

2010
Sierra Joint
Community College
District

Equal Employment Opportunity Plan

DRAFT

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I. Introduction

The Sierra Joint Community College District Equal Employment Opportunity Plan (*Plan*) was adopted by the Board of Trustees on (date). The *Plan* reflects the district's commitment to equal employment opportunity. It is the district's belief that taking active and vigorous steps to ensure equal employment opportunity and creating a working and academic environment, which is welcoming to all, will foster diversity and promote excellence.

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

Dr. Leo E. Chavez,
Superintendent/President

II. Definitions¹

Adverse Impact – a statistical measure (such as those outlined in the EEO Commission’s *Uniform Guidelines on Employee Selection Procedures*) that is applied to the effects of a selection procedure and demonstrates a disproportionate negative impact on any group defined in terms of ethnic group identification, gender, or disability. A disparity identified in a given selection process will not be considered to constitute adverse impact if the numbers involved are too small to permit a meaningful comparison.

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.

Diversity – 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.

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). Ensuring equal employment opportunity also involves creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas and that is welcoming to men and women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination by title 5, section 53000 et seq.

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.

Equal Employment Opportunity Programs – all the various methods by which equal employment opportunity is ensured. Such methods include, but are not limited to, using nondiscriminatory employment practices, actively recruiting, monitoring and taking additional steps consistent with requirements of section 53006.

Ethnic Minorities – American Indians or Alaskan natives, Asians or Pacific Islanders, Blacks/African-Americans, and Hispanics/Latinos.

Ethnic Group Identification – an individual’s identification in one or more of the ethnic groups reported to the CCC Chancellor pursuant to section 53004. These groups shall be more specifically defined by the CCC Chancellor consistent with state and federal law.

¹ Title 5 references may be found in the California Codes of Regulations.

Goals for Persons with Disabilities – a statement that the district will strive to attract and hire additional qualified persons with a disability in order to achieve the level of projected representation for that group by a target date established by taking into account the expected turnover in the workforce and availability of persons with disabilities who are qualified to perform a particular job. Goals are not “quotas” or rigid proportions.

In-house or Promotional Only Hiring – only existing district employees are allowed to apply for a position.

Monitored Group – those groups identified in section 53004(b) for which monitoring and reporting is required pursuant to section 53004(a).

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.

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 to remove artificial or real barriers, which prevent or limit the employment and upward mobility of persons with disabilities. “Reasonable accommodations” may include the items designated in section 53025.

Screening or Selection Procedures – any measure, combination of measures, or procedures used as a basis for any employment decision. Selection procedures include the full range of assessment techniques, including but not limited to traditional paper and pencil tests, performance tests, and physical, educational, and work experience requirements, interviews, and review of application forms.

Significantly Underrepresented Group – any monitored group for which the percentage of persons from that group employed by the district in any job category listed in section 53004(a) is below eighty percent (80%) of the projected representation for that group in the job category in question.

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.

Timetable – a set of specific annual hiring objectives that will lead to meeting a goal for persons with a disability by a projected target date.

III. Policy Statement

Sierra Joint Community College District is committed to the principles of equal employment opportunity and will implement a comprehensive program to put those principles into practice. It is the district's policy to ensure that all qualified applicants for employment and employees have full and equal access to employment opportunity, and are not subjected to discrimination in any program or activity of the district on the basis of **ethnic group identification, race, color, national origin, religion, age, sex, physical disability, mental disability, ancestry, sexual orientation**, language, accent, citizenship status, transgender status, parental status, marital status, economic status, veteran status, medical condition, **or on the basis of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.** The district will strive to achieve a workforce that is welcoming to men, women, persons with disabilities and individuals from all ethnic and other groups to ensure the district provides an inclusive educational and employment environment. Such an environment fosters cooperation, acceptance, democracy and free expression of ideas. An Equal Employment Opportunity Plan will be maintained to ensure the implementation of equal employment opportunity principles that conform to federal and state laws.

IV. Delegation of Authority, Responsibility and Compliance

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

1. *Board of Trustees*

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

2. *Superintendent/President*

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

3. *Equal Employment Opportunity Officer*

The district has designated Luis P. Sanchez as its equal employment opportunity officer who is responsible for the day-to-day implementation of the *Plan*. If the designation of the equal employment opportunity officer changes before this *Plan* is next revised, the district will notify employees and applicants for employment of the new designee. The equal employment opportunity officer is responsible for administering, implementing and monitoring the *Plan* and for assuring compliance with the requirements of title 5, sections 53000 et seq. The equal employment opportunity officer is also responsible for receiving complaints described in Plan Component 6 and for ensuring that applicant pools and selection procedures are properly monitored.

4. *Equal Employment Opportunity Committee*

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

5. *Agents of the District*

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

6. *Good Faith Effort*

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

V. Advisory Committee

The district has established an Equal Employment Opportunity Advisory Committee (Advisory Committee) to assist the district in implementing its *Plan*. The Advisory Committee may also assist in promoting an understanding and support of equal opportunity and nondiscrimination policies and procedures. The Advisory Committee may sponsor events, training, or other activities that promote equal employment opportunity, nondiscrimination, retention and diversity. The equal employment opportunity officer shall train the Advisory Committee on equal employment compliance and the *Plan* itself.

The Advisory Committee shall include a diverse membership whenever possible. A substantial good faith effort to maintain a diverse membership is expected. If the district has been unable to meet this requirement, it will document that efforts were made to recruit advisory committee

members who are members of monitored groups. The committee will be composed of three) faculty members, three classified staff members, and three managers. Ex officio members should include the Director of Human Resources and the equal employment opportunity officer. The Advisory Committee shall hold a minimum of four (4) meetings per fiscal year, with additional meetings if needed to review EEO and diversity efforts, programs, policies, and progress. When appropriate, the Advisory Committee shall make recommendations to the Board of Trustees, the Superintendent/President, and the equal employment opportunity officer.

VI. Complaint

- A. *Complaints Alleging Violation of the Equal Employment Opportunity Regulations (Section 53026)*: The district has established the following process permitting any person to file a complaint alleging that the requirements of the equal employment opportunity regulations² (see below) 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 this *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 CCC Chancellor's Office, but under some circumstances, violations of the equal employment 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 CCC 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 District level using the process provided by section 53026. See *California Community Colleges (CCC) Chancellor's Office Guidelines for Minimum Conditions Complaints* at: <http://www.cccco.edu/divisions/legal/guidelines/Guidelines%20for%20Minimum%20Conditions%20Complaints.htm>
- B. *Complaints Alleging Unlawful Discrimination or Harassment (Section 59300 et seq.)* The district has adopted procedures for complaints alleging unlawful discrimination or harassment. The Director of Human Resources Development and Personnel Services is responsible for receiving such complaints and for coordinating their investigation. College complaint officers may be assigned investigation responsibilities.

VII. Notification to District Employees

² The equal employment opportunity regulations are found in California Code of Regulations, Title 5, section 53000 et seq.

The commitment of the Board of Trustees and the Superintendent/President to equal employment opportunity is emphasized through the broad dissemination of district's Equal Employment Opportunity Policy Statement and the *Plan*. The policy statement will be electronically posted in the employees' MySierra portal page. The *Plan* and subsequent revisions will be distributed to the district's Board of Trustees, the President/Superintendent, administrators, the academic and classified senate leadership, union representatives and members of District Equal Employment Opportunity Advisory Committee. The *Plan* will be available on the district's website, and when appropriate, may be distributed via e-mail. Each year, the district will provide all employees with a copy of the board's Equal Employment Opportunity Policy Statement (located in Plan Component 3 of this *Plan*) and written notice summarizing the provisions of the district's Equal Employment Opportunity Plan. The Human Resources Department will provide all new employees, via email, with a copy of the written notice described above when they commence their employment with the district. The annual notice will emphasize the importance of the employee's participation and responsibility in ensuring the *Plan's* implementation and reference to the district's website where a printable version of the *Plan* is accessible.

VIII. Training for Screening/Selection Committees

Any organization or individual, serving as the Equal Employment Opportunity Representative, who is involved in the recruitment and screening/selection of personnel shall receive appropriate training on the requirements of the title 5 regulations on equal employment opportunity (section 53000 et. seq.); the requirements of federal and state nondiscrimination laws; the requirements of the district's Equal Employment Opportunity Plan; the district's policies on nondiscrimination, recruitment, and hiring. Persons serving in the above capacities will be required to receive training within the twelve (12) months prior to service. This training is mandatory; individuals who have not received this training will not be allowed to serve on screening/selection committees as the Equal Employment Opportunity Representative. The equal employment opportunity officer is responsible for providing the required training to any individual, whether or not an employee of the district acting on behalf of the district with regard to recruitment and screening of employees, is subject to the equal employment opportunity requirements of title 5³ and the district's Equal Employment Opportunity Plan.

IX. Annual Written Notice to Community Organizations

The equal employment opportunity officer will provide annual written notice to appropriate community-based and professional organizations concerning this Plan. The notice will inform these organizations that they may obtain a copy of the Plan, and shall solicit their assistance in identifying diverse qualified candidates. The notice will include a summary of the Plan. The notice will also include the website address where the district advertises its job openings and the name(s), department(s) and phone number(s) of individuals to call in order to obtain employment information. A list of organizations, which will receive this notice, is attached to this Plan. This list may be revised from time to time as necessary.

X. Analysis of District Workforce and Applicant Pool

³ See title 5, & 53020(c).

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

For purposes of the survey and report each applicant or employee will be afforded the opportunity to voluntarily identify her or his gender, ethnic group identification and, if applicable, her or his disability. Persons may designate as many ethnicities as they identify with, but shall be counted in only one ethnic group for reporting purposes. This information will be kept confidential and will be separated from the applications that are forwarded to the screening/selection committee and hiring administrators(s). The district will annually report to the Chancellor the results of its annual survey of employees. At least every three years the *Plan* will be reviewed and, if necessary, revised based on an analysis of the ethnic group identification, gender, and disability composition of existing staff and of those who have applied for employment in each of the following identified job categories:

- 1) Executive/Administrative/Managerial
 - 2) Faculty and other Instructional Staff
 - 3) Professional Non-faculty
 - 4) Secretarial/Clerical
 - 5) Technical and Paraprofessional
 - 6) Skilled Crafts
 - 7) Service Maintenance
- A. District Workforce Analysis –
(Pending further information from the Chancellors Office)
- B. Analysis of Applicant Pool
(Pending further information from the Chancellors Office)

XI. Analysis of Degree of Under Representation and Significant Under Representation

Analysis of underrepresented groups is dependent upon the development of the “availability data” as provided by the California Community Colleges Chancellor's Office. When current, applicable availability data is provided by System Office, the District will utilize the current data to analyze the Degree of Under Representation within the District, if any.

XII. Methods to Address Under Representation

The equal employment opportunity provisions below are applicable to all full-time and part-time hiring, including any hiring meant to address the ratio of full-time to part-time faculty that may be required by Education Code section 87482. 6.

To address any identified under representation of monitored groups pursuant to Plan Component

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

Recruitment: The District will use recruitment sources that provide diverse pools of candidates. The District's Equal Employment Opportunity Advisory 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 job announcements will state that the District is an "Equal Employment Opportunity Employer." The District will include in the recruitment section of its Recruitment and Hiring Procedures the following provisions:

Recruitment for all open positions may include placement of job announcements in the following instruments:

- General circulation newspapers, general circulation publications, and general market radio and television stations, including electronic media.
- Local and regional community newspapers.
- Newspapers, publications, and radio and television stations that provide information in languages other than English and to low-income communities.
- 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 under represented in the District's workforce.
- Recruitment booths at job fairs or conferences oriented to both, the general market and the economically disadvantaged as well as those events drawing significant participation by groups found to be under represented in the District's workforce.

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

Job announcements will state clearly job specifications setting forth the knowledge, skills, and abilities necessary to job performance. For all positions, job requirements will include a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students. Job specifications, including any "required," "desired," or "preferred" qualifications beyond the state minimum qualifications which the District wishes to utilize, will be reviewed by the Equal Employment Opportunity Officer before the position is announced, to ensure conformity with equal employment regulations and state and federal nondiscrimination laws. All job announcements shall state that the District is an "Equal Employment Opportunity Employer."

Review of Initial and Qualified Applicant Pools:

- The application for employment will provide each applicant an opportunity to voluntarily identify his/her gender, ethnic group identification and, if applicable, his/her disability. This information will be kept confidential and used only in research, validation, monitoring, evaluating the effectiveness of the District's equal employment opportunity program, or any other purpose specifically authorized by any applicable statute or regulation.
- After the application deadline has passed, the composition of the initial applicant pool will be analyzed to ensure that any failure to obtain projected representation for any monitored group is not due to discriminatory recruitment procedures. If necessary, the application deadline will be extended and additional recruitment will 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. 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 job specifications set forth in the job announcement.
- Before the selection process continues, the composition of the qualified applicant pool will be analyzed to ensure that no monitored group is adversely impacted. If adverse impact is found to exist, the Chief Executive Officer or his/her designee shall take effective steps to address the adverse impact before the selection process continues. Such steps may include, but are not limited to:
 1. Extending the deadline and undertaking inclusive outreach efforts to ensure that members of the adversely impacted group have equal opportunity to seek employment with the District;
 2. Including all applicants who were screened out on the basis of any locally established qualifications beyond 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 or which are not among those which the Board of Governors has found to be job-related and consistent with business necessity throughout the community college system.
 3. If adverse impact persists after taking steps required as outlined in this component of the Plan, 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 where unavailable; or
 - The particular qualification beyond statewide minimum qualifications which are

used in the job announcement are among those which the Board of Governors has found to be job-related and consistent with business necessity throughout the community college system.

4. The District will not advertise or utilize in future hiring processes for the same position or a substantially similar position any locally established qualifications beyond state minimum qualifications that the District was unable to verify, as outlined in this component of the Plan, unless such qualifications are so verified in advance of commencing any such future hiring process.

Screening/Selection Committee Procedures:

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

1. All screening or selection techniques, including the procedure for developing interview questions, and the selection process as a whole, will be:
 - Designed to ensure that, for faculty and administrative positions, meaningful consideration is given to the extent to which applicants demonstrate a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students.
 - Based solely on job-related criteria; and
 - 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.
2. Before a person can serve on a screening/selection committee, he/she must receive equal employment opportunity and diversity training.
3. If monitoring for adverse impact reveals that any selection technique or procedure has adversely impacted any monitored group, the Chief Executive Officer or his/her designee will do the following:
 - Suspend the selection process and take timely and effective steps to remedy the problem before the selection process resumes.
 - When appropriate, assist the screening/selection 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.

- 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.
 - Where necessary, the position may be reopened at any time and a new selection process initiated in a way designed to avoid adverse impact.
4. The District will not designate or set aside particular positions to be filled by members of any group defined in terms of ethnic group identification, race, color, ancestry, national origin, age, sex, religion, sexual orientation, marital status, disability, or medical condition, or engage in any other practice, which would result in discriminatory or preferential treatment prohibited by state or federal law. The District will not apply the Plan in a rigid manner that has the purpose or effect of so discriminating.
 5. The Governing Board or its designee shall make all final hiring decisions based upon careful review of the candidate or candidates recommended through the screening/selection committee. This includes the right to reject all candidates and to order further review or to reopen the position where necessary to achieve the objectives of the Plan or to ensure equal employment opportunity.
 6. The District will review the pattern of its hiring decisions over time, and if it determines that those patterns do not meet the objectives of the Plan, the District will request the Equal Employment Opportunity Advisory Committee to recommend new methods to meet the Plan objectives, or if necessary, to modify the Plan itself to ensure equal employment opportunity.

XIII. Additional Steps to Remedy Significant Under Representation

In Component 11 of this Plan, the District identified particular monitored groups that are significantly underrepresented with respect to one or more job categories.

If the District determines that a particular monitored group is significantly underrepresented with respect to one or more job categories, the District will take additional steps consistent with Section 53006. At a minimum, the District will:

1. Review its recruitment procedures and identify and implement any additional measures which might reasonably be expected to attract candidates from the significantly underrepresented group;
2. Consider various other means of reducing the under representation which do not

involve taking monitored group status into account, and implement any such techniques which are determined to be feasible and potentially effective;

3. Determine whether the group is still significantly underrepresented in the category or categories in question after the measures described in (1) and (2) have been in place a reasonable period of time; and;
4. If significant under representation persists, the staffing rate for the significantly underrepresented group in the specified job category or categories will be monitored on an ongoing basis until the projected representation has been achieved for that group in the category or categories in question.
5. If a reasonable period of time passes and significant under representation persists for a particular group in the job category in question, the District will:
 - Review each District 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 or is among those qualifications which the Board of Governors has found to be job-related and consistent with business necessity throughout the community college system;
 - Discontinue the use of any District established qualification that has not been found to satisfy the requirements set forth in paragraph (1) above; and
 - Continue using qualification standards meeting the requirements of paragraph (1) only where no alternative qualification standard is reasonably available which would select for the same characteristics, meet the requirements of paragraph (1) and be expected to have a less exclusionary effect.
6. For purposes of this section, "a reasonable period of time" means three (3) years, or such longer period as the CCC Chancellor may approve, upon the request of the Equal Employment Opportunity Advisory Committee and the Chief Executive Officer, where the District has not filled enough positions to appreciably affect its work force in the job category in question.
7. Nothing in this section will be construed to prohibit the District from taking any other steps it concludes are necessary to ensure equal employment opportunity, such as focused recruitment, provided that such actions are consistent with the requirements of federal and state constitutional and statutory nondiscrimination law.

XIV. Other Measures Necessary to Further Equal Employment Opportunity

In furtherance of District's Equal Employment Opportunity Plan, the District has initiated the Diversity Project Team, responsible for development of a District-wide Diversity Plan intended to positively impact the cultural competence of the institution. The Diversity Project Team will

develop and disseminate a District-wide plan identifying specific strategies to improve the cultural competence of the District.

XV. Persons with Disabilities: Accommodations and Goals for Hiring

1. The District will ensure that applicants and employees with disabilities 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. Subsequent to the interactive dialogue with applicants and/or employees, pursuant to District policy and procedures, 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 aids such as readers, interpreters, and note takers. Such accommodations may be paid for with funds provided pursuant to Section 53030, et seq.

2. Verify the District's goal for persons with disabilities prior to the effective date of Section 53025, and if significant under representation still exists, the District will update that goal, set a new target date for achieving projected representation in the category or categories in question, and concurrently comply with subsections (a)(1), (a)(2) and (b) of section 53006 with respect to persons with disabilities by:

- Review District recruitment procedures and identify and implement any additional measures which might reasonably be expected to attract candidates from the significantly under represented group; and
- Consider various other means of reducing the under representation which do not involve taking monitored group status into account, and implement any such techniques which are determined to be feasible and potentially effective;

XVI. Graduate Assumption Program of Loans for Education

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

Compliance Checklist

The following compliance checklist is designed to assist the District in the review of their respective Equal Employment Opportunity Plan (Plan). The checklist ensures that the District's Plan includes provisions and components that are required under state law. California Code of Regulations, Title 5, section 53003 and Education Code, sections 87102 and 87106 list the specific components that must be included in the District's Plan. Unless otherwise indicated, all references to "sections" refer to the Title 5, California Code of Regulations.

A. Adoption of Plan [Title 5 Cal. Code Regs. § 53003(a)]

___ Does the Plan indicate when the District's Governing Board adopted this Plan?

B. Designation of Responsibility, Authority and Compliance [Title 5 Cal. Code Regs. §§ 53003(c)(1) and 53020]

___ Does the District describe the governing board's responsibility for proper implementation of this Plan and for making measurable progress?

___ Does the District designate an Equal Employment Opportunity Officer to oversee the day-to-day implementation of the equal employment opportunity requirements of Title 5?

___ Does the District describe the administrative structure created by any delegation of authority to the Equal Employment Opportunity Officer or others and is the District designed to ensure prompt and effective implementation of the EEO Title 5 requirements?

___ Does the District designate a single officer who will have authority to receive complaints under section 53026 and who will monitor selection procedures and applicant pools?

___ Does this Plan clearly state that anyone who is an agent of the District, with regard to recruitment and screening, is also subject to all the Title 5 equal employment opportunity requirements?

C. Procedures for Filing a Complaint Pursuant to Section 53026 [Title 5 Cal. Code Regs. §§ 53003(c)(2) and 53026]

___ Does the District provide the procedures for filing complaints that allege violation of the equal employment opportunity requirements of Title 5 and designate the person with whom such complaints are to be filed?

___ Does the District include or reference the procedures for filing complaints that allege unlawful discrimination and/or harassment and designate the person with whom such complaints are to be filed?

D. Notification to all District Employees of the Plan and Policy Statement [Title 5 Cal. Code Regs. §§ 53003(c)(3) and 53002]

___ Does the District describe the District’s process for notifying all District employees of the provisions of the Plan, and the policy statement required by section 53002?

E. Employee Training for Screening or Selection Committees [Title 5 Cal. Code Regs. § 53003(c)(4)]

___ Does the District describe the District’s process for ensuring that District employees participating on screening or selection committees receive appropriate training on Title 5 requirements relating to equal employment opportunity and state and federal nondiscrimination laws?

F. Annual Written Notice to Community-Based and Professional Organizations [Title 5 Cal. Code Regs. § 53003(c)(5)]

___ Does the District describe the District’s process for providing annual written notice to appropriate community-based and professional organizations regarding the District’s Plan and the need for assistance from the community and such organizations in identifying qualified applicants?

G. Analysis of District Workforce and Applicant Pool [Title 5 Cal. Code Regs. §§ 53003(c)(6) and 53004]

___ Does the District provide an analysis of the number of persons from monitored groups who are currently employed in the District’s workforce for each of the job categories listed in section 53004(a)?

___ Does the District provide an analysis of those who have applied for employment, in each of the job categories listed in section 53004(a)?

___ Does the Plan state that the survey required by section 53004(a) will be done every year?

H. Analysis of the Degree of Under Representation and Significant Under Representation [Title 5 Cal. Code Regs. § 53003(c)(7)]

___ Does the District provide an analysis of the degree to which monitored groups are underrepresented for each job category in comparison to the numbers of persons from such groups whom the CCC Chancellor’s Office determines to be available and qualified to work?

___ Does the District indicate whether the under representation for each group is “significant”?

I. Methods to Address any Under Representation [Title 5 Cal. Code Regs. § 53003(c)(8)]

___ Does the District describe the methods it will use to address any under representation?

J. Additional Steps to Remedy Significant Under Representation [Title 5 Cal. Code Regs. §§ 53003(c)(9) and 53006]

___ Does the District describe additional steps consistent with section 53006 to remedy any significant under representation?

___ Does the District describe the steps to be taken, consistent with section 53006, if significant under representation persists after a reasonable period of time has passed?

___ Does the District consider anything else they might do, that is permissible, to remedy any significant under representation?

K. Other Measures to Further Equal Employment Opportunity [Title 5 Cal. Code Regs. § 53003(10)]

___ Does the District describe any other measures that the District undertakes to further equal employment opportunity?

L. Goals for Hiring Persons with Disabilities [Title 5 Cal. Code Regs. §§ 53003(d), 53025]

___ Does the District describe the measures that will be taken, consistent with the requirements of section 53006(a) (1) and (2), if persons with disabilities are found to be significantly underrepresented?

___ Does the District describe additional steps (beyond those required by section 53006(a)(1) and (2)) that may be taken to achieve projected representation for persons with disabilities if significant under representation is found to exist?

___ Does the District describe the goals and target dates for achieving projected representation for persons with disabilities if significant under representation is found to exist?

___ If the District established a goal for persons with disabilities prior to August 12, 2002, and if significant under representation still exists, does the District update the goal, set a new target date and comply with section 53006(a)(1)(2) and (b)?

M. Education Code Requirements [Education Code, §§ 87102(a) and 87482.6]

___ Does the District describe how the District will make progress in achieving the ratio of full-time to part-time faculty hiring, as indicated in Education Code, section 87482.6, while still ensuring equal employment opportunity?

Education Code, §§ 87106(b)(4) and 69618

___ Does the District describe the steps the District will take to inform students about the Graduate Assumption Program of Loans for Education program and/or other programs designed to encourage community college students to become community college employees?

Equal Employment Opportunity Plan: Requirements and Legal Citation

Plan Component Number and Name	X = Indicates Minimum Plan Requirement	Legal Citation
Plan Component 1: Introduction		N/A
Plan Component 2: Definitions		Title 5 § 53001
Plan Component 3: Policy Statement		Title 5 § 53002
Plan Component 4: Delegation of Responsibility Authority and Compliance	X	Title 5 § 53003(c)(1) Title 5 § 53020
Plan Component 5: Advisory Committee		Title 5 § 53005
Plan Component 6: Complaints	X	Title 5 § 53003(c)(2) Title 5 § 53026
Plan Component 7: Notification to District Employees	X	Title 5 § 53003(c)(3)
Plan Component 8: Training for Screening/Selection Committees	X	Title 5 § 53003(c)(4)
Plan Component 9: Annual Written Notice to Community Organizations	X	Title 5 § 53003(c)(5)
Plan Component 10: Analysis of District Workforce and Applicant Pool	X	Title 5 § 53003(c)(6) Title 5 § 53004
Plan Component 11: Analysis of Degree of Under Representation and Significant Under Representation	X	Title 5 § 53003(c)(7)
Plan Component 12: Methods to Address any Under Representation	X	Title 5 § 53003(c)(8)
Plan Component 13: Additional Steps to Remedy any Significant Under Representation	X	Title 5 § 53003(c)(9) Title 5 § 53006
Plan Component 14: Other Measures Necessary to Further Equal Employment Opportunity	X	Title 5 § 53003(c)(10)
Plan Component 15: Persons with Disabilities: Accommodations and Goals for Hiring	X	Title 5 § 53003(d) Title 5 § 53025
Plan Component 16: Graduate Assumption Program	X	Education Code § 87106(b)(4), § 69618 et seq.
Part of Plan 12 Progress in achieving ratio of full-time to part-time faculty hiring while ensuring EEO.	X	Education Code § 87102(a) § 87482.6