



# **EQUAL EMPLOYMENT OPPORTUNITY PLAN**

(Adopted by Board of Trustees on May 21, 2019)

**CHABOT – LAS POSITAS COMMUNITY COLLEGE DISTRICT**  
7600 Dublin Boulevard, 3<sup>rd</sup> Floor  
Dublin, CA 94568

## TABLE OF CONTENTS

<b>Plan Component 1:</b>	Introduction	Page 2
<b>Plan Component 2:</b>	Definitions	Page 3
<b>Plan Component 3:</b>	Policy Statement	Page 6
<b>Plan Component 4:</b>	Delegation of Responsibility, Authority and Compliance	Page 7
<b>Plan Component 5:</b>	Advisory Committee	Page 9
<b>Plan Component 6:</b>	Complaints	Page 10
<b>Plan Component 7:</b>	Notification to District Employees	Page 12
<b>Plan Component 8:</b>	Training for Screening/Selection Committees	Page 13
<b>Plan Component 9:</b>	Annual Written Notice to Community Organizations	Page 14
<b>Plan Component 10:</b>	Analysis of District Workforce and Applicant Pool	Page 15
<b>Plan Component 11:</b>	(Not Used)	
<b>Plan Component 12:</b>	Methods to Address Underrepresentation	Page 16
<b>Plan Component 13:</b>	(Not Used)	
<b>Plan Component 14:</b>	Other Measures Necessary to Further Equal Employment Opportunity	Page 23
<b>Plan Component 15:</b>	(Not Used)	
<b>Plan Component 16:</b>	Graduate Assumption Program of Loans for Education	Page 26
<b>Plan Component 17:</b>	Progress in Achieving Full-Time to Part-Time Faculty Ratio	Page 27

## Plan Component 1: Introduction

The Chabot-Las Positas Community College District Equal Employment Opportunity Plan (*Plan*) was adopted by the governing board on May 21, 2019, and reflects the district's commitment to equal employment opportunity. It is the district's belief that taking active and vigorous steps to ensure equal employment opportunity creates a working and academic environment which is welcoming to all, and will foster diversity and promote excellence.

The *Plan*'s immediate focus is equal employment opportunity in recruitment and hiring policies and practices pursuant to the applicable title 5 regulations (section 53000 et seq.). The *Plan* includes the requirements for a complaint procedure for noncompliance with the title 5 provisions relating to equal employment opportunity programs; establishment of an Equal Employment Opportunity Advisory Committee; methods to support equal employment opportunity and an environment which is welcoming to all; as well as procedures for dissemination of the *Plan*. It is our intent to review the *Plan* at least every three years in support of these goals.

The District is committed to employing qualified administrators, faculty, and classified professionals who are dedicated to student success and the District's mission, vision, and values, recognizing that equal employment opportunity and diversity in the academic environment fosters cultural awareness, promotes mutual understanding and respect, and provides suitable role models for students. Through an educational experience in an inclusive environment, our students will be better prepared to work, live, and succeed in an increasingly global society.

Ronald P. Gerhard  
Interim Chancellor  
Chabot-Las Positas Community College District

## Plan Component 2: Definitions

- a) *Adverse Impact*: a statistical measure (such as those outlined in the EEO Commission's *Uniform Guidelines on Employee Selection Procedures*) that is applied to the effects of a selection procedure and demonstrates a disproportionate negative impact on any group defined in terms of ethnic group identification, gender, or disability. 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) *Business Necessity*: circumstances which justify an exception to the requirements of section 53021(b)(1) because compliance with that section would result in substantial additional financial cost to the district or pose a significant threat to human life or safety. Business necessity requires greater financial cost than mere business convenience. Business necessity does not exist where there is an alternative that will serve business needs equally well.
- c) *Diversity*: means a condition of broad inclusion in an employment environment that offers equality and respect for all persons. It requires both the presence and respectful treatment of individuals from a wide range of race, gender, gender identity, ethnic, belief, age, national origin, sexual orientation, disability and socio-economic backgrounds, and other enriching characteristics. Diverse workplaces include qualified individuals from groups that have been historically excluded from that workplace.
- d) *Equal Employment Opportunity (EEO)*: 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 listed in Title 5, which include executive/administrative/ managerial, faculty and other instructional staff, professional nonfaculty, secretarial/clerical, technical and paraprofessional, skilled crafts, and service and maintenance. Ensuring 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 by Government Code section 12940.
- e) *Equal Employment Opportunity Plan*: a written document in which a district's workforce is analyzed and specific plans and procedures are set forth for ensuring equal employment opportunity.

- f) *Equal Employment Opportunity Programs*: all the various methods by which equal employment opportunity is ensured. Such methods include, but are not limited to, using nondiscriminatory employment practices, actively recruiting, monitoring and taking additional steps consistent with Title 5 regulations and this plan.
- g)
- (1) *Ethnic Minorities*: American Indians or Alaskan natives (Native Americans), Asians, Pacific Islanders, Blacks/African-Americans, and Hispanics/Latinos.
  - (2) *Ethnic Group Identification*: means an individual's identification in one or more of the ethnic groups reported to the Chancellor pursuant to Title 5, section 53004. These groups shall be more specifically defined by the Chancellor consistent with state and federal law.
- h) *Goals for Persons with Disabilities*: a statement that the district will strive to attract and hire additional qualified persons with disabilities, consistent with its commitment to promoting equal employment opportunity and diversity at all levels of the workforce. To the extent Title 5 sets forth specific obligations to foster the representation of qualified disabled individuals in the workplace, "goals for person with disabilities" also means a statement in compliance with those obligations. The term "goals" does not refer to "quotas" or rigid proportions.
- (1) *Target Date*: a point in time by which the district plans to meet an established goal for persons with disabilities and thereby achieve projected representation in a particular job category.
  - (2) *Timetable*: a set of specific annual hiring objectives that will lead to meeting a goal for persons with a disability by a projected target date.
- i) *In-house Hiring*: refer to Title 5 Section 53021.
- j) *Monitored Group*: means those groups identified in section 53004(b) for which monitoring and reporting is required pursuant to section 53004(a).
- k) *Person with a Disability*: any person who (1) has a physical or mental impairment as defined in Government Code, section 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.

- l) *Projected Representation*: the percentage of persons from a monitored group determined by the Chancellor to be available and qualified to perform the work in question. In the absence of a determination by the Chancellor, projected representation is given no alternate meaning or application in this plan.
- m) *Reasonable Accommodation*: the efforts made on the part of the district to allow disabled applicants to access the job application process and allow disabled employees to perform the essential functions of their positions, consistent with the District's legal' obligations under the Americans with Disabilities Act and the California Fair Employment and Housing Act. “Reasonable accommodations” may include the items designated in Title 5, section 53025.
- n) *Screening or Selection Procedures*: 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.
- o) *Significantly Underrepresented Group*: any monitored group for which the percentage of persons from that group employed by the district in any job category listed in section 53004(a) is below eighty percent (80%) of the projected representation for that group in the job category in question.

### **Plan Component 3: Policy Statement**

The Board supports the intent set forth by the California Legislature to assure that effort is made to build a community in which opportunity is equalized, and community colleges foster a climate of acceptance, with the inclusion of faculty and staff from a wide variety of backgrounds. It agrees that diversity in the academic environment fosters cultural awareness, mutual understanding, harmony, respect, and suitable role models for all students. The Board therefore commits itself to continuing good faith efforts to promote the total realization of equal employment through an ongoing equal employment opportunity program.

## Plan Component 4: Delegation of Responsibility, Authority and Compliance

It is the goal of the Chabot-Las Positas Community College District (the 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. *Board of Trustees*

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

2. *Chancellor*

The Board of Trustees delegates to the Chancellor the responsibility for ongoing implementation of the *Plan* and for providing leadership in managing the District's resources to ensure implementation of the District's equal employment opportunity policies and procedures. The Chancellor shall advise the Board of Trustees 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 Chancellor 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 the Vice Chancellor of Human Resources as its EEO Officer who is responsible for the day-to-day implementation of the *Plan*. If the designation of the EEO Officer changes before this *Plan* is next revised, the District will notify employees and applicants for employment of the new designee. The EEO Officer is responsible for administering, implementing and monitoring the *Plan* and for assuring compliance with the requirements of Title 5, sections 53000 et seq. The EEO Officer is also responsible for receiving complaints described in Plan Component 6 and for ensuring that applicant pools and selection procedures are properly monitored.

4. *Equal Employment Opportunity Advisory Committee*

The District will maintain an Equal Employment Opportunity Advisory Committee (EEOAC) to act as an advisory body to the EEO Officer and the District as a whole to promote understanding and support of equal employment opportunity policies and procedures. The EEOAC will assist the District in the development and 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 Board of Trustees 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*.

## **Plan Component 5: Advisory Committee**

The District has established an Equal Employment Opportunity Advisory Committee (EEOAC) to assist the District in implementing its *Plan*.

The committee may also assist in promoting an understanding and support of equal opportunity and nondiscrimination policies and procedures. The EEOAC or its individual members may sponsor events, trainings, or other activities that promote equal employment opportunity, nondiscrimination, retention and diversity. The EEO Officer or designee shall train the advisory committee on equal employment compliance and the *Plan* itself.

The committee shall include a diverse membership whenever possible. A substantial good faith effort, to the extent permitted by law, will be made to maintain a diverse membership. If the District has been unable to meet this requirement, it will document the efforts made to foster diversity on the EEOAC. The committee shall meet, at a minimum, at least once in the Fall and Spring terms.

The EEOAC shall include the following ex officio members: Vice Chancellor of Human Resources, and the Director, Employee and Labor Relations. A request shall be made for one appointment to the committee from each of the following constituencies: each campus' Academic Senate, each site's Classified Senate, each campus' Associated Students, the Faculty Association, and SEIU. There will also be an appointment of one administrator from each campus. At the discretion of the EEO Officer or designee, up to two more individuals may be appointed for the purpose of ensuring the committee's diversity. There may be no more than one additional appointee from any site. At the Chancellor's option, a community member may also be appointed to the committee.

## Plan Component 6: Complaints

### Complaints Alleging Violation of the Equal Employment Opportunity Regulations (Title 5, Section 53026).

The District has established the following process permitting any person to file a complaint alleging that the requirements of the EEO regulations have been violated. Any person who believes that the EEO regulations have been violated has a right to 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 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 section 53026 to the State Chancellor's Office, but under some circumstances, violations of the EEO 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 State Chancellor's Office, but the complainant will be required to demonstrate that he/she made previous reasonable, but unsuccessful, efforts to resolve the alleged violation at the college and/or district level using the process provided by section 53026.

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 Vice Chancellor of Human Resources or designee. If the complaint involves the Vice Chancellor of Human Resources, the complaint may be filed with the Chancellor. 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 Vice Chancellor of Human Resources or designee will forward copies of all written complaints to the State Chancellor's Office upon receipt.

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

### Complaints Alleging Unlawful Discrimination or Harassment (Title 5, Section 59300 et seq.)

The District has adopted procedures for complaints alleging unlawful discrimination or harassment and those procedures are contained in Administrative Procedure 3435.

The Vice Chancellor of Human Resources or designee is responsible for receiving such complaints and for coordinating their investigation. Campus complaint officers may be assigned investigation responsibilities.

The District's discrimination and sexual harassment complaint procedures are attached to this *Plan*. These procedures can also be read online at:

[http://www.clpccd.org/board/documents/AP3435DiscriminationandHarassmentComplaintProcedures\\_Ed11-20-17.pdf](http://www.clpccd.org/board/documents/AP3435DiscriminationandHarassmentComplaintProcedures_Ed11-20-17.pdf).

## **Plan Component 7: Notification to District Employees**

The commitment of the Board of Trustees and the Chancellor to equal employment opportunity is emphasized through the broad dissemination of its EEO Policy Statement and the *Plan*. The policy statement will be printed in the college catalogs and class schedules. The *Plan* and subsequent revisions will be distributed to the Board of Trustees, the Chancellor, administrators, the Senate Presidents, Union Presidents, and members of the District EEOAC. The *Plan* will be continually available on the district's website, and when appropriate, may be distributed by email. Each year, the district office will provide all employees with access to the Board's EEO Policy Statement (located in Plan Component 3 of this *Plan*) as well as a link to reach the District's EEO Plan. The Human Resources Department will provide all new employees with information on how to access these documents when they commence their employment with the District.

The *Plan* will be available online and will emphasize the importance of the employee's participation and adherence to the *Plan*.

## **Plan Component 8: Training for Screening/Selection Committees**

Any organization or individual, whether or not an employee of the District, who is involved in the screening/selection of personnel shall receive appropriate training on the requirements of the Title 5 regulations on EEO (section 53000 et. seq.):

- the requirements of federal and state nondiscrimination laws; the requirements of the District's EEO Plan;
- the District's policies on nondiscrimination, recruitment, and hiring;
- principles of diversity;
- the value of a diverse workforce;
- and recognizing bias.

As this training is mandatory, it is highly preferred that such training takes place in smaller settings or settings specifically designated for hiring committee training to encourage compliance and understanding. Individuals who have not received this training within the prior 24 months, or within the time period required by law or district policy or procedure, will not be allowed to serve on screening/selection committees.

The Office of Human Resources is responsible for providing the required training. Any individual, whether or not an employee of the District, acting on behalf of the District with regard to screening and selection of employees is subject to the EEO requirements of Title 5 and the District's EEO Plan.

## **Plan Component 9: Annual Written Notice to Community Organizations**

Human Resources, working with the Director, Public Relations, Marketing, and Government Relations, will provide annual written notice to appropriate community-based and professional organizations concerning the *Plan*. The notice will inform these organizations that they may obtain a copy of the *Plan*, and shall solicit their assistance in identifying qualified candidates from diverse backgrounds. The notice will also include the internet address where the District advertises its job openings and the names, departments and phone numbers of individuals to call in order to obtain employment information. The District will actively seek to reach those institutions, organizations, and agencies that may be recruitment sources. A list of organizations, which will receive this notice, is attached to this *Plan* (under development). Annually, the EEOAC will review the list and may revise the list as necessary.

## Plan Component 10: Analysis of District Workforce and Applicant Pool

The Human Resources Department shall annually assess the District's workforce composition and monitor applicants for employment on an ongoing basis to evaluate the District's progress in implementing the *Plan* and to provide data needed for the reports required by this *Plan*. Monitored groups are men, women, American Indians/Alaskan Natives, Asians or Pacific Islanders, Blacks/African-Americans, Hispanics/Latinos, Whites/Caucasians, and persons with disabilities.

For purposes of the survey and report, each applicant or employee will be afforded the opportunity to voluntarily identify gender, ethnic group identification and, if applicable, disability. Persons may designate as many ethnicities as they identify with, but shall be counted as multi-ethnic for reporting purposes. This information will be kept confidential and will be separated from the applications that are forwarded to the screening/selection committee and hiring administrator(s). A representative from Human Resources will annually prepare a report and present it to the EEOAC, and post this report at a to be determined location on the District website. The District will annually report to the State 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 Nonfaculty
- 4) Secretarial/Clerical
- 5) Technical and Paraprofessional
- 6) Skilled Crafts
- 7) Service and Maintenance

## Plan Component 12: Methods to Address Underrepresentation

The District will ensure equal employment opportunity, which involves creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas, and that is welcoming to all persons, persons with disabilities, and individuals from all ethnic and other groups that are protected from discrimination. In so doing, the District places great emphasis on the recruitment of potential applicants in order to assemble a diverse pool of qualified individuals from which to hire. With a diverse pool, the District and campus/site representatives will take steps within the screening/selection process to allow for the hiring of candidates with varied backgrounds who can contribute and effectively communicate in a diverse community. The EEO provisions below are applicable to hiring in all categories of employees.

To address any identified underrepresentation of monitored groups, the District will revise its recruitment and hiring procedures and policies in accordance with the following provisions. These provisions will be in place henceforth, whether or not underrepresentation exists, because the provisions are also valuable in ensuring equal employment opportunity. The District's Recruitment and Hiring Procedures will be revised to include in its section on recruitment the following provisions:

### 1) *Recruitment*

It is the policy of the District to aggressively pursue a program of verifiable recruitment that is inclusive and open to all individuals. Any organization that is involved in the recruitment of personnel shall confirm knowledge and understanding of the requirements of the Title 5 regulations on EEO (section 53000 et. seq.); the requirements of federal and state nondiscrimination laws; the requirements of the District's EEO Plan; the District's policies on nondiscrimination, recruitment, and hiring; principles of diversity; the value of a diverse workforce; and recognizing bias.

Efforts will be undertaken on a regular basis to develop and contact new recruitment sources that ensure diverse pools of candidates. Diverse pools may include, but not be limited to all genders, including men, women, trans male, trans female, gender non-conforming, different identity, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination. The District will include in the recruitment section of its Recruitment and Hiring Procedures the following provisions:

- a) Recruitment for all open positions may include, but not be limited to, placement of job announcements in the following instruments:
  - (1) General circulation newspapers, publications, both print and on-line.
  - (2) Local and regional community newspapers.

- (3) Newspapers, and publications that provide information in languages other than English and to low-income communities.
  - (4) 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.
  - (5) Recruitment booths at job fairs or conferences oriented to both the general market and the economically disadvantaged as well as those events drawing significant participation by groups found to be underrepresented in the District's workforce.
- b) District employees will be surveyed on a regular basis requesting resources and locations where open positions may be advertised to ensure recruitment is as inclusive and broad as possible and includes recruitment of monitored groups. Human Resources will compile, store, and update this list.

2) *Job Announcements*

The District's Recruitment and Hiring Procedures section on "Job Announcements" will be revised to include the following provisions:

Job announcements will state clearly job specifications setting forth the knowledge, skills, and abilities necessary to job performance. For all positions, job requirements will include, "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, will be reviewed by Human Resources before the position is announced, to ensure conformity with equal employment regulations and state and federal nondiscrimination laws. All job announcements shall state that the District is an "Equal Employment Opportunity Employer."

- b) For identified public contact or community liaison positions, bilingual ability in the language spoken by a significant number of students may be a preferred or desirable qualification. Before bilingual ability in the identified languages can be made a preferred or desirable qualification, the District will conduct an analysis to confirm that the bilingual ability is appropriate for the position. The District will identify the specific positions where bilingual ability in a particular language may be listed as a preferred or desired qualification.

3) *Review of Initial and Qualified Applicant Pools*<sup>1</sup>

Initial applicant pools will be reviewed by Human Resources (HR) for representation of monitored groups. Once the initial pool is approved and for consistency across the District, either the hiring administrator or HR will screen the pool for minimum qualifications, resulting in a qualified applicant pool. The qualified applicant pool will then be reviewed so that no monitored group is adversely impacted. Once the qualified applicant pool is approved, the pool may be released in accordance with the Hiring Procedures. The District's Recruitment and Hiring Procedures will include the following provisions:

- a) The application for employment will afford each applicant an opportunity to voluntarily identify his or her gender, ethnic group and, if applicable, his or her disability.
- b) *Initial Applicant Pool:* The initial applicant pool is composed of all applications received by the application deadline. The following steps will be taken when reviewing the initial applicant pool.

**Step 1:** The composition of the initial applicant pool will be analyzed to ensure that any failure to obtain representation for any monitored group is not due to discriminatory recruitment procedures.

**Step 2:** If there is no representation of a monitored group, the application deadline may be extended so that additional recruitment can be conducted that eliminates discriminatory recruitment procedures and ensures that recruitment efforts provide a full and fair opportunity for participation to a wide diversity of potential applicants.

**Step 3:** When recruitment efforts have offered an opportunity for participation to a wide diversity of potential applicants or further recruitment efforts would be futile, applications will be screened to determine which candidates satisfy the minimum qualifications set forth in the job description.

- c) *Qualified Applicant Pool:* The qualified applicant pool is composed of those applicants from the initial applicant pool who satisfy the minimum qualifications set forth in the job description, including that for faculty and administrative positions, job requirements include a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community

---

<sup>1</sup> See Title 5, section 53023 for general authority for this section.

college students. Before the qualified applicant pool is forwarded to the screening/selection committee, its composition will be analyzed to ensure that no monitored group is adversely impacted. If adverse impact is found to exist, effective steps will be taken to address the adverse impact before the selection process continues. Such steps may include, but are not limited to:

**Step 1:** Extending the deadline and undertaking inclusive outreach efforts to ensure that members of the adversely impacted group have equal opportunity to seek employment with the District.

**Step 2:** Including all applicants who were screened out on the basis of any locally established qualifications beyond the state minimum qualifications which have not been specifically demonstrated to be job-related and consistent with business necessity through a process meeting the requirements of federal law.

**Step 3:** If the minimum qualifications stated on the job announcement are changed, the job announcement will be reposted.

**Step 4:** If adverse impact persists after taking **Steps 1** and **2** above, the selection process may proceed only if:

- (i) The job announcement does not require qualifications beyond the statewide minimum qualifications, or
- (ii) Locally established qualifications beyond state minimum qualifications, if any, are demonstrated to be job-related and consistent with business necessity through a process meeting the requirements of federal law and suitable alternative selection procedures to reduce the adverse impact were unavailable.

**Step 5:** Once the qualified applicant pool is approved, the pool will be forwarded to the screening/selection committee for paper screening, interviews, and final recommendations for hiring consideration.

- d) The District will not advertise or utilize in future hiring processes for the same position or a substantially similar position any locally established qualifications beyond state minimum qualifications that the District was unable to verify under *Step (c) 2* above unless such qualifications are so verified in advance of commencing any such future hiring process.

#### 4) *Screening/Selection Committee Procedures*<sup>2</sup>

---

<sup>2</sup> See Title 5, section 53024 for general authority for this section.

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 be revised to include in its section on applicant screening by screening/selection committees the following provisions:

- a) All screening or 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, gender identity, sexual orientation, and ethnic backgrounds of community college students;***
  - (2) Based solely on job-related criteria; and
  - (3) Designed to avoid an adverse impact, and monitored by means consistent with this section to detect and address adverse impact which does occur for any monitored group.
- b) When possible, every effort will be made, within the limits allowed by federal and state law, to ensure selection/screening committees include a diverse membership, which will bring a variety of perspectives to the assessment of applicant qualifications. Selection/screening committees will be encouraged to include members from monitored groups.
- c) HR should monitor and approve the makeup of selection/screening committees for diversity. If HR does not approve a selection/ screening committee for lack of diversity, it should work with those making the appointments to the committee to take necessary steps to remedy the lack of diversity.
- d) Before a person can serve on a selection/screening committee, he or she must receive training as described in Plan Component 8.
- e) Interviews must include at least one question to assess the candidate's understanding of and commitment to equal employment opportunity and/or his/her level of cultural proficiency in the workplace and in the academic setting.

- f) Interviews should be conducted within a reasonable time from the closing date for accepting applications to minimize loss of qualified candidates.
- g) All screening materials must be approved for compliance with equal employment opportunity principles.
- h) Monitoring for adverse impact will occur at each of the following stages of the screening/selection committee process:
  - (1) After the selection/screening committee has conducted the paper screening and **prior** to contacting any of the applicants for interviews. Interviews cannot be scheduled until the applicant pool has been approved and cleared for adverse impact.
  - (2) After the applicants have been interviewed and **prior** to forwarding finalists to the hiring administrator. Finalists cannot be forwarded for hiring consideration until the applicant pool has been approved and cleared for adverse impact.
- i) If monitoring for adverse impact reveals that any selection technique or procedure has adversely impacted any monitored group, the Vice Chancellor for Human Resources 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 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) If adverse impact results from locally established qualifications beyond state minimum qualifications that have not been verified as job-related and consistent with business necessity, the use of such locally established qualifications will be immediately discontinued and any applicants eliminated on the basis of such qualifications will be placed back in the pool and continue to be considered during the hiring process.
  - 4) Where necessary, the position may be reopened at any time and a new selection process initiated in a way designed to avoid adverse impact.

- j) The District will not designate or set aside particular positions to be filled by members of any group defined in terms of ethnic group identification, race, color, ancestry, national origin, age, sex, religion, sexual orientation, marital status, disability, or medical condition, 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 such that the application of the *Plan* results in discrimination.
- k) The District will review all of its current and future job specifications to ensure that years of experience are taken into consideration only to the extent it is job-related, is not the sole criterion, and is included in the job announcement consistent with the requirements of Plan Component 12, section 2) a) (see Title 5, §§ 53022 and 53024(d)).

The use of years of experience will be assessed for adverse impact in each selection process where it is considered. If adverse impact results from the use of years of experience as a job-related factor, the process will continue only if applicants who were eliminated by the use of years of experience considerations are placed back in the pool and continue to be considered during the hiring process.

- l) Selection testing for employees will follow procedures as outlined in the Equal Employment Opportunity Commission's *Uniform Guidelines on Employee Selection Procedures*.
- m) After the Chancellor's review, the governing board shall make all final hiring decisions based upon careful review of the candidate or candidates recommended through the screening/selection committee. This includes the right to reject all candidates and to order further review or to reopen the position where necessary to achieve the objectives of the *Plan* or to ensure equal employment opportunity.
- n) 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 the *Plan*, the District will request the EEOAC to recommend new methods to meet the *Plan* objectives, or if necessary, to modify the *Plan* itself to ensure equal employment opportunity.

## **Plan Component 14: Other Measures Necessary to Further Equal Employment Opportunity**

The Board recognizes that multiple approaches are appropriate to fulfill its mission of ensuring equal employment opportunity, the development of a diverse workforce, and the creation of an inclusive, equitable and fair working and learning environment. 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 EEO also involves creating an environment that fosters cooperation, acceptance, and free expression of ideas and is welcoming to all genders, including men, women, trans male, trans female, gender non-conforming, different identity, persons with disabilities, and individuals from all protected classes.

Each site shall take tangible steps to promote equal employment opportunity, workplace diversity and an inclusive work environment. The District, in consultation with the EEOAC, shall also take concrete steps to monitor progress in these areas. These concrete steps may include any of the examples listed below, or other measures as identified and developed by the EEOAC in close consultation with the Vice Chancellor of Human Resources or designee:

- (a) Ensure that top administrative staff at each site understand and support diversity objectives and that the diversity and/or EEO Officer position is maintained as a cabinet or other high-level administrative position;
  1. Explore the feasibility of the establishment of an office for equity and diversity at each campus.
- (b) Conduct surveys of campus climate on at least a biennial basis, and implement concrete measures that utilize the information drawn from the surveys;
- (c) 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. Interviews may be conducted in a variety of ways, including in-person or telephone interviews, mailed or email surveys, or online surveys;
- (d) Conduct annual longitudinal analysis of hiring statistics, analyze the data for patterns impacting particular monitored groups, and implement concrete measures that utilize this information;
- (e) Maintain a variety of programs to support newly-hired and current employees such as mentoring, professional development, and leadership opportunities;
- (f) Encourage administrators and senior faculty/classified professionals to serve as mentors. Encourage faculty, classified professionals, and administrators to seek out mentors;

- (g) Include guest speakers from underrepresented groups who are in leadership positions and who may inspire students and employees alike;
- (h) Conduct dialogues, forums, and cross-cultural workshops on diversity, and prevention of harassment and discrimination;
- (i) Recognize and value staff and faculty who have promoted diversity and equal employment opportunity principles by awarding a yearly diversity recognition award;
- (j) Collaborate with the college Staff Development committees to integrate EEO/diversity workshops at instructional improvement days (flex week or staff development day);
- (k) Convey the District's diversity and commitment to equal employment opportunity in District publications and on the District website. Establish an "Equal Employment Opportunity and Diversity" online presence by highlighting the District's diversity and equal employment opportunity, ADA, sexual harassment and nondiscrimination policies, procedures and programs on the District's website. The website will also list contact persons for further information on all of these topics. Review and revise college/district publications and other marketing tools to reflect diversity in pictures, graphics, and text to project an inclusive image;
- (l) Establish a *Community Outreach Advisory Council* to involve community-based organizations in the recruitment and other equal employment opportunity efforts of the college. Recommended membership will include representatives from local business and industry as well as from diverse community groups such as MALDEF, NAACP, Chamber of Commerce, and City Council(s);
- (m) Review and update hiring procedures for all categories of employment at least every 5 years to ensure adherence with EEO Title 5 regulations and the components of the Plan.
- (n) Develop a faculty diversity internship program to serve as a pipeline for potential candidates.
- (o) Incorporate into the hiring procedures and District practice the following measures to increase the diversity of applicant pools for all positions:**
  1. Require hiring committees give individuals selected for interview a minimum amount of notice, to be determined, to give adequate consideration to candidates who may not be local or need to provide reasonable notice to their current employer.
  2. Study and develop a procedure for the use of online job interviewing, such as Skype, at one or more stages of the interview process in order to increase access to a more diverse pool of candidates outside of the local area and add greater flexibility to the process.
  3. Provide additional resources to the Office of Human Resources to ensure it can appropriately address EEO and equity concerns. This includes adequate staffing so that initial screening can be accomplished districtwide by HR staff to ensure

fairness and consistency. It also includes budget to cover the cost of advertising open positions in specialty locations, as needed.

4. Perform a study of previous job announcements for faculty positions to ascertain the impact certain preferred or required qualifications (i.e. the doctorate degree) have on the diversity of pools, interviewees and hires.
  5. Develop a rubric which can be used districtwide to assess candidates' sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students.
  6. Collect data in employee applications which indicates where applicants learned about the job posting in order to target EEO funds towards sources most impactful in increasing applicant diversity.
- (p) Collaborate with each campus' Student Senate/Student Government to incorporate the voices of students on the value of workplace diversity to student learning and student development in measures taken to further equal employment opportunity.
- (q) Expand the categories of ethnicities that are monitored in the hiring process to allow candidates to be more specific in their identified racial groups.
- (r) Develop a protocol for the annual dissemination and discussion of employee diversity data.
- (s) Host a diversity opportunity event, open for the community, to strain and support potential candidates.

## **Plan Component 16: Graduate Assumption Program of Loans for Education**

The District will take into account system-wide strategies developed by the Board of Governors to encourage community college students to become qualified for, and seek employment as community college employees. The District will consider strategies to inform students about the opportunity to participate in the Graduate Assumption of Loans Program for Education when that program is funded and available.

## **Plan Component 17: Progress in Achieving Full-Time to Part-Time Faculty Ratio**

The District will continue to make progress toward achieving the goal of having 75% of instruction taught by full-time faculty as described in Education Code section 87482.6. Required progress is monitored annually through analysis and reporting required by Title 5, section 51025. The District will monitor employment of part-time faculty in the categories of men, women, ethnic group identification, and disability to ensure that its employment practices are equitable and fair.