



# San Diego Community College District

## Equal Employment Opportunity Plan 2010-2013

## **Plan Component 1: Introduction**

The San Diego Community College District (hereinafter referred to as SDCCD or District) Equal Employment Opportunity Plan (hereinafter referred to as EEO Plan) was adopted by the Board of Trustees on (date). The EEO Plan reflects the District's commitment to equal employment opportunity and promotes practices that are nondiscriminatory. Given that educational experiences in inclusive environments best prepare students to thrive in our global society, the District's goal is to create an environment that fosters diversity, promotes excellence and is welcoming to all.

The EEO 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 EEO Plan will focus on advancing diversity and cultural competency within the District. The EEO Plan includes:

- the requirements to comply with Title 5 regulations and provisions relating to equal employment opportunity programs;
- establishment of equal employment opportunity and diversity committees;
- methods to support equal employment opportunity; and
- procedures for dissemination of the EEO Plan.

To properly serve a growing diverse population, the District will endeavor to hire and retain faculty and staff who reflect, are sensitive to, and knowledgeable of, the needs of the continually changing student body it serves.

**Constance M. Carroll, Ph.D.**  
Chancellor

## **Plan Component 2: Policy Statement**

The SDCCD is committed to the principles of equal employment opportunity and will implement a comprehensive program to put these principles into practice. The District is committed to a continuous 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 program or activity of the District on the basis of age, ancestry, citizenship status, color, physical disability, mental disability, ethnic group identification, sex, gender, marital status, medical condition, national origin, race, religion, sexual orientation, veteran status, or on the basis of these perceived characteristics or based on association with a person or group with one or more of these actual or perceived characteristics. The District will put into action the Equal Employment Opportunity Plan to achieve a workforce that is welcoming to men, women, persons with disabilities and individuals from all ethnic and other groups to ensure the District provides an inclusive educational and employment environment. Such an environment fosters cooperation, acceptance, democracy and free expression of ideas. An Equal Employment Opportunity Plan will be maintained to ensure the implementation of equal employment opportunity principles that conform to federal and state laws.

## **Plan Component 3: Delegation of Responsibility, Authority and Compliance**

It is the policy of the SDCCD 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 EEO Plan are set forth below.

### **1. Board of Trustees**

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

### **2. SDCCD Chancellor**

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

### **3. Equal Opportunity and Diversity Officer (EO-DO)**

The District has designated the EO-DO to be responsible for the day-to-day implementation of the EEO Plan. The EO-DO manages the District's Equal Opportunity Program (which includes the Site Compliance Officer Program) and the Diversity Program. If the designation of the EO-DO changes before this EEO Plan is next revised, the District will notify employees and applicants for employment of the new designee. The EO-DO is responsible for administering, implementing and monitoring the EEO Plan and for assuring compliance with the requirements of Title 5, Sections 53000 et seq, which include receiving complaints as described in Plan Component 5.

4. Equal Employment Opportunity Plan Advisory Committee

The District shall establish a District Equal Employment Opportunity Plan Advisory Committee which will be a component of SDCCD's Equal Opportunity Program. This committee will act as an advisory body to the EO-DO and the District as a whole to promote understanding and support of equal employment opportunity policies and procedures. The committee shall also assist in the review, update, and implementation of the EEO Plan in compliance with state and federal EEO regulations and guidelines, monitor equal employment opportunity progress, and provide suggestions for EEO Plan revisions as appropriate.

5. Campus Diversity Advisory Council (CDAC)

SDCCD shall establish a Campus Diversity Advisory Council (CDAC) which will be a component of the District's Diversity Program. The purpose of the CDAC is to develop ways for the colleges and Continuing Education to advance diversity and cultural competency via campus events and training/workshops, as well as to track the colleges' and Continuing Education's activity and development in the areas of diversity and cultural competency. Each college and Continuing Education will be responsible for advancing their campus' diversity and cultural competency. In addition, each college and Continuing Education shall have its own diversity committee which will be chaired by its president (or his/her designee).

6. Equal Opportunity Site Compliance Officer (SCO) Committee

The District shall establish and maintain an Equal Opportunity Site Compliance Officer ("SCO") Committee which will be a component of the District's Equal Opportunity Program. Each college and Continuing Education will have an SCO. Pursuant to District Administrative Procedure 3435, the SCOs primarily perform conflict resolution and manage informal EEO complaints and investigations as well as review interview questions and criteria in the hiring process for non-discriminatory language.

The EO-DO (or his designee, as the technical expert and authority on all decisions regarding EEO investigations) shall chair this committee and facilitate training and development to the SCOs primarily on EEO laws and policies, conducting effective conflict resolution and investigations.

7. Agents of the District

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

8. Good Faith Effort

SDCCD shall make a continuous good faith effort to comply with all the requirements of its EEO Plan.

## **Plan Component 4: Advisory Committees**

The Equal Employment Opportunity Plan Advisory Committee and the Campus Diversity Advisory Council (CDAC) will facilitate different aspects of the EEO Plan. The details about their scope and function are stated in EEO Plan Component 3.

Both committees shall be chaired by the EO-DO and include a diverse membership, representing administration, faculty and classified staff. A good faith effort to maintain a diverse membership is expected.

The Equal Employment Opportunity Plan Advisory Committee will be composed of two representatives each from City College, Mesa College, Miramar College and Continuing Education who are appointed by the Presidents of the District institutions, as well as the EO-DO or designee, and the Director of Employment.

The CDAC will be composed of the chairpersons of the diversity committees of each college and Continuing Education and the EO-DO.

## **Plan Component 5: Complaints**

A student, employee, or member of the public who believes discrimination or harassment has occurred in violation of Title 5, §§ 53003(c)(2), 53026 and 59300 et seq. or District policy may file a complaint orally or in writing, within one year of the date of the alleged harassment or the date on which the complainant knew or should have known of the facts underlying the complaint. Employment complaints should be filed within 6 months of the date of the alleged discrimination or the date on which the complainant knew or should have known of the facts underlying the complaint. 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 EEO Plan that do not involve current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than ninety (90) days after such occurrence unless the violation is ongoing.

A student or employee may utilize the Informal Resolution Process (IRP) by filing a discrimination or harassment complaint with the Site Compliance Officer (SCO) assigned to their campus. In addition, students may also file a complaint with the Dean responsible for Student Affairs, who will notify the SCO and work with the SCO to resolve the complaint. The SCO will undertake efforts to informally resolve any charges including, but not limited to, investigating the allegations and resolving the conflict amongst the parties. The SCO will advise the complainant that they do not need to participate in an informal resolution of the complaint, as described above, and that they may file a formal complaint. In the case of employment cases, the SCO will advise the complainant that they may file a complaint with the U.S. Equal Employment Opportunity Commission (EEOC) or the Department of Fair Employment and Housing (DFEH).

If a complainant decides to file a formal written unlawful discrimination or harassment complaint against the District, they must file the complaint using the SDCCD Unlawful

Discrimination Complaint form. 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. This complaint form is available from the Equal Opportunity and Diversity Officer, the Site Compliance Officers at each campus or the District's office of Legal Services and EEO.

Once the formal complaint form is completed, it may be filed with any of the following:

- the District's Equal Opportunity and Diversity Officer;
- the Chancellor of the California Community Colleges;
- the Vice Chancellor of Human Resources (only if the complaint involves the District's Equal Employment Opportunity and Diversity Officer)

To the extent practicable, a written determination on all accepted written complaints will be issued to the complainant within ninety (90) days of the filing of the complaint. The Equal Opportunity and Diversity Officer will forward copies of formal written complaints to the State Chancellor's Office upon receipt, as required by the State Chancellor's Office.

Any District employee who receives a harassment or discrimination complaint shall notify the Equal Opportunity and Diversity Officer immediately.

A complainant may not appeal the District's determination pursuant to Section 53026 to the State Chancellor's Office, but under some circumstances, violations of the equal opportunity regulations in Title 5 may constitute a violation of a minimum condition for receipt of state aid. In such a case, a complaint can be filed with the State Chancellor's Office, but the complainant will be required to demonstrate that they made previous reasonable, but unsuccessful, efforts to resolve the alleged violation at the college and/or District level using the process provided by Section 53026. (See California Community Colleges Chancellor's Office Guidelines for Minimum Conditions Complaints at: <http://www.cccco.edu/divisions/legal/guidelines/Guidelines%20for%20Minimum%20Conditions%20Complaints.htm>.)

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.

## **Plan Component 6: Notification to District Employees**

### **A. Guidelines**

The EEO Plan and subsequent revisions will be available on the District's website and will be distributed to the District's governing board, the Chancellor, Cabinet members, the Academic and Classified Senate leadership, Union Representatives and members of the District Equal Employment Opportunity Plan Advisory Committee.

The Human Resources Department will provide all new employees with a copy of the Equal Employment Opportunity Policy Statement (located in Plan Component 2 of this EEO Plan) when they commence their employment with the District.

- 1) It is important for each employee to participate in and be responsible for ensuring the EEO Plan's implementation.
- 2) Complete copies of the EEO Plan are available in the following locations: the main Library of each campus, in the District's website, the Office of the Chancellor and the Presidents, the Office of Human Resources, and with each campus Site Compliance Officer.
- 3) The EEO Plan Component 2 will be incorporated into the District's mandatory AB 1825 Sexual Harassment Prevention Training for Supervisors to ensure that District supervisors and managers receive notice and training on the EEO Plan on a regular basis.

### **Plan Component 7: Screening Committee Training and Composition**

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 competency; the value of a diverse workforce; and recognizing bias. Screening committees should reflect diversity and cultural competency in their composition. Persons serving in any of the above capacities will be required to receive interactive training prior to service. This training is mandatory; individuals who have not received this training will not be permitted to serve on screening committees. The Human Resources Employee Performance & Development Office is responsible for providing the required training. Any individual, whether an employee of the District or an individual acting on behalf of the District with regard to recruitment and screening of employees, is subject to the equal employment opportunity requirements of Title 5 and the District's Equal Employment Opportunity Plan.

### **Plan Component 8: Annual Written Notice to Community Organizations**

The Human Resources Employment Office will provide annual written notice to appropriate community-based and professional organizations concerning the EEO Plan. The notice will inform these organizations that they may obtain a copy of the EEO Plan, and shall solicit their assistance in identifying diverse qualified candidates. The notice will include EEO Plan Component 2. The notice will also include the internet address where the District advertises its job openings and contact information in order to obtain employment information. The District will actively seek to reach a diverse selection of recruitment sources such as various institutions, organizations, and agencies.

## **Plan Component 9: Analysis of District Workforce and Applicant Pool**

The Human Resources Employment Office will gather and monitor the ethnicity and gender data of all applicants for employment and screening committees.

The Human Resources Employment Office will annually survey the District's workforce composition. For purposes of the survey and report, each applicant or employee will be afforded the opportunity to voluntarily identify their gender, ethnic group identification and disability. Applicants do not identify the nature of their disability. Persons may designate their primary ethnicity 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). This survey will be done annually for each college in the District, Continuing Education, District Office and the District Service Center. The District will report the results of this survey of employees to the Chancellor. At least every three years, the EEO Plan will be reviewed. If necessary it will be revised based on analysis of the ethnic group identification, gender, and disability composition of existing staff and of those who have applied for employment in identified job categories:

- 1) Executive/Administrative/Managerial
- 2) Faculty and other Instructional Staff:

- Adult Education
- Instructional and Support Services
- Career Education
- Mathematics
- English
- Natural Sciences
- Health and Physical Education
- Social Sciences
- Humanities
- Part-Time
- Professional Non-faculty
- Secretarial/Clerical
- Technical and Paraprofessional
- Skilled Crafts
- Service and Maintenance

### **District Office/College Workforce Analysis**

Please go to the following internet address for the District's latest version of "Facts on File": <http://research.sdccd.edu/pages/151.asp>

## **Plan Component 10: Other Measures Necessary to Further Equal Employment Opportunity**

The District recognizes that multiple approaches are appropriate to fulfilling 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 involves creating an environment that welcomes men, women, persons with disabilities and individuals from all ethnic and other groups. This environment also fosters cooperation, acceptance, democracy, and free expression of ideas.

Having a campus that has accepted principles of diversity and multiculturalism can make implementation and maintenance of an effective equal employment opportunity program much more effective. The District may sponsor cultural events and speakers on diversity-related issues, and explore methods to infuse diversity into the classroom and curriculum and promote the concept of cultural competency. 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. The District, via its colleges and Continuing Education, shall exercise continuous good faith efforts to develop and maintain the following:

1. A commitment to a formal diversity program that will be funded and supported by the District and campus leadership. Each college and Continuing Education will be responsible for advancing the diversity and cultural competency on their campuses.
2. Recruiting and hosting guest speakers from underrepresented groups and diverse cultural backgrounds who may inspire students and employees.
3. Emphasizing the District's commitment to equal employment opportunity, diversity and cultural competency in job announcements and in its recruitment, marketing, and other publications.
4. Conducting diversity forums, cross-cultural events and promoting cultural celebrations on campus.
5. Encouraging the faculty and Student Services Program to integrate diversity and multiculturalism into their instruction and program.
6. Ensuring that all District institutions' publications and other marketing tools reflect diversity in pictures, graphics, and text to project an inclusive image.
7. Recognizing and valuing staff and faculty who have promoted diversity and equal employment opportunity principles.

8. Providing EEO/diversity workshops which promote diversity and cultural competency.
9. Ensuring that the District's equal employment opportunity and diversity goals and objectives are fulfilled by cabinet level administrators.
10. Establishing an "Equal Opportunity and Diversity" online presence by highlighting the District's diversity, equal employment opportunity, sexual harassment and nondiscrimination policies, procedures and programs on the District's website. The website also lists contact persons for further information on these topics.
11. Establishing awareness of sensitivity to diversity and cultural competency as a required skill and qualification for SDCCD employees.
12. Ensure that all levels of administrative staff support equal employment opportunity and diversity objectives and that the Equal Opportunity and Diversity responsibility is maintained at a cabinet or other high-level administrative position.

### **Plan Component 11: Graduate Assumption Program of Loans for Education**

The Graduate Assumption Program of Loans for Education refers to efforts of the District to encourage college and university students to become qualified for, and seek employment as, community college employees. The District shall research and inform students about programs that may assist them to complete their graduate studies and become community college employees.