



**West Kern Community College District Equal Employment Opportunity Plan**

**2024-2027**

**Board Approved August 20, 2024**

# Equity & Equal Employment Opportunity Plan

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## COMPONENT 1: Introduction

The West Kern Community College District strives to provide a welcoming environment and takes an active approach to ensure equal employment opportunities for all. An employee's background propels them forward in their education and career success, with a unique perspective to offer. Our mission is to allow the employee to thrive and grow into their full potential as people. To accomplish this, we provide learning opportunities and support alongside resources and shared vision. This helps all of us to connect with one another to advance our mission for the betterment of our communities. Through inclusivity and diversity, we provide a stable foundation and groundwork for student success. We nurture the uniqueness of each employee's background to help people grow, to foster growth and further potential for themselves, for the students, and for the betterment of our communities.

The District's core values, rooted in equity and inclusion, guide our efforts to provide an educational experience for faculty, staff, and students that prepares everyone to thrive and contribute to a global society. The West Kern Community District serves residents with increasingly diverse backgrounds. The District has a rich blend of people, having a variety of ethnic, cultural, religious, and social cultures as well as perspectives.

The District includes one college. Taft College offers general education, transfer degrees, certificates, student support services, and occupational/technical education. The District, governed by our locally elected Board of Trustees ("Board"), responds to the needs of our increasingly diverse student population and pays special attention to the student's changing needs. Using innovative techniques to better prepare our students for excellence and success is our goal and mission for every one of our students.

This Equal Employment Opportunity ("EEO") Plan focuses on providing equal employment opportunity in the District's recruitment and hiring policies and practices pursuant to the applicable regulations promulgated by the Board of Governors of the California Community Colleges at Title 5 of the *California Code of Regulations* ("CCR"), Sections 53000 *et seq.*, and the steps that the District takes in the event that the District identifies adverse impact or underrepresentation of Monitored Groups. The EEO Plan also includes a complaint procedure for allegations of noncompliance with the Plan and the establishment of the EEOAC; highlights methods to support EEO and an environment which is welcoming to all individuals; and identifies procedures for dissemination of the Plan.

The District believes that a diverse workforce achieved through EEO results in many benefits for our students, employees, and the community at large. The District is committed to employing qualified administrators, faculty, and staff members who are dedicated to student success and to recruiting and hiring persons from diverse backgrounds. Diversity in the academic environment fosters cultural awareness, promotes mutual understanding and respect, and provides suitable role models for all students including but not limited to first generation students, underrepresented students, and students of color.

In order to properly serve a growing diverse population, our District will continue to endeavor to hire and retain administrators, faculty, and staff who are sensitive to and knowledgeable of the needs of our continually changing student population. This Plan is meant to be a living document, subject to clarification and revision as our diversity goals are met.

Dr. Rafe Edward Trickey, Jr.  
Superintendent/President

## **COMPONENT 2: Definitions**

*References:* CCR, Title 5, § 53001; Cal. Gov. Code § 12926; Cal. Gov. Code 12940; Equity In Faculty Hiring Institute – Center for Urban Education (September 28-29, 2017)

To ensure understanding of the terms used throughout the EEO Plan, the following definitions are provided.

*Adverse Impact:* a disproportionate negative impact to a group protected from discrimination pursuant to Government Code Section 12940, arising from the effects of an employment practice as determined according to a valid statistical measure (such as those outlined in the Equal Employment Opportunity Commission’s “Uniform Guidelines on Employee Selection Procedures”).

*Diversity:* a condition of broad inclusion in an employment environment that offers EEO for all persons. The achievement of diversity within a workforce requires 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, in all aspects of the workplace.

*Equity:* the “state, quality or ideal of being just, impartial and fair.” The concept of equity is synonymous with fairness and justice. Equity centers on providing individuals the tools they need to be successful. Because individuals face disparate barriers based on their identities and experiences, these tolls are personalized and can differ from one member of the community to the next.

*Inclusion:* the deliberate act of welcoming diversity, valuing all individuals, and exerting a conscious effort to create a warm and accepting environment that involves all in the fabric and mission of the District and our Colleges.

*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. EEO should exist at all levels, in all job categories. EEO also involves:

- identifying and eliminating barriers to employment that are not job related, such as reliance on preferred job qualifications that do not reasonably predict job performance;
- updating job descriptions and/or job announcements to reflect accurately the knowledge, skills and abilities of the position, including a commitment to equity; and
- creating an environment which fosters cooperation, acceptance, democracy, and free expression of ideas, and is welcoming to all people, free from unlawful discrimination related to the categories protected by Government Code section 12940.

*Equal Employment Opportunity Plan:* a written document that describes the District’s EEO program. The District’s EEO Plan includes.

*Equal Employment Opportunity Programs:* the combination of District strategies implemented to promote EEO. The District intends such programs to be informed by the District’s longitudinal workforce and applicant analyses.

*Job Categories:* for purposes of this Plan, consists of these seven categories: executive/administrative/managerial, faculty and other instructional staff, professional non- faculty, secretarial/clerical, technical and paraprofessional, skilled crafts, and service and maintenance.

*Monitored Group:* the groups for which the District must provide demographic data pursuant to CCR, Title 5, Section 53004.

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.

Reasonable Accommodation: the efforts made on the part of the District to be in compliance with Government Code Section 12926.

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 performance tests, physical, educational and work experience requirements, interviews, application reviews, reference checks and similar techniques. Screening and selection procedures also will include consideration of equivalencies pursuant to CCR, Title 5, Section 53430.

Underrepresented Group: any Monitored Group for which the percentage of persons from that group employed by the District in a job category is below 80% of the projected representation for that group and job category.

### **COMPONENT 3: Policy Statement**

*References:* CCR, Title 5, § 53002

The District's EEO Policy Statement is reflected in the District's Board Policy ("BP") 3420 and 7100, identified below.

#### **Equal Employment Opportunity Policy - BP 3420**

*References:* Education Code Sections 87100, et seq.; Title 5, Section 53000, et seq.; ACCJC Accreditation Standard III.A.12

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 community colleges foster a climate of acceptance, with the inclusion of faculty and staff from a wide variety of backgrounds. It agrees that diversity in the academic environment fosters cultural awareness, mutual understanding and respect, harmony and respect, and suitable role models for all students. An equitable and inclusive hiring process is essential to improve diversity, reduce barriers to employment, and allow potential applicants the opportunity to demonstrate that they meet or exceed the minimum qualifications for employment. The Board therefore commits itself to promote the total realization of equal employment through a continuing equal employment opportunity program. The Superintendent/President or designee shall develop, for review and adoption by the Board, a plan for equal employment opportunity that complies with the Education Code and Title 5 requirements as from time-to-time modified or clarified by judicial interpretation. The Superintendent/President or designee shall develop hiring procedures driven by diversity, equity, and inclusion and consistent with the Board's intent described above.

#### **Commitment to Diversity - BP 7100**

*References:* Education Code Section 87100 et seq.; Title 5, Section 53000, et seq.

The District is committed to employing qualified administrators, faculty, and staff members who are dedicated to student success and committed to an inclusive, anti-racist campus culture. The Board recognizes that diversity in the academic environment fosters cultural awareness, promotes mutual understanding and respect, and provides suitable role models for all students. The Board is strongly committed to hiring and staff development processes that support the goals of equal opportunity and diversity, and provide equal consideration for all qualified candidates, and create an anti-racist academic and employment environment.

## **COMPONENT 4: Delegation of Responsibility, Authority, and Compliance**

*References:* CCR, Title 5, §§ 53003(c) (3) and 53020

The District is committed to the concept and principles of EEO. To this end, the District will incorporate the principles and practices of equity, inclusion, and EEO into every aspect of education and District employment, including but not limited to: personnel policies, recruitment and selection, professional development, advancement and treatment of employees, students, and the general public.

The District will strive to achieve a workforce that is welcoming to all, regardless of gender identity and expression, persons with disabilities, and individuals from all ethnic and other groups. Such a workforce will ensure the District provides an inclusive educational and employment environment which fosters cooperation, acceptance, democracy, and free expression of ideas.

The EEO Plan will be maintained to ensure the implementation of EEO principles that conform to federal and state laws.

The general responsibilities for the prompt and effective implementation of this EEO Plan are set forth below.

### **A. Board of Trustees**

The District's Board of Trustees is ultimately responsible for proper implementation of the EEO Plan at all levels of the District operations, and for making measurable progress toward EEO by the strategies described in the EEO Plan.

### **B. Superintendent/President**

The Superintendent/President is the Chief Executive Officer of the District. The Board delegates to the Superintendent/President the responsibility for ongoing implementation of the EEO Plan and for providing leadership in supporting the District's EEO policy and procedures and delegating such authority as appropriate. The Superintendent/President advises the Board concerning statewide policy emanating from the Board of Governors of the California Community Colleges and directs the annual report on Plan implementation and effectiveness. The Superintendent/President evaluates the performance of all administrative direct reports on their ability to effectively follow and implement the EEO Plan.

### **C. Equal Employment Opportunity Officer**

The Vice President of Human Resources serves as the District's EEO Officer responsible for the day-to-day implementation of the EEO Plan. If the designation of the EEO Officer changes before this EEO Plan is next revised, the District will notify employees and applicants for employment of the new designee. The EEO Officer is responsible for administering, implementing, and monitoring the EEO Plan and for assuring compliance with the requirements of Title 5, Sections 53000 et seq. The EEO Officer is also responsible for receiving complaints described herein and ensuring that such complaints are promptly and impartially investigated. The EEO Officer is responsible for ensuring applicant pools and selection procedures are properly monitored as required by Title 5, Sections 53023 and 53024. The EEO Officer ensures prompt and effect implementation of the requirements of the EEO Plan, consistent with state and federal law.

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

The Equal Employment Opportunity Advisory Committee ("EEOAC") acts as an advisory body to the EEO Officer and the District to promote understanding and support of equity, inclusion, and EEO policies and procedures. The EEOAC assists in the development and implementation of the EEO Plan in conformance with state and federal regulations and guidelines, monitors EEO progress, and provides suggestions for EEO Plan revisions as appropriate. The EEOAC operates in accordance with Plan Component 5.

### **E. Screening Committees**

All Screening Committee members, and any organization or individual, whether an employee of the District, who acts on behalf of the Board with regard to the recruitment and screening of personnel is subject to the requirements of the EEO Plan.

**F. Agents of the District**

Any organization or individual, who participates in District recruitment or screening of personnel, whether as an employee or as a contractor is an agent of the District, is subject to the requirements of this EEO Plan.

Through the authority articulated in this Plan Component and EEO Plan, the District will make continuous, good-faith efforts to implement the EEO Plan, achieve employee diversity, and avoid disparate impacts, consistent with state and federal law.



**COMPONENT 5: EEO Advisory Committee**

*References:* CCR, Title 5, § 53005

The District established EEOAC to assist in the development, revision, and implementation of the EEO Plan, and to encourage understanding and support of equity, EEO, and non-discrimination programs, policies, and procedures. The EEOAC may sponsor events, training, or other activities to promote equity, inclusion, equal employment opportunity, non-discrimination, retention, and diversity. When appropriate, the EEOAC will make recommendations to the Board, through the Superintendent/President and the EEO Officer, to update the EEO Plan in accordance with applicable policies, procedures, and legislation.

The EEO Officer or designee will facilitate or conduct training for the EEOAC, as well as for members of the Board, on equity and inclusion; the requirements of Title 5, and the EEO Plan; state and federal non-discrimination laws; identification and elimination of bias in hiring; the educational benefits of workforce diversity; and the role of the EEOAC in carrying out the EEO Plan.

The EEOAC will be composed of a diverse membership and include members from District stakeholder groups, including students, faculty, and classified staff.

Committee participation will be open to full-time faculty, part-time faculty, classified staff, administrators, community members, and students with committee membership appointments from these areas:

- Classified Representative (3)
- Administrative Representative (3)
- Faculty Representative (3)
- Student ASO Representative (1)
- Ex-officio (Human Resources) (1)
- EEO Officer & Chair (1)

Committee membership will be reviewed for active participation every fiscal year to ensure fluid diversity of membership, and to allow for fresh perspectives.

The Ex-officio member will assist the EEOAC Chair in coordinating a minimum of two meetings per fiscal year, with additional meetings and/or sub-committee meetings, as needed.

## **COMPONENT 6: The Procedure for Filing Complaints Pursuant to Section 53026**

*References:* CCR, Title 5, §§ 53003(c) (4), 53026, and 59300 *et seq.*; BP/AP 3410 Nondiscrimination; AP 3435 Discrimination Harassment Bullying Retaliation Complaints Investigation Procedure

Any person may file a complaint alleging the District violated the Title 5's EEO regulations (California Code of Regulations, Title 5, Section 53000 *et seq.*). Any person who wishes to file such a complaint should use the District's procedures for employment-related complaints, found in Board Policy ("BP") 3410 and Administrative Procedures ("AP") 3410 and 3435.

The District may request but shall not require a complainant to submit a complaint on the form prescribed by the Chancellor of the California Community Colleges. A copy of the form will be available at the District Human Resources Department, as well as on the District's website.

A complainant must report an oral complaint to the designated Human Resources Representative. A complainant should contact the Vice President of Human Resources at 661-763-7809. The Vice President of Human Resources will record the oral complaint in writing. The Vice President of Human Resources will take steps to ensure the writing accurately reflects the facts alleged by the complainant. Complaints must be filed with the Vice President of Human Resources, unless the person submitting the complaint alleges a violation against the Vice President of Human Resources, in which case the complaint should be submitted directly to the District's Superintendent/President.

The District's unlawful discrimination and harassment complaint form and procedures can be accessed at the following links:

[West Kern Community College District – Policies and Procedures](#)  
[Unlawful Discrimination/Harassment Complaint Form](#)

**COMPONENT 7: The Process for Notifying All District Employees of the Provisions of the EEO Plan and District Policy Statement**

*References: CCR, Title 5, § 53003(c) (5)*

The commitment of the District to equity, inclusion, and equal employment opportunity is emphasized through the broad dissemination of its EEO Policy Statement and the EEO Plan. The EEO Policy Statement will be printed in the College catalogs and class schedules.

**A.** The Plan and subsequent revisions will be distributed electronically to the District’s Governing Board, the Superintendent/President, administrators, the Academic Senate President, faculty and classified union presidents, Associated Students Presidents, and members of the EEOAC.

**B.** The Plan will be available on the District’s website, and when appropriate, may be distributed by e-mail.

**C.** The Human Resources office will also provide new employees with information on the District’s Prohibition of Unlawful Discrimination, Harassment, and Retaliation policy, the EEO Plan, and its policy statement setting forth the District's commitment to an EEO Plan at the commencement of employment during the onboarding process.

## **COMPONENT 8: The Process for Ensuring that District Employees Who Participate on Screening or Selection Committees Receive Training**

*Reference:* CCR, Title 5, §§ 53003(c) (6) and 53020(c)

Any organization or individual who participates in District recruitment and search, screening, or selection process of candidates for employment, will receive appropriate training on the requirements of the Title 5 regulations on EEO (Section 53000 *et. seq.*); the requirements of federal and state non-discrimination laws; the requirements of the EEO Plan; the District's policies on non-discrimination, recruitment, and hiring; diversity awareness and cultural proficiency; the educational benefits of workforce diversity; the elimination of bias in hiring decisions; and best practices in serving on a Screening or Selection Committee. This requirement applies to employees and to any third-party consultants or organizations.

The Department of Human Resources is responsible for ensuring that all individuals serving on a screening or selection committee, or who participates in recruitment activities, receive the required training. The training is mandatory to serve on any Screening or Selection Committee and must be completed prior to beginning service on any such Committee and must be renewed biennially.

Screening and Selection Committees will include a diverse membership whenever possible to ensure a variety of perspectives are included in the assessment of applicants. The required diversity and inclusion committee training raises awareness about unconscious bias, emphasizes the importance of diversity, and equips committee members with the tools to mitigate bias. Policies and procedures support representative groups to actively seek out individuals from underrepresented groups to bring diverse perspectives within an inclusive decision-making process. The District is committed to continuous assessment of the strategies for promoting diversity within the Screening and Selection Committees and making adjustments as needed to align with changing organizational goals and priorities.

The District seeks to employ qualified persons with a broad range of backgrounds and abilities who have the knowledge, skills, and abilities to work effectively in a diverse environment. The selection process is based on a combination of education and experience and will extend to all candidates a fair impartial examination of qualifications based on job-related criteria.

All screening and selection techniques, including the procedure for developing interview questions, and the selection process, will be:

- (1) Designed to ensure that, for all positions, meaningful consideration is given to the extent to which applicants demonstrate a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students;
- (2) Based solely on job-related criteria within inclusive job descriptions; and
- (3) Designed to avoid an adverse impact on underrepresented groups.

When possible, every effort will be made, within the limits allowed by federal and state law, to ensure that Screening/Selection Committees include diverse membership, which will bring a variety of perspectives to the assessment of applicant qualifications.

The EEO Officer or designee will approve the makeup of Screening/Selection committees, in accordance with applicable policies and procedures.

If the EEO Officer or designee does not approve a Screening/Selection committee for lack of diversity, the EEO Officer or designee will take necessary steps to remedy the lack of diversity, such as working with the committee appointments to acknowledge and understand the lack of diversity and its potential impact on the

hiring process, reiterate the District's commitment to diversity and inclusion in hiring through policy and procedure, training and education, identification of potential committee members from underrepresented groups, and other strategies that support the District's commitment to diverse and inclusive committee membership.

Before a person can serve on a Screening/Selection committee, they must receive EEO and diversity training that is conducted by Human Resources. Human Resources provides a comprehensive training program on EEO, unconscious bias, diversity, and inclusion, and provides the participant with a certificate of completion. The training must be completed every two years.

Interviews will include questions that solicit the candidate's sensitivity to understanding of, and commitment to EEO.

All screening materials are reviewed for EEO, diversity, and inclusion to ensure that qualifications and skills are evaluated fairly and free from bias.

**COMPONENT 9: The Process for Providing Annual Written Notice to Community-based and Professional Organizations**

*Reference:* CCR, Title 5, § 53003(c) (7)

The EEO Officer will provide annual written notice to appropriate, diverse, community-based and professional organizations concerning the EEO Plan. The notice will inform these organizations that they may obtain a copy of the Plan by contacting the District Department of Human Resources and will solicit their assistance in identifying diverse pools of applicants. The notice will include a summary of the Plan. The notice will also include the website where the District advertises its job openings and the names, departments, and phone numbers of individuals to call in order to obtain employment information. The District will actively seek to reach those institutions, organizations, and agencies that may be recruitment sources.

## **COMPONENT 10: Process for Gathering Information and Periodic Longitudinal Analysis of District's Employees and Applicants**

*References:* CCR, Title 5, §§53003(c) (8), 53004, and 53006

The District will gather the information specified below for the purpose of conducting periodic, longitudinal analysis of the District's employees and applicants, broken down by number of persons from Monitored Groups in each job category to determine whether additional diversification measures are required and to implement and evaluate the effectiveness of those measures. The District will conduct this data review as part of its EEO Plan renewal and may conduct additional periodic data reviews more frequently based on demographics, and other unique factors.

### **EEO DATA COLLECTION**

The District allows applicants and employees to identify their gender (including non-binary options), ethnic group identification, and, if applicable, their disability status in a manner prescribed by the Superintendent/President and consistent with state and federal law ("EEO Data"). The District will keep EEO Data confidential and will use it only in research, monitoring, evaluating the effectiveness of the District's EEO program or another similar purpose authorized by law.

Individuals serving on a Screening or Selection Committee will not have access to applicants' EEO Data during their participation on the committee. Following such participation on a Screening or Selection Committee, only District employees whose job duties require them to have access to such data will have such access.

The District allows applicants and employees to, as an option, provide the following Monitored Group information:

1. Gender Identification: The District requested employees and applicants to self-identify as female, male, or non-binary.
2. Race and Ethnicity Identification: The District requested that employees and applicants self-identify into the following ethnicity categories:
  - a. Hispanic or Latino: A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.
  - b. White (Not Hispanic or Latino): A person having origins in any of the original people of Europe, the Middle East, or North Africa.
  - c. Black or African American (Not Hispanic or Latino): A person having origins in any of the black racial groups of Africa.
  - d. Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino): A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
  - e. Asian (Not Hispanic or Latino): A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
  - f. American Indian or Alaska Native (Not Hispanic or Latino): A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

g. Two or More Races: All persons who identify with more than one of the above five races (White, Black or African American, Native Hawaiian or Other Pacific Islander, Asian, American Indian or Alaska Native). For the purposes of this group, identifying as Hispanic or Latino and only one of the listed 5 race groups does NOT qualify under this category.

1. Disability Identification: The District requests that all employees self-identify their disability status, if any, by using the following definition, consistent with the Fair Employment and Housing Act:

a. “Disabled person”: Any person who (1) has a physical or mental impairment which limits one or more of such person’s major life activities, (2) has a record of such impairment, or (3) is regarded as having such impairment.

b. “Major life activities”: Functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, talking, breathing, learning, and working.

### **EEO DATA COLLECTION MONITORED GROUP IDENTIFICATION ISSUE**

There may be significant numbers of employees or applications who decline to identify their gender, ethnicity, or disability status with the District. The District will make efforts to accurately capture this information and encourages all persons to provide the above data. The District understands that employees and applicants voluntarily submit EEO Data and will not require employees or applicants to respond.

### **LONGITUDINAL ANALYSIS TO IDENTIFY ADVERSE IMPACT**

Once the District gathers the EEO information described above, the District’s Human Resources Department will assign every employee and applicant to one of the seven job categories identified in Plan Component 2. The District also will include data for employees and applicants that allows the District to track the composition and diversity of who is hired and retained over time, disaggregated by College, discipline, job category, and other relevant measures.

The District will then conduct a periodic, longitudinal analysis of employees and applicants, broken down by number of persons from Monitored Group status in each job category to determine whether additional diversification measures are required. Specifically, the District will compare the composition of initial applicant pools, qualified pools, and applicants recommended for interview

to identify any adverse impact of the District’s pre-hiring and hiring strategies, which exists where the selection rate for a Monitored Group is less than four-fifths (or 80%) of the selection rate for the group with the highest rate.

The District utilizes EEO Data to identify underrepresentation or disparities and ensure a fair and inclusive hiring process. By assigning employees and applicants to specific job categories and tracking their composition and diversity over time, the District gains valuable insights. Through a periodic longitudinal analysis, the District examines the number of individuals from Monitored Groups within each job category, comparing it to the composition of initial applicant pools, qualified pools, and applicants recommended for interview. This analysis allows the District to assess whether any adverse impact exists in its pre-hiring and hiring strategies. By monitoring these indicators, the District can proactively identify areas where additional diversification measures may be required and develop targeted strategies to address any disparities, promoting fairness, inclusivity, and equal employment opportunities for all individuals within the District.

### **DISTRICT STRATEGIES TO MITIGATE IDENTIFIED ADVERSE IMPACT**

If the EEO Officer or designee reveals that any selection technique or procedure has adversely impacted any Monitored Group, the EEO Officer or designee will advise the Vice President of Human Resources or designee, and the following may take place:

1. Suspend the selection process and take timely and effective steps to remedy the problem before the



selection process resumes.

2. When appropriate, assist the Screening/Selection Committee by discussing the screening criteria or procedures, which have produced an adverse impact, provided that confidential information about individual candidates is not disclosed.
3. Where necessary, the position may be reopened at any time and a new selection process initiated in a way designed to avoid adverse impact.

When the District identifies an adverse impact in its longitudinal analysis, the District will take the following steps:

1. Review the longitudinal hiring process analyses results for potential adverse impact affecting the identified Monitored Group at any phase of the hiring process or employment.
2. Conduct additional quantitative analyses of phases where the District identifies adverse impact to determine, where possible, the specific elements of the hiring process or employment stage creating an adverse impact.
3. Review the identified hiring process elements or employment stage contributing to the adverse impact to determine whether they can be modified, eliminated, or replaced with a procedure that can decrease the adverse impact.
4. Consider the implementation of additional measures designed to promote diversity in the hiring process and employment.
5. Analyze retention of Monitored Group employees in the impacted area and other employment processes that impact the District's ability to attract and retain a diverse workforce.
6. Present the findings to the EEO Committee, and other relevant groups to identify other potential good faith efforts to make positive progress towards eliminating the adverse impact.

## **COMPONENT 11: Process for Utilizing Data to Determine Whether Monitored Groups are Underrepresented Within District Job Categories**

*References:* CCR, Title 5, §§53003(c) (9), and 53006

In conjunction with EEO Data gathered pursuant to EEO Plan Component 10, the District will identify and utilize data available from reliable public and private sources to determine whether Monitored Groups are underrepresented within District job categories, as defined in Plan Component 2.

### **DATA COLLECTION**

The District will utilize data available from reliable public and private sources, including but not limited to U.S. Census Bureau and U.S. Department of Education through its National Center for Education Statistics' Integrated Postsecondary Education Data System ("IPEDS") for this analysis.

### **ANALYSIS TO IDENTIFY UNDERREPRESENTATION**

Once the District gathers the EEO Data described in Component 10 and the data from public and private sources described in this Plan component above and assigns every employee and applicant to one of the seven job categories identified in Plan Component 2, the District will then review the EEO Data of its employees, broken down by number of persons from Monitored Group status in each job category.

The District will then analyze this employee EEO Data to compare the percent of a Monitored Group in a job category with their projected representation based on availability in the workforce. Representation below 80% constitutes underrepresentation.

The District will take necessary steps to address underrepresentation in a Monitored Group to promote its commitment to diversity, equity, and inclusion. Steps may include, but not be limited to the following: identification of cause; reprioritizing inclusion goals and objectives; implementation of initiatives in recruitment, retention, professional development, mentoring, and leadership development; allocation of resources to support implementation needs; engagement of stakeholders; and additional monitoring and impact analysis.

## **COMPONENT 12: Methods to Address Underrepresentation**

*References:* CCR, Title 5, §53003(c) (10)

Title 5, Section 53003(c)(10) of Title 5 requires the District's EEO Plan to identify strategies for addressing any underrepresentation identified pursuant to Section 53003(c)(9) and Plan Component 11, reveals underrepresentation of a Monitored Group. The EEO Officer is responsible for developing appropriate measures for addressing findings of underrepresentation and significant underrepresentation.

The District will review the information gathered pursuant to Plan Component 11, to determine if underrepresentation of a Monitored Group may be the result of non-job-related factors in the employment process. The information to be reviewed will include, but need not be limited to:

- (1) Relevant data gathered pursuant to Plan Component 10, in order to identify whether the percentage of persons from a Monitored Group employed by the District in a job category is below 80% of the projected representation for that group and job category; and
- (2) Analysis of data regarding applicants, which may inform the District's analysis of underrepresentation of a Monitored Group.

The District will not designate or set aside particular positions to be filled by members of any group defined in terms of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or veteran or military status, 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.

The District will review the pattern of its hiring decisions over time, and if it determines that those patterns do not achieve the objectives of the EEO Plan, the District will request the EEOAC to recommend new methods to achieve the Plan objectives, or if necessary, to modify the Plan itself to ensure equity, inclusion, and EEO.

In order to address these instances of underrepresentation, as defined above, the District will take the following steps:

- (1) The District will request that the EEOAC, in conjunction with appropriate Human Resources staff, review the District's recruitment procedures and make recommendations on modifications that would address the underrepresentation.
- (2) The District will review its advertising and recruitment budget for a three-year period and make recommendations if needed to ensure that recruitment is broad and inclusive.
- (3) The District will require that the dean or responsible administrator for the division or department where the underrepresentation occurs develop, in conjunction with the EEO Officer, a recruitment and hiring program to assist in addressing the underrepresentation. The program should include additional locations or resources to advertise positions that would likely attract applicants from the underrepresented groups; whatever changes in staffing, curricular offerings, or department structure would assist in attracting applicants from underrepresented groups; additional training for current faculty and staff on the value of a diverse workforce; and recommended changes to the job announcement and screening criteria, including interview questions, which may reasonably be expected to attract applicants from the underrepresented group. The responsible administrator will be evaluated on the ability to develop and implement effective recruitment and hiring programs that promote equity, inclusion, and EEO.
- (4) The District will actively monitor the representation rate of each group, which was identified as being significantly underrepresented in one or more categories. If underrepresentation persists for a particular group in the job category in question, after the measures described above have been in place for a period of at least three years, the District will:
  - a) Review each locally established "required," "desired," or "preferred" qualification being used to screen applicants for positions in the job category to determine if it is job-related and consistent with business necessity through a process meeting the requirements of law.
  - b) Infuse a commitment to diversity and equity into the hiring process.
  - c) Discontinue the use of any locally established qualification that is not found to satisfy the requirements set forth herein.

**COMPONENT 13: Process for Developing and Implementing Strategies that Promote Diversity**

*References:* CCR, Title 5, §§53003(c) (1-2) and 53024.1

The District is responsible for developing and implementing strategies designed to promote the diversity of its workforce at all levels and demonstrate the District's institutional commitment to diversity.

The District recognizes that multiple approaches are appropriate to fulfill its mission of ensuring EEO and the creation of a diverse workforce. EEO should exist at all levels and in all job categories. Ensuring EEO also includes creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas and is welcoming to all. To that end, in addition to the steps to address underrepresentation or significant underrepresentation, the District will implement appropriate diversity and equity programs. Having a college community that accepts the principles of diversity and multiculturalism can make implementation and maintenance of an effective EEO program much easier. For that reason, institutionalizing diversity and equity programs that are well planned out, well-funded, and supported by the leadership of the District can be of great value.