYMENT OF MANAGERS," the "basic considerations" required for the "selection and employment" of management personnel include "quality leadership for the District and compliance with the Districts EEO Policy" (emphasis added). District EEO policy requires open recruitment.)