



Equal Employment Opportunity Plan 2018-2021

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Executive Summary

Yuba Community College District spans over 4,200 square miles in eight counties, employs in excess of 400 permanent employees and serves over 10,000 students per year throughout the District's colleges and outreach facilities. As one of the largest key employers and contributors to the communities within the District, the District strives to provide a high quality education that will ensure a diverse, trained and motivated workforce. Supporting the principles of equity and diversity in the workforce is a pivotal component of providing the best possible educational experience. The District's Equal Employment Opportunity Plan (EEO Plan) is the framework that will be used to develop policies and services to promote equal employment opportunity, promote inclusiveness and foster the values of inclusion and diversity.

Purpose of the Equal Employment Opportunity Plan

The Yuba Community College District's Equal Employment Opportunity (EEO) Plan addresses the requirements of Education code section 87106(b) for compliance with the Board of Governors regulations on equal employment opportunity hiring and applicable state and federal nondiscrimination statutes, and for guidelines in improving the equality of opportunity.

California community college districts are responsible for the preparation of an equal employment opportunity plan to be submitted and approved by the Chancellor's Office. "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 listed in section 53004(a) of Title 5 of the California Code of Regulations (henceforth referred to as "Title 5" or referenced by section number). Ensuring equal employment opportunity also involves creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas and that is welcoming to all individuals. An "Equal Employment Opportunity Plan" is a written document in which a district's workforce is analyzed and specific plans and procedures are set forth for ensuring equal employment opportunity.

Objectives of the EEO Plan

The objectives of the District's Equal Employment Opportunity Plan and Guidelines are to:

- Address the legal requirements for the District's Equal Employment Opportunity Plan, pursuant to section 53003 of Title 5.
- Provide guidance that will assist in the goal of achieving a diverse workforce.
- Assist in the development of materials to train faculty and staff on the components of the Equal Employment Opportunity Plan requirements.

Adoption of the EEO Plan

The District's Equal Employment Opportunity Plan (Plan) was adopted by the Governing Board in June 2016. The Plan reflects the District's commitment to equal employment opportunity. It is the District's belief that taking active and vigorous steps to ensure equal employment opportunity and creating a working and academic environment which is welcoming to all, will foster diversity, promote excellence and provide student success.

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

The Yuba Community College District has maintained its commitment to equal employment opportunity and diversity processes and practices which were in place prior to the passage of Proposition 209, and thereafter Yuba Community College District continues to affirm equal employment opportunity, equity, diversity and inclusion as part of the District's core values.

Plan Component and Guidelines

Plan Component 1 – Introduction

The plan reflects the District's commitment to equal employment opportunity.

Plan Component 2 – Definitions

Definitions are provided to clarify technical or problematic concepts so everyone will attach the same meaning to the terms used throughout the document.

Plan Component 3 – Policy Statement

The District has made a commitment to ensuring that all qualified applicants have the same opportunity of being selected and that no candidate is given special consideration or discriminated against.

Plan Component 4 – Delegation of Responsibility, Authority and Compliance

Ultimate responsibility for implementation of the EEO Plan rests with the Board of Trustees. The Board delegates this responsibility to the Chancellor and designates the Chief Human Resources Officer as the EEO Officer. The EEO Officer is responsible for the day to-day administration of compliance with regulations governing EEO.

Plan Component 5 – Advisory Committee

The EEO Committee serves as the District advisory body on EEO matters.

Plan Component 6 – Complaints

The District has a complaint process for any person who feels the EEO regulations have been violated. This section explains the process for submitting a complaint.

Plan Component 7 – Notification to District Employees

Each year the Office of Human Resources will provide all employees with a copy of the Board's EEO Policy Statement and a written notice summarizing the provisions of the EEO Plan. Additionally, the EEO Policy Statement and Plan is available to District employees through various means, including the District's website.

Plan Component 8 – Training for Screening/Selection Committees

Those serving as the Equal Employment Opportunity (EEO) Representative and participating in the recruitment, screening, and selection of candidates must receive training within two years or 24 months prior to the EEO service. This training will consist of Title 5 regulations on equal employment opportunity, state and federal nondiscrimination laws, the EEO Plan requirements, and the District's policies on nondiscrimination, culture, recruitment, and hiring.

Plan Component 9 – Annual Written Notice to Community Organizations

The District will make written notification of the EEO Plan to community and professional organizations annually.

Plan Component 10 – Analysis of District Workforce and Applicant Pool

The District will survey the workforce composition on an annual basis including seven categories of employees. Additionally, the District will evaluate the progress in implementing the EEO Plan and determine whether any monitored group is underrepresented.

Plan Component 11 – Analysis of Degree of Under Representation and Significant Under Representation

The EEO Committee will develop a process to determine the degree of under representation and significant under representation.

Plan Component 12 – Methods to Address Under Representation

To address any under representation of monitored groups, the EEO Officer or designee may review recruitment sources, job announcements, qualified applicant pools and screening/selection committee procedures.

Plan Component 13 – Additional Steps to Remedy Significant Under Representation

If the EEO Committee determines that significant under representation exists, the committee will identify additional measures to attract candidates.

Plan Component 14 – Other Measures Necessary to Further Equal Employment Opportunity

The Board of Trustees has adopted the “Diversity Plan for Yuba Community College District” to address other measures necessary to further equal employment opportunity.

Board Policy 1300, Adopted: March 11, 2009, Revised: 12/6/2017.

Yuba College’s Diversity Plan: <https://yc-acc.yccd.edu/Data/Sites/1/userfiles/11.10.10.ycdiversityplan.pdf>

Woodland Community College’s Diversity Plan:

<http://php.yccd.edu/documents/viewdocument.php?id=3243>

Plan Component 15 – Persons with Disabilities: Accommodations and Goals for Hiring

Accommodations and Goals for Hiring Applicants and employees with disabilities shall receive reasonable accommodations consistent with state and federal law. The District may take additional steps that take disability into account to achieve projected representation.

Plan Component 16 – Graduate Assumption Program of Loans for Education

The District will establish and maintain the proper protocol to inform students about the Graduate Assumption Program of Loans for Education (GAPLE). The GAPLE program is currently unfunded.

Adoption of Equal Employment Opportunity Plan

Section 53003(a) of Title 5 requires the District’s Governing Board to develop and adopt a Districtwide written Equal Employment Opportunity Plan to implement its equal employment opportunity program. The District’s Plan and any revisions must be submitted to the California Community College (CCC) Chancellor’s Office for review and approval. Section 53003(b) requires the District to review its Plan at least every three (3) years and, if necessary, revise and submit it to the CCC Chancellor’s Office. The District must notify the CCC Chancellor at least thirty days (30) prior to adopting any other amendments to its Plan.

Plan and Guidelines

Plan Component 1: Introduction

The District’s Plan was adopted by the Governing Board on May 13, 2009. This Plan reflects the District’s commitment to equal employment opportunity. It is the District’s belief that equal employment opportunity and creating a working and academic environment, which is welcoming to all, will foster diversity and promote excellence. This Plan’s immediate focus is on equal employment opportunity in its policies and practices pursuant to the applicable Title 5 regulations (section 53000 et seq.)

Plan Component 2: Definitions

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

Diversity includes, but is not limited to, ethnicity, color, language, accent, immigration status, ancestry, national origin, age, gender, ideology, religion or spirituality, sexual orientation, transgender, marital status, socioeconomic status, veteran status, and physical or mental disability.

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 listed in section 53004(a). Ensuring equal employment opportunity also involved creating an environment that fosters openness, cooperation, acceptance, democracy, respect, and free expression of ideas and that is welcoming to men and women, persons with disabilities and individuals from all ethnic groups protected from discrimination by Title 5, section 53000 et seq.

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 equal employment opportunity through equity, diversity, and inclusion.

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

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

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

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

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

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

Person with a Disability: any person who (1) has a physical or mental impairment as defined in Government Code, section 12926 which limits one or more of such person's major life activities, (2) has a record of such an impairment, or (3) is regarded as having such an impairment. A person with a disability is "limited" if the condition makes the achievement of the major life activity difficult.

Projected Representation: the percentage of persons from a monitored group determined by the CCC Chancellor to be available and qualified to perform the work in question.

Reasonable Accommodation: the efforts made on the part of the District to remove artificial or real barriers, which prevent or limit the employment and upward mobility of persons with disabilities. "Reasonable accommodations" may include the items designated in section 53025.

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

Significantly Under Represented 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.

Plan Component 3: Policy Statement

The District is committed to the principles of equal employment opportunity and will implement a comprehensive program to put those principles into practice. It is the district's policy to ensure that all qualified applicants for employment and employees have full and equal access to employment opportunity, and are not subject to discrimination in any program or activity of the district on the basis of ethnic group identification, race, color, national origin, religion, age, sex, physical disability, mental disability, ancestry, sexual orientation, language, accent, citizenship status, transgender status, parental status, marital status, economic status, veteran status, medical condition, or on the basis of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.¹ The district will strive to achieve a workforce that is welcoming to both women and men, persons with disabilities and individuals from all races, ethnic and other groups to ensure the district provides an inclusive educational and employment environment. Such an environment fosters openness, cooperation, acceptance, democracy, trust, honesty, and free expression of ideas.

An Equal Employment Opportunity Plan will be maintained to ensure the implementation of equal employment opportunity principles that confirm to federal and state laws.

¹ Individuals in the protected categories bolded above, and those perceived as having or associated with persons or groups having or perceived to have one or more of these characteristics, are covered by the nondiscrimination regulations adopted by the Board of Governors (Title 5, sections 59300 et seq.). Individual districts may broaden the scope of protected categories, and in some cases may be required to do so by other law or local ordinance. Although districts may broaden who is protected under their nondiscrimination statement, these additional groups will not be entitled to the safeguards under the Title 5 regulations in regards to appeal and/or review by the Chancellor's Office.

Plan Component 4: Delegation of Responsibility, Authority and Compliance

It is the goal of the District that all employees promote and support equal employment opportunity. 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.

Governing Board: The Governing Board is ultimately responsible for proper implementation of the District's Plan at all levels of District and College operation, and for ensuring equal employment opportunity as described in this Plan.

Chief Executive Officer: The Governing Board delegates to the Chief Executive Officer, the Chancellor of the District, the responsibility for ongoing implementation of this Plan and for providing leadership in supporting the District's equal employment opportunity policies and procedures. The Chief Executive Officer shall advise the Governing 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 Chief Executive Officer shall evaluate the performance of all administrative staff who report directly to him/her on their ability to follow and implement the Plan.

Equal Employment Opportunity Officer: The District has designated the Chief Human Resources Officer as its Equal Employment Opportunity Officer who is responsible for the

¹ Individuals in the protected categories bolded above, and those perceived as having or associated with persons or groups having or perceived to have one or more of these characteristics, are covered by the nondiscrimination regulations adopted by the Board of Governors (Title 5, sections 59300 et seq.). Individual districts may broaden the scope of protected categories, and in some cases may be required to do so by other law or local ordinance. Although districts may broaden who is protected under their nondiscrimination statement, these additional groups will not be entitled to the safeguards under the Title 5 regulations in regards to appeal and/or review by the Chancellor's Office.

day-to-day implementation of the Plan. If the designation of the Equal Employment Opportunity Officer changes before this Plan is next revised, the District will notify employees and applicants for employment of the new designee. The Equal Employment Opportunity Officer is responsible for administering, implementing and monitoring this Plan and for assuring compliance with the requirements of Title 5, sections 53000 et seq. The Equal Employment Opportunity Officer is

also responsible for receiving complaints described in Plan Component 6 and for ensuring that applicant pools and selection procedures are properly monitored.

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 this Plan in conformance with state and federal regulations and guidelines, assist in monitoring equal employment opportunity progress, and provide suggestions for Plan revisions as appropriate.

Agents of the District: Any organization or individual, whether or not an employee of the District, who acts on behalf of the Governing Board 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.

Good Faith Effort: The District shall make a continuous good faith effort to comply with all the requirements of this Plan.

Plan Component 5: Advisory Committee

In accordance with this Plan, the District has established a District Equal Employment Opportunity Committee as the authorized advisory committee as outlined in the Equal Employment Opportunity Purpose Statement. The committee may also assist in promoting an understanding and support of equal opportunity and nondiscrimination policies and procedures. The committee may sponsor events, training, or other activities that promote equal employment opportunity, nondiscrimination, retention and diversity. The equal employment opportunity officer shall train the advisory committee on equal employment compliance and the Plan itself. The committee should include a diverse membership when possible. The committee shall be composed of at least two to four faculty representatives, two to four classified representatives, two students, and the District Chief Human Resources Officer/Equal Employment Officer (Committee Chair). The Equal Employment Opportunity Advisory Committee will hold a minimum of two (2) meetings per year (fall and spring), with additional meetings as needed to review EEO and diversity efforts, programs, policies, and progress. Appointments shall follow the principals of shared governance and include bargaining unit members whenever possible. A member from each college's Cultural Competence, Equity & Diversity Committee should be included in the District EEO Advisory Committee.

The District EEO Advisory Committee shall work with each college's Cultural Competence, Equity and Diversity committees in promoting an understanding and support of equal opportunity and nondiscrimination policies and procedures.

Plan Component 6: Complaints

Complaints Alleging Violation of the Equal Employment Opportunity Regulations (Section 53026): The District has established the following process permitting any person to file a complaint alleging that the requirements of the equal employment opportunity regulations have been violated. Any person who believes that the equal employment opportunity regulations have been violated may file a written complaint describing in detail the alleged violation. All complaints shall be signed and dated by the complainant and shall contain, to the best of the complainant's

ability, the names of the individuals involved, the date(s) of the event(s) at issue, and a detailed description of the actions constituting the alleged violation. Complaints involving current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than sixty (60) days after such occurrence unless the complainant can verify a compelling reason for the District to waive the sixty (60) day limitation.

Complaints alleging violations of this Plan that do not involve current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than ninety (90) days after such occurrence unless the violation is ongoing. A complainant may not appeal the District's determination pursuant to section 53026 to the CCC Chancellor's Office, but under some circumstances, violations of the equal employment opportunity regulations in Title 5 may constitute a violation of a minimum condition for receipt of state aid. In such a case, a complaint can be filed with the CCC Chancellor's Office, but the complainant will be required to demonstrate that he/she made previous reasonable, but unsuccessful, efforts to resolve the alleged violation at the District level using the process provided by section 53026. See *California Community Colleges (CCC) Chancellor's Office Guidelines for Minimum Conditions Complaints* at:

http://extranet.cccco.edu/Portals/1/Legal/Resources/Discrim_Cplnt_2008_16fnt.pdf

The district may return without action any complaints that are inadequate because they do not state a clear violation of the EEO regulation. All returned complaints must include a district statement of the reason for returning the complaint without action.

The complaint shall be filed with the Equal Employment Opportunity Officer. If the complaint involves the equal employment opportunity officer, the complaint may be filed with the chief executive officer of the district. To the extent practicable, a written determination on all accepted written complaints will be issued to the complainant within ninety (90) days of the filing of the complaint. The equal employment opportunity officer will forward copies of all written complaints to the Chancellor's Office upon receipt.

In the event that a complaint filed under section 53026 alleges unlawful discrimination, it will be processed according to the requirements of section 59300 et seq.

Complaints Alleging Unlawful Discrimination or Harassment (Section 59300 et seq.): The District has adopted procedures for complaints alleging unlawful discrimination or harassment. The Chief Human Resources Officer is responsible for receiving such complaints and for coordinating their investigation in accordance with established policies. The Chief Human Resources Officer may designate or assign investigation responsibilities, as appropriate. The District's discrimination and sexual harassment complaint policies and procedures are stated in the following policies and regulations located at the District website:
<http://www.boarddocs.com/ca/yccd/board.nsf/public>

AP 3410- Non-discrimination

AP 3430- Prohibition of Harassment

AP 3435- Discrimination and Harassment Investigations

Plan Component 7: Notification to District Employees

The commitment of the Governing Board and the Chief Executive Officer to equal employment opportunity is emphasized through the broad dissemination of its Equal Employment Opportunity

Policy Statement and this Plan. The policy statement will be printed in College catalogs and class schedules. This Plan and subsequent revisions will be distributed to the District's Governing Board, the Chief Executive Officer, administrators, the academic senate leadership, union representatives and members of the District Equal Employment Opportunity Advisory Committee. This Plan will be available on the District's website, and when appropriate, may be distributed by e-mail. Each year, the District Office will provide all employees with a copy of the Governing Board's Equal Employment Opportunity Policy Statement (located in Plan Component 3 of this Plan) and written notice summarizing the provisions of the District's Equal Employment Opportunity Plan. The Office of Human Resources will provide all new employees with a copy of the written notice described above when they commence their employment with the District. The annual notice will contain the following provisions:

1. The importance of the employee's participation and responsibility in ensuring this Plan's implementation.
2. Where complete copies of this Plan are available, including in each college/campus library, on the District and College websites, the Office of the Chief Executive Officer, the Office of Human Resources, each department office, and each college/campus Office of Equal Employment Opportunity.

Plan Component 8: Training for Screening/Selection Committees

Any organization or individual, serving as the Equal Employment Opportunity Representative, who is involved in the recruitment and screening/selection of personnel shall receive appropriate training on the requirements of the Title 5 regulations on equal employment opportunity (section 53000 et. seq.); the requirements of federal and state nondiscrimination laws; the requirements of the District's Equal Employment Opportunity Plan; and the District's policies on nondiscrimination, recruitment, and hiring. Persons serving in the above capacities will be required to receive training within the twenty four(24) months prior to service. This training is mandatory. Individuals who have not received this training will not be allowed to serve on screening/selection committees as the Equal Employment Opportunity Representative. The State Chancellor's Office recommends that for best practice, all members on hiring committees are EEO trained. The Equal Employment Opportunity Officer is responsible for providing the required training to any individual, whether or not an employee of the District acting on behalf of the District with regard to recruitment and screening of employees is subject to the equal employment opportunity requirements of Title 5 and the District's Equal Employment Opportunity Plan.

Plan Component 9: Annual Written Notice to Community Organizations

The Equal Employment Opportunity Officer will provide annual written notice to appropriate community-based and professional organizations concerning this Plan. The notice will inform these organizations that they may obtain a copy of this Plan, and shall solicit their assistance in identifying diverse qualified candidates. The notice will include a summary of this Plan. The notice will also include the website address where the District advertises its job openings and the names, departments and phone numbers of individuals to call in order to obtain employment information. A list of organizations, which will receive this notice, is attached to this Plan. This list may be revised from time to time as necessary.

Plan Component 10: Analysis of District Workforce and Applicant Pool

The categories listed in section 53004(a) are: 1) Executive/Administrative/Managerial; 2) Faculty and other Instructional Staff; 3) Professional Non-faculty; 4) Secretarial/Clerical; 5) Technical and Paraprofessional; 6) Skilled Crafts; 7) Service and Maintenance.

The Office of Human Resources will annually survey the District's workforce composition and shall monitor applicants for employment on an ongoing basis to evaluate the District's progress in implementing this Plan, to provide data needed for the reports required by this Plan and to determine whether any monitored group is underrepresented. Monitored groups are men, women, American Indians or Alaskan natives, Asians or Pacific Islanders, Blacks/African-Americans, Hispanics/Latinos, Caucasians, and persons with disabilities².

For purposes of the survey and report each applicant or employee will be afforded the opportunity to voluntarily identify his/her gender, ethnic group identification and, if applicable, his/her disability. Persons may designate as many ethnicities as they identify with, but shall be counted in only one ethnic group for reporting purposes. This information will be kept confidential and will be separated from the applications that are forwarded to the screening/selection committee and hiring administrator(s). This survey will be done for each College in the District and the District Office. The District will annually report to the CCC Chancellor the results of its annual survey of employees. At least every three (3) years the Plan will be reviewed and, if necessary, revised based on an analysis of the ethnic group identification, race, gender, and disability composition of existing staff and of those who have applied for employment in each of the seven identified job categories listed above³.

Yuba Community College District Workforce Report, State Wide Comparison Report and Applicant Report: Page 29.

Plan Component 11: Analysis of Degree of Under Representation and Significant Under Representation

The EEO Advisory Committee may utilize data to analyze and determine the degree of under representation and significant under representation.

² *The Asian subgroup breakdown must be reported in the annual reports, but the breakdown by Asian subgroups is not necessary when addressing the issue of under representation in the Plan*

Plan Component 12: Methods to Address Under Representation

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

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

Recruitment: The District will use recruitment sources that provide diverse pools of candidates. The District's Equal Employment Opportunity Advisory Committee is encouraged to utilize and notify the District of additional recruitment options that may enable the District to obtain a diverse pool of applicants. All job announcements will state that the District is an "Equal Employment Opportunity Employer." The District will include in the recruitment section of its Recruitment and Hiring Procedures the following provisions:

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

- General circulation newspapers, general circulation publications and electronic media including social media.
- Local and regional community newspapers.
- Newspapers, publications, and radio and television stations that provide information in languages other than English and to low-income communities.

³ *Title 5 section 53004(a) does not require the Plan to break down the "Faculty and other Instructional Staff" category into discipline and part-time subcategories. However, since these are the categories the CCC Chancellor's Office will likely use when providing availability data, the District has chosen to use the same categories.*

- Publications, including electronic media that are distributed to the general market and to newspapers, publications, and radio and television stations, whose primary audience is comprised of groups found to be under represented in the District's workforce.
- Recruitment booths at job fairs or conferences oriented to both, the general market and the economically disadvantaged as well as those events drawing significant participation by groups found to be under represented in the District's workforce.

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

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

Review of Initial and Qualified Applicant Pools:

- The application for employment will provide each applicant an opportunity to voluntarily identify his/her gender, ethnic group identification and, if applicable, his/her disability. This information will be kept confidential and used only in research, validation, monitoring, evaluating the effectiveness of the District's equal employment opportunity program, or any other purpose specifically authorized by any applicable statute or regulation.
- After the application deadline has passed, the composition of the initial applicant pool will be analyzed to ensure that any failure to obtain projected representation for any monitored group is not due to discriminatory recruitment procedures. If necessary, the application deadline will be extended and additional recruitment will be conducted that eliminates discriminatory recruitment procedures and ensures that recruitment efforts provide a full and fair opportunity for participation to a wide diversity of potential applicants. When recruitment efforts have offered an opportunity for participation to a wide diversity of potential applicants or further recruitment efforts would be futile, applications will be screened to determine which candidates satisfy job specifications set forth in the job announcement.

- Before the selection process continues, the composition of the qualified applicant pool will be analyzed to ensure that no monitored group is adversely impacted. If adverse impact is found to exist, the Chief Executive Officer or his/her designee shall take effective steps to address the adverse impact before the selection process continues. Such steps may include, but are not limited to:
 1. Extending the deadline and undertaking inclusive outreach efforts to ensure that members of the adversely impacted group have equal opportunity to seek employment with the District;
 2. Including all applicants who were screened out on the basis of any locally established qualifications beyond state minimum qualifications which have not been specifically demonstrated to be job-related and consistent with business necessity through a process meeting the requirements of federal law or which are not among those which the Board of Governors has found to be job-related and consistent with business necessity throughout the community college system.
 3. If adverse impact persists after taking steps required as outlined in this component of this Plan, the selection process may proceed only if:
 - The job announcement does not require qualifications beyond the statewide minimum qualifications; or
 - Locally established qualifications beyond state minimum qualifications, if any, are demonstrated to be job-related and consistent with business necessity through a process meeting the requirements of federal law and suitable alternative selection procedures to reduce the adverse impact were unavailable; or
 - The particular qualification beyond statewide minimum qualifications which are used in the job announcement are among those which the Board of Governors has found to be job-related and consistent with business necessity throughout the community college system.
 4. The District will not advertise or utilize in future hiring processes for the same position or a substantially similar position any locally established qualifications beyond state minimum qualifications that the District was unable to verify, as outlined in this component of this Plan, unless such qualifications are so verified in advance of commencing any such future hiring process.

Recruitment/Selection Committee Procedures:

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

1. All screening or selection techniques, including the procedure for developing interview questions, and the selection process as a whole, will be:
 - Designed to ensure that, for faculty and administrative positions, meaningful consideration is given to the extent to which applicants demonstrate a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students.
 - Based solely on job-related criteria; and
 - Designed to avoid an adverse impact and monitored by means consistent with this section to detect and address adverse impact which does occur for any monitored group.
2. **For best practice, before a person can serve on a screening/selection committee, he/she must receive equal employment opportunity and diversity training.**
3. If monitoring for adverse impact reveals that any selection technique or procedure has adversely impacted any monitored group, the Chief Executive Officer or his/her designee will do the following:
 - Suspend the selection process and take timely and effective steps to remedy the problem before the selection process resumes.
 - When appropriate, assist the screening/selection committee by discussing the overall composition of the applicant pool and the screening criteria or procedures, which have produced an adverse impact, provided that confidential information about individual candidates is not disclosed.

- If adverse impact results from locally established qualifications beyond state minimum qualifications that have not been verified as job-related and consistent with business necessity, the use of such locally established qualifications will be immediately discontinued and any applicants eliminated on the basis of such qualifications will be placed back in the pool and continue to be considered during the hiring process.
 - Where necessary, the position may be reopened at any time and a new selection process initiated in a way designed to avoid adverse impact.
4. The District will not designate or set aside particular positions to be filled by members of any group defined in terms of ethnic group identification, race, color, ancestry, national origin, age, sex, religion, sexual orientation, marital status, disability, or medical condition, or engage in any other practice, which would result in discriminatory or preferential treatment prohibited by state or federal law. The District will not apply this Plan in a rigid manner that has the purpose or effect of so discriminating.
 5. The District will review all of its current and future job specifications to ensure that seniority or length of service is taken into consideration only to the extent it is job-related, is not the sole criterion, and is included in the job announcement consistent with the requirements of Plan Component 12 (see Title 5, §§ 53022 and 53024(d)).

Service will be considered job-related for purposes of taking seniority or length of service into account only if it is closely related to the actual teaching or other faculty assignment. Service in the same department will not automatically be considered closely related unless the actual assignments within the department are similar. The use of seniority or length of service will be assessed for adverse impact in each selection process where it is taken into account. If adverse impact results from the use of seniority or length of service as a job-related factor, the process will continue only if applicants who were eliminated by the use of seniority or length of service considerations are placed back in the pool and continue to be considered during the hiring process.
 6. Selection testing for employees will follow procedures as outlined in the Equal Employment Opportunity Commission's *Uniform Guidelines on Employee Selection Procedures*.

7. The Hiring Committee Chair shall make all hiring recommendations based upon careful review of the candidate or candidates recommended through the screening/selection committee subject to final approval by The Governing Board of Trustees. This includes the right to reject all candidates and to order further review or to reopen the position where necessary to achieve the objectives of the Plan or to ensure equal employment opportunity.
8. The District will review the pattern of its hiring decisions over time, and if it determines that those patterns do not meet the objectives of the Plan, the District may request the Equal Employment Opportunity Advisory Committee to recommend new methods to meet the Plan objectives, or if necessary, to modify the Plan itself to ensure equal employment opportunity.

Plan Component 13: Additional Steps to Remedy Significant Under Representation

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

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

1. Review its recruitment procedures and identify and implement any additional measures which might reasonably be expected to attract candidates from the significantly underrepresented group;
2. Consider various other means of reducing the under representation which do not involve taking monitored group status into account, and implement any such techniques which are determined to be feasible and potentially effective;
3. Determine whether the group is still significantly underrepresented in the category or categories in question after the measures described in (1) and (2) have been in place a reasonable period of time; and;
4. If significant under representation persists, the staffing rate for the significantly underrepresented group in the specified job category or categories will be monitored on an ongoing basis until the projected representation has been achieved for that group in the category or categories in question.
5. If a reasonable period of time passes and significant under representation persists for a particular group in the job category in question, the District will:

- Review each District established "required," "desired" or "preferred" qualification being used to screen applicants for positions in the job category to determine if it is job-related and consistent with business necessity through a process meeting the requirements of federal law or is among those qualifications which the Board of Governors has found to be job-related and consistent with business necessity throughout the community college system;
 - Discontinue the use of any District established qualification that has not been found to satisfy the requirements set forth in paragraph (1) above; and
 - Continue using qualification standards meeting the requirements of paragraph (1) only where no alternative qualification standard is reasonably available which would select for the same characteristics, meet the requirements of paragraph (1) and be expected to have a less exclusionary effect.
6. For purposes of this section, "a reasonable period of time" means three (3) years, or such longer period as the CCC Chancellor may approve, upon the request of the Equal Employment Opportunity Advisory Committee and the Chief Executive Officer, where the District has not filled enough positions to appreciably affect its work force in the job category in question.
7. Nothing in this section will be construed to prohibit the District from taking any other reasonable steps it concludes are necessary to ensure equal employment opportunity, such as focused recruitment, provided that such actions are consistent with the requirements of federal and state constitutional and statutory nondiscrimination law.

Plan Component 14: Other Measures Necessary to Further Equal Employment Opportunity

The District recognizes that multiple approaches are appropriate to fulfill its mission of ensuring equal employment opportunity and the creation of a diverse and inclusive workforce. Equal employment opportunity means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the district. Equal employment opportunity should exist at all levels and in all job categories. Ensuring equal employment opportunity also involves creating an environment that fosters openness, cooperation, acceptance, democracy, trust and free expression of ideas and is welcoming to men and women, persons with disabilities, and individuals from all ethnicities, races, and other groups protected from discrimination. The district may consider the following options, among others, to further equal employment opportunity:

1. Conduct campus climate studies to identify hidden barriers.
2. Include additional guest speakers from underrepresented groups who are in leadership positions and who may inspire students and employees alike.
3. Highlight the District's equal employment opportunity and diversity policies in job announcements and in its recruitment, marketing, and other publications. Include in job announcements language indicating that candidates are required to demonstrate that they can infuse diversity into their major job duties.
4. Conduct additional diversity dialogues, forums, and cross-cultural workshops.
5. Work with the College Curriculum Committee to assist in the development of a "Diversity Instructional Tool Kit" as a resource for faculty interested in infusing diversity and multiculturalism into their instruction or services to students.
6. Review and revise college/district publications and other marketing tools to reflect diversity in pictures, graphics, and text to project an inclusive image.
7. May recognize and value staff and faculty who have promoted diversity and equal employment opportunity principles by awarding a yearly diversity recognition award.
8. Require a series of EEO/diversity workshops at all instructional improvement days (convocation week or flex week).
9. 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.
10. Promote sabbaticals that will assist the district in achieving its equal employment opportunity and diversity objectives.
11. Promote additional cultural celebrations on campus.

12. Recognize multilingualism and knowledge of multiculturalism as a desired, and when appropriate, required skill and qualification for community college employees.
13. Have a formal diversity program on campus that is visible, valued and adequately funded.
14. Consider providing for alternative educational or experience requirements for nonacademic positions.
15. Develop leadership opportunities with current staff focusing on diversity.
16. Consider establishing a Community Outreach Advisory Council to involve community-based organizations in the recruitment and other equal employment opportunity efforts of the college. Recommended membership could include representatives from local business and industry as well as from diverse community groups such as NAACP, MALDEF, LaRaza, Chamber of Commerce, and City Council(s).
17. Ensure that top administrative staff support diversity objectives and that the diversity and/or equal employment opportunity officer position is maintained as a cabinet or other high-level administrative position.
18. 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.

Plan Component 15: Persons with Disabilities: Accommodations and Goals for Hiring

1. The District will ensure that applicants and employees with disabilities receive reasonable accommodations consistent with the requirements of Government Code sections 11135 et seq. and 12940(m), section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act. Subsequent to the interactive dialogue with applicants and/or employees, pursuant to District policy and procedures, accommodations may include, but are not limited to, job site modifications, job restructuring, part-time work schedules, flexible scheduling, reassignment to a reasonably equivalent vacant position, adaptive equipment, and auxiliary aids such as readers, interpreters, and note takers. Such accommodations may be paid for with funds provided pursuant to Section 53030, et seq.
2. Verify the District's goal for persons with disabilities prior to the effective date of Section 53025, and if significant under representation still exists, the District will update that goal,

set a new target date for achieving projected representation in the category or categories in question, and concurrently comply with subsections (a)(1), (a)(2) and (b) of section 53006 with respect to persons with disabilities by:

- Review District recruitment procedures and identify and implement any additional measures which might reasonably be expected to attract candidates from the significantly under represented group; and
 - Consider various other means of reducing the under representation which do not involve taking monitored group status into account, and implement any such techniques which are determined to be feasible and potentially effective;
3. Where persons with disabilities are found to be significantly under represented, these same measures will be implemented concurrently with setting a goal with a target date for achieving projected representation for persons with a disability in each job category where the under representation was found to exist. Goals shall remain in effect only until projected representation has been achieved for that group in the category or categories in question. Until the CCC Chancellor's Office provides data regarding the availability of persons with disabilities by job category, an aggregate labor force availability rate shall be utilized for setting goals for hiring persons with disabilities with respect to the total District work force. The District may also concurrently take other additional steps which take disability into account, so long as such measures are discontinued when projected representation is achieved for persons with disabilities in the category or categories in question.

Plan Component 16: Graduate Assumption Program of Loans for Education

In accordance with Education Code, 87106, the District may take reasonable steps to inform their students about the opportunity to participate in the Graduate Assumption Program of Loans for Education (GAPLE) authorized by Education Code, section 69618 et seq. The GAPLE program is designed to encourage persons to complete their graduate education and serve as faculty at an accredited California college or university. The GAPLE program is administered by the California Student Aid Commission and is subject to funding priorities.

Requirements and Legal Citations

Plan Component Number and Name	X = Indicates Minimum Plan Requirement	Legal Citation
Plan Component 1: Introduction		Not required to be in <i>Plan</i> .
Plan Component 2: Definitions		Not required to be in <i>Plan</i> , however, Title 5 does provide basic definitions.
Plan Component 3: Policy Statement		Not required to be in <i>Plan</i> , however, Title 5 does require the District to adopt an EEO policy statement.
Plan Component 4: Delegation of Responsibility Authority and Compliance	X	Required to be in <i>Plan</i> .
Plan Component 5: Advisory Committee		Not required to be in <i>Plan</i> , however, Title 5 does require the District establish an EEO Advisory Committee.
Plan Component 6: Complaints	X	Required to be in <i>Plan</i> .
Plan Component 7: Notification to District Employees	X	Required to be in <i>Plan</i> .
Plan Component 8: Training for Screening/Selection Committees	X	Required to be in <i>Plan</i> .
Plan Component 9: Annual Written Notice to Community Organizations	X	Required to be in <i>Plan</i> .
Plan Component 10: Analysis of District Workforce and Applicant Pool	X	Required to be in <i>Plan</i> .
Plan Component 11: Analysis of Degree of Under Representation and Significant Under Representation	X	Required to be in <i>Plan</i> .
Plan Component 12: Methods to Address any Under Representation	X	Required to be in <i>Plan</i> .
Plan Component 13: Additional Steps to Remedy any Significant Under Representation	X	Required to be in <i>Plan</i> .
Plan Component 14: Other Measures Necessary to Further Equal Employment Opportunity	X	Required to be in <i>Plan</i> .
Plan Component 15: Persons with Disabilities: Accommodations and Goals for Hiring	X	Goals for hiring persons with disabilities are required to be in <i>Plan</i> .- Language on accommodation is not required.
Plan Component 16: Graduate Assumption Program	X	Required to be in <i>Plan</i> .
Part of Plan 12 Progress in achieving ratio of full-time to part-time faculty hiring while ensuring EEO.	X	Required to be in <i>Plan</i> . Can be located anywhere in the <i>Plan</i> .

**PURPOSE
STATEMENT
2018 - 2021**

Standing Committee:

**EQUAL EMPLOYMENT
OPPORTUNITY**

Sponsor: Donald Grady

Committee Chair: Evelyn Danko

Recorder: Pamela Pajak

Committee Purpose:

The Equal Employment Opportunity Committee is a District-wide committee whose purpose is to develop and implement the District's EEO Plan and to act as an advisory body to the District's EEO Officer.

Specifically, the EEO Committee serves the following purposes:

1. Advises on the review of the District-wide EEO Plan.
2. Attends appropriate training on the requirements of state and federal nondiscrimination laws.
3. Develops and Monitors the appropriate steps that will be taken within the District that ensure fair and legal hiring practices are followed.
4. Reviews and advises on recruitment efforts, job announcements, interview protocols, and other aspects of hiring, retention and promotion processes that impact the District's ability to attract and retain a diverse faculty and staff.
5. Advises on implementing the District's obligation to hire employees with a demonstrated sensitivity to, and understanding of, the diverse academic, socioeconomic, cultural, disability and ethnic backgrounds of community college students.
6. Assists with the promotion of communication with community groups and organizations for people with disabilities.
7. Advises the Chief Human Resources Officer regarding special training or staff development needs regarding EEO.

8. Reviews the District's EEO Plan and monitor its progress; recommend needed changes to the Plan.
9. Assists with developing and delivering the training module for staff to be EEO representatives to serve on hiring committees.

Special Guidelines:

1. The EEO Committee will include a diverse membership.
2. Agenda to be distributed three (3) days in advance of the meeting.
3. Minutes to be distributed five (5) days following each meeting.

Resources:

Office of Human Resources

Academic Senates

Chancellor's Office

Vice Chancellor's Office of Educational Planning and Services

College Presidents (Yuba College & Woodland Community College)

Meeting Schedule:

Each semester as needed.

How Work Is Communicated:

1. Agendas and minutes posted to the YCCD Portal.
2. Regular reports to the College Councils and other groups as requested.

Recommendations Go To:

Chief Human Resources Officer

Finalized: 06/15/04

Updated: 08/08/07, 8/15/08, 04/14/09, 07/01/09, 09/09/10, 09/09/11, 10/16/2012, 06/01/2016, 06/01/2018

**Equal Employment Opportunity (EEO)
Advisory Committee (proposed)**

Updated: 9/2014, 05/13/2016, 06/01/2018

Proposed EEO Advisory Committee

1. Boswell, MARRISA – WCC Classified
2. Danko, Evelyn – Management
3. Deol, Inderjit – YC Classified
4. Fernandez, Caren – WCC Management
5. Grady, Donald – Management
6. Howerton, Christopher – WCC Faculty Rep
7. Mack, Tonya – Management
8. Stottmann, Joseph – YC Classified
9. YC Faculty Rep (Pending)
10. Toche, Anabel – YC Classified Management
11. Vallejo, Jose – WCC Faculty Rep
12. Vannucci, Kristina – YC Classified Management –
13. Student Rep – Yuba College – (Pending)
14. Student Rep – Woodland Community College – (Pending)

EEO/Title 5 Training Compliance

Title 5 requires that every community college employee (faculty, staff and/or administrator) who participates on a recruitment and selection committee be formally trained in EEO/Title 5 regulations. This training specifically consists of Title 5 regulations on equal employment opportunity, state and federal nondiscrimination laws, the district's EEO Plan requirements, and the district's policies on nondiscrimination, recruitment and hiring. While the district has been generally compliant with this Title 5 training requirement, beginning in January 2012, the district, through the concerted actions of the Chancellor and the Office of Human Resources, has significantly enhanced and strengthened its professional development platform which provides this EEO training.

In 2013, the district, through its affiliation with the Community College League of California (CCLC) and the California Community College (CCC) North 14, developed a collaborative working relationship with Liebert, Cassidy and Whitmore, general counsel to both CCLC and the district, offer bi-annual EEO/Title 5 compliance training throughout the district. This training is co-facilitated by staff from the Office of Human Resources and Liebert, Cassidy and Whitmore. This training is offered at each of the college campuses (Yuba College and Woodland Community College) and the Clear Lake Campus. The Office of Human Resources has embedded this training into its formal professional development platform for managers and supervisors, "Strengthening our CORE", which will be discussed further in Chapter 3, "Professional Development".

EEO/Title 5 Compliance Training Presentation:



EEO/Title 5 Compliance Training Workbook: (Appendix:
<http://php.yccd.edu/hr/viewform.php?id=133>)

“Diversity in Community College Employment: Effective and Lawful EEO Hiring and Succession Planning”