OHLONE COMMUNITY COLLEGE
Equal Employment Opportunity Plan
January 1, 2015 – June 30, 2017

Advancing and Enhancing Equity,
Diversity and Cultural Competency
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I. Introduction

The Ohlone Community College District is proud to present its 2015 – 2017 Equal Employment Opportunity Plan (hereinafter referred to as the Plan). The Plan reflects the District’s commitment to equal employment opportunity and promotes practices that are nondiscriminatory. The District’s goal is to craft, nurture, and sustain a working environment that is welcoming to all, fosters and celebrates diversity, and promotes and rewards excellence. An exemplary academic community involves an inclusive environment that best prepares our faculty, staff and students to live, work and contribute to a global society.

The Plan’s immediate focus is equal employment opportunity in the District’s recruitment and hiring policies and practices pursuant to the applicable Title 5 regulations (Section 53000 et seq.). In addition, the Plan focuses on advancing diversity and cultural competency within the District. The Plan includes:

- requirements to comply with Title 5 regulations and provisions relating to equal employment opportunity programs;
- establishment of an Equal Employment Opportunity and Campus Diversity Advisory Committee (EEO-CDAC);
- methods to support equal employment opportunity;
- analysis of the demographic makeup of the District’s workforce population; and
- procedures for dissemination of the Plan.

To properly serve a growing and diverse population, the District will endeavor to attract, hire and retain faculty and staff who are sensitive to, and knowledgeable about, the needs of an increasingly diverse student body it serves, as well as the diverse campus and District communities.

This Plan is intended to continue our important conversation of broadening our focus on inclusion and equity, and on building campus community. We welcome your thoughts and comments on how best to achieve these goals.

Gari Browning, Ph.D. President/Superintendent
II. Definitions

Reference – Title 5 § 53001

1) *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 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.

2) *Chancellor’s Office:* California Community College’s Chancellor’s Office

3) *Diversity:* means a condition of broad inclusion in an employment environment that offers equal employment opportunity for all persons. It requires both the presence, and the respectful treatment, of individuals from a wide range of ethnic, racial, age, national origin, religious, gender, sexual orientation, disability and socio-economic backgrounds.

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.

4) *Equal Employment Opportunity:* means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the district. Equal employment opportunity should exist at all levels in the seven job categories which include executive/administrative/managerial, faculty and other instructional staff, professional nonfaculty, secretarial/clerical, technical and paraprofessional, skilled crafts, and service and maintenance. Equal employment opportunity also involves:

   (a) identifying and eliminating barriers to employment that are not job related; and

   (b) creating an environment which 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.

5) *Equal Employment Opportunity Plan:* a written document in which a district’s workforce is analyzed and specific plans and procedures are set forth for ensuring equal employment opportunity.

6) *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 of Title 5.
7) *Ethnic Group Identification:* means an individual’s identification in one or more of the ethnic groups reported to the Chancellor pursuant to Section 53004 of Title 5. These groups shall be more specifically defined by the Chancellor consistent with State and Federal law.

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

9) *Monitored Group:* means those groups identified in Section 53004(b) of Title 5 for which monitoring and reporting is required pursuant to Section 53004(a) of Title 5.

10) *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.

11) *Reasonable Accommodation:* means the efforts made on the part of the District in compliance with Government Code Section 12926.

12) *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.

13) *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) of Title 5, is below eighty percent (80%) of the projected representation for that group in the job category in question.
III.  Policy Statement

Reference: Title 5 § 53002

The Ohlone Community College District is committed to the principles of equal employment opportunity and will implement a comprehensive program to put those principles into practice. The District is committed to a continuing good faith effort to ensure that all qualified applicants for employment and employees have full and equal access to employment opportunity, and are not subjected to discrimination in any District program or activity of the District on the basis of age, ancestry, color, gender, gender identity, gender expression, genetic information, marital status, medical condition, national origin, parental status, pregnancy, physical or mental disability, race, religion, sexual orientation, or veteran status, military status or on the basis of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

In addition, the District also has an interest in nondiscrimination based on additional factors such as accent, citizenship status, socioeconomic status, learning disabilities and ethnic group identification even though students or employees could not make a legal claim of discrimination based on these factors.

The District strives to achieve a workforce that is welcoming to all individuals, including individuals in legally protected categories to ensure the District provides an inclusive educational and employment environment. Such an environment fosters cooperation, acceptance, democracy and free expression of ideas. The Plan is maintained to ensure the implementation of equal employment opportunity principles that conform to Federal and State laws.
IV. Delegation of Responsibility, Authority and Compliance

References: Title 5 § 53003 (c) (1) Title 5 § 53020 (required)

It is the goal of the Ohlone Community College 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.

1. Board of Trustees

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

2. President/Superintendent

The Board of Trustees delegates to the President/Superintendent the responsibility for ongoing implementation of the Plan and for providing leadership in supporting the District’s equal employment opportunity policies and procedures. The President/Superintendent shall advise the Board of Trustees concerning statewide policy emanating from the Board of Governors of the California Community Colleges.

3. Equal Employment Opportunity Officer

The District has designated the Chief Human Resources Officer as its Equal Employment Opportunity Officer (EEOO) who is responsible for the day-to-day implementation of the Plan. If the designation of the EEOO changes before this Plan is next revised, the district will notify employees and applicants for employment of the new designee. The EEOO is responsible for administering, implementing and monitoring the Plan and for assuring compliance with the requirements of Title 5 § 53000 et seq. The EEOO is also responsible for receiving complaints described in Section VI of the Plan and for ensuring that applicant pools and selection procedures are properly monitored.

4. Equal Employment Opportunity and Campus Diversity Advisory Committee

The District has established an Equal Employment Opportunity and Campus Diversity Committee (EEO-CDAC), as a joint committee, to act as an advisory body to the EEOO and the District as a whole to promote understanding and support of equal employment opportunity policies and procedures. In addition, this joint committee will develop ways for the College to advance diversity and cultural competency via campus events and training/workshops, special events and speakers; as well as to track the District’s activity and development in the areas of diversity and cultural competency. The EEO-CDAC assists in the development and implementation of the Plan.
in compliance with State and Federal regulations and guidelines, monitors equal employment opportunity progress, and provides 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 President/Superintendent 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 and will be given a copy of it.

6. **Good Faith Effort**

The District shall make a continuous good faith effort to comply with all the requirements of its Plan.
V. Equal Employment Opportunity and Campus Diversity Advisory Committee (EEO-CDAC)

Reference: Title 5 § 53005

The District has established an Equal Employment Opportunity and Campus Diversity Advisory Committee (EEO-CDAC) to assist the district in implementing its Plan. EEO-CDAC has dual purposes: (1) Act as an advisory body to the District as a whole to promote understanding and support of equal opportunity and nondiscrimination policies and procedures; and (2) develop ways for the College to advance diversity and cultural competency via campus events and trainings/workshops.

The committee shall assist in the review, update, and implementation of the Plan in compliance with State and Federal EEO regulations and guidelines, monitor equal employment opportunity progress, and provide suggestions for Plan revisions as appropriate.

The committee, in collaboration with other staff development committees may also sponsor events, training, or other activities that promote equal employment opportunity, nondiscrimination, retention and diversity.

The EEOO shall train the advisory committee on equal employment compliance and the Plan itself.

The committee shall include a diverse membership whenever possible. A substantial good faith effort to maintain a diverse membership is expected. If the District has been unable to meet this objective, it will document what efforts were made to recruit advisory committee members who represent diversity.

The committee will be composed of two members of the faculty appointed by the Faculty Senate President; two members of the classified staff appointed by the respective unions (CSEA and SEIU); one member of the administration and one confidential employee appointed by the President/Superintendent; two students recommended by the Associated Students (ASOC). Additional members may be appointed by the President/Superintendent.
VI. Complaints

References: Title 5 § 53003 (c) (1) Title 5 § 53026 (required)

Complaints Alleging Violation of the Equal Employment Opportunity Regulations (Title §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\(^1\) 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 the 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. As directed by the Chancellor’s Office, the decision of the District in complaints pursuant to Section 53026 is final. See California Community Colleges Chancellor’s Office Guidelines for Minimum Conditions Complaints at:
http://extranet.cccco.edu/Divisions/Legal/Discrimination.aspx

In addition, complaints can be filed using Ohlone’s complaint procedures at:
http://www.ohlone.edu/org/hr/docs/unlawfuldiscriminationcomplaintform.pdf

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

The complaint shall be filed with the EEOO. If the complaint involves the EEOO, the complaint may be filed with the President/Superintendent. A written determination on all accepted written complaints will be issued to the complainant within ninety (90) days of the filing of the complaint. If this is not practical, a written notification will be provided to the complainant as to the reasons for the extension and estimated date of completion. The EEOO 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.

\(^1\) The equal employment opportunity regulations are found in California Code of Regulations, Title 5, Section 53000 et seq.
VII. Notification to District Employees

Reference: Title 5 § 53003 (c) (3) (required)

The commitment of the Board of Trustees and the President/Superintendent to equal employment opportunity is emphasized through the broad dissemination of its Equal Employment Opportunity policy statement and the Plan. The policy statement will be printed in the College catalog. The Plan and subsequent revisions will be distributed to the District’s Board of Trustees, the President/Superintendent, administrators, managers, confidential employees, the Faculty Senate, College Council, union representatives and members of the District Equal Employment Opportunity and Campus Diversity Advisory Committee.

The Plan will be available on the District’s website, and when appropriate, may be distributed by e-mail. The Human Resources department will provide all new employees with a copy of the written notice described above when they commence their employment with the District.

Each year, the District will inform all employees by email of the Plan’s availability including a written summary of the provisions of the Plan. The annual notice will emphasize the importance of the employee’s participation and responsibility in ensuring the Plan’s implementation.
VIII. Training for Screening/Interview Committees
Reference: Title 5 § 53003 (c) (4) (required)

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 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; the District’s policies on nondiscrimination, recruitment, and hiring; principles of diversity and cultural proficiency \(^2\); and the value of a diverse workforce. Persons serving in the above capacities will be required to receive training within the 12 months prior to beginning of service on a committee. This training is mandatory; individuals who have not received this training will not be allowed to serve on screening/selection committees. A refresher training is provided at the initial meeting of the screening committee but will not take the place of the individual receiving EEO general training provided annually. The EEOO is responsible for providing the required training.

\(^2\) “Cultural proficiency” involves successful teaching and other interactions with both students and colleagues from a variety of cultures. It requires a contextual understanding that numerous social and institutional dynamics, including the effects of inequities, affect how students have been taught and treated, and translates that understanding to the removal of barriers to student success. “Culture” refers to those things that are shared within a group or society: shared knowledge and beliefs, shared values, shared behavioral expectations, and principles that are widely used or recognized. “Culture” therefore refers to more than simply race and ethnicity.
IX. Annual Written Notice to Community Organizations
Reference: Title 5 § 53003 (c) (5) (required)

The EEOO will provide annual written notice to appropriate community-based and professional organizations concerning the Plan. The notice will include a summary of the Plan, inform these organizations how they may obtain a copy, and shall solicit their assistance in identifying diverse qualified candidates. The notice will also include the internet address where the District advertises its job openings and the Human Resources department’s phone number to call to obtain employment information. The District will actively seek to reach those institutions, organizations, and agencies that may be recruitment sources, especially for underrepresented populations. A list of organizations, which will receive this notice, is attached as Appendix A of this Plan. This list may be revised from time to time as necessary.
X. Analysis of District Workforce and Applicant Pool

References: Title 5 § 53003 (c) (6); Title 5 § 53004 (required)

The Human Resources department 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 the 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 disabilities.

For purposes of the survey and report, each applicant or employee will be afforded the opportunity to voluntarily identify her or his gender, ethnic group identification and disability. Applicants do not identify the nature of their 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 committee and hiring administrator(s).

At least every three years, the Plan will be reviewed and, if necessary, revised based on an analysis of the ethnic group identification, gender, and disability composition of existing employees and of those who have applied for employment in each of the following identified employee categories:

1) Administrators
2) Classified Management
3) Classified Professional
4) Classified Support
5) Full Time Faculty
6) Adjunct Faculty

NOTE: In Spring 2015 the district will conduct an EEO survey of current employees in order to provide them with the opportunity to identify using the expanded breakdown in the Hispanic category as adopted by the federal government, as well as to utilize the new category of “2 or more races.” Thus the percentage of employees reporting in most categories may change from how they originally reported upon hire. The survey may also provide updated information about the disability status of all employees, since this status may change over time.
District Workforce Analysis

The budgetary constraints faced by the District over the last several years meant that a hiring “frost” remained in effect and many positions were either delayed in the hiring of replacements, or were left vacant in order to save money. This was done in order to avoid having to lay off employees and to achieve a balanced budget. Therefore, from Fall 2010 to Fall 2013 Ohlone’s permanent workforce (this includes administrators, full-time faculty and all classified employees) decreased by 17 employees (from 343 to 326). The number of part-time or “adjunct” faculty increased from 326 to 339. This is largely due to the non-replacement of several full-time faculty who retired and the backfilling of their classes with part-time faculty. Decreases were not found in the categories of Administrator and Classified Professionals.

From 2010-11 to 2013-14, the overall diversity of permanent staff increased by 1.3% to a new total of 43.5% diversity. Increase in diversity means an increase in non-white employees and does not measure gender or other forms of diversity. The diversity of total classified staff showed an increase of 3.9% to a new total of 62.6% diversity. Administrators and managers gained 9.2% to 42.5% non-White. However, total faculty saw a decline of 0.3% to 36.1%.

Differences in overall diversity between 2010-11 and 2013-14 (showing gains in non-white employees)

<table>
<thead>
<tr>
<th></th>
<th>2010-2011</th>
<th>2013-2014</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total Employees</td>
<td>Non-White Employees</td>
</tr>
<tr>
<td>Administrator</td>
<td>15</td>
<td>4</td>
</tr>
<tr>
<td>Classified Manager</td>
<td>27</td>
<td>10</td>
</tr>
<tr>
<td>Classified Professional</td>
<td>19</td>
<td>12</td>
</tr>
<tr>
<td>Classified Support</td>
<td>160</td>
<td>93</td>
</tr>
<tr>
<td>Full-Time Faculty</td>
<td>122</td>
<td>43</td>
</tr>
<tr>
<td>Adjunct Faculty</td>
<td>326</td>
<td>120</td>
</tr>
<tr>
<td>All Employees</td>
<td>669</td>
<td>282</td>
</tr>
</tbody>
</table>

The data indicates that the advertising campaign and all activities initiated to increase the diversity of applicant pools is achieving some success.
**District Applicant Pool Analysis**

During calendar year 2012, a total of 20 recruitments were completed. There were 3 administrators (academic and classified combined), 6 full-time faculty and 11 classified searches/recruitments. The total number of applicants for 2012 recruitments was 1,287. Of that total, 37% were White, 12% Black, 1% Native American, 21% Asian, 11% Hispanic; 4% Pacific Islander; and 14% declined to state.

In 2013 a total of 24 recruitments were completed. There were 5 administrators (academic and classified combined), 4 full-time faculty and 15 classified searches/recruitments. The total number of applicants for 2013 recruitments was 1,349. Of that number, 33% were White, 7% Black, 1% Native American, 25% Asian, 16% Hispanic; 4% Pacific Islander; and 15% declined to state.

In 2012, 60% of the employees hired were white, 25% Hispanic; 5% Black and 10% Asians. In 2013, 50% were White, 17% Hispanic; 8% Black and 25% Asian.

**Figure 1: District Applicant Demographics, Summary Table Calendar year 2012**

<table>
<thead>
<tr>
<th>Applicants to 12/31/2012</th>
<th>Total</th>
<th>White</th>
<th>Black/African American</th>
<th>Native American</th>
<th>Asian</th>
<th>Hispanic</th>
<th>Pacific Islander</th>
<th>Two or more races</th>
<th>Did not State</th>
</tr>
</thead>
<tbody>
<tr>
<td>CLASSIFIED STAFF</td>
<td>860</td>
<td>236</td>
<td>128</td>
<td>8</td>
<td>199</td>
<td>114</td>
<td>44</td>
<td>0</td>
<td>131</td>
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<tr>
<td>Percentage of total applicants</td>
<td>27%</td>
<td>15%</td>
<td>1%</td>
<td>23%</td>
<td>13%</td>
<td>5%</td>
<td>0%</td>
<td>15%</td>
<td></td>
</tr>
<tr>
<td>Total Females</td>
<td>524</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Total Males</td>
<td>336</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FACULTY, FULL-TIME</td>
<td>309</td>
<td>180</td>
<td>18</td>
<td>5</td>
<td>52</td>
<td>19</td>
<td>4</td>
<td>0</td>
<td>31</td>
</tr>
<tr>
<td>Percentage of total applicants</td>
<td>58%</td>
<td>6%</td>
<td>2%</td>
<td>17%</td>
<td>6%</td>
<td>1%</td>
<td>0%</td>
<td>10%</td>
<td></td>
</tr>
<tr>
<td>Total Females</td>
<td>138</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>Total Males</td>
<td>171</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ACADEMIC MANAGEMENT</td>
<td>90</td>
<td>43</td>
<td>4</td>
<td>3</td>
<td>19</td>
<td>11</td>
<td>0</td>
<td>0</td>
<td>10</td>
</tr>
<tr>
<td>Percentage of total applicants</td>
<td>48%</td>
<td>4%</td>
<td>3%</td>
<td>21%</td>
<td>12%</td>
<td>0%</td>
<td>0%</td>
<td>11%</td>
<td></td>
</tr>
<tr>
<td>Total Females</td>
<td>37</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>Total Males</td>
<td>53</td>
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</tr>
<tr>
<td>CLASSIFIED MANAGEMENT</td>
<td>28</td>
<td>15</td>
<td>4</td>
<td>0</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Percentage of total applicants</td>
<td>54%</td>
<td>14%</td>
<td>0</td>
<td>10%</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>14%</td>
<td></td>
</tr>
<tr>
<td>Total Females</td>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Males</td>
<td>23</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL APPLICANTS FOR 2012</td>
<td>1290</td>
<td>476</td>
<td>154</td>
<td>16</td>
<td>276</td>
<td>144</td>
<td>48</td>
<td>0</td>
<td>176</td>
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<tr>
<td>Percentage of total applicants</td>
<td>37%</td>
<td>12%</td>
<td>1%</td>
<td>21%</td>
<td>11%</td>
<td>4%</td>
<td>0%</td>
<td>14%</td>
<td></td>
</tr>
<tr>
<td>TOTAL FEMALES</td>
<td>704</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL MALES</td>
<td>583</td>
<td></td>
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<td></td>
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</tbody>
</table>
### Figure 2: District Applicant Demographics, Summary Table Calendar year 2013

<table>
<thead>
<tr>
<th>Applicants 1/1/2013 to 12/31/2013</th>
<th>Total</th>
<th>White</th>
<th>Black/African American</th>
<th>Native American</th>
<th>Asian</th>
<th>Hispanic</th>
<th>Pacific Islander</th>
<th>Two or more races</th>
<th>Did not State</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CLASSIFIED STAFF</strong></td>
<td>563</td>
<td>159</td>
<td>48</td>
<td>10</td>
<td>176</td>
<td>80</td>
<td>29</td>
<td>0</td>
<td>61</td>
</tr>
<tr>
<td>Percentage of total applicants</td>
<td>28%</td>
<td>9%</td>
<td>2%</td>
<td>31%</td>
<td>14%</td>
<td>5%</td>
<td>0%</td>
<td>0%</td>
<td>11%</td>
</tr>
<tr>
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<tr>
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<td></td>
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<tr>
<td><strong>FACULTY, FULL-TIME</strong></td>
<td>554</td>
<td>164</td>
<td>16</td>
<td>0</td>
<td>125</td>
<td>116</td>
<td>13</td>
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<tr>
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<td></td>
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<tr>
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<tr>
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<td>7</td>
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<td>13%</td>
<td>1%</td>
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<tr>
<td><strong>TOTAL APPLICANTS FOR 2013</strong></td>
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<td>445</td>
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<td>331</td>
<td>212</td>
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<tr>
<td>Percentage of total applicants</td>
<td>33%</td>
<td>7%</td>
<td>1%</td>
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</table>
XI. Analysis of Degree of Underrepresentation and Significant Underrepresentation

Reference: Title 5 § 53003 (c) (7) (required)

Pursuant to the April 25, 2012 letter from the State Chancellor's Office, the availability data needed to fully complete this section of the Plan has not been developed. Consequently, "districts will not be responsible for parts of the EEO Plan that are dependent upon sound availability data which are pursuant to Title 5 Section 53003(c)(7)-(9) and (d)." Because of the lack of sound data, the District cannot exactly determine what the projected representation should be, as defined in Title 5 section 53001 (k), and is therefore unable to determine if underrepresentation and/or significant underrepresentation, as defined in Title 5 section 53001(n), exists in any of the identified categories. If the availability data is developed and made available by the State Chancellor's Office, this section will be completed in accordance.

Although the California Community College State Chancellor’s office has stated that this section is not required due to sound data not being available by the State Chancellor’s Office, Ohlone has chosen to analyze the available workforce by data from XXX. More in-depth information can be found in the Environmental Scan, located at: http://www.ohlone.edu/org/research/envscan/

Because most College employees live outside the District, and live primarily in the counties used to compute the Bay Area workforce numbers, The Bay Area will serve as the metric against which significant under-representation will be determined. Given that, significant under-representation will occur whenever a group falls below the following employment percentages: Whites, 31.1%; African Americans, 4.4%; Native Americans, 0.4%; Asians, 19.2%; Hispanics, 16.4%; Pacific Islanders, 0.5%; Other races, 5.6%; and Two or more races, 2.6%.

**District Workforce Analysis** (for District population age 16 and over in 2012)

<table>
<thead>
<tr>
<th></th>
<th>Total</th>
<th>In Labor Force</th>
<th>Employed</th>
<th>Unemployment Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>n</td>
<td>%</td>
<td>n</td>
<td>%</td>
</tr>
<tr>
<td>White</td>
<td>68,751</td>
<td>63.4%</td>
<td>43,594</td>
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<td>African American</td>
<td>10,276</td>
<td>67.9%</td>
<td>6,980</td>
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</tr>
<tr>
<td>Native American</td>
<td>1,494</td>
<td>59.5%</td>
<td>889</td>
<td>46.7%</td>
</tr>
<tr>
<td>Asian</td>
<td>122,416</td>
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<td>84,149</td>
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<td>Hispanic</td>
<td>44,496</td>
<td>68.0%</td>
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<td>62.0%</td>
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<tr>
<td>Pacific Islander</td>
<td>2,001</td>
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<td>1,496</td>
<td>62.4%</td>
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<td>Other Races</td>
<td>23,524</td>
<td>71.1%</td>
<td>16,726</td>
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</tr>
<tr>
<td>Two or more races</td>
<td>11,802</td>
<td>65.0%</td>
<td>7,669</td>
<td>58.8%</td>
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</tbody>
</table>
**Bay Area Workforce Analysis** (for District population age 16 and over in 2012; includes Silicon Valley, East Bay, and Peninsula counties)

<table>
<thead>
<tr>
<th></th>
<th>Total</th>
<th>In Labor Force</th>
<th>Employed</th>
<th>Unemployment Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>n</td>
<td>%</td>
<td>n</td>
<td>%</td>
</tr>
<tr>
<td>White</td>
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<td>1,408,565</td>
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<td>African American</td>
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<td>Native American</td>
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</tr>
<tr>
<td>Asian</td>
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<td>Hispanic</td>
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<tr>
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<td>30,021</td>
<td>68.2%</td>
<td>20,466</td>
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<tr>
<td>Other Races</td>
<td>349,676</td>
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<td>169,735</td>
<td>68.6%</td>
<td>116,364</td>
<td>60.2%</td>
</tr>
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</table>

**Percent of Bay Area Population in the Labor Force**

<p>| | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>1,408,565</td>
<td>38.9%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>African American</td>
<td>198,015</td>
<td>5.5%</td>
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</tr>
<tr>
<td>Native American</td>
<td>16,388</td>
<td>0.5%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asian</td>
<td>870,271</td>
<td>24.0%</td>
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<td></td>
</tr>
<tr>
<td>Hispanic</td>
<td>742,981</td>
<td>20.5%</td>
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</tr>
<tr>
<td>Pacific Islander</td>
<td>20,466</td>
<td>0.6%</td>
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</tr>
<tr>
<td>Other Races</td>
<td>251,989</td>
<td>7.0%</td>
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<tr>
<td>Two or more races</td>
<td>116,364</td>
<td>3.2%</td>
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XII. Recruitment and Hiring Procedures: Methods to Address Underrepresentation
Reference: Title 5 § 53003 (c) (8) (required)

The District has developed and continuously reviews its Recruitment and Hiring Guidelines. The guidelines follow Board Policy 7120. The current Recruitment and Hiring Guidelines are located on the District’s website at http://www.ohlone.edu/org/hr/docs/recruitmentandhiringguidelines.pdf

The District will ensure equal employment opportunity, 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 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.

To address any identified underrepresentation of monitored groups, the District continues to review and revise its recruitment and hiring procedures and policies in accordance with the following provisions. These provisions will be in place whether or not underrepresentation exists, because the provisions are also valuable in ensuring equal employment opportunity. The District’s recruitment and hiring procedures and guidelines include the following provisions:

1) Recruitment

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

Efforts are undertaken on a regular basis to develop and contact new recruitment sources that ensure diverse pools of candidates. Diverse pools include, but not be limited to, men, women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination. The EEO-CDAC 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 includes in the recruitment section of its Recruitment and Hiring guidelines the following provisions:

a) 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 Title 5, Section 53021(c)(7) for engaging an administrator through a professional services contract unless authorized by the President/Superintendent or his/her designee. The President/Superintendent should consult with the Associate Vice President of Human Resources prior to making the decision. The consultation should include the compelling reason to limit the persons who may be considered for a vacancy in a
b) Recruitment for all open positions shall include, but not be limited to, placement of job announcements in the following media:

(1) General circulation newspapers, general circulation periodicals, including electronic media.

(2) Local and regional community newspapers.

(3) Newspapers and other publications that provide information in languages other than English and to low-income communities.

(4) 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 underrepresented in the District’s workforce.

(5) 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.

c) At least every two years, or when employment data indicate a need, 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, 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.

d) District employees may be surveyed requesting resources and locations where open positions may be advertised to ensure recruitment is as inclusive and broad as possible and includes recruitment of monitored groups. Human Resources will compile, store, and update this list.

2) Job Announcements

The District’s recruitment and hiring procedures section on “Job Announcements” includes the following provisions:

a) Job announcements state clearly job specifications setting forth the knowledge, skills, and abilities necessary to job performance. For all positions, job requirements include demonstrated 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 EEOO before the position is announced, to ensure conformity with equal employment regulations and State and Federal nondiscrimination laws. All job announcements shall state that the district is an “Equal Opportunity Employer.”

3) Review of Initial and Qualified Applicant Pools

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/selection committee. The District’s recruitment and hiring procedures includes the following provisions:

a) The application for employment will afford each applicant an opportunity to voluntarily identify his or her gender, ethnic group and, if applicable, his or her disability.

b) Initial Applicant Pool: The initial applicant pool is composed of all applications received by the application deadline. The following steps will be taken when reviewing the initial applicant pool.

Step 1: 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.

Step 2: If projected representation has not been met, the application deadline may be extended so that additional recruitment can 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 qualified applicants.

Step 3: 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 the minimum qualifications set forth in the job description.

c) Qualified Applicant Pool: The qualified applicant pool is composed of those applicants from the initial applicant pool who satisfy the minimum qualifications

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3 See generally Title 5, Section 53022
set forth in the job description. Before the qualified applicant pool is forwarded to the screening/selection committee, its composition will be analyzed to ensure that no monitored group is adversely impacted. If adverse impact is found to exist, effective steps will be taken to address the adverse impact before the selection process continues. Such steps may include, but are not limited to:

Step 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.

Step 2: Including all applicants who were screened out on the basis of any locally established qualifications beyond the 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.

Step 3: If the minimum qualifications stated on the job announcement are changed, the job announcement will be reposted.

Step 4: If adverse impact persists after taking Steps 1 and 2 above, the selection process may proceed only if:

(i) The job announcement does not require qualifications beyond the statewide minimum qualifications, or

(ii) 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.

Step 5: Once the qualified applicant pool is approved, the pool will be forwarded to the screening/selection committee for paper screening, interviews, and final recommendations for hiring consideration.

4) Screening/Selection 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 and Guidelines include in its section on applicant screening by screening/selection committees the following provisions:

a) All screening or selection techniques, including the procedure for developing interview questions, and the selection process as a whole, will be:
(1) designed to ensure that, for all positions, meaningful consideration is given to the extent to which applicants demonstrate a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students;

(2) designed to ensure that for all faculty and administrative positions, meaningful consideration is given to the extent to which applicants demonstrate knowledge of multiculturalism, and training in cultural proficiency;

(3) based solely on job-related criteria; and

(4) 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.

b) When possible, every effort will be made, within the limits allowed by federal and State law, to ensure departments and others responsible for establishing selection/screening committees include a diverse membership, which will bring a variety of perspectives to the assessment of applicant qualifications. Selection/screening committees will be encouraged to include members from monitored groups.

c) The EEOO shall approve the makeup of selection/screening committees. If the EEOO does not approve a selection/screening committee for lack of diversity, he or she should take necessary steps to remedy the lack of diversity.

d) Before a person can serve on a selection/screening committee, he or she must receive equal employment opportunity and diversity training. The in-depth training must be taken every 2 years and within 1 year of serving on a committee.

e) Interviews must include at least one question which assess the candidate’s understanding of and commitment to equal employment opportunity and his or her level of cultural proficiency.

f) All screening materials must be approved by the EEOO for compliance with equal employment opportunity principles.

g) Monitoring for adverse impact will occur at each of the following stages of the screening/selection committee process:

(1) After the selection/screening committee has conducted the paper screening and prior to contacting any of the applicants for interviews. Interviews cannot be scheduled until the applicant pool has been approved and cleared for adverse impact.

(2) After the applicants have been interviewed and prior to forwarding finalists to
the hiring administrators. Finalists cannot be forwarded for hiring consideration until the applicant pool has been approved and cleared for adverse impact.

h) If monitoring for adverse impact reveals that any selection technique or procedure (other than a bona fide occupational qualification that has been approved by Human Resources) has adversely impacted any monitored group, the President/Superintendent or his/her designee will do the following:

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

(2) When appropriate, assist the screening 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.

(3) Where necessary, the position may be reopened at any time and a new selection process initiated in a way designed to avoid adverse impact.

i) The District will not designate or set aside particular positions to be filled by members of any group defined in terms of 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 or engage in any other practice which would result in discriminatory or preferential treatment prohibited by State or Federal law. The district will not apply the Plan in a rigid manner that has the purpose or effect of so discriminating.

j) The President/Superintendent or designee shall make all final hiring decisions based upon careful review of the candidate or candidates recommended through the screening/selection committee.

k) 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 will request the EEO-CDAC to recommend new methods to meet the Plan objectives, or if necessary, to modify the Plan itself to ensure equal employment opportunity.
XIII. Additional Steps to Remedy Significant Underrepresentation
Reference: Title 5 § 53003 (c) (9) (required)

When the District identifies particular monitored groups that are significantly underrepresented with respect to one or more job categories, steps will be taken to remedy the underrepresentation. In order to address these instances of significant underrepresentation, the District will take the following steps:

1) The District will request that the EEO-CDAC, in conjunction with appropriate human resources staff, review the District’s recruitment procedures and make recommendations on modifications that would address the underrepresentation.

2) The District will review the advertising and recruitment budget regularly to ensure that adequate funds are available to ensure that recruitment is broad and inclusive.

3) The District will require that the responsible administrator for the division or department where the significant underrepresentation occurs develop, in conjunction with the EEOO, a recruitment and hiring action plan to assist in addressing the significant underrepresentation. The action plan will include, but is not limited to:
   a) additional locations or resources to advertise positions that would likely attract candidates from the significantly underrepresented groups;
   c) additional training for current faculty and staff on the value of a diverse workforce;
   d) recommended changes to the job announcement and screening criteria, including interview questions, which may reasonably be expected to attract qualified candidates from the significantly underrepresented group.

4) The District will explore the possibility of developing an intern programs where graduate students are provided the opportunity to co-teach a class offered by the District in the significantly underrepresented discipline.

5) The District will actively monitor the representation rate of each group, which was identified as being significantly underrepresented in one or more categories. If significant underrepresentation persists for a particular group in the job category in question, after the measures described above have been in place for a period of at least three years, the District will:
   a) Review each locally established “required,” “desired,” or “preferred” qualification being used to screen applicants for positions in the job category to determine if they are job-related and consistent with:
      i. any requirements of Federal law;
      ii. qualifications which the Board of Governors has found to be job-related throughout the community college system, including the requirements 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 the previous paragraph and continue using qualification standards meeting the requirements in the previous paragraph only where no alternative qualification standard is reasonably available which would select for the same characteristics, meet the requirements of the previous paragraph, and be expected to have a less exclusionary effect.

c) Develop a recruitment committee composed of the President/Superintendent, the EEOO, the dean or responsible administrator for the division or department where the significant underrepresentation persists and members of the EEO-CDAC to review the effectiveness of the recruitment and hiring program described in Section 3 above. The committee will provide recommendations to modify the recruitment and hiring program to better address the significant underrepresentation.
XIV. Other Measures Necessary to Further Equal Employment Opportunity
Reference: Title 5 § 53003 (c) (10) (required)

The District recognizes that multiple approaches are appropriate to fulfill its mission of ensuring equal employment opportunity and the creation of a diverse workforce. Equal employment opportunity means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the District. Equal employment opportunity should exist at all levels and in all job categories. Ensuring equal employment opportunity also involves creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas and is welcoming to men and women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination. To that end, in addition to the steps to address underrepresentation and/or significant underrepresentation, the District has expanded the role of the Equal Employment Opportunity Advisory Committee to include campus diversity. The committee will be known as Equal Employment Opportunity and Campus Diversity Committee. The District feels that the combination of efforts will offer strong coordination between attracting a diverse applicant pool as well as retaining a workforce that thrives in a multi-cultural environment.

Having a campus that has accepted principles of diversity and multiculturalism can make implementation and maintenance of an effective equal employment opportunity program much easier. For that reason, institutionalizing a diversity program that is well planned out, well-funded, and supported by the leadership of the District can be of great value. The District will sponsor cultural events and speakers on issues dealing with diversity, and explore how to infuse diversity into the classroom and curriculum. The District will also promote learning opportunities and personal growth in the area of diversity and evaluate how the physical environment can be responsive to its diverse employee and student populations. In implementing a diversity program, the District shall consider steps such as:

1. Host guest speakers from underrepresented groups who are in leadership positions and who may inspire students and employees alike. Examples are: World Forums, Lunch and Learn sessions, etc.

2. Highlight the District’s equal employment opportunity and diversity policies in job announcements and in its recruitment, marketing, and other publications.

3. Provide open house forums for the District’s temporary part-time employees to assist them in preparing their application materials for full-time positions. As an example, the District hosts an annual workshop provided during Flex week called “Going from Part-Time to Full-Time.”

4. Conduct diversity dialogues, forums, cross-cultural workshops and promote cultural celebrations on campus.
5. Ensure that all college publications and other marketing tools to reflect diversity in pictures, graphics, and text to project an inclusive image.

6. Recognize and value staff and faculty who have promoted diversity and equal employment opportunity principles;

7. Offer a series of EEO/diversity workshops during faculty flex week and classified “Staff Development Days” programs.

8. Establishing 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.

9. Recognizing multilingualism and knowledge of multiculturalism as a desired, and when appropriate, required skill and qualification for community college employees.

10. Ensure that top administrative staff support diversity objectives and that the diversity and/or EEOO position is maintained as an executive team or other high-level administrative position.
XV. Persons with Disabilities: Accommodations

References: Title 5 § 53003 (d) Title 5 § 53025 (required)

1) Reasonable Accommodations

Applicants and employees with disabilities\(^4\) shall 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. Such 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 aides such as readers, interpreters, and note takers.

The ADA Coordinator is responsible for handling requests for accommodations from current employees as well as from applicants seeking such accommodations during the application process. Requests can be made directly to the Human Resources office. Following is a link that provides more information about the confidential process to request accommodations:

http://www.ohlone.edu/org/hr/docs/noticeofreasonableaccommodation.pdf

2) Procedures When Underrepresentation is Found

When persons with disabilities are found to be significantly underrepresented, measures required in this Plan will be implemented.

3) Analysis of Workforce and Applicant data

Since employees’ disability status may change during their service, every three years the college will survey current employees to collect updated information on disability status.

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\(^4\) See the definition of “person with a disability” in the definitions section of the Plan. A more detailed definition of physical and mental disability is found in Government Code, Section 12926. California has a broader definition of disability than the ADA. California also requires accommodations to be made under circumstances where accommodations might not be necessary under Federal law.
XVI. Programs To Encourage Students To Complete Their Graduate Studies

The District will encourage community college students to become qualified for, and seek employment as, community college academic employees. The District shall research and inform students about available programs that could assist them (such as special funding and loan programs)\(^5\) in completing their graduate studies and become community college academic employees. The District will post informational flyers on the campus concerning such programs, and make information available in student newspapers, the course catalog, and in locations accessible to students, including but not limited to, Counseling, Financial Aid, Admissions and Records, the Bookstore, and the Student Center. Efforts will also be made to inform graduate students attending local colleges and universities about the benefits of employment at a community college.

\(^5\) The Education Code requires the District’s Plan to take steps reasonably calculated to inform students about the opportunity to participate in the Graduate Assumption Programs of Loans for Education (GAPLE) as authorized by Education Code, section 6918 et seq. Currently GAPLE is unfunded and has not been funded for many years. Even so, Districts are encouraged to explore other ways to encourage students to complete their graduate studies so that they can compete for academic positions in the community colleges.
Appendix A – Contact Information for Community Organizations

American Civil Liberties Union
ACLU
ADDRESS

Japanese Cultural Center
ADDRESS

League of Women Voters
ADDRESS

Mexican American Legal Defense and Education Fund
ADDRESS

National Association for the Advancement of Colored People
ADDRESS

National Council of La Raza
ADDRESS

National Federation of Filipino American Associations
ADDRESS

North County African American Women’s Association
ADDRESS
APPENDIX B - Best Practices for Maintaining Institutional Commitment to Diversity

References: Title 5 § 53024.1

53024.1. Developing and Maintaining Institutional Commitment to Diversity. Establishing and maintaining a richly diverse workforce is an on-going process that requires continued institutionalized effort. Districts shall locally develop, and implement on a continuing basis, indicators of institutional commitment to diversity. Such indicators may include, but are not limited to the examples listed in this section. Appropriate steps will depend on the unique circumstances of each institution, and not every example listed in this section is appropriate for every institution. Nothing in this list is mandatory, unless a district is directed to adopt specific measures by the Chancellor pursuant to section 53024.2(b)(2).

(a) The district conducts surveys of campus climate on a regular basis, and implements concrete measures that utilize the information drawn from the surveys.
(b) The district conducts exit interviews with employees who voluntary leave the district, maintains a data base of exit interviews, analyzes the data for patterns impacting particular monitored groups, and implements concrete measures that utilize this information.
(c) The district provides training on elimination of bias in hiring and employment.
(d) The district provides cultural awareness training to members of the campus community.
(e) The district maintains a variety of programs to support newly-hired employees such as mentoring, professional development, and leadership opportunities.
(f) The district has audited and/or maintains updated job descriptions and/or job announcements.
(g) The district's board of trustees receives training on the elimination of bias in hiring and employment at least once every election cycle.
(h) The district timely and thoroughly investigates all complaints filed under this chapter, and all harassment and discrimination complaints filed under subchapter 5 (commencing with section 59300) of chapter 10 of this division, and takes appropriate corrective action in all instances where a violation is found.
(i) The district timely complies with the requirements of Government Code section 12950.1 (Stats. 2004, ch. 933 [AB1825]), and includes all forms of harassment and discrimination in the training.
(j) The district's publications and website convey its diversity and commitment to equal employment opportunity.
(k) The district's mission statement conveys its commitment to diversity and inclusion, and recognition that a diverse and inclusive workforce promotes its educational goals and values.
(l) The district's hiring procedures require applicants for all positions to 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.

(m) District staff members serve as resources, consultants, mentors and/or leaders to colleagues at other districts in the areas of EEO and diversity enhancement.

(n) The district maintains updated curricula, texts, and/or course descriptions to expand the global perspective of the particular course, readings or discipline.

(o) The district addresses issues of inclusion/exclusion in a transparent and collaborative fashion.

(p) The district attempts to gather information from applicants who decline job offers to find out why, records this information, and utilizes it.

(q) The district conducts longitudinal analysis of various employment events by monitored group status such as: hiring, promotion, retention, voluntary resignation, termination, and discipline.
## APPENDIX C – Plan Requirements and Legal Citations

### Model Equal Employment Opportunity Plan

<table>
<thead>
<tr>
<th>Plan Component Number and Name</th>
<th>X = Indicates Minimum Plan Requirement</th>
<th>Legal Citation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plan Component 1: Introduction</td>
<td>Not required to be in Plan.</td>
<td>N/A</td>
</tr>
<tr>
<td>Plan Component 2: Definitions</td>
<td>Not required to be in Plan, however, Title 5 does provide basic definitions.</td>
<td>Title 5 § 53001</td>
</tr>
<tr>
<td>Plan Component 3: Policy Statement</td>
<td>Not required to be in Plan, however, Title 5 does require districts to adopt an EEO policy statement.</td>
<td>Title 5 § 53002</td>
</tr>
<tr>
<td>Plan Component 4: Delegation of Responsibility Authority and Compliance</td>
<td>X Required to be in Plan.</td>
<td>Title 5 § 53003(c)(1)</td>
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<tr>
<td>Plan Component 5: Advisory Committee</td>
<td>Not required to be in Plan, however, Title 5 does require that districts establish an EEO Advisory Committee.</td>
<td>Title 5 § 53005</td>
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<tr>
<td>Plan Component 6: Complaints</td>
<td>X Required to be in Plan.</td>
<td>Title 5 § 53003(c)(2)</td>
</tr>
<tr>
<td>Plan Component 7: Notification to District Employees</td>
<td>X Required to be in Plan.</td>
<td>Title 5 § 53003(c)(3)</td>
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<tr>
<td>Plan Component 8: Training for Screening/Selection Committees</td>
<td>X Required to be in Plan.</td>
<td>Title 5 § 53003(c)(4)</td>
</tr>
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<td>Plan Component 9: Annual Written Notice to Community Organizations</td>
<td>X Required to be in Plan.</td>
<td>Title 5 § 53003(c)(5)</td>
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<td>Plan Component 10: Analysis of District Workforce and Applicant Pool</td>
<td>X Required to be in Plan.</td>
<td>Title 5 § 53003(c)(6)</td>
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<tr>
<td>Plan Component 11: Analysis of Degree of Underrepresentation and Significant Underrepresentation</td>
<td>X Required to be in Plan.</td>
<td>Title 5 § 53003(c)(7)</td>
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<tr>
<td>Plan Component 12: Methods to Address any Underrepresentation</td>
<td>X Required to be in Plan.</td>
<td>Title 5 § 53003(c)(8)</td>
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<tr>
<td>Plan Component 13: Additional Steps to Remedy any Significant Underrepresentation</td>
<td>X Required to be in Plan.</td>
<td>Title 5 § 53003(c)(9)</td>
</tr>
<tr>
<td>Plan Component 14: Other Measures Necessary to Further Equal Employment Opportunity</td>
<td>X Required to be in Plan.</td>
<td>Title 5 § 53003(c)(10)</td>
</tr>
<tr>
<td>Plan Component 15: Persons with Disabilities: Accommodations; and goals for hiring if found to be significantly underrepresented</td>
<td>Goals for hiring persons with disabilities are required to be in Plan - Language on accommodation is not required.</td>
<td>Title 5 § 53003(d)</td>
</tr>
<tr>
<td>Plan Component 16: Graduate Assumption Program (not funded, but Colleges needs to explore other options)</td>
<td>X Required to be in Plan.</td>
<td>Education Code § 87106(b)(4), § 69618 et seq.</td>
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<tr>
<td>Progress in achieving ratio of full-time to part-time faculty hiring while ensuring EEO.</td>
<td>X Required to be in Plan. Can be located anywhere in the Plan.</td>
<td>Education Code § 87102(a) § 87482.6</td>
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</table>

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6 Although not explicitly required to be in the Plan, Title 5 does require the Plan be adopted by the governing board of the District; the Plan should state it was adopted by the governing board and include the date of adoption. The information regarding adoption of the Plan can be included anywhere in the Plan.
APPENDIX D – Letter from CCCO

April 25, 2012

TO: Board of Trustees Presidents  
Chief Executive Officers  
Chief Human Resources Officers  
Equal Employment Opportunity Officers  
Community College Attorneys  
Chief Instructional Officers  
Academic Senate Presidents  
Chief Student Services Officers

FROM: Steven Bruckman  
Executive Vice Chancellor for Operations and General Counsel


Synopsis: This program advisory is to provide an update and guidance to districts regarding the proposed Title 5 EEO regulations and district EEO Plans. The Board of Governors approved the proposed Title 5 EEO regulations at its March 7, 2011 meeting. However since this approval, the Department of Finance (DOF) did not approve the proposed Title 5 EEO regulations due to mandated cost concerns. We have subsequently met with DOF to try to address their cost concerns and we continue to work with them on the cost issue. The mandated cost issue is further complicated by the fact the Commission on State Mandates (CSM) decided on March 28, 2011 that the existing Title 5 EEO regulations have mandated costs. Rest assured we will work with district representatives throughout the process of communicating with the Department of Finance. In the meantime, the current Title 5 EEO regulations continue to remain in effect.

Despite these major challenges, the Board of Governors remain committed to EEO and diversity in the workforce. We recognize and support the compelling interest that districts have in obtaining the many benefits that result from a diverse workforce. Since there is no timeframe attached to final DOF actions regarding the revised regulations, we now strongly encourage districts to begin to work on the district EEO Plan using the Model EEO Plan as a framework to develop district EEO Plans. Here is the link to the Model EEO Plan click onto “Updated Model EEO Plan & Guidelines for California Community Colleges / 2006 4/03/07” (center column): http://extranet.cccco.edu/Divisions/Legal/EEO.aspx
Our previous district EEO plan program advisory dated April 9, 2007 indicated that we were working on updating availability data which is needed to complete four of the eleven sections of the EEO Plan required under current regulations. This data is not available and districts will not be responsible for parts of the EEO Plan that are dependent upon sound availability data which are pursuant to Title 5 section 53003(c)(7)-(9) and (d) or Model EEO Plan Components 11, 12, 13, and 15.

Districts are also advised to update their EEO Plans in accordance with the Americans with Disabilities Act (ADA) Amendment Act which went to effect on January 1, 2009 and the final regulations to implement the ADA Amendment Act which was published in the Federal Register on March 25, 2011. See the following links.  http://www.eeoc.gov/laws/statutes/adaaa.cfm & http://www.gpo.gov/fdsys/pkg/FR-2011-03-25/pdf/2011-6056.pdf.

Requested Action / Date: Work on district EEO Plan and submit it to the State Chancellor’s Office by June 28, 2013.

Contact: Jonathan Lee by e-mail at jlee@cccco.edu or phone number at (916) 445-6272 or Toshio Shikasho by e-mail at tshikash@cccco.edu or phone number (916) 323-4990.

SB: TS: JL

Cc: Chancellor’s Cabinet
   Legal Affairs Division
APPENDIX E - Equal Employment Opportunity Plan: Compliance Checklist

(Use to audit the EEO Plan)

The following compliance checklist is designed to assist districts in the review of their respective Equal Employment Opportunity Plan (Plan). The checklist ensures that each district’s Plan includes provisions and components that are required under state law. California Code of Regulations, Title 5, section 53003 and Education Code, sections 87102 and 87106 list the specific components that must be included in the District’s Plan. All references to “sections” refer to the Title 5, California Code of Regulations unless otherwise indicated.

A. Adoption of Plan; [Title 5 Cal. Code Regs. § 53003(a)]
   ____ Does the Plan indicate when the District’s governing board adopted this Plan?

B. Designation of Responsibility, Authority and Compliance; [Title 5 Cal. Code Regs. §§ 53003(c)(1) and 53020]
   ____ Does the District describe the governing board’s responsibility for proper implementation of the Plan and for making measurable progress?
   ____ Does the District designate an Equal Employment Opportunity officer to oversee the day-to-day implementation of the equal employment opportunity requirements of Title 5?
   ____ Does the District describe the administrative structure created by any delegation of authority to the Equal Employment Opportunity Officer or others and is it designed to ensure prompt and effective implementation of the EEO Title 5 requirements?
   ____ Does the District designate a single officer who will have authority to receive complaints under section 53026 and who will monitor selection procedures and applicant pools?
   ____ Does the Plan clearly state that anyone who is an agent of the district, with regard to recruitment and screening, is also subject to all the Title 5 equal employment opportunity requirements?

C. Procedures for Filing a Complaint Pursuant to Section 53026; [Title 5 Cal. Code Regs. §§ 53003(c)(2) and 53026]
   ____ Does the District provide the procedures for filing complaints that allege violation of the equal employment opportunity requirements of Title 5 and designate the person with whom such complaints are to be filed?
   ____ Does the District includes or references the procedures for filing complaints that allege unlawful discrimination and/or harassment and designate the person with whom such complaints are to be filed?
D. Notification to all District Employees of the Plan and Policy Statement; [Title 5 Cal. Code Regs. §§ 53003(c)(3) and 53002]

Does the District describe the District’s process for notifying all district employees of the provisions of this Plan, and the policy statement required by section 53002?

E. Employee Training for Screening or Selection Committees; [Title 5 Cal. Code Regs. § 53003(c)(4)]

Does the District the district’s process for ensuring that District employees participating on screening or selection committees receive appropriate training on Title 5 requirements relating to equal employment opportunity and state and federal nondiscrimination laws?

F. Annual Written Notice to Community-Based and Professional Organizations; [Title 5 Cal. Code Regs. § 53003(c)(5)]

Does the District describe the District’s process for providing annual written notice to appropriate community-based and professional organizations regarding the district’s Plan and the need for assistance from the community and such organizations in identifying qualified applicants?

G. Analysis of District Workforce and Applicant Pool; [Title 5 Cal. Code Regs. §§ 53003(c)(6) and 53004]

Does the District provide an analysis of the number of persons from monitored groups who are currently employed in the District’s workforce for each of the job categories listed in section 53004(a)?

Does the District provide an analysis of those who have applied for employment, in each of the job categories listed in section 53004(a)?

Does the Plan state that the survey required by section 53004(a) will be done every year?

H. Analysis of the Degree of Underrepresentation and Significant Underrepresentation; [Title 5 Cal. Code Regs. § 53003(c)(7)]

Does the District provide an analysis of the degree to which monitored groups are underrepresented for each job category in comparison to the numbers of persons from such groups whom the Chancellor’s Office determines to be available and qualified to work?

Does the District indicate whether the underrepresentation for each group is “significant”?

I. Methods to Address any Underrepresentation; [Title 5 Cal. Code Regs. § 53003(c)(8)]
____ Does the District describe the methods it will use to address any underrepresentation?

J. Additional Steps to Remedy Significant Underrepresentation; [Title 5 Cal. Code Regs. §§ 53003(c)(9) and 53006]

____ Does the District describe additional steps consistent with section 53006 to remedy any significant underrepresentation?

____ Does the District describe the steps to be taken, consistent with section 53006, if significant underrepresentation persists after a reasonable period of time has passed?

____ Does the District consider anything else you might do, that is permissible, to remedy any significant underrepresentation?

K. Other Measures to Further Equal Employment Opportunity; [Title 5 Cal. Code Regs. § 53003(10)]

____ Does the District describe any other measures that the District undertakes to further equal employment opportunity?

L. Accommodations for Persons with Disabilities; [Title 5 § 53025]

____ Does the District describe the available accommodations for applicants and employees and identifies the ADA coordinator?
### APPENDIX F – Reviews/Revisions/Contributors

<table>
<thead>
<tr>
<th>ACTION/NEXT STEPS</th>
<th>DATE</th>
<th>BY</th>
</tr>
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<tr>
<td>First Draft completed</td>
<td>August 2012</td>
<td>S. Zingsheim</td>
</tr>
<tr>
<td>First Draft reviewed and edited</td>
<td>September 2012</td>
<td>G. Browning</td>
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<tr>
<td>Reviewed and Edited</td>
<td>November 2012</td>
<td>H. McCarty</td>
</tr>
<tr>
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<td>January 2014</td>
<td>S. Zingsheim</td>
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<td>October 2014</td>
<td>J. Wright</td>
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<td>October 2014</td>
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<td>M. Bowman</td>
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<td>December 2014</td>
<td>J. Dean</td>
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<tr>
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