Equal Employment Opportunity LONGITUDINAL DATA GUIDE



California Community Colleges Chancellor's Office Eloy Ortiz Oakley, Chancellor



FOREWORD

Eloy Ortiz Oakley, Chancellor

The Board of Governors of the California Community Colleges recently adopted a new Vision for Success that will strengthen the California community colleges to meet California's workforce needs. The Vision for Success established several ambitious system-wide goals related to student success that are anchored by quantifiable data on student outcomes.

One of the goals identified in the Vision for Success relates to student equity gaps. By 2022, our system intends to:

"Reduce equity gaps across [various measures] through faster improvements among traditionally underrepresented groups, with the goal of cutting achievement gaps by 40 percent within 5 years and fully closing those achievement gaps within 10 years."

Studies have clearly shown the educational benefits of a diverse faculty on student success, and our colleges have a responsibility to establish a workforce that is continually responsive to the needs of our diverse student population. Our Equal Employment Opportunity (EEO) programs are essential for student success and play an invaluable role in meeting the system-wide goals identified in the Vision for Success.

Data will continue to play an increased role in measuring outcomes at our colleges. The Chancellor's Office is committed to fostering the use of data, inquiry and evidence to meet our system's full potential. Data analysis should be a regular practice used for improving services at all levels, and is an integral component of the Guided Pathways framework. Our EEO programs are no exception.

Our colleges have an opportunity and obligation to collect local employment data and analyze it to ensure that all qualified applicants have an opportunity to work in our system and make a positive impact on the lives of our students. The analysis of this employment data is vital to the identification and elimination of barriers to employment and establishing the richly diverse workforce that our students need and deserve.

Our EEO programs are essential for student success. I truly hope that this EEO Longitudinal Data Guide serves as a useful reference that spurs conversations about the implementation and effectiveness of our EEO programs.

Sincerely,

Eloy Ortiz Oakley, Chancellor

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INTRODUCTION

The Board of Governors of the California Community Colleges has established regulations to address the administration of Equal Employment Opportunity (EEO) programs within the system. Title 5, section 53024.1, acknowledges that "establishing and maintaining a richly diverse workforce is an on-going process that requires continued institutionalized effort." The EEO regulations are found in title 5, chapter 4, subchapter 1, and include several major requirements:

- EEO Plan reviewed at least every three years;
- EEO and Diversity Advisory Committee to develop and implement EEO Plan;
- Training for selection committees and EEO advisory committees;
- Procedures for the investigation of discrimination complaints;
- Collection and longitudinal analysis of employment data ;
- Remedies.

In December 2015, the Chancellor's Office, working with the Statewide EEO and Diversity Advisory Committee, implemented a new EEO fund allocation model that requires each district to have an updated EEO Plan and an active local EEO Diversity Advisory Committee as a prerequisite to the receipt of EEO funds. In December 2016, the Chancellor's Office disseminated an EEO and Diversity Best Practices Handbook¹ to provide innovative, effective, sustainable and data-driven examples of programs that promote diversity in hiring and promotion at our community college districts.

Additional EEO funding in the state budget² has allowed our local EEO programs to implement new and creative EEO strategies. The additional funding has also brought increased attention to data, including demographic data related to hiring outcomes and data as an analytic tool to assess the effectiveness of local hiring practices.

This EEO Longitudinal Data Guide is intended to serve as a reference for districts as to the collection and use of local EEO data – it summarizes the legal requirements, highlights the advantages of a strong local EEO data program and offers examples of colleges and districts in our system that are already putting this data to good use. We hope you will use this EEO

¹ See <u>EEO and Diversity Best Practices Handbook</u>.

² The fiscal year 2015 - 2016 California state budget provided an additional \$2,000,000 annually for the promotion of EEO programs in the community college system.

Longitudinal Data Guide in conjunction with the EEO and Diversity Best Practices Handbook as you continue to develop your EEO and Diversity programs.

WHAT IS "LONGITUDINAL DATA?"

A dataset is longitudinal if it tracks the same type of information on the same subject over a period of time. Sports franchises routinely create longitudinal datasets containing information related to player performance. A baseball team, for example, might conduct a "longitudinal analysis" of a player's batting average over a period of 10 successive years in an effort to identify trends and project future performance.

The primary advantage of longitudinal databases is that they can identify patterns and measure change. For example, baseball teams can estimate the effect of various factors, including weather, opponents or location on player performance over time. They might also analyze the overall effectiveness of individual coaches by examining the performance of successive rosters of players. The use of data analytics has revolutionized the way sports franchises evaluate talent and expend resources.

In the context of our EEO programs, an analysis of district recruitment, hiring, retention and promotion data over a period of years may help identify when non job-related factors result in the significant underrepresentation of a monitored group. A longitudinal analysis of EEO data serves as a powerful tool to ensure that district policies and procedures do not have an adverse impact on a protected class of individuals. Longitudinal EEO data may also demonstrate the impact of changes in local policies on the phases of the employment process.

The longitudinal analysis of EEO data is not only a good idea, it is required by title 5.

WHY SHOULD I COLLECT AND ANALYZE LONGITUDINAL DATA?

The purpose of our local EEO programs is to ensure all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with each local district. Equal employment should include identifying and eliminating barriers to employment that are not job related, and creating an environment that fosters cooperation, acceptance, democracy, and the free expression of ideas. Our colleges must be welcoming employment destinations for men and women, persons with disabilities and individuals from all ethnic and other groups protected from discrimination under the law (section 53001(c).)

Data is a powerful tool that allows our districts to measure the impact of local hiring practices on specific monitored groups over a period of years. An analysis of EEO and employment data allows each local district, EEO Advisory Committee and chief human resources officer to monitor local hiring practices, and to identify and eliminate any barriers to employment at the local level.

A longitudinal analysis of local employment data enables districts to identify potentially problematic local policies and processes that serve as barriers to employment. The elimination of these barriers, over time, will lead to broader pools of qualified applicants and a faculty and staff that reflects the diverse students that we serve. There are many benefits to the collection and analysis of longitudinal EEO data, including:

(1) Improving Faculty Diversity Improves Student Outcomes.

Statewide demographic data shows that the community college student population has become increasingly diverse over the last several years. In the 2016-17 academic year, underrepresented minorities made up more than 50 percent of our students statewide.³ Our workforce does not reflect the diversity of the students that we serve. For example, just over 22 percent of our tenured/tenure track faculty identify as an underrepresented minority.⁴

Studies have shown the educational benefits of a diverse workforce. A recent study at a California community college showed underrepresented minority students who were taught by underrepresented minority instructors were able to close the achievement gap by 20-50 percent.⁵ The study found interactions between underrepresented minority faculty and underrepresented minority students positively affected longer-term student outcomes related to subsequent course selection, retention and degree completion.

When a district conducts a longitudinal analysis of local employment data to identify and eliminate barriers to employment, it extends employment opportunities to a broader range of individuals, leading to an increase in the diversity and talent of the district's workforce. Our students will reap the educational benefits of those efforts.

³ Underrepresented minorities include Black, Hispanic, Native American and Pacific Islander. Data generated from the <u>CCCCO Data Mart</u>.

⁴ CCCCO Report on Staffing for Fall 2016: <u>Employee Ethnicity/Gender Report</u>.

⁵ Fairlie, Robert W., Florian Hoffmann, and Philip Oreopoulos. 2014. "A Community College Instructor Like Me: Race and Ethnicity Interactions in the Classroom." *American Economic Review*, 104 (8): 2567-91.

(2) Improving Faculty Diversity Improves the Quality of Instruction.

A growing body of research suggests diversity in the workplace adds to the diversity of ideas and attitudes within an organization. Studies also show that in the private sector, a diverse workforce may have a positive impact on a company's bottom line. Companies in the top quartile for racial and ethnic diversity are 35 percent more likely to have financial returns above their respective national industry medians.⁶

At the college level, studies have shown increased faculty diversity provides several institutional benefits, including more student-centered approaches to learning and more research focused on issues of race/ethnicity and gender.⁷ Increased diversity of ideas and attitudes within our faculty ranks is healthy for our system and beneficial to our existing tenured/tenure track and part-time instructors. If barriers to employment discourage or remove qualified instructors with diverse backgrounds and experiences from an applicant pool, the workforce itself is deprived of new ideas, approaches and perspectives.

(3) Improving Faculty Diversity will Protect Districts Against Liability.

A robust EEO data analysis program can reduce a district's legal liability. Both the Civil Rights Act of 1964 and the California Fair Employment and Housing Act prohibit employers from discriminating against employees based on a number of protected characteristics, including race, gender, religion, sexual orientation and national origin.

There are two basic ways for an individual to bring a discrimination charge against a district: alleging discrimination by disparate treatment or by disparate impact.

- Disparate treatment cases arise when an employer singles out a person or a group of individuals and treats them differently based on a protected classification.
- Disparate impact cases arise when an employer's policy or practice has the effect of discriminating against a protected class of people even though it does not single them out for differential treatment. In a disparate impact case, the discrimination does not have to be intentional an individual must merely demonstrate that an employer's neutral policy has a disproportionate effect on members of the protected class.

A longitudinal analysis of local employment data enables districts to identify potentially problematic local policies and processes that serve as barriers to employment.

⁶ Hunt, Vivian, et al. "<u>Why Diversity Matters</u>," accessed 14 December 2017.

⁷ Milem, Jeffrey F. "The Educational Benefits of Diversity: Evidence from Multiple Sectors." Compelling Interest: Examining the Evidence on Racial Dynamics in Higher Education, ed. M. Chang et al., *Stanford University Press*, 2003.

Remember that a district may be liable for employment policies and practices that have a disparate impact on a protected class – even if the resulting discriminatory effect is unintentional. A district that identifies and addresses issues with its employment processes proactively may save the time, trouble and legal expenses associated with responding to a lawsuit or discrimination complaint later. If you have legal questions related to local hiring processes or applicable discrimination laws, please confer with your local counsel.

(4) It's Just the Right Thing to Do.

The purpose of our local EEO programs is to ensure all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment in the community college system. We are public servants and owe it to our students, our employees and the people of the state of California to ensure our policies and practices comply with applicable laws and produce a strong workforce that meets the diverse needs of our students and communities.

TITLE 5 EEO LONGITUDINAL DATA REQUIREMENTS

Title 5, section 53003⁸, requires the governing board of each district to develop and adopt a written EEO Plan to implement its local EEO program. Section 53003(c)(6) requires each local EEO Plan to include:

a process for gathering information and periodic, **longitudinal analysis of the district's employees and applicants**, broken down by number of persons from monitored group status, in each of the job categories listed in section 53004(a)⁹ to determine whether additional measures are required pursuant to section 53006 and to implement and evaluate the effectiveness of those measures (emphasis added).

Section 53006(a) requires each district to review the longitudinal information gathered about the district's employees and applicants "to determine if significant underrepresentation of a monitored group may be the result of non-job-related factors in the employment process." The phases of the employment process "include, but are not limited to recruitment, hiring, retention and promotion."

⁸ All references are to California Code of Regulations, title 5, unless otherwise indicated.

⁹ The job categories listed in section 53004(a) include: (1) executive/administrative/managerial; (2) faculty and other instructional staff; (3) professional non-faculty; (4) secretarial/clerical; (5) technical and paraprofessional; (6) skilled crafts; and (7) service and maintenance.

Section 53006(a)(1) further requires districts to conduct a "longitudinal analysis of data regarding job applicants...to identify whether over multiple job searches, a monitored group is disproportionately failing to move from the initial applicant pool, to the qualified applicant pool." Where this review identifies that significant underrepresentation of a monitored group may be the result of non-job-related factors in the employment process, districts are required to implement additional measures designed to address the specific areas of concern.¹⁰ These measures include:

- A review of district recruitment procedures;
- A review of each locally established "required," "desired," or "preferred" qualification being used to screen applicants for positions in the job category to determine if they are job-related, consistent with federal law, and consistent with the qualifications established by the Board of Governors;
- Discontinue the use of any locally established qualification that has not been found to satisfy all these requirements;
- Consider the implementation of additional measures designed to promote diversity that are reasonably calculated to address area(s) of specific need.

Section 53023 provides more detail regarding the analysis of applicant pool data and the responsibilities of district chief human resources officers. Section 53023 provides, in part:

(b) After the application deadline has passed, the composition of the initial applicant pool shall be recorded and reviewed by the chief human resources officer or designee. All initial applications shall be screened to determine which candidates satisfy job specifications set forth in the job announcement. The group of candidates who meet the job specifications shall constitute the *qualified applicant pool*.

(c) The composition of the qualified applicant pool shall be reviewed and compared to the composition of the initial applicant pool. If the Chief Human Resources Officer or designee finds that the composition of the qualified applicant pool may have been influenced by factors which are not job-related, appropriate action will be taken. This applicant pool data shall be reviewed in conducting the [longitudinal] analysis described in section 53006(a).

In summary, title 5 requires local districts to take specific actions related to the collection and analysis of EEO employment data, including:

¹⁰ See section 53006(b) for a full list of "additional measures."

- The district's EEO Plan must contain a process for gathering information and conducting a periodic longitudinal analysis of the district's employees and applicants, by monitored group and job classification (section 53003(c)(6).)
- The district must review applicant and employee longitudinal data related to the entire employment process, including recruitment, hiring, retention, and promotion (section 53006(a).)
- For applicant data, the district must review and compare the composition of the initial applicant pool with the composition of the qualified applicant pool (section 53023(c).)
- If the longitudinal analysis of job applicant data shows that a monitored group is disproportionately failing to move from the initial applicant pool to the qualified applicant pool due to non-job related factors in the employment process, the district is required to implement additional measures (section 53006(a)(1).)

A complete copy of the title 5 provisions related to the local collection and analysis of EEO employment data is included as Appendix A.

HOW DO I USE LONGITUDINAL DATA?

With a complete and reliable employment data set, our districts can conduct helpful, interesting, and insightful analyses. For example, districts may look at full-time faculty employment data by discipline, by date of hire or by recruitment method. Our districts are in the best position to know what types of analyses are most useful at the local level and how best to use the information gathered within the local organizational structure. How a district uses longitudinal data is largely a local decision.

There are two specific types of analyses related to a district's use of longitudinal employment data that are required by title 5.

(1) Significantly Underrepresented Group Analysis

Districts are required to identify any "significantly underrepresented groups," where actual representation is below 80 percent of projected representation. Title 5, section 53001(l) defines "significantly underrepresented group" as "any monitored group for which the percentage of persons from that group employed by the district in any job category listed in section 53004(a) is below eighty percent (80%) of the projected representation for that group in the job category in question." The job categories identified in section 53004(a) include:

• Executive/administrative/managerial

- Faculty and other instructional staff
- Professional non-faculty
- Secretarial/clerical
- Technical and paraprofessional
- Skilled crafts
- Service and maintenance

In an "80 Percent Rule" analysis, the district compares the percentage of individuals from a monitored group in a job category with the district's projected representation for the same group. Title 5 does not define "projected representation" for purposes of the 80 Percent Rule – it is a local decision. Local districts have the discretion and authority to establish projected representation based on one or more factors, including student demographics at the college or district, community demographics in the district's service area, labor market availability for the job category or previous demographics of job applicants.

EXAMPLE: The Salton Sea Community College District is conducting an 80 Percent Rule analysis on its executive/administrative/managerial staff. The district has decided to establish "projected representation" for this job category based on community demographics in the district's service area.

Demographic Group	Community Demographics (Projected Representation)	Actual Representation In Job Category
White	50%	60%
Hispanic	25%	20%
Black	10%	5%
Other	15%	15%

Salton Sea Community College District

Remember that the purpose of the 80 Percent Rule is to determine whether any monitored group is "significantly underrepresented" in a job category. Here we are conducting an analysis of the Salton Sea Community College District's executive/administrative/managerial employees.

Analysis of Hispanic Employees: Of the residents in the Salton Sea Community College District service area, 25 percent identify as Hispanic, and the district has decided to use this measure to establish projected representation for the job class. Twenty percent of the

Salton Sea Community College District's executive/administrative/managerial employees identify as Hispanic. Obviously, the 20 percent actual representation of Hispanic employees is lower than the 25 percent projected representation of the same group, but are Hispanic employees "significantly underrepresented" under the 80 Percent Rule? To find out, we divide the actual representation by the projected representation of the monitored group:

.20 (actual representation) ÷ .25 (projected representation) = .80

The actual representation of Hispanic employees in the executive/administrative/ managerial group is exactly 80 percent of the projected representation for that group. Title 5 defines "significantly underrepresented group" as any monitored group for which the percentage of persons from that group employed by the district is *below* 80 percent of the projected representation for that group in the job category in question. Since the actual representation of Hispanic employees is not below 80 percent of the projected representation, Hispanic employees are *not* a significantly underrepresented group under title 5's 80 Percent Rule.

Analysis of Black Employees: Of the residents in the Salton Sea Community College District service area, 10 percent identify as black, and 5 percent of the Salton Sea Community College District's executive/administrative/managerial employees identify as black. Again, the 5 percent actual representation of black employees is lower than the 10 percent projected representation of the same group, but are black employees "significantly underrepresented" under the 80 Percent Rule?

.05 (actual representation) ÷ .10 (projected representation) = .50

The actual representation of black employees in the executive/administrative/ managerial group is 50 percent of the projected representation for that group. Title 5 defines "significantly underrepresented group" as any monitored group for which the percentage of persons from that group employed by the district is *below* 80 percent of the projected representation for that group in the job category in question. Since the actual representation of black employees is below 80 percent of the projected representation, black employees *are* a significantly underrepresented group under title 5's 80 Percent Rule.

Existence of a "significantly underrepresented group" is not proof that discrimination has occurred. Instead, the Salton Sea Community College District's determination that a monitored group is significantly underrepresented in a job category provides an opportunity for the district to review existing employment practices to identify any non-

job-related barriers to employment and amend employment policies and practices as appropriate.

(2) EEOC Adverse Impact Test

Districts are required to determine whether employment selection procedures have an "adverse impact" on a monitored group based on EEOC guidelines. Title 5, section 53001(a) defines "adverse impact" as "a statistical measure (such as those outlined in the Equal Employment Opportunity Commission's 'Uniform Guidelines on Employee Selection Procedures') applied to the effects of a selection procedure and demonstrat[ing] a disproportionate negative impact on any group protected from discrimination pursuant to Government Code section 12940."

Section 53024(d) further references the Equal Employment Opportunity Commission (EEOC) Guidelines: "Selection testing for employees shall follow procedures as outlined in the EEOC's 'Uniform Guidelines on Employee Selection Procedures'."

The EEOC's "Uniform Guidelines on Employee Selection Procedures" (Uniform Guidelines) were established as guidance for employers to monitor, identify and eliminate potentially discriminatory hiring practices.¹¹ The Uniform Guidelines incorporate the concept of adverse impact and provide a "rule of thumb" for determining when an adverse impact may exist in a hiring process. Generally, an adverse impact exists when a selection process works to the disadvantage of members of a race, sex, or ethnic group. Adverse impact is measured under the EEOC's 4/5ths "rule of thumb" (Adverse Impact Test).

Under the EEOC's Adverse Impact Test, an adverse impact occurs when the selection rate for any group is less than 4/5ths (80 percent) of the selection rate for the group with the highest selection rate. The EEOC has established a four-step process for employers to follow when conducting the EEOC's Adverse Impact Test:

(1) Calculate the rate of selection for each group (divide the number of persons selected from a group by the number of applications from that group).

(2) Observe which group has the highest selection rate.

(3) Calculate the impact ratios, by comparing the selection rate for each group with that of the highest group (divide the selection rate for a group by the selection rate for the highest group).

¹¹ See EEOC's "Questions and Answers to Clarify and Provide a Common Interpretation of the Uniform Guidelines on Employee Selection Procedures," at <u>EEOC.gov</u>.

(4) Observe whether the selection rate for any group is substantially less (i.e., less than 4/5ths or 80 percent) than the selection rate for the highest group.

EXAMPLE: The Lake Almanor Community College District is conducting a longitudinal analysis of faculty hires over the last three years. The district's human resources department compiles the following data related to applicants and hires:

Applicants	Hired	Selection Rate Percent Hired
80 White	48	48/80 or 60%
40 Black	12	12/40 or 30%
24 Hispanic	6	6/24 or 25%

Lake Almanor Community College District

The EEOC's Adverse Impact Test will allow the Lake Almanor Community College District to determine whether its hiring practices may have an adverse impact on a monitored group. Remember that under the EEOC's Adverse Impact Test, adverse impact may exist when the selection rate for any group is less than 4/5ths (80 percent) of the selection rate for the group with the highest selection rate. In our example, white applicants have the highest selection rate at 60 percent.

Analysis of Black Selection Rate: The black selection rate (30 percent) is half or 50 percent of the white selection rate (60 percent). Since 50 percent is less than 4/5 (80 percent), an adverse impact exists under the EEOC's Adverse Impact Test.

Analysis of Hispanic Selection Rate: The Hispanic rate (25 percent) is 42 percent of the white selection rate (60 percent). Since 42 percent is less than 4/5 (80 percent), an adverse impact exists under the EEOC's Adverse Impact Test.

If a district's analysis of employment data under the EEOC's Adverse Impact Test shows that an adverse impact exists, it is not proof that discrimination has occurred. The EEOC's Adverse Impact Test is a self-described "rule of thumb," and not a legal definition. It is a statistical tool established by the EEOC to determine whether there is an initial inference of adverse impact. When a district finds that a monitored group is adversely impacted, it should take the opportunity to assess hiring policies and practices to determine why certain groups were eliminated at a substantially higher rate than other groups. If the elimination was based on non-job related factors, the district has a responsibility to amend its hiring practices to ensure that all applicants have an equal opportunity for employment at the district. It should also be noted that the EEOC's Adverse Impact Test may be applied to each step along the hiring process. The EEOC's Adverse Impact Test can be applied as applicants move from the initial applicant pool to the qualified applicant pool, and from the qualified applicant pool to interviews. From recruitment to hiring, retention, and promotion, the EEOC's Adverse Impact Test is a helpful tool for our districts to use when conducting longitudinal analyses of local employment data.

Finally, sample sizes are important. Title 5, section 53001, provides that a disparity identified in a district's selection process will not be considered to constitute adverse impact "if the numbers involved are too small to permit a meaningful comparison." The longitudinal analysis of employment data, including the use of the EEOC's Adverse Impact Test, involves several local decisions and should be implemented at each district in a manner that makes the most sense at the local level.

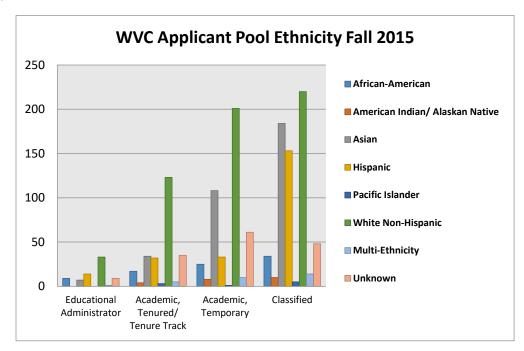
THE COLLECTION OF EMPLOYMENT DATA: EXAMPLES AND BEST PRACTICES

Section 53003(c)(6) requires each district's EEO Plan to contain "a process for gathering information and periodic, longitudinal analysis of the district's employees and applicants, broken down by number of persons from monitored group status" in identified job categories. In the most recent round of district submissions, some districts went a step further and included tables and charts reflecting local demographic employment data as part of their EEO Plans.

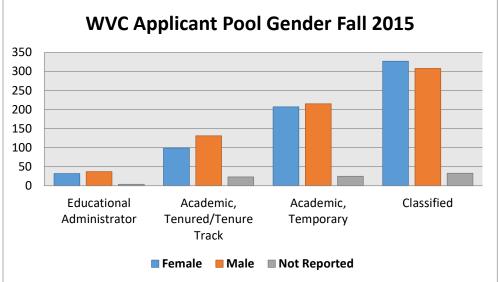
The Statewide EEO and Diversity Advisory Committee reviewed EEO Plan submissions and selected a few examples and best practices from both single college districts and multi-college districts related to the collection and analysis of local employment data. These districts included historical and comparative data, essential in discerning how the district workforce is changing and how district hiring practices impact certain monitored groups. Several of these examples and best practices are available on our new EEO data focused website at Legal – EEO Data, and the full versions of the selected examples are included as Appendix B. A few examples from the selected best practices are set forth below:

West Valley-Mission Community College District

The Statewide EEO and Diversity Advisory Committee chose West Valley-Mission Community College District for its easy to follow visuals and multiple year comparisons of both workforce and applicant data.

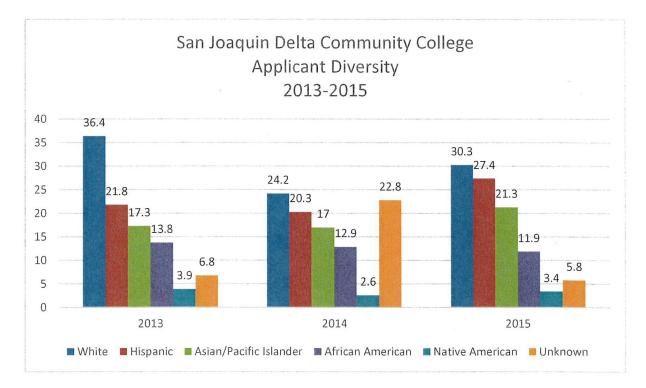


Data taken from WVMCCD e-Recruit system



San Joaquin-Delta Community College District

The Statewide EEO and Diversity Advisory Committee selected San Joaquin-Delta Community College District for its user-friendly graphs on applicant diversity, gender, and student demographic comparisons. The committee also appreciated the helpful narratives provided by the district, including background information and future recruitment plans related to the identified employment data.



Applicant Analysis

FALL 2015	/	TOTAL	Mait	FEMAL	ASIAM	BLACK	FUPIN	HSPAN	INE AME	SCRC SLA	UNKNOW	white
1 Executive/Administrative/Managerial	34	13	21		3	1	8	1		9	12	
2 Faculty and other Instructional Staff	222	110	112	15	12	4	29	1	5	24	132	
3 Professional Non-Faculty	54	17	37	8	2	3	9	1	2	6	23	
4 Secretary/Clerical	77	9	68	10	5	5	22	3		8	24	
5 Technical and paraprofessional	147	34	113	13	12	5	41		1	20	55	
6 Skilled Crafts	16	13	3	3		1	2			1	9	
7 Service and Maintenance	64	45	19	5	9	4	20			6	20	
GRAND TOTAL	614	241	373	54	43	23	131	6	8	74	275	

Riverside Community College District

The Statewide EEO and Diversity Advisory Committee selected Riverside Community College District for its simple format, easy to read tables, and breakdown of applicant demographic data from various stages of the employment process, including the initial applicant pool, the qualified applicant pool, the interviewed pool, and hired employee data.

Ethnicity	Employee Count	Percentage
American Indian or Alaska Native	18	1.0%
Asian	158	8.0%
Black or African American	152	7.0%
Hispanic/Latino	492	24.0%
Native Hawaiian or Pacific Islander	7	0.0%
Two or More Races	53	3.0%
White	1,181	57.0%
Declined to State	0	0.0%
Grand Total*	2,061	100.0%
Female Employees	1,073	52.1%

Riverside Community College District*

California Community Colleges Statewide*

Ethnicity	Employee Count	Percentage
American Indian or Alaska Native	545	0.7%
Asian	8,618	10.8%
Black or African American	5,168	6.5%
Hispanic/Latino	14,243	17.8%
Native Hawaiian or Pacific Islander	350	0.4%
Two or More Races	850	1.1%
White	44,029	55.0%
Declined to State	6,157	7.7%
Grand Total*	79,960	100.0%
Female Employees	43,986	55.0%

*Includes Adjunct Faculty.

Ethnicity	Employee Count	Percentage
American Indian or Alaska Native	3,966	0.4%
Asian	58,146	6.2%
Black or African American	57,319	6.1%
Hispanic/Latino	405,929	43.2%
Native Hawaiian or Pacific Islander	2,887	0.3%
Two or More Races	15,088	1.6%
White	392,479	41.7%
Other Race	4,898	0.5%
Grand Total*	940,712	100.0%
Female Employees	242,360	25.8%

Civilian Labor Force Greater Riverside Metropolitan Area**

** Data Source: EDD data for Affirmative Action/EEO Plans derived from US Census Bureau's EEO tabulation (5 year ACS data) 2006-2010. www.labormarketinfo.edd.ca.gov/geography/demoaa.html Metropolitan Riverside statistical area comprises Riverside and San Bernardino Counties.

For additional examples, see Appendix B attached. Please note this appendix contains complex charts that were unable to be remediated for accessibility. For assistance, please contact Leslie LeBlanc at leblanc@cccco.edu.

CONCLUSION

Data is an essential tool for our EEO programs. For years, our colleges have reported demographic workforce data to the Chancellor's Office - but we can and must do much more. The longitudinal analysis of employment data at the local level provides an opportunity for our districts to evaluate local hiring practices and identify barriers to employment that may exist for diverse candidates.

The Chancellor's Office is committed to promoting our EEO programs and providing training, tools, and resources to our colleges to use employment data at the local level in new and dynamic ways. The Chancellor's Office, in conjunction with the Statewide EEO and Diversity Advisory Committee, intends to develop and highlight effective new data tools and best practices for the benefit of our system. We will post tools, training opportunities, and best practices on the Chancellor's Office website as they are developed. Please see our new <u>EEO</u> <u>Data web page</u>.

The Chancellor's Office and the EEO and Diversity Advisory Committee hope that our colleges find this EEO Longitudinal Data Guide to be a useful tool as we develop more robust and effective EEO programs at the local level. Please reach out to other districts and the Chancellor's Office with questions and ideas, and visit the Office of the General Counsel's <u>EEO</u> web page for additional resources. Together, we will create a better learning environment for our students through diversity and equal employment opportunities.

APPENDIX A: EEO REGULATIONS

§ 53000. Scope and Intent.

(a) This subchapter implements and should be read in conjunction with Government Code sections 11135-11139.5, Education Code sections 66010.2, 66030, and chapter 4.5 of part 40 of title 3, commencing with section 66250; Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), the Americans with Disabilities Act of 1990 (42 U.S.C. § 12100 et seq.) and the Age Discrimination Act (42 U.S.C. § 6101). Nothing in this subchapter shall be construed to conflict with or be inconsistent with the provisions of article 1, section 31 of the California Constitution or to authorize conduct that is in conflict with or is inconsistent with such provisions.

(b) The regulations in this subchapter require steps to promote faculty and staff equal employment opportunity which are in addition to and consistent with the nondiscrimination requirements of state or federal law. Therefore, compliance with these regulations or approval of the district's equal employment opportunity plan pursuant to section 53003 does not imply and should not be construed to mean that a district has necessarily complied with its obligations under any other applicable laws or regulations. The Chancellor shall assist districts in identifying other applicable state or federal laws which may affect district equal employment opportunity or nondiscrimination policies.

§ 53001. Definitions.

As used in this subchapter:

(a) Adverse Impact. "Adverse impact" means that a statistical measure (such as those outlined in the Equal Employment Opportunity Commission's "Uniform Guidelines on Employee Selection Procedures") is applied to the effects of a selection procedure and demonstrates a disproportionate negative impact on any group protected from discrimination pursuant to Government Code section 12940. A disparity identified in a given selection process will not be considered to constitute adverse impact if the numbers involved are too small to permit a meaningful comparison.

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

(c) Equal Employment Opportunity. "Equal employment opportunity" means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the district. Equal employment opportunity should exist at all levels in the seven job categories which include

executive/administrative/managerial, faculty and other instructional staff, professional nonfaculty, secretarial/clerical, technical and paraprofessional, skilled crafts, and service and maintenance. Equal employment opportunity also involves:

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

(2) creating an environment which fosters cooperation, acceptance, democracy, and free expression of ideas and is welcoming to men and women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination pursuant to Government Code section 12940.

(d) Equal Employment Opportunity Plan. An "equal employment opportunity plan" is a written document in which a district's work force is analyzed and specific plans and procedures are set forth for ensuring equal employment opportunity.

(e) Equal Employment Opportunity Programs. "Equal employment opportunity programs" means all the various methods by which equal employment opportunity is ensured. Such methods include, but are not limited to, using nondiscriminatory employment practices, actively recruiting, monitoring and taking additional steps consistent with the requirements of section 53006.

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

(g) In-house or Promotional Only Hiring. "In-house or promotional only" hiring means that only existing district employees are allowed to apply for a position.

(h) Monitored Group. "Monitored group" means those groups identified in section 53004(b) for which monitoring and reporting is required pursuant to section 53004(a).

(i) 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.

(j) Reasonable Accommodation. "Reasonable accommodation" means the efforts made on the part of the district in compliance with Government Code section 12926.

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

(l) Significantly Underrepresented Group. "Significantly underrepresented group" means any monitored group for which the percentage of persons from that group employed by the district in any job category listed in section 53004(a) is below eighty percent (80%) of the projected representation for that group in the job category in question.

§ 53002. Policy Statement.

The governing board of each community college district shall adopt a policy statement setting forth the district's commitment to an equal employment opportunity program. This statement may also incorporate the nondiscrimination policy statement required pursuant to subchapter 5 (commencing with section 59300) of chapter 10 of this division, and other similar nondiscrimination or equal employment opportunity statements which may be required under other provisions of state and federal law.

§ 53003. District Plan.

(a) The governing board of each community college district shall develop and adopt a districtwide written equal employment opportunity plan to implement its equal employment opportunity program. Such plans shall be submitted to the Chancellor's Office. The Chancellor's Office retains the authority to review district plans on a case-by-case basis.

(b) Each district shall review its EEO Plan at least once every three years and revise as determined necessary. Any revised EEO Plan shall be submitted to the Chancellor's Office, which retains the authority to review such revisions on a case-by-case basis.

(c) In particular, the plan shall include all of the following:

(1) 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 subchapter pursuant to section 53020;

(2) the procedure for filing complaints pursuant to section 53026 and the person with whom such complaints are to be filed;

(3) a process for notifying all district employees of the provisions of the plan and the policy statement required under section 53002;

(4) a process for ensuring that district employees who participate on screening or selection committees receive training, prior to their participation. Training shall include, but need not be limited to:

(A) the requirements of this subchapter and of state and federal nondiscrimination laws;

(B) the educational benefits of workforce diversity;

(C) the elimination of bias in hiring decisions; and

(D) best practices in serving on a selection or screening committee;

(5) 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 the community and such organizations in identifying qualified applicants. "Written" notice may include mailings and electronic communications;

(6) a process for gathering information and periodic, longitudinal analysis of the district's employees and applicants, broken down by number of persons from monitored group status, in each of the job categories listed in section 53004(a) to determine whether additional measures are required pursuant to section 53006 and to implement and evaluate the effectiveness of those measures. Each district, based on its size, demographics and other unique factors shall determine the appropriate time frame for periodic review, and reflect this in its EEO Plan;

(7) to the extent data regarding potential job applicants is provided by the State Chancellor, an analysis of the degree to which monitored groups are underrepresented in comparison to their representation in the field or job category in numbers of persons from such groups whom the Chancellor determines to be available and qualified to perform the work required for each such job category and whether or not the underrepresentation is significant; (8) methods for addressing any underrepresentation identified pursuant to paragraph (7) of this subdivision; and

(9) a process for developing and implementing strategies, as described in section 53024.1, necessary to demonstrate on-going, institutional commitment to diversity and equal employment opportunity, as defined in sections 53001(c) and (e).

(d) The plans submitted to the Chancellor shall be public records.

(e) Each community college district shall make a continuous good faith effort to comply with the requirements of the plan required under this section.

§ 53004. District Evaluation and Report to Chancellor.

(a) Each district shall annually collect employee demographic data and shall monitor applicants for employment on an ongoing basis in order to evaluate the implementation of its equal employment opportunity plan and to provide data needed for the analyses required by sections 53003, 53006, 53023, and 53024. Each district shall annually report to the Chancellor, in a manner prescribed by the Chancellor, this data for employees at each college in the district. Each employee shall be reported so that he or she may be identified as belonging to one of the following seven job categories:

- (1) executive/administrative/managerial;
- (2) faculty and other instructional staff;
- (3) professional nonfaculty;
- (4) secretarial/clerical;
- (5) technical and paraprofessional;
- (6) skilled crafts; and
- (7) service and maintenance.

(b) For purposes of the data collection and report required pursuant to subdivision (a) of this section, each applicant or employee shall be afforded the opportunity to identify his or her gender, ethnic group identification and, if applicable, his or her disability. A person may designate multiple ethnic groups with which he or she identifies, but shall be counted in only one ethnic group for reporting purposes. Chinese, Japanese, Filipinos, Koreans, Vietnamese, Asian Indians, Hawaiians, Guamanians, Samoans, Laotians, and Cambodians are to be counted and reported as part of the Asian/Pacific Islander group as well as in separate subcategories. However, in determining whether additional steps are necessary to ensure

that monitored groups have not been excluded on an impermissible basis, analysis of the separate subgroups is not necessary.

§ 53005. Advisory Committee.

Each community college district shall establish an Equal Employment Opportunity Advisory Committee to assist the district in developing and implementing the plan required under section 53003. This advisory committee shall include a diverse membership whenever possible.

This advisory committee shall receive training in all of the following:

(a) the requirements of this subchapter and of state and federal nondiscrimination 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.

§ 53006. Additional Measures to Support Diversity and Ensure Equal Employment Opportunity.

(a) Districts shall review the information gathered pursuant to section 53003, subdivision(c)(6) to determine if significant underrepresentation of a monitored group may be the result of non-job-related factors in the employment process. For the purposes of this subdivision, the phases of the employment process include but are not limited to recruitment, hiring, retention and promotion. The information to be reviewed shall include, but need not be limited to:

(1) longitudinal analysis of data regarding job applicants, gathered pursuant to section 53003(c)(6), to identify whether over multiple job searches, a monitored group is disproportionately failing to move from the initial applicant pool, to the qualified applicant pool;

(2) analysis of data regarding potential job applicants, to the extent provided by the State Chancellor, which may indicate significant underrepresentation of a monitored group; and

(3) analysis pursuant to section 53003(c)(7) to determine whether the group is significantly underrepresented.

(b) Where the review described in subdivision (a) identifies that significant underrepresentation of a monitored group may be the result of non-job related factors in the

employment process, districts shall implement additional measures designed to address the specific area of concern. These additional measures shall include the following:

(1) review its recruitment procedures and identify and implement any additional measures which might reasonably be expected to attract candidates from the significantly underrepresented group;

(2) consider various other means of reducing the significant underrepresentation which do not involve taking monitored group status into account, and implement any such techniques which are determined to be feasible and potentially effective;

(3) determine whether the group is still significantly underrepresented in the category or categories in question after the measures described in (1) and (2) have been in place a reasonable period of time; and

(4) review each locally established "required," "desired" or "preferred" qualification being used to screen applicants for positions in the job category to determine if it is job-related and consistent with:

(A) any requirements of federal law; and

(B) qualifications which the Board of Governors has found to be job-related throughout the community college system, including the requirement that applicants for academic and administrative positions demonstrate sensitivity to the diversity of community college students; or

(5) discontinue the use of any locally established qualification that has not been found to satisfy the requirements set forth in paragraph (4) of this subdivision;

(6) continue using qualification standards meeting the requirements of paragraph (4) of this subdivision only where no alternative qualification standard is reasonably available which would select for the same characteristics, meet the requirements of paragraph (4) and be expected to have a less exclusionary effect; and

(7) consider the implementation of additional measures designed to promote diversity that are reasonably calculated to address the area of specific need.

(c) For purposes of this section, "a reasonable period of time" means three years, or such longer period as the Chancellor may approve, upon the request of the equal employment opportunity advisory committee and the chief executive officer, where the district has not filled enough positions to appreciably affect its work force in the job category in question. (d) Nothing in this subchapter shall be construed to prohibit a district from taking any other steps it concludes are necessary to ensure equal employment opportunity, provided that such actions are consistent with the requirements of federal and state constitutional and statutory nondiscrimination law.

§ 53020. Responsibility; Delegation of Authority; Complaints.

(a) The governing board of each community college district is ultimately responsible for proper implementation of this subchapter at all levels of district and college operation and for making measurable progress toward equal employment opportunity by the methods described in the district's equal employment opportunity plan. In carrying out this responsibility, the governing board, upon the recommendation of the chief executive officer, shall ensure that an equal employment opportunity officer is designated to oversee the day-to-day implementation of the requirements set forth in this subchapter.

(b) The administrative structure created by any delegation of authority to the equal employment opportunity officer or others shall be described in the district's equal employment opportunity plan submitted pursuant to section 53003 and shall be designed in such a manner so as to ensure prompt and effective implementation of the requirements of this subchapter. The plan shall also designate a single officer, who may be the equal employment opportunity officer, who shall be given authority and responsibility for receiving complaints filed pursuant to section 53026, for ensuring that such complaints are promptly and impartially investigated, and ensuring that selection procedures and the applicant pool are properly monitored as required by sections 53023 and 53024.

(c) 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 of the requirements of this subchapter.

§ 53021. Recruitment.

(a) Except as otherwise provided in this section, community college districts shall actively recruit from both within and outside the district work force to attract qualified applicants for all vacancies. This shall include outreach designed to ensure that all persons are provided the opportunity to seek employment with the district. The requirement of open recruitment shall apply to all full-time and part-time vacancies in all job categories and classifications, including, but not limited to, faculty, classified employees, categorically funded positions, and all executive/administrative/managerial positions. Recruitment for full-time faculty and educational administrator positions shall be at least statewide and, at a minimum, shall include seeking qualified applicants listed in the California Community Colleges Equal

Employment Opportunity Registry and posting job announcements with the Registry. Recruitment for part-time faculty positions may be conducted separately for each vacancy or by annually establishing a pool of eligible candidates, but in either case full and open recruitment is required consistent with this section.

(b)(1) "In-house or promotional only" recruitment shall not be used to fill any vacancy for any position described in subdivision (a) except when the position is being filled on an interim basis for the minimum time necessary to allow for full and open recruitment; provided however, that no interim appointment or series of interim appointments exceeds two years in duration.

(2) Where in-house or promotional only recruitment is utilized to fill a position on an interim basis pursuant to subdivision (b)(1), all district employees shall be afforded the opportunity to apply and demonstrate that they are qualified.

(3) The job announcement for the interim position shall comply with section 53022 and the selection process shall be consistent with the requirements of this subchapter.

(c) For purposes of this section, a vacancy is not created, and the requirements of subdivisions (a) and (b) do not apply, when:

(1) there is a reorganization that does not result in a net increase in the number of employees;

(2) one or more lateral transfers are made and there is no net increase in the number of employees;

(3) a position which is currently occupied by an incumbent is upgraded, reclassified, or renamed without significantly altering the duties being performed by the individual;

(4) the faculty in a division or department elect one faculty member to serve as a chairperson for a prescribed limited term;

(5) the position is filled by a temporary, short-term, or substitute employee appointed pursuant to Education Code sections 87422, 87480, 87482.5(b), 88003, 88106 or 88109;

(6) a part-time faculty member is assigned to teach the same or fewer hours he or she has previously taught in the same discipline without a substantial break in service. For purposes of this section, "a substantial break in service" means more than one calendar year or such different period as may be defined by a collective bargaining agreement; or

(7) an individual not currently employed by the district, who is specially trained, experienced, and competent to serve as an administrator, and who satisfies the minimum qualifications applicable to the position, is engaged to serve as an administrator through a professional

services contract. No appointment or series of appointments pursuant to this provision may exceed a period of two years.

§ 53022. Job Announcements and Qualifications.

Job announcements shall state clearly job specifications setting forth the knowledge, skills, and abilities necessary to job performance. For faculty and administrative positions, job requirements shall include a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students. Job specifications, including any "required," "desired" or "preferred" qualifications beyond the state minimum qualifications (set forth in subchapter 4, commencing with section 53400 of this chapter) which the district wishes to utilize, shall be reviewed before the position is announced, to ensure conformity with the requirements of this subchapter and state and federal nondiscrimination laws.

§ 53023. Applicant Pool Review.

(a) The application for employment shall provide for self-identification of the applicant's gender, ethnic group identification and, if applicable, his or her disability. This information shall be kept confidential and shall be used only in research, monitoring, evaluating the effectiveness of the district's equal employment opportunity program, or any other purpose specifically authorized in this subchapter, or by any applicable statute or regulation.

(b) After the application deadline has passed, the composition of the initial applicant pool shall be recorded and reviewed by the Chief Human Resources Officer or designee.

All initial applications shall be screened to determine which candidates satisfy job specifications set forth in the job announcement. The group of candidates who meet the job specifications shall constitute the "qualified applicant pool."

(c) The composition of the qualified applicant pool shall be reviewed and compared to the composition of the initial applicant pool. If the Chief Human Resources Officer or designee finds that the composition of the qualified applicant pool may have been influenced by factors which are not job related, appropriate action will be taken. This applicant pool data shall be reviewed in conducting the analysis described in section 53006(a).

53024. Screening and Selection Procedures.

(a) All screening and selection techniques, including the procedure for developing interview questions, and the selection process as a whole, shall be:

(1) provided to the Chancellor upon request;

(2) designed to ensure that for faculty and administrative positions, meaningful consideration is given to the extent to which applicants demonstrate a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students. "Meaningful consideration" means that candidates shall be required to demonstrate sensitivity to diversity in ways relevant to the specific position;

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

(4) designed to avoid an adverse impact, as defined in section 53001(a), and monitored by means consistent with this section to detect and address any adverse impact which does occur for any monitored group.

(b) A district may not designate or set aside particular positions to be filled by members of any group defined in terms of ethnic group identification, race, color, national origin, religion, age, gender, disability, ancestry or sexual orientation, or engage in any other practice which would result in discriminatory or preferential treatment prohibited by state or federal law. Nor may a district apply the district's equal employment opportunity plan in a rigid manner which has the purpose or effect of so discriminating.

(c) Seniority or length of service may be taken into consideration only to the extent it is job related, is not the sole criterion, and is included in the job announcement consistent with the requirements of section 53022.

(d) Selection testing for employees shall follow procedures as outlined in the Equal Employment Opportunity Commission's "Uniform Guidelines on Employee Selection Procedures."

(e) Whenever possible, screening committees shall include a diverse membership which will bring a variety of perspectives to the assessment of applicant qualifications.

(f) Notwithstanding any other provision of this division, the governing board or its designee shall have the authority to make all final hiring decisions based upon careful review of the candidate or candidates recommended by a screening committee. This includes the right to reject all candidates and to order further review by the screening committee or to reopen the position where necessary to further achievement of the objectives of the equal employment opportunity plan or to ensure equal employment opportunity. However, a consistent pattern of not hiring qualified candidates from a monitored group who are recommended by screening committees may give rise to an inference that the selections are not consistent with the objectives of equal employment opportunity that are required by this subchapter.

§ 53024.1. Developing and Maintaining Institutional Commitment to Diversity.

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

(a) The district conducts surveys of campus climate on a regular basis, and implements concrete measures that utilize the information drawn from the surveys.

(b) The district conducts exit interviews with employees who voluntary leave the district, maintains a data base of exit interviews, analyzes the data for patterns impacting particular monitored groups, and implements concrete measures that utilize this information.

(c) The district provides training on elimination of bias in hiring and employment.

(d) The district provides cultural awareness training to members of the campus community.

(e) The district maintains a variety of programs to support newly-hired employees such as mentoring, professional development, and leadership opportunities.

(f) The district has audited and/or maintains updated job descriptions and/or job announcements.

(g) The district's board of trustees receives training on the elimination of bias in hiring and employment at least once every election cycle.

(h) The district timely and thoroughly investigates all complaints filed under this chapter, and all harassment and discrimination complaints filed under subchapter 5 (commencing with section 59300) of chapter 10 of this division, and takes appropriate corrective action in all instances where a violation is found.

(i) The district timely complies with the requirements of Government Code section 12950.1 (Stats. 2004, ch. 933 [AB1825]), and includes all forms of harassment and discrimination in the training.

(j) The district's publications and website convey its diversity and commitment to equal employment opportunity.

(k) The district's mission statement conveys its commitment to diversity and inclusion, and recognition that a diverse and inclusive workforce promotes its educational goals and values.

(l) The district's hiring procedures require applicants for all positions to demonstrate sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students in a manner specific to the position.

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

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

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

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

(q) The district conducts longitudinal analysis of various employment events by monitored group status such as: hiring, promotion, retention, voluntary resignation, termination, and discipline.

§ 53024.2. Accountability and Corrective Action.

(a) Districts shall certify annually to the State Chancellor that they have timely complied with all of the following:

(1) recorded, reviewed and reported the data required regarding qualified applicant pools;

(2) reviewed and updated, as needed, the Strategies Component of the district's EEO Plan;

(3) investigated and appropriately responded to formal harassment or discrimination complaints filed pursuant to subchapter 5 (commencing with section 59300) of chapter 10 of this division.

(b) Upon review of a district's certification, data reports, or any complaint filed under this subchapter, the State Chancellor may review a district's EEO Plan and Strategies Component pursuant to section 53024.1 for the required indicia of institutionalized and on-going efforts to support diversity and/or a district's compliance with section 53006. Where the State Chancellor finds that a district's efforts have been insufficient, he/she will inform the district

of his/her specific area(s) of concern, and direct the district to submit a revised EEO Plan within 120 days. Upon review of the revised EEO plan, the State Chancellor will either:

(1) determine the revisions are sufficient, and provide a deadline by which the district must provide proof that the new measures have been implemented; or

(2) if the Chancellor finds that the revised plan is still lacking, he/she will direct the district to implement specific measures from those listed in section 53024.1, and provide a timeline for doing so.

§ 53025. Persons with Disabilities.

(a) Districts shall ensure that applicants and employees with disabilities receive reasonable accommodations consistent with the requirements of Government Code sections 11135 et seq. and 12940(m), section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act. Such accommodations may include, but are not limited to, job site modifications, job restructuring, part-time work schedules, flexible scheduling, reassignment to a reasonably equivalent vacant position, adaptive equipment, and auxiliary aids such as readers, interpreters, and notetakers. Such accommodations may be paid for with funds provided pursuant to article 3 (commencing with section 53030) of this subchapter.

§ 53026. Complaints.

Each community college district shall establish a process permitting any person to file a complaint alleging that the requirements of this subchapter have been violated. A copy of the complaint shall immediately be forwarded to the Chancellor who may require that the district provide a written investigative report within ninety (90) days. Complaints which also allege discrimination prohibited by Government Code sections 11135 et seq. shall be processed according to the procedures set forth in subchapter 5 (commencing with section 59300) of chapter 10 of this division.

§ 53027. Applicability to Districts Operating on the Merit System.

Nothing in this subchapter shall be construed to conflict with or be inconsistent with the provisions of article 3 (commencing with section 88060) of chapter 4 of part 51 of the Education Code which apply to districts operating a merit system for classified employees.

§ 53030. Equal Employment Opportunity Fund Allocation.

Resources provided to the Board of Governors for the purpose of promoting equal employment opportunity in hiring and promotion within the system shall be placed in an Equal Employment Opportunity Fund and shall be allocated consistent with the following:

(a) A portion of the fund, but not more than 25 percent, shall be set aside to provide technical assistance, service, monitoring, and compliance functions.

(b) That portion of the funds not allocated pursuant to subdivision (a) may be allocated to the districts in the following categories:

(1) an amount proportional to the full-time equivalent students of each district to the total full-time equivalent students for all districts;

(2) an equal dollar amount to each district;

(3) an amount related to success in promoting equal employment opportunity. Multiple methods of measuring success shall be identified by the Chancellor working through the established Consultation Process.

(c) funds provided pursuant to this section may be used for:

(1) outreach and recruitment;

(2) in-service training on equal employment opportunity;

(3) accommodations for applicants and employees with disabilities pursuant to section 53025; and

(4) other activities to promote equal employment opportunity.

§ 53033. Failure to Report.

Any district failing to provide the data required under section 53004 is not in compliance with this subchapter. Equal Employment Opportunity funds for any given fiscal year, other than those under section 53030(a), shall not be granted unless the district provides the data no later than March 31st of the preceding fiscal year or receives an extension of the deadline from the Chancellor.

§ 53034. Required Report.

Districts shall submit a report on the use of Equal Employment Opportunity funds to the Chancellor's Office no later than September 30th of the fiscal year following the use of the funds. Until such time as a data element to calculate the staffing rate of persons with disabilities has been integrated into the report required under section 53004, districts will report that rate by a separate survey conducted, as directed by the Chancellor's Office.

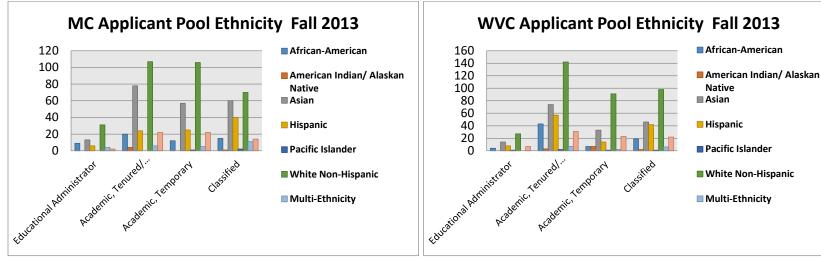
APPENDIX B: EXAMPLES OF BEST PRACTICES

(Please note: this appendix contains complex charts that could not be remediated for accessibility. For assistance, please contact Leslie LeBlanc at lieblanc@cccco.edu.)

West Valley-Mission Community College District

		African-		American Indian/						Pacific		White Non-		Multi-					
College	Employee Classification	American		Alaskan Native		Asian		Hispanic		Islander		Hispanic		Ethnicity		Unknown		TOTAL	
Mission	Educational Administrator	9	13.85%	0	0.00%	13	20.00%	6	9.23%	0	0.00%	31	47.69%	4	6.15%	2	3.08%	65	8.47%
Mission	Academic, Tenured/Tenure Track	20	7.66%	4	1.53%	78	29.89%	24	9.20%	0	0.00%	107	41.00%	6	2.30%	22	8.43%	261	34.03%
Mission	Academic, Temporary	12	5.26%	0	0.00%	57	25.00%	25	10.96%	1	0.44%	106	46.49%	5	2.19%	22	9.65%	228	29.73%
Mission	Classified	15	7.04%	1	0.47%	60	28.1 7 %	40	18.78%	2	0.94%	70	32.86%	11	5.16%	14	6.57%	213	27.77%
MC Total																		767	47.91%
West Valley	Educational Administrator	4	6.56%	0	0.00%	14	22.95%	8	13.11%	1	1.64%	27	44.26%	0	0.00%	7	11.48%	61	7.31%
West Valley	Academic, Tenured/Tenure Track	43	11.98%	3	0.84%	74	20.61%	57	15.88%	2	0.56%	142	39.55%	7	1.95%	31	8.64%	359	43.05%
West Valley	Academic, Temporary	7	3.93%	7	3.93%	33	18.54%	14	7.87%	1	0.56%	91	51.12%	2	1.12%	23	12.92%	178	21.34%
West Valley	Classified	19	8.05%	2	0.85%	46	19.49%	42	17.80%	1	0.42%	98	41.53%	6	2.54%	22	9.32%	236	28.30%
WVC Total																		834	52.09%

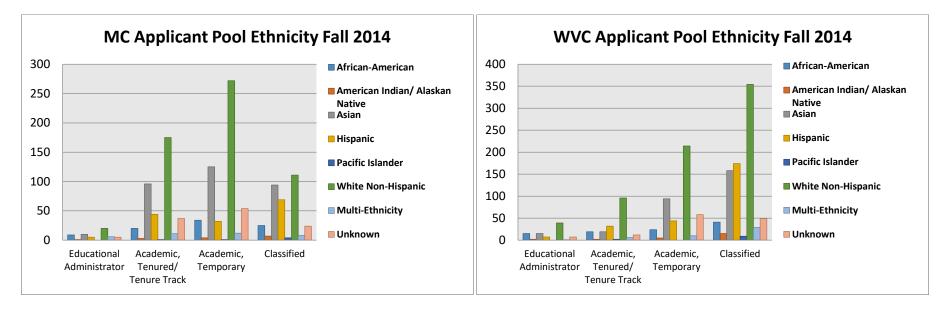
Applicant Pool Composition – Ethnicity (2013)



Data taken from WVMCCD e-Recruit system

Applicant Pool Composition – Ethnicity (2014)

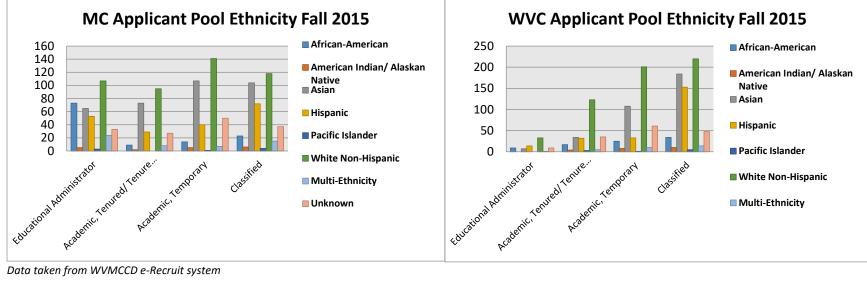
		African-		American Indian/						Pacific		White Non-		Multi-					
College	Employee Classification	American		Alaskan Native		Asian		Hispanic		Islander		Hispanic		Ethnicity		Unknown		TOTAL	
Mission	Educational Administrator	9	16.07%	1	1.79%	10	17.86%	5	8.93%	0	0.00%	20	35.71%	6	10.71%	5	8.93%	56	4.25%
Mission	Academic, Tenured/Tenure Track	20	5.17%	3	0.78%	96	24.81%	44	11.37%	1	0.26%	175	45.22%	11	2.84%	37	9.56%	387	29.34%
Mission	Academic, Temporary	34	6.37%	4	0.75%	125	23.41%	32	5.99%	1	0.19%	272	50.94%	12	2.25%	54	10.11%	534	40.49%
Mission	Classified	25	7.31%	7	2.05%	94	27.49%	69	20.18%	4	1.17%	111	32.46%	8	2.34%	24	7.02%	342	25.93%
MC Total																		1319	45.94%
West Valley	Educational Administrator	15	17.44%	2	2.33%	15	17.44%	7	8.14%	0	0.00%	39	45.35%	1	1.16%	7	8.14%	86	5.54%
West Valley	Academic, Tenured/Tenure Track	19	10.11%	2	1.06%	19	10.11%	32	17.02%	2	1.06%	96	51.06%	6	3.19%	12	6.38%	188	12.11%
West Valley	Academic, Temporary	24	5.35%	5	1.11%	94	20.94%	44	9.80%	0	0.00%	214	47.66%	10	2.23%	58	12.92%	449	28.93%
West Valley	Classified	41	4.95%	15	1.81%	158	19.06%	174	20.99%	9	1.09%	354	42.70%	29	3.50%	49	5.91%	829	53.41%
WVC Total																		1552	54.06%



Data taken from WVMCCD e-Recruit system

Applicant Pool Composition – Ethnicity (2015)

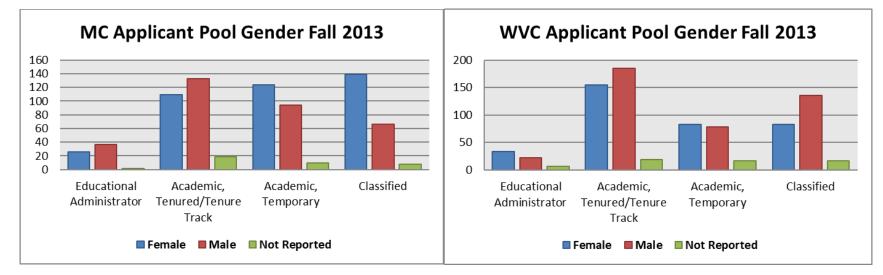
		African-		American Indian/						Pacific		White Non-		Multi-					
College	Employee Classification	American		Alaskan Native		Asian		Hispanic		Islander		Hispanic		Ethnicity		Unknown		TOTAL	
Mission	Educational Administrator	73	20.11%	5	1.38%	65	17.91%	53	14.60%	3	0.83%	107	29.48%	24	6.61%	33	9.09%	363	26.89%
Mission	Academic, Tenured/Tenure Track	9	3.70%	2	0.82%	73	30.04%	29	11.93%	0	0.00%	95	39.09%	8	3.29%	27	11.11%	243	18.00%
Mission	Academic, Temporary	14	3.84%	5	1.37%	107	29.32%	40	10.96%	1	0.27%	141	38.63%	7	1.92%	50	13.70%	365	27.04%
Mission	Classified	23	6.07%	6	1.58%	104	27.44%	72	19.00%	4	1.06%	118	31.13%	15	3.96%	37	9.76%	379	28.07%
MC Total																		1350	48.37%
West Valley	Educational Administrator	9	12.33%	0	0.00%	7	9.59%	14	19.18%	0	0.00%	33	45.21%	1	1.37%	9	12.33%	73	5.07%
West Valley	Academic, Tenured/Tenure Track	17	6.72%	4	1.58%	34	13.44%	32	12.65%	3	1.19%	123	48.62%	5	1.98%	35	13.83%	253	17.56%
West Valley	Academic, Temporary	25	5.59%	8	1.79%	108	24.16%	33	7.38%	1	0.22%	201	44.97%	10	2.24%	61	13.65%	447	31.02%
West Valley	Classified	34	5.09%	10	1.50%	184	27.54%	153	22.90%	5	0.75%	220	32.93%	14	2.10%	48	7.19%	668	46.36%
WVC Total																		1441	51.63%



Data taken from WVMCCD e-Recruit system

Fall 2013 Emp	ployee	Fer	nale	I	Viale	Not	Reported	T	DTAL
College	Employee Classification	Employee Count	Employee Count (%)	Employee Count	Employee Count (%)	Employee Count	Employee Count (%)	Employee Count	Employee Count (%)
Mission	Educational Administrator	26	40.00%	37	56.92%	2	3.08%	65	8.47%
Mission	Academic, Tenured/Tenure Track	109	41.76%	133	50.96%	19	7.28%	261	34.03%
Mission	Academic, Temporary	124	54.39%	94	41.23%	10	4.39%	228	29.73%
Mission	Classified	139	65.26%	66	30.99%	8	3.76%	213	27.77%
MC Total								767	47.91%
West Valley	Educational Administrator	33	54.10%	22	36.07%	6	9.84%	61	7.31%
West Valley	Academic, Tenured/Tenure Track	155	43.18%	185	51.53%	19	5.29%	359	43.05%
West Valley	Academic, Temporary	83	46.63%	78	43.82%	17	9.55%	178	21.34%
West Valley	Classified	83	35.17%	136	57.63%	17	7.20%	236	28.30%
WVC Total								834	52.09%

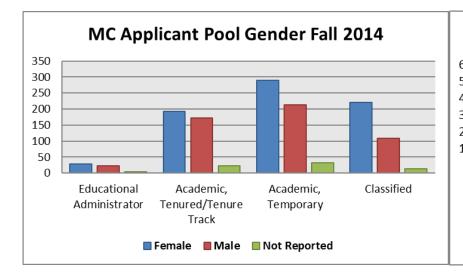
Applicant Pool Composition – Gender (2013)



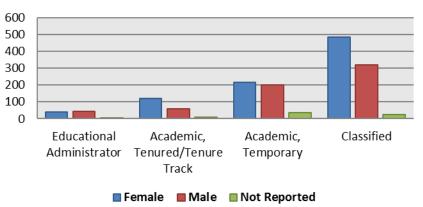


Fall 2014 Em	ployee	F	emale		Male	Not	Reported	т	OTAL
College	Employee Classification	Employee Count	Employee Count (%)						
Mission	Educational Administrator	29	51.79%	23	41.07%	4	7.14%	56	4.25%
Mission	Academic, Tenured/Tenure Track	192	49.61%	172	44.44%	23	5.94%	387	29.34%
Mission	Academic, Temporary	289	54.12%	213	39.89%	32	5.99%	534	40.49%
Mission	Classified	220	64.33%	109	31.87%	13	3.80%	342	25.93%
MC Total								1319	45.94%
West Valley	Educational Administrator	39	45.35%	43	50.00%	4	4.65%	86	5.54%
West Valley	Academic, Tenured/Tenure Track	121	64.36%	58	30.85%	9	4.79%	188	12.11%
West Valley	Academic, Temporary	214	47.66%	199	44.32%	36	8.02%	449	28.93%
West Valley	Classified	484	58.38%	320	38.60%	25	3.02%	829	53.41%
WVC Total								1552	54.06%

Applicant Pool Composition - Gender (2014)



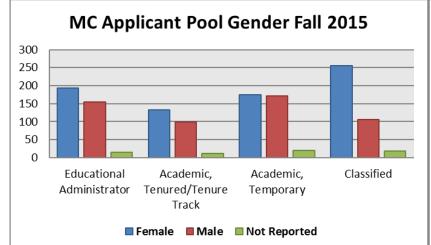


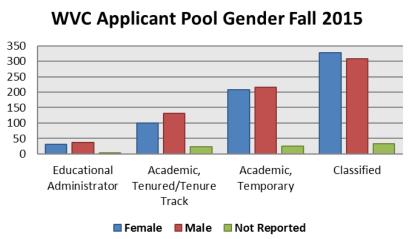


Data taken from WVMCCD e-Recruit system

Fall 2015 Emp	ployee	F	emale		Male	Not	Reported	1	TOTAL
College	Employee Classification	Employee Count	Employee Count (%)						
Mission	Educational Administrator	194	53.44%	154	42.42%	15	4.13%	363	26.89%
Mission	Academic, Tenured/Tenure Track	132	54.32%	99	40.74%	12	4.94%	243	18.00%
Mission	Academic, Temporary	174	47.67%	171	46.85%	20	5.48%	365	27.04%
Mission	Classified	255	67.28%	105	27.70%	19	5.01%	379	28.07%
MC Total								1350	48.37%
West Valley	Educational Administrator	32	43.84%	37	50.68%	4	5.48%	73	5.07%
West Valley	Academic, Tenured/Tenure Track	99	39.13%	131	51.78%	23	9.09%	253	17.56%
West Valley	Academic, Temporary	207	46.31%	215	48.10%	25	5.59%	447	31.02%
West Valley	Classified	327	48.95%	308	46.11%	33	4.94%	668	46.36%
WVC Total								1441	51.63%

Applicant Pool Composition – Gender (2015)





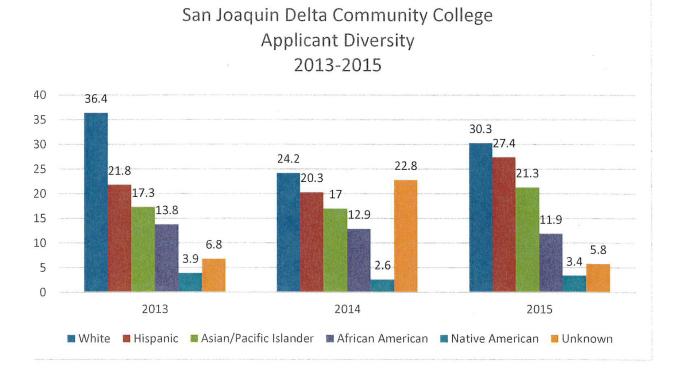
Data taken from WVMCCD e-Recruit system

Riverside Community College District

	# Apps	<u> </u>	DER			-	atino				Ame	ricar	۱ 	Indi Nati	ve	askan	Islan	aiian/ der		Whi			Мо					osed
		F	М	ND	F	м	ND	F	М	ND	F	М	ND	F	м	ND	F	М	ND	F	М	ND	F	м	ND	F	м	ND
<u>Total</u> Applications	4354																											
PT Classified	568	453	103	12	183	49	1	24	13	0	78	10	0	1	1	0	1	0	0	128	25	0	26	1	0	12	4	11
FT Classified	2027	1415	573	39	585	288	6	65	34	0	266	94	0	6	0	0	8	2	0	368	115	1	79	23	0	38	17	32
Classified Managers	92	53	33	6	12	11	o	4	1	0	10	4	1	2	o	0	0	o	o	16	16	o	5	1	0	4	0	5
Academic Managers	451	197	240	14	38	43	o	19	19	0	54	55	o	1	1	0	2	0	o	64	100	o	6	14	0	13	8	14
FT Faculty	1216	577	592	47	92	100	0	71	81	0	72	54	3	2	2	0	0	1	0	271	293	1	41	24	0	28	37	43
Qualified Applicant Pool	<u>3488</u>																											
PT Classified	394	310	73	11	119	37	1	19	9	0	52	7	0	1	1	0	1	0	0	89	16	0	19	1	0	10	2	10
FT Classified	1434	993	411	30	419	206	6	36	24	0	201	72	0	4	0	0	5	1	0	249	82	1	52	12	0	27	14	23

	# Apps	tot# Geni			Hispa	nic/La	atino	Asi	an		Blaci Ame		ican	1	-	askan	Nativ Haw Islan	aiian/	Pacific	Whi	ite		Tw Mo	o o ore		Und	isclo	osed
		F	М	ND	F	М	ND	F	М	ND	F	М	ND	F	м	ND	F	М	ND	F	М	ND	F	м	ND	F	М	ND
Classified Managers	84	47	31	6	11	10	o	4	1	0	10	4	1	1	o	o	o	o	o	13	15	0	5	1	0	3	o	5
Academic Managers	407	174	220	13	33	41	o	17	18	1	47	50	o	1	1	о	1	o	o	56	90	o	6	12	o	13	8	12
FT Faculty	1169	541	581	47	83	88	0	70	88	0	62	52	3	1	2	0	0	1	0	261	290	1	37	27	1	27	33	42
	<u>559</u>																											
PT Classified	79	52	27	0	21	14	0	1	1	0	11	3	0	0	0	0	0	0	0	16	8	0	2	0	0	1	1	2
FT Classified	230	157	72	1	59	38	1	3	3	0	39	12	1	0	0	0	0	0	0	45	17	1	4	0	0	7	2	1
Classified Managers	5	4	1	o	2	0	o	o	o	o	o	o	o	o	o	o	o	o	o	2	1	o	o	o	o	o	o	0
Academic Managers	23	11	11	1	2	1	o	1	2	0	1	4	o	o	1	o	o	o	o	4	3	0	1	0	0	2	o	1
FT Faculty	222	106	111	5	19	27	0	10	11	1	6	7	0	0	1	0	0	0	0	54	58	0	8	2	0	9	5	5

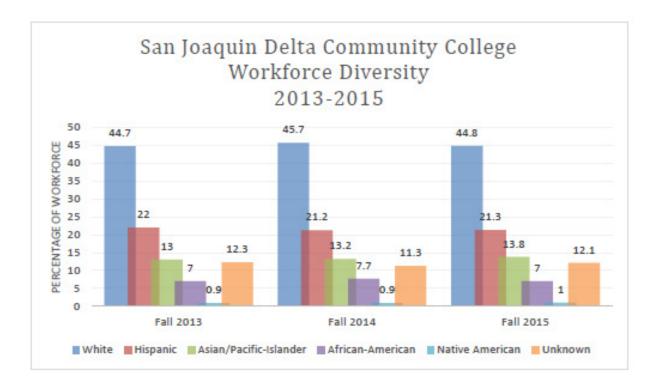
		тоти									Black	//\fi	ican	1	erican		Nativ		Pacific				Ти	0 0	r			
	# Apps				Hispa	nic/La	atino	Asi	ian		Ame			Nati			Islan			Whi	ite		Mo			Und	isclo	osed
		F	м	ND	F	м	ND	F	М	ND	F	м	ND	F	М	ND	F	м	ND	F	м	ND	F	М	ND	F	м	ND
<u>Hired</u>	<u>116</u>																											
PT Classified	9	7	2	0	4	2	0	0	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FT Classified	42	29	13	0	15	6	0	0	0	0	3	4	0	0	0	0	0	0	0	8	3	0	2	0	0	1	0	0
Classified Managers	4	2	2	o	0	1	o	1	0	o	o	0	o	0	0	o	0	o	o	1	1	0	0	0	0	o	0	0
Academic Managers	12	8	4	o	2	1	0	0	1	0	3	o	0	0	0	0	0	0	o	3	2	o	0	0	0	o	o	0
FT Faculty	49	24	24	1	6	5	0	1	3	0	1	0	0	0	0	0	0	0	0	12	15	0	4	1	0	0	0	1



San Joaquin-Delta Community College District

Race/Ethnicity

In each of the three academic years from 2013-2015, Whites accounted for the largest share of applicants, followed by Hispanics, Asian/Pacific-Islanders, African-Americans, and Native Americans. This order of predominance mirrors the racial/ethnic composition of the workforce. As such, the applicant pool reflects the underrepresentation of Hispanics and Asian/Pacific-Islanders in the workforce, as well as the relative high proportion of Whites. However, the percentage of Hispanic applicants increased to 27.4% (659/2405) in 2015 from 20.3% (490/2413) in 2014 and 21.8% (493/2261) in 2013. Similarly, the percentage of Asian/Pacific-Islander applicants increased to 21.3% (512/2405) in 2015 from 17% (411/2413) in 2014 and 17.3% (391/2261) in 2013. The percentage of White applicants fell from 36.4% (824/2261) in 2013 to 24.2% (585/2413) in 2014, but increased to 30.3% (728/2405) in 2015.



The chart above depicts the specific ethnic/racial composition of the District's workforce over the three academic years from Fall 2013 through Fall 2015. Again, these percentages include a significant number of employees in the "unknown" category, which makes it more difficult to analyze the data precisely. With that caveat, the data suggests some general patterns. White employees constitute the largest category of employees, and are approximately double the next largest group, which is Hispanics. The three-year trend shows that Asian/Pacific-Islanders, the third largest group, have increased from 13% of the workforce in Fall 2013 to 13.8% in Fall 2015. African-American employees increased slightly from Fall 2013 to Fall 2014 (7% to 7.7%), but then decreased to 7.0% in Fall 2015. Thus, the Fall 2015 percentage of African-American employees is the same as in Fall 2013. Native American employees have remained a small fraction of the workforce from Fall 2013 through Fall 2015.

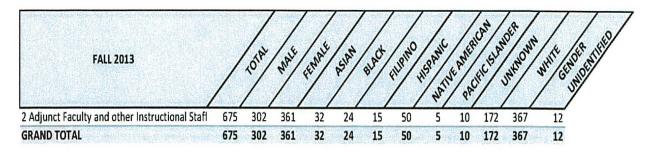
APPLICANT ANALYSIS

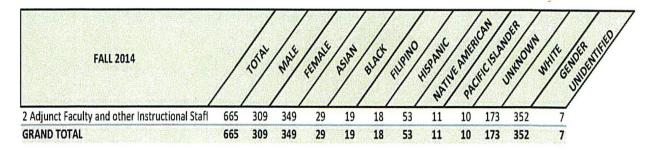
FALL 2013	/	TOTAL	WAL	FEMAL	15 MM	BLACK	FUPIN	HSPAN	Sine Ame	offic Sur	UNIT ON	with
1 Executive/Administrative/Managerial	35	12	23		2	1	5			12	15	
2 Faculty and other Instructional Staff	201	105	96	13	11	4	28	3	3	23	116	
3 Professional Non-Faculty	52	15	37	8	2	3	11	1	2	2	23	
4 Secretary/Clerical	72	9	63	9	5	3	23	1		6	25	
5 Technical and paraprofessional	137	29	108	11	11	5	40		1	17	52	
6 Skilled Crafts	15	12	3	3			3			1	8	
7 Service and Maintenance	63	45	18	5	9	4	17			10	18	
GRAND TOTAL	575	227	348	49	40	20	127	5	6	71	257	

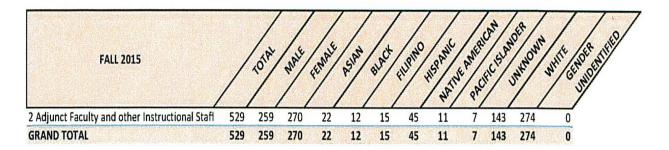
FALL 2014	/	TOTAL	MALE	FEMALE	ASIAM	BLACT	HUPMO	HISPAN	WE AME	offic State	UNENOWIN WHIT	//
1 Executive/Administrative/Managerial	35	13	22		3	1	5			12	14	
2 Faculty and other Instructional Staff	206	106	100	13	12	3	28	3	5	19	123	
3 Professional Non-Faculty	54	16	38	8	2	3	10	1	2	4	24	
4 Secretary/Clerical	73	9	64	9	5	4	21	1		5	28	
5 Technical and paraprofessional	135	28	107	11	12	5	39		1	17	50	
6 Skilled Crafts	17	14	3	3			3			1	10	
7 Service and Maintenance	64	45	19	5	11	4	18			8	18	
GRAND TOTAL	584	231	353	49	45	20	124	5	8	66	267	

FALL 2015	/	TOTAL	Walt	FEMAL	- Silver	BLACK	FUPIN	HSPAN	int ant	and the sub-	UNINGO	white
1 Executive/Administrative/Managerial	34	13	21		3	1	8	1		9	12	
2 Faculty and other Instructional Staff	222	110	112	15	12	4	29	1	5	24	132	
3 Professional Non-Faculty	54	17	37	8	2	3	9	1	2	6	23	
4 Secretary/Clerical	77	9	68	10	5	5	22	3		8	24	
5 Technical and paraprofessional	147	34	113	13	12	5	41		1	20	55	
6 Skilled Crafts	16	13	3	3		1	2			1	9	
7 Service and Maintenance	64	45	19	5	9	4	20			6	20	
GRAND TOTAL	614	241	373	54	43	23	131	6	8	74	275	

ADJUNCT FACULTY WORKFORCE 2013-2015







Student and Employee Demographic Comparisons (2013-2015)

Fall 2013	Students	Employees
African-American	1590/9.3%	40/7.0%
Asian/Pacific-Islander	3205/18.8%	75/13.0%
Hispanic	7011/41.0%	127/22%
Native American	82/0.5%	5/0.9%
Multi-Ethnicity	865/ 5.0%	
Unknown	201/1.2%	71/12.3%
White	4133/24.2%	257/44.7%
Female	9527/55.8%	348/60.5%
Males	7381/43.2%	227/ 39.5 %
Unknown	179/1.0%	
Grand Total Count	17087	575
Fall 2014		
African-American	1665/9.3%	45/7.7%
Asian/Pacific-Islander	3206/17.9%	77/13.2%
Hispanic	7737/43.3%	124/21.2%
Native American	80/0.5%	5/0.9%
Multi-Ethnicity	925/5.2%	
Unknown	138/0.8%	66/11.3%
White	4113/23.0%	267/45.7%
Female	9859/55.2%	353/60.4%
Male	7843/43.9%	231/39.6%
Unknown	162/ 0.9 %	
Grand Total Count	17864	584
Fall 2015		
African-American	1452/8.4%	43/7.0%
Asian/Pacific-Islander	3037/17.6%	85/13.8%
Hispanic	7760/45.0%	131/21.3%
Native American	69/0.4%	6/1.0%
Multi-Ethnicity	910/5.3%	
Unknown	106/0.6%	74/12.1%
White	3879/22.5%	275/44.8%
Female	9644/56.0%	373/60.7%
Male	7410/43.0%	241/39.3%
Unknown	159/0.9%	
Grand Total Count	17213	614