



# Santa Monica College Equal Employment Opportunity Plan

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## Plan Component 1: Introduction

The commitment of the Santa Monica Community College District to equal employment opportunity and diversity is articulated in Board Policy 3121 – Diversity:

The Santa Monica Community College District is committed to building an inclusive and diverse environment and maintains a comprehensive program to ensure that practice reflects these principles. Diversity within the college environment provides opportunity to foster mutual awareness, knowledge, and sensitivity, to challenge ingrained stereotypes, and to promote mutual understanding and respect. The District is committed to a work and learning environment conducive to open discussion and the free exchange of ideas. Global awareness and exploration of the diversity of the local communities served by the College are both important components of the commitment of the college to diversity. Embodying, promoting and celebrating diversity inspires innovative ideas, practical solutions, and team-building in the District's goal of achieving professional and educational excellence.

The commitment of the District to equal employment opportunity and diversity, and to the protections against unlawful discrimination and harassment as defined by federal and state law, is at the core of our mission; the processes and procedures to support this commitment are set out in this Equal Employment Opportunity (EEO) Plan (hereinafter referred to as the "Plan" or the "EEO Plan").

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Dr. Kathryn E. Jeffery  
Superintendent/President

September 8, 2017

*Date approved by the Board of Trustees: September 5, 2017*

## Plan Component 2: Definitions

To ensure understanding of the terms used throughout the Equal Employment Opportunity Plan ("EEO Plan"), the following definitions are provided:

**ADVERSE IMPACT:** A statistical measure (such as those outlined in the Equal Opportunity Commission's Uniform Guidelines on Employee Selection Procedures) that is applied to the effects of a selection procedure that demonstrates a disproportionate negative impact on any group protected from discrimination pursuant to Government Code section 12940. A disparity identified in a given selection process will not be considered to constitute adverse impact if the numbers involved are too small to permit a meaningful comparison.

**BUSINESS NECESSITY:** Circumstances which justify an exception to the requirements of section 53021(b)(1) because compliance with that section would result in substantial additional financial cost to the District or pose a significant threat to human life or safety. Business necessity requires greater financial cost than mere business convenience. Business necessity does not exist where there is an alternative that will serve business needs equally well.

**CHANCELLOR'S OFFICE:** California Community Colleges Chancellor's Office

**DIVERSITY:** A condition of broad inclusion in an employment environment that offers equality and respect for all persons. A diverse educational community recognizes the educational benefits that flow from employee populations that are varied by age, ancestry, color, gender, gender identity, gender expression, genetic information, marital status, medical condition, national origin, parental status, physical or mental disability, race, religion, sexual orientation, or veteran status. It is a condition of broad inclusion in an employment environment that offers equality and respect for all persons.

**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 the seven job categories which include: 1.) executive/administrative/managerial, 2.) faculty and other instructional staff, 3.) professional non-faculty, 4.) secretarial/clerical, 5.) technical and paraprofessional, 6.) skilled crafts, and 7.) service and maintenance. Ensuring EEO also involves identifying and eliminating barriers to employment that are not job related; and creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas and that is welcoming to men and women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination pursuant to Government Code section 12940.

**EQUAL EMPLOYMENT OPPORTUNITY ADVISORY COMMITTEE (EEO ADVISORY COMMITTEE):** Acts as an advisory body to the Vice-President, Human Resources and the District to promote understanding and support of EEO policies and procedures.

**EQUAL EMPLOYMENT OPPORTUNITY PLAN:** A written document in which the District's workforce is analyzed and specific plans and procedures are set forth for ensuring EEO.

**EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS:** All the various methods by which EEO is ensured. Such methods include, but are not limited to, using nondiscriminatory employment practices, actively recruiting, monitoring and taking additional steps consistent with the requirements of Section 53006.

**EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT (EEO Policy Statement):** Statement by the Board confirming its commitment to EEO.

**ETHNIC MINORITIES:** American Indians or Alaskan natives, Asians or Pacific Islanders, Blacks/African-Americans, and Hispanics/Latinos.

**ETHNIC GROUP IDENTIFICATION:** Group identity is obtained through voluntary self-identification by employees and applicants for employment as follows, based on the definitions from the Equal Employment Opportunity Commission.

- African-American: A person having origins in any of the original peoples of the Black racial groups of Africa.
- Alaskan/American Indian: A person having origins in any of the original peoples of North and South America (including Central America), and who maintains Tribal affiliation or community attachment.
- Asian: 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.
- Hispanic: A person having origins in any of the original peoples of Cuba, Mexico, Puerto Rico, South or Central America, or other Spanish cultures or origins, regardless of race.
- Pacific Islander: A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- White: A person having origins in any of the original peoples of Europe, the Middle East, or North America.
- Biracial or Multiracial: A person who identifies with two or more racial groups.

**IN-HOUSE OR PROMOTIONAL ONLY RECRUITMENT/HIRING:** Only existing District employees are allowed to apply for a position. Pursuant to Title 5, section 53021(b)(1), in-house or promotional only recruitment shall not be used to fill any vacancy for any position except when the position is being filled on an interim basis for the minimum time necessary to allow for full and open recruitment; provided however, that no interim appointment or services of interim appointments exceeds two years in duration. Pursuant to Title 5, section 53021(b)(2), where in-house or promotion only recruitment is utilized, all District employees shall be afforded the opportunity to apply.

**JOB CATEGORY:** The job categories used for the purpose of this Plan and reported to the Chancellor pursuant to Title 5, section 53004(a) are (1) Classified Clerical, (2) Classified Manager, (3) Classified Service and Maintenance, (4) Classified Skills Crafts, (5) Classified Technical, (6) Educational Administrator, (7) Fulltime Faculty, and (8) Adjunct Faculty.

**MONITORED GROUPS:** A group identified in Title 5, section 53004(b) for which monitoring and reporting is required pursuant to section 53004(a). For the purpose of this Plan, Monitored Groups are: Men, Women, Alaskan/American Indians, Asians, Pacific Islanders, African-Americans, Hispanics, Caucasian, persons with disabilities.

**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 a major life activity difficult.

**PROJECTED REPRESENTATION:** The percentage of persons from a monitored group determined by the Chancellor to be available and qualified to perform the work in question.

**REASONABLE ACCOMMODATION:** The efforts made on the part of the District to remove artificial or real barriers, which prevent or limit the employment and upward mobility of persons with disabilities. "Reasonable accommodations" may include the items designated in Section 53025; the efforts made on the part of 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 traditional paper and pencil tests, performance tests, and physicals, educational, and work experience requirements, interviews, and review of application forms.

**SIGNIFICANTLY UNDERREPRESENTED GROUP:** Any monitored group for which the percentage of persons from that group employed by the District in any job category listed in Section 53004(a) is below eighty percent (80%) of the projected representation for that group in the job category in question.

**TARGET DATE:** A point in time by which the District plans to meet an established goal for persons with disabilities and thereby achieve projected representation in a particular job category.

**TIMETABLE:** A set of specific annual hiring objectives that will lead to meeting a goal for persons with a disability by a projected target date.

**VICE PRESIDENT HUMAN RESOURCES:** The person who is responsible for the day-to-day implementation of the Plan.

*Reference: Title 5, sections 53001 and 53021*

### **Plan Component 3: EEO & Nondiscrimination in Employment Policy Statement**

The Board supports the intent set forth by the California Legislature to assure a climate of acceptance, with the inclusion of faculty and staff from a wide variety of backgrounds. Diversity in the academic environment fosters awareness, engagement, mutual understanding, respect, increased student success, and better enables students to flourish as citizens of the world. Therefore, the Board commits to promoting the total realization of equal employment through a continuing equal employment opportunity program.

In accordance with BP 3120, titled "Equal Employment Opportunity and Non Discrimination in Employment", the District is committed to the concept and principles of providing equal opportunity in education and employment for all persons, and does not discriminate unlawfully.

No person shall be subjected to unlawful discrimination in any program or activity of the District on the basis of age, ancestry, color, ethnic group identification, familial status, gender, gender expression, gender identity, genetic information, marital status, medical condition, mental disability, military and veteran status, national origin (including language and accent), physical disability, race, religion, sex, and sexual orientation.

No person shall be subjected to discrimination on the basis of these actual or perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics. In addition, the District also has an interest in nondiscrimination based on additional factors such as accent, citizenship status, and economic status even though students or employees could not make a legal claim of discrimination based on these factors.

The Board commits the District to vigorous equal employment opportunity in all aspects of its academic and classified employment programs, including recruitment, selection, assignment, retention, promotion, and transfer. The District will strive to achieve a workforce that reflects and welcomes diversity to ensure an inclusive educational and employment environment. Such an environment fosters cooperation, acceptance, democracy and free expression of ideas.

Each employee is accountable for strict application and enforcement of the EEO Plan within his or her area(s) of authority. It is only through combined efforts that the District will successfully develop and maintain a workforce that is welcoming to all.

The Board of Trustees supports the intent set forth by the California Legislature to assure continuing good faith efforts are made to build a community of equal opportunity. The Board commits to promoting the total realization of equal employment through a continuing equal employment opportunity program as outlined in its EEO Plan and shall approve the EEO Plan and assume overall responsibility for the success or failure of the Plan. The Board delegates to the Vice-President, Human Resources the responsibility for implementing this policy consistent with all applicable provisions of the Education Code and Title 5. The EEO Plan will be maintained to ensure principles that conform to all applicable federal, state, and local laws.

## Plan Component 4: Delegation of Responsibility, Authority & Compliance

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

1. *Board of Trustees*

The Board of Trustees is ultimately responsible for proper implementation of the Plan at all levels of District operation and for ensuring equal employment opportunity as described in the Plan.

2. *Superintendent/President*

The Board of Trustees delegates to the Superintendent/President the responsibility for ongoing implementation of the Plan and for providing leadership in supporting the District's equal employment opportunity policies and procedures. The Superintendent/President or his/her designee shall advise the Board of Trustees concerning statewide policy emanating from the Board of Governors of the California Community Colleges and shall direct the publication of a report (as discussed in more detail under Plan Component 12) on Plan implementation at least once every three years. With regard to administrative staff members who have responsibilities in connection with implementation of the Plan, the Superintendent/President or his/her designee shall evaluate the performance of all such administrative staff on their ability to follow and implement the requirements in the Plan.

3. *Equal Employment Opportunity Officer*

The District has designated the Vice President of Human Resources or his/her designee as its Equal Employment Opportunity Officer who is responsible for the day-to-day implementation of the Plan. If the designation of the Equal Employment Opportunity Officer changes before this *Plan* is revised, the District will notify employees and applicants for employment of the new designee. The Equal Employment Opportunity Officer is responsible for administering, implementing and monitoring the Plan and for assuring compliance with the requirements of Title 5 of the California Code of Regulations, Section 53000 *et seq.* The Equal Employment Opportunity Officer also is responsible for receiving complaints described in Plan Component 6, for ensuring that such complaints are promptly and impartially investigated, and for ensuring that applicant pools and selection procedures are properly monitored as required by Sections 53023 and 53024 of Title 5 of the California Code of Regulations. The Superintendent/President and Vice President of Human Resources are responsible for ensuring that the Equal Employment Opportunity Officer is adequately qualified or trained for the responsibilities of the position.

4. *Equal Employment Opportunity Advisory Committee*

The District will establish an Equal Employment Opportunity Advisory Committee to act as an advisory body to the Equal Employment Opportunity Officer and the District as a whole to promote understanding and support of equal employment opportunity policies

and procedures. The Equal Employment Opportunity Advisory Committee shall assist in the implementation of the Plan consistent with all applicable federal, state, and local laws and guidelines, monitor the progress of equal employment opportunity and diversity throughout the District, and provide suggestions for Plan revisions as appropriate.

5. *Agents of the District*

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

6. *Good Faith Effort*

The District shall make a continuous good faith effort to comply with all the requirements of the Plan. If any part of the Plan conflicts with Title 5 of the California Code of Regulations, Section 53000 *et seq.*, the District will follow the language of Title 5.

## Plan Component 5: EEO Advisory Committee

The District has established an Equal Employment Opportunity Advisory Committee (“Advisory Committee”) to assist the District in implementing the Plan. The Human Resources Subcommittee to the District Planning and Advisory Council will form the core membership of the Advisory Committee. The Advisory Committee shall include a diverse membership whenever possible. Ex officio members shall include the Equal Employment Opportunity Officer or designee; the Compliance Administrator/Title IX Coordinator; the Director of Classified Personnel; the Dean of Human Resources; the ADA Officer; one member of the faculty appointed by the Academic Senate President; one member of the classified staff appointed by the CSEA President; one student recommended by the Associated Students; and one community representative appointed by the Superintendent/President. If the District has been unable to meet this objective, it will document efforts made to recruit advisory committee members who represent diversity.

Every year, the Advisory Committee shall receive training in all of the following:

- The requirements of all applicable federal, state, and local laws, including Title 5 of the California Code of Regulations, Section 53000 *et seq.*;
- Identification and elimination of bias in hiring;
- The educational benefits of workforce diversity; and
- The role of the Advisory Committee in carrying out the District’s EEO Plan.

The Advisory Committee shall hold a minimum of two (2) meetings per academic year, with additional meetings, if needed, to review EEO and diversity efforts, programs, policies, and progress. When appropriate, the Advisory Committee shall make recommendations to the Board of Trustees, the Superintendent/President, or the Equal Employment Opportunity Officer.

The Advisory Committee will review the EEO Plan at least once every three years, and any revised Plan will be submitted to the Chancellor's Office.

## Plan Component 6: Complaints

The District has established, under Administrative Regulation 3120 Equal Employment Opportunity Program and Discrimination Complaint Procedure, a process to file a complaint alleging that the requirements of the equal employment opportunity regulations have been violated.

It shall be the District's objective to provide all job applicants, employees and students with an expeditious and effective procedure for resolution of complaints alleging unlawful discrimination. Investigations shall be conducted in a manner which seeks to balance issues of confidentiality and privacy with the need to conduct thorough, objective investigations of all complaints. Rights of complainants to freedom from retribution shall be protected. All complaints shall be filed within one year of the date of the alleged unlawful discrimination or within one year of the date on which the complainant knew or should have known of the facts underlying the allegation of unlawful discrimination.

The EEO regulations can be found in Title 5 of the California Code of Regulations, sections 53000, et seq.

The link to the District's Administration Regulations may be accessed at: [http://www.smc.edu/ACG/Documents/Administrative\\_Regulations/AR\\_3000\\_Human%20Resources.pdf](http://www.smc.edu/ACG/Documents/Administrative_Regulations/AR_3000_Human%20Resources.pdf)

## Plan Component 7: Notification of EEO Plan & Policy

The commitment of the Santa Monica Community College District to equal employment opportunity is emphasized through the broad dissemination of the District's Equal Employment Opportunity Policy Statement and the EEO Plan. The District's EEO Policy Statement shall be posted on the websites of the District's Office of Human Resources and the Personnel Commission.

The following statement shall be posted on all employment announcements and recruitment materials:

The Santa Monica Community College District is committed to the principles of equal employment opportunity. All qualified applicants for employment, as well as District employees, shall have full and equal access to employment opportunity. No person shall be subjected to unlawful discrimination in any program or activity of the District. The District's Board Policy 3120 (Equal Employment Opportunity and Nondiscrimination in Employment) may be accessed at: <http://bit.ly/smc-hr-bp3120>.

The Plan and subsequent revisions of the Plan will be distributed via email to:

- The District's Board of Trustees and Superintendent/President;
- All administrators and managers of the District;
- SMC's Academic Senate President;
- The Presidents of CSEA Chapter 36, SMC Police Officers Association, and the SMC Faculty Association;
- All members of the District's Equal Employment Opportunity Advisory Committee; and
- All District faculty and staff

The Plan will be made available on the District's Human Resources website through a link on the Human Resources' gateway page as well as on the [Diversity, Equity & Inclusivity @ SMC](#) website. Also, the District's Office of Human Resources will provide a paper or electronic copy of the Plan to any person requesting it; whether the Plan is provided in paper or electronic form is dependent on the wishes of the requesting person.

Each year, at the beginning of the Fall semester, the Office of Human Resources will email all District employees (via District emails) a copy of the EEO Plan and a written annual notice as described below. The Office of Human Resources will provide the Plan and written notice described below via email to all new employees when they commence their employment with the District. For employees without District emails, the District's Office of Human Resources will mail them a copy of the annual notice to their home addresses.

The annual notice will contain the following provisions:

- The importance of the employee's participation and responsibility in ensuring the Plan's implementation.
- The availability of the Plan on the Office of Human Resources website and at the Office of Human Resources.
- That any person may request a paper or electronic copy of the Plan from the District's Office of Human Resources, CSEA Chapter 36, SMC Police Officers Association, or the Faculty Association.

## **Plan Component 8: Recruitment, Screening & Selection**

All recruitment for employment positions conducted by the District including, without limitation, recruitment positions conducted by the District's Office of Human Resources, and Personnel Commission, shall be conducted consistent with all the requirements set forth in Section 53021 of Title 5 of the California Code of Regulations.

The District's Office of Human Resources, and Personnel Commission, shall create job announcements and set qualifications for employment positions consistent with all the requirements set forth in Section 53022 of Title 5 of the California Code of Regulations.

The District Office of Human Resources shall conduct applicant pool reviews, and take appropriate action as necessary, consistent with all of the requirements set forth in Section 53023 of Title 5 of the California Code of Regulations.

The District's screening and selection procedures shall be consistent with all the requirements set forth in Section 53024 of Title 5 of the California Code of Regulations. Specifically, all screening and selection techniques, including the procedure for developing interview questions, and the selection process as a whole, shall be:

- provided to the Chancellor upon request;
- designed to ensure that for all faculty and administrative positions and as appropriate for all other positions (including classified 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;
- based solely on job-related criteria; and
- designed to avoid an adverse impact, as defined in Section 53001(a) of Title 5 of the California Code of Regulations, and monitored by means consistent with this section to detect and address any adverse impact which does occur for any monitored group.

Whenever possible, screening/selection committees shall include a diverse membership which will bring a variety of perspectives to the assessment of applicants' qualifications.

Any organization or individual, whether or not an employee of the District, who is involved in the recruitment and screening/selection of personnel, shall receive appropriate EEO training on the following:

- The requirements of Title 5 of the California Code of Regulations, Section 53000 *et seq.*;
- The requirements of all applicable federal, state, and local nondiscrimination laws;
- The requirements of the District's Equal Employment Opportunity Plan;
- The District's policies on nondiscrimination, recruitment, and hiring;
- The educational benefits of workforce diversity;
- The elimination of bias in hiring decisions; and
- Best practices in serving on a selection or screening committee.

Each individual serving on an academic hiring committee will be required to participate in a recruitment training session each time he or she is appointed to a screening/selection committee. This training is mandatory; individuals who have not received this training will not be allowed to serve on screening/selection committees.

The District's Office of Human Resources is responsible for providing the required training for District employees serving on academic administrator and faculty screening/selection committees, and the District's Personnel Commission Office is responsible for providing the

required training for District employees and other persons serving on classified employee screening/selection committees.

Any individual, whether or not he or she is an employee of the District, acting on behalf of the District with regard to recruitment, screening, and/or selection of employees is subject to the equal employment opportunity requirements of Title 5 and the District's Equal Employment Opportunity Plan.

Recruitment, screening, and selection for all classified positions also governed by the rules and regulations of the Personnel Commission at Santa Monica College, and the California State Education Code, Sections 88050 through 88139.

### **Plan Component 9: Reasonable Accommodation for Persons with Disabilities**

The District shall ensure that applicants and employees with disabilities are provided with reasonable accommodations consistent with the requirements set forth in Government Code, Sections 11135 et seq. and 12940(m); Section 504 of the Rehabilitation Act of 1973; and the Americans with Disabilities Act.

The District's Office of Human Resources is responsible for handling requests for accommodations from current employees as well as from certificated applicants seeking such accommodations during the application process. The Personnel Commission is responsible for handling request for accommodations for classified applicants seeking such accommodations during the application process. All requests for reasonable accommodation should be reported to the District's ADA Officer.

### **Plan Component 10: Annual Written Notice to Appropriate Community-Based & Professional Organizations**

The Equal Employment Opportunity Officer will provide annual written notice to appropriate community-based and professional organizations concerning the Plan. This written notice will be by email if possible. The notice will:

- Inform these organizations how they can access or obtain a copy of the Plan;
- Inform them of the District's need for assistance from the community and such organizations in identifying qualified candidates;
- Include the EEO Policy Statement and an internet or PDF link to the Plan; and
- Include the internet address where the District advertises its job openings and include contact information for persons who wish to obtain employment-related information.

The District will actively seek to reach those institutions, organizations, and agencies that may be recruitment sources that could help increase the diversity of the applicant pools for

employment positions at the District. The District's Equal Employment Opportunity Officer will maintain a list of organizations which will receive this notice.

## **Plan Component 11: Workforce Analysis and Applicant Pools**

The District, through its Office of Human Resources, shall annually collect employee demographic data and shall monitor applicants for employment on an ongoing basis in order to evaluate the implementation of its EEO plan, to provide data needed for the analyses required by this Plan, and to determine whether any monitored group is underrepresented. The District shall annually report to the Chancellor, in a manner prescribed by the Chancellor, this data for employees of the District. Each employee shall be reported so that he or she may be identified as belonging to one of the following seven job categories:

- (1) Executive/Administrative/Managerial;
- (2) Faculty and Other Instructional Staff;
- (3) Professional Non Faculty;
- (4) Secretarial/Clerical;
- (5) Technical and Paraprofessional;
- (6) Skilled Crafts; and
- (7) Service and Maintenance

For purposes of the data collection and reporting required under this section, each applicant or employee shall be afforded the opportunity to identify his or her gender, ethnic group identification and, if applicable, his or her disability. A person may designate multiple ethnic groups with which he or she identifies but shall be counted in only one ethnic group for reporting purposes. This information is kept confidential and is separated from the applications that are forwarded to the screening/interview committee and hiring administrator(s).

At least once every 3 years, but more often if determined as necessary by the Superintendent/President or his/her designee, the Office of Human Resources shall review the data to determine if significant underrepresentation of a monitored group may be the result of non-job-related factors in the employment process. The analyses used in the review shall include, but need not be limited to:

- Longitudinal analysis of data regarding job applicants to identify whether over multiple job searches, a monitored group is disproportionately failing to move from the initial applicant pool to the qualified applicant pool;
- Analysis of data regarding potential job applicants, to the extent provided by the State Chancellor, which may indicate significant underrepresentation of a monitored group; and
- Analysis pursuant to Section 53003(c)(7) of Title 5 of the California Code of Regulations to determine whether a group is significantly underrepresented.

## Plan Component 12: District Measures to Address Identified Underrepresentation

The district will ensure EEO, which involves creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas, and that is welcoming to men and women, persons with disabilities, and individuals from all ethnic and other groups that are protected from discrimination. In so doing, the District places great emphasis on the recruitment of potential applicants in order to create a diverse pool of qualified individuals from which to hire. With a diverse pool, the District takes steps within the screening/selection process to allow for the hiring of candidates with varied backgrounds who can contribute and effectively communicate in a diverse community. The EEO provisions below are applicable to all full-time and part-time hiring, including any hiring meant to address the ratio of full-time to part-time faculty that may be required by [Education Code Section 87482.6](#). \*

To address any identified underrepresentation of monitored groups that may be the result of non-job related factors in the employment process, the District will revise its recruitment and hiring procedures and policies in accordance with the following provisions. These provisions will be in place henceforth, whether or not underrepresentation exists, because the provisions are also valuable in ensuring EEO. The District's recruitment and hiring procedures will include the following provisions:

\* [Education Code Section 87102](#) requires each district's Plan to address how the district will make progress in achieving the ratio of full-time to part-time faculty hiring as required by [Education Code Section 87482.6](#), while still ensuring equal employment opportunity.

### Recruitment

It is the policy of the district to aggressively pursue a program of recruitment that is inclusive and open to all individuals.

Efforts will be undertaken on a regular basis to develop and contact new recruitment sources that ensure diverse pools of candidates. Diverse pools should include, but not be limited to, men, women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination. The Equal Employment Opportunity Advisory Committee is encouraged to utilize and notify the district of additional recruitment options that may enable the district to obtain a diverse pool of applicants. The district's recruitment and hiring procedures will include the following provisions:

- A. Review the District's recruitment procedures and identify and implement any additional measures which might reasonably be expected to attract candidates from the significantly underrepresented group;
- B. For any job category where continuing underrepresentation exists, the district will apply the recruitment procedures set forth in Title 5, Section 53021 to conduct full and open recruitment for all new openings and will not invoke the provisions for in-house interim appointments or the exception under 53021(c)(7) for engaging an administrator through a professional services contract unless the Superintendent/ President or his/her designee first notifies the governing board and the Equal Employment Opportunity Advisory

Committee in writing of the compelling reason to limit the persons who may be considered for a vacancy in a job category where underrepresentation persists.

- C. Recruitment for all open academic positions shall include, but not be limited to, placement of job announcements in the following instruments:
  - a. General circulation newspapers, general circulation publications, including electronic media.
  - b. Local and regional community newspapers.
  - c. Newspapers and other publications that provide information in languages other than English and to low-income communities.
  - d. Publications, including electronic media that are distributed to the general market and to newspapers, publications whose primary audience is comprised of groups found to be underrepresented in the district's workforce.
  - e. Recruitment booths at job fairs or conferences oriented to both the general market and the economically disadvantaged as well as those events drawing significant participation by groups found to be underrepresented in the district's workforce.
  
- D. At least every two years, or when employment data indicate a necessity, the district shall host an open house for persons interested in employment with the district. The open house will allow potential candidates to meet deans, division chairs, faculty, and classified employees of the district. Attendees will be provided with information regarding current job openings, the demographic makeup of the student body, hiring criteria and procedures, and information on the district's commitment to equal employment opportunity. Efforts will be made to attract diverse groups of individuals to the open house.

### **Job Posting**

The District's recruitment and hiring procedures section on "Job Postings" will be revised to include the following provisions:

### **Review of Initial and Qualified Applicant Pools (Academic Positions Only)**

Initial applicant pools will be reviewed for projected representation of monitored groups. Once the initial pool is approved, the pool will be screened for minimum qualifications, resulting in a qualified applicant pool. The qualified applicant pool will be reviewed so that no monitored group is adversely impacted. Once the qualified applicant pool is approved, the pool will be forwarded to the screening/interview committee. The District's recruitment and hiring procedures will include the following provisions:

- 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:
  - a. any requirements of all applicable federal, state, and local laws; and
  - b. qualifications which the Board of Governors has found to be job-related throughout the community college system, including the requirement that applicants for academic and administrative positions demonstrate sensitivity to the diversity of community college students.

- B. Discontinue the use of any locally established qualification that has not been found to satisfy the requirements set forth in this section;
- C. Continue using qualification standards meeting the requirements of this section only where no alternative qualification standard is reasonably available which would select for the same characteristics, meet the requirements of paragraph (4), and be expected to have a less exclusionary effect.

### **Screening/Interview Committee Procedures**

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

1. Review the District's recruitment procedures and identify and implement any additional measures which might reasonably be expected to attract candidates from the significantly underrepresented group;
2. Consider various other means of reducing the significant underrepresentation which do not involve taking monitored group status into account and implement any such techniques which are determined to be feasible and potentially effective;
3. Determine whether the group is still significantly underrepresented in the category or categories in question after the measures described in (1) and (2) have been in place for a reasonable period of time;
4. 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:
  - any requirements of all applicable federal, state, and local laws; and
  - qualifications which the Board of Governors has found to be job-related throughout the community college system, including the requirement that applicants for academic and administrative positions demonstrate sensitivity to the diversity of community college students.
5. Discontinue the use of any locally established qualification that has not been found to satisfy the requirements set forth in paragraph (4) of this section;
6. Continue using qualification standards meeting the requirements of paragraph (4) of this section only where no alternative qualification standard is reasonably available which would select for the same characteristics, meet the requirements of paragraph (4), and be expected to have a less exclusionary effect; and

7. Consider the implementation of additional measures designed to promote diversity that are reasonably calculated to address the area of specific need.

For purposes of this section, "a reasonable period of time" means three years, or such longer period as the Chancellor may approve upon the request of the Equal Employment Opportunity Advisory Committee and the Superintendent/President.

Nothing in this section shall be construed to prohibit the District from taking any other steps it concludes are necessary to ensure equal employment opportunity, provided that such actions are consistent with the requirements of all applicable laws.

### **Plan Component 13: Developing & Maintaining Institutional Commitment to Diversity**

Establishing and maintaining a richly diverse workforce is an on-going process that requires continued institutionalized effort. Equal employment opportunity means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the District. Equal employment opportunity should exist at all levels and in all job categories. Ensuring equal employment opportunity also involves creating an environment that fosters cooperation, acceptance, democracy and free expression of ideas, and is welcoming to men, women, persons with disabilities and individuals from all ethnic and other groups protected from discrimination. The following are tools that may be used by the District in developing and maintaining its ongoing commitment to diversity:

1. Conduct surveys related to EEO of campus climate on a regular basis and implement concrete measures that utilize the information drawn from the surveys;
2. 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;
3. Provide training on elimination of bias in hiring and employment;
4. Provide cultural awareness training to members of the campus community;
5. Maintain a variety of programs to support newly-hired employees such as mentoring, professional development, and leadership opportunities;
6. Audit and/or maintain updated job descriptions and/or job announcements;
7. Provide training to the District's Board of Trustees on the elimination of bias in hiring and employment at least once every election cycle;
8. Maintain a "Diversity, Equity and Inclusivity @ SMC" 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 lists resources and contact persons for further information on all of these topics;

9. Seek direct contact with student, professional, community and other organizations that represent the diverse community we serve. These organizations can serve as resources for referring potential candidates;
10. Timely and thoroughly investigate all complaints filed under Title 5 of the California Code of Regulations, Section 53000 *et seq.*, and all harassment and discrimination complaints filed under Title 5 of the California Code of Regulations, Section 59300 *et seq.*, and take appropriate corrective action in all instances where a violation is found;
11. Timely comply with the requirements of California Government Code Section 12950.1 (*e.g.*, AB 1825 training) and include all forms of harassment and discrimination in the training;
12. Through the District's publications and website, convey the District's diversity and commitment to equal employment opportunity;
13. Through the District's mission statement, convey the District's commitment to diversity and inclusion and its commitment to a diverse and inclusive workforce that promotes the District's educational goals and values;
14. Through the District's hiring procedures, require that applicants for all positions are demonstrate sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students in a manner specific to the position;
15. Through District staff members, serve as resources, consultants, mentors and/or leaders to colleagues at other districts in the areas of EEO and diversity enhancement;
16. Maintain updated curricula, texts, and/or course descriptions to expand the global perspective of the particular courses, readings, or discipline;
17. Address issues of inclusion/exclusion in a transparent and collaborative fashion;
18. Attempt to gather information from applicants who decline job offers to find out why, record this information, and utilize it; and
19. Conduct longitudinal analysis of various employment events by monitored group status such as hiring, promotion, retention, voluntary resignation, termination, and discipline.

#### **Plan Component 14: Accountability**

The District, through the Equal Employment Opportunity Officer, shall provide all reports and certifications required by the State Chancellor, including, without limitation, those required under Sections 53024.2 and 53034 of Title 5 of the California Code of Regulations.

