

# EQUAL EMPLOYMENT OPPORTUNITY AND DIVERSITY PLAN



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## Plan Component I: Introduction

The Foothill-De Anza Community College District (District) recognizes that diversity, equity and inclusion in the academic environment fosters cultural awareness, promotes mutual understanding and respect, and provides suitable role models for all students. The Districts Equal Employment Opportunity Plan (Plan) demonstrates the commitment to hire staff and foster staff development that supports the goals of equal opportunity and diversity and provides equal consideration for all qualified candidates.

California community college districts are responsible for the preparation of an equal employment opportunity plan to be submitted and approved by the California Community Colleges (“CCC”) Chancellor’s Office. “Equal Employment Opportunity” means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion; and to enjoy the benefits of employment with the District. Equal Employment Opportunity should exist at all levels in the seven job categories which include executive/administrative/managerial, professional non-faculty, secretarial/clerical, technical and paraprofessional, skilled crafts, service and maintenance, and faculty and other instructional staff. Ensuring equal employment opportunity also involves creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas and that is welcoming to all individuals. An “Equal Employment Opportunity Plan” is a written document in which a District’s workforce is analyzed and specific plans and procedures are set forth for ensuring equal employment opportunity.

The objectives of the District’s EEO Plan and Guidelines are to:

- Address the legal requirements for the District’s EEO Plan, pursuant to section 53003 of Title 5.
- Provide guidance that will assist in the goal of achieving a diverse workforce, which is directly aligned with, and supports the campus-wide initiative of closing equity gaps.
- Assist in the development of materials to train faculty and staff on the components of the EEO Plan requirement and provide training on best practices in serving on a hiring/screening and selection committee.
- Create and sustain institutional structures and processes to result in a culture and environment of equity.
- Align college-wide and constituent-specific essential competencies with EEO recruitment and retention policies, practices and procedures.

The plan includes:

- An analysis of the demographic makeup of the District's workforce population and an analysis of whether underrepresentation of monitored groups exist;
- The requirements for a complaint procedure for noncompliance with the Title 5 provisions relating to equal employment opportunity programs;
- Complaint procedures in instances of unlawful discrimination;
- Guidelines for the establishment of an Equal Employment Opportunity Advisory Committee;
- Methods to support equal employment opportunity and an inclusive environment; and
- Procedures for dissemination of the Plan.

To properly serve an evolving and increasingly diverse population, the District will endeavor to hire and retain faculty, staff, and administrators who have the ability to understand and successfully support individuals with varying backgrounds, and varied lived experience; and who have a commitment to helping its diverse students develop the critical skills necessary to succeed in their academic/educational and career objectives, utilizing culturally responsive techniques and practices.

Sincerely,

Lee D. Lambert, J.D. , Chancellor  
Foothill De-Anza Community College District  
12345 El Monte Road  
Los Altos Hills, CA 94022  
(650) 949-6100  
Email: [lambertlee@fhda.edu](mailto:lambertlee@fhda.edu)



## Plan Component 2: Definitions

**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“

**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.

**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 within the District. Equal employment opportunity should exist at all levels in all job categories. Equal employment opportunity also involves: (1) identifying and eliminating barriers to employment that are not job related, such as reliance on preferred job qualifications that do not reasonable predict job performance; and (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 (3) creating an environment which fosters cooperations, 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.

(Government Code section 12940 protected categories: race, religious creed, color, national origin, ancestry, physical disability, mental disability, reproductive health decision-making, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or veteran or military status)

**Equal Employment Opportunity Plan:** An “equal opportunity plan” is a written document that describes a district’s EEO program. A district EEO plan shall include: 1.)

analysis of the district which a district's work force is analyzed and specific plans and procedures are set forth for ensuring equal employment opportunity.

**Equal Employment Opportunity Program:** An "equal employment opportunity 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. .

**Equity:** The condition under which individuals are provided the resources they need to have access to the same opportunities, as the general population. Equity accounts for systematic inequalities, meaning the distribution of resources provides more for those who need it most. Conversely, equality indicates uniformity where everything is evenly distributed among people.

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

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

**Job Categories:** "Job categories" includes executive/administrative/managerial, faculty and other instructional staff, professional non-faculty, secretarial/clerical, technical, and paraprofessional, skills crafts, and service and maintenance.

**Monitored Group:** "Monitored group" means those groups for which districts must provide demographic data pursuant to section 53004 of Title 5, California Code of Regulations. .

**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.

**Reasonable Accommodation:** "Reasonable accommodation" means the efforts made on the part of the District in compliance with Government Code section 12926.

**Screening or Selection Procedures:** "Screening or selection procedure" means any measure, combination of measures, or procedures used as a basis for any employment decision. Selection procedures include the full range of assessment techniques, including performance tests, and 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 section 53430.

**Underrepresented Group:** “underrepresented group” means any monitored group for which the percentage of persons from that group employed by the District in any job category is below eighty percent (80%) of the projected representation for that group and job category.

### **Plan Component 3: Policy Statement**

The District is committed to the principles of equal employment opportunity. The District has implemented a comprehensive program to put those principles into practice. It is the District’s policy to ensure that all qualified applicants for employment and employees have full and equal access to employment opportunity, and are not subjected to discrimination in any program or activity of the District on the basis of ethnic group identification, race, color, national origin, religion, age, sex, physical disability, mental disability, ancestry, sexual orientation, language, accent, citizenship status, transgender status, parental status, marital status, economic status, military and veteran status, medical condition, gender, gender identity and gender expression, 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. These efforts include Board Policy (BP) 1200 Mission of Foothill De Anza Community College District; BP3410 Nondiscrimination Policy, BP4100 Cultural Diversity/Equal Opportunity; BP4640 Harassment and Discrimination.

The District will strive to achieve a workforce that is welcoming to all individuals to ensure the District provides an inclusive educational and employment environment. Such an environment fosters cooperation, collaborations, acceptance, democracy and the free expression of ideas. An Equal Employment Opportunity Plan is maintained to ensure the implementation of equal employment opportunity principles that conform to federal and state laws.

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

Reference: CCR, Title 5, §53003 ( c ) (31) and § 53020

The goal of the District is that all employees promote and support equal employment opportunity through their commitment and a contributions in upholding the EEO Plan. The general responsibilities for the prompt and effective implementation of this Plan are set forth below.

1. The Board of Trustees is ultimately responsible for the implementation of the District’s Plan at all levels of District and college operation, and for ensuring equal employment opportunity and that District staff responsible for implementation and

oversight of the Plan are making measurable progress towards equal employment opportunity through the strategies described in the District's EEO plan. The Board of Trustees is responsible for adopting a plan that is in compliance with the provisions of the California Code of Regulations. The Board of Trustees must also receive all the required trainings. Further, the Board of Trustees will oversee the Chancellor's responsibility to ensure the EEO Plan shall:

- a. Be developed in collaboration with the District Equal Employment Advisory Committee.
- b. Be reviewed and adopted at a regular meeting of the Board of Trustees where it is agendaized as a separate action item and not part of the consent agenda;
- c. Cover a period of three years, after which a new or revised plan shall be adopted;
- d. Be submitted to the State Chancellor's Office at least 90 days prior to its adoption. Comments received from the Chancellor's Office on the proposed plan must be presented to the governing board prior to adoption.

2. Chancellor and Vice Chancellor of Human Resources/Equal Opportunity: The Board of Trustees delegates to the Chancellor the responsibility for ongoing implementation of the 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 and direct the publication of an annual report on Plan implementation. The Chancellor shall evaluate the performance of all administrative staff who report directly to the Chancellor on their ability to follow and implement the Plan.

3. Equal Employment Opportunity Officer (EEO Officer) The District has designated the Vice- Chancellor of Human Resources and Equal Employment, as its Equal Employment Opportunity Officer who is responsible for the day-to-day implementation of the Plan. If the designation of the Equal Employment Opportunity Officer changes before this Plan is next revised, the District will notify employees and applicants for employment of the new designee. The Equal Employment Opportunity Officer is responsible for administering, implementing, monitoring, and achieving the goals of the Plan and for assuring compliance with the requirements of Title 5, sections 53000 et seq. The Equal Employment Opportunity Officer is also responsible for receiving complaints described in Plan Component 6 and for ensuring that applicant pools and selection procedures are properly monitored.

4. Diversity and Equity Advisory Committee (DDEAC): The District has established the Diversity and Equity Advisory Committee ("DDEAC Advisory Committee") to act as an advisory body to the EEO Officer and the District as a whole to promote understanding and support of equal employment opportunity and equity-minded hiring and retention policies and procedures. The DDEAC Advisory Committee shall assist in the implementation and revising 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.

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

Through the authority articulated in the Plan Component and the EEO Plan generally, the District shall make continuous, good-faith efforts to implement the EEO Plan, achieve employee diversity, and avoid disparate impacts, in accordance with state and federal law.

## **Plan Component 5: Advisory Committee**

Reference CCR, Title 5, § 53005

Title 5, Section 53305 – Advisory Committee “Each community college district shall establish an Equal Employment Opportunity Committee to assist the district in developing and implementing the plan required under section 53003. This advisory committee shall include a diverse membership.

In addition to implementing and revising the Equal Employment Opportunity Plan for the District, the District Diversity and Equity Advisory Committee (DDEAC) is responsible for developing, coordinating, and implementing district-wide diversity training, plans and activities that promote equal employment opportunity, nondiscrimination, retention and diversity. The committee will assist in promoting an understanding and support of equal opportunity and nondiscrimination policies and procedures. The DDEAC receives reports from both the De Anza Equity Action Council and Foothill Equity Action Council. The DDEAC disburses the Equal Employment Opportunity fund allocation, implements appropriate sections of the State Chancellor’s Equity and Diversity Task Force Report and completes other required reports.

The Equal Employment Opportunity Officer, or their designee, shall train the advisory committee on:

- a) The requirements of Section 53003 of article 1, of subchapter 1, of chapter 4, of division 6, of Title 5, and the state and federal discrimination laws.
- b) Identification and elimination of bias in hiring
- c) The educational benefits of workforce diversity and
- d) The role of the advisory committee in carrying out the District’s EEO Plan.

The committee shall include a diverse membership whenever possible, including the following members:

- Director of Equity, Employment and Professional Development, Chair
- Central Services (two members)
- Faculty Association (One member)
- Association of Classified Employees (One member)
- Teamsters (One member)
- Classified School Employees Association (One member)
- AMA (One member)
- Deans of Equity (One member from each college)
- Students representatives (One from each college)

The DDEAC shall meet, at a minimum, at least once in the Fall and Spring terms.

## **Plan Component 6: Complaints Alleging Violation of the Equal Employment Opportunity Regulations**

*[Plan Requirement – Title 5 §§ 53003(c)(2), 53026 and 59300 et seq]*

*Complaints alleging Violation of the Equal Employment Opportunity Regulations (Section 53026) BP/AP 4640 Harassment and Discrimination, BP4100 Cultural Diversity and Equal Opportunity*

Any person may file a complaint alleging the District violated the Title 5's equal employment opportunity regulations (California Code of Regulations, Title 5, Section 53000 et seq.) Any person who wishes to file such a complaint should use the District's filing procedures for employment related complaints, found in Board Policy 4640 and Administrative Procedure 4640.

The District may request, but shall not require, a complainant to submit a complaint on the form prescribed by the Chancellor of the California Community Colleges. A copy of the form will be available at the District's website:

[https://hr.fhda.edu/policies-procedures/ UnlawfulDiscrimForm\\_Rev\\_Jul%202023.pdf](https://hr.fhda.edu/policies-procedures/ UnlawfulDiscrimForm_Rev_Jul%202023.pdf)

The District's Human Resources Department is located at 12345 El Monte Road, Building D700, Los Altos Hills, CA 94022

De Anza Community College, Dean of Counseling & Disability Support Programs and Services, Title IX Coordinator, 21250 Stevens Creeks Blvd, Cupertino, CA 95014

[https://cm.maxient.com/reportingform.php?FoothillDeAnza&layout\\_id=20](https://cm.maxient.com/reportingform.php?FoothillDeAnza&layout_id=20)

Foothill Community College, Dean, Student Affairs and Activities, Title IX Coordinator,  
12345 El Monte Road, Los Altos Hills, CA 94022

[https://cm.maxient.com/reportingform.php?FoothillCollege&layout\\_id=40](https://cm.maxient.com/reportingform.php?FoothillCollege&layout_id=40)

A complainant must report a verbal complaint to the Vice-Chancellor for Human Resources. A complainant should contact the District EEO Officer or its designee, Vice-Chancellor for Human Resources by phone at (650) 949-6210 or in-person at the District's Human Resources Office, 12345 El Monte Road, D700, Los Altos Hills, CA 94022 or at [hr@fhda.edu](mailto:hr@fhda.edu). The Vice-Chancellor of Human Resources or designee will record the verbal complaint in writing. The Vice Chancellor of Human Resources will take steps to ensure the writing accurately reflects the facts alleged by the complainant. Complaints must be filed with the Vice Chancellor of Human Resources unless the person submitting the complaint alleges a violation against the Vice Chancellor of Human Resources, in which case the complaint should be submitted directly to the District's Chancellor.

The District's discrimination and harassment complaint form and procedures can be accessed at the following links

[https://hr.fhda.edu/policies-procedures/UnlawfulDiscrimForm\\_Rev\\_Jul%202023.pdf](https://hr.fhda.edu/policies-procedures/UnlawfulDiscrimForm_Rev_Jul%202023.pdf)

<http://www.boarddocs.com/ca/fhda/Board.nsf/goto?open&id=9TUUWZ7B920F>

While the District's procedures for receiving EEO complaints are the same as the procedures for receiving complaints of discrimination and harassment, depending on the nature of an EEO complaint, the procedures and timelines for processing such complaints may differ. The District will investigate EEO complaints within 90 days of receipt of a complaint to the EEO Officer/Vice Chancellor of Human Resources. The District may extend the timeline to complete the investigation for good cause and shall communicate with any complainant and respondent the estimated length of the extension. At the investigation's end, the Complainant and Respondent will be notified of the outcome.

## Plan Component 7: Notification of District Employees

[Title 5, §§ 53003(c)(3)]

The commitment of the governing board and the Chancellor to equal employment opportunity is emphasized through the broad dissemination of the Equal Employment Opportunity Policy Statement and the Plan. The policy statement will be included in the college catalogs and class schedules:

The Plan and subsequent revisions will be distributed to the district's governing board, the Chancellor, Presidents, administrators, the academic senate leadership, union representatives and members of the District Diversity and Equity Advisory Committee. Each year, the District office will provide all employees with access to the Board's EEO Policy Statement (located in Plan Component 3 of this Plan), as well as a link to reach the District's EEO Plan. The annual notice will contain the following provisions:

1. The Plan will be available on the District's website under the "Office of the Chancellor" page.
2. The EEO Policy Statement and EEO Plan will be made available to new employees through the on-boarding/new employees orientation process.
3. The importance of employees' participation and responsibility in ensuring the EEO Plan's implementation.
4. The District will provide new employees a paper or electronic copy of the District's Non-Discrimination policy, and this EEO Plan and its policy statement setting forth the District's commitment to the EEO Plan at the commencement of employment.

## Plan Component 8 – The Process for Ensuring That District Employees who participate on Screening or Selection Committee Receive Training

[Plan requirement – Title 5, § 53003(c)(4)]

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 Title 5 regulations on equal employment opportunity (section 53000 et. Seq.);
- The requirement of federal and state nondiscrimination laws;

- The requirements of the district's Equal Employment Opportunity Plan;
- The District's policies and procedures on nondiscrimination, recruitment and hiring.
- Principles of diversity and cultural proficiency;
- The education benefits and value of a diverse workforce
- The elimination of bias in hiring decisions; and
- Best practices in serving on a selection or screening committee.

Members of the search or selection committee are required to have completed EEO training with 2 years. This training is mandatory; individuals who have not received the training may not serve until such training is completed. The Equal Employment Opportunity Officer is responsible for ensuring the required training is offered on a regular basis. Any individual, whether a District employee or not, who is acting on behalf of the district regarding recruitment and screening of employees is subject to this requirement, the equal employment opportunity requirements of Title 5 and the district's Equal Employment Opportunity Plan.

Screening and selection committees shall include a diverse membership whenever possible, to ensure a variety of perspectives are included in the assessment of applicants. The District will ensure that a diverse pool of employees are trained to participate in selection committees at the outset. If the EEO Officer determines that the screening committee membership should be more diverse, the EEO Officer may appoint additional members as needed.

## **Plan Component 9: Annual Written Notice to Community Organizations**

(Plan Requirement – Title 5, § 53003 (c) (7))

The Equal Employment Opportunity Officer will provide annual written notice to appropriate community-based and professional organizations representing monitored groups identified in Section 53004(b) concerning the Plan.

The notice will inform these organizations that they may obtain a copy of the Plan and shall solicit their assistance in identifying diverse qualified candidates. The notice shall include a summary of the Plan. The notice will also include the internet address where the district advertises its job openings, the positions, and department and phone numbers of individuals to call in order to obtain employment information.

The district will actively seek to reach those institutions, organizations, and agencies that may be recruitment sources. A list of organizations which will receive this notice may be revised as necessary.

- Inside Higher Ed Publication
- Insight to Diversity
- Diverse Education
- Colegas
- APAHE – Asian Pacific Americans in Higher Education
- CCC Registry
- EdJoin
- Chronicle of Higher Education
- CalJobs
- A2Mend
- Local Colleges and Universities

## **Plan Component 10: Process for Gathering Information and Periodic Longitudinal Analysis of District Employee’s and Applicant Pool**

Reference: CCR, Title 5, §§ 53003 (c) (8), 53004, and 53006

The District Office of Human Resources will annually review the district’s workforce composition and monitor applicants for employment on an ongoing basis to evaluate the District’s progress in implementing the Plan, to provide data needed for the reports required by this Plan and to determine an adverse impact analysis. Adverse impact exists 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.

### **EEO Data Collection**

For reporting purposes, each applicant will be afforded the opportunity to voluntarily provide gender identity (includes non-binary option), ethnic group identification, and if applicable, disability. Applicants may designate as many ethnicities as they identify with but shall be counted in only one ethnic group for reporting purposes. This information will be kept confidential and will be separated from the applications that are forwarded to the search/selection committee and hiring administrator(s). Following such participation on a selection or screening committee, only District employees whose job duties require them to have access to such data will have such access, unless otherwise required by law. Reporting will be done for each college in the District. This district shall also report to the Chancellor the results of its annual study of employees.

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

- 1) Administrative
  - a) Executive
  - b) Educational
  - c) Program
- 2) Faculty
  - a) 10 months
  - b) 11-12 months
- 3) Classified
  - a) ACE
  - b) ACE Hourly
  - c) CSEA
  - d) Teamsters
  - e) Police Officers

The District allows applicants and employees to provide the following Monitored Group information:

1. Gender Identification

The District requests that employees and applicants self-identify as female, male or non-binary.

2. Race and Ethnicity Identification

The District requests that employees and applicants self-identify into the following ethnicity categories:

A. Hispanic or Latino

A person of Cuban, Mexican, Puerto Rican, South or Central American or other Spanish culture of origin regardless of race.

B. White (Not Hispanic or Latino)

A person having origins in any of the original people of Europe, the Middle East or North Africa.

C. Black or African American (Not Hispanic or Latino)

A person having origins in any of the black racial groups of Africa.

D. Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)

A person having origins in any of the people of Hawaii, Guam, Samoa, or other Pacific Islands.

E. Asian (Not Hispanic or Latino)

A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam.

F. American Indian or Alaska Native (Non-Hispanic or Latino)

A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment)

G. Multi-Ethnicity

All persons who identify with more than one of the above five races (White, Black, or African American, Native Hawaiian or Other Pacific Islander, Asian, American Indian or Alaska Native). For purposes of this group, identifying as Hispanic or Latino and only of the five listed groups does qualify under this category.

### Disability Identification

The District requests that all employees self-identify their disability status, if any, by using the following definition, consistent with the Fair Employment and Housing Act.

A. Disabled person

Any person who (1) has a physical or mental impairment which limits one or more of such person's major life activities, (2) has a record of such impairment, or (3) is regarded as having such impairment.

B. Major life activities

Functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, talking, breathing, learning and working.

### Voluntary Submission of EEO Data

There may be significant numbers of employees or applicants who decline to identify their gender(including non-binary options), ethnicity, or disability status with the District. The District shall encourage all persons to provide the above data. The District understands that employees and applicants voluntarily submit EEO Data and will not require employees or applicants to respond.



Click here [California Community Colleges Chancellor's Office - Data Mart \(cocco.edu\)](https://cocco.edu) to view the District's historical demographic data and workforce analysis

Longitudinal Analysis to identify adverse impact

Foothill DeAnza will utilize the Vision Resource Center on the California Community College Website to attend the curriculum for EEO Plan Data Analysis. Staff members of Human Resources involved in the EEO Data Analysis and Members of the DDEAC Advisory Committee will complete the following:

EEO Plan Data Analyses 1 - Measuring Workforce Diversity

EEO Plan Data Analyses 2 - Identifying Barriers to Workforce Diversity

EEO Plan Data Analyses 3 - Reporting EEO Data for Diverse Stakeholders

EEO Plan Data Analyses 4- Using EEO Data to Address Barriers to Diversity

EEO Plan Data Analyses 5 - Using EEO Data in Governance and Policy Development.

Once the District gathers the EEO Data described above, the District's Human Resources Department will assign every employee and applicant to one of the seven job categories identified in Plan Component 2. The District will also include data for employees and applicants that allows the District to track the composition and diversity of who is hired and retained over time, disaggregated by college, discipline, job category and other relevant measures.

The District will then conduct a periodic, longitudinal analysis of employees and applicants, broken down by number of persons from monitored group status in each job category to determine whether additional diversification measures are required. Specifically, the District will compare the composition of initial applicant pools, qualified pools, and applicants recommended for interview to identify any adverse impact of the District's pre-hiring and hiring strategies, which exist 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.

## **DISTRICT STRATEGIES TO MITIGATE IDENTIFIED ADVERSE IMPACT**

If the EEO Officer, or its designee determines that any selection technique or procedure has adversely impacted any monitored group, the EEO Officer, or its designee will advise the Vice Chancellor of Human Resources, and the Vice-Chancellor of Human Resources may reopen the position.

When the District identifies an adverse impact in its longitudinal analysis, the District shall take the following steps:

1. Review the longitudinal hiring process analyses results for potential adverse impact affecting the identified monitored group at any phase(s) of the hiring process or employment.
2. Conduct additional quantitative analyses of phases where the District identifies adverse impact to determine which specific elements of the hiring process or employment stage are creating an adverse impact.
3. Review the identified hiring process elements or employment stage contributing to the adverse impact to determine whether they can be modified, eliminated or replaced with a procedure that can decrease the adverse impact.
4. Consider the implementation of additional measures designed to promote diversity in the hiring process and employment.
5. Analyze retention of monitored group employees in the impacted area and other employment processes that impact the District's ability to attract and retain a diverse workforce.
6. Present the findings to the EEOAC, and other relevant stakeholder groups to identify other potential good faith efforts to make positive progress towards eliminating the adverse impact

## **Plan Component 11: A Process for Utilizing Data to Determine Whether Monitored Groups are Underrepresented within District Job Categories**

References CCR, Title 5, §§ 53003 ( c) 9), and 53006

In conjunction with EEO Data gathered pursuant to EEO Plan Component 10, the District shall identify and utilize data available from reliable public and private sources to determine whether monitored groups are underrepresented within District job categories, as defined in EEO Plan Component 2.

### **Data Collection**

The District will utilize data available from reliable public and private sources.

## **Analysis to Identify Underrepresentation**

Once the District gathers the EEO Data described in Component 10 and the data from the public and private sources described in the EEO plan Component 10, and assigns every employees and applicant to one of the seven job categories identified in the EEO Plan Component 2, the District will then review the EEO Data of its employees, broken down by number of person from monitored group status in each job category.

The District will then analyze this employee EEO Data to compare the percent of monitored group in a job category with their projected representation based on availability in the workforce. Representation below 80% constitutes underrepresentation.

### Availability Analyses

A critical component of a robust EEO Plan is availability analyses. This provides a context for which we can define diversity within our local context. This allows us to identify where current workforce diversity falls short of our student demographics, community demographics, and potential pool of qualified applicants. Combining estimates of potential qualified applicants with student and community demographics creates a definition for diversity within our local context and with an emphasis on the success of all our student communities.

Each site shall take tangible steps to promote equal employment opportunity, workplace diversity and an inclusive work environment. The district, in consultation with EEOAC, shall also take concrete steps to monitor progress in these areas. These concrete steps may include any of the examples listed below, or other measures as identified and developed by the EEOAC in close consultation with the Vice Chancellor of Human Resources or designee:

- a. Ensure that top administrative staff at each site understand and support diversity objectives and that the diversity and/or EEO Officer position is maintained as a cabinet or other high-level administrative position.
  1. Explore the feasibility of the establishment of an office of equity and diversity for each campus.
- b. Conduct surveys of campus climate on at least a biennial basis, and implement concrete measures that utilize the information drawn from the surveys;
- c. Conduct exit interviews with employees who voluntarily leave the District, maintain a database of exit interviews, analyze the data for patterns impacting monitored groups, and implement concrete measures that utilize this information. Interviews may be conducted in a variety of ways, including in-person or via telephone. Surveys may be mail, email or online;

- d. Conduct annual longitudinal analysis of hiring statistics, analyze the data for patterns impacting monitored groups, and implement concrete measures that utilize this information;
- e. Maintain a variety of programs to support newly-hired and current employees such as mentoring, professional development, and leadership opportunities;
- f. Encourage administrators and senior faculty/classified professionals to serve as mentors. Encourage faculty, classified professionals, and administrators to seek out mentors;
- g. Include guest speakers from underrepresented groups who are in leadership positions and who may inspire students and employees alike;
- h. Conduct dialogues, forums, and cross-cultural workshops on diversity and prevention of harassment and discrimination;
- i. Recognize and value staff and faculty who have promoted diversity and equal employment opportunity principles by awarding a yearly diversity recognition award.
- j. Collaborate with the college Staff Development committees to integrate EEO/diversity workshops at instructional improvement days (flex week or staff development day);
- k. Convey the District's diversity and commitment to equal employment opportunity in District publications and on the District website. Maintain 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 these topics. Review college/district publications and other marking tools to reflect diversity in pictures, graphics, and text to project an inclusive image;
- l. Establish a Community Outreach Advisory Council to involve community-based organizations in recruitment and other equal employment opportunity efforts of the District. Recommended membership will include representatives from local business and industry as well as from diverse community groups such as MALDEF, NAACP, Chamber of Commerce, and City Council(s):
- m. Review and update hiring procedures for all categories of employment at least every 5 years to ensure adherence with EEO Title 5 regulations and the components of the Plan.
- n. Develop a faculty diversity internship program to serve as a pipeline for potential candidates;
- o. Incorporate into the hiring procedures and District practices the following measures to increase the diversity of applicant pools for all positions:
  - 1. Require hiring committee give individuals selected for interview a minimum amount of notice, to be determined, to give adequate consideration to candidates who may not be local or need to provide reasonable notice to their current employer.

2. Study and develop a procedure for the use of online job interviewing, such as Zoom, at one or more stages of the interview process in order to increase access to a more diverse pool of candidates outside of the local area and add greater flexibility to the process.
  3. Provide additional resources to the Office of Human Resources to ensure it can effectively implement equitable practices of EEO with efficacy. This includes adequate staffing so that initial screening can be accomplished districtwide by HR staff to ensure fairness and consistency. HR should conduct review of applications to ensure that candidates are minimally qualified for the position. It also includes budget to cover the cost of advertising open positions in specialty locations, as needed.
  4. Perform a study of previous job announcements for faculty positions to ascertain the impact certain preferred or required qualifications (i.e. the doctorate degree) have on the diversity of pools, interviewees and hires.
  5. Develop a rubric which can be used districtwide to assess candidates' sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students.
  6. Collect data in employee applications which indicates where applicants learned about the job posting in order to target EEO funds towards sources most impactful in increasing applicant diversity.
- p. Collaborate with each campus' Student Government to incorporate the voices of students on the value of workplace diversity to student learning and student development in measures taken to further equal employment opportunity.
  - q. Expand the categories of ethnicities that are monitored in the hiring process to allow candidates to be more specific in their identified racial groups.
  - r. Develop a protocol for the annual dissemination and discussion of employee diversity data.
  - s. Host a diversity opportunity event, open for the community, to search for and support potential candidates.

## **Plan Component 12: Methods to Address Any Underrepresentation**

*References; CCR, Title 5, §53003(c)(10)*

Title 5, Section 53003(c)(10) requires the EEO Plan to identify strategies for addressing any underrepresentation identified pursuant to Section 53003(c)(9) and EEO Plan Component 11. The EEO Officer is responsible for developing appropriate measures for addressing findings of underrepresentation.

The District will review the information gathered pursuant to Plan Component 11 to determine if underrepresentation of a monitored group may be the result of non-job related factors in the employment process. The information to be reviewed shall include but need not be limited to:

1. Relevant data gathered pursuant to EEO Plan Component 10, to identify whether the percentage of persons from a monitored group employed by the District in a job category is below eighty percent (80%) of the projected presentation for that group and job category; and
2. Analysis of data regarding applicants, which may inform the District's analysis of underrepresentation of a monitored group.

The District will not designate or set aside particular positions to be filled by members of any group defined in terms of race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, genetic information, marital status, sex, gender, gender identify, gender expression, age, sexual orientation, or veteran or military status. The District also will not engage in any other practice that would result in discriminatory or preferential treatment prohibited by state or federal law. The District will not apply the Plan in a rigid manner that has the purpose or effect of so discriminating.

The District will review the pattern of its hiring decisions over time, and if it determines that those patterns do not achieve the objectives of the Plan, the District will request that the DDEAC recommend new methods to achieve the Plan objectives, or if necessary, to modify the Plan itself to ensure equity, inclusion, and equal employment opportunity.

To address these instances of underrepresentation, as defined above, the District will take the examples of actions being taken:

- The District will request that the DDEAC, in conjunction with appropriate Human Resources staff, review the District's recruitment procedures and make recommendations on modifications that would address the underrepresentation.
- The District will require the responsible administrator for the division or department where the underrepresentation occurs, in conjunction with the EEO Officer, to create a recruitment and hiring action plan to assist in addressing the underrepresentation. The action plan will include, but is not limited to:
  - a. Participation in outreach activities that would likely attract applicants from the underrepresented groups, such as participating in diversity job fairs, (e.g. California Community Registry Diversity job fairs, California Career Exploration Fairs) and building relationships with graduate programs and other institutions.

- b. Additional locations or resources to advertise positions (e.g. on the District employment website, the California Community College Equal Employment Opportunity Registry, and to a list of appropriate external “bulletin board” websites);
- c. Review the use of any locally established minimum qualifications and/or “desired” or preferred” qualifications to determine if they are job-related and consistent with business necessity in compliance with federal and state laws.
- d. Discontinue the use of any locally established minimum qualifications and/or “desired” or “preferred” qualifications that is found to not satisfy the requirements set forth above.
- e. Consider changes to the job postings and screening criteria, including interview questions and how reference checks are conducted, which may reasonably be expected to attract applicants from underrepresented groups. For example, interviews must include at least two questions which assess the candidates’ understanding of and commitment to, equal employment opportunity and their sensitivity to, and understanding of, the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students.
- f. Development of an Equity Certification program.

### **Plan Component 13: Selection of Specific Pre-Hiring, Hiring and Post Hiring Strategies and a Schedule Identifying the Timetables for Implementation of Identified Strategies**

The Board recognizes that multiple approaches are appropriate to attain its goals of ensuring equal employment opportunity, the development of a diverse workforce, and the creation of an inclusive, equitable and fair working and learning environment. 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 EEO also involves creating an environment that fosters collaboration, cooperation, acceptance, and free expression of ideas and is welcoming to all.

**DISTRICT & COLLEGE ACTIVITIES**  
**DEMONSTRATING ON-GOING COMMITMENT TO EEO/EMPLOYMENT DIVERSITY**



**EEO PLAN TEMPLATE – COMPONENT 13**

**DISTRICT & COLLEGE ACTIVITIES**

**DEMONSTRATING ON-GOING COMMITMENT TO EEO/EMPLOYMENT DIVERSITY**

IMPLEMENTATION	WHO	WHAT/WHEN	EFFECTIVENESS METRICS & REVIEW
<b>PRE-HIRING</b>			
<b>Provide training to employees, students and trustees</b>	Human Resources	Training of all staff that are part of the hiring process, as a selection committee member.	
Receive training from Vision Resource Center	Human Resources and DDEAC	Four Components of EEO Plan Data Analyses Curriculum	Y1 Develop subcommittee that will attend classes required to complete the EEO Plan Data Analyses Curriculum.
Identify underrepresentation and adverse impact	Human Resources and DDEAC	After completion of class, committee will identify areas of underrepresentation and adverse impact	Y1- Areas of underrepresentation and adverse impact will be identified.
Identify current workforce diversity	Human Resources and DDEAC	Identify how current workforce diversity falls short of our student demographics, community demographics and potential pool of applicants. Combine estimates of potential qualified applicants with student and community demographics to create a definition for diversity without our local context .	Y1-3 Allocate resources to conduct employment marketing and recruiting when it is most necessary to improve diversity and student outcomes.
Convey in publications and website the district’s commitment to diversity & EEO (53024.1(j))	Human Resources	Y1-3: Continue to post to HigherEd jobs, Insight into Diversity, Diverse Education, Colegas, APAHE, CCC Registry, EdJoin, Chronicle of Higher Education, CalJobs, A2mend, Umoja Community and other publications as needed along with the District’s website	Y1-3: Review publications on existing sources and ensure it is updated. Consider additional locations for posting.
Review and update District EEO/DEI Policy Statement	Director, Equity, Employment and	Y1: Review EEO/DEI statement as scheduled EEOAC meetings. Solicit feedback or create subcommittee working group to revise.	Y1-3: Develop subcommittee to review and revise EEO/DEI Statement

(53024.1(k))	Professional Development Or its designee	Y2: Finalize revised EEO/DEI Policy Statement for approval by Chancellor or Board of Trustees. Y3: Review EEO/DEI statement to determine whether additional revisions are required.	with revisions based on feedback solicited.
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IMPLEMENTATION	WHO	WHAT/WHEN	EFFECTIVENESS METRICS & REVIEW
<b>HIRING</b>			
Consistent and ongoing training for hiring committees. (53024.1(c))	Human Resources: responsible for training staff All staff who participate in hiring committees	Y1: Conduct hiring committee training regularly or as needed based on hiring and recruitment requirements. Ensure materials are up-to-date with changed to Title 5 regulations. Y2-3: Continuously monitor employees for compliance with training requirements. Review pool of employees qualified to serve and recruit additional employees for service on screening/hiring committees. Develop hiring committee chair training with emphasis on EEO Plan.	Y1-3: Conduct hiring committee training – update materials with Title 5 requirements as needed, along with monitoring compliance training requirements and creating specialized training for Hiring Committee Chair.
Maintain updated job descriptions and job announcements	Human Resources Hiring Departments	Y1-3: Review of job descriptions and job announcements to ensure District’s commitment to Diversity.	Y1-3: Annual review of job categories by Human Resources by employee unit and update as necessary.
The Board of Trustees receives training on elimination of bias in hiring and employment at least once every election cycle.	The Board of Trustees Human Resources	Y1-3: Schedule and ensure training of Board of Trustees on mandatory training topics	Y1-3: Tracking matrix of annual training to Board of Trustees.
Dedication of specified staff to DDE.	DDEAC	Y1-3: Meet monthly/quarterly or as needed to discuss and continue implementation of EEO Plan. Ensure the	Y1-3: Schedule and record meeting minutes and strategies

		release time of all employees. Schedule meetings in advance to ensure full participation of all DDEAC members.	for the continued enhancement of the EEO Plan.
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IMPLEMENTATION	WHO	WHAT/WHEN	EFFECTIVENESS METRICS & REVIEW
Assess “sensitivity to diversity” of all applicants (53024.1(I))	Human Resources Hiring Committees	Y1-3: The District will educate and train staff to ensure that all positions, job requirements will include demonstrated sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, geographic, and ethnic backgrounds of community college students.	Y1- Monitor job requirements Y2: Develop tool to educate staff to understand sensitivity to diversity Y3: Train staff on tool developed to enhance understanding in diversity.
Survey Employees to Identify New Avenues of Recruitment	Human Resources	Y1: Develop Survey Y2: Distribute Survey Y3: Compile Data and Update list	Y1: Develop survey for employees regarding recruitment information. Y2: District employees will be surveyed to identify locations where open positions may be advertised to ensure recruitment is as inclusive and broad as possible and includes recruitment of monitored groups. Y3: Human Resources will compile, store and update this list
IMPLEMENTATION	WHO	WHAT/WHEN	EFFECTIVENESS METRICS & REVIEW
Professional development, mentoring, support and leadership	Administrator, Director, manager and employees	Y1-3: Determine specific training requirements for specific positions in faculty, managers, directors, administrators and classified professionals.	Y1-3: Successful employees that have the ability to grow and succeed in positions

opportunities for new employees		Create mentorship programs for faculty, managers, directors, administrators and classified professionals.	and see upward mobility.
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IMPLEMENTATION	WHO	WHAT/WHEN	EFFECTIVENESS METRICS & REVIEW
<b>POST-HIRING</b>			
Conduct campus climate surveys & use this information. (53024.1(b))	DDEAC	Y1: Development of Campus Climate survey by EEOAC. Y2: Finalize Survey with approval from necessary stakeholders/administrators. Conduct survey Y3: Analyze results and create an action plan to respond to information that was gathered in the survey.	Y1-3: Develop, finalize and conduct campus survey. Create an action plan to share.
Conduct exit interviews and use this information	Human Resources	Y1: Development of an exit interview questionnaire to be distributed to all staff, administrators, faculty and classified professionals. Y2: Finalize exit interview and deploy survey to gather responsive information. Y3: Analyze results and create action plan to respond to information that was gathered in survey.	Y1: Develop questionnaire Y2: Deploy survey Y3: Analyze results and create action plan.
Timely and thoroughly investigate all harassment & discrimination complaints & take appropriate corrective action In all instances where a violation is found.	Vice— Chancellor, Human Resources and designees	Y1-3: Investigate all complaints (Title 5, Title IX, etc.) as submitted to Human Resources/EEO Officer. Work with supervising manager to ensure proper corrective action (i.e. training, coaching, discipline, etc.) is taken where appropriate.	Y1-3: Human Resources track complaints on a continuous basis all complaints received.