

Hartnell Community College District Equal Employment Opportunity Plan



HARTNELL COLLEGE

**Approved by the
Board of Trustees
on May ----, 2019
Review Due by June 2022**

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I. Introduction

Hartnell College provides a welcoming work environment that embraces its roots within the Salinas Valley community it serves, and that prepares its students to be leaders within the global community.

This Equal Employment Opportunity Plan reflects the college's commitment to diversity, inclusion, and equal employment opportunity. First adopted by the governing board on June 4, 2013, this Plan has been reviewed by the EEO Advisory Committee every year since then, and this revised version was adopted by the governing board on **May 21 2019**, following broad review by the college's participatory governance councils.

It is the District's belief that taking active and vigorous steps to ensure equal employment opportunity and creating a working and academic environment that is welcoming to all persons will foster diversity and promote excellence. Indeed, the Board of Trustees, has adopted a Vision, Mission, and Values Statements policy, Board Policy 1200, which includes a value of "Diversity, Equity, and Inclusion" that reads, "We embrace and celebrate differences and uniqueness among all students and employees. We welcome students and employees of all backgrounds."

Before the college adopted its current strategic plan (2019-2024) that focuses on core student outcomes aligned with several statewide initiatives (completion, completion efficiency, transfer, and post-college student employment), it had adopted and implemented a plan for the years 2013-2018 built on six strategic priorities. Priority 3 was "employee diversity and development," and several of the targeted outcomes in that plan were represented in and bolstered by the activities described in this and previous EEO Plans. The college's progress on this strategic priority were chronicled on its institutional planning and effectiveness webpages, and remain part of the fabric of this college.

The college's vision, mission, and values and this EEO Plan express our belief that, through an educational experience in a welcoming and inclusive environment, our students will be better prepared to work and live in an increasingly global society.

This Plan includes multiple steps the college will take to support and promote equal employment opportunity, ensure nondiscriminatory practices, and remedy underrepresentation of groups through fair and equitable recruitment and hiring. It contains a longitudinal analysis of the demographic makeup of the District's workforce, establishes an Equal Employment Opportunity Advisory Committee, and includes various methods to support equal employment opportunity and a learning and work environment that is welcoming to all.

To properly serve a growing diverse population, the District is committed to hiring and retaining faculty and staff who are sensitive to, and knowledgeable of, the needs of the continually changing student body it serves.

Willard Clark Lewallen

Superintendent/President



II. Definitions

CCR Title 5, § 53001

This section contains definitions of key words and phrases used throughout this Plan. These definitions are taken from or conform to definitions found in Title 5 of the California Code of Regulations, § 53001, as well as to state and federal anti-discrimination laws.

- a) *Adverse Impact*: means that a statistical measure (such as those outlined in the EEO Commission's *Uniform Guidelines on Employee Selection Procedures*) is applied to the effects of a selection procedure and demonstrates a disproportionate negative impact on any group protected from discrimination pursuant to Government Code § 12940. A disparity identified in a given selection process will not be considered to constitute adverse impact if the numbers involved are too small to permit a meaningful comparison.
- b) *Diversity*: means a condition of broad inclusion in an employment environment that offers equal employment opportunity for all persons. It requires both the presence, and the respectful treatment, of individuals from a wide range of ethnic, racial, age, national origin, religious, gender, sexual orientation, disability, and socioeconomic backgrounds.
- c) *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 in the seven job categories, which include executive/administrative/managerial, faculty and other instructional staff, professional non-faculty, secretarial/clerical, technical and paraprofessional, skilled crafts, and service and maintenance. Equal employment opportunity also involves:
 - (1) identifying and eliminating barriers to employment that are not job related; and
 - (2) creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas and is welcoming to men and women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination pursuant to Government Code § 12940.
- d) *Equal Employment Opportunity Plan*: means a written document in which a district's work force is analyzed and specific plans and procedures are set forth for ensuring equal employment opportunity.
- e) *Equal Employment Opportunity Programs*: means all the various methods by which equal employment opportunity is ensured. Such methods include, but are not limited to, using non-discriminatory employment practices, actively recruiting, monitoring, and taking additional steps consistent with the requirements of Title 5, § 53006.
- f) *Ethnic Group Identification*: means an individual's identification in one or more of the ethnic groups reported to the Chancellor pursuant to Title 5, § 53004. These groups shall be more specifically defined by the Chancellor consistent with state and federal law.

- g) *In-house or Promotional Only Hiring*: means that only existing District employees are allowed to apply for a position.
- h) *Monitored Group*: means those groups identified in Title 5, § 53004(b) for which monitoring and reporting is required pursuant to Title 5, § 53004(a).
- i) *Person with a Disability*: means any person who (1) has a physical or mental impairment as defined in Government Code, § 12926 which limits one or more of such person's major life activities, (2) has a record of such an impairment, or (3) is regarded as having such an impairment. A person with a disability is "limited" if the condition makes the achievement of the major life activity difficult.
- j) *Reasonable Accommodation*: means the efforts made on the part of the District in compliance with Government Code § 12926.
- k) *Screening or Selection Procedures*: means any measure, combination of measures, or procedures used as a basis for any employment decision. Selection procedures include the full range of assessment techniques, including but not limited to, traditional paper and pencil tests, performance tests, and physical, educational, and work experience requirements, interviews, and review of application forms.
- l) *Significantly Underrepresented Group*: means any monitored group for which the percentage of persons from that group employed by the District in any job category listed in Title 5, § 53004(a) is below eighty percent (80%) of the projected representation for that group in the job category in question.

III. Policy Statement

CCR Title 5, § 53002

The Hartnell Community College District is committed to the principles of equal employment opportunity and will implement a comprehensive program to put those principles into practice.

It is the District's policy to ensure that all qualified applicants for employment and all employees have full and equal access to employment opportunity, and are not subjected to discrimination in any program or activity of the District on the basis of ethnic group identification, race, color, national origin, religion, age, sex, disability, ancestry, sexual orientation, marital status, veteran status, medical condition, or on the basis of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

The District's Board Policy 7100 states:

The District is committed to employing qualified administrators, faculty, and staff members who are dedicated to student success. The Board recognizes that diversity in the academic environment fosters cultural awareness, promotes mutual understanding and respect, and provides suitable role models for all students. The Board is committed to hiring and staff development processes that support the goals of equal opportunity and diversity, and provide equal consideration for all qualified candidates.

The District will strive to achieve a workforce that is welcoming to men, women, persons with disabilities, individuals from all ethnic and other groups, including all individuals in legally protected categories to ensure the District provides an inclusive educational and employment environment. Such an environment fosters cooperation, acceptance, democracy and free expression of ideas.

An Equal Employment Opportunity Plan will be maintained to ensure the implementation of equal employment opportunity principles that conform to federal and state laws.

IV. Delegation of Responsibility, Authority and Compliance

CCR Title 5, §§ 53003(c) (1) and 53020

It is the goal of the Hartnell Community College District that all employees promote and support equal employment opportunity, because equal employment opportunity requires a commitment and a contribution from every segment of the District. The general responsibilities for the prompt and effective implementation of this Plan are set forth below.

1. Governing Board

The governing board is ultimately responsible for proper implementation of the District's Plan at all levels of District and college operation, and for ensuring equal employment opportunity as described in the Plan.

2. Superintendent/President

The governing board delegates to the superintendent/president the responsibility for ongoing implementation of the Plan and for providing leadership in supporting the District's equal employment opportunity policies and procedures. The superintendent/president shall advise the governing board concerning statewide policy emanating from the Board of Governors of the California Community Colleges and direct the publication of an annual report on Plan implementation. The superintendent/president shall evaluate the performance of all administrative staff who report directly to him/her on their ability to follow and implement the Plan.

3. Equal Employment Opportunity Officer

The District has designated its associate vice president of human resources and equal employment opportunity as its equal employment opportunity officer who is responsible for the day-to-day implementation of the Plan. If the designation of the equal employment opportunity officer changes before this Plan is next revised, the District will notify employees and applicants for employment of the new designee. The equal employment opportunity officer is responsible for administering, implementing, and monitoring the Plan and for assuring compliance with the requirements of Title 5, §§ 53000 et seq. The equal employment opportunity officer is also responsible for receiving complaints described in Plan section 6 and for ensuring that applicant pools and selection procedures are properly monitored.

4. Equal Employment Opportunity Advisory Committee

The District has established and will maintain an Equal Employment Opportunity Advisory Committee to act as an advisory body to the equal employment opportunity officer and the District as a whole to promote understanding and support of equal employment opportunity policies and procedures. The Equal Employment Opportunity Advisory Committees shall assist in the implementation of the Plan in conformance with state and federal regulations and guidelines, monitor equal employment opportunity progress, and provide suggestions for Plan revisions as appropriate.

5. Agents of the District

Any organization or individual, whether or not an employee of the District, who acts on behalf of the governing board with regard to the recruitment and screening of personnel, is an agent of the District and is subject to all the requirements of this Plan.

6. Good Faith Effort

The District shall make a continuous good faith effort to comply with all the requirements of its Plan.

V. Advisory Committee

CCR Title 5 § 53005

The District has established an Equal Employment Opportunity Advisory Committee to assist the District in implementing its Plan. The committee also will assist in promoting an understanding and support of equal opportunity and non-discrimination policies and procedures. The committee may sponsor events, training, or other activities that promote equal employment opportunity, non-discrimination, retention, and diversity.

The advisory committee shall receive training from the equal employment opportunity officer and/or other knowledgeable persons in all of the following:

- (a) the requirements of this subchapter and of state and federal nondiscrimination laws;
- (b) identification and elimination of bias in hiring;
- (c) the educational benefits of workforce diversity; and
- (d) the role of the advisory committee in carrying out the District's EEO plan.

The committee shall include a diverse membership whenever possible. A substantial good faith effort to maintain a diverse membership is expected. If the District has been unable to meet this requirement, it will document that efforts were made to recruit advisory committee members who are members of monitored groups.

Committee meetings will be open to all who desire to make a contribution toward the District's goal of supporting and enhancing diversity.

The committee must have at least two (2) classified, two (2) faculty, and one (1) administrative (manager, supervisor) staff member, in addition to the EEO Officer, who shall co-chair the committee. A co-chair shall be elected from the other members of the committee. The committee also may have up to two (2) students and two (2) community members. Community representatives, who shall be appointed by the superintendent/president, shall represent organizations that have a priority interest in equal employment opportunity and the fair treatment of all. The membership of the committee shall be at least six (6) and not more than fifteen (15) members. A quorum is half of current members of the committee. The Equal Employment Opportunity Advisory Committee shall hold a minimum of four (4) meetings per fiscal year, with additional meetings if needed to review EEO and diversity efforts, programs, policies, and progress. When appropriate, the advisory committee shall make recommendations to the governing board, the chief executive officer, and the equal employment opportunity officer.

VI. Complaints

CCR Title 5 §§ 53003(c) (2), 53026, and 59300 et seq.

1) *Complaints Alleging Violation of the Equal Employment Opportunity Regulations (§ 53026).*

The District has established the following process permitting any person to file a complaint alleging that the requirements of the equal employment opportunity regulations have been violated. Any person who believes that the equal employment opportunity regulations have been violated may file a written complaint describing in detail the alleged violation. All complaints shall be signed and dated by the complainant and shall contain, to the best of the complainant's ability, the names of the individuals involved, the date(s) of the event(s) at issue, and a detailed description of the actions constituting the alleged violation. Complaints involving current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than sixty (60) days after such occurrence unless the complainant can verify a compelling reason for the District to waive the sixty (60) day limitation. Complaints regarding examinations or interviews must be filed in writing with the associate vice president of Human Resources and Equal Employment Opportunity immediately upon completion of the examination or interview and prior to the notification of results.

Complaints alleging violations of the Plan that do not involve current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than ninety (90) days after such occurrence unless the violation is ongoing. A complainant may not appeal the District's determination pursuant to title 5, §53026 to the Chancellor's Office, but under some circumstances, violations of the equal opportunity regulations in Title 5 may constitute a violation of a minimum condition for receipt of state aid. In such a case, a complaint can be filed with the Chancellor's Office, but the complainant will be required to demonstrate that he or she made previous reasonable, but unsuccessful, efforts to resolve the alleged violation at the college and/or District level using the process provided by Title 5, § 53026. (See *California Community Colleges Chancellor's Office Guidelines for Minimum Conditions Complaints* at:

<http://www.cccco.edu/divisions/legal/guidelines/Guidelines%20for%20Minimum%20Conditions%20Complaints.htm>.

The District may return without action any complaints that are inadequate because they do not state a clear violation of the EEO regulations. All returned complaints must include a District statement of the reason for returning the complaint without action.

The complaint shall be filed with the equal employment opportunity officer. If the complaint involves the equal employment opportunity officer, the complaint may be filed with the superintendent/president. To the extent practicable, a written determination on all accepted written complaints will be issued to the complainant within ninety (90) days of the filing of the complaint. The equal employment

opportunity officer will forward copies of all written complaints to the Chancellor's Office upon receipt.

In the event that a complaint filed under Title 5 § 53026 alleges unlawful discrimination, it will be processed according to the requirements of Title 5 §§ 59300 et seq.

2) *Complaints Alleging Unlawful Discrimination or Harassment (Title 5, §§ 59300 et seq.)*

The District has adopted procedures for complaints alleging unlawful discrimination or harassment. The associate vice president of human resources and equal employment opportunity is responsible for receiving such complaints and for coordinating their investigation. The District's discrimination and sexual harassment complaint procedures are contained in its administrative procedures, AP 3435 Discrimination and Harassment Investigations, found on the District's website.

VII. Notification to District Employees

CCR Title 5, § 53003(c)(3)

The commitment of the governing board and the chief executive officer to equal employment opportunity is emphasized through the broad dissemination of its Equal Employment Opportunity Policy Statement and the Plan. The policy statement will be included in the college catalogs and class schedules. The Plan and subsequent revisions will be distributed to the District's governing board, the superintendent/president, administrators, the academic senate and classified leadership, union representatives, and members of the District Equal Employment Opportunity Advisory Committee. The Plan will be available on the District website, and employees will be notified electronically.

Every year, all employees will be sent a notice of the District's policy concerning equal employment opportunity and the web address for the Plan. The Human Resources Department will provide all new employees with a copy of the written notice described above when they commence their employment with the District. The annual notice will emphasize the importance of the employee's participation and responsibility in ensuring the Plan's implementation.

VIII. Training for Screening/Selection Committees

CCR title 5, § 53003(c)(4)

Any organization or individual, whether or not an employee of the District, who is involved in the recruitment and screening or selection of personnel, shall receive appropriate training on the following, prior to their participation in recruitment activities.

Training shall include, but need not be limited to:

- (a) the requirements of Title 5's subchapter on EEO Programs for community colleges, and of state and federal nondiscrimination laws;
- (b) the educational benefits of workforce diversity;
- (c) the recognition and elimination of bias in hiring decisions; and
- (d) best practices in serving on a selection or screening committee.

IX. Annual Written Notice to Community Organizations

CCR title 5, § 53003(c) (5)

The equal employment opportunity officer will provide annual written notice to appropriate community-based and professional organizations concerning the Plan. The notice will inform these organizations where they may obtain a copy of or get access to the Plan, and shall solicit their assistance in identifying qualified candidates for employment. -“Written” notice may include mailings and electronic communications.

The equal employment opportunity advisory committee will regularly review the list of community organizations and revise or amend the list as appropriate.

List of organizations, is in Appendix B of this Plan.

X. Analysis of District Workforce and Applicant Pool

CCR title 5, § 53003(c)(6)

The Human Resources Department will annually survey the District's workforce composition and shall monitor applications for employment on an ongoing basis to evaluate the District's progress in implementing the Plan, to provide data needed for the reports required by this Plan, and to determine whether additional measures are required pursuant to title 5, section 53006, and to implement and evaluate the effectiveness of those measures.

To the extent that data regarding potential job applicants is provided by the State Chancellor, an analysis of the degree to which any monitored group is underrepresented in comparison to their representation in the field or job category in numbers of persons from such groups whom the Chancellor determines to be available and qualified to perform the work required for each such job category will be made, as well as an analysis of whether the underrepresentation is significant.

For purposes of the data collection and report required by Title 5, each applicant or employee shall be afforded the opportunity to identify his or her gender, ethnic group identification, and, if applicable, his or her disability. A person may designate multiple ethnic groups with which he or she identifies, but currently, per section 53004, will be counted in only one ethnic group for reporting purposes. Chinese, Japanese, Filipinos, Koreans, Vietnamese, Asian Indians, Hawaiians, Guamanians, Samoans, Laotians, and Cambodians are to be counted and reported as part of the Asian/Pacific Islander group as well as in separate subcategories. However, in determining whether additional steps are necessary to ensure that monitored groups have not been excluded on an impermissible basis, analysis of the separate subgroups is not necessary.

This demographic information will be kept confidential and will be separated from the applications that are forwarded to the screening/selection committee and hiring administrator(s).

The District will annually report to the Chancellor the results of its annual survey of employees. At least every three years the Plan will be reviewed and, if necessary, revised based on an analysis of the ethnic group identification, gender, and disability composition of existing staff and of those who have applied for employment in each of the following identified job categories:

- 1) Executive/Administrative/Managerial
- 2) Faculty and other Instructional Staff
- 3) Professional Non-faculty
- 4) Secretarial/Clerical
- 5) Technical and Paraprofessional
- 6) Skilled Crafts
- 7) Service and Maintenance

Additionally, the District will keep track of full-time faculty separate from part-time faculty. Charts containing the District's workforce and applicant pool data broken down by monitored group status are contained in Appendix A. An analysis of the longitudinal and most recent data follows.

[INSERT UPDATED ANALYSIS HERE***]

Analysis of District Workforce

Gender Analysis

The District's overall workforce is well gender-balanced, with a slightly higher percentage of female employees (55%) than male employees (45%). This slight imbalance has grown over the years. (*Compare* fall 2012: female 52% to male 48%.)

Most groups have remained fairly stable over the last few years, and the distribution for all but one category of employees is within 10% of an even split. The gender distribution of executive/managerial employees is currently female 56% to male 44% (*cf.* fall 2012: female 52% to male 48%). For faculty, the gender distribution for full-time is female 53% to male 47% (*cf.* fall 2012: female 55%, male 45%), and for part-time, it is split even between female and male (*cf.* fall 2012: female 44%, male 56%.)

The classified workforce shows the most deviation from a gender balanced workforce overall, and this disparity continues to grow. It is currently 65% female and 35% male (*cf.* fall 2012: 60% female, 40% male). Within the subcategories of the classified service, the disparity is even wider, with more than three-fourths of the clerical staff and professional staff being female, while 100% of the skilled craft staff are male.

Monitored Group Analysis

The District has made encouraging improvements in its percentage of employees who are members of monitored ethnic groups over the last few years. This coincides with more hiring activity, both to replace those who left over the last several years and to add new positions, largely to accomplish the objectives of student success and student equity initiatives.

Currently, 53% of the District's workforce is from monitored groups (*cf.* fall 2012: 46%). Monitored ethnic groups represent 82% of the classified service (80% in 2012), 49% of the executive/managerial group (41% in 2012), and 42% of the full- and part-time faculty group (33% in 2012).

The District's improvement, especially in faculty diversity, has been partly because of its ability to add to the full-time faculty ranks. The District has met its full-time faculty obligation number in the last five years, and this hiring has allowed it to improve the diversity of its full-time faculty population while adhering to principles of equal employment opportunity.

Analysis of Applicant Pools

With the exception of adjunct faculty, for whom the District often does continual hiring to maintain applicant pools, the District conducted 20 or fewer recruitments during 2010 through 2012, but increased hiring activity thereafter. [fn.1]

The gender distribution of the District's total applicant pools in 2012 was 37% male and 58% female (several applicants declined to state). In the 2012 recruitments, with 11% of applicants declining to state their ethnicity, monitored ethnic groups represented 58% of applicants overall. The monitored groups represented 49% of the applicants in the executive/managerial group, 23% of the applicants for full-time faculty (three hires), and 65% of the applicants for the classified service. The District continues its efforts to broaden the faculty applicant pool to attract more diverse candidates.

[fn.1]—Applicant pool analysis for 2012 -2015 to be supplied.

XI. Recruitment and Hiring Procedures to Ensure Equal Employment Opportunity

CCR-Title 5, §§ 53021 et seq.; See also HCCD AP 7120

The District shall develop and implement policies and procedures consistent with Title 5's requirements for the recruitment and hiring of individuals so that all qualified individuals have an equal opportunity for employment and advancement in employment. These policies and procedures will require that it create a diverse pool of qualified candidates with varied educational and experience backgrounds who can contribute positively to a diverse community of scholars. These policies and procedures will be regularly reviewed and updated to serve this mission.

1. Recruitment

It is the policy of the District to aggressively pursue a program of recruitment that is inclusive and open to all individuals. The District will continually make efforts to build and develop contacts for new recruitment sources that help ensure a broad and diverse pool of candidates.

- (a) The District will 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.

Recruitment for full-time faculty and educational administrator positions shall be at least statewide and, at a minimum, shall include seeking qualified applicants listed in the California Community Colleges Equal Employment Opportunity Registry and posting job announcements with the Registry.

Recruitment for part-time faculty positions may be conducted separately for each vacancy or by annually establishing a pool of eligible candidates, but in either case full and open recruitment is required consistent with this section.

- (b) "In-house or promotional only" recruitments are not favored, and shall be used in only limited circumstances, e.g., to fill a management position on an interim basis for the minimum time necessary to allow for full and open recruitment (and never for longer than two years).

If the District invokes the provision for in-house interim appointments or the exception under 53021(c)(7) for engaging an administrator through a professional services contract, the superintendent/president or his/her designee will first notify the governing board and the Equal Employment Opportunity Advisory Committee in writing of the compelling reason to limit the persons who may be considered for a vacancy in a job category where underrepresentation persists.

- (c) Recruitment for all open positions will normally include, but not be limited to, placement of job announcements in the following instruments:

- (1) General circulation publications, including electronic media.
- (2) Local and regional community newspapers or job boards.
- (3) Publications, including electronic media, that are distributed to the general market and to newspapers, and publications whose primary audience is comprised of groups found to be underrepresented in the District's workforce.
- (4) California Community Colleges Equal Employment Opportunity Job Registry.
- (5) Publications, including electronic media, that are targeted to the professions and/or disciplines appropriate to the position.
- (6) Recruitment booths at job fairs or conferences oriented to both the public and the economically disadvantaged as well as those events drawing significant participation by groups found to be underrepresented in the District's workforce.

2. Job Postings

Job announcements shall state clearly the job specifications setting forth the knowledge, skills, and abilities necessary to job performance.

For faculty and administrative positions, job requirements shall include a demonstrated sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students.

Job specifications, including any "required," "desired" or "preferred" qualifications beyond the state minimum qualifications which the District wishes to utilize, shall be reviewed before the position is announced, to ensure conformity with the requirements of equal employment regulations and state and federal nondiscrimination laws.

3. Review of Initial and Qualified Applicant Pools

The application for employment shall provide applicants an opportunity for self-identification of the applicant's gender, ethnic group identification and, if applicable, his or her disability. This information shall be kept confidential and shall be used only in research, monitoring, and evaluating the effectiveness of the district's equal employment opportunity program.

- (a) After the application deadline has passed, the composition of the initial applicant pool—all completed applications received by the application deadline--shall be recorded and reviewed by the Chief Human Resources Officer or designee.
- (b) The initial applicant pool shall be screened to weed out applicants who do not satisfy the minimum qualifications set forth in the job description. The group of candidates who meet the job specifications shall constitute the "qualified applicant pool." The composition of the qualified applicant pool shall be reviewed and compared to the composition of the initial applicant pool. If the

Chief Human Resources Officer or designee finds that the composition of the qualified applicant pool may have been influenced by factors which are not job related, appropriate action will be taken.

4. Screening and Selection Procedures.

The District seeks to employ qualified persons with a broad range of backgrounds and abilities who have the knowledge and experience to work effectively in a diverse environment. The selection process is based on merit, and will extend to all candidates a fair, impartial examination of qualifications based on job-related criteria. The District's recruitment and hiring procedures will include in its section on applicant screening by screening/interview committees the following provisions:

- (a) All screening and selection techniques, including the procedure for developing interview questions, and the selection process as a whole, will be:
 - (1) Designed to ensure that, for all positions, meaningful consideration is given to the extent to which applicants demonstrate a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students. "Meaningful consideration" means that candidates shall be required to demonstrate sensitivity to diversity in ways relevant to the specific position;
 - (2) Based solely on job-related criteria; and
 - (3) Designed to avoid an adverse impact on any identifiable monitored groups,
 - (4) Provided to the Chancellor's Office on request.
- (b) Whenever possible, and consistent with federal and state law, screening committees shall include a diverse membership, which will bring a variety of perspectives to the assessment of applicant qualifications.
- (c) The equal employment opportunity officer shall approve the makeup of screening/interview committees. If the equal employment opportunity officer does not approve a screening/interview committee for lack of diversity, he or she should take necessary steps to remedy the lack of diversity.
- (d) Before a person can serve on a screening or interview committee, he or she must receive equal employment opportunity/diversity training.
- (e) All screening materials, including testing and demonstrations, must be approved by the equal employment opportunity officer for compliance with these rules.
- (f) The equal employment opportunity officer shall monitor recruitments for adverse impact and may recommend corrective action.
- (g) If monitoring for adverse impact reveals that any selection technique or procedure (other than a bona fide occupational qualification that has been approved by Human Resources) has adversely impacted any monitored group, the superintendent/president or his/her designee will do the following:
 - (1) Suspend the selection process and take timely and effective steps to remedy the problem before the selection process resumes.
 - (2) When appropriate, assist the screening/interview committee by discussing the overall composition of the applicant pool and the screening criteria or

procedures, which have produced an adverse impact, provided that confidential information about individual candidates is not disclosed.

- (3) Where necessary, the position may be reopened at any time and a new selection process initiated in a way designed to avoid adverse impact.
- (h) The District will not designate or set aside particular positions to be filled by members of any group defined in terms of age, ancestry, color, gender, gender identity, gender expression, genetic information marital status, medical condition, military or veteran status, national origin, parental status, physical or mental disability, pregnancy, race or ethnicity, religion, sexual orientation or engage in any other practice, which would result in discriminatory or preferential treatment prohibited by state or federal law. The District will not apply the Plan in a rigid manner that has the purpose or effect of so discriminating.
- (i) The superintendent/president or designee shall make all final hiring decisions based upon careful review of the candidate or candidates recommended through the screening/selection committee, subject to board ratification.

The District will review the pattern of its hiring decisions over time, and if it determines that those patterns do not meet the objectives of this Plan, the District will request that the EEO Advisory Committee recommend new methods to meet the Plan objectives, or if necessary, to modify the Plan itself to ensure equal employment opportunity.

5. Long-term analysis and remedies

If any underrepresentation is identified as a result of the District's longitudinal analysis of its recruitment and workforce demographics, the District shall address the underrepresentation.

If the District determines that a significant underrepresentation of a monitored group is the result of non-job-related factors, the District will implement additional measures to address the specific area of concern, which may include:

- (1) review its recruitment procedures and identify and implement any additional measures that might reasonably be expected to attract candidates from the significantly underrepresented group;
- (2) review each locally established "required," "desired," or "preferred" qualification being used to screen applicants for positions in the job category to determine if it is job-related and consistent with legal requirements, and discontinue the use of any such qualification that has an adverse impact, unless no alternative qualification standard is reasonably available that would select for the same characteristics without a less exclusionary effect;
- (3) improve its outreach activities and budget, or implement additional measures designed to improve the part of the recruitment and selection process that seems to be implicated in the underrepresentation.
- (4) consider the implementation of additional measures designed to promote diversity that are reasonably calculated to address the area of specific need.

Any corrective measures implemented should be given a reasonable amount of time to

produce better results, which will normally be a 3-year period.

XII. Institutional Commitment to Diversity

CCR title 5, § 53003(c) (10) and 53024.1

The District recognizes that multiple approaches are appropriate to fulfill its mission of ensuring equal employment opportunity and the creation of a diverse workforce. 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 and supporting diversity also involves creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas and is welcoming to men and women, persons with disabilities, and individuals from all ethnic, racial, religious, and other groups protected from discrimination.

Establishing and maintaining a richly diverse workforce is an on-going process. Therefore, the District shall, on a continuing basis, create, adapt, and implement a program to enhance diversity that may include the following, among other, measures:

1. Sponsor and encourage cultural events and speakers on issues dealing with diversity, including guest speakers from underrepresented groups who are in leadership positions and who may inspire students and employees alike.
2. Explore how to infuse diversity and global awareness into the classroom and curriculum, and into the fabric of the college culture.
3. Promote the concept of cultural proficiency and cultural competence among District employees and students through trainings and opportunities for discussion.
4. Promote learning opportunities and personal and professional growth in the area of diversity.
5. Evaluate how the physical environment can be responsive to and supportive of the college's diverse employee and student populations.
6. Conduct regular surveys of campus climate studies to identify barriers to inclusion, and implement concrete measures that utilize the information drawn from the surveys to strengthen the campus environment.
7. Conduct exit interviews with employees who voluntarily leave the district, maintain a database of exit interviews, analyze the data for patterns impacting particular monitored groups, and implement concrete measures that utilize this information.
8. Provide training to employees on identification of and reduction and elimination of bias in hiring and employment.
9. Maintain a variety of programs to support newly-hired employees such as orientation, mentoring, professional development, and leadership opportunities.
10. Audit and maintain updated job descriptions and job announcements.
11. Provide training to the District's Board of Trustees on the elimination of bias in hiring and employment at least once every election cycle.

12. Investigate all complaints filed under this chapter, and discrimination and

- harassment complaints under any provision, in a timely and thorough manner, and take appropriate corrective action in all instances where a violation is found.
13. Timely comply with the requirements of Government Code section 12950.1 on the regular training of supervisory employees, and the newer state law on training all employees, on the elimination of all forms of harassment and discrimination and bullying.
 14. Participate in the review of the District's mission statement to ensure that it conveys its commitment to diversity and inclusion, and recognition that a diverse and inclusive workforce promotes its educational goals and values.
 15. Address issues of inclusion/exclusion in a transparent and collaborative fashion.
 16. Highlight the District's equal employment opportunity and diversity policies in job announcements, recruitment, marketing, and other publications, and ensure that District publications and other marketing tools reflect the District's diversity and commitment to equal employment opportunity.
 17. Conduct diversity dialogues, forums, and cross-cultural workshops, and make diversity instructional tools available to faculty to use in their classes or their services to students.
 18. Establish an equal employment opportunity and diversity online presence by highlighting the District's diversity and equal employment opportunity, ADA, sexual harassment and non-discrimination policies, procedures, and programs on the District's website.
 19. Consider multilingualism and knowledge of multiculturalism as a desired, and when appropriate, required skill and qualification for employees.
 20. Develop leadership opportunities with current staff focusing on diversity.
 21. Ensure all staff, especially top administrative staff, understand and support diversity objectives on campus.
 22. Encourage employees to serve as resources, consultants, mentors, and leaders to colleagues at other Districts in the areas of EEO and diversity enhancement.
 23. Implement plans that tend to enhance diversity, such as the Student Equity Plan, the EEO Plan, and the college's strategic plan.
 24. Participate in and develop programs to encourage and prepare its students for careers as community college employees—faculty, administrative, and staff positions alike—which may include providing mentorships, internships, and other career exploration programs, and, whenever funded by the state, to inform students about graduate loan assumption programs, as referenced in the Education Code (sections 87106, 69618 et seq.)