

EQUAL EMPLOYMENT
OPPORTUNITY PLAN



Sequoias Community
College District
COS
College of the Sequoias

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Adopted by the Board of Trustees on June 13, 2016

Introduction

The College of the Sequoias Community College District has an Equal Employment Opportunity Plan (*Plan*) that was first adopted by the Board of Trustees in 2007. Revisions to this Plan were made and adopted by the Board on June 13, 2016. 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.).

Additionally, the District shall take measures to address underrepresentation of monitored groups. The *Plan* 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 an Equal Employment Opportunity Advisory Work Group; 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 they serve.



Brent Calvin
Superintendent/President
College of the Sequoias Community College District

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 age, ancestry, color, gender, gender identify, gender expression, genetic information, marital status, medical condition, national origin, parental status, physical or mental disability, race, religion, sexual orientation, or veteran status.
- 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). (These groups are men, women, American Indians or Alaskan natives, Asians or Pacific Islanders, Blacks/African Americans, Hispanics/Latinos, Caucasians, and persons with disabilities).
- 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.

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, sex, physical disability, mental disability, ancestry, sexual orientation, language, accent, citizenship status, transgender status, parental status, marital status, economic status, veteran status, medical condition, genetic information 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.

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. *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. *Superintendent/President*

The Board of Trustees delegates to the Superintendent/President the responsibility for ongoing implementation of the *Plan* and for providing leadership in supporting the District's equal employment opportunity policies and procedures. The Superintendent/ President shall 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 Dean, Human Resources as its equal employment opportunity officer who is responsible for the day-to-day implementation of the *Plan*. 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 the complaint section and for ensuring that applicant pools and selection procedures are properly monitored.

4. *Equal Employment Opportunity Advisory Work Group*

Each District will establish an Equal Employment Opportunity Advisory Work Group to act as an advisory body to the equal employment opportunity officer and the District as a whole to promote understanding and support of equal employment opportunity policies and procedures. The Equal Employment Opportunity Advisory Work Groups 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 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*.

Advisory Work Group

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

Ideally, the Work Group will be composed of faculty members, classified members, administrators/managers, students, and community members. Ex-officio members shall include the human resources dean, the equal employment opportunity officer, the Title IX officer, and the ADA coordinator. The Work Group shall include a diverse membership whenever possible.

The Work Group shall hold a minimum of two (2) meetings per year, with additional meetings if needed to review EEO and diversity efforts, programs, policies, and progress. When appropriate, the Work Group shall make recommendations to the Board of Trustees, the Superintendent/President, and the equal employment opportunity officer.

Complaints

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 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 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.

Complaints Alleging Unlawful Discrimination or Harassment (Section 59300 et seq.) The District has adopted procedures for complaints alleging unlawful discrimination or harassment (See Board Policy 3430 and Administrative Procedure 3430). The Dean, Human Resources is responsible for receiving such complaints and for coordinating their investigation.

Notification to District Employees

The commitment of the Board of Trustees 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 District catalogs. The *Plan* and subsequent revisions will be distributed to the District's Board of Trustees, the Superintendent/President, administrators, the academic senate leadership, union representatives and members of the District Equal Employment Opportunity Advisory Work Groups. The *Plan* will be available on the District's website, and when appropriate, may be distributed by e-mail.

Each year, the District will provide all employees with a copy of the Equal Employment Opportunity Policy Statement 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) The availability of the *Plan* on the District website and in the Human Resources Office.

Training for Screening/Selection Committees

Any individual, whether or not an employee of the District, who is involved in the recruitment and screening/selection of District personnel shall receive appropriate training/guidance on the requirements of the Title 5 regulations on equal employment opportunity (section 53000 et. seq.); the requirements of federal and state non-discrimination laws; the requirements of the District's Equal Employment Opportunity Plan; the District's policies on non-discrimination, recruitment, and hiring; principles of diversity and cultural proficiency; the educational value of a diverse workforce; best practices in serving on a hiring committee; and, recognizing bias in hiring decisions.

Persons serving in the above capacities will be required to receive training within the 24 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 Human Resources Office, or designee, is responsible for providing the required training/guidance.

Annual Written Notice to Community Organizations

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.

Analysis of District Workforce and Applicant Pool

The District's Human Resources Office and the District's Office of Research, Planning and Institutional Effectiveness 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* and to determine whether any monitored group is underrepresented. Monitored groups are men, women, American Indians/Alaskan Natives, Asians or Pacific Islanders, Blacks/African-Americans, Hispanics/Latinos, Caucasians, and persons with disabilities.

For purposes of the survey and reports, each applicant or employee will be afforded the opportunity to voluntarily identify her or his gender, ethnic group identification and, if applicable, her or his disability. Persons may designate as many ethnicities as they identify with, 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 Superintendent/President 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) Administrators
- 2) Full-Time Faculty
- 3) Adjunct Faculty
- 4) Classified Employees

Below are two reports. The first report is a "Faculty and Staff Demographics Report" (as reported for Fall 2017) which indicates:

- The total number of District employees;
- The total number of administrators, full-time faculty; adjunct faculty and classified employees;
- Demographic breakdown of all District employees.

The "Faculty and Staff Demographics Report", including past years, can be located on the California Community College Chancellors Office at: http://datamart.cccco.edu/Faculty-Staff/Staff_Demo.aspx.

The second report is a 2017-2018 Job Applicant Demographics Report for Full-Time Faculty which indicates:

- The total number of job applicants for full-time faculty for the 2017-2018 year;
- Demographic breakdown of all 2017-2018 full-time faculty job applicants.

Faculty and Staff Demographics Report (Fall 2017)

Management

	Fall 2017 Employee	
	Employee Count	Employee Count (%)
[-] Sequoias CCD Total	742	100.00 %
[-] Educational Administrator Total	45	6.06 %
[-] Female Total	16	35.56 %
African-American	1	6.25 %
Hispanic	5	31.25 %
White Non-Hispanic	10	62.50 %
[-] Male Total	29	64.44 %
African-American	2	6.90 %
Asian	2	6.90 %
Hispanic	8	27.59 %
White Non-Hispanic	17	58.62 %

Full-Time Faculty

[-] Academic, Tenured/Tenure Track Total	179	24.12 %
[-] Female Total	93	51.96 %
American Indian/Alaskan Native	1	1.08 %
Asian	4	4.30 %
Hispanic	24	25.81 %
Multi-Ethnicity	1	1.08 %
Unknown	6	6.45 %
White Non-Hispanic	57	61.29 %
[-] Male Total	86	48.04 %
African-American	4	4.65 %
American Indian/Alaskan Native	1	1.16 %
Asian	5	5.81 %
Hispanic	14	16.28 %
Pacific Islander	1	1.16 %
Unknown	3	3.49 %
White Non-Hispanic	58	67.44 %

Adjunct Faculty

[-] Academic, Temporary Total	297	40.03 %
[-] Female Total	137	46.13 %
African-American	5	3.65 %
American Indian/Alaskan Native	1	0.73 %
Asian	10	7.30 %
Hispanic	36	26.28 %
Multi-Ethnicity	1	0.73 %
Unknown	3	2.19 %
White Non-Hispanic	81	59.12 %
[-] Male Total	160	53.87 %
African-American	3	1.88 %
American Indian/Alaskan Native	1	0.63 %
Asian	8	5.00 %
Hispanic	32	20.00 %
Multi-Ethnicity	1	0.63 %
Unknown	11	6.88 %
White Non-Hispanic	104	65.00 %

Classified/Confidential Employees

[-] Classified Total	221	29.78 %
[-] Female Total	134	60.63 %
American Indian/Alaskan Native	1	0.75 %
Asian	7	5.22 %
Hispanic	56	41.79 %
Unknown	4	2.99 %
White Non-Hispanic	66	49.25 %
[-] Male Total	87	39.37 %
African-American	3	3.45 %
American Indian/Alaskan Native	1	1.15 %
Asian	5	5.75 %
Hispanic	36	41.38 %
White Non-Hispanic	42	48.28 %

Analysis of Full-Time Faculty Applicant Pool (2017-2018)

During the 2017-2018 academic year, the College of Sequoias Community College District conducted 13 full-time faculty job recruitments.

For these 13 full-time faculty recruitments, there were 631 job applicants. The demographic breakdowns of these recruitments were:

Total Applicants	631
Male	314
Female	186
Hispanic/Latino	110
Caucasian/White	221
Black/African American	35
Asian/Pacific Islander	71
American Indian/Alaskan Native	10
Persons over 40	233

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 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 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.

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. All recruitment announcements will state that the District is an “Equal Employment Employer.”

Recruitment for all open positions shall include, but not be limited to, placement of job announcements in the following instruments:

- (1) CCC Registry;
- (2) District website;
- (3) Chronicle of Higher Education (faculty and administrators);
- (4) Other targeted websites depending upon the position;
- (5) Local and regional community newspapers;
- (6) Newspapers, publications, and radio and television stations that provide information in languages other than English and to low-income communities;
- (7) 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;
- (8) Recruitment booths at job fairs or conferences oriented to 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.

Job Announcements

The District’s Recruitment and Hiring Procedures section on “Job Flyers” will include the following provisions:

- (1) 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.

- (2) 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 non-discrimination laws.
- (3) All job flyers shall state the District is an “Equal Employment Employer.”

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 will be revised to include the following provisions:

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.

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.

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.

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 unless such qualifications are so verified in advance of commencing any such future hiring process.

Screening/Selection Committee Procedures

The District seeks to employ qualified persons with a broad range of backgrounds and abilities who have the knowledge and experience to work effectively in a diverse environment. The selection process is based on merit, and will extend to all candidates a fair, impartial examination of qualifications based on job-related criteria. The District's Recruitment and Hiring Procedures will 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, 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 should approve the makeup of selection/screening committees. If the equal employment opportunity officer does not approve a selection/screening committee for lack of diversity, he or she should take necessary steps to remedy the lack of diversity.
 - d) Before a person can serve on a selection/screening committee, he or she must receive equal employment opportunity and diversity training/guidance.
 - e) Interviews must include at least one question 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 Superintendent/President or his/her designee will do the following:
- 1) Suspend the selection process and take timely and effective steps to remedy the problem before the selection process resumes.
 - 2) When appropriate, assist the screening 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, genetic 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 (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) The Board of Trustees 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 objectives of the *Plan* or to ensure equal employment opportunity.

- l) 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 Equal Employment Opportunity Advisory Work Group to recommend new methods to meet the *Plan* objectives, or if necessary, to modify the *Plan* itself to ensure equal employment opportunity.

Additional Steps to Remedy Significant Underrepresentation

In an earlier section, the District has identified particular monitored groups that are significantly underrepresented with respect to one or more job categories. In order to address these instances of significant underrepresentation, the District will take the following steps:

1. The District will request that the Equal Employment Opportunity Work Group, in conjunction with appropriate human resources staff, review the District's recruitment procedures and make recommendations on modifications that would address the underrepresentation.
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 responsible administrator for the division or department where the significant underrepresentation occurs develop, in conjunction with the equal employment opportunity officer, a recruitment and hiring action plan to assist in addressing the significant underrepresentation. The action plan will include, but is not limited to:
 - a. additional locations or resources to advertise positions that would likely attract candidates from the significantly underrepresented groups;
 - b. promotion of curricular offerings that would assist in attracting candidates from significantly underrepresented groups;
 - c. additional training for current faculty and staff on the value of a diverse workforce;
 - d. recommended changes to the job posting and screening criteria, including interview questions, which may reasonably be expected to attract candidates from the significantly underrepresented group.
4. The District will focus particular attention on developing an intern program where graduate students will be provided the opportunity to co-teach a class offered by the District in the significantly underrepresented discipline.
5. The District will actively monitor the representation rate of each group, which was identified as being significantly underrepresented in one or more categories. If significant underrepresentation 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. Significantly increase the recruitment budget for another three years.
- d. Develop a recruitment committee composed of the Superintendent/President, the equal employment opportunity officer, the dean or responsible administrator for the division or department where the significant underrepresentation persists and members of the Equal Employment Opportunity Work Group 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 underrepresentation. The Superintendent/President will be evaluated on his/her ability to successfully implement the recruitment and hiring program.

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 underrepresentation and/or significant underrepresentation, 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 out, 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 consider steps such as:

- a. Establishing a formal Office of Diversity that is part of the structure of the District and that will be adequately funded and supported by the District leadership.
- b. The District EEO work group will work with the Academic Senate to develop an implementation strategy of stated goals.
- c. Conducting campus climate studies to identify hidden barriers.
- d. Including guest speakers from underrepresented groups who are in leadership positions and who may inspire students and employees alike.
- e. Highlighting the District's equal employment opportunity and diversity policies in job postings and in its recruitment, marketing, and other publications.
- f. Conducting diversity dialogues, forums, and cross-cultural workshops.
- g. Working with the Academic Senate, Senior Management 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.
- h. Reviewing and revising college publications and other marketing tools to reflect diversity in pictures, graphics, and text to project an inclusive image.
- i. Recognizing and valuing staff and faculty who have promoted diversity and equal employment opportunity principles by awarding a yearly diversity recognition award.
- j. Offering a series of EEO/diversity workshops for faculty flex credit and providing classified "Staff Development Days" programs.
- k. Evaluating administrators on their efforts to meet the District's equal employment opportunity and diversity efforts.
- l. Establishing an "Equal Employment Opportunity and Diversity" online presence by highlighting the District's diversity and equal employment opportunity, ADA, sexual harassment and non-discrimination policies, procedures and programs on the District's website. The website will also list contact persons for further information on all of these topics.

- m. Promoting sabbaticals that will assist the District in achieving its equal employment opportunity and diversity objectives.
- n. Promoting various cultural celebrations on campus.
- o. Recognizing multilingualism and knowledge of multiculturalism as a desired, and when appropriate, required skill and qualification for community college employees.
- p. Establishing 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 NAACP, Chamber of Commerce, and City Council(s).
- q. Ensuring that top administrative staff support diversity objectives and that the diversity and/or equal employment opportunity officer position is maintained as a cabinet or other high-level administrative position.

Persons with Disabilities: Accommodations

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 note takers.

The ADA Coordinator is responsible for handling requests for accommodations from current employees as well as from applicants seeking such accommodations during the application process. Requests can be made on the “Request for Reasonable Accommodation” form.

2. Procedures When Underrepresentation is Found

When persons with disabilities are found to be significantly underrepresented, measures required in this Plan will be implemented.

3. Analysis of workforce and applicant data

Since an employees’ disability status may change during their service, every three years the college will survey current employees to collect updated information on disability status.