

# **DRAFT**

## **2023-2026 EEO Plan**

Office of People & Culture  
Yuba Community College District  
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# Section 1: INTRODUCTION

## 1.1 Board Introduction

[TBD]

Additional Points to Cover (either 1.1 or 1.2): diverse student population. Nexus between diversification and the district's educational goals and mission.

## 1.2 EEO Officer Introduction

We are proud to present the Yuba Community College District's 2023-2026 EEO Plan. This plan has been developed with two basic mandates: the plan must be *clear*, and the plan must be *implemented*. This is not a performative exercise. It will require the District – all of us – to think differently about our EEO program, our recruitment processes, and our workforce. We have worked hard to present a clear, easy-to-read plan because *accountability* requires *transparency*.

We are excited about what the future holds. Meaningful community engagement is a central theme of this plan, and we look forward to building those relationships far beyond an annual email. Our communities have invaluable, outside-looking-in perspectives about the District and how we can continue building a workforce that reflects our values and best serves our students.

Make no mistake, this is an ambitious plan. Fear of failure is often the enemy of courageous action. But we have set the bar high and know that inevitable failures along the way will teach us valuable lessons. Failure is not our enemy; the enemy is indifference.

## 1.3 Date of Plan Adoption

September 14, 2023 (pending Statewide Chancellor's Office review).

## Section 2: EXECUTIVE SUMMARY

### 2.1 Availability/Underrepresentation Overview

The most prominent misalignment between available workforce and the District's workforce is Hispanic/Latino representation in *all faculty ranks*, with the most severe underrepresentation in the full-time faculty ranks. In addition, even accounting for small data sets, males are significantly underrepresented in the confidential ranks, without a single male in a group of 15 employees.

### 2.2 Summary of Current Underrepresentation

Group <sup>1</sup>	EEO Job Class <sup>2</sup>	Class HC <sup>3</sup>	Group HC <sup>4</sup>	Proj. % <sup>5</sup>	Actual% <sup>6</sup>	Under% <sup>7</sup>	Status
Asian	PT Faculty	120	9	11.2%	7.5%	9.0%	UR
Asian	Supervisor	17	1	11.2%	5.9%	9.0%	UR
Black	Confidential	15	0	2.3%	0.0%	1.8%	UR
Hisp/Latino	FT Faculty	118	11	31.9%	9.3%	25.5%	UR
Hisp/Latino	PT Faculty	120	17	31.9%	14.2%	25.5%	UR
Male	Classified	154	59	48.3%	38.3%	38.6%	UR
Male	Confidential	15	0	48.3%	0.0%	38.6%	UR
Male	Supervisor	17	6	48.3%	35.3%	38.6%	UR

<sup>1</sup> Monitored Group.

<sup>2</sup> EEO Job classification.

<sup>3</sup> The total number of employees in the EEO Classification.

<sup>4</sup> The total number of employees in the Monitored Group that are in that EEO classification.

<sup>5</sup> 80% of projected representation.

<sup>6</sup> Actual representation is as of July 2023, except for part-time faculty. Part-time faculty's actual representation is of Fall 2022.

<sup>7</sup> 80% of projected representation. Any representation below this percentage is deemed to be underrepresented.

## 2.3 Summary of Recent Trends

In addition to having the most severe underrepresentation, the representation of Hispanics/Latinos is trending downward in the full-time faculty group, even accounting for small data sets.<sup>8</sup>

FT Faculty	2020 to 80%	2023 to 80%	Trend to 80%	Result
White	21.1%	32.9%	11.8%	32.9% above 80%
Asian	7.2%	4.6%	-2.5%	4.6% above 80%
Black	1.4%	0.7%	-0.8%	0.7% above 80%
Hispanic/Latino	-9.6%	-16.2%	-6.6%	16.2% below 80%
PT Faculty	2020 to 80%	2023 to 80%	Trend to 80%	Result
White	18.6%	29.3%	10.7%	29.3% above 80%
Asian	0.8%	-1.5%	-2.2%	1.5% below 80%
Black	2.6%	0.7%	-2.0%	0.7% above 80%
Hispanic/Latino	-9.6%	-11.3%	-1.7%	11.3% below 80%
Classified	2020 to 80%	2023 to 80%	Trend to 80%	Result
White	4.0%	5.5%	1.5%	5.5% above 80%
Asian	1.6%	1.4%	-0.1%	1.4% above 80%
Black	1.3%	2.1%	0.7%	2.1% above 80%
Hispanic/Latino	10.4%	10.2%	-0.2%	10.2% below 80%

## 2.4 Adverse Impact Overview

With regards to the analysis of adverse impacts, the District has insufficient data/data collection systems to determine adverse impacts both inside and outside the recruitment process. Extensive work will be performed over the next three years to lay the foundation and thoughtfully implement this aspect of the Plan and related legal requirements.

## 2.5 Overview Methods to Address Underrepresentation/Adverse Impacts

In addition to continuing efforts in a variety of continuing methods, the following are specifically identified methods to be developed/implemented in each of the three (3) years covered by this Plan:

### 2.5.1 Plan Year 1

- Develop new community contacts and update the annual notification list.
- Establish contacts with Sacramento State and Chico State.
- Engage students to serve on the EEO Advisory Committee.
- Develop and implement comprehensive Recruitment Handbook.
- Develop new in-person, quarterly EEO Training.
- Develop and implement self-paced online EEO training.
- Create and implement temporary (manual) data tracking systems.
- Complete classified/administrator classification and compensation study.
- Update discrimination and harassment complaint form.
- Continue to timely and thoroughly investigate all discrimination and harassment complaints.

<sup>8</sup> There appear to be irregularities in this data in pertaining to confidential, supervisors, and administrators in the last [2021-2024 District EEO Plan](#)

### **2.5.2 Plan Year 2**

- Leverage community contacts to identify process improvement, targeted advertising.
- Drive conversations around employee value proposition/employer branding.
- Phase-in implementation of Recruitment Handbook.
- Develop and phase-in Recruitment Handbook training.
- Develop and phase-in new tools and guidance for search committees.
- Develop and phase-in new EEO Representative Training.
- Phase-in new Selection Procedure Complaint.
- Determine feasibility of Ombuds or similar conflict resolution program.

### **2.5.3 Plan Year 3**

- Create and utilize updated marketing materials.
- Continue Recruitment Handbook training.
- Develop and implement a 12-month cohort-based onboarding program for staff and administrators.

## Section 3: EEO POLICY STATEMENT

### 3.1 Commitment to Equal Opportunity

The Yuba 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.

### 3.2 Reasonable Accommodations for Persons with Disabilities

Applicants and employees with disabilities 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 \(ADA\)](#). 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.

### 3.3 Uniform, Job-Related Screening and Selection Procedures

Recruitment processes are essential to the successful implementation of EEO programs. The District shall maintain, and strictly enforce, specific screening and selection procedures in accordance with [5 CCR § 53024](#). To the extent practicable, such processes shall be *uniform* to ensure compliance with [5 CCR § 53024](#).<sup>9</sup>

### 3.4 A Call to Action

Our institution is guided by our values, committed to providing accessible, high-quality education that empowers students for social mobility, and seeks to take a stronger stance on social justice and rooting out all forms of discrimination. We recognize the need to translate our values of respect, equity, diversity, and inclusion into action. ([BP 1300.](#)) Our commitment to inclusion, therefore, is significantly broader than legal compliance. We are morally and ethically committed to the creation of a welcoming and nondiscriminatory environment, irrespective of factors like political views, citizenship status, and socioeconomic status, regardless of potential legal claims of discrimination. Compliance is the floor, not the ceiling. As an institution of higher learning, we uphold truth, justice, and critical thinking, fostering an inclusive and respectful District community. We know that country still faces tragedies and acts of hatred that go against our values. Racism's lasting pain demands more and better from us, and we must invest in diversifying and supporting our staff and leadership. ([BP 1300.](#))

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<sup>9</sup> The District shall comply with all legal requirements, including [EDC § 87485](#), which provides "hiring criteria, policies, and procedures for new faculty members shall be jointly developed and agreed upon jointly [with] the academic senate."

## **Section 4: DELEGATION OF RESPONSIBILITY**

### **4.1 The Board of Trustees**

The Board of Trustees 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 the Plan.

### **4.2 Chancellor**

The Board of Trustees delegates to the Chancellor the responsibility for implementing the Plan, supporting equal employment policies, advising on statewide policies, and evaluating administrative staff performance related to the Plan.

### **4.3 Equal Employment Opportunity Officer/ADA Coordinator**

The Board of Trustees delegates the AVCHR as its Equal Employment Opportunity Officer (EEOO or AVCHR). The EEOO is responsible for the day-to-day implementation of the Plan. The EEOO is responsible for administering, implementing, monitoring, and achieving the goals of the Plan and for assuring compliance with the requirements of [5 CCR § 53000](#), et seq. The EEOO is also responsible for receiving complaints and for ensuring that applicant pools and selection procedures are properly monitored.

The AVCHR is also designated the ADA Coordinator.

### **4.4 EEO Advisory Committee**

The District has established the EEO Advisory Committee to act as an advisory body to the EEOO and the District to promote understanding and support of equal employment opportunity and equity-minded hiring and retention policies and procedures. The EEO Advisory Committee shall assist in the implementation of the Plan in compliance with state and federal regulations and guidelines, monitor equal employment opportunity progress, and provide suggestions for Plan revisions as appropriate.

**NOTE:** It is also the responsibility of the EEO Advisory Committee to ensure that the EEO Advisory Committee itself is meaningfully diverse.

### **4.5 Agents of the District**

Any organization or individual, whether an employee of the District or not, who acts on behalf of the Board of Trustees with regards to the recruitment and screening of personnel, is an agent of the District and is subject to all the requirements of Board Policy, Administrative Procedures, this Plan, and the District's Recruitment Handbook. This includes, but is not limited to, contractors hired to facilitate searches. All such parties shall make a continuous good faith effort to comply with all the requirements of its Plan, including resourcing the District's EEO strategies.

## **Section 5: EEO TRAINING REQUIREMENTS**

### **5.1 Training Requirements**

EEO Training must include the following topics: (1) the requirements of [Title 5, California Code of Regulations](#), and state and federal nondiscrimination laws; (2) the educational benefits of workforce diversity; (3) identification and elimination of bias in hiring; and (4) best practices in serving on a selection or screening committee.

### **5.2 Board of Trustees**

Each member of the Board of Trustees shall receive EEO Training. Newly elected Trustees shall complete EEO Training within ninety (90) days of assuming office and prior to service on a search/selection committee.

### **5.3 Participation in Recruitment/Screening/Selection Processes**

Anyone participating in the screening and/or selection process, whether an employee of the District or not, must have completed the District's EEO training within 24 months prior to the commencement of that participation.

### **5.4 EEO Representatives**

All EEO Representatives will be required to have completed EEO Representative training, when available, within 24 months of the commencement of service as an EEO Representative. The EEOO shall conduct an EEO Advisory committee orientation in the first EEO Advisory meeting in July.

### **5.5 Agents of the District**

Any organization or individual, whether an employee of the District or not, who acts on behalf of the Board of Trustees with regards to the recruitment, screening, and/or selection of personnel, is an agent of the District and is subject to all the requirements of this Plan and the District's Recruitment Handbook. This includes, but is not limited to, third-party recruitment firms.

### **5.6 Good Faith Effort**

The District shall make a continuous good faith effort to comply with all the requirements of its Plan, including resourcing the District's EEO strategies.

## **Section 6: EEO ADVISORY COMMITTEE**

### **6.1 Establishment of Committee**

An EEO Advisory Committee is hereby established to assist the District with the implementation of this EEO Plan. The role of this committee is described in Section 3.4, above.

### **6.2 Meetings and Attendance**

The EEO advisory committee shall meet virtually the second Tuesday of every month, from 3:00 PM to 5:00 PM. Due to the need for ongoing attention and work, there are no quorum requirements. It is also not a requirement that a member of the committee attend all meetings. Additional committee meetings may be scheduled as needed.

### **6.3 EEO Calendar**

This Plan includes a comprehensive EEO calendar attached as Appendix B.

### **6.4 Membership**

In May of every year, the EEOO shall issue a District-wide call for EEO Advisory Committee members. Any of the following may volunteer to participate on the committee:

- Students;
- Faculty;
- Staff;
- Administrators;
- Union designees;
- Community members; and
- District Retirees.

### **6.5 Student Participation**

In May of every year, the EEOO shall engage each College President, or respective designee, to identify a student(s) to participate on the committee.

### **6.6 Community Member Participation**

Efforts will also be made to engage community members and invite them to participate on the committee. Trustees are encouraged to assist with these efforts.

### **6.7 Voluntary Participation: Avoiding the Minority Tax and Tokenism**

While it is essential to maintain a diverse EEO Advisory Committee, it is equally essential to be thoughtful about how to achieve this goal. Ensuring that all members of the EEO Advisory Committee are volunteers:

- Helps to ensure that committee members are genuinely committed to the goals of the District and its EEO program and are motivated to contribute their time and expertise effectively. It promotes active engagement and dedication to the committee's goals.

- Fosters a sense of empowerment and agency among committee members. It allows individuals to choose to participate based on their passion, interest, and expertise, rather than being assigned or obligated to serve on the committee solely to demonstrate diversity. This promotes a more inclusive and collaborative environment where members can meaningfully contribute.
- Helps to avoid the burden of additional responsibilities being unfairly placed on certain individuals, particularly women and people of color. By allowing voluntary participation, the committee can avoid reinforcing any existing disparities or placing undue burdens on already marginalized groups.
- Helps to mitigate the risk of tokenism. By allowing individuals to choose to participate based on their own interest and expertise, rather than being assigned or obligated to serve solely to demonstrate diversity, the committee can ensure that each member's unique perspectives and contributions are genuinely valued.

## **Section 7: ANNUAL EEO PLAN NOTIFICATIONS**

### **7.1 Generally**

The District's commitment to Equal Employment Opportunity is emphasized through the broad dissemination of its EEO policy statement and this Plan. To this end, the District will issue EEO Plan notifications pursuant to this Section.

### **7.2 Internal Notifications and Website**

Every July, the District will email an annual notice to all District employees. The notice shall contain:

- A description of the District's EEO Plan;
- A link to the District's EEO Plan and webpage;
- A summary of significant changes to the Plan; and
- An invitation to become a member of the EEO Advisory Committee.

### **7.3 External Notifications (Community and Professional Organizations)**

#### **7.3.1 Generally**

Every July, the District will email a notice to appropriate community-based and professional organizations concerning the Plan.

#### **7.3.2 External Contact List**

The District shall annually update the list of organizations that will receive the District's Annual EEO Notice. This list is attached as Appendix C.

#### **7.3.3 Contents of Notice**

The notice shall contain:

- A request for assistance in identifying candidates from diverse backgrounds;
- An invitation to become a member of the EEO Advisory Committee;
- A link to the District's EEO Plan and webpage; and
- A link to the District's recruitment website (e.g., PeopleAdmin).

### **7.4 Elimination of Template EEO Notification Letters**

In the past, the District has utilized template EEO notification letters to ensure compliance with legal requirements. Template notification letters, however, tend to invite performative exercises, i.e., cutting and pasting communications without thought or reference to current EEO activities. Because these notices must demonstrate that the District's commitment to EEO is not merely performative, and the notices should be reasonably and contemporaneously targeted to achieve our EEO goals, the District is eliminating the use of template EEO notifications.

## Section 8: OVERVIEW: THE TWO EEO ANALYSES

### 8.1 Distinguishing Availability and Adverse Impact Analyses

*Availability analysis* and *adverse impact analysis* are two separate, but related analyses used in the context of EEO planning. The District is legally required to conduct both analyses over time (longitudinal analyses).

### 8.2 Monitored Groups

For both analyses, the District analyzes data monitoring representation of the following six (6) groups ("Monitored Groups"):

- White
- Asian
- Black or African American
- Hispanic/Latino
- Male
- Female

### 8.3 EEO Job Classifications

For both analyses, the District analyzes each Monitored Group within the following six (6) job types ("EEO Job Classifications");<sup>10</sup>

- Full-Time Faculty
- Part-Time Faculty
- Classified (Represented)
- Confidential (Unrepresented Classified)
- Supervisors
- Administrators

### 8.4 Availability Analysis

In the simplest terms, this analysis involves the gathering of demographic data to be able to compare the potentially available workforce to the composition of the District's actual workforce. The goal of the availability analysis is to determine whether a Monitored Group is underrepresented. An oversimplified example for illustration:

*If the composition of the relevant labor market is 80% Hispanic/Latino, but our current workforce is only 10% Hispanic/Latino, then we can determine that Hispanics/Latinos are underrepresented in our workforce.*

### 8.5 Adverse Impact Analysis

Adverse impact analysis, also known as disparate impact analysis, is aimed at identifying potential discriminatory effects of employment practices on protected groups, even if the practices do not appear to be discriminatory.

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<sup>10</sup> At times, the [2021-2024 District EEO Plan](#) appears to combine confidential, supervisors, and administrators into a single group. While helpful in the sense of creating a larger data set, confidential employees are classified employees and do not meet the definition of "Management Employee" for purposes of the state collective bargaining law. ([GC § 3540.1](#).) There are also significant differences in terms and conditions of employment for "supervisors," otherwise referred to as "classified supervisors," and administrators. Therefore, this plan will utilize the six (6) EEO Job Classifications as they appear in Colleague.

Unlike availability analysis, adverse impact analysis is generally focused on the District's internal employment practices, not external demographic data. The goal of this analysis is to determine whether the District's practices have an adverse impact on a Monitored Group. An oversimplified example for illustration:

*Over time, an average of 75% of those female applicants are screened out for not having minimum qualifications. The District might discover, for example, that a certain outdated degree requirements (not intended to be discriminatory, but also not actually necessary for the job) are responsible for most of these women being denied the opportunity to interview. This would constitute an adverse impact on a Monitored Group which would, in turn, require the change of minimum qualifications requirements of affected positions.*

## Section 9: AVAILABILITY ANALYSIS

### 9.1 Generally

Districts are required to identify the relevant labor market where we recruit their workforce. This can be a specific geographical area or a more extensive labor market. The District then uses data from the U.S. Census Bureau or other relevant sources to determine the *demographic composition* of the *labor market*. This is referred to as the “availability analysis,” because it is the labor market deemed to be available to the District. The District then uses this data to generate a “projected representation” for each of the Monitored Groups, which is then used to identify areas of underrepresentation within EEO Job Classifications.

### 9.2 Composition of Appropriate Labor Market

For this iteration of the District's EEO Plan, the District will continue its practice of determining its projected representation using a five-county area (Colusa, Lake, Sutter, Yolo, and Yuba).<sup>11</sup> Here is that data districtwide, using 2020 US Census data:

	White	Asian	NH/PI	Black	HS/LA	AI/AN	2+	Other	Unknown	Totals
YCCD #	228,170	54,661	1,889	11,217	155,706	4,861	27,833	2,826	450	487,613
YCCD %	46.8	11.2	0.4	2.3	31.9	1.0	5.7	0.6	0.1	100.0

The data is similar when broken down by each college's service area:

	White	Asian	NH/PI	Black	HS/LA	AI/AN	2+	Other	Unknown	Totals
WCC #	145,054	31,064	1,238	7,062	100,618	2,965	16,648	1,756	0	306,405
WCC %	47.3	10.1	0.4	2.3	32.8	1.0	5.4	0.6	0.0	100.0

	White	Asian	NH/PI	Black	HS/LA	AI/AN	2+	Other	Unknown	Totals
YC #	83,116	23,597	651	4,155	55,088	1,896	11,185	1,070	450	181,208
YC %	45.9	13.0	0.4	2.3	30.4	1.0	6.2	0.6	0.2	100.0

Data regarding the sex/gender distribution in the five-county area demonstrates a **1.3%** higher availability of females:

	Male	Female	Unknown	Total
YCCD #	240,985	247,159	9	488,153
YCCD %	49.4%	50.6%	0%	100%

<sup>11</sup> The District will continue to assess the appropriateness of this 5-county area by reviewing the areas which yield statistically significant numbers of applicants. This will include consideration of geographical areas outside of the District's service area, but that yield significant applicants over time.

When that data is adjusted for approximate working age (18-68 years old)<sup>12</sup> the data demonstrates a **3.3%** higher availability of females than the non-adjusted numbers:

	Male	Female	Unknown	Total
YCCD #	149,665	159,902	9	309,576
YCCD %	48.3%	51.7%	0%	100%

## 9.3 Projected Representation

### 9.3.1 Generally

Districts are required to identify any “underrepresented groups,” where actual representation is below 80% of the *projected representation*. [5 CCR § 53004](#), however does not define the term “projected representation.” This section will address how the District determines projected representation.

### 9.3.2 Adopted Measure of Projected Representation

The District will continue to use the demographic data from the 5-county area (districtwide) to project the representation of Monitored Groups in each EEO Job Classification.

Monitored Group	Projected %	Under %
White	46.8%	37.4%
Asian	11.2%	9.0%
Black	2.3%	1.8%
Hispanic/Latino	31.9%	25.5%
Males	48.3%	38.6%
Females	51.7%	41.4%

## 9.4 Note: Narrower Data Sets

There has been discussion in the past about analyzing availability data more narrowly, i.e., by college/college service area. Two factors currently weigh against this: (1) the District's small workforce already poses challenges finding statistically significant data, and (2) the most prominent distinction between the districtwide data, Woodland College Specific data, and Yuba College specific data is the “Asian” Monitored Group, and the districtwide percentages are both within (or less than) 1.8% of each college in the context of an already small data set.

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<sup>12</sup> This analysis uses the regular age of retirement as defined by the [Social Security Administration](#). In the past, the District has used an age range of 21+ years old. This approach eliminates those who could be working for the District between the ages of 18 – 21 and would include those statistically unlikely to be working for the District (e.g., 110 years old).

## 9.5 Note: Utilization of Student Demographic Data

In the past, the District appeared to consider student demographics, but it is not clear how this data was actually used.<sup>13</sup> While student demographic data is clearly relevant to how our workforce is serving our students, it is not technically “availability data,” for purposes of EEO and, for a variety of reasons, student representation in Monitored Groups may distort data regarding the demographics of the available workforce.

## 9.6 Workforce Composition and Underrepresentation Analysis<sup>14</sup>

The Monitored Groups in **red text** are currently underrepresented in the designated EEO Job Classifications:

FT Faculty	Headcount	Projected %	Actual %	Under %	Status
White	83	46.8%	70.3%	37.4%	R
Asian	16	11.2%	13.6%	9.0%	R
Black	3	2.3%	2.5%	1.8%	R
Hispanic/Latino	11	31.9%	9.3%	25.5%	UR
Other/Unknown	5	N/A	4.2%	N/A	N/A
Male	48	48.3%	40.7%	38.6%	R
Female	70	51.7%	59.3%	41.4%	R
Total Headcount	118				

PT Faculty	Headcount	Projected %	Actual %	Under %	Status
White	80	46.8%	66.7%	37.4%	R
Asian	9	11.2%	7.5%	9.0%	UR
Black	3	2.3%	2.5%	1.8%	R
Hispanic/Latino	17	31.9%	14.2%	25.5%	UR
Other/Unknown	11	N/A	9.2%	N/A	N/A
Male	57	48.3%	47.5%	38.6%	R
Female	63	51.7%	52.5%	41.4%	R
Total Headcount	120				

<sup>13</sup> [2021-2024 District EEO Plan](#), pp. 12 and 13.

<sup>14</sup> Data for all EEO Job Classifications is as of July 2023, with the exception of part-time faculty, which is current as of Fall 2022.

Classified	Headcount	Projected %	Actual %	Under %	Status
White	66	46.8%	42.9%	37.4%	R
Asian	16	11.2%	10.4%	9.0%	R
Black	6	2.3%	3.9%	1.8%	R
Hispanic/Latino	55	31.9%	35.7%	25.5%	UR
Other/Unknown	11	N/A	7.1%	N/A	N/A
Male	59	48.3%	38.3%	38.6%	UR
Female	95	51.7%	61.7%	41.4%	R
Total Headcount	154				

Confidential	Headcount	Projected %	Actual %	Under %	Status
White	4	46.8%	26.7%	37.4%	UR
Asian	2	11.2%	13.3%	9.0%	R
Black	0	2.3%	0.0%	1.8%	UR
Hispanic/Latino	8	31.9%	53.3%	25.5%	R
Other/Unknown	1	N/A	6.7%	N/A	N/A
Male	0	48.3%	0.0%	38.6%	UR
Female	15	51.7%	100.0%	41.4%	R
Total Headcount	15				

Supervisor	Headcount	Projected %	Actual %	Under %	Status
White	9	46.8%	52.9%	37.4%	R
Asian	1	11.2%	5.9%	9.0%	UR
Black	1	2.3%	5.9%	1.8%	R
Hispanic/Latino	3	31.9%	17.6%	25.5%	UR
Other/Unknown	3	N/A	17.6%	N/A	N/A
Male	6	48.3%	35.3%	38.6%	UR
Female	11	51.7%	64.7%	41.4%	R
Total Headcount	17				

Administrator	Headcount	Projected %	Actual %	Under %	Status
White	16	46.8%	48.5%	37.4%	R
Asian	5	11.2%	15.2%	9.0%	R
Black	2	2.3%	6.1%	1.8%	R
Hispanic/Latino	7	31.9%	21.2%	25.5%	UR
Other/Unknown	3	N/A	9.1%	N/A	N/A
Male	15	48.3%	45.5%	38.6%	UR
Female	18	51.7%	54.5%	41.4%	R
Total Headcount	33				

**NOTE:** There appear to be irregularities in this data in pertaining to confidential, supervisors, and administrators in the [2021-2024 District EEO Plan](#).

The chart below calculates the trend of underrepresentation, accounting for changing demographics between the 2010 and 2020 census.

FT Faculty	2020 to 80%	2023 Actual %	2023 to 80%	Trend to 80%	Result
White	21.1%		32.9%	11.8%	32.9% above 80%
Asian	7.2%		4.6%	-2.5%	4.6% above 80%
Black	1.4%		0.7%	-0.8%	0.7% above 80%
Hispanic/Latino	-9.6%		-16.2%	-6.6%	16.2% below 80%
PT Faculty	2020 to 80%	2022 Actual %	2023 to 80%	Trend to 80%	Result
White	18.6%		29.3%	10.7%	29.3% above 80%
Asian	0.8%		-1.5%	-2.2%	1.5% below 80%
Black	2.6%		0.7%	-2.0%	0.7% above 80%
Hispanic/Latino	-9.6%		-11.3%	-1.7%	11.3% below 80%
Classified	2020 to 80%	2023 Actual %	2023 to 80%	Trend to 80%	Result
White	4.0%		5.5%	1.5%	5.5% above 80%
Asian	1.6%		1.4%	-0.1%	1.4% above 80%
Black	1.3%		2.1%	0.7%	2.1% above 80%
Hispanic/Latino	10.4%		10.2%	-0.2%	10.2% below 80%

## **Section 10: ADVERSE IMPACT ANALYSIS**

### **10.1 Generally**

This analysis requires the District to gather internal recruitment and employment data to identify, over time (“longitudinal analysis”) areas where there are “adverse impacts” on Monitored Groups. The definition of “adverse impact” will depend on the data being analyzed.

### **10.2 Data Sources**

#### **10.2.1 Individual Demographic Data**

The District will afford each applicant or employee the opportunity to voluntarily identify their gender, ethnic group identification, and their disability status. 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).

#### **10.2.2 Recruitment, Hiring, and Promotion**

The District will gather, monitor, and address the demographic composition of:

- Initial and, if applicable, subsequent (e.g., reposted) applicant pools;
- The applicant pool after minimum qualification screening;
- The candidates advanced for an interview;
- The candidates advanced for subsequent interviews; and
- Successful candidates.

#### **10.2.3 Evaluation and Retention**

The District will develop systems to gather and monitor evaluation ratings and retention data, including exit interviews.

#### **10.2.4 Other Sources**

The EEOO, in consultation with the EEO Advisory Committee, may identify other sources of relevant data.

### **10.3 Data Disaggregation**

Data collected will be disaggregated by Monitored Groups, EEO Job Category, districtwide data, and by the District Office, Woodland Community College, and Yuba College. and YCCD Location. Data which cannot be sufficiently aggregated to protect confidentiality will be combined with other data sources or will not be used.

## **10.4 Definitions of Adverse Impact**

### **10.4.1 Recruitment and Promotion**

For recruitment purposes, an adverse impact specifically occurs where the selection rate for a monitored group is less than four-fifths (or 80%) of the selection rate for the group with the highest rate. Promotions in the District require a full recruitment. Therefore, this same analysis applies.

The fact that a given data set does not meet the “four-fifths” rule does not mean that discrimination did not occur. The District may also apply a “practical significance test” where an observed disparity in employment opportunities or outcomes reflects meaningful harm to the disfavored group.

### **10.4.2 Other Employment Data**

For other types of employment actions – retention, probationary or contract period completion success rates, for example – the District applies a “substantial difference” standard, taking into consideration various factors including sample size and trends over time. This standard allows the District to identify patterns with relatively small data sets.

## **10.5 Identified Adverse Impacts**

The EEEO and the EEO Advisory Committee are currently unable to identify adverse impacts. This analysis requires accurate data collected over time, which is currently unavailable. The steps needed to address these situations, and deliverable timeframes, are contained in Section 11, below. The background and reasons for inability include:

### **10.5.1 Historical Factors**

The District has not consistently or adequately gathered and analyzed data over a time. In this regard, the 2021-2024 EEO Plan reads:

*Among the District's challenges is an inconsistent history of reporting demographic data other than the required reports to the System Office, and an inconsistent practice of analyzing those data for patterns. Also, the recent turnover in the leadership of the Human Resources Office and the Institutional Effectiveness Office, has likely led to an information gap in the history of doing this type of research and analysis...*

In fall of 2021, the EEEO discovered that data was not, in fact, being gathered and disseminated in accordance with the EEO Plan or requirements, and that adequate systems had not been implemented or prioritized to gather this data. HR staff reported a historical lack of training.

### **10.5.2 Outdated /Inaccurate Processes in Colleague**

In many instances, personnel processes and associated systems have not been updated in over twenty (20) years. These processes are not documented, nor are they trusted, requiring duplication of data in manual spreadsheets which have not been adequately maintained for data gathering purposes.

### **10.5.3 Lack of Adequate Technical Support and Training**

The District lacks sufficient resources to adequately implement Colleague in the areas of human resources, administrative services/budget, and payroll. The Colleague vendor, Ellucian, has similarly been unable to provide these resources to date. This stymies the ability to enter, track, and analyze necessary data.

### **10.5.4 Significant Turnover**

It appears the District may be losing employees faster than new employees can be hired, although reliable retention data is hard to come by, particularly without position control. This is not new, despite the following statement taken from the [2021-2024 District EEO Plan](#):

*As a steady, well-paying employer that offers high-quality benefits and permanent jobs with the promise of continued employment, there is very low turnover among [District] employees...*

This turnover accelerates the data stream, complicating efforts to gather and analyze the data for a disparate/adverse impact on monitored groups, to implement strategies to identify areas of underrepresentation, or measure the effectiveness of them.

# Section 11: SPECIFIC REMEDIAL METHODS

## 11.1 EEO Plan Year 1 – Pre-Hire

EEO Plan Year	Topic	Method	Responsible Parties	Initiative	Metrics and Review
Pre-Hiring					
Plan Year 1 (2023- 2024)	Community Contacts	Underrepresentation	EEOO	Establish new community contacts for annual notice, focusing in areas of underrepresentation.	Have a completely updated annual notification list for implementation in late Spring 2024. The list will be included in the 2024 EEO Plan update.
Plan Year 1 (2023- 2024)	Professional Contacts	Underrepresentation	EEOO	Establish new contacts at Sacramento State and Chico State to explore avenues to increase diversity of applicant pools.	Provide description of effort and possible avenues to explore to the Board in late Spring 2024.
Plan Year 1 (2023- 2024)	Student Engagement	Underrepresentation and Adverse Impacts	EEOO/College Presidents	Invite students to participate on the EEO Advisory Committee.	Ascertain student interest at the college-level, reporting effort and results to the Board in late Spring 2024.

## 11.2 EEO Plan Year 1 – Hiring

EEO Plan Year	Topic	Method	Responsible Parties	Initiative	Metrics and Review
Hiring					
Plan Year 1 (2023- 2024)	Recruitment Handbook	Adverse Impacts	Chancellor/EEOO/Cabinet/ College Senates/DCAS	Develop a comprehensive Recruitment Handbook for all permanent positions, both full and part-time.	Present completed handbook to the Board in late Spring 2024 for Board approval.
Plan Year 1 (2023- 2024)	EEO Training	Adverse Impacts	EEOO	Develop new in-person EEO Training to be offered quarterly.	Offer new training in July 2024 (1st Quarter of Plan Year 2).
Plan Year 1 (2023- 2024)	EEO Training	Adverse Impacts	EEOO	Develop and implement a self-paced, online EEO Training to facilitate broader access to search and selection procedures and assist with the diversification of search committees.	Implement self-paced, online training prior to EEO status updates to the Board in late Spring 2024.
Plan Year 1 (2023- 2024)	Data	Adverse Impacts	EEOO/IT	Create a temporary, manual process to track demographics at applicant pool, minimum qualification screening, interviews, and hiring.	Present data to Board in late Spring 2024.
Plan Year 1 (2023- 2024)	Job Descriptions	Underrepresentation and Adverse Impacts	EEOO/Consultant/CSEA	Complete classification and compensation study and implement new job descriptions after negotiations with CSEA.	Implement new job descriptions in the

## 11.3 EEO Plan Year 1 – Post-Hire

EEO Plan Year	Topic	Method	Responsible Parties	Initiative	Metrics and Review
Post Hiring					
Plan Year 1 (2023- 2024)	Complaints	Adverse Impacts	EEOO	Update complaint form, including descriptions of (1) discrimination and harassment complaints, (2) EEO complaints, and (3) selection complaints (when implemented).	Post new form online prior to EEO status updates in late Spring 2024.
Plan Year 1 (2023- 2024)	Complaints	Adverse Impacts	EEOO	Timely and thoroughly investigate all harassment & discrimination complaints & take appropriate corrective action in all instances where a violation is found.	Provide ongoing reports to the Chancellor regarding complaints filed and status.

## 11.4 EEO Plan Year 2 – Pre-Hire

EEO Plan Year	Topic	Method	Responsible Parties	Initiative	Metrics and Review
Pre-Hiring					
Plan Year 2 (2024- 2025)	Community Contacts	Underrepresentation	EEEO	Leverage contacts in the community to identify process improvements and more targeted advertising, including job fairs, etc.	Update Board in late Spring 2025.
Plan Year 2 (2024- 2025)	District Culture	Underrepresentation	EEEO/Executive Leadership	Consistent with the Pyramid of Institutional Responsibilities in the OPC 3 year plan, commence work on employee value proposition.	Update Board in late Spring 2025.

## 11.5 EEO Plan Year 2 – Hiring

EEO Plan Year	Topic	Method	Responsible Parties	Initiative	Metrics and Review
Hiring					
Plan Year 2 (2024- 2025)	Recruitment Handbook	Adverse Impacts	EEEO/Districtwide	Phase-in implementation of Recruitment Handbook.	All searches in compliance with the Recruitment Handbook by late Spring 2025.
Plan Year 2 (2024- 2025)	Recruitment Handbook	Adverse Impacts	EEEO/Districtwide	Develop and phase-in implementation of Recruitment Handbook training.	All searches in compliance with the Recruitment Handbook by late Spring 2025.
Plan Year 2 (2024- 2025)	Recruitment Handbook	Adverse Impacts	EEEO/Districtwide	Develop and phase-in new tools and instructions for search committees.	All searches in compliance with the Recruitment Handbook by late Spring 2025.
Plan Year 2 (2024- 2025)	EEO Training	Adverse Impacts	EEEO/Districtwide	Develop and phase-in EEO Representative training.	All searches in compliance with the Recruitment Handbook by late Spring 2025.

## 11.6 EEO Plan Year 2 – Post-Hire

EEO Plan Year	Topic	Method	Responsible Parties	Initiative	Metrics and Review
Post Hiring					
Plan Year 2 (2024- 2025)	Complaints	Adverse Impact	EEEO	Phased-in implementation of Selection Complaint.	All searches in compliance with the Recruitment Handbook by late Spring 2025.
Plan Year 2 (2024- 2025)	Culture of Inclusion	Adverse Impact	EEEO	Determine the feasibility of an Ombuds or similar conflict resolution program.	Update Chancellor.

### 11.7 EEO Plan Year 3 – Pre-Hire

EEO Plan Year	Topic	Method	Responsible Parties	Initiative	Metrics and Review
Pre-Hiring					
Plan Year 3 (2025- 2026)	Marketing	Underrepresentation	EEEO	Create new recruitment materials, utilizing the concept of employee value proposition and employer branding.	Update Board in late Spring 2026.

### 11.8 EEO Plan Year 3 – Hiring

EEO Plan Year	Topic	Method	Responsible Parties	Initiative	Metrics and Review
Hiring					
Plan Year 3 (2025- 2026)	Recruitment Handbook	Adverse Impacts	EEEO/Districtwide	Continuing training and monitoring.	Update Board in late Spring 2026.

### 11.9 EEO Plan Year 3 – Post-Hire

EEO Plan Year	Topic	Method	Responsible Parties	Initiative	Metrics and Review
Post Hiring					
Plan Year 3 (2025- 2026)	Orientation and Onboarding	Underrepresentation and Adverse Impact	EEEO	Develop and implement a 12-month, cohort based program for staff and administrators.	All searches in compliance with the Recruitment Handbook by late Spring 2025.

## **Section 12:**

## **ADDITIONAL REMEDIAL METHODS**

The District ensures equal employment opportunity, which involves creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas, and one that is welcoming to men and women, LGBTQ+, 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 broad recruitment of potential applicants 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 strive in a diverse community. The equal employment opportunity provisions below apply to all full-time and part-time hiring. The provisions outlined below are in place whether or not underrepresentation exists.

The District will continue to engage in the activities enumerated in Appendix D, incorporated herein by reference. These provisions will be included in the Recruitment Handbook to ensure implementation.

## **Section 13: COMPLAINTS**

### **13.1 Generally**

The District strongly encourages all complainants to file complaints, in writing, as soon as possible. While all complaints are taken seriously and will be investigated promptly, delay in filing impedes the District's ability to investigate and remediate. All complaints shall be filed with the AVCHR, who is the District's designated EEOO. If the complaint involves the AVCHR, the complaint may be filed with the Chancellor. The District's complaint form can be accessed [here](#).

### **13.2 Types of Complaints**

There may be an inherent overlap between an EEO complaint, a discrimination complaint, and an allegation that a recruitment process failed to follow uniform, job-related selection procedures. This section will describe the three (3) categories of complaints:

#### **13.2.1 Discrimination and Harassment Complaints**

Discrimination complaints allege violations of the District's non-discrimination and harassment policies, including, but not limited to, allegations of discrimination based on race, gender, disability, and/or other protected classifications.

#### **13.2.2 EEO Complaints**

An alleged violation of the express terms of the *EEO regulations* contained of [Title 5, Section 53000](#), et seq. ("[EEO Regulations](#)"); and/or a violation of the express terms of this *EEO Plan*.

#### **13.2.3 Selection Procedure Complaint**

The sole basis for a Selection Procedure Complaint is the failure to follow uniform, job-related selection procedures, violating the express terms of the District's Recruitment Handbook, and which are determined by the AVCHR to reasonably have had, or have a reasonably likely potential to have, a material impact on the outcome a specific recruitment. This complaint type will only be available upon completion of the Recruitment Handbook.

#### **13.2.4 Allegations Falling Within Multiple Complaint Types**

Where allegations fall within two (2) or more of the above-described complaint categories, the District will apply to the entire complaint the most stringent review applicable to any of the allegation(s) contained therein and will apply the most generous timelines applicable to any of the allegation(s) contained therein.

### **13.3 Discrimination and Harassment Complaint Procedures**

The District's policies pertaining to discrimination include: [BP 3410 - Nondiscrimination](#), [BP 3430 - Prohibition of Harassment](#), [BP 3433 - Prohibition of Sexual Harassment under Title IX](#), and [AP 3430 - Prohibition of Harassment](#). The procedures for filing and process a discrimination complaint can be accessed here: [AP 3434 - Responding to Harassment Based on Sex under Title IX](#) and [AP 3435 - Discrimination and Harassment Complaints and Investigations](#). The complaint form can be accessed [here](#).

### **13.4 EEO Complaint Procedures**

#### **13.4.1 Generally**

An EEO Complaint is a complaint alleging a violation of the [EEO Regulations](#) or this EEO Plan.

#### **13.4.2 Written Complaint**

Any person who believes that the provisions of [EEO Regulations](#) and/or this EEO Plan have been violated may file a written complaint describing in detail the alleged violation(s). All EEO 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(s).

#### **13.4.3 Time to File**

##### **13.4.3.1 EEO Complaints Involving Current Hiring Processes**

EEO 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. The sixty (60) days may be extended by either the AVCHR, or designee, where the District determines there is good cause for the late filing.

##### **13.4.3.2 All Other EEO Complaints**

Complaints alleging violations 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 except in cases involving continuing violations.

#### **13.4.4 Returned or Dismissed EEO Complaints**

##### **13.4.4.1 Returned EEO Complaints**

The District may return without action any complaints that are inadequate because the complaint: (1) fails to identify specific provisions of the [EEO Regulations](#) and/or this EEO Plan alleged to be violated; and/or (2) describes facts which, even when presumed to be true, do not constitute a violation of the [EEO Regulations](#) and/or this EEO Plan.

All returned complaints shall include a written District statement of the reason for returning the complaint without action. The complainant will be advised that they have fourteen (14) calendar days to amend the complaint. If the complaint is not amended and resubmitted within fourteen (14) calendar days or continues to be defective, the complaint will be dismissed.

#### **13.4.4.2 Dismissed EEO Complaints**

All dismissals shall be in writing and shall include the reasons for dismissal. The District may dismiss complaints where: (1) the complaint is untimely without good cause shown for late filing; and/or (2) the complaint is dismissed pursuant to the provisions of Section 13.4.4 et seq.

#### **13.4.4.3 Appeal of Resolution or Dismissal of EEO Complaint**

Generally, a complainant may not appeal the resolution or dismissal of an EEO Complaint to the State Chancellor's Office. In some circumstances, however, violations of the EEO regulations in Title 5 may constitute a violation of a minimum condition for receipt of state aid. This type of complaint can be appealed [here](#).

### **13.5 Selection Procedure Complaint**

#### **13.5.1 Generally**

The sole basis for a Selection Procedure Complaint is the failure to follow uniform, job-related selection procedures which have resulted, or will result, in a material impact on a specific recruitment process. For the purposes of Selection Procedure Complaint, a material impact is an impact that can reasonably be viewed as changing, or having the potential to change, the outcome of a recruitment process, either for an applicant/candidate or for applicants/candidates.

#### **13.5.2 Who May File**

Selection Complaints may be filed by an applicant, a candidate, a search committee member, and/or a hiring administrator with regards to a specific recruitment.

#### **13.5.3 Time to File**

All Selection Complaints must be filed within ten (10) calendar days that a person identified in Section 6.5.2, above, becomes aware of a potential failure to follow uniform, job-related selection procedures.

#### **13.5.4 Written Complaint**

All Selection 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(s). Access to the complaint form will be granted after the Recruitment Handbook is completed.

### **13.5.5 District Review**

Within three (3) business days, the AVCHR will review the complaint and determine whether to investigate the complaint, dismiss the complaint, and/or whether take immediate action ("Initial Selection Complaint Resolutions.")

### **13.5.6 District Response**

The AVCHR will, in general terms, inform the complainant of the Initial Selection Complaint Resolution(s), maintaining appropriate confidentiality.

## **13.6 Corrective Action**

Where it is determined that a complaint, or a portion thereof, is meritorious, the AVCHR will recommend to the Chancellor appropriate corrective action based on the type of complaint and the impact of the violation.

# Appendix A: DEFINITIONS

## 1.1 Adverse Impact

"Adverse impact" means a disproportionate negative impact to a group protected from discrimination pursuant to [Government Code Section 12940](#), arising from the effects of an employment practice as determined according to a valid statistical measure (such as those outlined in the Equal Employment Opportunity Commission's "[Uniform Guidelines on Employee Selection Procedures](#)").

**NOTE:** A disparity identified in a specific search/selection process will not be considered to constitute adverse impact if the numbers involved are too small to permit a meaningful comparison.

## 1.2 Accessibility

"Accessibility" means providing a person with a disability the same information, interactions, and services as someone without a disability in an equally effective and integrated manner, with substantial ease of use. It ensures equal employment benefits and opportunities, though ease of use might not be identical to that of persons without disabilities.

## 1.3 Associate Vice Chancellor, Human Resources

Reference to the "Associate Vice Chancellor, Human Resources," or "AVCHR" includes, where appropriate, a designee of the AVCHR. Where a complaint is filed against the AVCHR based on actions specifically taken by the AVCHR, the terms "Associate Vice Chancellor, Human Resources," and "AVCHR," refer to the Chancellor, or designee.

## 1.4 Diversity

"Diversity" means a condition of broad inclusion in an employment environment that offers equal employment opportunity for all persons. The achievement of diversity within a workforce requires the presence, respectful treatment, and inclusion of individuals from a wide range of ethnic, racial, age, national origin, religious, gender, gender identity, sexual orientation, disability, and socio-economic backgrounds, in all aspects of the workplace. See, also, [BP 1300](#).

## 1.5 Equal Employment Opportunity

"Equal employment opportunity" ("EEO") means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the district. Equal employment opportunity should exist at all levels, in all **job categories**. Equal employment opportunity also involves:

- 1.5.1** Identifying and eliminating barriers to employment that are not job related, such as reliance on preferred job qualifications that do not reasonably predict job performance;

- 1.5.2** Updating job descriptions and/or job announcements to reflect accurately the knowledge, skills, and abilities of the position, including a commitment to equity; and
- 1.5.3** Creating an environment which fosters cooperation, acceptance, democracy, and free expression of ideas, and is welcoming to all persons free from discrimination related to the categories protected by [Government Code Section 12940](#).

## **1.6 Equal Employment Opportunity Plan**

An "EEO Plan" is a written document that describes a district's EEO program. A district's EEO plan shall include:

- 1.6.1** Analysis of the district's work force; and
- 1.6.2** Descriptions of the district's program and strategies, informed by the district's work force analysis, that it is implementing or will implement, to promote equal employment opportunity.

## **1.7 Equal Employment Opportunity Program**

An "EEO program" refers to the combination of district strategies implemented to promote equal employment opportunity. Such programs should be informed by a district's longitudinal workforce and applicant analyses.

## **1.8 In-House or Promotional Only**

"In-house or promotional only" hiring means that only existing district employees are eligible for a position. See, also, [AP 7121: Acting, Interim, and Direct Appointments](#).

## **1.9 Minority or Cultural Tax<sup>15</sup>**

The phrase "minority tax" is used to refer to the burden of time and resources placed on already marginalized persons to represent and advocate for their communities.

## **1.10 Monitored Group**

"Monitored group" means the groups for which districts must provide demographic data pursuant to [5 CCR 53004](#). (c.f., "Underrepresented Group," below.)

## **1.11 Person with a Disability**

"Person with a disability" means 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.

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<sup>15</sup> See, e.g., Trejo J. *The burden of service for faculty of color to achieve diversity and inclusion: the minority tax*. Mol Biol Cell. (2020)

### **1.12 Reasonable Accommodation**

"Reasonable accommodation" means the efforts made by the district in compliance with [Government Code section 12926](#). It refers to the efforts made on the part of the District to afford disabled applicants access to the job application process and allow disabled employees to perform the essential functions of their positions, consistent with the District's legal obligations under the Americans with Disabilities Act and the Fair Employment and Housing Act. Reasonable accommodation does not constitute preferential treatment or affirmative action.

### **1.13 Screening or Selection Procedure**

"Screening or selection procedure" means any measure, combination of measures, or procedure used as a basis for any employment decision. Selection procedures include the full range of assessment techniques, including performance tests, physical, educational, and work experience requirements, interviews, application reviews, reference checks, and similar techniques. Screening and selection procedures shall also include consideration of equivalencies pursuant to [5 CCR 53430](#).

### **1.14 Tokenism**

Tokenism refers to a practice of including individuals from underrepresented groups are included merely for the purpose of creating the appearance of diversity, without genuine recognition of their skills, experiences, and perspectives. Tokenism can perpetuate the marginalization of the voices and experiences of underrepresented individuals through a superficial sense of inclusivity.

### **1.15 Underrepresented Group**

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

## Appendix B: EEO CALENDAR

January	February	March	April
<ul style="list-style-type: none"> <li>EEO Advisory Committee Meeting: Second Tues. 3-5PM.</li> </ul>	<ul style="list-style-type: none"> <li>EEO Advisory Committee Meeting: Second Tues. 3-5PM.</li> </ul>	<ul style="list-style-type: none"> <li>EEO Advisory Committee Meeting: Second Tues. 3-5PM.</li> </ul>	<ul style="list-style-type: none"> <li>EEO Advisory Committee Meeting: Second Tues. 3-5PM.</li> </ul>
May	June	July	August
<ul style="list-style-type: none"> <li>EEO Advisory Committee Meeting: Second Tues. 3-5PM.</li> <li>Communication to College Presidents Regarding Student Members of EEO Advisory Committee.</li> </ul>	<ul style="list-style-type: none"> <li>EEO Advisory Committee Meeting: Second Tues. 3-5PM.</li> <li>Annual Board Update (Information/Regular Bd. Mtg.<sup>***</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>EEO Advisory Committee Meeting: Second Tues. 3-5PM.</li> <li>Annual Notices.</li> <li>EEO Advisory Committee Orientation.</li> </ul>	<ul style="list-style-type: none"> <li>EEO Advisory Committee Meeting: Second Tues. 3-5PM.</li> </ul>
September	October	November	December
<ul style="list-style-type: none"> <li>EEO Advisory Committee Meeting: Second Tues. 3-5PM.</li> </ul>	<ul style="list-style-type: none"> <li>EEO Advisory Committee Meeting: Second Tues. 3-5PM.</li> </ul>	<ul style="list-style-type: none"> <li>EEO Advisory Committee Meeting: Second Tues. 3-5PM.</li> </ul>	<ul style="list-style-type: none"> <li>EEO Advisory Committee Meeting: Second Tues. 3-5PM.</li> </ul>

<sup>\*\*\*</sup> In years in which the EEO Plan is to be updated, an updated EEO plan will be presented to the Board as an information item in the Board's regular June meeting, and subsequently as an action item in the Board's regular July meeting.

Appendix C:

COMMUNITY/PROFESSIONAL ORG.

[TBD]

DRAFT

# **Appendix C: ADDITIONAL REMEDIAL METHODS**

## **1.1 Generally**

The District will aggressively pursue equal employment opportunity for all individuals. That involves creating an environment that fosters cooperation, acceptance, inclusion, the free expression of ideas, and that is welcoming to males, females, and nonbinary individuals, persons with disabilities, and individuals from all ethnic, racial, religious, and other backgrounds and groups that are protected from discrimination. This process begins with the advertising of job opportunities and recruitment of potential applicants to create a diverse pool of qualified individuals from which to hire. With a diverse pool of qualified applicants from varied backgrounds and perspectives, the District has the best chance to create the workforce necessary for its diverse students to achieve success and thrive in our institutions.

## **1.2 Applicability**

- These equal employment opportunity provisions 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 sections §87102(a) and §87482.6.
- These provisions will be in place henceforth whether or not underrepresentation exists because the provisions are also valuable in ensuring equal employment opportunity.

## **1.3 Recruitment Handbook**

The following provisions are incorporated into this plan. Subsections 1.4 through 1.9 will be incorporated into the District's comprehensive Recruitment Handbook.

## **1.4 Recruitment – Content of Job Announcements**

- Job announcements will clearly state job specifications setting forth the knowledge, skills, and abilities necessary to perform the job.
- 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” or similar words to that effect.

## **1.5 Recruitment – Advertising Job Announcements**

- The District will use a combination of recruitment sources that provide the best opportunity to attract a diverse pool 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.
- Recruitment for all open positions may include but not be limited to placement of job announcements in the following instruments:
  - General circulation newspapers, general circulation publications, general market radio and television stations, 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.
  - Publications, including electronic media, that are distributed to the general market and to newspapers, publications, and radio and television stations, whose primary audience comprises groups found to be underrepresented 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 underrepresented in the District's workforce.
  - Publications, journals, and websites that focus on diversity issues or a particular group of candidates often underrepresented in the workforce. These could include Hispanics in Higher Ed, Blacks in Higher Ed, Veterans in Higher Ed, Asians in Higher Ed, LGBT in Higher Ed, Women in Higher Ed, Native Americans in Higher Ed, and Diversity in Higher Ed website.

## **1.6 Recruitment – Hard to Hire Areas/Disciplines**

The District will continue to explore options for increasing the applicant pools for hard to hire areas and disciplines. These include:

- Facilitating interview participation by continuing to conduct virtual interviews;
- Exploring offering a travel and lodging stipend for those hard to hire areas that require in-person interviews and skills assessments; searching out partnerships with local business, industry, and higher education institutions for job-sharing or donated faculty positions;
- Considering providing a relocation stipend for administrator and faculty candidates moving into the District from a great distance; considering allowing certain employee positions to telework to expand the geographic area from which we can recruit and attract candidates.

## 1.7 Application – Voluntary Disclosure of Demographic Information

The application for employment will provide each applicant an opportunity to voluntarily identify his/her/their gender, ethnic group identification, and, if applicable, 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 similar purpose specifically authorized by statute or regulation. It will not be shared with the committee members.

## 1.8 Recruitment Process – Review of Initial and Qualified Applicant Pools

Initial applicant pools will be reviewed by the HR Office for projected representation of underrepresented 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 underrepresented group is adversely impacted by any part of the selection process. Once the qualified applicant pool is approved, the pool may be forwarded to the screening/selection committee. The pool's demographic information on the applicant survey will not be provided to the committee to ensure that all applicants are considered fairly.

The District's recruitment and hiring procedures will include the following provisions:

- **Initial Applicant Pool:** The initial applicant pool consists of all applications received by the application deadline or priority screening date. The initial applicant pool screening shall follow this process:
  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.
  2. If the projected representation is known and has not been met, 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.
  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 job specifications set forth in the job announcement.
- **Qualified Applicant Pool:** The qualified applicant pool is composed of those applicants from the initial applicant pool who satisfy the minimum qualifications 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 by this step. 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:
  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 the state minimum qualifications that have not been specifically demonstrated to be job-related and consistent with business necessity through a process meeting the requirements of federal law.
3. If the minimum qualifications stated on the job announcement are changed, the job announcement will be reposted.
4. If adverse impact persists after taking Steps 1 and 2 above, 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.
5. Once the qualified applicant pool is approved, the pool will be forwarded to the screening/selection committee for screening, interviews, and final recommendations for hiring consideration.
6. 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 under Step 2 above unless such qualifications are so verified in advance of commencing any such future hiring process.

## **1.9 Recruitment Process – Screening/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, will be:
  - Designed to ensure that 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.
  - Designed to ensure that for all faculty and administrative positions, meaningful consideration is given to the extent to which applicants demonstrate knowledge of multiculturalism, of training in cultural proficiency, and knowledge of the history

and culture of underrepresented groups and groups that have experienced discrimination;

- 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 that does occur for any monitored group.
2. When possible, every effort will be made, within the limits allowed by federal and state law, to ensure 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 underrepresented groups. The equal employment opportunity officer should approve the makeup of selection/screening committees. If the equal employment opportunity officer does not approve a selection/screening committee for lack of diversity, he or she should take necessary steps to remedy the lack of diversity, which can include appointing additional members.
  3. To serve on a screening/selection committee, an employee must have participated in equal employment opportunity and diversity training within the last two years that includes recognizing the role of unconscious or implicit bias in decision-making and the benefits of a diverse work force. 4.
  4. Screening/selection committees should include at least one meaningful position-related question relating to diversity, equity, and inclusion in each interview. All screening material, including interview questions, screening/ranking sheets, and skills demonstrations must be approved by the EEO or HR representative supporting the recruitment.
  5. If monitoring for adverse impact reveals that any selection technique or procedure has adversely impacted any monitored group, the Chief Human Resource Officer or his/her/they 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.
  - 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 discriminating.
6. 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 this Plan (see Title 5, §§ 53022 and §53024(d)).
  7. Skills demonstrations or testing for job candidates will follow procedures outlined in the Equal Employment Opportunity Commission's Uniform Guidelines on Employee Selection Procedures.
  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/ IDEA Committee to recommend new methods to meet the Plan objectives, or if necessary, to modify the Plan itself to ensure equal employment opportunity.

### **1.10 Additional Methods to Address Underrepresentation**

In an earlier section of this Plan, the District identified monitored groups that are significantly underrepresented with respect to one or more job categories. In order to address these significant under representations, the District will take the following additional steps:

1. Review recruitment procedures and identify and implement any additional measures that might reasonably be expected to attract candidates from the significantly underrepresented group or otherwise address the underrepresentation.
2. Consider various other means of reducing the underrepresentation that do not involve taking monitored group status into account and implement any such techniques which are determined to be feasible and potentially effective.
3. After monitoring the representation rate of each group that was identified as being significantly underrepresented, if 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 (at least three years); 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 paragraphs 1 and 2 above; and
  - Continue using qualification standards meeting the requirements of those paragraphs only where no alternative qualification standard is reasonably available that would select for the same characteristics, meet the requirements of those paragraphs and be expected to have a less exclusionary effect.
4. 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.

### **1.11 Other Methods to Further EEO**

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.

For that reason, the District has developed a three-year plan for the Office of People and Culture to create a culture of respect, inclusion, and equity as the foundation for recruiting, retaining and developing a highly qualified, diverse workforce to serve our students. That plan can be accessed [HERE](#).

Additionally, the district may consider the following options, among others, to further equal employment opportunity, diversity, equity, and inclusion: Conduct campus climate studies to identify hidden barriers to student and employee success, and assign the lessons learned to established committee to create action plans to address issues found.

1. Empower and fund the EEO Advisory/ IDEA Committee and the college equity committees to offer diversity trainings, courses, workshops, cultural events, and other community-building and sustaining activities.
2. Include guest speakers from underrepresented groups 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, equity, cultural competence, and inclusion into their major job duties.

4. Conduct additional diversity dialogues, forums, and cross-cultural workshops at college and district levels.
5. Work with the college Curriculum Committees to assist in the development of a "Diversity Instructional Tool Kit" as a resource for faculty to learn how to infuse 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. Recognize and value staff and faculty who have promoted diversity and equal employment opportunity principles by creating a yearly diversity champion award.
8. Require a series of EEO/diversity/multiculturalism 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 initiatives and activities 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. Evaluate administrators on their efforts to meet the District's equal employment opportunity and diversity efforts.
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.
19. Encourage community college students to become qualified for, and seek employment as, community college employees. The District may invest in developing and then informing students about programs that may assist them to complete their graduate studies and/or advance education experience to become community college employees. The District may post informational flyers on campus concerning the availability of such programs in locations accessible to students. The District may research the option of paying a stipend to be dedicated to paying off student loans of recent graduates who accept employment at the college as faculty. Efforts will be made to inform graduate students in local colleges and universities about the benefits of employment at a community college including information about loan assumption programs as they become available.

## Appendix D: MAPPING PLAN TO MODEL EEO PLAN

### 1.1 Generally

The District has adapted aspects of the Model EEO Plan for purposes of transparency and engaging a broader audience. This Plan meets the requirements of the new regulations. Here are the components of the Model Plan mapped to this plan:

EEO Model Plan	YCCD EEO Plan
Component 1: Introduction	Section 1: Introduction
Component 1: Plan Adoption Date	Section 1: Introduction
Component 2: Definitions	Appendix A: Definitions
Component 3: Policy Statement	Section 3: EEO Policy Statement
Component 4: ID EEOO	Section 4: Delegation of Responsibility
Component 5: EEO Advisory Committee	Section 6: EEO Advisory Committee
Component 6: Complaint Procedure	Section 13: Complaints
Component 6: EEO vs. Discrimination Complaint	Section 13: Complaints
Component 7: Annual Notice to Employees	Section 7: Annual EEO Plan Notifications
Component 8: Training for Screening Committees	Section 5: EEO Training Requirements
Component 9: Annual Notice to Community/Prof.	Section 7: Annual EEO Plan Notifications
Component 10: Process of Gathering Info.	Section 8: Overview: The Two EEO Analyses
	Section 9: Availability Analysis
	Section 10: Adverse Impact Analysis
Component 11: Data for Underrepresented	Section 9: Availability Analysis
Component 12: Methods for Addressing Underrep.	Section 11: Specific Remedial Methods
	Appendix C: Continuing Remedial Methods
Component 13: Pre/Hire/Post w/ Timetable	Section 11: Specific Remedial Methods