College of the Sequoias
Equal Employment Opportunity Plan

“Civilizations should be measured by the degree of diversity attained and the degree of unity retained.”
Plan Component 1: Introduction

The College of the Sequoias Community College District Equal Employment Opportunity Plan (Plan) was adopted by the Board of Trustees on (date). The Plan 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 and creating a working and academic environment which is welcoming to all will foster diversity and promote excellence.

Through an educational experience in an inclusive environment, our students will be better prepared to work and live in an increasingly global society. The Plan’s immediate focus is equal employment opportunity in its recruitment and hiring policies and practices pursuant to the applicable Title 5 regulations (Section 53000 et. seq.) and the steps the district shall take in the event of under-representation of monitored groups. To be completed when state availability data is supplied by the state Chancellor’s office. The Plan contains an analysis of the demographic makeup of the district’s workforce population and an analysis of whether under-representation of monitored groups exists. The Plan also includes the requirements for a complaint procedure for noncompliance with the Title 5 provisions relating to equal employment opportunity programs; complaint procedures in instances of unlawful discrimination; establishment of a Faculty and Staff Diversity Committee; methods to support equal employment opportunity and an environment which is welcoming to all; and procedures for dissemination of the Plan. To properly serve a growing diverse population, the district will endeavor to hire and retain faculty and staff who are sensitive to, and knowledgeable of, the needs of the continually changing student body it serves.

______________________________
William T. Scroggins
Superintendent/President
College of the Sequoias
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. A diverse educational community recognizes the educational benefits that flow from employee populations that are varied by race, gender, disability status, belief, age, national origin, cultural background, life experience and other enriching characteristics.

d) **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 listed in Section 53004(a). Ensuring equal employment opportunity also involves creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas and that is welcoming to men and women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination by Title 5, Section 53000 et seq.

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 the requirements of Section 53006.

g) (1) **Ethnic Minorities:** American Indians or Alaskan natives, Asians or 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 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 a disability in order to achieve the level of projected representation for that group by a target date established by taking into account the expected turnover in the workforce and the availability of persons with disabilities who are qualified to perform a particular job. Goals are not “quotas” or rigid proportions.

i) **In-house or Promotional Only Hiring**: means that only existing district employees are allowed to apply for a position.

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.

m) **Reasonable Accommodation**: the efforts made on the part of the district to remove artificial or real barriers, which prevent or limit the employment and upward mobility of persons with disabilities. “Reasonable accommodations” may include the items designated in Section 53025.

n) **Screening or Selection Procedures**: any job-related 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.

p) **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.

q) **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.
Plan Component 3: Policy Statement

The College of the Sequoias 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 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, gender, disability, ancestry, sexual orientation, language, accent, citizenship status, transgender, parental status, marital status, economic 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 will strive to achieve a workforce that is welcoming to men, women, persons with disabilities and individuals from all ethnic and other groups 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.
Plan Component 4: Delegation of Responsibility, Authority and Compliance

It is the goal of the College of the Sequoias 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, William T. Scroggins, 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 John W. Bratsch 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, Sections 53000 et seq. The equal employment opportunity 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. Faculty and Staff Diversity Committee

The Faculty and Staff Diversity Committee will 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 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.
Plan Component 5: Advisory Committee

The district has established a Faculty and Staff Diversity Committee 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 committee may sponsor events, training, or other activities that promote equal employment opportunity, nondiscrimination, retention and diversity. The equal employment opportunity officer 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 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. The committee will be composed of three faculty members, three classified members, three administrators/managers, two students, and two community members. Ex officio members shall include the human resources director, the equal employment opportunity officer, the Title IX officer, and the ADA coordinator. The 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 committee shall make recommendations to the governing board, the Superintendent/President, and the equal employment opportunity officer.
Plan Component 6: Complaints

1) Complaints Alleging Violation of the Equal Employment Opportunity Regulations (Section 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 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 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/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. (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 Section 53026 alleges unlawful discrimination, it will be processed according to the requirements of Section 59300 et seq.

2) Complaints Alleging Unlawful Discrimination or Harassment (Section 59300 et. seq.) The district has adopted procedures for complaints alleging unlawful discrimination or harassment. The Dean, Human Resources 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).
Plan Component 7: Notification to District Employees

The commitment of the governing board and the Superintendent/President 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 printed in the college catalog and class schedules. The Plan and subsequent revisions will be distributed to the district’s governing board, the Superintendent/President, administrators, the academic senate leadership, union representatives, and members of the Faculty and Staff Diversity Committee. The Plan will be available on the district’s website and, when appropriate, may be distributed by e-mail. Each year, the district office will provide all employees with a copy of the board’s Equal Employment Opportunity Policy Statement (located in Plan Component 3 of this Plan) and written notice summarizing the provisions of the district’s Equal Employment Opportunity 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 contain the following provisions:

1) The importance of the employee’s participation and responsibility in ensuring the Plan’s implementation.

2) Where complete copies of the Plan are available, including in the campus library, in the district’s public folders, on the district internet site, the Office of the Superintendent/President, the Office of Human Resources, and each department office.
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 recruitment and screening/selection of personnel shall receive appropriate training on the requirements of the Title 5 regulations on equal employment opportunity (Section 53000 et. seq.); the requirements of federal and state nondiscrimination laws; the requirements of the district’s Equal Employment Opportunity Plan; the district’s policies on nondiscrimination, recruitment, and hiring; principles of diversity and cultural proficiency; the value of a diverse workforce; and recognizing bias. Persons serving in the above capacities will be required to receive training within the 12 months prior to service. This training is mandatory; individuals who have not received this training will not be allowed to serve on screening/selection committees. The Equal Employment Opportunity Office 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 recruitment and screening of employees is subject to the equal employment opportunity requirements of Title 5 and the district’s Equal Employment Opportunity Plan.
Plan Component 9: Annual Written Notice to Community Organizations & Professional Groups

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 that they may obtain a copy of the Plan, and shall solicit their assistance in identifying diverse qualified candidates. The notice will include a summary of the Plan. 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. This list may be revised from time to time as necessary.
Plan Component 10: Analysis of District Workforce and Applicant Pool

The Human Resources Department will annually survey the district’s workforce composition and shall monitor applicants 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 any monitored group is underrepresented. Monitored groups are men, women, American Indians or Alaskan natives, Asians or Pacific Islanders, Blacks/African-Americans, Hispanics/Latinos, Caucasians, and persons with disabilities.

For purposes of the survey and report all applicants and employees will be afforded the opportunity to voluntarily identify their gender, ethnic group identification and, if applicable, her or his disability. Persons may designate as many ethnicities as they wish, but shall be counted in only one ethnic group 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). 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:
   - Adult Education
   - Career Education
   - English
   - Health and Physical Education
   - Humanities
   - Instructional and Support Services
   - Mathematics
   - Natural Sciences
   - Social Sciences
   - Part-Time

3) Professional Non-faculty
4) Secretarial/Clerical
5) Technical and Paraprofessional
6) Skilled Crafts
7) Service and Maintenance

The district’s workforce and applicant pools for the fall of 2006 are as follows.
# Workforce Analysis

*Fall 2008*

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## Asian/Pacific Islander Subgroup Workforce Analysis

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## Analysis of Applicant Pool

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Asian/Pacific Islander Subgroup Analysis of Applicant Pool

Fall 2008

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Plan Component 11: Analysis of Degree of Under-representation and Significant Under-representation  
(Completion of this section awaits Chancellor’s Office availability data.)

The district continues to make progress in reducing the under-representation of certain monitored groups in its workforce. To determine whether under-representation exists, the district’s workforce data provided in Plan Component 10 above must be compared to the Chancellor’s availability data (i.e., the pool of persons determined by the Chancellor to be qualified and available to perform the work in question). Of those hired, $X$ percent ($X$ hires) of the new employees are members of ethnic groups which had previously been found to be underrepresented in several job categories. Faculty hiring trends over the past ten years demonstrated an increase in the participation rate of underrepresented ethnic groups from $X$ percent to $X$ percent and persons with disabilities from $X$ percent to $X$ percent. $X$ percent of new hires during this period were women.

The analysis has been done for monitored groups in each job category. Under-representation exists whenever the district’s workforce for any monitored group in a job category falls below the projected representation as indicated by the Chancellor’s Office availability data. Significant under-representation exists when the percentage of persons from that group falls below 80 percent of the projected representation. The tables showing the degree of under-representation for each monitored group in each job category are detailed in Appendix A. The summary of the analysis of the district’s workforce is as follows:

1) Under-representation – Under-representation exists to some degree in most categories; the least exists within the $X$, $Y$ and $Z$ categories. The district will take steps described in Component 12 of this Plan to address the identified instances of under-representation.

2) Significant Under-representation – Significant under-representation exists across several categories. The group showing the greatest significant under-representation district-wide, pursuant to the state’s availability data are $X$ followed by $Y$ and $Z$.

Examples of Language to Use in Final EEO Plan

Asian/Pacific Islanders are significantly underrepresented in $X$, $Y$ and $Z$ categories at the College of the Sequoias.

American Indian/Alaskan Natives are significantly underrepresented in $X$, $Y$ and $Z$ categories at the College of the Sequoias.

Hispanics are significantly underrepresented in $X$, $Y$ and $Z$ categories at the College of the Sequoias.

African-Americans are significantly underrepresented in $X$, $Y$ and $Z$ categories at the College of the Sequoias.
Whites are significantly underrepresented in *X, Y and Z categories* at the College of the Sequoias.

Women are significantly underrepresented in *X, Y and Z categories* at the College of the Sequoias.

Men are significantly underrepresented in *X, Y and Z categories* at the College of the Sequoias.

Persons with disabilities are significantly underrepresented at *X, Y and Z categories* at the College of the Sequoias.

3) In those areas where significant under-representation persists for three years or more, section 53006(b) of title 5 requires that additional measures be taken. The categories requiring additional measures are:

*Examples: (fill in after survey completed)*

a) Executive/Administrative/Managerial – *X Category*

b) Faculty/English – *X Category*

c) Faculty/Math – *X Category*

d) Faculty/Math – *X Category*
Plan Component 12: Methods to Address Under-representation

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 men and women, 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 create a diverse pool of qualified individuals from which to hire. With a diverse pool, the district takes steps within the screening/selection process to allow for the hiring of candidates with varied backgrounds who can contribute to and effectively communicate in a diverse community. The equal employment opportunity provisions below are applicable to all full-time and part-time hiring, including any hiring meant to address the ratio of full-time to part-time faculty that may be required by Education Code Section 87482.6.

To address any identified under-representation of monitored groups pursuant to Plan Component 11, 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 under-representation exists, because the provisions are also valuable in ensuring equal employment opportunity. The district’s Recruitment and Hiring Procedures includes 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.

Efforts will be undertaken on a regular basis to develop and contact new recruitment sources that ensure diverse pools of candidates. Diverse pools should include, but not be limited to, men, women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination. The Faculty and Staff Diversity Committee is encouraged to utilize and notify the district of additional recruitment options that may enable the district to obtain a diverse pool of applicants. All recruitment announcements will state that the district is an “Equal Employment–Affirmative Action Employer.”

a) For any job category where continuing under-representation exists, the district will apply the recruitment procedures set forth in Title 5, Section 53021 to conduct full and open recruitment for all new openings and will not invoke the provisions for in-house interim appointments or the exception under 53021(c)(7) for engaging an administrator through a professional services contract unless the Superintendent or his/her designee first notifies the governing board and the Faculty and Staff Diversity Committee in writing of the compelling reason to limit the persons who may be considered for a vacancy in a job category where under-representation persists.

b) Recruitment for all open positions shall include, but not be limited to, placement of job announcements in the following instruments:
(1) General circulation newspapers, general circulation publications, and general market radio and television stations, including electronic media.
(2) Local and regional community newspapers.
(3) Newspapers, publications, and radio and television stations 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, publications, and radio and television stations 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.

c) At least every two years the district shall host an open house for persons interested in employment with the district. The open house will allow potential candidates to meet deans, division chairs, faculty, and classified employees of the district. Attendees will be provided with information regarding current job openings, the demographic makeup of the student body, hiring criteria and procedures, and information on the district’s commitment to equal employment opportunity. Efforts will be made to attract diverse groups of individuals to the open house.

d) District employees will be surveyed on a regular basis requesting resources and locations where open positions may be advertised to ensure that 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” includes the following provisions:

a) 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, and ethnic backgrounds of community college students. For faculty and administrative positions, requirements will also include knowledge of the history and culture of underrepresented groups and groups that have experienced discrimination. All faculty and administrative positions will state as a preferred or desired qualification knowledge of multiculturalism and training in cultural proficiency. Job specifications, including any “required,” “desired,” or “preferred” qualifications beyond the state minimum qualifications which the district wishes to utilize will be reviewed by the Equal Employment Opportunity Officer 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–Affirmative Action 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 required qualification. Before bilingual ability in the identified languages can be made a required qualification, the district will conduct an analysis to ensure that such a requirement meets the standard for a bona fide occupational requirement. The district will identify the specific positions that may require bilingual ability and the language(s) needed and in which positions bilingual ability in a particular language may be listed as a required, preferred, or desired qualification.

3) Review of Initial and Qualified Applicant Pools

Initial applicant pools will be reviewed for projected representation of monitored groups. Once the initial pool is approved, the pool will be screened for minimum qualifications, resulting in a qualified applicant pool. The qualified applicant pool will be reviewed so that no monitored group is adversely impacted. Once the qualified applicant pool is approved, the pool may be forwarded to the screening/selection committee. The district’s Recruitment and Hiring Procedures 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 projected representation for any monitored group is not due to discriminatory recruitment procedures.

**Step 2:** If projected representation has not been met, 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. 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.
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 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, and ethnic backgrounds of community college students;

(2) Designed to ensure that for all faculty and administrative positions, meaningful consideration is given to the extent to which applicants demonstrate knowledge of multiculturalism, of training in cultural proficiency, and knowledge of the history and culture of underrepresented groups and groups that have experienced discrimination;

(3) Based solely on job-related criteria; and

(4) 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) The Equal Employment Opportunity Officer will approve the makeup of selection/screening committees. If the Equal Employment Opportunity officer does not approve a selection/screening committee for lack of diversity, steps will be taken to remedy the lack of diversity.

d) Before a person can serve on a selection/screening committee, he or she must receive equal employment opportunity and diversity training.

e) Interviews must include at least two questions which assess the candidate’s understanding of and commitment to equal employment opportunity and his or her level of cultural proficiency. Reference checks must include at least one question addressing such issues.
f) All screening materials must be approved for compliance with equal employment opportunity principles.

g) 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.

h) If monitoring for adverse impact reveals that any selection technique or procedure has adversely impacted any monitored group, the chief executive officer 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.

i) 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 that has the purpose or effect of so discriminating.

j) The district will review all of its current and future job specifications to ensure that seniority or length of service is 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)).

Service will be considered job-related for purposes of taking seniority or length of service into account only if it is closely related to the actual teaching or other faculty assignment. Service in the same department will not automatically be considered closely related unless the actual assignments within the department are similar. The use of seniority or length of service will be assessed for adverse impact in each selection process where it is taken into account. If adverse impact results from the use of seniority or length of service as a job-related factor, the process will continue only if applicants who were eliminated by the use of seniority or length of service considerations are placed back in the pool and continue to be considered during the hiring process.

k) Selection testing employees will follow procedures as outlined in the Equal Employment Opportunity Commission’s Uniform Guidelines on Employee Selection Procedures.

l) The governing board or its designee 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 objective of the Plan or to ensure equal employment opportunity.

m) 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 Faculty and Staff Diversity Committee to recommend new methods to meet the Plan objectives, or if necessary, to modify the Plan itself to ensure equal employment opportunity.
Plan Component 13: Additional Steps to Remedy
Significant Under-representation

In Component 11 of this Plan, the district identified particular monitored groups that are significantly underrepresented with respect to one or more job categories. In order to address these instances of significant under-representation, the district will take the following steps:

1) The district will request that the Faculty and Staff Diversity Committee, in conjunction with appropriate human resources staff, review the district’s recruitment procedures and make recommendations on modifications that would address the under-representation.

2) The district will increase the advertising and recruitment budget for a three-year period to ensure that recruitment is broad and inclusive.

3) The district will require that the dean or responsible administrator for the division or department where the significant under-representation occurs develop, in conjunction with the Equal Employment Opportunity Officer, a recruitment and hiring program to assist in addressing the significant under-representation. The program should include additional locations or resources to advertise positions that would likely attract candidates from the significantly under-represented groups; whatever changes in staffing, curricular offerings or department structure would assist in attracting candidates from significantly under-represented groups; additional training for current faculty and staff on the value of a diverse workforce; and recommended changes to the job announcement and screening criteria, including interview questions, that may reasonably be expected to attract candidates from the significantly under-represented groups. The responsible administrator(s) will be evaluated on the ability to develop and implement this recruitment and hiring program.

4) The district will develop and implement an intern program where graduate students will be provided the opportunity to co-teach a class offered by the district. The intern program will be designed to interest graduate students in teaching at community colleges and provide them with teaching experience. The program will be designed to provide a diverse group of students with this opportunity.

5) The district will actively monitor the representation rate of each group which was identified in Component 11 as being significantly under-represented in one or more categories. If significant under-representation persists for a particular group in the job category in question, after the measures described above have been in place for a period of at least three years, the district will:

a) 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 business necessity through a process meeting the requirements of federal law.
b) Discontinue the use of any locally established qualification that is not found to satisfy the requirements set forth in the previous paragraph and continue using qualification standards meeting the requirements in the previous paragraph only where no alternative qualification standard is reasonably available which would select for the same characteristics, meet the requirements of the previous paragraph, and be expected to have a less exclusionary effect.

c) Increase the recruitment budget for another three years and hire a staff person to work on recruitment full-time for at least a two-year period.

d) Develop a recruitment committee composed of the college president, the human resource director, the equal employment opportunity officer, the dean or responsible administrator for the division or department where the significant under-representation persists and members of the Faculty and Staff Diversity Committee to review the effectiveness of the recruitment and hiring program described in section 3 above. The committee will provide recommendations to modify the recruitment and hiring program to better address the significant under-representation. The college president will be evaluated on his/her ability to successfully implement the recruitment and hiring program.
Plan Component 14: Other Measures Necessary to Further Equal Employment Opportunity

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 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 and other groups protected from discrimination. To that end, in addition to the steps to address under-representation and/or significant under-representation, the district will implement a diversity program. Having a campus that has accepted principles of diversity and multiculturalism can make implementation and maintenance of an effective equal employment opportunity program much easier. For that reason, institutionalizing a diversity program that is well planned, well funded, and supported by the leadership of the district can be of great value. The district will sponsor cultural events and speakers on issues dealing with diversity and explore how to infuse diversity into the classroom and curriculum. The district will promote the concept of cultural proficiency and it will develop an evaluation form that integrates diversity into the evaluation of employees. The district will also promote learning opportunities and personal growth in the area of diversity and evaluate how the physical environment can be responsive to its diverse employee and student populations. In implementing a diversity program, the district shall do the following:

1) Commit to a diversity program that is part of the structure of the district and that will be adequately funded and supported by the district and campus leadership.

2) Conduct campus climate studies to identify hidden barriers.

3) Include guest speakers from under-represented groups who are in leadership positions and who may inspire students and employees alike.

4) Highlight the district’s equal employment opportunity and diversity policies in job announcements and in its recruitment, marketing, and other publications. Include in job announcements language indicating that candidates are required to demonstrate that they can infuse diversity into their major job duties.

5) Conduct diversity dialogues, forums, and cross-cultural workshops.

6) Work with the Curriculum Committee to assist in the development of a “Diversity Instructional Tool Kit” as a resource for faculty interested in infusing diversity and multiculturalism into their instruction or services to students.

7) Review and revise college publications and other marketing tools to reflect diversity in pictures, graphics, and text to project an inclusive...
8) Recognize and value staff and faculty who have promoted diversity and equal employment opportunity principles by awarding a yearly diversity recognition award.

9) Provide a series of EEO/diversity workshops at all staff improvement days (flex days).

10) Evaluate administrators yearly on their ability and efforts to meet the district’s equal employment opportunity and diversity efforts.

11) 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.

12) Promote sabbaticals that will assist the district in achieving its equal employment opportunity and diversity objectives.

13) Promote various cultural celebrations on campus.

14) Recognize multilingualism and knowledge of multiculturalism as a desired and, when appropriate, required skill and qualification for community college employees.

15) Have a formal diversity program on campus that is visible, valued and adequately funded.

16) Consider providing for alternative educational or experience requirements for nonacademic positions.

17) Develop leadership opportunities with current staff focusing on diversity.

18) 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).

19) Ensure that top administrative staff support diversity objectives and that the Equal Employment Opportunity Officer position is maintained as a cabinet or other high-level administrative position.

20) Seek direct contact with student, professional, community and other organizations that represent the diverse community we serve. These organizations can serve as resources for referring potential candidates.
Plan Component 15: Persons with Disabilities: Accommodations and Goals for Hiring  (Completion awaits Chancellor’s Office availability data.)

1)  Reasonable Accommodations

Applicants and employees with disabilities shall receive reasonable accommodations consistent with the requirements of Government Code Sections 11135 et seq. and 12940(m); Section 504 of the Rehabilitation Act of 1973; and the Americans with Disabilities Act. Such accommodations may include, but are not limited to, job site modifications, job restructuring, part-time work schedules, flexible scheduling, reassignment to a reasonably equivalent vacant position, adaptive equipment, and auxiliary aides such as readers, interpreters, and notetakers.

The ADA coordinator is responsible for handling requests for accommodations from current employees. The Office of Human Resources is responsible for handling requests from applicants seeking such accommodations during the application process. Requests can be made on the “Request for Reasonable Accommodations” form.

2)  Procedures When Under-representation is Found

When persons with disabilities are found to be significantly underrepresented, measures required under Plan Component 13 and 14 will be implemented concurrently with the goals set forth below. The district will make every effort to achieve the hiring goals by the target dates identified below and will discontinue them when projected representation has been achieved for persons with disabilities in the category or categories in question.

3)  Goals for Persons with Disabilities

Currently the projected representation for persons with disabilities is only required by the total district workforce and not by job categories.

The spreadsheet for the district shows significant under-representation at X percent of projected representation. Any percentage below 80 percent constitutes significant under-representation. To reach projected representation, the district would increase the number of persons with disabilities in the workforce by X. The target date is three years (200_) to reach projected representation. Measures required under Components 13 and 14 of the Plan will be followed to address the significant under-representation. The district will concurrently take other additional steps that take disability into account, so long as such measures are discontinued when projected representation is achieved.

The spreadsheet for the district shows representation at X percent of projected representation. To reach projected representation, the District would strive to increase the number of persons with disabilities in the workforce by X within a reasonable timeframe considering turnover and availability of qualified persons with disabilities.
Explanation of Spreadsheet Tables

The following is an explanation of the elements of the sample spreadsheet tables.

*Column 1* shows the total number of projected authorized positions at the district for the stated year.

*Column 2* shows the availability factor for persons with disabilities.

*Column 3* shows how many persons with disabilities would presumably be employed in the district given the availability data. The excel spreadsheet automatically makes this calculation by multiplying the availability factor (*column 2*) by the number of authorized positions (*column 1*). The spreadsheet automatically rounds up or down to the nearest whole number in *column 3* and percentage in *column 6*. For example, a number 49.5 or above becomes 50 and a number greater than 49 but below 49.5 becomes 49.

*Column 4* shows how many persons with disabilities are currently employed by the district.

*Column 5* shows the number of employees under-represented which is the difference between *columns 4 and 3*. If the number of persons is below projected representation, a number other than zero will appear in *column 5*. If the number of persons is at or above projected representation, the number zero will appear in *column 5*.

*Column 6* shows the percent of projected representation. The excel spreadsheet will automatically calculate this number by dividing *column 4* by *column 3*. Although the number in *column 3* shows as a whole number (since the number is rounded up or down) on the table, the excel spreadsheet is actually continuing its calculation by the more precise number. For example, a table may appear to be dividing 7 (*column 4*) by 9 (*column 3*) to arrive at 82 percent. However, the formula is actually dividing 7 by 8.5, the more precise number, to arrive at 82 percent.

*Columns 7, 8, and 9* show the goal for the number of persons with disabilities to be hired for each of the specified years when significant under-representation is found.
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<td>Availability Factor X Authorized Positions</td>
<td>Current Staff</td>
<td>Number of Employees Under represented</td>
<td>Percent of Projected Representation</td>
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<td>2007-2008 Goal</td>
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*Goals and target dates for persons with disabilities are only set when there is a figure below 80 percent in column 6 entitled “Percent of Projected Representation.” A figure below 80 percent means there is significant underrepresentation. Goal setting is done concurrently with implementing the measures required under title 5, section 53025. The goals shall only remain in effect until projected representation has been achieved for that group.*
## SAMPLE
CALIFORNIA COMMUNITY COLLEGES
PERCENT OF PROJECTED REPRESENTATION AND GOALS *
PERSONS WITH DISABILITIES

<table>
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<tr>
<th>Name of District</th>
<th>Name of College</th>
<th>Name of Preparer</th>
<th>Date Prepared</th>
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<td>Availability Factor</td>
<td>Availability Factor X Authorized Positions</td>
<td>Current Staff</td>
<td>Number of Employees Under represented</td>
<td>Percent of Projected Representation</td>
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</tbody>
</table>

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### CALIFORNIA COMMUNITY COLLEGES
#### PERCENT OF PROJECTED REPRESENTATION AND GOALS *
#### PERSONS WITH DISABILITIES

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<td>Current Staff</td>
<td>Number of Employees Under represented</td>
<td>Percent of Projected Representation</td>
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</table>

*Goals and target dates for persons with disabilities are only set when there is a figure below 80 percent in column 6 entitled “Percent of Projected Representation.” A figure below 80 percent means there is significant underrepresentation. Goal setting is done concurrently with implementing the measures required under title 5, section 53025. The goals shall only remain in effect until projected representation has been achieved for that group.*
Plan Component 16: Graduate Assumption Program of Loans for Education

The district will encourage community college students to become qualified for, and seek employment as, community college employees. The district shall research and inform students about programs that may assist them to complete their graduate studies and become community college employees. The district will post informational flyers on the campuses concerning such programs and make information available in student newspapers, the catalog, and in locations accessible to students, including but not limited to Counseling, Financial Aid, Admissions and Records, the Bookstore, and the Student Center. Efforts will be made to inform graduate students in local colleges and universities about the benefits of employment at a community college.
Footnotes

1 Diversity and equal employment opportunity are related but separate concepts. An environment that promotes principles of diversity simultaneously promotes an accepting environment for implementation of equal employment opportunity. Because of the interrelationship of diversity and EEO, Plan Component 14 is dedicated to diversity programs and projects as a way to further EEO efforts.

The protected categories bolded above are categories described in the Board of Governors regulations and nondiscrimination regulations. Individual districts may broaden the scope of protected categories, and in some cases may be required to do so by other law or local ordinance. Although districts may broaden who is protected under their nondiscrimination statement, these additional groups will not be entitled to the safeguards under the title 5 regulations in regards to appeal and/or review by the Chancellor’s Office.

2 The protected categories bolded above are categories described in the Board of Governors regulations and nondiscrimination regulations. Individual districts may broaden the scope of protected categories, and in some cases may be required to do so by other law or local ordinance. Although districts may broaden who is protected under their nondiscrimination statement, these additional groups will not be entitled to the safeguards under the title 5 regulations in regards to appeal and/or review by the Chancellor’s Office.

4 Some districts have “diversity” directors who perform these EEO functions; other districts delegate these functions to human resources or other administrative staff. Whoever performs these functions should have the independence and authority to properly implement the Plan. Some districts have this officer report directly to the chief executive officer.

5 Many districts continue to call these advisory committees Diversity Advisory Committees, as they were called in the prior title 5 language. This is acceptable, although the current title 5 language refers to them as Equal Employment Opportunity Advisory Committees. The committee name is not critical; the important thing is for the committee to carry out the duties described in section 53005 of title 5. The sample language describes an advisory committee at each college. However, a district with committees at each college must also have an advisory committee with jurisdiction over hiring for its district offices. A district-level advisory committee might also coordinate the work of campus-based advisory committees and address districtwide EEO issues. See Plan Component 5 for a fuller discussion of advisory committees.

6 It is suggested, but not required, that advisory committees also include representatives from all constituency groups. At a minimum, this should include students, faculty, classified staff and administrators. Some districts may wish to also include community members as is done in the Sample Model Language herein.

7 Title 5 does not require any specific composition for the advisory committee. The composition provided here is simply for purposes of providing an example.

8 Another possible approach would be to have a Community Equal Employment Opportunity Advisory Committee in addition to one composed of district employees.

9 The equal employment opportunity regulations are found in California Code of Regulations, title 5, section 53000 et seq.

10 The policy statement required under section 53002 is the district’s commitment to an equal employment opportunity program. See Plan Component 3.

11 It is optional, but may make sense, for unions and other constituencies to receive this notification and for a copy of the entire Plan to be made available in prominent locations throughout the campus/district.

17 Title 5 does not require a gender breakdown within the ethnicity and disability groupings. It has been included here to provide greater clarity.

19 Although title 5 provides a definition for “significant underrepresentation,” it does not provide a definition for “underrepresentation.” Logically, however, underrepresentation occurs whenever representation falls below projected representation to any degree.

20 Districts may wish to provide a graph showing the degree of underrepresentation for each group and job category in rank order from least to most underrepresented with the percentage identified. This can be done for both underrepresentation and significant underrepresentation.

22 Education Code section 87102 requires each district’s Plan to address how the district will make progress in achieving the ratio of full-time to part-time faculty hiring as required by Education Code section 87482.6, while still ensuring equal employment opportunity.

23 Some districts may have a federal contract that may require the use of the term “affirmative action.” Proposition 209 permits affirmative action programs that are required by federal law. Technically, Proposition 209 did not make all
other affirmative action programs unlawful. However, in Connerly v. State Personnel Board (2001) 92 Cal.App.4th 16, the Third District Court of Appeal found that the state statutes requiring affirmative action employment programs in the community college system did violate equal protection guarantees and Proposition 209. Additionally, considerable confusion over the meaning of the term continues. Thus, districts are advised to avoid the use of the term “affirmative action” unless legal counsel for the district confirms that an affirmative action program is required by a federal contract or is otherwise likely to withstand challenge pursuant to Proposition 209.

24 Sections c) and d) are not required or based on legal authority but are included here as recommended practices.

25 Title 5, section 53022 does not require “knowledge of history and culture of underrepresented groups and groups that have experienced discrimination.” Nor does it require the preferred or desired language regarding “multiculturalism” or “cultural proficiency.” The district here has chosen to make these additional requirements to the “sensitivity and understanding” language required by section 53022. They are provided here as examples of a recommended practice. (title 5 only makes the “sensitivity” and “understanding” language applicable to faculty and administrators, the sample district here has chosen to make it applicable to all employees.)

26 See generally title 5, section 53022

27 Please see footnote 22 regarding the use of the term “affirmative action.”

28 This section is not required by title 5. It is included here as a recommended practice. For an example of how large numbers of a non-English speaking population may justify requiring bilingual ability, see Government Code section 7296.2 (stating 5% or more of the people served triggers a bilingual requirement for state agencies) and Education Code section 45401 (stating 15% or more triggers a bilingual requirement for K-12 school districts). Since neither of these provisions directly apply to community colleges, districts should not simply rely on these code sections when deciding whether to assess whether they may require bilingual ability for any particular position or what percentage of non-English speakers should trigger the requirement. Each district would conduct its own analysis of whether a bilingual requirement for a particular position would meet the standard of a bona fide occupational requirement. The Education and Government Code sections referenced here are only a guide to what might be considered a reasonable trigger to justify a bilingual requirement. Because of the likelihood that this requirement may cause an adverse impact, districts should ensure such a requirement can be justified before implementing it.

29 See title 5, section 53023 for general authority for this section.

30 See title 5, section 53024 for general authority for this section.

31 Title 5, section 53024 only requires that this criterion be applied to faculty and administrators. The sample district has chosen to apply the criteria to all applicants. The language is added here as a recommended practice.

32 This is not a title 5 requirement. It is added here as a recommended practice.

33 Subsections a) (2), c), e) and f) are not required by title 5 and are offered here as recommended practices.

37 Districts may look at the Chancellor’s Office website for information on Systemwide Commitments to Equity and Diversity. This information may be accessed at www.cccco.edu; click on agency; governmental relations division; equal employment opportunity: equity and diversity taskforce recommendations; and ore. The Chancellor’s Office has not evaluated the application of specific practices, and inappropriate application could cause a district to violate the law. Additionally, because the information may not have been recently reviewed for consistency with legal requirements, districts should seek the advice of legal counsel when implementing specific practices.

39 See the definition of “person with a disability” in the definitions section of the Plan. A more detailed definition of physical and mental disability is found in Government Code, section 12926. California has a broader definition of disability than the ADA. California also requires accommodations to be made under circumstances where accommodations might not be necessary under federal law.