

EQUAL EMPLOYMENT OPPORTUNITY PLAN

(Adopted by Board of Trustees on January 16, 2024)

CHABOT - LAS POSITAS COMMUNITY COLLEGE DISTRICT

7600 Dublin Boulevard, 3rd Floor Dublin, CA 94568

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Plan Component 1: Introduction

The Chabot-Las Positas Community College District ("District") Equal Employment Opportunity Plan ("Plan") was adopted by the District's Board of Trustees ("Board:") on January 16, 2024, and reflects the District's commitment to achieve employment opportunity. It is the District's belief that taking active and vigorous steps to ensure equal employment opportunity creates a working and academic environment which is welcoming to all, affirming, free of bias, and will foster promote excellence. The District recognizes that having a diverse workforce bolsters its educational mission and allows it to better serve its students. Not only does workforce diversity help improve employee retention, it also increases student achievement and engenders creative thinking.

The District is a community of people from diverse racial, ethnic, linguistic, and socio-economic backgrounds representing a wide range of national origins, religions, political beliefs, physical and mental abilities, ages, sexual orientations and gender expressions.

The Plan reflects the District's commitment to equal employment opportunity in its recruitment and pre-hiring, hiring and post-hiring policies and practices pursuant to the applicable Title 5 of the California Code of Regulations (section 53000 *et seq.*). The Plan includes the requirements for a complaint procedure for noncompliance with the Title 5 provisions relating to equal employment opportunity programs; establishment of an Equal Employment Opportunity Advisory Committee to help facilitate implementation of this Plan; highlights methods to support equal employment opportunity and an environment which is welcoming to all; and identifies procedures for dissemination of the Plan. The District will review the Plan at least every year in support of these goals.

The District is committed to employing qualified administrators, faculty, and classified professionals who are dedicated to student success and the District's mission, vision, and values, recognizing that equal employment opportunity, diversity, equity, inclusion and accessibility in the academic environment fosters cultural awareness, promotes mutual understanding and respect, and provides suitable role models for students. Through an educational experience in an inclusive environment, our students will be better prepared to work, live, and succeed in an increasingly global society. This Plan includes strategies for fulfilling this commitment.

Ronald P. Gerhard Chancellor Chabot-Las Positas Community College District

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¹ Unless otherwise noted, any legal citation to a "section," is references Title 5 of the California Code of Regulations.

Plan Component 2: Definitions

Reference: California Code of Regulations ("CCR"), Title 5, § 53001

Accessibility: The opportunity [for a person with a disability] to acquire the same information and materials, engage in the same interactions, and enjoy the same services as a person without a disability in an equally effective and equally integrated manner, with substantially equivalent ease of use. This includes the intentional design or redesign of technology, policies, products, services, and facilities that increase one's ability to use, access, and obtain the respective item.²

Adverse Impact: Adverse impact exists where the selection for a monitored group is less than four-fifths (or 80%) of the selection rate for the group with the highest rate.

Anti-Racism: A powerful collection of antiracist policies that lead to racial equity and are substantiated by antiracist ideas. Practicing antiracism requires constantly identifying, challenging, and upending existing racist policies to replace them with antiracist policies that foster equity between racial groups.³

Bias: Is an inclination, feeling, or opinion, especially one that is preconceived or unreasoned. Biases are unreasonably negative feelings, preferences, or opinions about a social group. It is grounded in stereotypes and prejudices.⁴

Culture: Is the values, beliefs, traditions, behavioral norms, linguistic expression, knowledge, memories, and collective identities that are shared by a group of people and give meaning to their social environments. Culture is learned and inherited behavior that distinguishes members of one group from another group. Culture is not static and can change over time.⁵

Cultural Competence: Is the ability to honor and respect the beliefs, language, interpersonal styles and behaviors of those receiving and providing services. Individuals practicing cultural competency have knowledge of the intersectionality of social identities and the multiple axes of oppression that people from different racial, ethnic, and other minoritized groups face. Individuals striving to develop cultural competence recognize that it is a dynamic, on-going process that requires a long-term commitment to learning. In the context of education, cultural competence refers to the ability to successfully teach students who come from cultures other than one's own. It entails developing personal and interpersonal awareness and sensitivities, learning specific bodies of cultural knowledge, and mastering a set of skills for effective cross-cultural teaching.

² University of Pittsburgh, Office for Equity, Diversity, and Inclusion. (n.d.) Diversity, Equity, and Inclusion Glossary. https://www.diversity.pitt.edu/education/diversity-equity-and-inclusion-glossary.; U.S. Department of Education, Office for Civil Rights. 2013, February 28. Resolution Agreement: South Carolina Technical College System. https://www2.ed.gov/about/offices/list/ocr/docs/investigations/1116002-b.html

³Kendi, I.X. (2019). How to be an antiracist. One World.

⁴Bias. (n.d.). American Psychological Association Dictionary. Retrieved September 3, 2020, from https://dictionary.apa.org/bias.; Friarman, S.E. (2016). Unconscious bias: when good intentions aren't enough. *Educational Leadership*, 74(3), 10-15,; Moule, J. (2009). Understanding unconscious bias and unintentional racism. *Phi Delta Kappan* (January), 320-326.

⁵Abu-Lughod, L. (1991). Writing against culture. In R. G. Fox (Ed.) Recapturing Anthropology: Working in the Present (pp. 137-162). Santa Fe: School of American Research Press.; Culture(n. .d.) American Sociological Association. Retrieved September3, 2020, fromhttps://www.asanet.org/topics/culture.

Discrimination: The unequal treatment of members of various groups based on race, ethnicity, gender, social class, sexual orientation, physical ability, religion, national origin, age, physical/mental abilities and other categories that may result in disadvantages and differences in provision of goods, services or opportunities.⁶

Diversity: means a condition of broad inclusion in an employment environment that offers equal employment opportunity for all persons. The achievement of diversity within a workforce requires the presence, respectful treatment, and inclusion of individuals from a wide range of ethnic, racial, age, national origin, religious, gender, sexual orientation, disability and socioeconomic backgrounds, in all aspects of the workplace.

Equal Employment Opportunity (EEO): 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 all job categories. Ensuring equal employment opportunity also involves:

- 1) 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;
- 2) Updating job descriptions and/or job announcements to reflect accurately the knowledge, skills and abilities of the position, including a commitment to equity; and
- 3) creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas and is welcoming to all persons free from discrimination related to the categories protected from discrimination by Government Code section 12940.

Equal Employment Opportunity Plan: a written document in which a District's workforce EEO program. The District's EEO Plan shall include: 1) analysis of the District's work force; and 2) descriptions of the District's program and strategies, informed by the District's workforce analysis, which it is implementing or will implement, to promote equal employment opportunity.

Equal Employment Opportunity Programs: refers to the combination of District strategies implemented to promote equal employment opportunity. Such programs should be informed by the District's longitudinal workforce and applicant analyses.

Equality: The condition under which every individual is treated in the same way, and is granted the same access, rights, and responsibilities, regardless of their individual differences. People who support equality believe that different circumstances and identities should not prescribe social disadvantage; therefore, equality is the elimination of this disadvantage⁷

Equity: The condition under which individuals are provided the resources they need to have access to the same opportunities, as the general population. Equity accounts for systematic

⁶ Department of Epidemiology. (2017). Equity, Diversity, and Inclusion Committee. University of Washington School of Public Health. Retrieved August 5, 2020, from https://epi.washington.edu/sites/default/files/DEI%20Glossary%20Word.pdf

⁷Department of Epidemiology. (2017). Equity, Diversity, and Inclusion Committee. University of Washington School of Public Health. Retrieved August 5,2020, from https://epi.washington.edu/sites/default/files/DEI%20Glossary%20Word.pdf; Mann, B. (2014). Equity and equality are not equal. The Education Trust. Retrieved September 3, 2020, from https://edtrust.org/the-equity-line/equity-and-equality-are-not-equal/.; Spicker, P. (2006). *Liberty, equality, fraternity. Bristol University Press& Policy Press.*

inequalities, meaning the distribution of resources provides more for those who need it most. Conversely equality indicates uniformity where everything is evenly distributed among people.⁸

Ethnicity: Is a category of people who identify as a social group on the basis of a shared culture, origins, social background, and traditions that are distinctive, maintained between generations, and lead to a sense of identity, common language or religious traditions.⁹

Gender: Is separate from 'sex,' which is the biological classification of male or female based on physiological and biological features. Gender is socially constructed roles, behavior, activities, and attributes that society considers "appropriate" for men and women. A person's gender may not necessarily correspond to their birth assigned sex or be limited to the gender binary (woman/man).¹⁰

In-house or Promotional Only Hiring: means that only existing District employees are eligible for a position.

Job Categories: For purposes of this Plan, "job categories" includes executive/administrative/managerial, faculty and other instructional staff, professional non-faculty, secretarial/clerical, technical and paraprofessional, skilled crafts, and service and maintenance.

Monitored Group: means groups for which the District must provide demographic data pursuant to 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.

Race: A social construct that artificially divides people into distinct groups based on characteristics such as physical appearance (particularly skin color), cultural affiliation, cultural history, ethnic classification, and the social, economic and political needs of a society at a given period of time. There are no distinctive genetic characteristics that truly distinguish between groups of people. Race presumes human worth and social status for the purpose of establishing and maintaining privilege and power. Race is independent of ethnicity.¹¹

⁸ Equity. (n.d.). *National Association of College and Employers*. Retrieved August10, 2020, from https://www.naceweb.org/about-us/equity-definition/.; Mann, B. (2014). Equity and equality are not equal. The Education Trust. Retrieved September 3, 2020, fromhttps:// edtrust.org/the-equity-line/equity-and-equality-are-not- equal/

⁹ Dein, S. (2006). Race, culture and ethnicity in minority research: A critical discussion. *Journal of Cultural Diversity*, 13(2), 68 67.; Senior, P., & Bohpal, R. (1994). Ethnicity as a variable in epidemiological research. *B. ritish Medical Journal*, 309, 327-328

¹⁰Torgrimson, B. N., & Minson, C. T. (2005). Sex and gender: What is the difference? *Journal of Applied Physiology*, 99 (3),785-787. https://doi.org/10.1152/japplphysiol.00376.2005

¹¹Department of Epidemiology. (2017). Equity, Diversity, and Inclusion Committee. University of Washington School of Public Health. Retrieved August 5, 2020, from https://epi.washington.edu/sites/default/files/DEI%20Glossary%20Word.pdf

Reasonable Accommodation: means the efforts made by the District 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 but not limited to performance tests, and physical, educational, and work experience requirements, interviews, application forms, reviews, and similar techniques. Screening and selection procedures shall also include consideration of equivalencies pursuant to Sections 53022 and 53430 and applicant pool review pursuant to Section 53023.

Underrepresented Group: any monitored group for which the percentage of persons from that group employed by the District in a job category is below eighty percent (80%) of the projected representation for that group in the job category.

Plan Component 3: Policy Statement

References: CCR, Title 5, § 53002

The District is committed to employing qualified administrators, faculty, and staff members who are dedicated to student success. The Board recognizes that diversity fosters global and cultural awareness, promotes mutual understanding and respect, and provides suitable role models to all. The Board is committed to grounding this Plan in the principles of diversity, equity, and inclusion in hiring and staff development processes. The District understands that "equal employment opportunity" includes not only a process for equal opportunity hiring, but also practices and processes that create inclusive, respectful work environments.

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 that community colleges foster a climate of acceptance, with the inclusion of faculty and staff from a wide variety of ethnicities and backgrounds. It agrees that diversity in the academic environment fosters cultural awareness, mutual understanding, harmony, respect, and suitable role models for all students. The Board therefore commits itself to continuing good faith efforts to promote the total realization of equal opportunity employment through an ongoing equal employment opportunity program.

The District's policies ensure that all qualified applicants and employees have full and equal access to employment opportunities and are not subjected to discrimination in any District program or activity on the basis of national origin, immigration status, religion, age, family and medical care leave, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth), military and veteran status, or on the basis of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

This Policy Statement aligns with and incorporates by reference the following Board Policies: 1200, Mission; 3410, Non-Discrimination; 3420, Equal Employment Opportunity; and 7100, Commitment to Diversity.

Plan Component 4: Delegation of Responsibility, Authority and Compliance

Reference: CCR, Title 5, § 53003 (c) (31) and § 53020

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

1. The Governing Board of the District

The Board is ultimately responsible for proper implementation of the District's Plan at all levels of District and College operation, ensuring equal employment opportunity as described in the Plan, and for ensuring that District staff responsible for implementation and oversight of the Plan are making measurable progress towards equal employment opportunity through the strategies described in the District's EEO plan. The Governing Board is responsible for adopting a Plan that is in compliance with the provisions of the California Code of Regulations. Further, the Board of Trustees will oversee the Chancellor's responsibility to ensure the EEO Plan shall:

- a. Be developed in collaboration with the District's Equal Employment Advisory Committee.
- b. Be reviewed and adopted at a regular meeting of the Board of Trustees where it is agendized as a separate action item and not part of the consent agenda;
- c. Cover a period of 3 years, after which a new or revised plan shall be adopted; and
- d. Be submitted to the State Chancellor's Office at least 90 days prior to its adoption. Comments received from the Chancellor's Office on the proposed plan must be presented to the governing board prior to adoption.

2. Chancellor

The Board delegates to the Chancellor the responsibility for ongoing implementation of the Plan and for providing leadership in managing the District's resources to ensure implementation of the District's equal employment opportunity policies and procedures, delegating such authority as appropriate. The Chancellor will advise the Board concerning statewide policy emanating from the Board of Governors of the California Community Colleges and direct the publication of an annual report on *Plan* implementation. The Chancellor shall evaluate the performance of all administrative staff who report directly to him/her on their ability to follow and implement the *Plan*.

3. Equal Employment Opportunity Officer ("EEO Officer")

The District has designated the Vice Chancellor of Human Resources as its EEO Officer. The EEO Officer is responsible for the day-to-day implementation of the Plan. The EEO Officer is responsible for administering, implementing and monitoring the Plan and for assuring compliance with the requirements of Title 5, sections 53000 *et seq*. The EEO Officer is also responsible for ensuring that applicant pools and selection procedures are

properly monitored as required by Sections 53023 and 53024; preparing annual reports; receiving complaints described in Plan Component 6 of the Plan and ensuring that such complaints are promptly and impartially investigated. The EEO Officer shall ensure prompt and effective implementation of the requirements of the Plan, work to achieve employee diversification, and avoid disparate impacts, consistent with state and federal laws.

If the designation of the EEO Officer changes before this Plan is next revised, the District will notify employees and applicants for employment of the new designee.

4. Equal Employment Opportunity Advisory Committee ("EEOAC")

The District has established an EEOAC to act as an advisory body to the EEO Officer and the District as a whole to promote understanding and support of EEO policies and procedures. The EEOAC will assist the District in the development and the implementation of the Plan in conformance with state and federal regulations and guidelines, monitor equal employment opportunity progress, and provide suggestions for Plan revisions as appropriate. The EEOAC shall operate in accordance with Plan Component 5.

5. Screening Committees

A screening committee member, or any organization or individual, whether or not 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 and applicable Title 5 provisions.

6. Agents of the District

Any organization or individual, who participates in District recruitment or screening of personnel, whether as an employee of as a contractor, is an agent of the District for such purposes only and is subject to all the requirements of this *Plan*.

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

Plan Component 5: Advisory Committee

Reference: CCR, Title 5, § 53005

The District has established an EEOAC to assist the District in developing, revising, and implementing its EEO Programs and the Plan. The EEOAC will include a diverse membership of individuals committed to equal employment opportunity, diversity, and inclusion.

The EEO Officer will ensure that the EEOAC and all members of the Board receive training in all of the following:

- a) The requirements of Title 5, Section 53003 and of state and federal nondiscrimination laws;
- b) Identification and elimination of bias in hiring;
- c) The educational benefits of workforce diversity; and
- d) The role of the EEOAC in drafting and implementing the District's EEO Plan.

The EEOAC may also assist in promoting an understanding and support of equal opportunity and nondiscrimination policies and procedures. The EEOAC or its individual members may sponsor events, trainings, or other activities that promote equal employment opportunity, nondiscrimination, retention and diversity. The EEO Officer or designee shall also train the EEOAC on equal employment compliance and the *Plan* itself.

The EEOAC shall meet, at a minimum, at least once in the Fall and Spring terms.

The EEOAC shall include the following *ex officio* members: Vice Chancellor of Human Resources, and the Director, Employee and Labor Relations. A request shall be made for one appointment to the committee from each of the following constituencies: each campus' Academic Senate, each site's Classified Senate, each campus' Associated Students, the Faculty Association, and SEIU. There will also be an appointment of one administrator from each campus. At the discretion of the EEO Officer or designee, up to two more individuals may be appointed for the purpose of enhancing the committee's diversity. At the Chancellor's option, a community member may also be appointed to the committee.

Plan Component 6: Complaint Procedure

References: CCR, Title 5, §§ 53003(c)(4), 53026, and 59300 et seq.; BP/AP 3410 Non-Discrimination; AP 3435 Discrimination and Harassment Complaint Procedures

Any person may file a complaint alleging the District violated the Title 5's equal employment opportunity 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 filing procedures for employment-related complaints, found in Board Policy 3410 and Administrative Procedure 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's Website:

https://districtazure.clpccd.org/hr/files/docs/eeo/CLPCCDComplaintForm.pdf; The District's Human Resources Department located at 7600 Dublin Blvd, 3rd Floor;

Chabot College Student Services Center, Room 200 or website:

https://cm.maxient.com/reportingform.php?ChabotLasPositasCCD&layout_id=9

Las Positas College Student Services Center or website:

https://cm.maxient.com/reportingform.php?ChabotLasPositasCCD&layout_id=8

A complainant must report a verbal complaint to the Vice Chancellor for Human Resources. A complainant should contact the District EEO Officer and Compliance Officer, Vice Chancellor for Human Resources, by phone at (925) 485-5200 or in person at the District's Human Resources Department, 7600 Dublin Blvd, 3rd Floor, Dublin, CA 94568 or hr@clpccd.org. The Vice Chancellor of Human Resources or designee will record the verbal complaint in writing. The Vice Chancellor 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 Chancellor of Human Resources unless the person submitting the complaint alleges a violation against the Vice Chancellor of Human Resources, in which case the complaint should be submitted directly to the District's Chancellor.

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

https://districtazure.clpccd.org/hr/files/docs/eeo/CLPCCDComplaintForm.pdf and https://districtazure.clpccd.org/policies/files/docs/AP3435.pdf

While the District's procedures for receiving EEO complaints are the same as the procedures for receiving complaints of discrimination and harassment, depending on the nature of an EEO complaint, the procedures and timeline for processing such complaints may differ. The District will investigate EEO complaints within 90 days of receipt of a complaint to the EEO Officer/Vice Chancellor of Human Resources. The District may extend the timeline to complete the investigation for good cause and shall communicate with any complainant and respondent the estimated length of the extension. At the conclusion of the investigation, the Complainant will receive a notification of the outcome.

Plan Component 7: Notification to District Employees

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

The Plan and subsequent revisions will be distributed to the Board, the Chancellor, administrators, the Senate Presidents, Union Presidents, members of the District EEOAC and employees. Each year, the District office will provide all employees with access to the Board's EEO Policy Statement (located in Plan Component 3 of this Plan) as well as a link to reach the District's EEO Plan. The annual notice will contain the following provisions:

- 1. The Plan will be available on the District's website under the "Office of the President" page.
- 2. The EEO Policy Statement and EEO Plan will be made available to new employees through the on-boarding/new employee orientation process.
- 3. The importance of employees' participation and responsibility in ensuring the EEO Plan's implementation.
- 4. The District will provide new employees a paper or electronic copy of the District's Non-Discrimination policy, and this EEO Plan and its policy statement setting forth the District's commitment to the EEO Plan at the commencement of employment.

Plan Component 8: Training for Screening/Selection Committees

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

Any organization or individual who participates or is involved in the recruitment or screening/selection of personnel, whether as a District employee or official or as a third-party, shall receive appropriate training on the requirements of the Title 5 regulations on EEO (section 53000 *et. seq.*) and are expected to comply with the District's EEO Plan. All individuals directly participating in the selection and screening process shall receive the following training prior to their initial participation on a screening committee:

- The requirement of the Title 5 regulations on equal employment opportunity (Section 53000 et. seq.) and the requirements of federal and state non-discrimination laws;
- The educational benefits of workforce diversity;
- The elimination of bias in hiring decisions; and
- Best practices in serving on a screening or selection committee.

As this training is mandatory, the District will endeavor to ensure that such training takes place in smaller settings or settings specifically designated for hiring committee training to encourage compliance and understanding. Individuals who have not received this training within the prior 24 months, or within the time period required by law or District policy or procedure, will not be allowed to serve on screening/selection committees.

The Office of Human Resources is responsible for ensuring that all individuals serving on a screening or selection committee receive this required training.

In an effort to advance demographic diversity on screening and selection committees, the District offers FLEX activities and professional development opportunities for employees to engage in training to encourage and provide resources to more employees so that they are eligible to serve on screening committees. This includes faculty, classified, confidential, and administrative staff, as well as opportunities for students to become trained to serve on committees.

Screening and selection committees shall include a diverse membership whenever possible, to ensure a variety of perspectives are included in the assessment of applicants. The District will ensure that diverse pool of employees are trained to participate in selection committees at the outset. If the EEO Officer determines that the screening committee membership should be more diverse, the EEO Officer may appoint additional members as needed.

Plan Component 9: Annual Written Notice to Community Organizations

References: CCR, Title 5, 53003(c)(7)

The EEO Officer, working with the Public Relations, Marketing, and Government Relations, will provide annual written notice to appropriate community-based and professional organizations concerning the Plan. The notice will inform these community-based and professional organizations where they may obtain a copy of the Plan, and shall solicit their assistance in identifying a qualified, diverse pool of applicants. 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, including the following, which may be revised from time to time as necessary.

- HigherEd Publication
- Insight to Diversity
- Diverse Education
- COLEGAS
- APAHE
- CCC Registry
- EdJoin
- Chronicle of Higher Education
- CalJobs
- A2MEND
- Local Colleges and University

The institutions, organizations, professional groups and agencies listed above are representative and appropriate for advancing diversity in hiring and underrepresentation of specific groups because they provide direct outreach to people of diverse backgrounds and of our local communities.

Plan Component 10: Process for Gathering Information and Periodic Longitudinal Analysis of District Workforce and Applicant Pool

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

The District will gather the information specified below in **year one** 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 shall conduct this data review in **year one** of the Plan and may conduct additional periodic data reviews more frequently based on the District's size, demographics, and other unique factors. The District will begin to collect data in year one of the plan and determine through data analysis if there are adverse impacts in year two.

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 State Chancellor and consistent with state and federal law (EEO Data). The District will keep EEO Data confidential and shall 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 selection or screening committee, only District employees whose job duties require them to have access to such data will have such access, unless otherwise required by law.

The District allows applicants and employees to provide the following Monitored Group information:

1. Gender Identification

The District requests that employees and applicants self-identify as female, male, or non-binary.

2. Race and Ethnicity Identification

The District requests 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 five race groups does NOT qualify under this category.

3. 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 one's self, performing manual tasks, walking, seeing, hearing, talking, breathing, learning, and working.

VOLUNTARY SUBMISSION OF EEO DATA

There may be significant numbers of employees or applicants who decline to identify their gender (including non-binary options), ethnicity, or disability status with the District. The District shall encourage 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.

Click here to view the District's historical demographic data and workforce analysis

LONGITUDINAL ANALYSIS TO IDENTIFY ADVERSE IMPACT

Once the District gathers the EEO Data 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 will also 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.

DISTRICT STRATEGIES TO MITIGATE IDENTIFIED ADVERSE IMPACT

If the EEO Officer determines that any selection technique or procedure has adversely impacted any monitored group, the EEO Officer will advise the Superintendent/President, and the Superintendent/President may reopen the position.

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

- 1. Review the longitudinal hiring process analyses results for potential adverse impact affecting the identified monitored group at any phase(s) of the hiring process or employment.
- 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.
- 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 EEOAC, and other relevant stakeholder groups to identify other potential good faith efforts to make positive progress towards eliminating the adverse impact.

Plan Component 11: A Process for Utilizing Data to Determine Whether Monitor Groups are Underrepresented with District Job Categories

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

In conjunction with EEO Data to be gathered in year one pursuant to EEO Plan Component 10, the District shall 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 EEO Plan Component 2.

DATA COLLECTION

The District shall utilize data available from reliable public census reporting and private sources including from the Chabot Las Positas People Admin database, Office of Research, Planning and Institutional Effectiveness. The District will also consult with a third-party vendor to develop statistical 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 EEO Plan Component, and assigns every employee and applicant to one of the seven job categories identified in EEO 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.

Each site shall take tangible steps to promote equal employment opportunity, workplace diversity and an inclusive work environment. The District, in consultation with the EEOAC, shall also take concrete steps to monitor progress in these areas. These concrete steps may include any of the examples listed below, or other measures as identified and developed by the EEOAC in close consultation with the Vice Chancellor of Human Resources or designee:

- (a) Ensure that top administrative staff at each site understand and support diversity objectives and that the diversity and/or EEO Officer position is maintained as a cabinet or other high-level administrative position;
 - 1. Explore the feasibility of the establishment of an office for equity and diversity at each campus.
- (b) Conduct surveys of campus climate on at least a biennial basis, and implement concrete measures that utilize the information drawn from the surveys;
- (c) Conduct exit interviews with employees who voluntarily leave the District, maintain a database of exit interviews, analyze the data for patterns impacting particular monitored groups, and implement concrete measures that utilize this information. Interviews may be conducted in a variety of ways, including in-person or telephone interviews, mailed or email surveys, or online surveys;

- (d) Conduct annual longitudinal analysis of hiring statistics, analyze the data for patterns impacting particular monitored groups, and implement concrete measures that utilize this information;
- (e) Maintain a variety of programs to support newly-hired and current employees such as mentoring, professional development, and leadership opportunities as discussed in Component 13;
- (f) Encourage administrators and senior faculty/classified professionals to serve as mentors. Encourage faculty, classified professionals, and administrators to seek out mentors;
- (g) Include guest speakers from underrepresented groups who are in leadership positions and who may inspire students and employees alike;
- (h) Conduct dialogues, forums, and cross-cultural workshops on diversity, and prevention of harassment and discrimination:
- (i) Recognize and value staff and faculty who have promoted diversity and equal employment opportunity principles by awarding a yearly diversity recognition award;
- (j) Collaborate with the college Staff Development committees to integrate EEO/diversity workshops at instructional improvement days (flex week or staff development day);
- (k) Convey the District's diversity and commitment to equal employment opportunity principles grounded in diversity, equity and inclusion in District publications and on the District website. Establish an "Equal Employment Opportunity and Diversity" online presence by highlighting the District's diversity and equal employment opportunity, ADA, sexual harassment and nondiscrimination policies, procedures and programs on the District's website. The website will also list contact persons for further information on all of these topics. Review and revise college/district publications and other marketing tools to reflect diversity in pictures, graphics, and text to project an inclusive image;
- (l) Establish a *Community Outreach Advisory Council* to involve community-based organizations in the recruitment and other equal employment opportunity efforts of the college. Recommended membership will include representatives from local business and industry as well as from diverse community groups such as MALDEF, NAACP, Chamber of Commerce, and City Council(s);
- (m)Review and update hiring procedures for all categories of employment at least every 5 years to ensure adherence with EEO Title 5 regulations and the components of the Plan.
- (n) Develop a faculty diversity internship program to serve as a pipeline for potential candidates.
- (o) Incorporate into the hiring procedures and District practice the following measures to increase the diversity of applicant pools for all positions:
 - 1. Require hiring committees give individuals selected for interview a minimum amount of notice, to be determined, to give adequate consideration to candidates who may not be local or need to provide reasonable notice to their current employer.
 - 2. Study and develop a procedure for the use of online job interviewing, such as Zoom, at one or more stages of the interview process in order to increase access to a more diverse pool of candidates outside of the local area and add greater flexibility to the process.

- 3. Provide additional resources to the Office of Human Resources to ensure it can appropriately address EEO and equity concerns. This includes adequate staffing so that initial screening can be accomplished districtwide by HR staff to ensure fairness and consistency. It also includes budget to cover the cost of advertising open positions in specialty locations, as needed.
- 4. Perform a study of previous job announcements for faculty positions to ascertain the impact certain preferred or required qualifications (i.e. the doctorate degree) have on the diversity of pools, interviewees and hires.
- 5. Develop a rubric which can be used districtwide to assess candidates' sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students.
- Collect data in employee applications which indicates where applicants learned about the job posting in order to target EEO funds towards sources most impactful in increasing applicant diversity.
- (p) Collaborate with each campus' Student Senate/Student Government to incorporate the voices of students on the value of workplace diversity to student learning and student development in measures taken to further equal employment opportunity.
- (q) Expand the categories of ethnicities that are monitored in the hiring process to allow candidates to be more specific in their identified racial groups.
- (r) Develop a protocol for the annual dissemination and discussion of employee diversity data.
- (s) Host a diversity opportunity event, open for the community, to strain and support potential candidates.

Plan Component 12: Methods to Address Any Underrepresentation

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

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

The District will review the information gathered in year one 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 shall include, but need not be limited to:

- 1. Relevant data gathered pursuant to EEO Plan Component 10, to identify whether the percentage of persons from a monitored group employed by the District in a job category is below eighty percent (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 or mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or veteran or military status. The District also will not engage in any other practice that 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 Plan, the District will request that the EEOAC recommend new methods to achieve the Plan objectives, or if necessary, to modify the Plan itself to ensure equity, inclusion, and equal employment opportunity.

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 require the responsible administrator for the division or department where the underrepresentation occurs, in conjunction with the EEO officer, to create a recruitment and hiring action plan to assist in addressing the underrepresentation. The action plan will include, but is not limited to:

- a. Participation in outreach activities that would likely attract applicants from the underrepresented groups, such as participating in diversity job fairs (*e.g.*, California Community Colleges Registry Diversity Job Fairs, California Career Exploration Fairs hosted by COM's Transfer and Career Center) and building relationships with graduate programs and other institutions.
- b. Additional locations or resources to advertise positions (*e.g.*, on the District employment website, the California Community College Equal Employment Opportunity Registry, and to a list of appropriate external "bulletin board" websites);
- c. Review the use of any locally established minimum qualification and/or "desired" or "preferred" qualifications to determine if they are job-related and consistent with business necessity in compliance with federal and state laws.
- d. Discontinue the use of any locally established minimum qualification and/or "desired" or "preferred" qualification that is found to not satisfy the requirements set forth above.
- e. Consider changes to the job postings and screening criteria, including interview questions and how reference checks are conducted, which may reasonably be expected to attract applicants from underrepresented groups. For example, interviews must include at least two questions which assess the candidate's understanding of, and commitment to, equal employment opportunity and their sensitivity to, and understanding of, the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students.

Plan Component 13: Selection of Specific Pre-Hiring, Hiring and Post Hiring Strategies and a Schedule Identifying the Timetables for Implementation of Identified Strategies

The Board recognizes that multiple approaches are appropriate to fulfill its mission of ensuring equal employment opportunity principles in the development of a diverse workforce, and the creation of an inclusive, equitable and fair working, respectful environment. 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 EEO also involves creating an environment that fosters cooperation, acceptance, and free expression of ideas and is welcoming to all genders, including men, women, trans male, trans female, gender non-conforming, different identity, persons with disabilities, and individuals from all protected classes.

EEO PLAN TEMPLATE—COMPONENT 13 DISTRICT & COLLEGE ACTIVITIES DEMONSTRATING ON-GOING COMMITMENT TO EEO/EMPLOYMENT DIVERSITY

IMPLEMENTATION	Who	What/When	Effectiveness Metrics &
\rightarrow			Review
PRE-HIRING			
Provide training to employees, students and trustees	Director of Human Resources and EEO Officer/Director of Employee and Labor Relations	Y1: Identify training focusing on institutional definitions of diversity, equity, and inclusion Y2: Develop a strategy for implementing the training, including allocation of resources, personnel, tools and technology to support implementation Y3: Implement and monitor training and collect feedback for evaluation of the effectiveness of the training to ensure alignment with EEO Plan	This strategy is projected to increase awareness of all and foster an environment of diversity, equity and inclusion. The District will conduct an employee climate survey to solicit feedback on training programs focusing on DEIA/EEO Plan.
Convey in publications and website the district's commitment to diversity & EEO.	Director of Human Resources, Director of Employee and Labor Relations, EEOAC	Y1-3: Continue to post to HigherEd Jobs, Insight into Diversity, Diverse Education, COLEGAS, APAHE, CCC Registry, EdJoin, Chronicle, CalJobs, A2MEND and other publications as needed along with the District's website with new EEO Plan. Partner with Employee resources groups at both campuses to expand underrepresented employees and facilitate mentorship programs	Y1-3: Review publications on existing sources and ensure it is updated. Consider additional locations for posting.
(53024.1(j)) Review and update District EEO/DEI policy statement.* (53024.1(k)) *Cross-reference Plan Component 3	Director of Employee and Labor Relations/Vice Chancellor of Human Resources	Y1: Review EEO/DEI statement at scheduled EEOAC meetings. Solicit feedback or create subcommittee working group to revise. Y2: Finalize revised EEO/DEI Policy Statement for approval by Chancellor or Board of Trustees. Y3: Review EEO/DEI statement to determine whether additional revisions are required.	Y1-3: Develop Subcommittee to review and revise EEO/DEI Statement with revisions based on feedback solicited.

IMPLEMENTATION	Who	What/When	Effectiveness Metrics & Review
\rightarrow			Review
HIRING			
Consistent and ongoing training for hiring committees. (53024.1(c))	Director of Human Resources/EEO Officer/HR Analysts All Stoff who	Y1: Conduct Hiring Committee training on a weekly basis or as needed based upon hiring and recruitment requirements. Update and ensure the EEO Planning training portion of the Hiring Committee Presentation materials are up-to-date with changes to Title 5 regulations to all Committee Members. Y2-3: Continuously monitor employees for compliance with training requirements. Review pool of employees qualified to serve and recruit additional employees for service on screening/hiring	Y1-3: Conduct Hiring Committee Training- Update materials with Title 5 requirements as needed, along with monitoring employee compliance training
*Cross-reference Plan Component 8.	 All Staff who participate in hiring committees General Counsel 	committees. Develop Hiring Committee Chair Training with emphasis on EEO Plan. Deliver campus-wide Hiring Committee Training at Flex Day or other large campus events for all college staff and student representatives	requirements and creating specialized training for Hiring Committee Chair
Maintain updated job descriptions and job announcements. (53024.1(f))	Director of Human Resources, Director of Labor and Employee Relations	Y1-3: The Director of Human Resources will systemically review job descriptions and job announcements to ensure District's commitment to diversity, equity, and inclusion. All updated job descriptions and job announcements will include under "minimum qualifications" "Work with and exhibit sensitivity to and understanding of the varied racial, ethnic, cultural, sexual orientation, academic, socio-economic, and disabled populations of community college students."	Y1-3: Annual Review of Job Categories by Human Resources by Employee Unit and update on an ongoing basis until all job descriptions meet the EEO Plan standard
Board of trustees receives training on elimination of bias in hiring and employment at least once every election cycle. (53024.1(g))	Board of Trustees	Y1: Schedule and ensure training of Board of Trustees on mandatory training topics. Y2: Schedule and ensure training of Board of Trustees on mandatory training topics. Y3: Schedule and ensure training of Board of Trustees on mandatory training topics.	Y1-3: Tracking Matrix of annual training to Board of Trustees
Dedication of specified staff to EEO.	EEOAC Committee	Y1-3: Meet monthly/quarterly or as needed to discuss and continue implementation of EEO Plan. Ensure release time of all employees. Schedule meetings in advance to ensure full participation of all EEOAC members.	Y1-3 Schedule and Record meeting minutes and strategies for the continued enhancement of the EEO Plan

IMPLEMENTATION →	Who	What/When	Effectiveness Metrics & Review
Assess "sensitivity to diversity" of all applicants. (53024.1(l))	Director of Human Resources, Director of Employee & Labor Relations, Screening Committee	Y1-3: The District will educate and train staff on methods to assess job requirements that include demonstrated sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, geographic, and ethnic backgrounds of community college students.	Y1: Monitor job requirements Y2: Develop tool to educate staff to understand sensitivity to diversity Y3: Train staff on tool developed to enhance understanding in diversity
Post Districts Commitment to Diversity and EEO Plan on identified websites and publications and Research new websites and publications that monitor groups and allocate resources	Director of Employee and Labor Relations, Director of Human Resources, EEOAC	Y1: The District will ask applicants how they heard about the job opportunity and annually review and assess applicant responses. In particular, the District will compare the sources identified by applicants to the sources the District used to advertise opportunities and assess based on employee group. Y2: Based on its review of applicant responses, the District will research additional publications and advertising resources to advance the EEO and DEIA mission and goals. Y3: The District will implement the use of additional publications and advertising resources.	Y1-3: This strategy is projected to provide an assessment of advertising and publication resources used. The District will assess the effectiveness by annually analyzing applicant responses about how they heard about the job opportunity.
College desegregated demographic data of all employee categories for publication.	Director of Human Resources, EEOAC	Y1: Collect demographic data of employee categories that aligns with EEO/DEIA Y2: Ensure demographic data is displayed in job announcements and publications for use in recruitment materials Y3:Expand relationships with community partners and affinity groups	Y1:3: This strategy is projected to increase the diversity of applicant pools. The District will determine effectiveness by reviewing demographic data in job announcements and publications and determining what revisions are needed. The District will allocate financial and administrative resources as approved by the Chancellor to continue to improve in the collecting and publishing demographic data as required by EEO/DEIA requirements.

IMPLEMENTATION	Who	What/When	Effectiveness Metrics & Review
Survey Employees to Identify New Avenues of Recruitment	Human Resources	Y1: Develop survey for employees regarding recruitment information. Y2: District employees will be surveyed to identify locations where open positions may be advertised to ensure recruitment is as inclusive and broad as possible and includes recruitment of monitored groups. Y3: Human Resources will compile, store and update this list	Y1: Develop Survey Y2: Distribute Survey Y3: Compile Data and Update List
POST-HIRING			
Conduct campus climate surveys & use this information. (53024.1(a))	EEOAC Committee	Y1: Working with Research, Planning, and Institutional Effectiveness departments to develop Campus Climate Survey that includes meaningful questions regarding EEO and DEIA. Y2: Finalize survey with approval from necessary stakeholders/administrators. Conduct survey. Y3: Analyze results and create action plan to respond to information that was gathered in survey.	Y1-3: Develop, Finalize and Conduct Campus Climate Survey. Create action plan to share out.
Conduct exit interviews & use this information. (53024.1(b))	Human Resources	Y1: Development of an exit interview questionnaire to be distributed to all staff, administrators, faculty, and classified professionals that includes meaningful questions regarding EEO and DEIA. Y2: Finalize exit interview and deploy survey to gather responsive information. Utilize Survey Monkey as the tool to track and record exit interviews. Y3: Analyze results and create action plan to respond to information that was gathered in survey.	Y1: Develop Questionnaire Y2: Deploy Survey utilizing SurveyMonkey as the tool to track and record. Y3: Analyze results and create action plan
Timely and thoroughly investigate all harassment & discrimination complaints & take appropriate corrective action in all instances where a violation is found. (53024.1(h))	Director of Employee and Labor Relations	Y1: Investigate all complaints (Title 5,Title IX, etc.) as submitted to Human Resources/EEO Officer. Work with supervising manager to ensure proper corrective action (i.e. training, coaching, discipline, etc.) is taken where appropriate. Y2: Investigate all complaints (Title 5,Title IX, etc.) as submitted to Human Resources/EEO Officer. Work with supervising manager to ensure proper corrective action (i.e. training, coaching, discipline, etc.) is taken where appropriate. Y3: Investigate all complaints (Title 5,Title IX, etc.) as submitted to Human Resources/EEO Officer. Work with supervising manager to ensure proper corrective action (i.e. training, coaching, discipline, etc.) is taken where appropriate.	Y1-3: Human Resources tracks on a continuous basis all complaints received through an excel tracking document.

IMPLEMENTATION →	Who	What/When	Effectiveness Metrics & Review
mentoring, support and leadership opportunities for Resource Vice Cl	rces, EEOAC, Chancellor of an Resources	Development of new Administrators Institute for all Administrators with 2024-25 implementation that will mentor new Administrators and assist current Administrators in their leadership roles with emphasis on diversity and mentorship. Las Positas and Chabot Colleges conducts annual New Hire Orientation for all new employees	Y1-3: Annual review of professional development offerings and effectiveness of in training institutes through tracking of movement of promotions and leadership roles. Creation of CLIP Connect which brings all Cohorts together to review past programs and their effectiveness.