

**Mt. San Antonio College**

**Equal Employment Opportunity Plan**

**2014-2017**



**Mt. San Antonio College**  
**1100 N. Grand Avenue**  
**Walnut, CA 91789**

**Version 6: Revised 11/3/14 following Committee Review in regular meeting**

## Table of Contents

|   |  |               |
|---|--|---------------|
| I.  | Introduction.....  | X             |
| II.   | Definitions.....   | X             |
| III.  | Policy Statement .....   | X             |
| IV.   | Delegation of Responsibility, Authority and Compliance.....                          | X             |
| V.  | Advisory Committee.....  | XX            |
| VI.   | Complaints .....   | XX            |
| VII.  | Notification to District Employees .....   | XX            |
| VIII.   | Training for Screening/Selection Committees.....                                     | XX            |
| IX.   | Annual Written Notice to Community Organizations .....                               | XX            |
| X.  | Analysis of District Workforce and Applicant Pools .....                             | XX            |
| XI.   | Methods to Address Underrepresentation.....  | XX            |
| <b>XI.</b>  | <b>Recruitment and Hiring Procedures to Ensure Equal Employment Opportunity.....</b> | <b>XX</b>     |
| <del>XII.</del>   | <del>Additional Steps to Remedy Significant Underrepresentation .....</del>          | <del>XX</del> |
| <b>XII.</b>   | <b>Institutional Commitment to Diversity .....</b>                                   | <b>XX</b>     |
| <del>XIII.</del>  | <del>Other Measures Necessary to Further Equal Employment Opportunity .....</del>    | <del>XX</del> |
| <b>XIII.</b>  | <b>Annual Certification to the Chancellor’s Office .....</b>                         | <b>XX</b>     |
| XIV.  | Persons with Disabilities: Accommodations and Goals for Hiring .....                 | XX            |
| XV.   | Graduate Assumption Program of Loans for Education.....                              | XX            |
| <b>Appendix A – The District’s Policies and Procedures Which Outline the Prohibition of Unlawful Discrimination, Harassment and Retaliation .....</b> |  | <b>XX</b>     |
| <b>Appendix B – List of Community Organizations and Professional Groups for Annual Written Notice of the District’s EEO Plan .....</b>                |  | <b>XX</b>     |

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## **EEO Plan and Guidelines**

### **Plan Component 1: I. Introduction**

The current version of the Mount San Antonio Community College District *Equal Employment Opportunity Plan (Plan)* was initially adopted by the Board of Trustees on **September 14, 2011**. The *Plan* reflects the District's commitment to equal employment opportunity and outlines the steps the District will employ to ensure non-discriminatory employment practices and the elimination of bias in hiring. 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 that 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 provides equal employment opportunity in its recruitment, and hiring policies, and practices pursuant to the applicable Title 5 regulations (Section 53000 et. seq., and which reflect the steps the district District's programmatic commitment to diversity. 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 variety of steps, including for complaint procedures for noncompliance with the Title 5 provisions relating to equal employment opportunity programs; complaint procedures in instances of unlawful discrimination; the establishment of a Campus Equity and Diversity Committee; methods to support equal employment opportunity; review processes to modify and / or encourage diversity education and allied programs; and an environment which is welcoming to all<sup>1</sup>; and procedures for dissemination of the *Plan*.~~

To properly serve a growing diverse population, the ~~district~~ **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.~~ value of diversity and equity in the workplace and in the District's academic and vocational programs.

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William T. Scroggins  
President / CEO

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<sup>1</sup> 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~~ **Section XII** is dedicated to diversity programs and projects as a way to further EEO efforts.

**Plan Component 2: II. Definitions**

- A. **Adverse Impact:** A statistical measure (such as those outlined in the EEO Commission's *Uniform Guidelines on Employee Selection Procedures*) is applied to the effects of a selection procedure and demonstrates a disproportionate negative impact on any group protected from discrimination pursuant to Government Code 12940, 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.~~  
**Board of Governors:** The California Community College Board of Governors sets policy and provides guidance for the 72 districts and 112 colleges that constitute the system.
- C. **Chancellor's Office:** California Community Colleges Chancellor's Office oversees matters pertaining to the Board of Governors, Consultation Council, the annual budget and legislative process, communications to the general public and media.
- D. ~~**Diversity:** A condition of broad inclusion in an employment environment that offers equal employment opportunity for all persons. It requires both the presence and the respectful treatment of individuals from a wide range of ethnic, racial, age, national origin, religious, gender, sexual orientation, disability and socio-economic backgrounds.~~ 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.
- E. **Equal Employment Opportunity:** 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)~~ in the seven job categories that include executive/administrative/managerial, faculty and other instructional staff, professional non-faculty, secretarial/clerical, technical and paraprofessional, skilled crafts, service and maintenance. Ensuring equal Equal employment opportunity also involves:

**(1) identifying and eliminating barriers to employment that are not job related; and**  
**(2) creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas and that is welcoming to men and women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination pursuant to Government Code Section 12940, by Title 5, Section 53000 et seq.**

- F. ***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.
- G. ***Equal Employment Opportunity Programs:*** 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 **Title 5**, Section 53006.
- H.
- I. ***EEO Representatives:***
- J. ***District employees are trained by Human Resources to assist screening and selection committees in ensuring that all applicants receive fair and equitable treatment and to advise on matters related to compliance with Title 5 EEO Regulations. EEO Representatives provide guidelines and instructions regarding equal employment opportunity; they attend meetings of the screening and selection committee to ensure that equal employment opportunity principles are applied at each step in the screening and selection processes. EEO Representatives should be individuals who will most likely be viewed by all committee members and applicants as neutral, free of personal motivations and conflicts of interests, and reasonably free from influence in relation to the particular vacant position. EEO Representatives are non-voting members of the Screening and Selection Committees and are appointed by Human Resources.***
- K. — (1) ***Ethnic Minorities:*** American Indians or Alaskan natives, Asians or Pacific Islanders, Black/African Americans, and Hispanics/Latinos.
- (2) ***Ethnic Group Identification:*** An individual's identification in one or more of the ethnic groups reported to the Chancellor pursuant to **Title 5**, Section 53004. These groups shall be more specifically defined by the Chancellor consistent with state and federal law.
- L. — ***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 or 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.
- M. ***In-House or Promotional Only Hiring:*** Only existing district employees are allowed to apply for a position.

**Job-Related Measure:** measures used during the screening and selection process to assess individual applicant's possession of knowledge, skills, and/or abilities that are 1) listed on the job posting; 2) directly related to position being filled; 3) are necessary to perform the essential functions of the position being filled. Job-related measures are used by the Screening and Selection Committee to develop screening and selection criteria and interview questions, and may also be used to develop job-related employment tests/examinations. For example, to measure a potential candidate's abilities to perform a job duty, selection criteria, questions, and an in-person demonstration may be used to assess an applicant's knowledge, skills, and abilities related to the performance of the duty in the job. Criteria related to a prospective candidate's Grade Point Average, specific type of institution from which the candidate received their undergraduate or graduate education, and grades earned in courses that are not related to the subject areas of the work assignment would not be job related and could not be used as part of the screening or selection process.

Comment [LYJ1]: Sentence edited per our discussion during this morning's meeting.

N. **Monitored Group:** Groups identified in **Title 5**, Section 53004(b), for which monitoring and reporting is required pursuant to Section 53004(a).

O. **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.

P. **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.

**Reasonable Accommodation:** The efforts made on the part of the District 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. **in compliance with Government Code 12926, which provides in part that applicants and employees with disabilities shall be granted 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 as appropriate unless an accommodation is unreasonable or would create an undue hardship for the employer.**

Q. **Screening and Selection Committee:**

R. **A screening and selection committee is a group of individuals formed for purposes of assisting the responsible administrator in screening and selecting candidates for a position within the District.**

S.

- ~~T.~~ **Screening or Selection Procedures:** Any job-related measure, combination of measures, or procedures used as a basis for any employment decision. ~~Selection~~ **Screening or 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.
- ~~U.~~ **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 **Title 5**, Section 53004(a), is below eighty percent (80%) of the projected representation for that group in the job category in question.
- ~~V.~~ **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.
- ~~W.~~ **Timetable:** a set of specific annual hiring objectives that will lead to meeting a goal for persons with a disability by projected target date.

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

The Mt. San Antonio Community College District is committed to the principles of equal employment opportunity and will implement a comprehensive ~~program plan~~ to put those principles into practice. It is the ~~district's~~ **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, **military and** 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.<sup>2</sup>

The ~~district~~ **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~~ **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 **and reviewed on regular basis** to ensure the implementation of equal employment opportunity principles that conform to federal and state laws.

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

<sup>2</sup> The protected categories bolded above are 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~~ regarding ~~to~~ appeal and/or review by the Chancellor's Office.



It is the goal of the Mt. San Antonio 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~~ **Board of Trustees** is ultimately responsible for **oversight and** proper implementation of the ~~district's~~ **District's** *Plan* at all levels of ~~district~~ **District-and college** operation, and for ensuring equal employment opportunity as described in the *Plan*.

**2. *President / CEO***

The ~~governing board~~ **Board of Trustees** delegates to the President / CEO, **William T. Scroggins**, the responsibility for ongoing implementation of the *Plan* and for providing leadership in supporting the ~~district's~~ **District's** equal employment opportunity policies and procedures. The President / CEO 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 President / CEO shall evaluate the performance of all administrative **personnel** who report directly to him on their ability to follow and implement the *Plan*.

**3. *Equal Employment Opportunity Officer***

The District has designated **the Vice President, Human Resources, ~~Annette Loria~~ James P. Czaja**, 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~~ **Section VI of the *Plan*** and for ensuring that applicant pools and selection procedures are properly monitored.<sup>3</sup>

<sup>3</sup> Section 53026 requires districts to develop a process permitting "any person" to file a complaint alleging that the EEO requirements (Title 5, § 53000 et seq.) have been violated. Complaints that also allege discrimination are to be processed according to the discrimination complaint procedures that commence at section 59300 of Title 5. Title 5 does not require, nor does it prohibit, that the officer who receives section 53026 complaints be the officer who receives section 59300 complaints. In this *Plan*, the same officer receives both *Plan* complaints and discrimination complaints, but that arrangement is not required by the regulations.

4. *Campus Equity and Diversity Committee*

The Campus Equity and Diversity Committee will act as an advisory body to the equal employment opportunity officer and the ~~district~~ **District** as a whole to promote understanding and support of equal employment opportunity policies and procedures.<sup>4</sup> The committees ~~shall~~ assists in the **development and** implementation of the *Plan* in ~~conformance~~ **compliance** with state and federal regulations and guidelines, monitors equal employment opportunity progress, and provides 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*.~~

**Any organization or individual acting on behalf of the District with regard to the recruitment and screening of personnel is an agent of the District, and thereby subject to the requirements, stipulations, and provisions 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: V. Advisory Committee**

The District has established a Campus Equity and Diversity Committee to assist with the **development and** implementation of 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 ~~and the~~ **the** advisory committee on equal employment compliance and the *Plan* itself.

<sup>4</sup> 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 committee shall receive training in all of the following areas as required in Title 5, Section 53005:**

- a) **the requirements of Section 53005 of Article 1 of Chapter 4 of Division 6 of Title 5 of the California Code of Regulations and of state and federal nondiscrimination laws;**
- b) **identification and elimination of bias in hiring;**
- c) **the educational benefits of workforce diversity; and**
- d) **the role of the advisory committee in carrying out the District's EEO plan.**

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

The committee will be composed of the following members:

- 1. Director Equal Employment Opportunity Programs (Co-chairperson)**
- 2. Faculty Co-chairperson (Appointed by Academic Senate)**
- 3. Vice President, Human Resources (ex-officio)**
- 4. Five Faculty (Appointed by Academic Senate)**
- 5. Two Classified Representatives (One appointed by CSEA Chapter 262, and one by CSEA Chapter 651)**
- 6. One Disabled Students Programs & Services Representative**
- 7. One Continuing Education Representative**
- 8. One Student Representative (Appointed by Associated Students President)<sup>5</sup>**

~~Ex officio members may include whenever applicable, 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~~ **academic 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~~ **Board of Trustees**, the President / CEO, and the equal employment opportunity officer.

#### **Plan Component 6: VI. Complaints**

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

<sup>5</sup> Title 5 does not require any specific composition for the advisory committee. It is recommended that advisory committees include representatives from all constituency groups: Students, faculty, classified staff and administrators.

The district has established a process (BP 3410, BP 3420, AP 3410, AP 3420) permitting any person to file a complaint alleging that the requirements of the equal employment opportunity regulations have been violated:

**The District has established the following process permitting any person to file a complaint alleging that the requirements of the equal employment opportunity regulations<sup>6</sup> 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 Complaint*) at:

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

[http://extranet.cccco.edu/Portals/1/Legal/Guidelines/Min\\_Cond\\_Complaints.pdf](http://extranet.cccco.edu/Portals/1/Legal/Guidelines/Min_Cond_Complaints.pdf)

and

<http://californiacommunitycolleges.cccco.edu/ComplaintsForm.aspx#complaintForm>

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 **District's** equal employment opportunity officer **or** **designee**. If the complaint involves the equal employment opportunity officer **or**

<sup>6</sup> The equal employment opportunity regulations are found in California Code of Regulations, Title 5, section 53000 et seq.

designee, the complaint may be filed with the President / CEO. 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 established policies which outline the prohibition of unlawful discrimination, harassment and retaliation (BP 3410- Non Discrimination, BP 3430-Prohibition of Harassment) and procedures which set forth a process for the investigation and resolution of complaints by or against any employee, student or third party within the District (AP 3410-Nondiscrimination, AP 3430-Prohibition of Harassment, AP 3435-Discrimination and Harassment Investigations), a process (BP 3410, BP 3420, AP 3410, AP 3420) permitting any person to file a complaint alleging that the requirements of the equal employment opportunity regulations have been violated. The District has adopted procedures for complaints alleging unlawful discrimination or harassment. The Vice President, Human Resources **Director of Equal Employment Opportunity Programs** is responsible for receiving such complaints and for coordinating their investigation. Campus complaint officers may be assigned investigation responsibilities. (~~The district's~~ District's policies and procedures related to unlawful discrimination and harassment ~~discrimination and sexual harassment complaint procedures are attached to this Plan~~).

**~~Plan Component 7:~~ VII. Notification to District Employees**

The commitment of the ~~governing board~~ **Board of Trustees** and the President / CEO to equal employment opportunity is emphasized through the broad dissemination of its Equal Employment Opportunity Policy Statement and the *Plan*. The policy statement is printed in the college Mt. San Antonio College Catalog and Schedule of Classes, ~~catalog and class schedules~~. The *Plan* and subsequent revisions will be distributed to the ~~district's~~ **District's governing board Board of Trustees**, the President / CEO, administrators, the Academic Senate leadership, union representatives, and members of the Campus Equity and Diversity Committee.

The *Plan* is available on the ~~district's~~ **District's** website and, when appropriate, may be distributed by e-mail. Each year, the ~~district~~ **District** will provide all employees with a copy of the ~~board's~~ Equal Employment Opportunity Policy Statement (located in ~~Plan Component 3~~ **Section III** of this *Plan*) and written notice summarizing the provisions of the ~~district's~~ **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~~ **The campus locations of** complete copies of the *Plan* ~~are available~~, including in the campus library, in the District's public folders, on the District internet/intranet site, the office of the President / CEO, ~~the office of~~ Human Resources, and each department office.

#### **~~Plan Component 8:~~ VIII. Training for Screening and Selection Committees**

Any organization or individual who is involved in the recruitment and screening / selection of ~~personnel~~ **applicants** shall receive appropriate training on the requirements of the Title 5 regulations regarding 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~~ **District's** policies on nondiscrimination, recruitment, and hiring;

principles of diversity and cultural proficiency<sup>7</sup>; the educational benefits value of a diverse workforce; and recognizing identification and elimination of bias in hiring.

### Screening and Selection Committee

A screening and selection committee is a group of individuals formed for purposes of assisting the responsible administrator in screening and selecting candidates for a posted position within the District. Persons serving on a screening and selection committee will be required to participate in a pre-hiring **an** EEO norming training session within the 12 months prior to one calendar year of the appointment serving on a committee. Individuals who have not received this training will not be allowed to serve on screening and selection committees. The Director of Equal Employment Opportunity Programs is responsible for providing the required training. ~~serving.~~

### Screening and Selection Committee EEO Representative

EEO Representatives are required to have received specific training in the role of an EEO Representative on an annual basis. EEO Representative must receive both the general committee training described above and separate training in the roles and responsibilities of an EEO Representative serving on a Screening and Selection Committee. The Director of Equal Employment Opportunity Programs is responsible for providing the required training.

EEO Representatives are District employees who are trained by Human Resources to assist screening and selection committees in ensuring that all applicants receive fair and equitable treatment and to advise on matters related to compliance with Title 5 EEO Regulations. EEO Representatives provide guidelines and instructions on equal employment opportunity and attend meetings of the screening and selection committee to ensure that equal employment opportunity principles are applied at each step in the screening and selection processes. EEO Representatives should be individuals who will most likely be viewed by all committee members and applicants as neutral, free of personal motivations, conflicts of interests, and reasonably free from influence in relation to the particular vacant position. EEO Representatives are non-voting members of the hiring committees and are appointed by Human Resources.

Persons serving the first time in the above capacities will be required to receive training prior to serving. ~~EEO Rep. training is mandatory;~~ Individuals who have not received this the EEO Representative training will not be allowed to serve as an EEO representative. In order to

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<sup>7</sup> "Cultural proficiency" involves successful teaching and other interactions with both students and colleagues from a variety of cultures. It requires a contextual understanding that numerous social and institutional dynamics, including the effects of inequities, affect how students have been taught and treated, and translates that understanding to the removal of barriers to student success. "Culture" refers to those things that are shared within a group or society: shared knowledge and beliefs, shared values, shared behavior expectations, and principles that are widely used or recognized. "Culture" therefore refers to more than simply race and ethnicity.

**receive EEO Representative Training an individual is required to have completed the hiring committee training within the prior 12 months.**

The Office of Human Resources in collaboration with the Campus Equity and Diversity Committee is responsible for providing the required training process. **The Campus Equity and Diversity Committee will conduct periodic reviews of the training programs.** Any individual, whether or not an employee of the district, acting on behalf of the district **District** with regard to recruitment and screening of employees is subject to the equal employment opportunity requirements of title **Title 5**<sup>8</sup> and the District's Equal Employment Opportunity Plan.

**Any organization or individual acting on behalf of the District with regard to the recruitment and screening of personnel is an agent of the District, and thereby subject to the requirements, stipulations, and provisions of this Plan.**

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<sup>8</sup> See Title 5, § 53020(c).



**Plan Component 9: IX. Annual Written Notice to Community Organizations & Professional Groups**

The ~~equal employment opportunity officer~~ 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* from the District; **further, the annual notice** ~~and~~ shall solicit their assistance in identifying ~~a~~ diverse **pool of** qualified ~~candidates~~ **applicants**. The notice will include a summary of the *Plan*.

The notice will also include the Internet address where the District advertises its ~~job openings~~ **employment opportunities**, 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 **by the Campus Equity and Diversity Committee** from time to time as necessary.

**Plan Component 10: X. Analysis of District Workforce and Applicant Pool**

~~The Human Resources Department~~ will annually survey review the ~~district's~~ **District's** workforce composition and shall monitor applicants for employment on an ongoing basis to evaluate the ~~college's~~ **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. **Human Resources will provide a workforce analysis to the Campus Equity and Diversity Committee on an annual basis.** ~~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 data collection and report all applicants and employees will be afforded the opportunity to voluntarily identify ~~their~~ **her or his** gender, ethnic group identification and, if applicable, her or his disability. **The composition of each initial applicant pool is recorded and reviewed by the Director, Equal Employment Opportunity Programs.** Persons may designate as many ethnicities as they wish, but shall be counted in only one ethnic group for reporting purposes. **Chinese, Japanese, Filipinos, Koreans, Vietnamese, Asian Indians, Hawaiians, Guamanians, Samoans, Laotians, and Cambodians are to be counted and reported as part of the Asian/Pacific Islander group as well as in separate subcategories.** This information will be kept confidential and will be separated from the applications that are forwarded to the Screening and Selection Committee and hiring administrator(s). The District will annually report to the Chancellor the result 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
  - (a) Business
  - (b) Arts
  - (c) Continuing & Noncredit Education
  - (d) Humanities
  - (e) Library & Learning Resources
  - (f) Natural Sciences
  - (g) Physical Education

(h) Student Services

(i) Technology & Health

(3) Secretarial/Clerical

(4) Technical and Paraprofessional

(5) Skilled Trades

(6) Service and Maintenance

~~The district's workforce and applicant pools for the fall of 2010~~ Fall 2013 are as follows.

**Mt. San Antonio College  
Workforce Analysis Fall 2013**

|   | <b>Total</b> | <b>Male</b> | <b>Female</b> | <b>American<br/>Indian/Alaska<br/>Native</b> | <b>Asian/Pacific<br/>Islander</b> | <b>Black/Africa<br/>n-American</b> | <b>Hispanic</b> | <b>White</b> | <b>2-or<br/>more<br/>races</b> | <b>Other/<br/>Unknown</b> |
|---|--------------|-------------|---------------|--|-----------------------------------|------------------------------------|-----------------|--------------|--------------------------------|---------------------------|
| Exec/Admin                                    |              |             |               |  |                                   |                                    |                 |              |                                |                           |
| Professional/non faculty                      |              |             |               |  |                                   |                                    |                 |              |                                |                           |
| Secretarial/Clerical                          |              |             |               |  |                                   |                                    |                 |              |                                |                           |
| Technical and<br>Paraprofessional             |              |             |               |  |                                   |                                    |                 |              |                                |                           |
| Skilled Craft                                 |              |             |               |  |                                   |                                    |                 |              |                                |                           |
| Service and Maintenance                       |              |             |               |  |                                   |                                    |                 |              |                                |                           |
| Faculty Full Time                             |              |             |               |  |                                   |                                    |                 |              |                                |                           |
| <b>SUBTOTAL OF<br/>CONTRACT<br/>EMPLOYEES</b> |              |             |               |  |                                   |                                    |                 |              |                                |                           |
| Faculty Part Time                             |              |             |               |  |                                   |                                    |                 |              |                                |                           |
| Persons with Disabilities <sup>9</sup>        |              |             |               |  |                                   |                                    |                 |              |                                |                           |
| <b>GRAND TOTAL</b>                            |              |             |               |  |                                   |                                    |                 |              |                                |                           |

<sup>9</sup> Counted in category of position held by disabled individual and thus not duplicated in grand total below

**Mt. San Antonio College  
Analysis of Applicant Pools Fall 2013**

|                                   | <b>Total</b> | <b>Male</b> | <b>Female</b> | <b>Gender<br/>unknown</b> | <b>American<br/>Indian/<br/>Alaskan<br/>Native</b> | <b>Asian/<br/>Pacific<br/>Islander</b> | <b>Black/<br/>African-<br/>American</b> | <b>Hispanic/<br/>Latino</b> | <b>White</b> | <b>2 or<br/>more<br/>race<br/>s</b> | <b>Other/<br/>Unknown</b> | <b>Persons<br/>w/<br/>disabilities</b> |
|-----------------------------------|--------------|-------------|---------------|---------------------------|--|--|---|-----------------------------|--------------|-------------------------------------|---------------------------|--|
| Exec/Admin                        |              |             |               |                           |  |  |   |                             |              |                                     |                           |  |
| Professional/nonfaculty           |              |             |               |                           |  |  |   |                             |              |                                     |                           |  |
| Secretarial/Clerical              |              |             |               |                           |  |  |   |                             |              |                                     |                           |  |
| Technical and<br>Paraprofessional |              |             |               |                           |  |  |   |                             |              |                                     |                           |  |
| Skilled Crafts                    |              |             |               |                           |  |  |   |                             |              |                                     |                           |  |
| Service and<br>Maintenance        |              |             |               |                           |  |  |   |                             |              |                                     |                           |  |
| Faculty Full Time                 |              |             |               |                           |  |  |   |                             |              |                                     |                           |  |
| Faculty Part Time                 |              |             |               |                           |  |  |   |                             |              |                                     |                           |  |
| <b>GRAND TOTAL</b>                |              |             |               |                           |  |  |   |                             |              |                                     |                           |  |

**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 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. Underrepresentation 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.<sup>40</sup> 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 exist 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 Mt. San Antonio College.

~~American Indian/Alaskan Natives~~ are significantly underrepresented in ~~X, Y and Z~~ categories at Mt. San Antonio College.

~~Hispanics~~ are significantly underrepresented in ~~X, Y and Z~~ categories at Mt. San Antonio College.

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<sup>40</sup> Although Title 5 provides a definition for "significant underrepresentation," it does not provide a definition for "underrepresentation." Therefore it is logical that underrepresentation occurs whenever representation falls below projected representation to any degree.

~~African-Americans~~ are significantly underrepresented in X, Y and Z categories at Mt. San Antonio College.

~~Whites~~ are significantly underrepresented in X, Y and Z categories at Mt. San Antonio College.

~~Women~~ are significantly underrepresented in X, Y and Z categories at Mt. San Antonio College.  
~~Men~~ are significantly underrepresented in X, Y and Z categories at Mt. San Antonio College.

~~Persons with disabilities~~ are significantly underrepresented at X, Y and Z categories at Mt. San Antonio College.

(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: (to be filled in after survey is completed)*~~

~~(a) Executive/Administrative/Managerial — X category~~

~~(b) Faculty / English — X category~~

~~(c) Faculty / Math — X category~~

**Plan Component 12: ~~XI. Methods to Address Under-representation~~ Recruitment and Hiring Procedures to Ensure Equal Employment Opportunity**

The ~~district~~ **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~~ **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 applicant pool, the district~~ **Human Resources**, ~~takes steps within the screening and selection process to allow~~ **in coordination with the Screening and Selection Committee, shall ensure that the selection process (inclusive of any employment examinations, demonstrations and interviews) is accessible, free of bias, and allows** 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 vacancies~~, including ~~hiring~~ **recruitment** meant to address the ratio of full-time to part-time faculty that may be required by Education Code Section 87482.6<sup>11</sup>

To address any identified under-representation of monitored groups ~~pursuant to Plan Component 11~~, the ~~district~~ **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 exist, because the provisions are also valuable in~~ **ensure that equal employment opportunity is properly integrated into the District's strategic planning**. The ~~district's~~ **District's** Recruitment and Hiring Procedures ~~includes in its section on recruitment the following provisions~~ **include the following provisions**:

1) Recruitment

It is the policy of the ~~district~~ **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 Campus Equity and 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

<sup>11</sup> Education Code section 87102 requires each district's Plan to address how progress will be made 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.



announcements will state that the district is an ~~“Equal Employment—Affirmative Action Employer”~~ **Equal Opportunity Employer**.<sup>12</sup>

- a) For any ~~job~~ **employment** category where ~~continuing~~ under-representation exists, the ~~district~~ **District** will apply the recruitment procedures set forth in Title 5, Section 53201, 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 53201(c)(7) for engaging an administrator through a professional services contract unless the President/CEO or his/her designee first notifies the ~~governing board~~ **Board of Trustees** and the Campus Equity and Diversity Committee in writing of the compelling reasons 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~~ **employment** announcements in the following instruments:
  - a. General circulation ~~newspapers, general circulation publications, and general market radio and television stations,~~ including electronic media.
  - b. Local and regional community newspapers.
  - c. Newspapers, ~~and other publications, and radio and television stations~~ that provide information in languages other than English and to low-income communities.
  - d. 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.
  - e. Recruitment booths at job fairs or conferences oriented to both the ~~general market~~ **public** and the economically disadvantaged as well as those events drawing significant participation by groups found to be underrepresented in the ~~college’s~~ **District’s** workforce.
- e) ~~Annually the district shall consider hosting an open house for persons interested in employment with the district. The open house will allow potential candidates to meet deans, division chairs, faculty, administrator, 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. Effort will be made to attract diverse groups of individuals to the open house.~~

<sup>12</sup> ~~Some districts may have~~ **The District may be awarded** 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.

- d) **Human Resources will survey District** employees ~~will be surveyed~~ on a regular basis **and requesting** resources and locations where open positions may be advertised to ensure that recruitment **of a diverse workforce** ~~monitored groups and other populations~~ 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 Employment Announcements for all positions**" ~~will include~~ the following provisions:

- a) ~~Job announcements will s~~**State** clearly job specifications setting forth the knowledge, skills, and abilities necessary to job performance;
- b) **Include a statement requiring a** ~~For all positionpositions, job requirements will include~~ "demonstrated sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, **gender identity, sexual orientation,** and ethnic backgrounds of community college students **and employees.**"
- c) ~~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 preferred or desired qualification knowledge of multiculturalism and training in cultural proficiency. **Identify employment** 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.~~<sup>13</sup>
- d) ~~All job announcements shall s~~**State** that the District is an "~~Equal Employment Affirmative Action Employer~~ **Equal Opportunity Employer.**"<sup>14</sup>
- e) **Stipulate, for** identified public contact or community liaison positions, ~~that~~ bilingual ability in the language spoken by a significant number of students may be a required qualification. **However, 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.

<sup>13</sup> Title5, section 53022.

<sup>14</sup> See footnote 12 regarding the use of the term "affirmative action."

3) Review of Initial and qualified Applicant Pools<sup>15</sup>

Initial applicant pools will be **recorded and** reviewed for projected representation of monitored groups **by the Director Equal Employment Opportunity Programs**. ~~Once the initial pool is approved, the pool~~ **Human Resources will screen all initial applicants will be screened to determine which applicants satisfy job specifications minimum qualifications set forth in the job announcement. The pool of candidates that meets the job specifications minimum qualifications shall constitute the “qualified applicant pool.”** ~~for minimum qualifications, resulting in a qualified applicant pool. The Director of Equal Employment Opportunity Programs will review the composition of the qualified applicant pool will be reviewed and compare it to the composition of the initial applicant pool. If the Chief Human Resources Officer or designee finds that the composition of the qualified applicant pool may have been influenced by factors that are not job related, appropriate action will be taken. 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 college’s 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 recorded and reviewed 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.~~

- e) ~~*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 announcement. Before the qualified applicant pool is forwarded to the screening/selection committee, its composition will be~~

<sup>15</sup> See Title 5, section 53023 for general authority for this section.

~~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 college.~~

~~**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:~~

- ~~• The job announcement does not require qualifications beyond the statewide minimum qualifications or~~
- ~~• 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 college 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 college was unable to verify under Step (c) 2 above unless such qualifications are so verified in advance of commencing any such future hiring process.~~

#### 4) *Screening/Selection Committee Procedures*<sup>16</sup>

The college **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

<sup>16</sup> See Title 5, section 53024 for general authority for this section.

candidates a fair, impartial examination of qualifications based on job-related criteria. The college's **District's** Recruitment and Hiring Procedures **will** include in its section on applicant screening by ~~screening selection~~ **Screening and Selection Committees** the following provisions:

- a) All screening or selection techniques, including the procedure for developing interview questions, and the selection process as a whole, will be:
  - (1) ~~Designed to~~ **Ensure** that for all positions meaningful consideration is given to the extent to which applicants demonstrate a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, **gender identity, sexual orientation** and ethnic backgrounds of community college students;
  - (2) ~~Designed to~~ **Ensure** that for all faculty and administrative positions meaningful consideration is given to the extent to which applicants demonstrate knowledge of multi-culturalism, of training in cultural proficiency, and knowledge of the history and culture of underrepresented groups and groups that have experienced discrimination **in ways relevant to the specific position;**
  - (3) **Be based** ~~Based~~ solely on job-related criteria; and
  - (4) **Be designated** ~~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 **and** screening committees include a diverse membership which will bring a variety of perspectives to the assessment of applicant qualifications. ~~Selection-screening~~ **Screening and Selection Committees** will be encouraged to include members from monitored groups.
- c) The **Director**, Equal Employment Opportunity ~~officer~~ will approve the makeup of each **Screening and Selection Committee**. ~~If the Equal Employment Opportunity officer does not approve a selection and screening committee for lack of diversity, steps will be taken to remedy the lack of diversity.~~ **In cases where the Director has not affirmed the initially proposed composition of the Screening and Selection Committee, the Director shall work with the applicable constituent group/groups to remedy the composition of the committee in accordance with EEO guidelines and applicable provisions of the District's administrative procedures.**
- d) **The EEO Representative, as defined in Section II Definitions, will assist the Screening and Selection Committees to ensure all applicants receive fair and equitable treatment and advise committees on matters related to compliance**

with this EEO Plan. Under this plan, EEO Representatives are authorized to request that the recruitment and selection process be paused temporarily in order to report to the Vice President, Human Resources or designee issues or concerns related to a potential violation of Title 5 EEO Regulations as set forth in this plan. The EEO Representative retains his/her obligation to end or intervene in a meeting of a Screening and Selection Committee to bring the activities of the Committee in to compliance with the EEO Plan.

Comment [LYJ2]: Sentence added per our discussion during this morning's meeting.

- e) As described in Section VIII Training for Screening and Selection Committees, before a person can serve on a ~~selection-screening~~ **Screening and Selection Committee**, he or she must receive equal employment opportunity and diversity training within one calendar year of the appointment to the screening Screening and Selection Committee.
- f) Interviews must include at least ~~two~~ **one** questions ~~which~~ **that** assesses 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.
- g) All screening materials must be **approved by the Chief Human Resources Officer or designee** for compliance with equal employment opportunity **laws and** principles.
- h) ~~Monitoring for adverse impact will occur at each of the following stages of the screening/selection committee process:~~
  - (1) ~~After the selection/screening committee has conducted the paper screening and prior to contacting any of the applicants for interviews. Interviews cannot be scheduled until the applicant pool has been approved and cleared for adverse impact.~~
  - (2) ~~After the applicants have been interviewed and prior to forwarding finalists to the hiring administrator. Finalists cannot be forwarded for hiring consideration until the applicant pool has been approved and cleared for adverse impact.~~
- i) ~~If monitoring for adverse impact reveals that any selection technique or procedure has adversely impacted any monitored group, the president/ CEO or his/her designee will do the following:~~
  - (1) ~~Suspend the selection process and take timely and effective steps to remedy the problem before the selection process resumes.~~
  - (2) ~~When appropriate, assist the screening committee by discussing the overall composition of the applicant pool and the screening criteria or~~

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

~~(3) — If adverse impact results from locally established qualifications beyond state minimum qualifications that have not been verified as job related and consistent with business necessity, the use of such locally established qualifications will be immediately discontinued and any applicants eliminated on the basis of such qualifications will be placed back in the pool and continue to be considered during the hiring process.~~

~~(4) — Where necessary, the position may be reopened at any time and a new selection process initiated in a way designed to avoid adverse impact.~~

j) The college **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 college will not apply the *Plan* in a rigid manner that has the purpose or effect of so discriminating.~~

k) The college **District** will review all of its current and future **job employment** 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 Section III 4211**, 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~~ assignments. 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.

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

m) The ~~governing board~~ **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 and 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.

- n) The college **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 college **District** will request the Campus Equity and 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: XII. Additional Steps to Remedy Significant Under-representation Institutional Commitment to Diversity**

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 identified instances of significant under-representation, the district will take the following steps:

- 1) — The district will request Request that the Campus Equity and 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 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 may 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 underrepresented 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 a least a two-year period.~~
  - ~~d) Develop a recruitment committee composed of the college president (or designee), 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 Campus Equity and 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 (or designee) will be evaluated on his/her ability to successfully implement the recruitment and hiring program.~~

**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.

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 is necessary. 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.

The Campus Equity and Diversity Committee will annually review indicators of the District's commitment to diversity such as, but not limited to, the following:

1. A visible, valued, and adequately funded diversity program that is part of the structure of the District and is supported by the District leadership.
2. Surveys of campus climate to identify barriers to inclusion. Recommendations will be made to implement concrete measures that utilize the information drawn from the surveys.
3. Cultural events, diversity dialogues, forums and cross-cultural workshops conducted on campus or in the community. Speakers on issues dealing with diversity should include those from underrepresented groups who are in leadership positions and who may inspire students and employees alike.
4. Exit interviews conducted by Human Resources with employees who voluntarily leave the District if the results of those interviews indicate patterns impacted particular monitored group(s).
5. Training conducted by Human Resources for members of screening and selection committees on elimination of bias in hiring and employment and job related selection techniques.
6. Programs to support employees such as mentoring, professional development, and leadership opportunities.
7. Numbers of harassment and discrimination complaints in order to identify patterns and ameliorative actions to address such patterns.
8. Records related to the District's compliance with the requirements for harassment and discrimination training. (Government Code section 12950.1 (Stats. 2004, Ch. 933 [AB1825])).
9. District's publications, marketing tools, and website to ensure they reflect diversity in pictures, graphics, and text to project an inclusive image.
10. Recognition of employees who have promoted diversity and equal employment opportunity principles.

11. District's curricula, texts, and/or course descriptions that encourages the inclusion of global perspectives of a particular course, readings or discipline.
12. Collaboration with the Student Equity and Diversity Committee on common initiatives.
13. Analysis of various employment events such as hiring, promotion, retention, voluntary resignation, termination, and discipline in order to determine if there is an adverse impact upon monitored groups.
14. Other activities as determined by the Committee on an annual basis.

**Plan Component 14: XIII. Other Measures Necessary to Further Equal Employment Opportunity Annual Certification to the Chancellor's Office**

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 visible, valued and adequately funded diversity program that is part of the structure of the district and supported by the campus leadership.<sup>17</sup>

<sup>17</sup> It is recommended that the Chancellor's office website for information on Systemwide Commitments to Equity and Diversity be reviewed. This information may be accessed at [www.cccco.edu](http://www.cccco.edu); click on agency; governmental relations division; equal employment opportunity; equity and diversity taskforce recommendations; and more. The Chancellor's office has not evaluated the application of specific practices, and therefore there is a risk that inappropriate application could cause the district to be in violation of the law. Additionally, because the information may not have been recently reviewed for consistency with legal requirements, advice from legal counsel is recommended when implementing specific practices.

- 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 resources for faculty and staff 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 image.
- 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) — Consider alternative educational or experience requirements for nonacademic positions.
- 16) — Develop leadership opportunities for current staff which focus on diversity.

- ~~17) 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).~~
- ~~18) 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.~~
- ~~19) Seek direct contact with student (Student Equity and Diversity Committee), professional, community and other organizations (e.g. MALDEF, NAACP, Chamber of Commerce, and city councils) that represent the diverse community we serve. These organizations can serve as resources for referring potential candidates.~~

**Annually the District shall certify to the State Chancellor's Office that it has complied in a timely fashion with each of the following requirements of Title 5:**

1. **Recorded, reviewed and reported the data required regarding qualified applicants pools;**
2. **Reviewed and updated, as needed, the strategies component of the District's EEO plan (Section XII);**
3. **Investigated and appropriately responded to formal harassment and discrimination complaints filed pursuant to Title 5 (commencing with section 59300).**

**Plan Component 15: ~~XIV. Persons with Disabilities: Accommodations and Goals for Hiring~~** (Completion awaits Chancellor's office availability data.)

4) *Reasonable Accommodations*

Applicants and employees with disabilities<sup>18</sup> 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 **as appropriate unless an accommodation is unreasonable or would create an undue hardship for the District.**

The ~~ADA coordinator~~ **Director Equal Employment Opportunity Programs** is responsible for handling requests for accommodations from current employees; ~~and 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.~~

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.~~

<sup>18</sup> 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.

**~~Plan Component 16:~~ XV. Graduate Assumption Program of Loans for Education**

As federal and/or State funding permits, 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 Services Center. Efforts will be made to inform graduate students in local colleges and universities about the benefits of employment at a community college.

**Appendix A: The District's Policies and Procedures Which Outline the Prohibition of Unlawful Discrimination, Harassment and Retaliation**

**BP 3410- Non Discrimination**

**BP 3430-Prohibition of Harassment**

**AP 3410-Nondiscrimination**

**AP 3430-Prohibition of Harassment**

**AP 3435-Discrimination and Harassment Investigations**

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**Appendix B: List of Community Organizations and Professional Groups for Annual Written Notice of the District's EEO Plan**

**Publications and Websites:**

**Academic Diversity Search, Inc. (ADS): A national employment resource specializing in connecting women and minorities with academic intuitions that truly value diversity.**

**American Indian Higher Education Consortium: A national organization that serves as the collective spirit and unifying voice of our nation's 37 Tribal Colleges and Universities. Issues a quarterly publication that provides journalistic and scholarly articles that highlight issues critical to American and Alaska Native communities. The publication has job posting opportunities.**

**The Chronicle of Higher Education: The No. 1 source of news, information, and jobs for college and university faculty members and administrators.**

**California Community Colleges Registry: A large scale database containing the names, qualifications and desired position(s) of potential California Community College faculty, support staff and management job applicants**

**disABLEDperson: A public charity organization focused on increasing employment opportunities for individuals with disabilities. The organization hosts a job fair for people with disabilities and provides a resume databank for employers to identify candidates. For a small fee, employers can post job advertisements.**

**Diverse Issues in Higher Education: This publication, previously known as Black Issues in Higher Education, considers itself the portal for diversity information in higher education. Annually, the magazine provides a listing of top degree producers which shows which institutions are producing the most diverse undergraduate and graduates. The publication has a job posting service in print and on its website.**

**Diversity Web: An interactive resource hub for higher education sponsored by the Association of American Colleges and Universities (AAC&U). In addition to serving as a clearinghouse for diversity innovations and research, they maintain a job posting site to advertise executive, faculty or postdoctoral positions that have a diversity focus.**

**Edjoin: A national public education job search website.**

**Faculty for the Future: A nationwide resource to connect female and underrepresented candidates in science, business, and engineering to faculty and research positions.**

**Hispanic Outlook in Higher Education: A nationwide resource that publishes a bi-weekly publication on issues pertaining to Hispanics in higher education. The publication has job posting services in print and on its website.**

Inside Higher Ed: The online source for news, opinion and jobs for all of higher education.

Women in Higher Education: A national monthly publication that focuses on issues specific to women in higher education. The publication reaches thousands of women in higher education. Job posting services are available in print or website.

Professional Groups

American Association of Community Colleges: Nonprofit association that is a primary advocacy organization for community colleges at the national level and works closely with directors of state offices to inform and affect state policy.

American Association of University Women: Nonprofit association that advances equity for women and girls through advocacy, education, and research. The organization has over 1,000 branches and 500 college/university partners across the U.S. Their online career center reaches 100,000 members.

The Association of Black Psychologists: The Association has over 1400 members. They publish a news journal, Psych Discourse, which is the primary source for communication among the membership. The publication allows for online posting of job advertisements.

Association of Latino Professionals in Finance and Accounting: With 37 chapters and 9,000 members, ALPFA is one of the leading professional organizations for Latinos in accounting and finance related professions. The organization's website had a career center where employers can post positions.

Association for Women in Science: A nationwide advocacy organization dedicated to achieving equity and full participation for women in science, mathematics, engineering and technology. Their website allows organizations to post job advertisements.

Minorities in Agriculture and Natural Resources and Related Sciences: Promotes academic and professional advancement by empowering minorities in agriculture, natural resources, and related sciences. Their website included contact information for student chapter advisors and lists job opportunities.

National Association for Equal Opportunity in Higher Education: Professional association to further the causes of Historically Black Colleges and Universities and predominately Black Institutions.

National Indian Education Association: Focused on improving educational equity and access for American Indian, Alaska Native, and Native Hawaiian populations. It is the largest and oldest Indian educational organization.

National Society of Hispanic MBAs: NSHMBA serves 32 chapters and 8,000 members. The organization works to prepare Hispanics for leadership positions throughout the U.S., so that they can provide the cultural awareness and sensitivity vital in the management of the

nation's diverse workforce. Organizations can post position advertisements and search the resume database for potential candidates.

National Society for Hispanic Professionals: With over 10,000 members this organization is one of the primary resources to reach Hispanic professionals. Their website allows employers to post jobs and search a resume database for candidates.

Society for the Advancement of Hispanics/Chicanos and Native Americans in Science: The mission of SACNAS is to encourage Chicano/Latino and Native American students to pursue graduate education and obtain the advanced degrees necessary for science research, leadership, and teaching careers at all levels. Their website allows employers to post jobs.