



STATE CENTER  
COMMUNITY COLLEGE DISTRICT

# EQUAL EMPLOYMENT OPPORTUNITY PLAN 2019-2022

Adopted by the Board of Trustees: June 23, 2013

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## **Plan Component 1: Introduction**

Diversity and inclusivity are at the heart of State Center Community College District's ("SCCCD" or "District") core values. The District is intentional in creating an environment that embraces and celebrates diversity in our student body, faculty, staff and administration, and has a focus on equity practices and hiring through an equity lens. To properly serve a growing diverse population, the District endeavors to hire and retain a diverse workforce of faculty, staff, and administration who are sensitive to and knowledgeable of the needs of the continually changing student body it serves.

SCCCD is located in the center of Fresno and in the heart of the San Joaquin Valley, which is one of the most racially and ethnically diverse regions in the state. The college community service area faces challenges of unemployment, endemic poverty, and low levels of educational attainment. These demographic characteristics underline the importance of SCCC as a viable pathway to a richer quality of life for those who attend and serve as the foundation of our mission.

SCCCD's Equal Employment Opportunity Plan ("Plan") was originally adopted by the Board of Trustees on June 14, 2016 and is revised here for [insert BOT approval date]. The Plan's immediate focus is to be legally compliant and to achieve equal employment opportunity in its recruitment, screening and selection policies and practices pursuant to the applicable Title 5 regulations of the California Code of Regulations (Sections 53000 et seq.). The Plan contains an analysis of the demographics of the District's workforce and includes the complaint procedures for Title 5 provisions and unlawful discrimination, and the establishment of the Equal Employment Opportunity (EEO) Advisory Committee to further the District's EEO efforts. The District's mission recognizes our diverse community and promotes success and access for all to meet the workforce's needs of the San Joaquin Valley. The District recognizes that a diverse workforce achieved through equal employment opportunity results in many benefits for our students, employees, and community at large. The District believes that it must take active and vigorous steps to ensure equal employment opportunity and to create an environment that will foster diversity and promote excellence.

The Plan must be reviewed and, if necessary, revised every three years and submitted to the California Community College Chancellor's Office. I invite you to read this Plan to learn about all the various methods the District is undertaking to reach its diversity goals. This Plan reflects a work in progress and is meant to be a living document subject to clarification and revision. I welcome your thoughts and comments on how SCCC can ensure that our work environment truly reflects our commitment to diversity, equity and inclusion.

Dr. Paul Parnell  
Chancellor

## **Plan Component 2: Definitions**

*Reference CCR Title 5, §53001*

- a) *Adverse Impact*: a statistical measure (such as those outlined in the EEO Commission's *Uniform Guidelines on Employee Selection Procedures*) that is applied to the effects of a selection procedure and demonstrates a disproportionate negative impact on any monitored group or any group protected from discrimination pursuant to Government Code section 12940. 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) *Diversity*: means 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.
- c) *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 in the seven job categories which include executive/administrative/managerial, faculty and other instructional staff, professional non-faculty, secretarial/clerical, technical and paraprofessional, skilled crafts, and service and maintenance. Equal employment opportunity also involves:
  - a. identifying and eliminating barriers to employment that are not job related;
  - b. creating an environment which 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 pursuant to Government Code section 12940.
- d) *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.
- e) *Equal Employment Opportunity Programs*: all the various methods by which equal employment opportunity is ensured. Such methods include, but are not limited to, using nondiscriminatory employment practices, actively recruiting, monitoring and taking additional steps consistent with the requirements of section 53006.
- f) *Ethnic Group Identification*: means an individual's identification in one or more of the ethnic groups reported to the Chancellor pursuant to section 53004. These groups will be more specifically defined by the Chancellor consistent with state and federal law.

- g) *In-house or Promotional Only Hiring*: means that only existing District employees are allowed to apply for a position.
- h) *Monitored Group*: means those groups identified in section 53004(b) for which monitoring and reporting is required pursuant to section 53004(a).
- i) *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.
- j) *Reasonable Accommodation*: the efforts made on the part of the District in compliance with Government Code section 12926.
- k) *Screening or Selection Procedures*: any measure, combination of measures, or procedure 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 reviews of application forms.
- l) *Significantly Underrepresented Group*: any monitored group for which the percentage of persons from that group employed by the district in any job category listed in section 53004(a) is below eighty percent (80%) of the projected representation for that group in the job category in question.

## **Plan Component 3: Policy Statements**

*Reference CCR Title 5, §51010, §53002*

### **Board Policy #3420: Equal Employment Opportunity**

The Board supports the intent set forth by the California Legislature to assure that effort is made to build a community in which opportunity is equalized and to ensure that all qualified applicants for employment and all employees have full and equal access to employment opportunity, and are not subjected to discrimination in any program of activities of the District on the basis of a protected class.

The District strives to achieve a climate of acceptance, with the inclusion of faculty and staff from a wide variety of backgrounds and agrees that a focus on diversity and equity-mindedness in both academic and workplace environments fosters cultural awareness, mutual understanding and respect, free expression of ideas, and suitable role models for students, and promotes social justice, civility, and non-violence.

To this end, the Board commits itself to support a continuing Equal Employment Opportunity Plan that will be developed by the Chancellor for review and adoption by the Board.

The Equal Employment Opportunity Plan will be maintained to ensure the implementation of equal employment opportunity principles that comply with federal and state laws, and with the Education Code and Title 5 requirements which are from time to time modified or clarified by judicial interpretation.

### **Board Policy #7100: Commitment to Diversity**

The District is committed to the recruitment, employment, and retention of administrators, faculty, and staff members who are dedicated to student success and equity. The Board recognizes that while the definition of “diversity” is always evolving, a focus on equity, diversity, and inclusion in the educational and working environment fosters cultural awareness, promotes mutual understanding and respect, provides suitable role models for all students, and promotes social justice, civility, and non-violence.

The Board is committed to recruitment, professional development, and instructional processes that support the goals of equal opportunity, equity, and diversity, and are free of intolerance.

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

Reference CCR Title 5 §53003, §53020

State Center Community College District is committed to the concept and the principles of equal employment opportunity. To this end the District will implement a comprehensive program to operationalize this concept and these principles into practice, one that applies to every aspect of education and personnel policies, and to practices in employment, development, advancement and treatment of employees, students and the general public.

The District will provide access to employment, services, classes, and programs without regard to race, color, ethnicity, national origin, ancestry, religious creed, age, sex/gender, gender identity, gender expression, medical condition, pregnancy, sexual orientation, marital status, physical/mental disability, genetic information, military/veteran status, opposition to unlawful discrimination or harassment, or because he/she/ze is perceived to have one of more of those foregoing 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 all persons to ensure a diverse and inclusive workplace and educational environment which 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.

It is the goal of State Center Community College District that the Board of Trustees, administration, faculty and classified staff promote, support, and embrace equal employment opportunity because equal employment opportunity is a shared responsibility that requires a commitment and a contribution from every segment of the District. The general responsibilities for the prompt and effective implementation of the 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 operations, and for ensuring equal employment opportunity as described in the Plan. In carrying out this responsibility, the Board of Trustees, upon the recommendation of the Chancellor, will ensure that an Equal Employment Opportunity Officer ("EEO Officer") is designated to oversee the day-to-day implementation of the requirements set forth in this subchapter.

### *2. Chancellor*

The Board of Trustees delegates to the Chancellor the responsibility for the ongoing implementation of the Plan and for providing leadership in support of the District's equal employment opportunity policies and procedures. The Chancellor will advise the Board of Trustees concerning statewide policy emanating from the Board of Governors of the California Community Colleges and direct the publication of an annual report on Plan implementation. The Chancellor will evaluate the performance of all administrative staff who report directly to them on their ability to follow and implement the Plan.

### *3. Equal Employment Opportunity Officer*

Per Administrative Regulation 3420, the District has designated the Vice Chancellor, Human Resources as its EEO Officer to be responsible for the day-to-day implementation of the Plan. If the designation of the EEO Officer changes before the Plan is next revised, the District will notify employees and applicants for employment of the new designee. The EEO Officer, or their designee, is responsible for administering, implementing, and monitoring the District's Equal Employment Opportunity Plan. The EEO Officer, or their designee, is also responsible for: (1) receiving complaints filed pursuant to Section 53026 of the California Code of Regulations as described in Plan Component 5; (2) for ensuring that such complaints are promptly and impartially investigated; and (3) for ensuring that applicant pools and selection procedures are properly monitored as required by the Plan.

### *4. Equal Employment Opportunity Advisory Committee*

The District will maintain an Equal Employment Opportunity Advisory Committee ("Committee") to assist the District in developing and implementing the Plan. The Committee will act as an advisory body to the EEO Officer and the District as a whole to promote understanding and support of equal employment opportunity policies and procedures. The Committee may 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 the Plan.

### *6. Good Faith Effort*

The District will make a continuous good faith effort to comply with all the requirements of the Plan.



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

*Reference CCR Title 5 §53005*

The District will establish an Equal Employment Opportunity Advisory Committee to assist in developing, revising, and implementing the District's Plan. Additional responsibilities of the Committee will include, but not be limited to the following:

Assisting in promoting understanding and support of equal employment opportunity and nondiscrimination policies and procedures.

Sponsoring events, trainings, or other activities that promote equal employment opportunity, nondiscrimination, retention or diversity.

Making recommendations and providing support to the EEO Officer on the types of training offered as well as in implementation of events, trainings and other activities to be held.

Reviewing and advising on recruitment efforts, job announcements, interview protocols, retention efforts and other aspects of the hiring, retention, and promotion processes that impact the District's ability to attract and retain a diverse and equity-minded faculty and staff;

Advising on the implementation of the District's obligation to hire faculty and administrators with demonstrated sensitivity to, and understanding of, the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students;

Promoting communication with community groups and organizations for people with disabilities;

Promoting the hiring of faculty who have, themselves, graduated from community college;

Developing communications among departments to foster understanding of the Plan;

Advising the Chancellor regarding special training or professional development needs;

Reviewing and approving the annual written report to the Chancellor, the Board of Trustees, and the California Community College Chancellor's Office (CCCCO).

The Committee will 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 Committee members who are members of monitored groups.

Committee membership will rotate to ensure fluid diversity of membership, and to allow for fresh input. For a list of current EEO Advisory Committee members as of October 3, 2018 see Appendix B. An EEO Committee Chair will be elected by the Committee membership and serve approximately two fiscal years, unless Committee membership deems shorter or longer terms necessary and holds a new election. The EEO Officer will serve as Co-Chair.

The Committee will be comprised of full-time faculty, part-time faculty, classified staff, administrators, college equity staff, and a student representative as listed here:

District Office:

Vice Chancellor, Human Resources (EEO Officer and Committee Co-Chair)  
District Director of Personnel Commission & Classified Employment Services  
District Director of Human Resources

District Director of EEO/Diversity & Professional Development

District-Wide

Part-time Faculty Representative\*  
State Center Federation of Teachers (SCFT) President/designee  
California School Employees Association (CSEA) President/designee  
Peace Officers' Association (POA) President/designee  
Student Representative, appointed by Associated Student Government (ASG).\*  
(\*Appointments will rotate between colleges.\*)

Clovis Community College

Administration  
Academic Senate Designee  
Classified Senate Designee  
Equity Office Representative

Fresno City College

Administration  
Academic Senate Designee  
Classified Senate Designee  
Equity Office Representative

Reedley College (including Madera Community College Center and Oakhurst Community College Center)

Administration  
Academic Senate Designee  
Classified Senate Designee  
Equity Office Representative

If the District adds an additional accredited college during the term of the Plan, that college will have the right to appointments to this committee, similar to the college representations above.

Additional District employees or community members may also be invited to participate as guests or as regular standing members of the Committee.

The EEO Officer, or designee, will train the advisory committee on equal employment compliance and on the plan itself. Each member of the Committee will receive training in all of the following:

- a) the requirements of this plan and of state and federal nondiscrimination laws;
- b) the 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 may also make recommendations and provide support to the EEO Officer on the types of training as well as in implementation of events, trainings, and other activities to be held.

The Committee will hold a minimum of two meetings per fiscal year, with additional meetings if needed to review equal employment opportunity and diversity efforts, programs, policies, and

progress. When appropriate, the advisory committee may make recommendations to the District, through the Chancellor and the EEO Officer. Given that the Committee serves in an advisory capacity, the authority to make final decisions resides with the Board of Trustees, the Chancellor, and the Vice Chancellor, Human Resources.

## **Plan Component 6: Complaints**

*Reference CCR Title 5 §53026*

### **Complaints Alleging Violation of the Equal Employment Opportunity Regulations and Unlawful Discrimination and Harassment**

The District has established the following process permitting any person to file a complaint alleging that the requirements of the equal employment opportunity regulations (“EEO regulations”) or the District’s Board Policy 3410 – Nondiscrimination have been violated. The EEO regulations can be found in Title 5 California Code of Regulations, sections 53000, et seq. and have been incorporated into this Plan. Any complaint alleging a violation of the Plan, the EEO regulations, or District Board Policy 3410 – Nondiscrimination (<http://www.boarddocs.com/ca/scccd/Board.nsf/goto?open&id=B6P2NL7FE20D>), may be processed pursuant to District Administrative Regulation 3435 – Discrimination and Harassment Complaints (<http://www.boarddocs.com/ca/scccd/Board.nsf/goto?open&id=AHXK9N4E8DA8>) as described below.

#### **Written Complaints**

Any student, employee, applicant, or third party who believes they have been discriminated against or harassed in violation of the District’s EEO Plan, Title 5 California Code of Regulations, or the District’s Board Policy 3410 – Nondiscrimination -- or anyone who has learned of unlawful discrimination in their capacity as a District employee may make a complaint.

All complaints will be signed and dated by the complainant and will 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(s). A complaint form is available, but is not required in order for the District to accept the complaint. A copy of the EEO Plan Violation Complaint form can be located in attached as Appendix B and can also be located on the District’s EEO webpage at <https://www.scccd.edu/about/diversity-equal-employment-opportunity-and-non-discrimination.html>, or in the District Human Resources Office.

#### **Filing a Timely Complaint**

Complaints will be filed with the Vice Chancellor, Human Resources who is designated as the EEO Officer. If the complaint involves the EEO Officer, the complaint may be filed with the District’s Chancellor.

Since failure to report harassment and discrimination impedes the District’s ability to stop the behavior, the District strongly encourages employees, students, and third parties who either believe they are being harassed or are made aware of harassment to file a complaint. The District also strongly encourages the filing of such complaints within 30 days of the alleged incident.

Complaints regarding classified recruitment and selection process are referred to Personnel Commission Rules found at <https://www.scccd.edu/uploaded-files/documents/departments/personnel-commission/pc-rules-acc.pdf>

- a) Complaints involving discrimination in employment or employment processes must be filed as soon as possible after the occurrence of an alleged violation and not later than 180 days after such occurrence unless the complainant can verify a compelling reason for the District to waive the sixty 180-day limitation. *Note: The 180-day limitation may be extended by 90-days following the expiration of the 180 days if the complainant first obtained knowledge of the facts of the alleged violation after the expiration of the 180 days.*

Complaints alleging violations not involving employment must be filed as soon as possible after the occurrence of an alleged violation and not later than one year after such occurrence unless the violation is ongoing or involves a sexual misconduct violation.

While all complaints are taken seriously and will be evaluated promptly, delay in filing impedes the District's ability to investigate and remediate.

### **Intake and Processing of the Complaint**

Upon receiving notification of a discrimination or harassment complaint, the Vice Chancellor, Human Resources or their designee will follow the process outlined in Administrative Regulation 3435 found here

<http://www.boarddocs.com/ca/scccd/Board.nsf/goto?open&id=AHXK9N4E8DA8>

### **Returned Complaints**

The District may return without action any complaints which are inadequate because they do not state a clear violation of the EEO regulations or Board Policy 3410 - Nondiscrimination. All returned complaints must include a District statement regarding the reason for returning the complaint without action.

Reference: BP 3410

<http://www.boarddocs.com/ca/scccd/Board.nsf/goto?open&id=AHXK9N4E8DA8>

### **Appeals**

If either party is not satisfied with the administrative determination, they may, within fifteen calendar days, submit a written appeal in accordance with Administrative Regulation (3435).

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

*Reference CCR Title 5 §53003*

The commitment of the Board of Trustees and the Chancellor to equal employment opportunity is emphasized through the broad dissemination of its Equal Employment Opportunity Policy Statement (see Plan Component 2) and the Equal Employment Opportunity Plan. The Policy Statement will be printed in the college catalogs and class schedules. The Plan and subsequent revisions will be distributed to the District's Board of Trustees, the Chancellor, each College President, administrators, the academic senate leadership, union representatives, members of the Personnel Commission, and members of the District Equal Employment Opportunity Advisory Committee. The Plan will be available at all times on the District's website, and when appropriate, may be distributed by e-mail.

The District Human Resources Department will provide all new employees with a copy of the Policy Statement and written notice summarizing the provisions of the District's Equal Employment Opportunity Plan when they commence their employment with the District and will strive to annually provide all employees with a copy of the Board's Equal Employment Opportunity Policy Statement and written notice summarizing the provisions of the District's Equal Employment Opportunity Plan.

The written notice summarizing the provisions of the District's Equal Employment Opportunity Plan will contain the following provisions:

1. a summary of the District's Equal Employment Opportunity Plan;
2. the importance of the employee's participation and responsibility in ensuring the Plan's implementation;
3. a listing where complete copies of the Plan are available.

## **Plan Component 8: Annual Written Notice to Community Organizations**

*Reference CCR Title 5 §53003*

The Office of the Vice Chancellor, Human Resources, or designee, will provide annual written notice to appropriate, diverse, community-based and professional organizations concerning the Plan. The notice will inform these organizations of how they may access or obtain a copy of the Plan by contacting the Vice Chancellor, Human Resources office, and will solicit their assistance in identifying diverse and qualified candidates. The notice will include a summary of the Plan and the web address where the District advertises its job openings and contact information to obtain employment information.

## **Plan Component 9: Training of Screening/Selection Committees**

*Reference CCR Title 5 §53003*

Any organization or individual, whether an employee of the District, who is involved in the recruitment and screening/selection of personnel will receive appropriate training on:

The requirements of the Title 5 regulations on equal employment opportunity (Title 5 sections 53000, et seq. of the California Code of Regulations);

the requirements of federal and state nondiscrimination laws;

the District's policies and procedures on nondiscrimination;

the principles of diversity and cultural proficiency;

the educational benefits of workforce diversity;

the elimination of bias in hiring decisions; and

best practices in serving on a selection screening committee.

Each committee member serving in the above capacities will be required to receive training within the previous 12-18 months prior to service on the screening/selection committees (depending upon recruitment type). This training is mandatory; individuals who have not received this training will not be allowed to serve on any screening/selection committee.

The Vice Chancellor, Human Resources or designee, or the District Director of Personnel Commission & Classified Employment Services or designee (depending upon employee classification), is responsible for providing the required training. Any individual, whether or not an employee of the District, acting on behalf of the District with regard to recruitment and screening of employees is subject to the EEO regulations of Title 5 and the District's Equal Employment Opportunity Plan.



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

*Reference CCR Title 5 §53004*

### *1. Data Collection Requirements*

The District Human Resources Office will collect, review, and analyze workforce, and newly hired employee demographic data annually, and will monitor applicants for employment on an ongoing basis to evaluate the District's progress in implementing the Plan, and to provide data needed for the reports required by the Plan and to determine whether any monitored group is underrepresented. The District also uses this data to conduct longitudinal analysis in order to identify and report on trends, areas of improvement, and areas that require a more specific focus.

Monitored groups are men, women, non-binary, American Indians/Alaskan Natives, Asians/Pacific Islanders, Asian Hmong, Blacks/African-Americans, Hispanics/Latinos, Multi-racial, and persons with disabilities. District Workforce, newly hired employees, and applicant demographic data will be reported annually to the Board of Trustees before annual data is submitted to the State Chancellor's Office.

For purposes of data collection and reporting, each applicant or employee will be afforded the opportunity to voluntarily identify their gender, ethnic group identification, and their disability status. Persons may designate as many ethnicities as they identify with, but will be counted in only one ethnic group for reporting purposes. This information will be kept confidential and will be separated from the applications that are forwarded to the screening/selection committee and hiring administrator(s). The District will annually report to the State Chancellor the demographic data of employees. This data collection will be done for each college in the District and the District Office. 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 employees 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 and Maintenance

### *2. Current Workforce and Applicant Pool Data*

In order to ensure transparency and currency of data, the District's most current workforce, new hires, and applicant demographic data will be made available on the District Diversity, EEO and Non-Discrimination webpage found here:

<https://www.sccd.edu/about/diversity-equal-employment-opportunity-and-non-discrimination.html>

## **Plan Component 11: Strategies to Further Equal Employment Opportunity**

*Reference CCR Title 5, §53003, §53021, §53022, §53023, §53024, §53024.1, §53027*

This EEO Plan is not intended to circumvent any requirements to mutually agree or consult collegially on recruitment and hiring procedures, such as Board Policy 7120, Recruitment and Hiring, Administrative Regulation 7120, Procedures for Recruitment and Employment of College Faculty, and Administrative Regulation 7220, Administrative Recruitment and Hiring Procedures, or other appropriate Board Policies, Administrative Regulations, Personnel Commission Rules, laws or statutes. Please reference the following links:

BP 7120: <http://www.boarddocs.com/ca/scccd/Board.nsf/goto?open&id=AHXJWA4E85E8>

AR 7120: <http://www.boarddocs.com/ca/scccd/Board.nsf/goto?open&id=AHXK5R4E8B00>

BP 7220: <http://www.boarddocs.com/ca/scccd/Board.nsf/goto?open&id=AHXJWG4E8605>

AR 7220: <http://www.boarddocs.com/ca/scccd/Board.nsf/goto?open&id=AHXK944E8D45>

The District recognizes that multiple approaches are appropriate to ensure 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 that is welcoming to, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination. Furthermore, academic excellence can best be sustained in a climate of acceptance, mutual respect and with the inclusion of persons from a wide variety of backgrounds and preparations to provide service to an increasingly diverse student population.

To that end the District will do the following to increase the diversity of its workforce and to ensure equal employment opportunity. These provisions will be in place henceforth, even if diversity in the makeup of the District's employees is achieved, because these provisions are valuable in maintaining a diverse work force and in ensuring the District continues to provide for equal employment opportunity in accordance with the policies of the District and federal and state law.

### **A. Recruitment, Screening, and Selection Procedures**

The District will ensure equal employment opportunity in its recruitment, screening and selection procedures. In so doing, the District places great emphasis on the recruitment of potential applicants in order to create a diverse pool of qualified individuals from which to hire. With a diverse pool, the District takes steps to allow for the hiring of candidates with varied backgrounds who can contribute and effectively communicate in a diverse community. The equal employment opportunity provisions below are applicable to all full-time and part-time hiring, including any hiring meant to address the ratio of full-time to part-time faculty that may be required by Education Code section 87482.6. The District's recruitment, screening and selection procedures will, at a minimum, include the following provisions:

## 1. *Recruitment*

- a) It is the policy of the District to aggressively pursue a program of verifiable recruitment that is inclusive and open to all individuals. The District will actively recruit from both inside and outside the District workforce to attract qualified applicants for all vacancies. This will include outreach designed to ensure that all persons are provided the opportunity to seek employment with the District. The requirement of open recruitment will apply to all full-time and part-time vacancies in all job categories and classifications including, but not limited to, faculty, classified employees, categorically funded positions, and all executive/administrative/managerial positions.
- b) Recruitment for full-time faculty and educational administrator positions will be at least statewide and, at a minimum, will include seeking qualified applicants listed in the California Community Colleges Equal Employment Opportunity Registry and posting job announcements with the Registry.
- c) Recruitment for part-time faculty positions may be conducted separately for each vacancy or by annually establishing a pool of eligible candidates but, in either case, full and open recruitment consistent with the Plan is required.
- d) Efforts will be undertaken on a regular basis to develop and contact new recruitment sources to ensure diverse pools of candidates.
- e) All recruitment announcements will state that the District is an “Equal Employment Opportunity Employer.”
- f) In-house or promotional only recruitment will not be used to fill any vacancy for any position except when the position is being filled on an interim basis, provided, however, that no interim appointment or series of interim appointments exceed two (2) years in duration.
  - i) Where in-house or promotional only recruitment is utilized to fill a position on an interim basis pursuant to Component 10 subdivision A(1)(f) of the Plan, all District employees will be afforded the opportunity to apply and demonstrate that they are qualified.
  - ii) The job announcement for the interim position will comply with CCR section 53022 and the selection process will be consistent with the requirements of CCR section 53021 and this Plan.
- g) For the purposes of this EEO Plan, a vacancy is not created, and the requirements of the Plan Component 10 (A)(1) Recruitment do not apply when:
  - i) there is a reorganization that does not result in a net increase in the number of employees;

- ii) one or more lateral transfers are made and there is no net increase in the number of employees;
- iii) a position which is currently occupied by an incumbent is upgraded, reclassified, or renamed without significantly altering the duties being performed by the individual;
- iv) the faculty in a division or department elect one faculty member to serve as a chairperson for a prescribed limited term;
- v) the position is filled by a temporary, short-term, or substitute employee appointed pursuant to Education Code sections 87422, 87480, 97482.5(b), 88003, 88106 or 88108;
- vi) a part-time faculty member is assigned to teach the same or fewer hours he or she has previously taught in the same discipline without a substantial break in service. For purposes of this section, “a substantial break in service” means more than one calendar year or such different period as may be defined by a collective bargaining agreement; or
- vii) an individual not currently employed by the district, who is specially trained, experienced, and competent to serve as an administrator, and who satisfies the minimum qualifications applicable to the position, is engaged to serve as an administrator through a professional services contract. No appointment or series of appointments pursuant to this provision may exceed a period of two years.

## 2. *Job Announcements*

- h) Job announcements will state clearly job specifications setting forth the knowledge, skills, and abilities necessary to job performance.
  - i) For classified positions, the Personnel Commission will: establish essential position qualifications that can be validated as job oriented and as such do not exclude qualified candidates; encourage recruitment procedures that are directed toward the fulfillment of equal opportunity; ensure that examinations are valid and do not have an adverse impact; and ensure that all state and federal laws and administrative regulations are followed regarding personnel functions.
  - ii) For faculty and administrative positions, job requirements will include equity-mindedness, a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students.
- i) 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 Vice Chancellor, Human Resources, or designee, before the position is

announced, to ensure conformity with the requirements of this EEO Plan and both state and federal nondiscrimination laws.

### 3. *Review of Initial Applicant Pools*

- j) The application for employment will provide for self-identification of the applicant's gender, ethnic group and his or her disability status. This information will be kept confidential and will be used only for research, monitoring, and evaluating the effectiveness of the District's Equal Employment Opportunity Program, or any other purpose specifically authorized in this subchapter, or by any applicable statute or regulation.
- k) After the application deadline has passed, the composition of the initial applicant pool will be recorded and reviewed by the Vice Chancellor, Human Resources, or designee.

### 4. *Review of Qualified Pools*

- l) All initial applications will be screened to determine which candidates satisfy job specifications set forth in the job announcement. 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.
- m) The composition of the qualified applicant pool will be reviewed and compared to the composition of the initial applicant pool. If the Vice Chancellor, Human Resources, or designee, finds that the composition of the qualified applicant pool may have been influenced by factors which are not job related, appropriate action will be taken, which may include but is not limited to the recruitment being closed and reopened for recruitment, modifications made to the required and desired qualifications, or revisions made to the screening criteria used by the hiring committee. When such action is taken, the Vice Chancellor, Human Resources, or designee, will notify the hiring manager of the action taken. The applicant pool data will be reviewed in conducting the analysis described in Section 53006(a) of Title 5.

The Vice Chancellor, Human Resources, may stop a recruitment at any time if there are factors influencing a selection committee or candidate pool that are determined to not be job related.

### 5. *Screening/Selection Committee Procedures*

- n) Once the qualified applicant pool is approved, the pool will be forwarded to the screening/selection committee for application screening, interviews, and final recommendations for hiring consideration.
- o) All screening and selection techniques, including the procedure for developing interview questions, and the selection process as a whole, will be:

- i) provided to the State Chancellor upon request;
- ii) designed to ensure that, for faculty and educational administrative positions, meaningful consideration is given to the extent to which applicants demonstrate equity-mindedness and a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students. “Meaningful consideration” means that candidates will be required to demonstrate sensitivity to diversity and cultural awareness in ways relevant to the specific position;
- iii) based solely on job-related criteria; and
- iv) designed to avoid an adverse impact, as defined in Title 5, section 53001(a) and monitored by means consistent with this section to detect and address any adverse impact which does occur for any monitored group.

A district may not designate or set aside particular positions to be filled by members of any group defined in terms of race, color, ethnicity, national origin, ancestry, religious creed, age, sex/gender, gender identity, gender expression, medical condition, pregnancy, sexual orientation, marital status, physical/mental disability, genetic information, military/veteran status, opposition to unlawful discrimination or harassment, or because he/she/ze is perceived to have one or more of those foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics or engage in any other practice which would result in discriminatory or preferential treatment prohibited by state or federal law. Nor may a district apply the District's Equal Employment Opportunity Plan in a rigid manner which has the purpose or effect of so discriminating.

- p) Seniority or length of service may be taken into consideration only to the extent that it is job related, is not the sole criterion, and is included in the job announcement consistent with the provisions of the Plan.
- q) Selection testing for employees will follow procedures as outlined in the Equal Employment Opportunity Commission's “Uniform Guidelines on Employee Selection Procedures.”
- r) Whenever possible, screening committees will include a diverse membership which will bring a variety of perspectives to the assessment of applicant qualifications. The Vice Chancellor, Human Resources, or designee will review the composition of all committees and, if determined to be insufficiently diverse, will return the committee list to the appropriate administrator responsible for the recruitment for changes to be made to the committee’s composition.
- s) Before a person can serve on a selection/screening committee, he or she must have received equal employment opportunity and diversity training within the previous 18

months prior to service on the screening/selection committees. This training is mandatory; individuals who have not received this training will not be allowed to serve on screening/selection committees.

- t) Notwithstanding any other provision of this division, the Board of Trustees or its designee will have the authority to make all final hiring decisions based upon careful review of the candidate or candidates recommended by a screening committee. This includes the right to reject all candidates and to order further review by the screening committee or to reopen the position where necessary to further the achievement of the objectives of the Plan or to otherwise ensure equal employment opportunity. However, a consistent pattern of not hiring qualified candidates from a monitored group who are recommended by screening committees may give rise to an inference that the selections are not consistent with the objectives of equal employment opportunity that are required by the Plan.

#### *6. Applicability to Districts Operating a Merit System for Classified Employees*

Pursuant to Education Code Section 88901(d), state laws governing merit systems for classified employees will not authorize the selection of eligible candidates in circumvention of the “affirmative action programs” (equal employment opportunity programs) of any community college district.

Pursuant to Title 5 section 53027, nothing in the equal employment opportunity provisions of Title 5 will be construed to conflict with or be inconsistent with the provisions of Article 3 (commencing with Section 88060) of chapter 4 of part 51 of the Education Code which apply to districts operating a merit system for classified employees.

### **B. Development of a Diversity Program**

The District will promote and celebrate the concepts of diversity, cultural proficiency, and inclusion. These concepts demonstrate the skill sets and knowledge which allow one to be effective with diverse students, employees and other groups.

To assist in the creation of this change, the District adopts principles of diversity, equity-mindedness, inclusiveness, equity, and multiculturalism which can make the implementation and maintenance of an effective equal employment opportunity program much easier. To facilitate this change, institutionalizing a diversity program that is well planned out and supported by the leadership of the District can be of great value.

Our diversity program will do the following:

- ❖ Assess current knowledge and awareness of diversity and inclusion principles
- ❖ Use survey results and best practices to develop a diversity culture strategy to include (but not necessarily limited to):
  - ◆ Recruiting for Diversity and Inclusion

- Seek direct contact with student, professional, community and other organizations that represent the diverse community we serve. These organizations can serve as resources for referring potential candidates.
- ◆ Building Knowledge and Awareness of Diversity and Inclusion Best Practices
    - Budget for, and become active members of, associations which encourage and support diversity efforts, for example: National Coalition Building Institute (NCBI).
    - Educate, promote, and advertise the benefits of diversity and inclusion.
    - Provide training to staff to increase awareness of diversity, cultural sensitivity, and inclusion.
    - Encourage and provide opportunities for faculty and leadership employees to attend and participate in off- site diversity conferences.
    - Highlight the District's equal employment opportunity and diversity policies in job announcements and in its recruitment, marketing, and other publications.
    - Review and revise college/district publications and other marketing tools to reflect diversity in pictures, graphics, and text to project an inclusive image.
    - Establish an Equal Employment Opportunity and Diversity online presence by highlighting the District's diversity and equal employment opportunity, ADA policies, sexual harassment and nondiscrimination policies on the District's website.
    - Explore how to infuse diversity into the classroom and curriculum.
    - Explore methods to create a more inclusive and welcoming campus climate.
  - ◆ Celebrate Diversity and Inclusion
    - Sponsor cultural events and speakers on issues dealing with diversity, such as:
      - having a guest speaker make an interactive presentation on topics such as celebrating diversity, inclusion, and cultural proficiency and awareness;
      - hosting a variety of speakers across the district to make us more aware, understanding and appreciative of the differences of various cultural groups within our local community.
  - ◆ Build Accountability for Diversity and Inclusion
    - Evaluate administrators yearly on their ability and efforts to meet the District's equal employment opportunity and diversity efforts.



- Ensure that top administrative staff support diversity objectives and that the diversity and/or equal employment opportunity officer position is maintained as a cabinet or other high-level administrative position.
- Annually reflect on activities across the District to determine if progress has been made.
- Use climate surveys to annually assess differences in cultural awareness and sensitivity throughout the District.
- Provide training for the Board of Trustees and Personnel Commission on their role in the elimination of bias in the employment process, to be renewed every two (2) years.
- Timely and thoroughly investigate all harassment and discrimination complaints and take appropriate corrective action in all instances where a violation is found.
- Have a mission statement that conveys the District's commitment to diversity and inclusion and recognition that a diverse and inclusive workforce promotes its educational goals and values.
- Address issues of inclusion/exclusion in a transparent and collaborative manner.

## **Plan Component 12: Persons with Disabilities**

*Reference CCR Title 5, §53025*

Applicants and employees with disabilities will 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.

The District Human Resources, Personnel Commission Office, and college administration are responsible for handling requests from applicants seeking accommodations. For current employees, the Human Resources office provides guidance, but the immediate supervisor is responsible for handling requests for accommodations from their employees. Employee requests for accommodations can be made by the employee contacting his/her immediate supervisor. Such accommodations may be paid for with funds provided pursuant to Title 5, Chapter 6, Article 3 (commencing with section 53030).

### **Plan Component 13: Graduate Assumption Program of Loans for Education**

*Reference Education §87106, 69618 et seq.*

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

## Appendix A

<b>SCCCD EEO Advisory Committee as of February 2, 2019</b>			
<b>Location</b>	<b>Representation on Committee</b>	<b>Name</b>	<b>Title</b>
<b>Clovis Community College Center</b>	Administration	Marco De La Garza	Vice President, Student Services
	Faculty Senate	Von Torres	English Instructor
	Classified	Linda Garcia	Evaluator
	Equity	Gurdeep Sihota-He'Bert	Dean, Student Services
<b>District Office</b>	Vice Chancellor, Human Resources	Julianna Mosier	Vice Chancellor, Human Resources
	Director, Classified Personnel	Elba Gomez	Director, Classified Personnel
	Director, Human Resources	Samerah Campbell	Director, Human Resources
	Equal Employment Opportunity, Diversity and Staff Development Manager	Stacy Zuniga	Equal Employment Opportunity, Diversity & Staff Development Manager
<b>District Wide</b>	Administrator	Jerome Countee	Vice Chancellor, Educational Services and Institutional Effectiveness
	Student Representative	Adrienne Datiles	Student at Clovis Community College
	CSEA Representative/Guest	?	
	POA Representative/Guest	Christopher Bosworth	SCCCD Police Sergeant
	SCFT President/Adjunct Faculty Representative	Keith Ford	Adjunct Instructor - English (FCC)
<b>Fresno City College</b>	Administration	Donna Cooper	Dean of Instruction, Student Success & Learning, FCC Library
	Faculty Senate	Matt Watson	Chicano-Latino Studies Instructor
	Classified	Gina Tarvin	Accounting Technician II
	Equity	Ray Ramirez	Student Equity Coordinator
<b>Reedley College (includes MCCC &amp; OCCC)</b>	Administration	Claudia Habib	Vice President of Madera and Oakhurst College Centers
	Faculty Senate	Rebecca Al Haider	ESL Instructor - RC
	Classified		
	Equity	Darlene Murray	Student Equity Coordinator - RC

## Appendix B

### Resources

<b>Item</b>	<b>Link</b>
EEO Plan Violation Complaint Form	<a href="https://www.sccd.edu/uploaded-files/documents/about/complaint_package.pdf">https://www.sccd.edu/ uploaded-files/documents/about/complaint_package.pdf</a>
AR 3435 – Discrimination and Harassment Complaints	<a href="http://www.boarddocs.com/ca/sccd/Board.nsf/goto?open&amp;id=AHXK9N4E8DA8">http://www.boarddocs.com/ca/sccd/Board.nsf/goto?open&amp;id=AHXK9N4E8DA8</a>
AR 7120 – Procedures for Recruitment and Employment of College Faculty	<a href="http://www.boarddocs.com/ca/sccd/Board.nsf/goto?open&amp;id=AQ4TSQ78C3E4">http://www.boarddocs.com/ca/sccd/Board.nsf/goto?open&amp;id=AQ4TSQ78C3E4</a>
AR 7220 – Administrative Recruitment and Hiring Procedures	<a href="http://www.boarddocs.com/ca/sccd/Board.nsf/goto?open&amp;id=AHXK944E8D45">http://www.boarddocs.com/ca/sccd/Board.nsf/goto?open&amp;id=AHXK944E8D45</a>