

# E E O

## Equal Employment Opportunity Plan



**GROSSMONT-CUYAMACA**  
**COMMUNITY COLLEGE DISTRICT**

Updated July 23, 2013

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## I. INTRODUCTION

The **Grossmont-Cuyamaca Community College District** (GCCCD) is committed to providing learning and working environments that ensure and promote diversity, equity, and inclusion. People of diverse backgrounds, perspectives, socioeconomic levels, cultures, and abilities are valued, welcomed, and included in all aspects of our organization. GCCCD strives to provide an educational environment that fosters cultural awareness, mutual understanding, and respect that ultimately also benefits the global community.

The GCCCD Equal Employment Opportunity Plan was adopted by the Governing Board on September 8, 2009 and updated (June 5, 2013). The Plan reflects the district's commitment to diversity, equity and inclusion in employment. Equal Employment Opportunity (EEO) and diversity are separate but related concepts. An environment that supports and promotes diversity will be conducive to the principles and practices of EEO as contained in the district's Plan. In turn, an environment that implements EEO practices will build a more diverse and inclusive workforce. Taking active and vigorous steps to ensure equal employment opportunity and creating a working and academic environment that is welcoming to all will foster diversity, equity and inclusion.

The Plan's immediate focus is equal employment opportunity in GCCCD's recruitment and hiring policies and practices pursuant to the areas of applicable Title 5 regulations (section 53000 et seq.) and the steps GCCCD shall take in the event of underrepresentation of monitored groups. The Plan contains:

- an analysis of the demographic makeup of the GCCCD workforce population;
- an analysis of whether monitored groups are underrepresented;
- requirements for a complaint procedure for noncompliance with the Title 5 provisions relating to EEO programs and complaint procedures in instances of unlawful discrimination;
- establishment of an Equal Employment Opportunity Advisory Committee within the charge of the District's Diversity, Equity and Inclusion Council;
- methods to support equal employment opportunity and an environment that is welcoming to all; and
- procedures for dissemination of the Plan.

To properly serve an increasingly diverse population, the district will endeavor to hire and retain faculty and staff who are sensitive to, knowledgeable of, and reflective of the needs of the continually changing community it serves.

*Cindy L. Miles, Ph. D.*  
*Chancellor*

## II. DEFINITIONS

Reference: Title 5, 53001 (a)-(p)

**Administrative Unit:** a group of workers that is defined by their reporting responsibility to the same manager/supervisor.

**Adverse Impact:** a statistical measure (such as those outlined in the EEO Commission's Uniform Guidelines on Employee Selection Procedure, Federal Register, Vol. 43 No. 166-August 25, 1978) that is applied to the effects of a selection procedure and demonstrates a disproportionate negative impact on any group defined in terms of ethnic group identification, gender, or disability. A disparity identified in a given selection process will not be considered to constitute adverse impact if the numbers involved are too small to permit a meaningful comparison.

**Business Necessity:** circumstances which justify an exception to the requirements of Title 5, section 53021(b) (1) because compliance with that section would result in substantial additional financial cost to the GCCCD or pose a significant threat to human life or safety. Business necessity requires greater financial cost than mere business convenience. Business necessity does not exist where there is an alternative that will serve business needs equally well.

**Complaint:** a written and signed statement meeting the requirements of Title 5, section 59328 that alleges unlawful discrimination in violation of the nondiscrimination regulations adopted by the Board of Governors of the California Community Colleges, as set forth at Title 5, section 59300 et seq.

**DEIC: Diversity Equity and Inclusion Council**

**DFEH:** the Department of Fair Employment and Housing.

**Diversity:** means a condition of broad inclusion in an employment environment that offers equity and respect for all persons. A diverse educational community recognizes the educational benefits that flow from employee populations that are varied by race, gender, disability status, belief, age, national origin, cultural background, sexual orientation, life experience and other enriching characteristics.

**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 GCCCD. Equal employment opportunity should exist at all levels and in all job categories listed in section 53004(a). Ensuring equal employment opportunity also involves creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas and that is welcoming to men and women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination by Title 5, section 53000 et seq.

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

**Equal Employment Opportunity Programs:** all the various methods by which equal employment opportunity is ensured. Such methods include, but are not limited to, using nondiscriminatory employment practices, actively recruiting, monitoring and taking additional steps consistent with the requirements of Title 5, section 53006 (see Plan components XIII and XIV).

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

**Ethnic Group Identification:** means an individual's identification in one or more of the ethnic groups reported to the Chancellor pursuant to Title 5, section 53004. These groups shall be more specifically defined by the State Chancellor consistent with state and federal law.

**General Harassment:** Harassment based on ethnic group identification, race, color, national origin, religion, sex or gender, ancestry, physical disability, mental disability, marital status, veteran status, or sexual orientation of any person, or the perception that a person has one or more of these characteristics is illegal and violates District policy. Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment. For example, repeated derisive comments about a person's competency to do the job, when based on that person's gender, could constitute gender-based harassment.

**Monitored Group:** according to Title 5, section 53001(i), those groups identified in Title 5, section 53004(b) for which monitoring and reporting is required pursuant to section 53004(a). Section 53004(b) indicates that data about employees and applicants should be collected and reported with respect to gender, ethnic group identification, and disability. Thus, monitored groups are men, women, American Indians or Alaskan natives, Asians or Pacific Islanders, Blacks/African-Americans, Hispanics/Latinos, Caucasians, and persons with disabilities.

**OCR:** the Office for Civil Rights, United States Department of Education.

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

**Protected Class:** The groups protected from the employment discrimination by law. These groups include men and women on the basis of sex; any group which shares a common race, religion, color, or national origin; people over 40; and people with physical or mental handicaps. Every U.S. citizen is a member of some protected class, and is entitled to the benefits of EEO law.

**Reasonable Accommodation:** the efforts made on the part of the district to remove artificial or real barriers, which prevent or limit the employment and upward mobility of persons with disabilities. "Reasonable accommodations" may include the items designated in Title 5, section 53025.

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

**Target Date:** a point in time by which the GCCCD plans to meet an established goal.

**Timetable:** a set of specific annual hiring objectives that will lead to meeting a goal.

**Work Force (Labor Force):** people who are both employed and employable, qualified to perform a specific task or carry out the responsibilities of a given position.

### III. POLICY STATEMENT

Reference: Title 5, 53002, et seq; Education Code 87100 est seq;  
BP 3410, 3415, 3420, 3430, 7100, 7120; AP 3410; 3415, 3420, 3430, 7100, 7120

The Grossmont-Cuyamaca Community College District (GCCCD) is committed to providing learning and working environments that ensure and promote diversity, equity, and inclusion. People of diverse backgrounds, perspectives, socioeconomic levels, cultures, and abilities are valued, welcomed, and included in all aspects of our organization. GCCCD strives to provide an educational environment that fosters cultural awareness, mutual understanding, and respect that ultimately also benefits the global community.

The GCCCD strives to employ qualified administrators, faculty, and staff members who are dedicated to student success. For this reason each position will be filled by a candidate who has been determined to meet the minimum qualifications of the position. All recruitments for vacant positions will be conducted with the goal to find the most qualified candidate from a diverse pool of applicants. GCCCD policies and procedures regarding Non-Discrimination, Equal Access, Prohibition of Harassment, Commitment to Diversity, and Recruiting and Selection can be found in Appendix A of this Plan.

All recruitment for a contract position shall be conducted through a screening/interviewing committee. This screening/interviewing committee shall consist of representatives from various age, gender, and ethnic backgrounds as well as an EEO Representative. If appropriate or desired, the screening/interviewing committee will also consist of representatives from various groups on or off-campus for the given position classification search process as defined in the GCCCD Operating Procedure (appendix A). All members of the screening/interviewing committee need to be trained in the principles and application of EEO.

To measure the effectiveness of diversified recruiting, the District's application materials contain a separate Voluntary Demographic Information application section (appendix B) This application section requests applicants to voluntarily disclose their ethnicity, age, gender, disability status, veteran status, and recruiting resource. This section is removed electronically from the application material by Human Resources prior to the application being reviewed by the screening/interviewing committee. Information provided will be used for Human Resources to track the effectiveness of position advertising and to conduct multiple Adverse Impact Analyses. Adverse Impact Analyses and other measures used by GCCCD to ensure equal opportunity in recruitment practices.

## IV. DELEGATION OF RESPONSIBILITY, AUTHORITY AND COMPLIANCE

Reference: Title 5, 53003 (c) (1) and 53020

The GCCCD is committed to providing learning and working environments that ensure and promote diversity, equity, and inclusion. People of diverse backgrounds, perspectives, socioeconomic levels, cultures, and abilities are valued, welcomed, and included in all aspects of our organization. GCCCD strives to provide an educational environment that fosters cultural awareness, mutual understanding, and respect that ultimately also benefits the global community.

It is the goal of the GCCCD that all employees promote and support EEO because EEO requires a commitment and a contribution from every segment of the district. The general responsibilities for the prompt and effective implementation of this Plan are set forth below.

1. **Governing Board**

The GCCCD Governing Board is ultimately responsible for proper implementation of the district's EEO Plan at all levels of the district and college operations and for ensuring equal employment opportunity as described in the Plan.

2. **GCCCD Chancellor**

The Governing Board delegates to the GCCCD 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 Governing Board concerning statewide policy emanating from the Board of Governors of the California Community Colleges and direct the publication of an annual report on Plan implementation. The Chancellor shall encourage GCCCD executive leadership to promote and advance the components of the Plan.

3. **District EEO Officer or Designee**

The GCCCD Chancellor shall appoint an EEO Officer responsible for the day-to-day implementation of the Plan. GCCCD will notify employees and applicants for employment of this appointment. The EEO Officer is responsible for administering, implementing and monitoring the Plan and for assuring compliance with the requirements of Title 5, sections 53000 et seq. The EEO Officer is also responsible for receiving complaints described in Plan Component VI and for ensuring that applicant pools and selection procedures are properly monitored. The EEO Officer is responsible for facilitating EEO training, assuring EEO Representatives serve on committees, and assisting each screening/interviewing committee in identifying job-related criteria that are likely to remove barriers to full and open equal employment opportunities thereby enhancing the diversity of the applicant pool. The EEO Officer may designate some duties to Human Resources staff, but is ultimately responsible for EEO compliance.

4. **Agents of the District**

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



and all Title 5 EEO requirements. All GCCCD agents shall make a continuous good faith effort to comply with all the requirements of this Plan.

**5. Equal Employment Opportunity Advisory Committee**

The GCCCD has established an Equal Employment Opportunity Advisory Committee to act as an advisory body to the EEO Officer and the GCCCD as a whole to promote understanding and support of EEO policies and procedures. The GCCCD has established an Equal Employment Opportunity Advisory Committee (EEOAC) within the Diversity Equity and Inclusion Council (DEIC) charge to assist in the development, implementation and monitoring of its Plan. The EEOAC shall assist in the implementation of the Plan in conformance with state and federal regulations and guidelines, monitor EEO progress, and provide suggestions for Plan revisions as appropriate.

## **V. ADVISORY COMMITTEE**

Reference: Title 5, 53003, District Governance Structure

The GCCCD has established an Equal Employment Opportunity Advisory Committee (EEOAC) within the DEIC charge to assist in the development, implementation and monitoring of its Plan. The committee will also assist in promoting an understanding and support of equal opportunity and nondiscrimination policies and procedures. The EEO Officer shall train the EEOAC on equal employment compliance and the Plan itself. The committee shall include a diverse membership whenever possible. A substantial good faith effort to maintain a diverse membership is expected. If the district has been unable to meet this requirement, it will document that efforts were made to recruit advisory committee members who are members of monitored groups.

The EEOAC is subsumed in DEIC which meets monthly to review diversity, equity, inclusion and the EEO efforts, programs, policies, and progress. When appropriate, the advisory committee shall make recommendations to the EEO Officer, the chief executive officer, and the Governing Board.

## VI. COMPLAINTS

Reference: Title 5, 53003 (c)-(2), 53026 and 59300, 59324 et seq.  
BP 3415, 3420, 3430, 7120; & AP 3415, 3420, 3430, 7120  
Personnel Procedures PE 2, PE 9 and PE 12

An EEO complaint is a process in which someone who feels they have been discriminated against or unfairly treated on the basis of their membership in a protected class can seek resolution. EEO complaints must be based on receiving differential or adverse treatment in employment matters that the complainant believes is based on their protected class.

### A. Responsible District Officer

The GCCCD EEO Officer is designated as the person responsible for receiving complaints filed pursuant to Title 5, Section 53026, 59307, 59327, 59328 of the California Code of Regulations and coordinating their investigation. The actual investigation of complaints may be assigned to other GCCCD staff or to outside persons/organizations under contract with the GCCCD in the event the EEO Officer is named in the complaint or is implicated by the allegations in the complaint. GCCCD complaints on EEO matters will be handled in accordance with Title 5 regulations.

### B. Notice to Students and Employees (Title 5, Sec. 59326)

The EEO Officer shall notify students and employees of the provisions of this complaint procedure.

### C. Informal Resolution (Title 5, Sec. 59327)

Complainants are encouraged to resolve their complaints at the lowest level possible. While complainants are not required to confront or work out problems with the person accused of unlawful harassment or discrimination, GCCCD recommends an informal resolution be attempted prior to filing a formal complaint.

If the complainant is unable to resolve the complaint with the person(s) accused of unlawful harassment or discrimination the complainant shall verbally submit his/her complaint to the appropriate administrator. The role of the administrator is to facilitate an informal resolution of the issue. The appropriate administrator will have 30 days in which to respond and attempt to resolve the complaint.

If the complainant is not comfortable utilizing informal resolution methods, or attempts at resolution have been unsuccessful, the complainant may file a formal complaint.

### D. Formal Complaint (Title 5, Sec. 59328 and 59330)

1. **Timeline:** Formal complaints must be followed within the following time limitations:
  - a. In any complaint alleging discrimination in an employment/hiring process, the complaint shall be filed within 180 days of the date the alleged unlawful discrimination occurred. In the event that the complainant first obtained knowledge of the alleged violation after the expiration of the 180 days, an exception may be granted which extends this period by no more than 90 days following the expiration of the 180 days.

- b. In any complaint not involving an employment/hiring process, the complaint shall be filed within one year of the date of the alleged unlawful discrimination or within one year of the date on which the complainant knew or should have known of the facts underlying the allegation of unlawful discrimination.
2. **Format:** Complaints shall be submitted to the GCCCD EEO Officer in the following format:
  - a. The complainant shall utilize the GCCCD Discrimination Complaint Form (see Appendix C); and
  - b. The complaint shall be filed by one who alleges that he or she has personally suffered unlawful discrimination or by one who has learned of such unlawful discrimination in his or her official capacity.

Immediately after receiving a complaint filed in accordance with Section 59328, the GCCCD shall notify the State Chancellor of the complaint in form and manner determined by the State Chancellor. An investigation of alleged unlawful discrimination shall be initiated by filing a complaint which meets the above requirements.

**E. GCCCD Investigation** (Title 5, Sec. 59334)

Upon receiving a complaint which is properly filed in accordance with Plan Component VI, Section D, the EEO Officer shall commence an impartial fact-finding investigation of that complaint and notify the complainant and GCCCD Chancellor that it is doing so. The results of the investigation shall be set forth in a written report which shall include at least all of the following:

- A description of the circumstances giving rise to the complaint;
- A summary of the testimony provided by each witness, including the complainant and any witnesses identified by the complainant in the complaint;
- An analysis of any relevant data or other evidence collected;
- A specific finding as to whether discrimination did or did not occur with respect to each allegation in the complaint; and
- Any other information deemed appropriate by Human Resources.

**F. Administrative Determination** (Title V, Sec. 59336)

Within ninety (90) days of receiving a complaint, the GCCCD Human Resources shall complete its investigation and forward all of the following to the complainant:

1. A copy or summary of the investigative report required pursuant to Section E above;
2. A written notice setting forth:

- a. The determination of the GCCCD EEO Officer as to whether discrimination did or did not occur with respect to each allegation in the complaint;
- b. A description of actions taken, if any, to prevent similar problems from occurring in the future;
- c. The proposed resolution of the complaint;
- d. The complainant's right to appeal to the GCCCD Governing Board and Chancellor pursuant to Title 5, Sections 59338 and 59339; and
- e. In the case of a complaint regarding employment, the complainant's right to file a complaint with Department of Fair Employment and Housing (DFEH).

**G. Appeals** (Title V, Sec. 59338)

1. If the complainant is not satisfied with the results of the administrative determination, the complainant may submit a written appeal to the GCCCD Governing Board within fifteen (15) days from the date the administrative determination notice was provided to the complainant. The Governing Board shall review the original complaint, the investigative report, the administrative determination, and the appeal and issue a final decision in the matter within forty-five (45) days after receiving the appeal. A copy of the final decision rendered by the Governing Board shall be forwarded to the complainant and to the State Chancellor. The complainant shall also be notified of his or her right to appeal this decision pursuant to this section. If the Governing Board does not act within forty-five (45) days, the administrative determination shall be deemed approved and shall become the final decision in the matter.
2. In any case not involving employment discrimination, the complainant shall have the right to file a written appeal with the State Chancellor within thirty (30) days after the Governing Board issues their final decision or permits the administrative determination to become final. Such appeals shall be processed pursuant to Title 5, Section 59339.
3. In any case involving employment discrimination, the complainant may, at any time before or after the final decision is rendered, file a complaint with the DFEH. In addition, in such cases, the complainant may file a petition for review with the State Chancellor within thirty (30) days after the Governing Board issues the final decision or permits the administrative determination to become final. The State Chancellor shall process the complaint in accordance with Title 5, Section 59338.

**H. Defective Complaint** (Title 5, Sec. 59332)

A complaint is considered to be defective when the complaint is inconsistent with the form, manner, and/or time constraints of A.B. 803 guidelines or GCCCD Policy. When the EEO Officer receives a complaint which he/she finds does not meet the requirements of Section D, the EEO Officer shall immediately notify the complainant that the complaint

does not meet the requirements of Section D and shall specify in what requirement the complaint is defective. Complainants will be given an opportunity to remedy the defects of the complaint and move forward in the formal complaint process.

**I. Provision of Information of State Chancellor** (Title V, Sec. 59340)

Within 150 days of receiving a formal complaint as outlined in section D, the GCCCD shall forward the following to the State Chancellor:

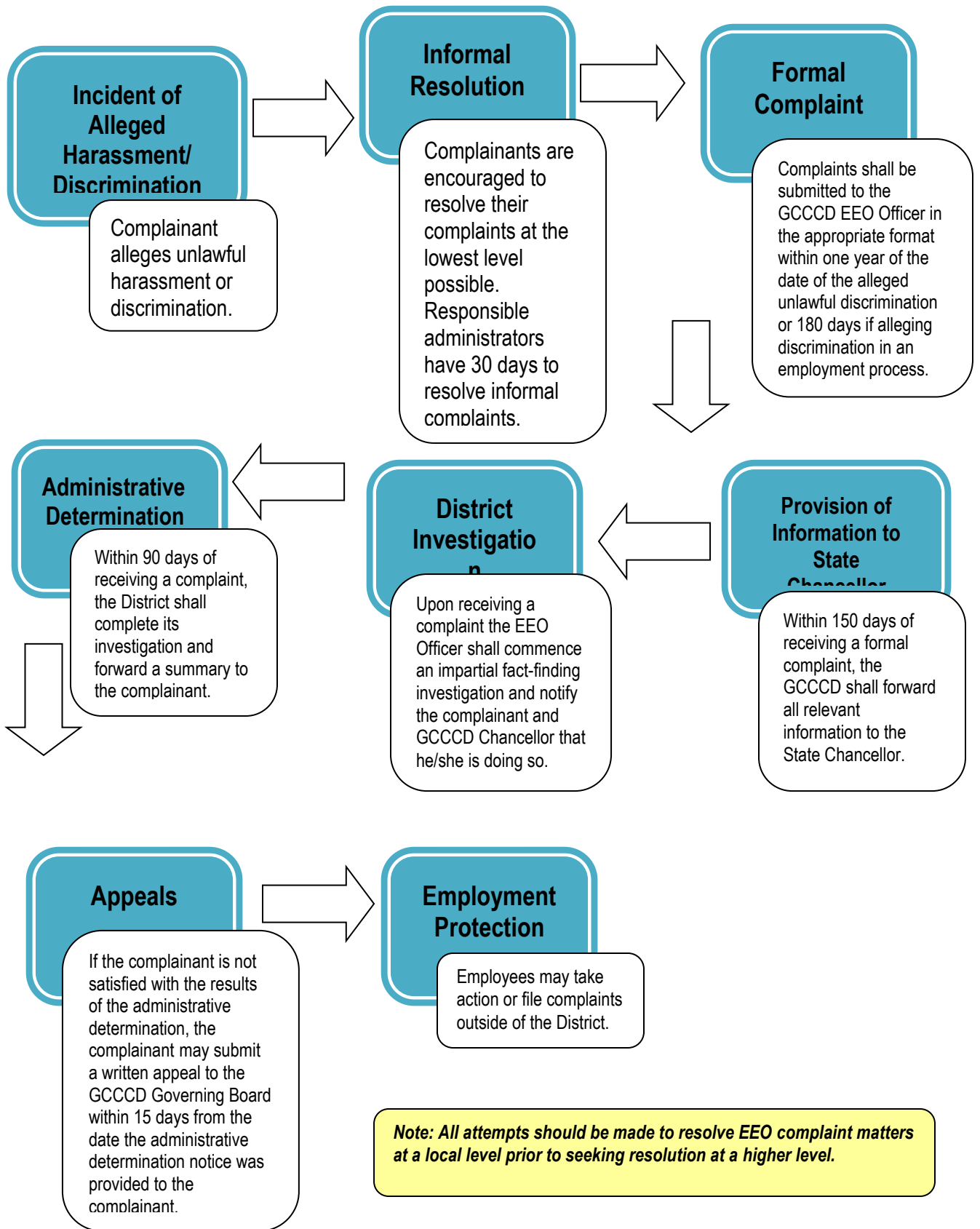
- The original complaint;
- The report required pursuant to Section E describing the nature and extent of the investigation conducted by the GCCCD;
- A copy of the notice sent to the complainant pursuant to Section F;
- A copy of the final GCCCD decision rendered by the Governing Board or a statement indicating the date on which the administrative determination became final;
- A copy of the notice to the complainant required pursuant to Section 59338;
- A copy of the complainant's appeal of the administrative determination or notice that the complainant did not appeal; and
- Such other information as the State Chancellor may require.

**J. Employment Protection**

Employees may take action or file complaints outside of the GCCCD. The nature of the complaint will determine if the issue(s) presented require an independent investigation. The resolution of the grievance shall follow investigative agency's rules and procedures, yet include the following provisions:

1. No party shall arbitrarily delay action of the grievance procedure.
2. There shall be no retaliatory or harassing actions against the grievant or employees involved at any time because of the filing of the grievance.
3. The complainant will not be required to confront or work out problems with the person accused of unlawful discrimination.

**Schematic of EEO Complaint Process**



## VII. NOTIFICATION TO DISTRICT EMPLOYEES

Reference: Title 5, Sec. 530003 (c) (3) BP 7100 BP 3410, BP 3420

The commitment of the GCCCD Governing Board and Chancellor to EEO is emphasized through the broad dissemination of its EEO Policy Statement (BP 7100 and BP 3410) and the EEO Plan.

- 1) A statement of commitment to diversity and non-discrimination policy commitment statement is printed in the college catalogs and class schedules.
- 2) A Non-Discrimination statement is provided to all student clubs, vendors and facility users.
- 3) A report of updated applicant and employee demographics shall be provided to the Governing Board annually.
- 4) The Plan will be available on the district's website, and when appropriate, may be distributed by e-mail.
- 5) Each year, the GCCCD will inform all employees by email of the Plan's availability including a written notice summarizing the provisions of the Plan.
- 6) The Human Resources division will provide all new employees with a copy of the written notice described above when they commence their employment with the district. The importance of the employee's participation and responsibility in ensuring the Plan's implementation will be included in the employee orientation.
- 7) Where complete copies of the Plan are available in the following locations:
  - The Learning Resource Center on both campuses
  - The campus and district websites
  - The office of the Chancellor
  - The Human Resources division
  - The office of the President at both campuses
  - The office of Student Affairs at both campuses



## **VIII. ANNUAL WRITTEN NOTICE TO COMMUNITY BASED & PROFESSIONAL ORGANIZATIONS**

Reference: Title 5, Sec. 530003 (c) (5)

The EEO Officer will provide annual written notice to appropriate community-based and professional organizations concerning the Plan. The notice will:

- Inform these organizations how they may obtain a copy of the Plan;
- Solicit assistance in identifying diverse qualified candidates;
- Provide the internet address where the district advertises its job openings; and
- Provide the department and phone number to call in order to obtain employment information.

The GCCCD will actively seek to reach those institutions, organizations, and agencies that may be recruitment sources especially for monitored groups.

A list of organizations is included in this Plan in Appendix E.

## **IX. TRAINING FOR SCREENING/INTERVIEWING COMMITTEES**

Reference: Title 5, Sec. 53003 (c) (4)

All organizations or individuals, whether or not an employee of the district, acting on behalf of the district with regard to recruitment and screening of applicants for employment are subject to and shall receive appropriate training on the requirements of the Title 5 regulations on EEO (section 53000 et. seq.); the requirements of federal and state nondiscrimination laws; the requirements of the GCCCD EEO Plan; the district's policies on nondiscrimination, recruitment, and hiring; principles of diversity and cultural proficiency; and the value of a diverse workforce.

The GCCCD shall provide training on the above mentioned topics to hiring managers, screening/interviewing committee chairs. All persons serving on a screening/interviewing committee must receive EEO training provided during the committee orientation to participate on a screening/interviewing committee. (See Appendix A for relevant policies.)

The Professional Development Specialist is responsible for facilitating the required training.

## **X. ANALYSIS OF DISTRICT WORKFORCE AND APPLICANT POOL**

Reference: Title 5, Sec. 53003 (c) (6)

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

For the purpose of the annual analysis each applicant or employee will be afforded the opportunity to voluntarily identify his or her gender, ethnic group identification and, if applicable, his/her disability. This information will be kept confidential and will be separated from the applications that are forwarded to the screening/interviewing committee and hiring administrator(s). This analysis will be done for each college in the district. The district will report the results of its annual analysis of employee and applicant demographics. 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 of those who have applied for employment in each of the following identified job categories:

1. Executive/Administrative/Managerial
2. Faculty and other Instructional Staff
3. Professional Non-Faculty
4. Secretarial/Clerical
5. Technical and Paraprofessional
6. Skilled Crafts
7. Service and Maintenance

For a complete list of GCCCD job category definitions, please see Appendix D.

For a complete list of GCCCD job titles, please see the Human Resources website (<http://www/human-resources/default.html>).

For a complete analysis of District workforce and application pool, please see the Human Resources website (<http://www/human-resources/default.html>).

## **XI. OTHER MEASURES NECESSARY TO FURTHER EQUAL EMPLOYMENT OPPORTUNITY**

In addition to the steps/measures used to address underrepresentation and/or significant underrepresentation, found in Sections XII & XIII of this Plan, GCCCD will implement a focused approach to diversity, equity, and inclusion. GCCCD recognizes that multiple approaches are appropriate to fulfill its mission of ensuring EEO and creating a diverse workforce. Establishing a culture that welcomes and celebrates diversity and multiculturalism, and is supported by the leadership of GCCCD may consist of measures such as:

1. Establishing appropriate district-wide committees within the GCCCD governance structure that adequately address the GCCCD's commitment to diversity and includes a focus on EEO and student equity.
2. The appropriate committees will work to develop and implement goals related to diversity, equity, and inclusion. Such goals will be identified in appropriate district-wide plans.
3. Identify possible barriers and other issues via research including data analysis and campus climate surveys.
4. Provide opportunities for guest speakers from monitored groups who are in leadership positions and who may inspire students and employees alike.
5. Highlight the GCCCD's commitment to EEO and diversity in job announcements, marketing, and other publications.
6. Conduct diversity dialogues, forums, and cross-cultural workshops.
7. Review and revise college publications and other marketing tools to reflect diversity in pictures, graphics, and text to reflect an inclusive environment.
8. Establish and implement a process to recognize the value of staff and faculty who have promoted diversity and equal employment opportunity principles.
9. Promote professional development opportunities that will assist the GCCCD in achieving its equal employment opportunity and diversity objectives, including offering EEO/diversity workshops during faculty flex week and classified "Staff Development Day" programs.
10. Establish an Equal Employment Opportunity and diversity online presence by highlighting the district's diversity and equal employment opportunity.

## **XII. PERSONS WITH DISABILITIES AND ACCOMMODATIONS**

Reference: Title 5, 53003 (d), 53025

### **Requests for Accommodations**

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. Such reasonable accommodations may include, but are not limited to, job site modifications, flexible scheduling, adaptive equipment, and interpreters.

**Applicants for Employment:** The Human Resources Division is the primary contact for all recruiting efforts. Prior to interviewing, candidates will be asked if they require any accommodations to be made based on the format of the interview. Every effort will be made to provide accommodations for applicants. If the applicant does not initially request an accommodation and needs to facilitate one later, they may contact Human Resources. If an applicant feels their accommodation requests are not being met, they may speak directly to the Chief Human Resource Officer.

**Current Employees:** The Human Resources Division is responsible for handling requests for accommodations from current employees. Requests can be made on the Disability Accommodation Request Form, which can be found with accompanying documents on the District EEO website, by calling Human Resources, or in Appendix I of this Plan.

## **APPENDIX A**

### **DISTRICT POLICIES AND PROCEDURES**

#### **CONTENTS:**

Board Policy 3410: Nondiscrimination

Administrative Procedure 3410: Nondiscrimination

Board Policy 3415: Equal Access

Administrative Procedure 3415: Equal Access

Board Policy 3420: Equal Employment Opportunity

Administrative Procedure 3420: Equal Employment Opportunity

Board Policy 3430: Prohibition of Harassment

Administrative Procedure 3430: Prohibition of Harassment

Board Policy 7100: Commitment to Diversity

Administrative Procedure 7100: Commitment to Diversity

Board Policy 7120: Recruitment & Selection

Administrative Procedure 7120: Recruitment & Selection

## **BP 3410      Nondiscrimination**

Reference: Education Code Sections 66250, et seq.; 72010, et seq.; 87100 et seq.; Title 5, Sections 53000, et seq.; 59300 et seq.; Penal Code Section 422.55; and Government Code Sections 12926.1, 129240, et seq.

Adoption Date: August 21, 2001

Last Updated: April 16, 2013

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The Grossmont-Cuyamaca Community College District (District) is committed to providing learning and working environments that ensure and promote diversity, equity, and inclusion. People of diverse backgrounds, perspectives, socioeconomic levels, cultures, and abilities are valued, welcomed, and included in all aspects of our organization. The District strives to provide an educational environment that fosters cultural awareness, mutual understanding, and respect that ultimately also benefits the global community.

No person shall be unlawfully subjected to discrimination or denied full and equal access to District programs or activities on the basis of ethnic group identification, race or ethnicity, color, national origin, religion, age, gender, gender identity, gender expression, physical or mental disability, medical condition, pregnancy, genetic information, ancestry, sexual orientation, marital status, veteran status, or because he or she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics. District programs and activities include, but are not limited to any that are administered or funded directly by or that receive any financial assistance from the California Community Colleges Chancellor's Office.

The Chancellor shall establish administrative procedures that ensure all members of the college community can present complaints regarding alleged violations of this policy and have complaints heard in accordance with the Title 5 regulations and those of other agencies that administer state and federal laws regarding nondiscrimination.

No District funds shall be used for membership or for any participation involving financial payment or contribution on behalf of the District or any individual employed by or associated with the District, to any private organization whose membership practices are discriminatory on the basis of the groups mentioned above.

See also: BP/AP 3435 Discrimination and Harassment Complaints and Investigations

## AP 3410      Nondiscrimination

Education Programs Reference: ***Education Code Sections 66250 et seq.; 200 et seq.; 72010 et seq.; Penal Code Sections 422.55 et seq.; Title 5 Sections 59300 et seq.; Accreditation Standard 1.6***

Employment Reference: ***Education Code Sections 87100 et seq.; Title 5 Sections 53000 et seq.; Government Code Sections 11135 et seq.; 12940 et seq.***

Date Issued: February 12, 2007      Last Updated: April 11, 2013

### **Educational and Institutional Programs and Activities**

The Grossmont-Cuyamaca Community College District (District) shall provide access to its services, classes, and programs without regard to, ethnic group identification, race or ethnicity, color, national origin, religion, age, gender, gender identity, gender expression, physical or mental disability, medical condition, pregnancy, genetic information, ancestry, sexual orientation, marital status, veteran status, or because he or she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics. All courses, including noncredit classes, shall be conducted without regard to the gender of the student enrolled in the classes. As defined in the Penal Code, “gender” means sex, and includes a person’s gender identity and gender expression. “Gender expression” mean’s a person’s gender-related appearance and behavior whether or not stereotypically associated with the person’s assigned sex at birth.

The District shall not prohibit any student from enrolling in any class or course on the basis of gender.

Employees serving in an advisory capacity to students, including but not limited to counselors, instructors, staff, and administrators, shall not offer program guidance to students which differs on the basis of gender.

Insofar as practicable, the District shall offer opportunities for participation in athletics equally to male and female students.

Students may find information regarding student complaint procedures on nondiscrimination issues in the college catalogs.

### **Employment**

The District shall provide equal employment opportunities to all applicants and employees regardless of ethnic group identification, race or ethnicity, color, national origin, religion, age, gender, gender identity, gender expression, physical or mental disability, medical condition, pregnancy, genetic information, ancestry, sexual orientation, marital status or veteran status. Employment procedures ensuring equal opportunity are detailed in Personnel Hiring Procedures and the District Equal Employment Opportunity (EEO) Plan. Information regarding complaint procedures on Nondiscrimination in employment can be found in the District EEO Plan, and the District’s EEO website.

All employment decisions, including but not limited to hiring, retention, assignment, transfer, evaluation, dismissal, compensation, and advancement for all position classifications shall be based on job-related criteria as well as the District’s needs.

The District shall regularly provide professional and staff development activities and training to promote understanding of diversity and nondiscrimination.

See also: BP/AP 3435 Discrimination and Harassment Complaints and Investigations



**BP 3415      Equal Access**

Reference:            Education Code Sections 87100 et seq.  
                         Title 5 Sections 53000 et seq.

Adoption Date:      August 21, 2001                      Last Updated:      September 8, 2009

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The District is committed to equal opportunity for access to all educational programs, employment, and institutional programs and activities.

In accordance with applicable laws, the District, and each individual who represents the District, shall provide reasonable accommodation for access to its services, classes, and programs without regard to ethnic group identification, race, color, national origin, religion, age, sex or gender, physical disability, mental disability, ancestry, sexual orientation, marital status, 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 Chancellor shall establish administrative procedures to assure equal access and to ensure all members of the college community can present complaints regarding alleged violations of this policy. All complaints will be heard in accordance with the Title 5 regulations and those of other agencies that administer state and federal laws regarding equal access opportunities.

## AP 3415      Equal Access

Reference:            Education Code Sections 87100 et seq.  
                         Title 5 Sections 53000 et seq.

Date Issued:        September 2, 2009

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The District, and each individual who represents the District, shall provide reasonable accommodation for access to its services, classes, and programs without regard to ethnic group identification, race, color, national origin, religion, age, sex or gender, physical disability, mental disability, ancestry, sexual orientation, marital status, 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.

### **Educational and Institutional Programs and Activities**

If a student or visitor requires an accommodation for access to services, classes, or programs, they are requested to contact the Disabled Student Programs and Services office at their college.

If a student or visitor feels they have been denied equal access to any service, class, or program based on any protected class, contact information for campus complaint officers may be found under the nondiscrimination policy of the college catalogs.

### **Employment**

The District shall provide equal access for employees and applicants for employment. Applicants requiring an accommodation for access to application materials and interviews may contact Employment Services to arrange for such accommodations.

Current employees of the District requiring an accommodation to carry out the tasks of their employment shall contact the Department of Human Resources.

If an employee or applicant for employment feels they have been denied equal access based on any protected class, complaint procedures can be found in the District's Equal Employment Opportunity Plan, or by contacting the Department of Human Resources.

**BP 3420      Equal Employment Opportunity**

Reference:            Education Code Sections 87100 et seq.;  
                         Title 5 Sections 53000 et seq. and Sections 59300 et seq.

***Adoption Date:      October 16, 2012***

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The Grossmont-Cuyamaca Community College District (District) good business practices include Title 5 compliance with Equal Employment Opportunity (EEO) for all District employees and applicants. The Chancellor shall ensure that procedures are written regarding the District's (EEO) practices, ensuring compliance with state and federal laws, and that the procedures will be available for review.

Also see BP 7100 Commitment to Diversity.

# AP 3420      **Equal Employment Opportunity**

Reference:            Education Code Sections 87100 et seq.;  
                          Title 5 Sections 53000 et seq. and Sections 59300 et seq.

**Date Issued:**        **October 8, 2012**

The Grossmont-Cuyamaca Community College District (District) Equal Employment Opportunity (EEO) Plan is a district-wide, written Plan that implements the District's EEO Program and addresses, but may not be limited, to the following:

- Definitions related to EEO as contained in Title 5, Section 53001
- The delegation of authority to a single responsible District officer designated as the EEO Officer charged with overseeing the day to day implementation of the Plan
- The designation of the District employee or employees who have been delegated responsibility and authority for implementing the Plan and assuring compliance with the requirements of this Procedure
- The establishment and responsibilities of the EEO Advisory Committee (EEOAC), which shall include a diverse membership whenever possible
- The procedure for filing complaints and the designation of the responsible District Officer with whom such complaints are to be filed
- A process for notifying all District employees of the provisions of the Plan and the policy statement required
- A process for ensuring that District employees who are to participate on screening or selection committees shall receive appropriate training on the requirements of the applicable Title 5 regulations and of state and federal nondiscrimination laws
- A process for providing annual written notice to appropriate community-based and professional organizations concerning the District's Plan and the need for assistance from such organizations in identifying qualified applicants for openings within the District
- An analysis of the number of persons from "monitored groups," as defined by Title 5 Section 53001(i), who are employed in the District's work force and those who have applied for employment in each of the job categories listed below
- The steps the District will take to promote diversity in its work force
- Methods for addressing any discrimination that is detected in the District's hiring practices
- GCCCD EEO compliance in job announcements, employment and hiring procedures
- Dissemination of the Plan to appropriate District personnel including the Academic Senates and exclusive representatives of any units of employees
- Submission of the Plans and subsequent revisions to the California Community Colleges Chancellor's Office for review and approval as required
- The EEOAC is subsumed in the Diversity, Equity and Inclusion Council (DEIC), which meets monthly to review diversity, equity, inclusion, and the EEO efforts, programs, policies, and progress. When appropriate, the advisory committee shall make recommendations to the EEO Officer, the chief executive officer, and the Governing Board.
- Submission of an annual report to the Chancellor's Office of the California Community Colleges on the results of its annual survey of employees. The report shall identify each employee as belonging to one of the following seven job categories:
  - ♦ Executive/administrative/managerial
  - ♦ Faculty and other instructional staff

- ◆ Professional non-faculty
  - ◆ Secretarial/clerical
  - ◆ Technical and paraprofessional
  - ◆ Skilled crafts
  - ◆ Service and maintenance
- The opportunity for each employee to identify his/her gender, ethnicity and, if applicable, disability. This opportunity does allow for a person to designate multiple ethnic groups with which he/she identifies. However, the person may only be counted in one group for reporting purposes.

The District's Plan is a public record. The Plan shall be posted on the District's website and a hardcopy may be requested from the division of Human Resources.

The District shall make a continuous good faith effort to comply with the requirements of the Plan.

## BP 3430 Prohibition of Harassment

Reference: Education Code Sections 212.5, 44100, 66252, and 66281.5;  
Government Code Section 12950.1;  
Title VII of the Civil Rights Act of 1964, and  
42 U.S. Code Annotated Section 2000e

Adoption Date: August 21, 2001                      Last Updated: April 16, 2013

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The Grossmont-Cuyamaca Community College District (District) is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of sexual harassment and all forms of sexual intimidation and exploitation including acts of sexual violence. It shall also be free of other unlawful harassment, including that which is based on any of the following statuses: ethnic group identification, race, color, national origin, religion, age, gender, gender identity, gender expression,, physical disability, mental disability, medical condition, genetic information, ancestry, sexual orientation, marital status, veteran status, or because he or she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

Harassment based on any of the protected statuses is prohibited and will not be tolerated.

It is illegal to retaliate against any individual for filing a complaint of sexual harassment or for participating in a sexual harassment investigation, and retaliation constitutes a violation of this policy.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature when:

- Submission to the conduct is made a term or condition of an individual's employment, academic status, or progress;
- Submission to or rejection of the conduct by the individual is used as a basis of employment or academic decisions affecting the individual;
- The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile or offensive work or education environment; or
- Submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual.

The Chancellor shall establish procedures for the purpose of this policy that further define sexual harassment and other forms of harassment occurring on District property. The Chancellor shall further establish procedures for employees, students, and other members of the college community that provide for the investigation and resolution of complaints regarding sexual harassment and discrimination, and procedures for students to resolve complaints of sexual and other harassment and discrimination.

All participants are protected from retaliatory acts by the District, its employees, students, and agents.

This policy applies to all aspects of the academic environment, including, but not limited to, classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of employment, including but not limited to

hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities and compensation.

To this end, the Chancellor shall ensure that the institution undertakes education activities to counter discrimination and minimize and eliminate a hostile environment that impairs access to equal education opportunity.

This policy and related written procedures (including the procedure for making complaints) shall be widely published and publicized to administrators, faculty, staff, and students, particularly when they are new to the institution. They shall be available for students and employees in all administrative offices.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion. A violation of this policy does not constitute a violation of state or federal law, although discriminatory harassment is prohibited by both.

See also: BP/AP 3435 Discrimination and Harassment Complaints and Investigations

## AP 3430 Prohibition of Harassment

Reference: Education Code Sections 212.5; 44100; 66281.5;  
Title IX, Education Amendments of 1972;  
Title 5, Sections 59320 et seq. ;  
Title VII of the Civil Rights Act of 1964, and  
42 U.S. Code Annotated Section 2000e.

Date Issued: September 2, 2009      Last Updated: April 11, 2013

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The Grossmont-Cuyamaca Community College District (District) is committed to providing an academic and work environment free from harassment. This procedure defines sexual harassment and other forms of harassment on District property, and sets forth a procedure for the investigation and resolution of complaints of harassment by or against any staff or faculty member or student within the District.

This procedure protects students and employees in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, a District bus or van, or at a class or training program sponsored by the District at another location. The procedure below is based, but may not be limited on the following definitions:

### **Definitions**

**General Harassment:** Harassment based on ethnic group identification, race, color, national origin, religion, sex or gender, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, gender, gender identity, gender expression, veteran status, age, or sexual orientation of any person, or the perception that a person has one or more of these characteristics is illegal and violates District policy. Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment. For example, repeated derisive comments about a person's competency to do the job, when based on that person's gender, could constitute gender-based harassment. Harassment comes in many forms, including but not limited to the following conduct:

- **Verbal:** Inappropriate or offensive remarks, slurs, jokes, or innuendoes based on a person's race, gender, sexual orientation, or other protected status. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status, or sexual orientation; unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats, or intimidation; or sexist, patronizing, or ridiculing statements that convey derogatory attitudes based on gender, race, nationality, sexual orientation, or other protected status.
- **Physical:** Inappropriate or offensive touching, assault, or physical interference with free movement. This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, pinching, leering, staring, unnecessarily brushing against or blocking another person, whistling, or sexual gestures. It also includes any physical assault or intimidation directed at an individual due to that person's gender, race, national origin, sexual orientation, or other protected status. Physical sexual harassment includes acts of sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability.



- **Visual or Written:** The display or circulation of visual or written material that degrades an individual or group based on gender, race, nationality, sexual orientation, or other protected status. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics, or electronic media transmissions.
- **Environmental:** A hostile academic or work environment exists where it is permeated by sexual innuendo; insults or abusive comments directed at an individual or group based on gender, race, nationality, sexual orientation, or other protected status; or gratuitous comments regarding gender, race, sexual orientation, or other protected status that are not relevant to the subject matter of the class or activities on the job. A hostile environment can arise from an unwarranted focus on sexual topics or sexually suggestive statements in the classroom or work environment. It can also be created by an unwarranted focus on, or stereotyping of, particular racial or ethnic groups, sexual orientations, genders, or other protected statuses. An environment may also be hostile toward anyone who merely witnesses unlawful harassment in his or her immediate surroundings, although the conduct is directed at others. The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's learning or work.

**Sexual Harassment:** In addition to the above, sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature when:

- Submission to the conduct is made a term or condition of an individual's employment, academic status, or progress;
- Submission to, or rejection of, the conduct by the individual is used as a basis of employment or academic decisions affecting the individual;
- The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile or offensive work or educational environment; or
- Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the community college.

This definition encompasses two kinds of sexual harassment:

- "Quid pro quo" sexual harassment occurs when a person in a position of authority makes educational or employment benefits conditional upon an individual's willingness to engage in or tolerate unwanted sexual conduct.
- "Hostile environment" sexual harassment occurs when unwelcome conduct based on a person's gender is sufficiently severe or pervasive so as to alter the conditions of an individual's learning or work environment, unreasonably interfere with an individual's academic or work performance, or create an intimidating, hostile, or abusive learning or work environment. The victim must subjectively perceive the environment as hostile, and the harassment must be such that a reasonable person of the same gender would perceive the environment as hostile. A single or isolated incident of sexual harassment may be sufficient to create a hostile environment if it is severe, i.e. a sexual assault.

Sexually harassing conduct can occur between people of the same or different genders. The standard for determining whether conduct constitutes sexual harassment is whether a reasonable person of the same gender as the victim would perceive the conduct as harassment based on sex.

### **Consensual Relationships**

*District employees are strongly discouraged from entering into or maintaining any romantic or sexual relationship with any student or employee over whom they exercise any academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence.*

There is an inherent imbalance of power and potential for exploitation in such relationships. A conflict of interest may arise if the administrator, faculty, or staff member must evaluate the student's or employee's work or make decisions affecting the employee or student. The relationship may create an appearance of impropriety and lead to charges of favoritism by other students or employees. A consensual sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing. In the event that such relationships do occur, the District has the authority to transfer any involved employee to eliminate or attenuate the supervisory authority of one over the other, or of a teacher over a student. Such action by the District is a proactive and preventive measure to avoid possible charges of harassment and does not constitute discipline against any affected employee.

### **Academic Freedom**

The Governing Board reaffirms its commitment to academic freedom, but recognizes that academic freedom does not allow any form of unlawful discrimination or harassment. It is recognized that an essential function of education is a probing of opinions and an exploration of ideas that may cause some students discomfort. It is further recognized that academic freedom insures the faculty's right to teach and the student's right to learn.

See also: BP/AP 3435 Discrimination and Harassment Complaints and Investigations

**BP 7100      Commitment to Diversity**

Reference:            ***Education Code Sections 87100 et seq.;***  
                             ***Title 5 Sections 53000 et seq.***

Adoption Date:      August 21, 2001            Last Updated: September 8, 2009

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The Grossmont-Cuyamaca Community College District (GCCCD) is committed to providing learning and working environments that ensure and promote diversity, equity, and inclusion. People of diverse backgrounds, perspectives, socioeconomic levels, cultures, and abilities are valued, welcomed, and included in all aspects of our organization. GCCCD strives to provide an educational environment that fosters cultural awareness, mutual understanding, and respect that ultimately also benefits the global community.

## AP 7100      Commitment to Diversity

**Reference:** Education Code Sections 87100 et seq.;  
Title 5, Sections 53000 et seq.

Date Issued: January 8, 2007

Last Updated: June 10, 2013

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The District is committed to employing qualified administrators, faculty, and staff members who are dedicated to student success. For this reason each position will be filled by a candidate recommended by a Screening/Interviewing Committee. This committee shall consist of representatives from various age, gender, and ethnic backgrounds. If required, the committee will also consist of representatives from various groups on the colleges as defined in the operating procedure for the given position classification search process. Members of all Screening/Interviewing Committees will receive Equal Employment Opportunity (EEO) training.

Every job opening shall be advertised in a variety of publications, in print or on the internet, to reach persons of varying gender, ethnicities, age, and socio-economic backgrounds. A record shall be kept of recruiting sources utilized for each position.

To measure the effectiveness of diversified recruiting, the District's application materials contain a separate voluntary Recruitment Information form. This form requests applicants to voluntarily disclose their ethnicity, age, gender, disability status, veteran status, and recruiting resource. This form will be removed from the application packet by Human Resources prior to the application being reviewed by the committee. Information provided on this form will be used for Human Resources to track the effectiveness of position advertising and to conduct an Adverse Impact Analysis.

The Adverse Impact Analysis will track ethnic, age, gender, and disability status at various stages of the recruitment process. The results help identify any stage of the process that might have an adverse impact on applicants of a particular group. Any part of the recruitment process identified as screening out a disproportionate number of a particular group will be reviewed and subject to revision.

Upon selection of a finalist for the position, the entire recruiting process will be reviewed by Human Resources and if acceptable a "Recommend for Hire" form shall be circulated for approval.

The specific recruitment procedure for various employee groups may be found in the Personnel Operating Procedures.

The District's ongoing Equal Employment Opportunity (EEO) efforts can be found in the District EEO Plan. Complaint procedures regarding nondiscrimination in employment can also be found in the District EEO Plan.

## **BP 7120      Recruitment and Selection**

**Reference:** Education Code 70901.2, 70902(b)(7) & (d), 87100 et seq.; Education Code 87359, 87360; Board Policies 2410, 2510, 2515; Title 5, Section 53000, et seq., 51023.5; Accreditation Standard III.1.A

**Adoption Date:** August 21, 2001      **Last Updated:** September 8, 2009

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The Chancellor shall establish procedures for the recruitment and selection of employees including, but not limited to, the criteria below. Step-by-step procedures for the recruitment and selection of employees are detailed in Personnel Operating Procedures. These procedures are compliant with the District Equal Employment Opportunity (EEO) Plan, Title 5, and Board policies regarding nondiscrimination and local decision making. A copy of Personnel Operating Procedures may be found on the District's shared network or by contacting Human Resources.

Academic employees shall possess the minimum qualifications prescribed for their positions by the California Community Colleges' Board of Governors.

The criteria and procedures for hiring academic employees shall be established and implemented in accordance with Board policies and procedures regarding the Academic Senate's role in local decision making.

The criteria and procedures for hiring classified employees shall be established in accordance with Board policies and procedures affording staff an opportunity to participate in the formulation and development of District policies and procedures that have a significant effect on staff.

## AP 7120 Recruitment and Selection

**Reference:** Education Code Sections 70901.2, 70902(b)(7) & (d), and 87100 et seq.; Education Code 87359, 87360; Board Policies 2410, 2510, 2515; Title 5, Section 53000, et seq., and 51023.5; Accreditation Standard III.1.A

Date Issued: September 2, 2009

Updated: June 10, 2013

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### **Vacancy Announcements**

The Grossmont-Cuyamaca Community College District job vacancy announcements are available for public viewing on the District's employment website. Internal transfer/promotional opportunities are sent out via e-mail to eligible employees. Applicants are to apply online using the District's official application found on the same website.

The District employs recruitment methods to include print media, web-based advertising such as job boards, television, list-serves, and general and industry-specific publications. All positions shall be advertised to a diverse pool of applicants.

Continuous recruitment will occur for a part-time faculty pool, along with occasional recruitments for position regularly requiring substitutes, such as clerical/secretarial and service positions.

If vacancies are not filled internally, external recruitments shall be advertised for a minimum of 15 working days for staff and administrators and 14 calendar days for faculty positions.

### **Selection Process**

Screening/interviewing committees serve to recommend successful candidates for employment. Such committees shall be selected with consideration for ethnic, age, sex or gender, and department representation. Human Resources will conduct training and maintain compliance with employment laws and procedures. Human Resources will be responsible for establishing job-related criteria used for the vacancy announcement, interviews, and any testing or exercises given to candidates.

Offers of employment shall only be made through the Human Resources Division. All offers are contingent upon the candidate's successful competition of a Live Scan criminal background check and a pre-placement physical. All offers are subject to ratification by the Governing Board.

Step-by-step procedures for the recruitment and selection of employees are detailed in Personnel Operating Procedures. These procedures are compliant with the District EEO Plan, Title 5, and board policies regarding nondiscrimination and collegial consultation's role in local decision making. A copy of Personnel Operating Procedures may be found on the District shared network or by contacting Human Resources.

**APPENDIX B**  
**VOLUNTARY DEMOGRAPHIC INFORMATION**  
**QUESTIONNAIRE**

**Voluntary Demographic**

Completion of this section is completely voluntary. This information will be used only for statistical purposes and will be kept separate from your application.

**1. Gender:**

- Female
- Male
- Not Disclosed

**2. Are you Hispanic or Latino?**

- Yes
- No
- Not Disclosed

**3. Optional Race Category**

If you have identified yourself as Hispanic or Latino, you are not required to select an additional category.

- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or Other Pacific Islander
- White

**4. Age**

- Under 40
- Over 40
- No Response

**5. Do you have a physical or mental impairment which limits one or more major life activities?**

- Yes (please specify):
- No
- No Response

**6. If you have a physical or mental disability, do you require a reasonable accommodation in the interviewing process?**

- Yes (please specify):
- No
- No Response



**7. Are you a Disabled Veteran?**

- Yes
- No
- No Response

**8. Are you a Vietnam Era Veteran (Time Period 8/64-5/75)?**

- Yes
- No
- No Response

**9. I decline to complete this form**

- Yes
- No
- No Response

**10. Where did you learn of this position?**

- District HR Office
- Job Fair
- GCCCD employee
- Union tribune ad
- Library or public agency
- Chronicle or Higher Ed
- HERC (Higher Education Recruitment Consortium)
- Inside Higher Ed
- CA Community Colleges Registry
- Professional organization
- Job Placement Center (name)

- Professional publication (name)

- Website (name)

- Other (name)

**APPENDIX C**

**DISCRIMINATION HARASSMENT COMPLAINT FORM**



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**GROSSMONT-CUYAMACA**  
COMMUNITY COLLEGE DISTRICT

## Unlawful Discrimination Complaint Form

Name: \_\_\_\_\_  
*Last* *First*

Address: \_\_\_\_\_  
*Street or P.O. Box* *City* *State* *Zip*

Phone: Day (\_\_\_\_) \_\_\_\_\_ Evening (\_\_\_\_) \_\_\_\_\_

I Am A:  Student  Employee  Other: \_\_\_\_\_

**I Wish To Complain Against:**

District: \_\_\_\_\_ College: \_\_\_\_\_

Date of Most Recent Incident of Alleged Discrimination: \_\_\_\_\_

*(**Employment** complaints must be filed within 180 days of the date of the alleged unlawful discrimination occurred, except that this period should be extended by no more than 90 days following the expiration of the 180 days if the complainant first obtained knowledge of the facts of the alleged violation after the expiration of the 180 days.)*

*(**Nonemployment** complaints must be filed within one (1) year of the date of the alleged unlawful discrimination or within one (1) year of the date on which the complainant knew or should have known of the facts underlying the allegation of unlawful discrimination.)*

**I Allege Discrimination/and or Harassment Based on: (check only those which apply).**

*Complaints of discrimination on the bases listed in this box are protected under Title 5 and may also be filed with the State Chancellor's Office.*

- |                                   |  |  |  |
|-----------------------------------|--|--|--|
| <input type="checkbox"/> Age      | <input type="checkbox"/> Ethnic Group Identification | <input type="checkbox"/> Physical Disability | <input type="checkbox"/> Retaliation                           |
| <input type="checkbox"/> Ancestry | <input type="checkbox"/> Mental Disability           | <input type="checkbox"/> Race                | <input type="checkbox"/> Sex (Gender)<br>(Includes Harassment) |
| <input type="checkbox"/> Color    | <input type="checkbox"/> National Origin             | <input type="checkbox"/> Religion            | <input type="checkbox"/> Sexual Orientation                    |

**The bases of discrimination in this box are not subject to the jurisdiction of the State Chancellor's Office.**

- |   |   |
|---|---|
| <input type="checkbox"/> Marital Status;          | <input type="checkbox"/> Gender Identity (includes Transgender, Questioning); |
| <input type="checkbox"/> Domestic Partner Status; | <input type="checkbox"/> Medical Conditions;                                  |
| <input type="checkbox"/> FMLA leave;              | <input type="checkbox"/> AIDS/HIV Status                                      |

You can mark any one or more of the 18 categories if you believe the treatment you received was the result of someone perceiving you to fit into one of the protected groups/categories.

Has informal resolution been attempted?  Yes  No      Date Commenced: \_\_\_\_\_

Name of district officer involved in informal resolution: \_\_\_\_\_

Clearly state your complaint. Describe each incident of alleged discrimination separately. For each action provide the following information: 1) date(s) the discriminatory action occurred; 2) name of individual(s) who discriminated; 3) what happened; 4) witnesses (if any); and 5) why you believe the discrimination was because of protected group status [religion, age, race, sex or whatever basis you indicated above] and/or, if applicable, why you believe you were retaliated against for filing of complaint or asserting your rights. (Attach additional pages as necessary.)

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List the names, address and phone numbers of any person(s) who witnessed the incident or who are able to provide information about the complaint. (Attach additional pages as necessary.)

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What would you like the District to do as a result of your complaint—what remedy are you seeking?

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I certify that this information is correct to the best of my knowledge.

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*Signature of Complainant*

*Date*

Send **Original** to:  
Vice Chancellor of Human Resources  
[Colleges](#)  
Grossmont-Cuyamaca Community College District  
8800 Grossmont College Drive  
El Cajon, CA 92020

**Or:**  
[Chancellor's Office, California Community](#)  
[1102 Q Street](#)  
[Sacramento, CA 95814-6511](#)  
[Attention: Legal Affairs Division](#)

## **JOB TITLES BY EQUAL EMPLOYMENT OPPORTUNITY CODE**

### **CONTENTS:**

Definitions and job titles for the following job categories:

- A. Executive/Administrative/Managerial
- B. Professional Non-Faculty
- C. Secretarial/Clerical
- D. Technical
- E. Paraprofessional
- F. Skilled Craft
- G. Service & Maintenance

- A. **Executive/Administrative/Managerial:** Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies, or direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, district or area basis. Includes: department heads, bureau chiefs, division chiefs, directors, deputy directors, controllers, wardens, superintendents, sheriffs, police and fire chiefs and inspectors, examiners (bank, hearing, motor vehicle, warehouse), inspectors (construction, building, safety, rent-and- housing, fire, A.B.C. Board, license, dairy, livestock, transportation), assessors, tax appraisers and investigators, coroners, farm managers, and kindred workers.
- B. **Professional Non-Faculty:** Occupations which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge. Includes: personnel and labor relations workers, social workers, doctors, psychologists, registered nurses, economists, dietitians, lawyers, systems analysts, accountants, engineers, employment and vocational rehabilitation counselors, teachers or instructors, police and fire captains and lieutenants, management analysts, airplane pilots and navigators, surveyors and mapping scientists, and kindred workers.
- C. **Secretarial/Clerical:** Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. Includes: bookkeepers, messengers, clerk-typist, stenographers, court transcribers, hearing reporters, statistical clerks, dispatchers, license distributors, payroll clerks, office machine and computer operators, telephone operators, legal assistants, sales workers, cashiers, toll collectors, and kindred workers.
- D. **Technical:** Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training. Includes: computer programmers, drafters, survey and mapping technicians, licensed practical nurses, photographers, radio operators, technical illustrators, highway technicians, technicians (medical, dental, electronic, physical sciences), police and fire sergeants, inspectors (production or processing inspectors, testers and weighers), and kindred workers.
- E. **Paraprofessional:** Occupations in which workers perform some of the duties of a professional or technician in a supportive role, which usually require less formal training and/or experience normally required for professional or technical status. Such positions may fall within an identified pattern of staff development and promotion under a "New Careers" concept. Included: research assistants, medical aides, child support workers, policy auxiliary welfare service aides, recreation assistants, homemakers aides, home health aides, library assistants and clerks, ambulance drivers and attendants, and kindred workers.
- F. **Skilled Craft:** Occupations in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the process involved in the work which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Includes: mechanics and repairers, electricians, heavy equipment operators, stationary engineers, skilled machining occupations, carpenters, compositors and typesetters, power plant operators, water and sewage treatment plant operators, and kindred workers.
- G. **Service and Maintenance:** Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property. Workers in this group may operate machinery. Includes: chauffeurs, laundry and dry cleaning operatives, truck drivers, bus drivers, garage laborers, custodial employees, gardeners and groundskeepers,

refuse collectors, construction laborers, park rangers (maintenance), farm workers (except managers), craft apprentices/trainees/helpers, and kindred workers.

**APPENDIX E**

**COMMUNITY-BASED AND PROFESSIONAL ORGANIZATIONS  
LIST**

**CONTENTS:**

Community Organizations  
Recruitment Sites  
Sample Notice to Employees  
Sample Notice to Organizations



## COMMUNITY ORGANIZATIONS

<b>American Civil Liberties Union</b> ACLU of San Diego & Imperial Counties P.O. Box 87131 San Diego, CA 92138-7131 (619) 232-2121	<b>American Legion</b> Chula Vista Post 434 47 Fifth Avenue Chula Vista, CA 91910	<b>American Legion</b> Imperial Beach Post 820 1268 Palm Ave Imperial Beach, CA 91932
<b>American Legion</b> National City Post 255 35 E. 18th Street National City, CA 91950	<b>ARC of San Diego</b> 1280 Nolan Ave Chula Vista, CA 91911	<b>Asian Journal</b> 550 E 8th Street, #6 National City, CA 91950
<b>Aztec Career Connection</b> Career Services San Diego State University 5500 Campanile Drive, MC8255 San Diego, CA 92182-8255	<b>Chicano Federation of San Diego County</b> 3180 University Ave San Diego, CA 92104	<b>Chula Vista Chamber of Commerce Executive Director</b> 233 Fourth Avenue Chula Vista, CA 91910
<b>Chula Vista Downtown Business Association</b> 272 3 <sup>rd</sup> Avenue Chula Vista, CA 91910	<b>Community Development Commission City of National City</b> 140 E 12th Street National City, CA 91950	<b>Coronado Chamber of Commerce Executive Director</b> 875 Orange Avenue, Suite 102 Coronado, CA 92008
<b>Deaf Community Services of San Diego, Inc.</b> 3930 Fourth Ave., Suite 300 San Diego, CA 92103	<b>Filipino Press</b> 525 D Avenue National City, CA 91950	<b>Gay and Lesbian Times</b> P.O. Box 34624 San Diego, CA 92103
<b>Imperial Beach Chamber of Commerce Executive Director</b> 702 Seacoast Drive Imperial Beach, CA 91932	<b>Japanese Cultural Center</b> 150 Cedar Road Vista, CA 92083 (760) 941-8800	<b>Job Giant San Diego Reader</b> P.O. Box 85803 San Diego, CA 92186
<b>Junior Achievement of San Diego &amp; Imperial County Inc.</b> 4756 Mission Gorge Place San Diego, CA 92120	<b>Kiwanis Club</b> 3276 Rosecrans, Suite 202 San Diego, CA 92110	<b>La Prensa, San Diego</b> 101 East 30th Street, Suite A National City, CA 91950
<b>League of Women Voters</b> North Coast San Diego County P.O. Box 131272 Carlsbad, CA 92013	<b>MAAC Project</b> 1355 3rd Avenue Chula Vista, CA 91911	<b>March of Dimes</b> 9325 Sky Park Ct., Suite 250 San Diego, CA 92123
<b>Masonic Lodge</b> 732 3rd Ave Chula Vista, CA 91910	<b>Masonic Lodge</b> 1140 "B" Ave. National City, CA 91950	<b>Mexican American Legal Defense &amp; Education Fund</b> 634 S. Spring Street Los Angeles, CA 90014
<b>NAACP – San Diego Branch</b> P.O. Box 152086 San Diego, CA 92195	<b>National Association for the Advancement of Colored People</b> North San Diego County Branch P.O. Box 5786 Oceanside, CA 92052-5786 (760)754-9686	<b>National City Chamber of Commerce Executive Director</b> 901 National City Blvd National City, CA 91950

## APPENDIX E

<b>National Council of La Raza</b> 523 W 6 <sup>th</sup> St, Ste 840 Los Angeles, CA 90014	<b>National Federation of Filipino American Associations</b> 2607 24th St. NW, Ste. 4 Washington, D.C. 20008-2600	<b>Neighborhood House Association</b> 5660 Copley Drive San Diego, CA 92111
<b>North County African American Women's Association</b> c/o Jan Moberly 2504 Via Astuto Carlsbad, CA 92010	<b>Otay Mesa Chamber of Commerce Executive Director</b> 9163 Siempre Viva Rd., Suite I-2 San Diego, CA 92154	<b>Partnerships With Industry</b> 1121 Bay Blvd. #H Chula Vista, CA 91911
<b>Salvation Army</b> 648 Third Avenue Chula Vista, CA 91910	<b>San Diego Association of Non-Profits</b> P.O. Box 503353 San Diego, CA 92150	<b>San Diego Business Journal</b> 4909 Murphy Canyon Rd., #200 San Diego, CA 92123
<b>San Diego Center for the Blind and Vision Impaired</b> 5922 El Cajon Boulevard San Diego, California 92115	<b>San Diego County Office of Education</b> 6401 Linda Vista Rd San Diego, CA 92111	<b>San Diego Daily Transcript</b> 2131 Third Ave San Diego, CA 92101
<b>San Diego Jewish Times</b> 4731 Palm Ave La Mesa, CA 91941	<b>San Diego Union Tribune</b> P.O. Box 120191 San Diego, CA 92112	<b>San Diego Voice and Viewpoint</b> P.O. Box 120095 San Diego, CA 92112
<b>San Diego Workforce Partnership</b> 3910 University Avenue, Suite 400 San Diego, CA 92105	<b>Sweetwater Women's Club</b> 3855 Sweetwater Rd Bonita, CA 91902	<b>UCSD Cross – Cultural Center</b> 9500 Gilman Drive La Jolla, CA 92093-0053
<b>United Way of San Diego County</b> 4699 Murphy Canyon Rd San Diego, CA 92123	<b>Urban League of San Diego County</b> 720 Gateway Center Drive San Diego, CA 92102	<b>Veterans of Foreign Wars</b> 299 "I" Street Chula Vista, CA 91910
<b>Veterans of Foreign Wars</b> 123 Palm Ave Imperial Beach, CA 91932	<b>YMCA of San Diego County Downtown Branch</b> 500 W. Broadway San Diego, CA 92101	

## RECRUITMENT SITES

<b><u>Classified &amp; Academic Positions:</u></b>	<b><u>Additional Sources for Administrator &amp; Full-time</u></b>
CCCRegistry.org SOCAHERC.org EDJOIN.org Higheredjobs.com SanDiego.Craigslist.org UCSD Student Career Job Listing SDSU Aztec Career Connection LatinosinHigherEd.com San Diego Union Tribune CareerBuilder's CalJobs/EDD Workforce Partnership	<b><u>Faculty</u></b> ACCCA.org CASBO.org Hispanic Outlook on Higher Ed Diverse Issues in Higher Ed Asian Pacific Careers Women in Higher Ed Chronicle of Higher Ed Community College Times HBCU Career Center ListServs County School TV

## **APPENDIX F**

### **ACCOMMODATION REQUEST FORMS**

#### **CONTENTS:**

Employee Disability Accommodation Request Form  
Physician's Certificate Form  
Employee Disability Accommodation Response Form  
ADA Accommodation Results Form

ADA Form A File # \_\_\_\_\_ GROSSMONT-CUYAMACA COMMUNITY COLLEGE DISTRICT

**Employee Disability Accommodation Request**

**EMPLOYEE:** District Cuyamaca Grossmont

Employee name (last, first, middle) Social Security Number Bargaining Unit \_\_\_\_\_

Department: \_\_\_\_\_ Assignment/Title: \_\_\_\_\_

\*\*\*\*\*

1. Please describe the limitation you are addressing: \_\_\_\_\_

2. How does your disability affect the essential function of your job? \_\_\_\_\_

3. Do you have a suggestion on an accommodation? Yes No  
If yes, please describe: \_\_\_\_\_

4. Please describe how you will benefit from it: \_\_\_\_\_

Employee Comments: \_\_\_\_\_

\*\*\*\*\*

- I have attached a completed Physician's Certificate form.
- The Physician's Certification is being sent under separate cover.
- I have not seen my physician. My appointment is \_\_\_\_\_.

If you have any questions regarding my request, please contact me at \_\_\_\_\_.

Employee Signature Date

ADA Form A 5/96 White: Risk Mgmt Yellow: Supervisor Pink: Employee Goldenrod: Physician

(Attach Job Description)

File # \_\_\_\_\_

Physician's Certificate

Patient Name: \_\_\_\_\_ Examination Date: \_\_\_\_\_

I certify that the above named patient is permanently/temporarily disabled and (circle one)

may/may not require accommodation.

(circle one)

I examined the above named patient on \_\_\_\_\_ and certify that the patient has the following permanent/temporary functional limitation(s)

(circle one)

\_\_\_\_\_

I examined the above named patient on \_\_\_\_\_ and I am unable to make a determination without further examination. The patient is scheduled for a follow-up examination on \_\_\_\_\_ with \_\_\_\_\_.

I examined the above named patient on \_\_\_\_\_ and I have not found any limitations at this time. This patient may return to regular duty without restrictions on \_\_\_\_\_.

Physician Comment: \_\_\_\_\_

\_\_\_\_\_

California License Number Physician's Printed Name

(complete address)

(a/c)phone number

Specialty Physician's Signature Date

Please return form to: Grossmont-Cuyamaca Community College District, Risk Management Department  
8800 Grossmont College Dr., El Cajon, CA 92020

ADA FORM B 5\96 White: Risk Mgmt Yellow: Supervisor Pink: Patient/Employee Goldenrod: Physician

File # \_\_\_\_\_ GROSSMONT-CUYAMACA COMMUNITY COLLEGE DISTRICT

**Employee Disability Accommodation Response**

Employee Name \_\_\_\_\_ Site \_\_\_\_\_

**SUPERVISOR:** (Please complete and return to Risk Management)

1. Please comment on employees request for accommodation: \_\_\_\_\_  
\_\_\_\_\_

2. Is the above mentioned employee performing the essential functions of the job in a satisfactory manner? Yes No

3. Would this accommodation be burdensome on the department or area under your supervision?  
Yes No. If yes, please describe: \_\_\_\_\_  
\_\_\_\_\_

Dean/Director comment: \_\_\_\_\_  
\_\_\_\_\_ Initial: \_\_\_\_\_

V. President/President comment: \_\_\_\_\_  
\_\_\_\_\_ Initial: \_\_\_\_\_

4. In your opinion, is this a reasonable request for accommodation? Yes No

5. Describe the action taken to meet this accommodation:

Department Level \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_

Dean and Director Level \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_

Vice-President and President Level \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_

Supervisor Print Name ext. Signature Date

ADA Form C 5/96 White: Risk Mgmt Yellow: Supervisor Pink: Employee

**ADA Accommodation Results**

**File #** \_\_\_\_\_

Employee Name \_\_\_\_\_ Site \_\_\_\_\_

ADA Accommodation Committee Recommendation:

Final Outcome:

\_\_\_\_\_  
ADA Accommodation Committee Chair Date

ADA Form D 5/96 White: Risk Mgmt Yellow: Supervisor Pink: Employee