

NYC
**Equal Employment
Practices Commission**

Cesar A. Perez, Esq.
Chair

Angela Cabrera
Malini Cadambi Daniel
Elaine S. Reiss, Esq.
Arva R. Rice
Commissioners

Charise L. Hendricks, PHR
Executive Director

Judith Garcia Quiñonez, Esq.
Deputy Director/Agency Counsel

253 Broadway
Suite 602
New York, NY 10007

212. 615. 8939 tel.
212. 615. 8931 fax

August 15, 2013

Dennis M. Walcott
Chancellor
New York Department of Education
52 Chambers Street
New York, NY 10007

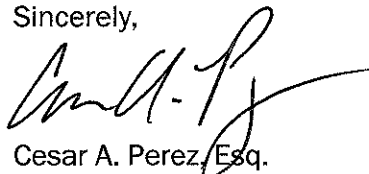
Re: Resolution #13/17-740C: Determination of Agency Compliance

Dear Chancellor Walcott:

On behalf of the members of the Equal Employment Practices Commission (EEPC or Commission), I want to formally inform you that the Commission has issued the attached Determination of Compliance to the Department of Education (DOE). This Commission has determined that the DOE has implemented the required corrective actions deemed necessary by this Commission for ensuring a fair and effective affirmative employment program of equal opportunity as required by Chapters 35 and 36 of the New York City Charter.

On behalf of this Commission, I want to thank you and Executive Director of the Office of Equal Opportunity & Diversity Management Mecca Santana for the cooperation extended to the EEPC during the compliance-monitoring period.

Sincerely,



Cesar A. Perez, Esq.
Chair

c: Mecca Santana, Esq., Executive Director OEO, DOE
Judith García Quiñonez, Esq., Deputy Director/Agency Counsel

**EQUAL EMPLOYMENT PRACTICES COMMISSION
CITY OF NEW YORK**

RESOLUTION #13/17-740C: Determination of **Compliance** by the New York City Department of Education with the Equal Employment Practices Commission's required corrective actions pursuant to the audit and analysis of its Equal Employment Opportunity Program.

Whereas, pursuant to Chapter 36, Section 831(d)(2) and (5) of the New York City Charter, the Equal Employment Practices Commission is authorized to audit and evaluate the employment practices, programs, policies, and procedures of city agencies and their efforts to ensure fair and effective equal employment opportunity for minority group members and women, and to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

Whereas, pursuant to Chapter 36, Section 831(d)(2), this Commission has adopted *Uniform Standards for EEPC Audits* and *Minimum Equal Employment Opportunity Standards for Community Boards* to assess agencies' EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; and

Whereas, pursuant to its audit and analysis of the New York City Department of Education's (DOE) EEO Program, the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated October 24, 2012, setting forth its findings and required corrective actions; and

Whereas, the DOE responded to the EEPC's preliminary determination letter, during an Audit Completion Meeting on December 27, 2012, with its intentions to rectify the areas of non-compliance identified in the preliminary determination; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued a final determination on January 15, 2013, including such recommended corrective action as the Commission deemed appropriate; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the DOE for a period not to exceed six months, from February through July, 2013, to determine whether it implemented the aforementioned required corrective actions; and

Whereas, the DOE implemented Corrective Action #1, which states: All agency recruitment literature should indicate that the agency is an equal opportunity employer; and

Whereas, the DOE implemented Corrective Action #2, which states: The agency head

should direct supervisors/managers to conduct annual formal performance evaluations of the employees under their supervision. Completion of annual evaluations for all individuals who are employed by the agency should be documented; and

Whereas, the DOE implemented Corrective Action #3, which states: The agency's managerial performance evaluation form should contain a rating for EEO (which covers responsibilities and processes for assuring that people are appropriately employed, effectively and efficiently utilized, and dealt with in a fair and equitable manner); and

Whereas, since Section 815.a.(15) of the New York City the Charter requires the agency head to ensure and promote equal employment opportunity, after implementation of the above recommendations, on June 11, 2013, the DOE Chancellor distributed an e-mail to all staff informing them of the changes that have been implemented in the agency's EEO program pursuant to the EEPC's audit. This memorandum re-emphasized the agency head's commitment to the agency's Equal Employment Opportunity Program; and

Whereas, all of the EEPC's required corrective actions are consistent with, federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; Now Therefore,

Be It Resolved,
that the New York City Department of Education has implemented the required corrective actions deemed necessary to ensure compliance with equal employment opportunity pursuant to the requirements of Chapters 35 and 36 of the City Charter.

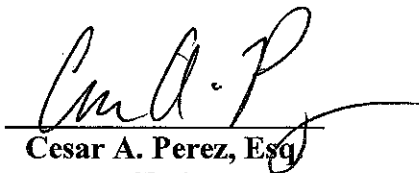
Be It Finally Resolved,
that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward this Determination to Dennis M. Walcott, Chancellor of the New York City Department of Education.

Approved unanimously on August 15, 2013.

Arva R. Rice
Commissioner

Elaine S. Reiss, Esq.
Commissioner

Malini Cadambi Daniel
Commissioner


Cesar A. Perez, Esq.
Chair