



**Equal
Employment
Opportunity** *Plan*

2022 - 2025

Table of Contents

- I. Introduction 1
- II. Executive Summary..... 2
- III. Data Analyses Findings Summary 3
- IV. Strategic Implementation Plan 5
- V. Equal Employment Opportunity Plan 7
 - a. Definitions..... 7
 - b. Policy Statement..... 9
 - c. Delegation of Responsibility, Authority, and Compliance..... 10
 - d. Advisory Committee 12
 - e. Complaints 13
 - f. Notification to District Employees..... 15
 - g. Annual Written Notice to Community Organizations..... 16
 - h. Recruitment 17
 - i. Training for Screening/Selection Committees..... 18
 - j. Faculty and Administrator Selection Process 19
 - k. Classified Employee Hiring..... 22
 - l. Analysis of District Workforce and Applicant Pool..... 23
 - m. Additional Measures to Support Diversity, Equity, Inclusion, Accessibility, and Ensure Equal Employment Opportunity..... 24
 - n. Maintaining Institutional Commitment to Diversity..... 26
 - o. Persons with Disabilities: Accommodations..... 28

- Appendix A – Board Policy 3410 and 7100 and Administrative Procedures 3410 and 3435..... 29

- Appendix B – Presentation of Data Analyses..... 51

I. Introduction

The Rio Hondo Community College District Equal Employment Opportunity Plan (*Plan*) was adopted by the governing board on April 13, 2022. The *Plan* reflects the District's commitment to equal employment opportunity. It is the District's belief that taking active and vigorous steps to ensure equal employment opportunity and creating a working and academic environment, which is welcoming to all, will foster diversity and promote excellence.

Through an educational experience in an inclusive environment, our students will be better prepared to work and live in an increasingly global society. The *Plan's* immediate focus is equal employment opportunity in its recruitment and hiring policies and practices pursuant to the applicable Title 5 regulations (section 53000 et seq.) and the steps the District shall take in the event of underrepresentation of monitored groups. The *Plan* contains an analysis of the demographic makeup of the District's workforce population, an estimate of external availability based on U.S. Census Bureau and U.S. Department of Education data, identification of underutilization in the workforce for monitored group, an analysis of whether underrepresentation of monitored groups exists in our applicant pools, longitudinal hiring analyses identifying adverse impact in overall hiring rates for monitored groups, and longitudinal phase analyses identifying adverse impact in specific steps of the selection process for monitored groups. The *Plan* also includes the requirements for a complaint procedure for noncompliance with the Title 5 provisions relating to equal employment opportunity programs; complaint procedures in instances of unlawful discrimination; establishment of an Equal Employment Opportunity Advisory Committee; methods to support equal employment opportunity and an environment which is welcoming to all¹; and procedures for dissemination of the *Plan*. To properly serve a growing diverse population, the District will endeavor to hire and retain faculty and staff who are sensitive to, and knowledgeable of, the needs of the continually changing student body it serves.

The 2022-2025 *Plan* incorporates proposed changes to Title 5 regulations, most notably a strategic Implementation Plan highlighting key activities to achieve the District EEO and diversity goals and objectives.

Teresa Dreyfuss
Superintendent / President

¹Diversity and equal employment opportunity are related but separate concepts. An environment that promotes principles of diversity simultaneously promotes an accepting environment for implementation of equal employment opportunity. Because of the interrelationship of diversity and EEO, Plan Component 14 is dedicated to diversity programs and projects to further EEO efforts.

II. Executive Summary

The Rio Hondo Community College District (“District”) has revised its 2018-2021 Equal Employment Opportunity (“EEO”) Plan to reflect the evolving demographics of its workforce, conduct a strategic assessment of availability and utilization, align its workforce diversity efforts with the demographics of its students and communities, and develop a strategic plan of action designed to achieve measurable improvements in student success outcomes.

The District compared its workforce to a composite availability estimate incorporating demographics of its student population and qualified residents within the local recruitment area, state of California, nationwide, and among recent graduates with advanced degrees. The results show workforce representation by race and ethnicity is generally consistent with external availability estimates. The District’s overall workforce is significantly more diverse in race and ethnicity representation than the communities and student population it serves, which are 65% to 90% Hispanic/Latinx. The utilization analysis suggests the District is achieving positive progress towards increasing student success outcomes by ensuring it is attracting and hiring a diverse workforce representative of all socioeconomic, race, ethnicity, sex, and other groups.

Disaggregated analyses of hiring decisions from 2017-2021 in job categories and hiring process phases suggest the District may achieve more equitable hiring outcomes by removing personally identifiable information from application and screening materials. Focusing recruitment and employment marketing efforts on attracting more qualified non-white and non-Hispanic applicants will likely result in more diverse applicant pools. Prioritizing an understanding of the lived experiences of Rio Hondo’s student communities and successful outcomes in working with and serving individuals from diverse communities as essential qualifications for all positions will likely allow the District to improve its current workforce diversity beyond regional availability estimates, which reflect longstanding employment patterns and trends, including historic discrimination and barriers in public and private sector employment. Finally, implementing policy and procedure changes to increase the diversity of representation and student participation in screening and selection committees will likely result in more equitable outcomes for candidates from communities of color.

While the District’s 2018-2021 EEO Plan has contributed to gradual progress towards greater workforce diversity, the District expects a more strategically-focused and data-driven implementation of the 2022-2025 EEO Plan will yield more significant positive progress.

III. Data Analyses Findings Summary

The District has greater workforce diversity than the local community demographics would suggest due to the concentration of Hispanic/Latinx and Asian residents within the primary cities served by the District. Representation of employees identifying as Black is less than estimated availability in multiple job categories and should be the primary focus of recruitment efforts until substantial progress in workforce representation has been achieved.

The analyses show the District's hiring processes do not tend to disfavor any individual race, ethnicity, or gender group systemically. The significant number of unknown race, ethnicity, and gender applicants limits the findings and is a major area to address immediately. If self-identification rates are increased to greater than 85%, longitudinal analyses in future years will more clearly show whether screening and hiring procedures tend to exclude applicants from specific race, ethnicity, and/or gender groups.

The most consistent finding in the screening process is in the selection of applicants for an interview, in which applicants identifying as White or Asian were more likely to be selected than other race and ethnicity groups. The changes most likely to have an immediate and measurable impact include:

1. Remove personally-identifiable information from application and screening materials;
2. Revise screening committee trainings to provide tools for members to identify and mitigate explicit and implicit biases;
3. Diversify screening committee membership to include members specifically focused on evaluating how well candidates will serve individuals from diverse communities as a minimum qualification;
4. Revise screening committee procedures to require DEIA criteria in application screening; and,
5. Revise application screen scoring rubrics to explicitly include DEIA measures

Achieving greater race and ethnicity diversity in hiring may be achieved by:

1. Increasing the diversity of applicant pools through focused recruitment efforts to identify and attract qualified candidates identifying as Black;
2. Communicating minimum qualification and equivalency procedures more clearly in job advertisements;

3. Measuring applicants' ability to successfully serve students from a diverse range of socioeconomic, race, ethnicity, sex, and other backgrounds in screening and selection processes as a minimum qualification for all positions.

Finally, implementing a survey for applicants could reveal cultural or reputational issues impacting the way communities perceive the District as an employer and specific areas of focus to advance diversity, equity, inclusion, and accessibility objectives.

IV. Strategic Implementation Plan

The following objectives are recommended to address the findings from the data analyses and prioritize efforts likely to have the most significant impact on diversity, equity, inclusion, and accessibility over the duration of the current EEO Plan. The District will continue to develop, implement, evaluate, and revise methods to increase the likelihood the EEO Plan results in positive progress towards a more diverse workforce.

The strategic focus for the 2022-2025 EEO Plan will be working with the Academic Senate and other stakeholders to:

1. Revise application requirements to directly request information about applicants' ability to successfully serve students from diverse socioeconomic, race, ethnicity, gender, ability and other groups;
2. Continue to offer multiple modalities for interviews to better accommodate outreach to applicants outside the District's communities and eliminate barriers to participation for individuals from lower socioeconomic status communities;
3. Revise current policies and procedures to ensure more diverse participation on screening committees, in terms of disciplines and areas of technical expertise as well as demographic makeup; increase student participation; and include individuals specifically focused on evaluating candidates' DEIA-related qualifications and performance;
4. Revise EEO training content to add depth to discussions on explicit and implicit biases, strategies for overcoming biases, awareness of the positive impacts of diverse workforces on student success, and assessing candidates' abilities to serve diverse student populations successfully;
5. Revise application procedures to place the self-identification form within the application process and increase the number of candidates disclosing gender, race, and ethnicity information;
6. Implement a survey for candidates who decline job offers and conduct an analysis of survey results to identify issues impacting diversity;
7. Revise operational requirements for departments and divisions to include an assessment of current diversity and development of a plan to increase representation where disparities are identified; and,

8. Create a set of disposition codes to identify the reason a candidate was removed from further consideration and the phase of the selection process where they were removed consistently.
9. Revise current Board Policies and Administrative Procedures governing selection procedures to prioritize DEIA-related assessments of candidates and diversify participation on committees.

V. Equal Employment Opportunity Plan

a. Definitions

The following terms are defined under Title 5, section 53001:

- a) **Adverse Impact:** a disproportionate negative impact to a group protected from discrimination pursuant to Government Code section 12940, arising from the effects of an employment practice as determined according to a valid statistical measure (such as those outlined in the Equal Employment Opportunity Commission's "Uniform Guidelines on Employee Selection Procedures").
- b) **Diversity:** a condition of broad inclusion in an employment environment that offers equal employment opportunity for all persons. The achievement of diversity within a workforce requires the presence, respectful treatment, and inclusion of individuals from a wide range of ethnic, racial, age, national origin, religious, gender, gender identity, sexual orientation, disability and socio-economic backgrounds, in all aspects of the workplace.
- c) **Equal Employment Opportunity:** ("EEO") all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the district. Equal employment opportunity should exist at all levels, in all job categories. Equal employment opportunity also involves:
 1. identifying and eliminating barriers to employment that are not job related, such as reliance on preferred job qualifications that do not reasonably predict job performance;
 2. updating job descriptions and/or job announcements to reflect accurately the knowledge, skills, and abilities of the position; and,
 3. creating an environment which fosters cooperation, acceptance, democracy, and free expression of ideas, and is welcoming to all persons free from discrimination related to the categories protected by Government Code section 12940.
- d) **Equal Employment Opportunity Plan:** ("EEO Plan") a written document that describes a district's EEO program. A district's EEO plan shall include:
 1. analysis of the district's work force; and
 2. descriptions of the district's program and strategies, informed by the district's work force analysis, that it is implementing or will implement, to promote equal employment opportunity.

- e) **Equal Employment Opportunity Programs:** the combination of district strategies implemented to promote equal employment opportunity, informed by the district's longitudinal workforce and applicant analyses.
- f) **In-house or Promotional Only Hiring:** means that only existing District employees are allowed to apply for a position.
- g) **Job Categories:** includes executive/administrative/managerial, faculty and other instructional staff, professional non-faculty, secretarial/clerical, technical and paraprofessional, skilled crafts, and service and maintenance.
- h) **Monitored Group:** the groups for which districts must provide demographic data pursuant to section 53004.
- i) **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.
- j) **Reasonable Accommodation:** the efforts made on the part of the District in compliance with Government Code 12926.
- k) **Screening or Selection Procedures:** any measure, combination of measures, or procedure used as a basis for any employment decision. Selection procedures include the full range of assessment techniques, including performance tests, physical, educational, and work experience requirements, interviews, application reviews, reference checks, and similar techniques.
- l) **Underrepresented Group:** any monitored group for which the percentage of persons from that group employed by the district in a job category is below eighty percent (80%) of the projected representation for that group and job category.

b. Policy Statement

The Rio Hondo Community College District is committed to the principles of equal employment opportunity and will implement a comprehensive program to put those principles into practice. It is the District's current Board Policy (BP) 3410 (Appendix A) that is used to ensure that all qualified applicants for employment and employees have full and equal access to employment opportunity, and are not subjected to discrimination in any program or activity of the District on the basis of ethnic group identification, race, color, national origin, religion, age, gender, disability, ancestry, sexual orientation, language, accent, citizenship status, transgender, parental status, marital status, economic status, veteran status, medical condition, or on the basis of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics. The District will strive to achieve a workforce that is welcoming to men, women, persons with disabilities and individuals from all ethnic and other groups to ensure the District provides an inclusive educational and employment environment. Such an environment fosters cooperation, acceptance, democracy and free expression of ideas. An Equal Employment Opportunity *Plan* will be maintained to ensure the implementation of equal employment opportunity principles that conform to federal and state laws.

An annual e-mail to all employees of BP 3410 and BP 7100 (Appendix A) will be provided emphasizing the District's commitment to diversity and equal opportunity in employment and promotional opportunities.

c. Delegation of Responsibility, Authority and Compliance

It is the goal of the Rio Hondo Community College District that all employees promote and support equal employment opportunity because equal employment opportunity requires a commitment and a contribution from every segment of the District. The general responsibilities for the prompt and effective implementation of this *Plan* are set forth below.

1. Board of Trustees

The governing board is ultimately responsible for proper implementation of the District's *Plan* at all levels of the District and College operation, and for ensuring equal employment opportunity as described in the *Plan*.

2. Superintendent/President

The Board of Trustees delegates to the Superintendent/President the responsibility for ongoing implementation of the *Plan* and for providing leadership in supporting the District's equal employment opportunity policies and procedures. The Superintendent/ President shall advise the Board of Trustees concerning statewide policy emanating from the Board of Governors of the California Community Colleges and direct the publication of an annual analysis on *Plan* implementation. The Superintendent/ President shall evaluate the performance of all administrative staff who report directly to him/her on their ability to follow and implement the *Plan*.

3. Equal Employment Opportunity Officer

The District has designated the Human Resources Executive Director as its equal employment opportunity officer who is responsible for the day-to-day implementation of the *Plan*. If the designation of the equal employment opportunity officer changes before this *Plan* is next revised, the District will notify employees and applicants for employment of the new designee. The equal employment opportunity officer is responsible for administering, implementing and monitoring the *Plan* and for assuring compliance with the requirements of Title 5, sections 53000 et seq as well as ensuring that applicant pools and screening procedures are properly monitored.

4. Equal Employment Opportunity Advisory Committee

The District has established an Equal Employment Opportunity Advisory Committee to act as an advisory body to the equal employment opportunity officer and the District as a whole to promote understanding and support of equal employment opportunity policies and procedures. The Equal Employment

Opportunity Advisory Committee shall assist in the implementation of the Plan in conformance with state and federal regulations and guidelines, monitor equal employment opportunity progress, and provide suggestions for Plan revisions as appropriate.

5. *Agents of the District*

Any organization or individual, whether or not an employee of the District, who acts on behalf of the 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.

6. *Good Faith Effort*

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

7. *Compliance*

The District's Compliance Officer is responsible for receiving complaints described in Plan Component 5(e).

d. Advisory Committee

Rio Hondo Community College has established an Equal Employment Opportunity Advisory Committee to assist the District in implementing its *Plan*. The committee may also assist in promoting an understanding and support of equal opportunity and nondiscrimination policies and procedures. The committee may sponsor events, training, or other activities that promote equal employment opportunity, nondiscrimination, retention and diversity. The equal employment opportunity officer shall train the advisory committee 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 efforts made to recruit advisory committee members who are members of monitored groups.

The committee will be composed of:

- two faculty members appointed by the Academic Senate President;
- two classified members appointed by California School Employees Association President;
- the District's Compliance Officer/Equal Opportunity Officer (Human Resources Executive Director);
- one confidential employee; and,
- one student appointed by the Associated Students of Rio Hondo College

The committee shall receive training in the following:

- the requirements of this subchapter and of state and federal nondiscrimination laws;
- identification and elimination of bias in hiring;
- the educational benefits of workforce diversity; and,
- the role of the advisory committee in carrying out the District's EEO plan

The Equal Employment Opportunity Advisory Committee shall hold a minimum of two (2) meetings per fiscal year, with additional meetings if needed to review EEO and diversity efforts, programs, policies, and progress. When appropriate, the advisory committee shall make recommendations to the Superintendent/ President.

Reference: Title 5, Section 53005

e. Complaints

- 1) *Complaints Alleging Violation of the Equal Employment Opportunity Regulations (Section 53026)* The District has established the following process permitting any person to file a complaint alleging that the requirements of the equal employment opportunity regulations² have been violated. Any person who believes that the equal employment opportunity regulations have been violated may file a written complaint describing in detail the alleged violation. All complaints shall be signed and dated by the complainant and shall contain, to the best of the complainant's ability, the names of the individuals involved, the date(s) of the event(s) at issue, and a detailed description of the actions constituting the alleged violation. Complaints involving current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than sixty (60) days after such occurrence unless the complainant can verify a compelling reason for the District to waive the sixty (60) day limitation. Complaints alleging violations of the *Plan* that do not involve current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than ninety (90) days after such occurrence unless the violation is ongoing. A complainant may not appeal the District's determination pursuant to section 53026 to the Chancellor's Office, but under some circumstances, violations of the equal opportunity regulations in Title 5 may constitute a violation of a minimum condition for receipt of state aid. In such a case, a complaint can be filed with the Chancellor's Office, but the complainant will be required to demonstrate that he/she made previous reasonable, but unsuccessful, efforts to resolve the alleged violation at the District level using the process provided by section 53026. See *California Community Colleges Chancellor's Office Guidelines for Minimum Conditions Complaints* at:

<http://extranet.cccco.edu/Divisions/Legal/Discrimination.aspx#HowFile>

The District may return without action any complaints that are inadequate because they do not state a clear violation of the EEO regulations. All returned complaints must include a District statement of the reason for returning the complaint without action.

The complaint shall be filed with the District's Compliance Officer. To the extent practicable, a written determination on all accepted written complaints will be issued to the complainant within ninety (90) days of the filing of the complaint. The District's Compliance Officer will forward copies of all written complaints to the Chancellor's Office upon receipt.

² The equal employment opportunity regulations are found in California Code of Regulations, Title 5, section 53000 et seq.

In the event that a complaint filed under section 53026 alleges unlawful discrimination, it will be processed according to the requirements of section 59300 et seq.

- 2) Complaints Alleging Unlawful Discrimination or Harassment (Section 59300 et seq.) The District has adopted BP 3410 and Administrative Procedures (AP) 3410 and 3435 (Appendix A) for complaints alleging unlawful discrimination and/or harassment. The Compliance Officer is responsible for receiving such complaints and for coordinating an investigation.

f. Notification to District Employees

The commitment of the Board of Trustees and the Superintendent/President to equal employment opportunity is emphasized through the broad dissemination of its Equal Employment Opportunity Policy Statement and the Plan. The Plan and subsequent revisions will be distributed to the District's Board of Trustees, the Superintendent/President, administrators, the academic senate leadership, union representatives and members of the District Equal Employment Opportunity Advisory Committee. The Plan will be available on the District's website, and when appropriate, may be distributed by e-mail. Each year, the Compliance Officer will inform all employees of the Plan's availability.

g. Annual Written Notice to Community Organizations

The equal employment opportunity officer will provide annual written notice to appropriate community-based and professional organizations concerning the *Plan*. The notice will inform these organizations that they may obtain an updated copy of the *Plan* online and shall solicit their assistance in identifying diverse qualified candidates. In addition, the notice is to include the Internet address to the location where the District advertises job openings and provides employment information. The District will actively seek to reach those institutions, organizations, and agencies that may be recruitment sources. A list of organizations, which will receive this notice, is located in the Office of Human Resources. This list may be revised from time to time as necessary. Written notice may include mailings and electronic communications.

Reference: Title 5, section 53003(c)(5)

h. Recruitment

The District's Office of Human Resources actively recruit from both within and outside the district work force to attract qualified applicants for all new openings vacancies. This includes outreach designed to ensure that all persons, including persons from monitored groups, are provided the opportunity to seek employment with the District. The requirement of open recruitment applies to all new full-time and part-time vacancies in all job categories and classifications, including, but not limited to, faculty, classified employees, categorically funded positions, the chief executive officer, and all other 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 new opening vacancy or by annually establishing a pool of eligible candidates, but in either case full and open recruitment is required.

The District's Office of Human Resources follows board policies, administrative procedures, and a planning process which clearly outlines and ensures that recruitment and hiring processes result in employing diverse personnel who possess the appropriate education, training, and experience to successfully meet job expectations and requirements. The Office of Human Resources publishes job opportunities in employment announcements, which are widely distributed and posted in several formats, including all staff emails. Job announcements are published on the Rio Hondo College website, the California Community College Registry, as well as other special electronic publications as a method of outreaching to minorities and targeting under-represented applicant groups. In addition, all applicants must demonstrate knowledge and understanding of diversity and equity in their employment interview and/or in a supplemental questionnaire completed as part of the application process.

Reference: Title 5, Section 53021

i. Training for Screening/Selection Committees

Any organization or individual, whether or not an employee of the District, who is involved in the recruitment and screening/interview of personnel shall receive appropriate training, prior to their participation. Training includes, but is not limited to:

- The requirements of Title 5 regulations on equal employment opportunity (section 53000 et. seq.) and of federal and state nondiscrimination laws;
- The educational benefits of a diverse workforce;
- The elimination of bias in hiring and employment;
- Best practices in serving on a selection or screening committee;
- The requirements of the District's Equal Employment Opportunity Plan;
- The District's policies on nondiscrimination, recruitment, and hiring; and
- Principles of diversity and cultural proficiency.

This training is mandatory; individuals who have not received this training will not be allowed to serve on screening/interview committees. The Equal Employment Opportunity Officer is responsible for providing the required training on a regular basis.

The Office of Human Resources ensures the selection committee is comprised of members from different constituent groups and utilizes an EEO monitor to observe employment interviews. The Office of Human Resources works closely with Academic Senate, Classified Union, and the Associated Students of Rio Hondo College to recruit objective members to serve on the selection committee. For President/Superintendent searches, members of the community are invited to participate on the selection committee.

Any individual, whether or not an employee of the District, acting on behalf of the District with regard to recruitment and screening of applicants is subject to the equal employment opportunity requirements of Title 5³ and the District's Equal Employment Opportunity Plan.

³ See Title 5, § 53020(c).

j. Faculty and Administrator Selection Process

- I. Employment of faculty shall be in compliance with Board of Trustees policies relating to Title V, Title IX, AB 1725, and other legal requirements. All applicants shall be treated identically whether they are current employees or off-campus applicants.
- II. The following procedure shall be followed:
 - a. Open faculty positions shall be reviewed and approved for announcement of the vacancy after budget verification from the Vice President of Finance and Business.
 - b. Recruitment shall be in accord with applicable state laws. Applications shall be screened for qualifications by the Office of Human Resources. The Executive Director of Human Resources shall be responsible for analysis of job applicants to determine whether the group is significantly underrepresented. If the applicant pool demonstrates significant underrepresentation of monitored groups, the District shall implement additional measures as described in Title V, § 53006.
 - c. The Division Dean, together with a minimum of three Rio Hondo faculty members selected by the Division faculty, shall constitute the Division Selection Committee. Two of the three faculty members should teach in the discipline, assuming there are two or more. The Division Selection Committee, may, at its discretion, add additional committee members, such as external experts or classified staff. The Committee shall elect a chair, evaluate the applications, identify those to be interviewed, interview candidates, and provide a written recommendation. The Committee shall make a reasonable effort to forward at least three candidates but no more than five that, in its judgment, are qualified for the position and worthy of recommendations.
 - d. The Division Dean shall provide the written recommendation(s) of the Division Selection Committee to the Vice President of the applicable area.
 - e. The Vice President of the applicable area, along with the Division Dean and the Committee Chair (if applicable), shall interview the recommended applicants and forward the best qualified candidate(s) from the name(s) recommended by the Committee to the Superintendent/President for interview.

- f. The final evaluation and recommendation to employ shall rest with the Superintendent/ President of the College. Should none of the candidates forwarded by the Division Selection Committee be recommended for employment, the Superintendent/President will communicate to the Division Selection Committee Chair his/her justification.
 - g. Notification of selection shall be from the Office of Human Resources.
- III. Criteria for selecting personnel for certificated positions shall include the following:
- a. Possession of the appropriate California community college instructor credential prior to employment by Rio Hondo Community College District, or
 - b. Academic background: A Master's degree or its equivalent in the subject to be taught, or, vocational background including professional preparation and demonstrated appropriate experience as may be applicable, as specified below:
 - i. Possession of a Master's degree from an accredited institution in the discipline of assignment, or
 - ii. Possession of a Master's degree from an accredited institution in a discipline reasonably related to assignment and possession of a Bachelor's degree from an accredited institution in the discipline of assignment.
 - iii. For faculty in disciplines where a Master's degree is not generally expected or available, either of the following:
 - 1. Possession of a Bachelor's degree from an accredited institution in a discipline reasonably related to assignment, plus two years of professional experience, plus appropriate certification to practice or licensure if available; or,
 - 2. Possession of an Associate degree from an accredited institution in a discipline reasonably related to the faculty member's assignment, plus six years of professional experience, plus appropriate certification to practice or licensure if available.
 - c. "Equivalency" to either academic or vocational requirements shall be determined in accordance with BP 7211 (replaces CP 5165 BP 7210).

- d. Individual departments may add information on educational requirements placing emphasis on a specific area.
- e. Other departmental interests may be shown under “Desirable Qualifications.” These are limited to job-related factors.
- f. All applicants selected for hire must show a sensitivity to an understanding of the national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, military and veterans status of community college students.

Reference: Title 5, Section 53022, Board Policy 7120

k. Classified Employee Hiring

Employment of classified employees shall be in compliance with Board Policies relating to Title V, and other legal requirements and sound personnel practices. All applicants shall be treated identically whether they are current employees or off-campus applicants. The District is in the process of updating Board Policy 7216: Employment of Classified and Confidential Employee to review and ensure hiring procedures will attract a diverse group of highly qualified classified personnel, who will serve the needs of a varied student population, who will foster overall District effectiveness, and who will be sensitive to racial and cultural diversity, and to changes in the community demographics.

The Office of Human Resources reviews and approves all supplemental questions and interview questions for recruitments to ensure all screening processes are job-related, based on professional qualifications and do not contain elements considered to be biased or in violation of the District's EEO Plan and corresponding policies and regulations.

I. Analysis of District Workforce and Applicant Pool

The Human Resources Department will annually collect the District's employee demographic data 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 analyses required by this Plan and to determine whether any monitored group is underrepresented. (Section 53004(b))

For reporting purposes and data collection, applicants and employees are afforded the opportunity to voluntarily identify their gender, ethnic group identification and, if applicable, their disability. The composition of the applicant pool is recorded and reviewed by the equal employment officer or designee. Persons may designate as many ethnicities as they identify with, but shall be counted in only one ethnic group for reporting purposes. This information will be kept confidential and will be separated from the applications that are forwarded to the screening committee and hiring administrator(s).

The District shall annually report to the Chancellor this data for employees at 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
- 7) Service and Maintenance

Reference: Title 5, Section 53004

The District's workforce and applicant pool analyses are presented in Appendix B

m. Additional Measures to Support Diversity and Ensure Equal Employment Opportunity

- A. The District 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
 - c. 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;
 5. 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
 6. 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.

Reference: Title 5, Section 53006

n. Maintaining Institutional Commitment to Diversity

The District recognizes that multiple approaches are appropriate to fulfill its mission of ensuring equal employment opportunity, the development of a diverse workforce, and the creation of a diverse workforce. Equal employment opportunity means that all qualified individuals have a full and fair opportunity to compete for hiring, promotion and to enjoy the benefits of employment with the District. Equal employment opportunity should exist at all levels and in all job categories. Ensuring equal employment opportunity also involves creating an environment that fosters cooperation, acceptance, 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.

The District will take significant steps to promote equal employment opportunity, workplace diversity and an inclusive work environment. The District shall also take concrete steps to monitor its progress in these areas. These steps may be the following options, among others, to further equal employment opportunities.

- 1) Conduct campus climate studies to identify hidden barriers.
- 2) Distribute recruitment announcements in publications targeting underrepresented populations.
- 3) Highlight the District's equal employment opportunity and diversity policies in job announcements and in its recruitment, marketing, and other publications. Include in job announcements language indicating that candidates are required to demonstrate that they can infuse diversity into their major job duties.
- 4) Conduct diversity dialogues, forums, and cross-cultural workshops; Include guest speakers from underrepresented groups who are in leadership positions and who may inspire students and employees alike.
- 5) Review and revise College/District publications and other marketing tools to reflect diversity in pictures, graphics, and text to project an inclusive image.
- 6) Promote a series of EEO/diversity workshops at FLEX day.
- 7) Evaluate administrators on their ability and efforts to meet the District's equal employment opportunity and diversity efforts.

- 8) Establish an “Equal Employment Opportunity and Diversity” online presence by highlighting the District’s diversity and equal employment opportunity, Americans with Disability Act, sexual harassment and nondiscrimination policies, procedures and programs on the District’s website. The website will also list contact persons for further information on all of these topics.
- 9) Promote sabbaticals that will assist the District in achieving its equal employment opportunity and diversity objectives.
- 10) Promote various cultural celebrations on campus.
- 11) Recognize multilingualism and knowledge of multiculturalism as a desired, and when appropriate, required skill and qualification for community college employees.
- 12) Develop leadership opportunities with current staff focusing on diversity.
- 13) Ensure that top administrative staff support diversity objectives and that the diversity and/or equal employment opportunity officer position is maintained as a cabinet or other high-level administrative position.
- 14) Seek direct contact with students, professionals, community and other organizations that represent the diverse community we serve. These organizations can serve as resources for referring potential candidates.
- 15) Conduct exit interviews with employees who voluntary leave the District. This data will be reviewed to see if a pattern impacting monitored groups exist, and implement measures to minimize turnover.

o. Persons with Disabilities: Accommodations

The District's Office of Human Resources 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.

Rio Hondo is committed in providing all applicants and employees with disabilities reasonable accommodations.

Reference: Title 5, section 53025

RIO HONDO COMMUNITY COLLEGE DISTRICT**Board Policy****NONDISCRIMINATION**

BP No. 3410

Board Adopted: Revised 9/02, 02/03, 08/03, 02/06, 8/06; 2/18/09; 7/11/12;
5/14/14; 5/11/16; 06/13/18

Page 1 of 1

This Board Policy is legally required.

- I. The District is committed to equal opportunity in educational programs, employment, and access to all institutional programs and activities.
- II. The District, and each individual who represents the District, shall provide access to its services, classes, and programs without regard to national origin, religion, age, sex, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, military and 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.
- III. The Superintendent/President shall establish administrative procedures that ensure all members of the College community can present complaints regarding alleged violations of this policy and have their complaints heard in accordance with Title 5 regulations and those of other agencies that administer state and federal laws regarding nondiscrimination.
- IV. No District funds shall ever 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 it, to any private organization whose membership practices are discriminatory on the basis of national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, military and 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.
- V. The District Compliance Officer (which shall include: Equal Employment Opportunity, Title IX, Section 504/ADA) is responsible for ensuring District compliance with rules and regulations adopted by the Board of Governors of the California Community Colleges regarding unlawful discrimination.
- VI. The District will provide annual notice of its policy against unlawful discrimination to students, new employees when they commence working, and all current employees.
- VII. Sources / References:
ACCJC Accreditation Eligibility Requirement 20 and ACCJC Accreditation Standard Catalog Requirements (formerly Accreditation Standard II.B.2.c)
Education Code Sections 66250, et seq., 72010, et seq., 87100 et seq.;
Title 5, Sections 53000, et seq., 59300 et seq.;
Title 2 Sections 10500 et seq;
Penal Code Section 422.55;
Government Code 12926.1, 12940, et seq.;
See Administration Procedure 3410.

COMMITMENT TO DIVERSITY, EQUITY, AND INCLUSION

BP No. 7100

Board Adopted: 01/11/2012; 11/10/2021

Page 1 of 1

I. Introduction

- A. Diversity within the college environment provides the opportunity to foster mutual awareness, knowledge, and sensitivity, and to challenge ingrained stereotypes. The Rio Hondo Community College District is committed to a work and learning environment conducive to open discussion and the free exchange of ideas. Global awareness and exploring the diversity of the local communities served by the College are both important components of the College's commitment to diversity. Embodying, promoting and celebrating diversity inspires innovative ideas, practical solutions, and team-building in achieving the District's goal of professional and educational excellence.
- B. The District is committed to building an inclusive and diverse environment and maintains comprehensive programming and planning to ensure that practice reflects these principles. The District believes that access to high-quality education and services in an equitable, inclusive environment is the right of all individuals and is committed to dismantling the barriers facing underrepresented students by routinely reviewing structural barriers to equity and investing in equity-minded policies, practices, and behaviors that lead to success for all students.
- C. The District is committed to employing qualified administrators, faculty and staff members who are dedicated to student success and committed to an inclusive, anti-racist campus culture. The Board recognizes that diversity in the academic environment fosters cultural awareness, promotes mutual understanding and respect, provides suitable role models for all students, and leads to higher student achievement. The Board is strongly committed to staff development and hiring processes that support the goals of equal opportunity and diversity, provide equal consideration for all qualified candidates, and create an anti-racist academic and employment environment.

II. Sources/references

- A. Education Code Sections 87100 et seq.
- B. Title 5 Sections 53000 et seq.

NONDISCRIMINATION

**AP No.
3410**

Board Reviewed: 9-14-09; 6/13/12; 6/11/14; 12/9/15; 06/13/18

Page 1 of 2

I. Education Programs

- A. The District shall provide access to its services, classes and programs without regard to national origin, religion, age, sex, gender, gender identity, gender expression, race, ethnicity, color, medical condition, genetic information ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, military and/or 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.
- B. 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.
- C. The District shall not prohibit any student from enrolling in any class or course on the basis of gender.
- D. Academic staff, including but not limited to counselors, instructors and administrators shall not offer program guidance to students which differs on the basis of gender.
- E. Insofar as practicable, the District shall offer opportunities for participation in athletics equally to male and female students.

Nondiscrimination References for Education Programs:

Education Code Sections 66250 et seq., 200 et seq., and 72010 et seq.; Penal Code Sections 422.55 et seq.; Title 5 Sections 59300 et seq.; ACCJC Accreditation Eligibility Requirement 20 and ACCJC Accreditation Catalog Requirements (formerly II.B.2.c)

II. Employment

- A. The District shall provide equal employment opportunities to all applicants and employees regardless of national origin, religion, age, gender identity, gender expression, race, ethnicity, color, medical condition, genetic information ancestry, sex, gender, sexual orientation, marital status, physical or mental disability, pregnancy, military and/or 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.
- B. All employment decisions, including but not limited to, hiring, retention, assignment, transfer, evaluation, dismissal, compensation, and advancement

NONDISCRIMINATION

AP No. 3410

Board Reviewed: 9-14-09; 6/13/12; 6/11/14; 12/9/15; 06/13/18

Page 2 of 2

for all position classifications shall be based on job-related criteria, as well as be responsive to the District's needs.

- C. The District shall, from time to time as necessary, provide professional and staff development activities and training to promote understanding of diversity.
- D. It is unlawful to discriminate against a person who serves in an unpaid internship or any other limited-duration program to provide unpaid work experience in the selection, termination, training, or other terms and treatment of that person on any the basis of their race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.

- III. Nondiscrimination References for Employment:
Education Code Sections 87100 et seq.
Title 5 Sections 5300 et seq.
Government Code Sections 11135 et seq. and 12940 et seq.
Title 2 Sections 10500 et seq.

DISCRIMINATION AND HARASSMENT COMPLAINTS AND INVESTIGATIONS**AP No.
3435**

Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15; 06/13/18

Page 1 of 18

I. Complaints

The law prohibits coworkers, supervisors, managers, and third parties with whom an employee comes into contact from engaging in harassment, discrimination, or retaliation. Any person who has suffered harassment, discrimination, or retaliation may file a formal or informal complaint of harassment, discrimination, or retaliation.

A formal complaint is a written and signed statement filed with the District or the State Chancellor's Office that alleges harassment, discrimination, or retaliation in violation of the District's Board Policies, Administrative Procedures or in violation of state or federal law. An informal complaint is any of the following: 1) An unwritten allegation of harassment, discrimination, or retaliation; 2) a written allegation of harassment, discrimination, or retaliation that falls outside the timeline for a formal complaint; or 3) a written complaint alleging harassment, discrimination, or retaliation filed by an individual who expressly indicates that he or she does not want to file a formal complaint.

A. Informal Complaints

Any person may submit an informal complaint to the District Compliance Officer (Executive Director of Human Resources), or any other District or college administrator. Administrators receiving an informal complaint shall immediately notify the Executive Director of Human Resources/District Compliance Officer in writing of all pertinent information and facts alleged in the informal complaint.

Upon receipt of an informal complaint, the Executive Director of Human Resources/District Compliance Officer will notify the person bringing the informal complaint of his/her right to file a formal complaint, if the incident falls within the timeline for a formal complaint, and explain the procedure for doing so. The complainant may later decide to file a formal complaint, if within the timelines to do so. If the individual chooses not to file a formal complaint, or if the alleged conduct falls outside the timeline to file a formal complaint, the Executive Director of Human Resources/District Compliance Officer shall consider the allegations contained in the informal complaint and determine the appropriate course of action. This may include efforts to informally resolve the matter, or a fact-finding investigation.

Investigation of an informal complaint will be appropriate if the Executive Director of Human Resources/District Compliance Officer determines that the allegation(s), if proven true, would constitute a violation of the District policy prohibiting harassment, discrimination, or retaliation. The Executive Director of Human Resources/District Compliance Officer will explain to any individual bringing an informal complaint that the Executive Director of Human Resources/District Compliance Officer may decide to initiate an investigation, even if the individual does not wish the Executive Director of Human Resources/District Compliance Officer to do so. The Executive Director of Human Resources/District Compliance Officer shall not disregard any

DISCRIMINATION AND HARASSMENT COMPLAINTS AND INVESTIGATIONS**AP No.
3435**

Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15; 06/13/18

Page 2 of 18

allegations of harassment, discrimination, or retaliation solely on the basis that the alleged conduct falls outside the deadline to file a formal complaint.

B. Formal Complaints

Formal Complaints must be filed with the State Chancellor or the Executive Director of Human Resources/District Compliance Officer unless the party submitting the Formal Complaint alleges discrimination, harassment, or retaliation against the responsible district officer, in which case it should be submitted directly to the Superintendent/President or the State Chancellor.

Formal Complaints should be submitted on the form prescribed by the State Chancellor. A copy of the form will be available at the offices of the Executive Director of Human Resources/District Compliance Officer, and online.

If any party submits a written allegation of harassment, discrimination, or retaliation not on the form described above, the District will seek to have the individual complete and submit the form. However, if the individual chooses not to do so, the District will attach the written allegation(s) to the form and treat it as a Formal Complaint. In no instance will the District reject a written allegation of harassment, discrimination, or retaliation on the basis that it was not submitted on the proper form.

A Formal Complaint must meet each of the following criteria:

- It must allege facts with enough specificity to show that the allegations, if true, would constitute a violation of District policies or procedures prohibiting discrimination, harassment, or retaliation;
- The complainant must sign and date the Formal Complaint;
- The complainant must file any Formal Complaint not involving employment within one year of the date of the alleged discriminatory, harassing, or retaliatory conduct or within one year of the date on which the complainant knew or should have known of the facts underlying the allegation(s) of discrimination, harassment, or retaliation.
- The complainant must file any Formal Complaint alleging discrimination, harassment, or retaliation in employment within 180 days of the date of the alleged discriminatory, harassing, or retaliatory conduct, except that this period shall 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.

If the Formal Complaint does not meet the requirements set forth above, the Executive Director of Human Resources/District Compliance Officer will promptly return it to the complainant and specify the defect. If the sole defect is that the Formal Complaint was filed outside the applicable

DISCRIMINATION AND HARASSMENT COMPLAINTS AND INVESTIGATIONS

AP No. 3435

Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15; 06/13/18

Page 3 of 18

proscribed timeline, the Executive Director of Human Resources/District Compliance Officer will handle the matter as an informal complaint.

II. Oversight of Complaint Procedure

The Executive Director of Human Resources is the “responsible District officer” charged with receiving complaints of discrimination or harassment, and coordinating their investigation.

The actual investigation of complaints may be assigned by the Executive Director of Human Resources to other staff or to outside persons or organizations under contract with the District. This shall occur whenever the Executive Director of Human Resources is named in the complaint or implicated by the allegations in the complaint. All designated investigators will have appropriate training in civil harassment investigation procedures.

III. Who May File a Complaint

A complaint may be filed by any student, employee, or third party who believes he/she has been discriminated against or harassed by a student, employee, or third party in violation of this procedure and the related policy.

IV. Where to File a Complaint

Any student, employee, or third party who believes he/she has been discriminated against or harassed in violation of this procedure may make a complaint orally or in writing. The District Compliance Officer is located in the Office of Human Resources, Room A113 or at (562) 908-3405.

Student complainants shall be notified that they may file a discrimination complaint with the U.S. Department of Education, Office for Civil Rights (OCR), 50 United Nations Plaza, Room 1490, Mail Box 1200 San Francisco, CA 94102 (415) 486-5555.

Employee complainants shall be notified that they may file employment discrimination complaints with the U.S. Equal Employment Opportunity Commission (EEOC), Royal Federal Building, 255 East Temple Street, 4th Floor Los Angeles, CA 90012 or the California Department of Fair Employment and Housing (DFEH)-, 2218 Kausen Drive, Suite 100 Elk Grove, CA 95758.

Complaints filed with the EEOC and/or the DFEH should be forwarded to the California Community College Chancellor's Office by the District.

Any District employee who receives a harassment or discrimination complaint, regardless of whether it is brought by a student or an employee, shall notify the District's Executive Director of Human Resources immediately.

Immediately upon receiving a Formal Complaint, as described above, regardless of whether the complaint is brought by a student or by an employee, the District shall forward a copy of the Formal Complaint to the California Community College Chancellor's Office.

DISCRIMINATION AND HARASSMENT COMPLAINTS AND INVESTIGATIONS

AP No. 3435

Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15; 06/13/18

Page 4 of 18

V. Informal/Formal Complaint Procedure

When a person brings a charge(s) of unlawful discrimination or harassment to the attention of the District's Compliance Officer, that officer will:

- (1) Upon approval by the parties involved, and when appropriate, undertake efforts to informally resolve the charges;
- (2) Advise the complainant that he/she need not participate in informal resolution;
- (3) Notify the person of his or her right to file a formal complaint and explain the procedure for doing so;
- (4) Assure the complainant that he/she will not be required to confront, or work out problems with the person accused of unlawful discrimination or harassment;
- (5) Advise the complainant that he/she may file a non-employment based complaint with the Office for Civil Rights of the U.S. Department of Education (OCR) where such a complaint is within that agency's jurisdiction.
- (6) If the complaint is employment-related, the complainant should also be advised that he or she may file a complaint with the U.S. Equal Employment Opportunity Commission (EEOC) and/or the Department of Fair Employment and Housing (DFEH) where such a complaint is within that agency's jurisdiction.
- (7) Take interim steps to protect a complainant from coming into contact with a respondent, especially if the complainant is a victim of sexual violence. The District Compliance Officer, or designee, should notify the complainant of his or her options to avoid contact with the accused individual and allow students to change academic situations as appropriate. For instance, the District may prohibit the parties from having any contact with one another pending the results of the investigation.

Selecting an informal resolution does not extend the time limitations for filing a formal complaint. Efforts at informal resolution may continue after the filing of a formal written complaint, but after a complaint is filed an investigation is required to be conducted pursuant to Title 5, section 59334, and will be completed unless the matter is informally resolved and the complainant dismisses the complaint in writing. Even if the complainant does dismiss the complaint, the District Compliance Officer may require the investigation to continue if he/she determines that the allegations are serious enough to warrant an investigation. Any efforts at informal resolution after the filing of a written complaint will not exceed the 90-day period for rendering the administrative determination pursuant to Title 5, section 59336.

In employment-related cases, if the complainant also files with the Department of Fair Employment and Housing or with the U.S. Equal Employment Opportunity Commission, a copy of that filing will be sent to the State Chancellor's Office requesting a determination of whether further investigation under Title 5 is required. Unless the State Chancellor's Office determines that a separate investigation is required, the District will discontinue its investigation under Title 5 and the matter will be resolved through the Department of Fair Employment and Housing or the U.S.

DISCRIMINATION AND HARASSMENT COMPLAINTS AND INVESTIGATIONS

AP No. 3435

Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15; 06/13/18

Page 5 of 18

Equal Employment Opportunity Commission.

The District will allow for representation where required by law or collective bargaining agreement and may allow for representation in other circumstances on a case-by-case basis.

VI. Filing a Formal Written Complaint

If a complainant decides to file a formal written unlawful discrimination or harassment complaint against the District, he or she should be advised, but not required, to file the complaint on a form prescribed by the Chancellor's Office. The approved form is available from the District Compliance Officer, at the Rio Hondo College Website, and also at the State Chancellor's Office website.

The completed form must be filed with the District Compliance Officer or mailed directly to the State Chancellor's Office of the California Community Colleges.

If a complaint of unlawful discrimination or harassment is presented in another written format, such as a letter, the District may request that the complainant complete the form. Every effort should be made to have the complaint filed on this form and to obtain the complainant's signature. However, where a complainant has indicated that he or she wishes to pursue the formal complaint process, a complaint should not be rejected solely based on the failure to file the complaint on this form. If there is a delay in obtaining a completed form, or the complainant refuses to transfer the information or otherwise complete the form but wishes to pursue the formal complaint process, the District will attach the letter to the form and open a formal investigation. While a complaint filed in an improper form is still procedurally defective under Title 5 standards, the merits of the complaint itself may still be valid and must be addressed.

Once a complaint is filed, the individual(s) accused of engaging in unlawful discriminatory or harassing conduct should be advised of that filing and the general nature of the complaint. The District will take appropriate and reasonable action to ensure that the alleged behavior does not continue while the investigation is being conducted. This should occur as soon as possible and in a manner that is appropriate under the circumstances. The District will also advise the responding party that an assessment of the accuracy of the allegations has not yet been made, that the complaint will be investigated, that the responding party will be provided an opportunity to present his/her side of the matter, and that any conduct that could be viewed as retaliatory against the complainant or any witnesses must be avoided.

VII. Advisors

Each party is allowed an advisor or support person of their choice present with them for all investigative and disciplinary meetings, from intake through final determination. The parties may select whomever they wish to serve as their advisor as long as the advisor is eligible and available, and usually otherwise not involved in the resolution process, such as serving as a witness. The advisor may be a friend, mentor, family member, attorney or any other supporter a party chooses to advise them who is

DISCRIMINATION AND HARASSMENT COMPLAINTS AND INVESTIGATIONS**AP No.
3435**

Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15; 06/13/18

Page 6 of 18

available and eligible. Witnesses cannot also serve as advisors. The parties may choose advisors from inside or outside the campus community. In cases of sexual and domestic violence or harassment the District Compliance Officer will offer a confidential survivor advocate.

Advisors should help their advisees prepare for each meeting, and are expected to advise ethically, with integrity and in good faith. The District cannot guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney, but the other party does not, or cannot afford an attorney, the District is not obligated to provide one. All advisors are subject to the same campus rules, whether they are attorneys or not. Advisors may not address campus officials in a meeting or interview unless invited to. The advisor may not make a presentation or represent the reporting party or the responding party during any meeting or proceeding and may not speak on behalf of the advisee to the investigators or adjudicators.

Advisors are expected to refrain from interference with the investigation and resolution. Any advisor who steps out of their role will be warned once and only once. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the advisor will be asked to leave the meeting. When an advisor is removed from a meeting, that meeting will typically continue without the advisor present. Subsequently, the District Compliance Officer will determine whether the advisor may be reinstated, may be replaced by a different advisor, or whether the party will forfeit the right to an advisor for the remainder of the process.

The District expects that the parties will wish to share documentation related to the allegations with their advisors. The District provides a consent form that authorizes such sharing. The parties must complete this form before the District is able to share records with an advisor, though parties may share the information directly with their advisor if they wish. Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with 3rd parties, disclosed publicly, or used for purposes not explicitly authorized by the District. The District may seek to restrict the role of any advisor who does not respect the sensitive nature of the process or who fails to abide by the District's privacy expectations.

VIII. Investigation Process

- i. Authorization of an Investigation: The District Compliance Officer, or designee, shall:
 - Authorize the investigation of the complaint, and supervise and/or conduct a thorough, prompt and impartial investigation of the complaint, as set forth below. Where complainants opt for informal resolution, the designated officer will determine whether further investigation is necessary to ensure resolution of the matter and utilize the investigation process outlined below as appropriate. In the case of a formal complaint, the investigation will include interviews with the complainant, the responding party, and any other persons who may have relevant knowledge concerning the complaint. This may include victims of similar conduct.

DISCRIMINATION AND HARASSMENT COMPLAINTS AND INVESTIGATIONS**AP No.
3435**

Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15; 06/13/18

Page 7 of 18

- Review the factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment, or other unlawful discriminatory conduct, giving consideration to all factual information and the totality of the circumstances, including the nature of the verbal, physical, visual or sexual conduct, and the context in which the alleged incidents occurred.
- ii. Investigation of the Complaint: The District shall promptly investigate every complaint of harassment or discrimination. No claim of employee or student harassment or discrimination shall remain unexamined. This includes complaints involving activities that occur off campus and in connection with any academic, educational, extracurricular, athletic, or other programs of the District, whether those programs take place at a District facility, in a District vehicle, or at a class, training program or similar event sponsored by the District at another location.

As set forth above, where the complainant opts for an informal resolution, the District Compliance Officer may limit the scope of the investigation, as appropriate. The District will keep the investigation confidential to the extent possible, but cannot guarantee confidentiality because release of some information on a "need-to-know-basis" is essential to a thorough investigation. When determining whether to maintain confidentiality, the District may weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment; the complainant's age; whether there have been other harassment complaints about the same individual; and the reporting party's individual rights to receive information about the allegations if the information is maintained by the District as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S. Code Section 1232g; 34 Code Federal Regulations Part 99.15. The District will inform the complainant if it cannot maintain confidentiality.

- iii. Investigation Steps: The District will fairly and objectively investigate harassment and discrimination complaints. Employees designated to serve, as investigators under this policy shall have adequate training on what constitutes discrimination, including sexual harassment and sexual violence, racial discrimination, disability discrimination and age discrimination and understand how the District's grievance procedures operate. The investigator may not have any real or perceived conflicts of interest and must be able to investigate the allegations impartially.

Investigators will use the following steps: interviewing the complainant(s); interviewing the responding individual(s); identifying and interviewing witnesses and evidence identified by each party; identifying and interviewing any other witnesses, if needed; reminding all individuals interviewed of the District's no-retaliation policy; considering whether any involved person should be removed from the campus pending completion of the investigation; reviewing personnel/academic files of all involved parties; reaching a conclusion as to the allegations and any appropriate disciplinary and remedial action; and seeing that all recommended action is carried out in a timely fashion. When the District evaluates the complaint, it shall do so using a preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the District will

DISCRIMINATION AND HARASSMENT COMPLAINTS AND INVESTIGATIONS

AP No. 3435

Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15; 06/13/18

Page 8 of 18

decide whether it is more likely than not that discrimination or harassment has occurred.

- iv. **Timeline for Completion:** The District will undertake its investigation as promptly and as swiftly as possible. To that end, the investigator shall complete the above steps, and prepare a written report within 90 days of the District receiving the complaint, unless an extension has been granted. The Executive Director of Human Resources will notify all the parties involved of the District's determination, in writing, within 10 working days of the determination being made.

Cooperation Encouraged: All students and employees are expected to cooperate with a District investigation into allegations of harassment or discrimination. Lack of cooperation impedes the ability of the District to investigate thoroughly and respond effectively. However, lack of cooperation by a complainant or witnesses does not relieve the District of its obligation to investigate. The District will conduct an investigation if it is discovered that harassment is, or may be occurring, with or without the cooperation of the alleged victim(s) and regardless of whether a complaint is filed. If the complainant refuses to participate in the investigation, the District should continue to pursue appropriate steps to limit the effects of the alleged harassment and prevent its recurrence.

- v. **Written Report:**

The results of the investigation of a complaint shall be set forth in a written report that will include at least all of the following information:

- A description of the circumstances giving rise to the Formal Complaint;
- A summary of the testimony provided by each witness interviewed by the investigator;
- An analysis of relevant evidence collected during the course of the investigation;
- A specific finding as to whether there is probable cause to believe that discrimination, harassment, or retaliation occurred with respect to each allegation in the complaint; and
- Any other information deemed appropriate by the District.

IX. Defective Complaint

If a complaint is found to be defective, it will be immediately returned to the complainant with a complete explanation of why an investigation will not be initiated under California Code of Regulations, Title 5, section 59300, et seq. The notice will inform the complainant that the complaint does not meet the requirements of section 59328 of Title 5, and shall specify in what requirement the complaint is defective. A copy of the notice to the complainant will also be sent to the State Chancellor's Office.

X. Notice to State Chancellor or District

A copy of all formal complaints filed in accordance with the Title 5 regulations will be forwarded to the State Chancellor's Office immediately upon receipt, regardless of

DISCRIMINATION AND HARASSMENT COMPLAINTS AND INVESTIGATIONS**AP No.
3435**

Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15; 06/13/18

Page 9 of 18

whether the complaint is brought by a student or by an employee. Similarly, when the State Chancellor's Office receives a complaint, a copy will be forwarded to the District immediately.

XI. Oversight of Complaint Procedure

The Executive Director of Human Resources is the "responsible District officer" charged with receiving complaints of discrimination or harassment, and coordinating their investigation. The actual investigation of complaints may be delegated by the Executive Director of Human Resources to other trained, qualified staff, outside persons or organizations under contract with the District. This must occur whenever the Executive Director of Human Resources is named in the complaint or implicated by the allegations in the complaint.

XII. Administrative Determination

When the District evaluates the complaint, it shall do so using a preponderance of the evidence standard, meaning more likely than not. Thus, after considering all the evidence it has gathered, the District will decide whether it is more likely than not that discrimination or harassment has occurred.

In any case not involving employment discrimination or harassment, within 90 days of receiving an unlawful discrimination or harassment complaint filed under Title 5, sections 59300, et seq., the District Compliance Officer (or third party investigator) will complete the investigation and forward a copy of the investigative report to the State Chancellor, a copy of the summary of the report to the complainant, and written notice setting forth all the following to both the complainant and the State Chancellor¹:

- (a) the determination of the District Compliance Officer (or third party investigator) as to whether there is probable cause to believe unlawful discrimination or harassment occurred 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; and
- (d) the complainant's right to appeal to the District's Board of Trustees and, for Title 5 complaints, to the State Chancellor.

In any case involving employment discrimination, within 90 days of receiving an unlawful discrimination or harassment complaint filed under Title 5, sections 59300, et seq., the District Compliance Officer (or third party investigator) will complete the investigation and forward a copy of the summary of the report to the complainant, and written notice setting forth all the following to the complainant:

¹ For non-employment complaints filed under the federal civil rights statutes referenced in Section I, a copy of the summary report and written notice shall be forwarded only to the complainant.

DISCRIMINATION AND HARASSMENT COMPLAINTS AND INVESTIGATIONS**AP No.
3435**

Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15; 06/13/18

Page 10 of 18

- (a) the determination of the District Compliance Officer (or third party investigator) as to whether there is probable cause to believe discrimination or harassment occurred 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; and
- (d) the complainant's right to appeal to the District's Board of Trustees and to file a complaint with the Department of Fair Employment and Housing or the U.S. Equal Employment Commission.

The District will keep these documents on file for a period of at least three (3) years after closing the case, and make them available to the State Chancellor upon request.

XIII. Discipline and Corrective Action

If harassment, discrimination, and/or retaliation occurred in violation of Board Policy 3410, Board Policy 3430, or this procedure, the District shall take disciplinary action against the respondent and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense. Remedies for the complainant might include, but are not limited to:

- ensuring that the complainant and alleged perpetrator do not attend the same classes or work in the same work area;
- providing an escort to ensure that the complainant can move safely between classes and activities;
- providing counseling services;
- providing academic support services, such as tutoring;
- arranging for a student-complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant's academic record;
- reviewing any disciplinary actions taken against the complainant to see if there is a causal connection between the discrimination or harassment and the misconduct that may have resulted in the complainant being disciplined; and
- preventing offending third parties from entering campus.
- circulating memoranda to students and staff about pertinent District policy; and
- other remedies deemed necessary by the District.

If discipline is imposed, the nature of the discipline will generally not be communicated to the complainant. However, the District may disclose information about the sanction imposed on an individual who was found to have engaged in discrimination or harassment when the sanction directly relates to the complainant; for example, the District may inform the complainant that the harasser must stay away from the complainant. A victim of discrimination or harassment who is informed of disciplinary action must keep that information confidential.

Employees, students, or other persons acting on behalf of the District who engage

DISCRIMINATION AND HARASSMENT COMPLAINTS AND INVESTIGATIONS**AP No.
3435**

Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15; 06/13/18

Page 11 of 18

in unlawful discrimination or harassment as defined in this policy or by state or federal law may be subject to discipline, up to and including discharge, expulsion, or termination of contract.

Disciplinary actions against faculty, staff, and students will conform to all relevant statutes, regulations, and personnel policies and procedures, including the provisions of any applicable collective bargaining agreement.

The District shall also take reasonable steps to protect the complainant from further unlawful harassment, and/or discrimination, and to protect the complainant and witnesses from retaliation as a result of communicating the complaint and/or assisting in the investigation. The District will ensure that complainants and witnesses know how to report any subsequent problems, or any retaliation, or new incidents of discrimination or harassment. The District shall take reasonable steps to ensure the confidentiality of the investigation and to protect the privacy of all parties to the extent possible without impeding the District's ability to investigate and respond effectively to the complaint.

XIV. Appeal Rights

If the District imposes discipline against a student or employee as a result of the findings in its investigation, the student or employee may appeal the decision using the procedure for appealing a disciplinary decision. Similarly, if the complainant is not satisfied with the process or the results of an administrative decision, he or she may also appeal using the following procedure:

- First level of appeal: The complainant has the right to file an appeal to the District's Board of Trustees within 15 days from the date of the administrative determination. The Board will review the original complaint, the investigative report, the administrative determination, and the appeal.
- The Board will issue a final District decision in the matter within 45 days after receiving the appeal. Alternatively, the Board may elect to take no action within 45 days, in which case the original decision in the administrative determination will be deemed to be affirmed and shall become the final District decision in the matter. A copy of the final decision rendered by the Board will be forwarded to the complainant and for Title 5 complaints, to the State Chancellor's Office.
- Second level of appeal: The complainant has the right to file an appeal with the California Community College Chancellor's Office in any Title 5 case not involving employment-related unlawful discrimination or harassment within 30 days from the date that the Board issues the final District decision or permits the administrative determination to become final by taking no action within 45 days. The appeal must be accompanied by a copy of the decision by the Board or evidence showing the date on which the

DISCRIMINATION AND HARASSMENT COMPLAINTS AND INVESTIGATIONS**AP No.
3435**

Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15; 06/13/18

Page 12 of 18

complainant filed an appeal with the Board, and a statement under penalty of perjury that no response was received from the Board within 45 days from that date. In any case involving employment discrimination or harassment, the complainant has the right to file a complaint with the Department of Fair Employment and Housing (DFEH) where the case is within the jurisdiction of that agency.

XV. Extensions

If, for reasons beyond its control, the District is unable to comply with the 90-day or 150-day deadlines specified above for submission of materials to the complainant and the State Chancellor's Office, the District Compliance Officer will file a written request that the State Chancellor grant an extension of the deadline. Where an extension is deemed necessary by the District, it must be requested from the State Chancellor regardless of whether or not the case involves employment discrimination. The request will be submitted no later than 10 days prior to the expiration of the deadlines established by Title 5 in sections 59336 and/or 59340 and will set forth the reasons for the request and the date by which the District expects to be able to submit the required materials.

A copy of the request for an extension will be sent to the complainant, who will be advised that he or she may file written objections with the State Chancellor within five (5) days of receipt.

The State Chancellor may grant the request unless delay would be prejudicial to the investigation. If an extension of the 90-day deadline is granted by the State Chancellor, the 150-day deadline is automatically extended by an equal amount.

XVI. Confidentiality of the Process

The District will keep the investigation confidential to the extent possible, but cannot guarantee absolute confidentiality because release of some information on a "need-to-know-basis" is essential to a thorough investigation. When determining whether to maintain confidentiality, the District may weigh the request for confidentiality against the following factors: the seriousness of the alleged discrimination or harassment; the complainant's age; whether there have been other discrimination or harassment complaints about the same individual; and the responding individual's rights to receive information about the allegations if the information is maintained by the District as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S. Code Section 1232g; 34 Code Federal Regulations Part 99.15. The District will inform the complainant if it cannot maintain confidentiality.

If a complainant insists that his or her name not be revealed, the District Compliance Officer (or third party investigator) should take all reasonable steps to investigate and respond to the complaint consistent with the complainant's request, as long as doing so does not jeopardize the rights of other students or employees.

Complainants, witnesses, and those accused of discrimination or harassment shall be

DISCRIMINATION AND HARASSMENT COMPLAINTS AND INVESTIGATIONS

AP No. 3435

Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15; 06/13/18

Page 13 of 18

informed of the possibility that they may be charged with allegations of defamation if they circulate the charges outside of the District's process. Persons who discuss their claims with persons outside of the process may expose themselves to tort charges. Complainants, witnesses, and those accused of discrimination or harassment will be asked to sign a confidentiality acknowledgement statement.

XVII. Retaliation

It is unlawful for anyone to retaliate against someone who files an unlawful discrimination or harassment complaint, who refers a matter for investigation or complaint, who participates in an investigation of a complaint, who represents or serves as an advocate for an alleged victim or alleged offender, or who otherwise furthers the principles of the District's unlawful discrimination and harassment policy.

If an individual believes she/he has been subject to retaliation, the individual may file an additional or amended complaint with the District Compliance Officer. The District Compliance Officer (or third party investigator) shall investigate the claim of retaliation in accordance with these procedures.

If the District Compliance Officer (or third party investigator) determines that the complaint of retaliation is valid, in addition to any other remedies which may be appropriate (such as disciplinary action), the appropriate District administrator/manager shall take all necessary steps to end the retaliatory behavior as quickly as possible and shall provide counseling to the person performing the retaliation in regard to the rights of complainants to be free from retaliation.

XVIII. Academic Freedom

Rio Hondo Community College District Board of Trustees reaffirms its commitment to academic freedom, as defined in BP 4030, but recognizes that academic freedom does not allow any form of unlawful discrimination. Nothing in these policies and procedures shall be interpreted to prohibit bona fide academic requirements for any specific community college program, course, or activity, including participatory/shared governance and representation of constituents.

When investigating unlawful discrimination or harassment complaints containing issues of academic freedom, the District will consult with a faculty member appointed by the Academic Senate with respect to contemporary practices and standards for course content and delivery.

Reference: Cohen v. San Bernardino Valley College (1995) 883 F.Supp. 1407, 1412-1414, *affd.* in part and *revd.* in part on other grounds, (1996) 92 F.3d 968; Cal. Code Regs., tit. 5, § 59302

XIX. Dissemination of Policy and Procedures

All College employees will be provided with a copy of the District's written policy on unlawful discrimination and harassment at the beginning of the fall semester of each new academic year.

DISCRIMINATION AND HARASSMENT COMPLAINTS AND INVESTIGATIONS

AP No. 3435

Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15; 06/13/18

Page 14 of 18

District policy and procedures related to harassment will include information that specifically addresses sexual violence. District Policy and Procedures related to harassment will be made available in the college catalog, emailed to all students and College employees, and will be posted on the District's Website.

When hired, employees are required to sign that they have received the policy and procedures, and the signed acknowledgment of receipt is placed in each employee's personnel file.

XX. Notice, Training, and Education for Students and Employees

Rio Hondo Community College District's Compliance Officer, or designee, shall make arrangements for, or provide training to, employees and students on the District's unlawful discrimination and harassment policy and procedures.

A workshop or informational session will be made available to all District employees at least once annually. Because of their special responsibilities under the law, supervisors will undergo mandatory training within six (6) months of assuming a supervisory position and every two (2) years thereafter. In years in which a substantive policy or procedural change has occurred, all District employees will attend a training update and/or receive a copy of the revised policies and procedures.

A workshop or informational session will be made available to all students at least once annually. The student workshop or informational session will include an explanation of the policy, how it works, and how to file a complaint. The session will also include information aimed at encouraging students to report incidents of sexual violence to the appropriate District and law enforcement authorities. In addition, a copy of the District's written policy on unlawful discrimination and harassment, as it pertains to students, will be distributed to all students through the student portal at the beginning of each fall semester.

The training and education required by this procedure shall include information and practical guidance regarding the federal and state statutory provisions concerning the prohibition against and the prevention and correction of discrimination and harassment on all bases covered by this procedure, and the remedies available to victims of discrimination and harassment.

XXI. Definitions

Definitions applicable to nondiscrimination policies are as follows:

- "Accused" means the individual who allegedly unlawfully discriminated against or harassed the complainant
- "Appeal" means a request by a complainant made in writing to the Rio Hondo Community College District Board of Trustees pursuant to Title 5, section 59338, and/or to the State Chancellor's Office pursuant to Title 5, section 59339, to

DISCRIMINATION AND HARASSMENT COMPLAINTS AND INVESTIGATIONS**AP No.
3435**

Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15; 06/13/18

Page 15 of 18

- review the administrative determination of the District regarding a complaint of discrimination.
- "Association with a person or group with these actual or perceived characteristics" includes advocacy for or identification with people who have one or more characteristics of a protected category listed under "Unlawful Discrimination Policy" and Title 5, section 59300, participation in a group associated with persons having such characteristics, or use of a facility associated with use by such persons.
 - "Complaint" means a written and signed statement meeting the requirements of Title 5, section 59328² 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, sections 59300, et seq.
 - "Complainant" means anyone who alleges that he or she has personally suffered unlawful discrimination in violation of these policies and procedures, or a person who has learned of such unlawful discrimination, including a faculty member, administrator, student, family member, or other third party who files on behalf of an individual or group alleged to have suffered discrimination or harassment.
 - "Days" means calendar days.
 - "Gender" means sex, and includes a person's gender identity and gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth.
 - "Mental disability" includes, but is not limited to, all of the following:
 - (1) Having any mental or psychological disorder or condition, such as mental retardation, organic brain syndrome, emotional or mental illness, or specific learning disability, that limits a major life activity. For purposes of this section:
 - (A) "Limits" shall be determined without regard to mitigating measures, such as medications, assistive devices, or reasonable accommodations, unless the mitigating measure itself limits a major life activity.
 - (B) A mental or psychological disorder or condition limits a major life activity if it makes the achievement of the major life activity difficult.
 - (C) "Major life activities" shall be broadly construed and shall include physical, mental, and social activities, as well as working.
 - (2) Any other mental or psychological disorder or condition not described in paragraph (1) that requires specialized supportive services.
 - (3) Having a record or history of a mental or psychological disorder or condition described in paragraph (1) or (2), which is known to the District.
 - (4) Being regarded or treated by the District as having, or having had, any mental condition that makes achievement of a major life activity

² See section VIII., Filing a Formal Written Complaint.

DISCRIMINATION AND HARASSMENT COMPLAINTS AND INVESTIGATIONS

AP No. 3435

Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15; 06/13/18

Page 16 of 18

- difficult.
- (5) Being regarded or treated by the District as having, or having had, a mental or psychological disorder or condition that has no present disabling effect, but that may become a mental disability as described in paragraph (1) or (2). "Mental disability" does not include sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs.
- "Physical disability" includes, but is not limited to, all of the following:
 - (1) Having any physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss that does both of the following:
 - (A) Affects one or more of the following body systems: neurological, immunological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine.
 - (B) Limits a major life activity. For purposes of this section:
 - (i) "Limits" shall be determined without regard to mitigating measures such as medications, assistive devices, prosthetics, or reasonable accommodations, unless the mitigating measure itself limits a major life activity.
 - (ii) A physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss limits a major life activity if it makes the achievement of the major life activity difficult.
 - (iii) "Major life activities" shall be broadly construed and include physical, mental, and social activities and working.
 - (2) Any other health impairment not described in paragraph (1) that requires specialized supportive services.
 - (3) Having a record or history of a disease, disorder, condition, cosmetic disfigurement, anatomical loss, or health impairment described in paragraph (1) or (2), which is known to the District.
 - (4) Being regarded or treated by the District as having, or having had, any physical condition that makes achievement of a major life activity difficult.
 - (5) Being regarded or treated by the District as having, or having had, a disease, disorder, condition, cosmetic disfigurement, anatomical loss, or health impairment that has no present disabling effect but may become a physical disability as described in paragraph (1) or (2).
 - (6) "Physical disability" does not include sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs.
 - "District" means Rio Hondo Community College District or any District program or activity that is funded directly by the state or receives financial assistance from the state. This includes the District Personnel Commission and any other organization associated with the District or its College that receives state funding or financial assistance through the District.

DISCRIMINATION AND HARASSMENT COMPLAINTS AND INVESTIGATIONS

AP No. 3435

Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15; 06/13/18

Page 17 of 18

- “Respondent” or “Responding Party” means the individual who allegedly unlawfully discriminated or sexually harassed the complainant.
- “Responsible District Officer” means the officer identified by the District to the State Chancellor’s Office as the person responsible for receiving complaints filed pursuant to Title 5, section 59328, and coordinating their investigation.
- “Sex” includes, but is not limited to, pregnancy, childbirth, or medical conditions related to pregnancy or childbirth. “Sex” also includes, but is not limited to, a person’s gender, as defined in section 422.56 of the Penal Code. Discrimination on the basis of sex or gender also includes sexual harassment.
- “Sexual harassment” is unlawful discrimination in the form of unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the workplace or in the educational setting, and includes but is not limited to:
 - (1) Making unsolicited written, verbal, physical, and/or visual contacts with sexual overtones. (Examples of possible sexual harassment that appear in a written form include, but are not limited to: suggestive or obscene letters, notes, or invitations. Examples of possible visual sexual harassment include, but are not limited to: leering, gestures, display of sexually aggressive objects or pictures, cartoons, or posters.)
 - (2) Continuing to express sexual interest after being informed that the interest is unwelcomed.
 - (3) Making reprisals, threats of reprisal, or implied threats of reprisal following a rebuff of harassing behavior. The following are examples of conduct in an academic environment that might be found to be sexual harassment: threatening to withhold, or actually withholding, grades earned or deserved; suggesting a poor performance evaluation will be prepared; or suggesting a scholarship recommendation or college application will be denied.
 - (4) Engaging in explicit or implicit coercive sexual behavior within the work environment which is used to control, influence, or affect the employee’s career, salary, and/or work environment.
 - (5) Engaging in explicit or implicit coercive sexual behavior within the educational environment that is used to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student.
 - (6) Offering favors or educational or employment benefits, such as grades or promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.
 - (7) Awarding educational or employment benefits, such as grades or duties or shifts, recommendations, reclassifications, etc., to any student or employee with whom the decision maker has a sexual relationship and denying such benefits to other students or employees.
- “Sexual orientation” means heterosexuality, homosexuality, or bisexuality.
- “Unlawful discrimination” means discrimination based on a category protected under Title 5, section 59300, including retaliation and sexual harassment.

XXII. Record Retention

DISCRIMINATION AND HARASSMENT COMPLAINTS AND INVESTIGATIONS**AP No.
3435**

Board Reviewed: 8/14/96; 9/14/09; 3/10/10; 1/14/15; 06/13/18

Page 18 of 18

The District will retain on file for a period of no less than three years after closing the case copies of:

- The original complaint;
- The investigatory report;
- The summary of the report if one is prepared;
- The notice provided to the complainant, of the District's administrative determination and his/her right to appeal;
- Any appeal;
- The District's final decision; and
- Documentation of any corrective actions taken.

Unlawful discrimination and harassment records that are part of an employee's employment records may be classified as permanent records and retained indefinitely in accordance with Title 5, California Code of Regulations, section 59022.

XXIII. Sources /References:

In so providing, Rio Hondo Community College District hereby implements the provisions of California Government Code sections 11135 through 11139.5, the Sex Equity in Education Act (Ed. Code, § 66250 et seq.), 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), section 508 of the Rehabilitation Act of 1973 (29 U.S.C. § 794d), the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12100, et seq.), and the Age Discrimination Act (42 U.S.C. § 6101).

Education Code Section 66281.5; Government Code 12950.1; Title 5, Sections 59320, 59324, 59326, 59328, and 59300 et seq.; 34 C.F.R. Section 106.8(b).

Appendix B: Presentation of Data Analyses

The District has evaluated availability, workforce utilization, applicant pools, qualified applicant pools, hiring outcomes, and hiring process outcomes by race, ethnicity, and gender to determine whether and where opportunities to positively impact workforce diversity exist. Currently, federal and state agencies collecting and publishing workforce and availability data do not include non-binary gender categories. As a result, analyses of utilization and availability for non-binary categories could not be included. Employees and applicants are now offered the opportunity to identify gender, including non-binary categories, which will allow data analyses in future EEO Plans.

Local Community Context

The District serves a diverse student population⁴ comprised of 67.2% Hispanic or Latinx, 10.2% White (non-Hispanic), 8.1% Asian, 2.2% Black, 0.2% Native American, and 0.1% Pacific Islander communities. The District primarily serves communities in El Monte, Whittier, South El Monte, Pico Rivera, Santa Fe Springs, and neighboring unincorporated areas.

According to 2019 American Community Survey results, the cities served by the District are predominantly comprised of individuals identifying as Hispanic or Latinx, with varying Asian and White populations:

	Hispanic/Latinx	Asian	White
El Monte	65.7%	28.8%	3.6%
Pico Rivera	90.7%	2.8%	5.3%
South El Monte	82.3%	14.7%	2.5%
Santa Fe Springs	74.5%	6.8%	12.9%
Whittier	67.3%	5%	24.2%
Unincorporated Areas (est.)	89.2%	1.3%	7.9%

The local community demographics provide important context for understanding the lived experiences of its students and how workforce diversity impacts the District's ability to meet its mission and vision objectives

Mission Statement

Río Hondo College is an educational and community partner committed to advancing social justice and equity as an anti-racist institution that collectively invests in all students' academic and career pathways that lead to attainment of degree, certificate, transfer, and lifelong-learning goals.

⁴ 9.8% of students declined to identify race and ethnicity

Vision Statement

Rio Hondo College aspires to be an evolving community-focused institution that embraces diversity, equity, and inclusion as a means to achieve personal, professional, and educational goals in a caring and rigorous environment.

With local communities primarily consisting of Hispanic/Latinx, Asian, and White residents, a diverse workforce exceeding representation of Black, Native American, Pacific Islander, and other race and ethnicity communities is critical to providing students a robust and healthy exposure to racial and ethnic diversity and inclusion, ensuring students from underrepresented communities have opportunities to see and interact with professionals sharing their cultural background, and providing all students with direct experiences with racial and ethnic diversity that demonstrate negative stereotypes and disparate outcomes are the result of racist and discriminatory systems and attitudes.

Underutilization Analyses Findings

The District analyzed its workforce composition, applicant pools, qualified applicant pools, and hiring process phases to identify underutilization and barriers to greater workforce diversity in terms of race, ethnicity, and gender.

Underutilization for the total workforce was measured by creating a composite availability statistic for race, ethnicity, and gender combining the District's student population, Los Angeles Metropolitan Statistical Area, state of California, United States, and graduate degrees awarded nationwide from 2017-2019 demographics as follows:

Student Population:	30% weight
LA MSA Population:	30% weight
California Population:	10% weight
United States Population:	10% weight
U.S. Advanced Degrees ⁵ Awarded:	20% weight

⁵ Data on U.S. Advanced Degrees Awarded extracted from IPEDS data for 2017, 2018, and 2019 degrees awarded at all Title IV U.S. colleges and universities

For the Academic Administrator, Contract Faculty, and Adjunct Faculty workforce, the weights were adjusted to put greater emphasis on recent graduates with advanced degrees, which accounts for the minimum qualifications established by the California Community Colleges Chancellor Office.

Student Population: 20% weight
 LA MSA Population: 20% weight
 California Population: 5% weight
 United States Population: 5% weight
 U.S. Advanced Degrees Awarded: 50% weight

The weights assigned reflect the District’s prioritization on providing its students and communities a representative workforce understanding of the perspectives, experiences, cultures, and living conditions of students as a primary method for improving student success outcomes. The weights also acknowledge the need for more broad recruitment efforts to achieve a more diverse workforce than local community availability would provide.

Total Workforce

Race	Job Group	External Recruitment Area	Total Job Group Employees	Total Race Job Group Employees	% of Race Job Group Employees	Race Availability	Race Expected based on Availability	Binomial Exact	SD	SF	
White	All Empl	Student Population (IPEDS data)	886	275	31.0%	35.4%	314	0.00	-2.72	39	Underutilized
Black	All Empl	Local Recruitment Area - Los Ange	886	38	4.3%	6.6%	58	0.00	-2.75	20	
Hispanic	All Empl	CA Statewide	886	411	46.4%	41.0%	363	1.00	3.24	-48	
Asian	All Empl	US National	886	113	12.8%	11.0%	97	0.96	1.70	-16	
Native American	All Empl	Advanced Degrees (17-19)	886	4	0.5%	0.3%	3	0.88	0.86	-1	
NH/PI	All Empl		886	3	0.3%	0.2%	2	0.89	0.88	-1	
Total Minority	All Empl		886	569	64.2%	64.6%	572	0.42	-0.23	3	

Gender	Job Group	External Recruitment Area	Total Job Group Employees	Total Gender Job Group Employees	% of Gender Job Group Employees	Gender Availability	Gender Expected based on Availability	Binomial Exact	SD	SF	
Females	All Empl	Student Population (IPEDS data)	886	474	53.5%	49.9%	442	0.99	2.15	-32	Underutilized
Males	All Empl	Local Recruitment Area - Los Ange	886	412	46.5%	50.1%	444	0.02	-2.15	32	

An analysis of the total workforce (based on CCCC Datamart reporting for fall 2020) shows employment from individuals identifying as Black are underemployed compared to estimated availability by a statistically significant margin (4.3% representation compared to 6.2% availability). Employment of individuals identifying as Asian exceeded estimated availability by a statistically significant margin (12.8% representation compared to 10% availability). All other race and ethnicity groups are represented within a reasonable margin of availability.

The analysis suggests the District should prioritize recruitment efforts likely to increase the number of qualified Black applicants within its broad recruitment and outreach efforts to attract qualified applicants from all race, ethnicity, and sex groups.

Overall workforce employment data shows males are employed below regional availability estimates. However, the data on recent graduate degrees awarded shows females represent nearly 60% of the available recruitment pool. Further, availability estimates for officials and managers and professional job categories have historically been overrepresented by males due to discrimination in hiring, promotion, compensation, and retention of females. As a result, the finding should not be interpreted to suggest male applicants and employees are disadvantaged in the District’s hiring and employment processes.

Educational Administrators

Race	Job Group	External Recruitment Area	Total Job Group Employees	Total Race Job Group Employees	% of Race Job Group Employees	Race Availability	Race Expected based on Availability	Binomial Exact	SD	SF
White	Adminis	Student Population (IPEDS data)	21	9	42.9%	48.7%	10	0.38	-0.54	1
Black	Adminis	Local Recruitment Area - Los Angele	21	1	4.8%	7.9%	2	0.50	-0.53	1
Hispanic	Adminis	CA Statewide	21	7	33.3%	24.8%	5	0.87	0.90	-2
Asian	Adminis	US National	21	3	14.3%	10.1%	2	0.84	0.64	-1
Native American	Adminis	Advanced Degrees (17-19)	21	0	0.0%	0.3%	0	0.93	-0.27	0
NH/PI	Adminis		21	0	0.0%	0.2%	0	0.96	-0.20	0
Total Minority	Adminis		21	11	52.4%	51.3%	11	0.62	0.10	0

Sex	Job Group	External Recruitment Area	Total Job Group Employees	Total Sex Job Group Employees	% of Sex Job Group Employees	Sex Availability	Sex Expected based on Availability	Binomial Exact	SD	SF
Females	Adminis	Student Population (IPEDS data)	21	11	52.4%	51.7%	11	0.61	0.06	0
Males	Adminis	Local Recruitment Area - Los Angele	21	10	47.6%	48.3%	10	0.56	-0.06	0

An analysis of the District’s academic management workforce, Educational Administrator positions, revealed all race and ethnicity groups are employed within a reasonable range of the identified availability. While no statistically significant underutilization was identified, employment of individuals identifying as Black was notably less than the estimated availability. Given the overall workforce underutilization for Black employees, the District should prioritize recruitment efforts likely to increase the number of qualified Black applicants within its broad recruitment and outreach efforts to attract qualified applicants from all race, ethnicity, and sex groups. Further, professional development and retention efforts likely to improve employment outcomes for employees identifying as Black, including successfully seeking promotional opportunities, would likely produce positive outcomes in representation.

Educational Administrator position employment data shows males and females are employed within a reasonable range of the identified availability. As a result, focused recruitment efforts in this area are not recommended.

Contract Faculty

Race	Job Group	External Recruitment Area	Total Job Group Employees	Total Race Job Group Employees	% of Race Job Group Employees	Race Availability	Race Expected based on Availability	Binomial Exact	SD	SF	
White	Contract	Student Population (IPEDS data)	196	87	44.4%	47.8%	94	0.19	-0.96	7	Underutilized
Black	Contract	Local Recruitment Area - Los Angeles	196	6	3.1%	8.1%	16	0.00	-2.60	10	
Hispanic	Contract	CA Statewide	196	70	35.7%	23.8%	47	1.00	3.90	-23	
Asian	Contract	US National	196	24	12.2%	11.6%	23	0.66	0.28	-1	
Native American	Contract	Advanced Degrees (17-19)	196	1	0.5%	0.3%	1	0.86	0.41	0	
NH/PI	Contract		196	1	0.5%	0.2%	0	0.95	1.03	-1	
Total Minority	Contract		196	102	52.0%	52.2%	102	0.51	-0.04	0	

Sex	Job Group	External Recruitment Area	Total Job Group Employees	Total Sex Job Group Employees	% of Sex Job Group Employees	Sex Availability	Sex Expected based on Availability	Binomial Exact	SD	SF	
Females	Contract	Student Population (IPEDS data)	196	101	51.5%	55.0%	108	0.18	-0.98	7	
Males	Contract	Local Recruitment Area - Los Angeles	196	95	48.5%	45.0%	88	0.85	0.98	-7	

An analysis of the District’s Contract Faculty workforce, which included instructional and non-instructional faculty employees, shows employment of individuals identifying as Black falls below the estimated availability by a significant margin (3.1% representation and 8.1% availability). While individuals identifying as Hispanic/Latinx are employed at a higher rate than the estimated availability, representation among Contract Faculty is well below the student population (35.7% employment compared to 67.2% student representation). The analysis likely reveals how historical patterns of faculty hiring and employment have impacted the availability estimate as individuals from communities of color have been less likely to be encouraged to pursue advanced degrees and faculty positions, have experienced greater rates of poverty and economic disparities, and have been less likely to be selected for Contract Faculty positions even when highly qualified.

As a result of these findings, the District should prioritize recruitment efforts likely to increase the number of qualified Black applicants within its broad recruitment and outreach efforts to attract qualified applicants from all race, ethnicity, and sex groups. Further investment in identifying and recruiting qualified Hispanic/Latinx and Asian applicants would also likely contribute to greater student success rates and workforce diversity in alignment with the District’s mission and vision objectives.

Contract Faculty workforce employment data shows males and females are employed within a reasonable range of the identified availability. As a result, focused recruitment efforts in this area are not recommended.

Adjunct Faculty

Race	Job Group	External Recruitment Area	Total Job Group Employees	Total Race Job Group Employees	% of Race Job Group Employees	Race Availability	Race Expected based on Availability	Binomial Exact	SD	SF	
White	Adjunct	Student Population (IPEDS data)	376	140	37.2%	47.8%	180	0.00	-4.11	40	Underutilized
Black	Adjunct	Local Recruitment Area - Los Angeles	376	24	6.4%	8.1%	31	0.12	-1.25	7	
Hispanic	Adjunct	CA Statewide	376	130	34.6%	23.8%	90	1.00	4.88	-40	
Asian	Adjunct	US National	376	52	13.8%	11.6%	44	0.92	1.35	-8	
Native American	Adjunct	Advanced Degrees (17-19)	376	3	0.8%	0.3%	1	0.96	1.53	-2	
NH/PI	Adjunct		376	2	0.5%	0.2%	1	0.96	1.52	-1	
Total Minority	Adjunct		376	211	56.1%	52.2%	196	0.94	1.53	-15	

Sex	Job Group	External Recruitment Area	Total Job Group Employees	Total Sex Job Group Employees	% of Sex Job Group Employees	Sex Availability	Sex Expected based on Availability	Binomial Exact	SD	SF	
Females	Adjunct	Student Population (IPEDS data)	376	178	47.3%	55.0%	207	0.00	-2.99	29	Underutilized
Males	Adjunct	Local Recruitment Area - Los Angeles	376	198	52.7%	45.0%	169	1.00	2.99	-29	

An analysis of the District’s Adjunct Faculty workforce, which included instructional and non-instructional faculty employees, shows greater diversity than the Contract Faculty workforce. Employment of individuals identifying as Black continue to fall below the estimated availability, but with a much lower margin of difference (6.4% representation and 8.1% availability). As with Contract Faculty, while individuals identifying as Hispanic/Latinx are employed at a higher rate than the estimated availability, representation among Adjunct Faculty is well below the student population (34.6% employment compared to 67.2% student representation). The analysis reveals the same patterns addressed in the Contract Faculty analysis.

As a result of these findings, the District should prioritize recruitment efforts likely to increase the number of qualified Black applicants within its broad recruitment and outreach efforts to attract qualified applicants from all race, ethnicity, and sex groups. Further investment in identifying and recruiting qualified Hispanic/Latinx and Asian applicants would also likely contribute to greater student success rates and workforce diversity in alignment with the District’s mission and vision objectives.

Adjunct Faculty employment data shows females are underemployed given the identified availability. A more nuanced analysis of employment of Adjunct Faculty within Divisions and Disciplines would likely provide critical context for understanding the overall employment pattern. For example, if Adjunct Faculty are more frequently hired in disciplines historically overrepresented by males, such as heavy equipment operation and public safety programs, the findings may reflect general industry patterns where focused efforts to increase female representation would make important contributions to the District’s overall diversity and inclusion.

Classified Professionals

Race	Job Group	External Recruitment Area	Total Job Group Employees	Total Race Job Group Employees	% of Race Job Group Employees	Race Availability	Race Expected based on Availability	Binomial Exact	SD	SF	
White	Classified	Student Population (IPEDS data)	293	39	13.3%	27.3%	80	0.00	-5.38	41	Underutilized
Black	Classified	Local Recruitment Area - Los Angeles	293	7	2.4%	5.2%	15	0.01	-2.19	8	
Hispanic	Classified	CA Statewide	293	204	69.6%	50.3%	147	1.00	6.61	-57	
Asian	Classified	US National	293	34	11.6%	13.1%	38	0.26	-0.75	4	
Native American	Classified		293	0	0.0%	0.2%	1	0.51	-0.82	1	
NH/PI	Classified		293	0	0.0%	0.2%	1	0.51	-0.82	1	
Total Minority	Classified		293	245	83.6%	72.7%	213	1.00	4.20	-32	

Sex	Job Group	External Recruitment Area	Total Job Group Employees	Total Sex Job Group Employees	% of Sex Job Group Employees	Sex Availability	Sex Expected based on Availability	Binomial Exact	SD	SF	
Females	Classified	Student Population (IPEDS data)	293	184	62.8%	47.6%	139	1.00	5.22	-45	Underutilized
Males	Classified	Local Recruitment Area - Los Angeles	293	109	37.2%	52.4%	154	0.00	-5.22	45	

An analysis of the District’s Classified Professionals workforce, which included classified administrative positions, shows employment of individuals identifying as Black falls below the estimated availability by a significant margin (2.4% representation and 5.2% availability). While individuals identifying as Hispanic/Latinx are employed at a higher rate than the estimated availability (69.6% employment compared to 67.2% student representation), representation mirrors the local communities and likely reflects the historic workforce segregation experienced by individuals from Hispanic/Latinx communities, who have been overrepresented in entry-level and lower skill positions.

As a result of these findings, the District should prioritize recruitment efforts likely to increase the number of qualified Black applicants within its broad recruitment and outreach efforts to attract qualified applicants from all race, ethnicity, and sex groups. Further investment in identifying and recruiting qualified Asian applicants would also likely contribute to greater student success rates and workforce diversity in alignment with the District’s mission and vision objectives.

Classified Professional employment data shows males are significantly underemployed given the identified availability. A more nuanced analysis of employment of Classified positions within Divisions and Departments would likely provide critical context for understanding the overall employment pattern. For example, if the majority of Classified positions are in administrative support and student services positions, the findings may reflect general industry patterns which have limited opportunities for females outside “traditional” support roles and limited upward mobility and advancement. Focused efforts to increase male representation among Classified positions should be paired with professional development, promotion, and retention efforts to increase advancement for female employees.

Applicant Pool Analysis Findings

The District conducted applicant pool and hiring analyses for the prior five years (2017 – 2021). The analyses measured the presence of candidates from diverse race, ethnicity, and gender groups in the applicant pool with the final hiring decisions. To create meaningful analyses capable of demonstrating significant patterns and trends, the District conducted the analyses for aggregated groups of Administration positions, Faculty positions, and Classified positions. A qualitative review of hiring trends by Divisions is included for Demo context and further inquiry.

The most significant finding from the analyses is the substantial number of applicants who declined to identify race, ethnicity, gender, disability status, and veteran’s status. Consistent across all positions, roughly 40% of applicants did not self-identify. The large percentage of unknown applicants and hires limits the overall effectiveness of the longitudinal analyses. However, a review of the known applicant pools in comparison with the availability estimates does not suggest specific race, ethnicity, or gender groups were more likely to decline to identify. This suggests response rates could be improved considerably through structural changes in the application process.

Demographic data is currently collected as part of the applicant’s profile, which applicants must choose to separately complete. Applicants are not prompted or encouraged to complete the information if they do not click on the demographic tab voluntarily. Recommend embedding the demographic self-identification form into the application process at the beginning to directly solicit and encourage applicants to complete the form

Administration

Adverse Impact - Hiring Analysis 2017-2021														
Demographic Group	Total Applicants	Total Demographic Group Applicants	Total Demographic Group Hires	Demo App %	Demo Group % of Hires	Demo Hiring Rate	Best Group Hire %	Demo Hire Expected based on App Rate	Binomial Exact	SD	SF	SD Disparity?	Binomial Exact Disparity?	
Females	812	358	17	44.09%	50.00%	4.75%	4.75%	17	0.56	0.00	0			
Males	812	454	17	55.91%	50.00%	3.74%	4.75%	22	0.19	-1.01	5			
White	776	248	12	31.96%	36.36%	4.84%	4.84%	12	0.58	0.00	0			
Black	776	134	5	17.27%	15.15%	3.73%	4.84%	6	0.37	-0.60	1			
Hispanic	776	304	13	39.18%	39.39%	4.28%	4.84%	15	0.39	-0.46	2			
Asian	776	90	3	11.60%	9.09%	3.33%	4.84%	4	0.36	-0.67	1			
AI/NA	776	0	0	0.00%	0.00%	0.00%	4.84%	0	1.00	0.00	0			
Non-Disability	817	778	31	95.23%	91.18%	3.98%	7.69%	60	0.00	-3.88	29	YES	YES	
Disability	817	39	3	4.77%	8.82%	7.69%	7.69%	3	0.65	0.00	0			
Non-Veteran	815	749	33	91.90%	100.00%	4.41%	4.41%	33	0.55	0.00	0			
Veteran	815	66	0	8.10%	0.00%	0.00%	4.41%	3	0.05	-1.74	3			
Total Minority	776	528	21	68.04%	63.64%	3.98%	4.84%	26	0.21	-0.92	5			

An analysis of the applicant pools for Administration positions shows no significant difference in the hiring of individuals based on gender or race and ethnicity identification over the five-year analysis timeframe.

Hiring was split equally between females and males and there was no statistical evidence of a disparity impacting females or males in hiring.

White applicants had the highest selection rate (4.84%), but the differences for Black, Hispanic/Latinx, and Asian applicants were not statistically significant.

Analyses of hiring rates based on disability and veteran’s status are presented for informational purposes only. Self-identification, especially for disability status, is consistently underreported and the true populations of individuals with disabilities (especially unobservable disabilities) likely vary significantly from reported data. Current federal standards suggest employers should pursue a goal of 7% employment for individuals with disabilities. The District hired 8.82% of applicants who chose to disclose disability status, suggesting it is exceeding the recommended goal.

Given historical disparities in employment for people from communities of color in administration and management-level positions, the District should continue to prioritize identifying diverse applicant pools for Administration positions and identifying potential barriers to employment within its hiring processes through longitudinal hiring phase analyses.

Faculty

Adverse Impact - Hiring Analysis 2017-2021													
Demographic Group	Total Applicants	Total Demographic Group Applicants	Total Demo Group Hires	Demo App %	Demo Group % of Hires	Demo Hiring Rate	Best Group Hire %	Demo Hire Expected based on App Rate	Binomial Exact	SD	SF	SD Disparity?	Binomial Exact Disparity?
Females	4490	2267	74	50.49%	46.25%	3.26%	3.87%	88	0.07	-1.49	14		
Males	4490	2223	86	49.51%	53.75%	3.87%	3.87%	86	0.53	0.00	0		
White	4374	1479	55	33.81%	35.95%	3.72%	4.33%	64	0.14	-1.15	9		
Black	4374	296	8	6.77%	5.23%	2.70%	4.33%	13	0.10	-1.38	5		
Hispanic	4374	1883	59	43.05%	38.56%	3.13%	4.33%	82	0.00	-2.55	23	YES	YES
Asian	4374	716	31	16.37%	20.26%	4.33%	4.33%	31	0.55	0.00	0		
AI/NA	4374	0	0	0.00%	0.00%	0.00%	4.33%	0	1.00	0.00	0		
Non-Disability	4522	4325	153	95.64%	96.23%	3.54%	3.54%	153	0.52	0.00	0		
Disability	4522	197	6	4.36%	3.77%	3.05%	3.54%	7	0.45	-0.37	1		
Non-Veteran	4538	4328	147	95.37%	92.45%	3.40%	5.71%	247	0.00	-6.57	100		
Veteran	4538	210	12	4.63%	7.55%	5.71%	5.71%	12	0.58	0.00	0		
Total Minority	4374	2895	98	66.19%	64.05%	3.39%	3.72%	108	0.18	-0.95	10		

An analysis of applicant pools for Contract and Adjunct Faculty positions shows no significant differences in the hiring of female or males. While the results were not statistically significant, it is worth noting females made up 50.49% of applicants and 46.25% of hires. The difference is primarily due to the selection of male applicants for Adjunct Faculty positions are a higher rate than female applicants.

The analysis of applicant pools by race and ethnicity shows individuals identifying as Hispanic/Latinx were significantly less likely to be hired when compared to the selection rate of individuals identifying as Asian. Hispanic/Latinx applicants made up 43.05% of the applicant

pools and 38.56% of hires, while Asian applicants made up 16.37% of the applicant pools and 20.26% of hires. As discussed below, further analysis by hiring phase shows Hispanic/Latinx applicants were less likely to receive a job offer following an interview than Asian applicants. Also significantly impacting the final hiring outcome, Hispanic/Latinx applicants were less likely to be invited for an interview than White applicants. These findings suggest removing personally-identifiable information from application and screening materials could improve outcomes for Hispanic/Latinx applicants. Additional data collection on interview scoring and outcomes could provide greater insight into why Asian applicants have more favorable outcomes than Hispanic/Latinx applicants.

Classified Professionals

Adverse Impact - Hiring Analysis 2017-2021													
Demographic Group	Total Applicants	Total Demographic Group Applicants	Total Demographic Group Hires	Demo App %	Demo Group % of Hires	Demo Hiring Rate	Best Group Hire %	Demo Hire Expected based on App Rate	Binomial Exact	SD	SF	SD Disparity?	Binomial Exact Disparity?
Females	5298	3336	58	62.97%	53.70%	1.74%	2.55%	85	0.00	-2.97	27	YES	YES
Males	5298	1962	50	37.03%	46.30%	2.55%	2.55%	50	0.54	0.00	0		
White	5342	490	11	9.17%	9.48%	2.24%	2.62%	13	0.37	-0.52	2		
Black	5342	305	3	5.71%	2.59%	0.98%	2.62%	8	0.04	-1.79	5		
Hispanic	5342	4051	89	75.83%	76.72%	2.20%	2.62%	106	0.05	-1.69	17		
Asian	5342	496	13	9.28%	11.21%	2.62%	2.62%	13	0.57	0.00	0		
AI/NA	5342	0	0	0.00%	0.00%	0.00%	2.62%	0	1.00	0.00	0		
Non-Disability	5399	5238	112	97.02%	98.25%	2.14%	2.14%	112	0.53	0.00	0		
Disability	5399	161	2	2.98%	1.75%	1.24%	2.14%	3	0.33	-0.79	1		
Non-Veteran	5338	5209	108	97.58%	95.58%	2.07%	3.88%	202	0.00	-6.74	94		
Veteran	5338	129	5	2.42%	4.42%	3.88%	3.88%	5	0.62	0.00	0		
Total Minority	5342	4852	105	90.83%	90.52%	2.16%	2.24%	109	0.38	-0.38	4		

An analysis of the applicant pools for Classified Professional positions shows a disparity in hiring for females, who made up 62.97% of applicant pools and 53.7% of hires. These findings are presented in context of current workforce representation. As discussed above, females are overrepresented in Classified positions (62.8% compared to 37.2% male representation). The hiring outcomes during the prior five years have resulted in greater workforce parity in Classified Professional positions and do not suggest there are significant barriers for females in obtaining Classified positions.

The analysis of applicant pools by race and ethnicity shows no significant differences in hiring based on an individual's race or ethnicity. Applicants identifying as Asian had the highest selection rate, but Hispanic/Latinx applicants accounted for over 75% of the individuals hired. The most notable finding from the five-year trend analysis is the experience of Black applicants, who comprised 5.71% of the applicant pool and 2.59% of hires. While not a statistically significant disparity, given the larger context of employment of individuals identifying as Black and the finding of the utilization analyses, the results suggest focused efforts to improve outcomes in hiring of Black applicants would advance the District's diversity and inclusion objectives.

Longitudinal Hiring Process Phase Analyses

The District conducted analyses of its hiring process phases for all job openings, Administration, Faculty (full-time and part-time), and Classified Professional positions by race, ethnicity, and gender. These analyses focus on the experience of Black applicants as the primary area of interest for increasing the District’s workforce diversity, based on its utilization determinations.

Due to limitations in the disposition coding of applicants, the analysis reduces the hiring process to five phases:

1. Met Minimum Qualifications
2. Selected for an interview
3. Failed the interview
4. Declined a job offer
5. Hired

Since disposition codes did not distinguish between first and second level interviews, there were combined in this analysis. This limitation ignores potentially critical distinctions in being selected for a first level interview and being recommended for a second interview, which committees know any applicant advanced could be hired. The District should create clear definitions for disposition of applicants and train staff to ensure consistent and accurate use of disposition codes.

Total Workforce

A longitudinal phase analysis was conducted for the total workforce, combining all positions in a single analysis. This is useful for context, but findings should not be construed to indicate specific issues.

Gender Analysis

Phase Analysis	Impacted Group	Total Applicants	Total Impacted Applicants	Total Impacted Pass	Impacted Group App %	Impacted Group Pass Rate	Highest Group Hire %	Impacted Pass Expected based on App Rate	Binomial Exact	SD	SF	SD Disparity?	Binomial Exact Disparity?
1	Females	15738	9237	7344	58.69%	79.51%	80.54%	7440	0.01	-2.51	96	YES	YES
2	Females	12580	7344	1063	58.38%	14.47%	16.67%	1224	0.00	-5.05	161	YES	YES
3	Females	1936	1063	265	54.91%	24.93%	27.38%	291	0.04	-1.79	26		
4	Males	504	239	230	47.42%	96.23%	97.36%	233	0.18	-1.08	3		
5	Males	488	230	0	47.13%	0.00%	0.00%	0	1.00		0		

The phase analysis by gender showed females were more likely apply for positions when they did not meet the minimum qualifications and were less likely to be selected for an interview. Females were also less likely to be offered a position following an interview and more likely to

decline a job offer. The interview selection phase results suggest removing personally-identifiable information from applications and screening materials could positively impact female applicants.

Race/Ethnicity Analysis

Phase Analysis	Highest Selection Rate Group	Impacted Group	Total Applicants	Total Impacted Applicants	Total Impacted Pass	Impacted Group App %	Impacted Group Pass Rate	Highest Group Hire %	Impacted Pass Expected based on App Rate	Binomial Exact	SD	SF	SD Disparity?	Binomial Exact Disparity?
1	White	Black	15586	995	777	6.38%	78.09%	83.47%	830	0.00	-4.57	53	YES	YES
	White	Hispanic	15586	9569	7512	61.39%	78.50%	83.47%	7987	0.00	-13.07	475	YES	YES
	White	Asian	15586	1901	1547	12.20%	81.38%	83.47%	1587	0.01	-2.45	40	YES	YES
	White	AI/AN	15586	0	0	0.00%		83.47%	0	1.00		0		
2	White	Black	12441	777	93	6.25%	11.97%	18.31%	142	0.00	-4.57	49	YES	YES
	White	Hispanic	12441	7512	1081	60.38%	14.39%	18.31%	1376	0.00	-8.79	295	YES	YES
	White	Asian	12441	1547	236	12.43%	15.26%	18.31%	283	0.00	-3.11	47	YES	YES
	White	AI/AN	12441	0	0	0.00%		18.31%	0	1.00		0		
3	Asian	White	1887	477	121	25.28%	25.37%	29.24%	139	0.03	-1.86	18		
	Asian	Black	1887	93	24	4.93%	25.81%	29.24%	27	0.27	-0.73	3		
	Asian	Hispanic	1887	1081	289	57.29%	26.73%	29.24%	316	0.04	-1.81	27		
	Asian	AI/AN	1887	0	0	0.00%		29.24%	0	1.00		0		
4	Asian	White	503	121	119	24.06%	98.35%	98.55%	119	0.52	-0.19	0		
	Asian	Black	503	24	22	4.77%	91.67%	98.55%	24	0.05	-2.82	2	YES	
	Asian	Hispanic	503	289	279	57.46%	96.54%	98.55%	285	0.01	-2.86	6	YES	YES
	Asian	AI/AN	503	0	0	0.00%		98.55%	0	1.00		0		
5	White	Black	488	22	0	4.51%	0.00%	0.00%	0	1.00	0	0		
	White	Hispanic	488	279	0	57.17%	0.00%	0.00%	0	1.00	0	0		
	White	Asian	488	68	0	13.93%	0.00%	0.00%	0	1.00	0	0		
	White	AI/AN	488	0	0	0.00%		0.00%	0	1.00	0	0		

The total workforce phase analysis shows patterns consistent with the longitudinal hiring analysis. White applicants were more likely to apply for positions when they did not meet minimum qualifications and were more likely to be selected for an interview. Black, Hispanic/Latinx, and Asian applicants were significantly less likely to be selected for an interview, strongly suggesting removing personally-identifiable information from applications and screening materials would have a notable impact on the composition of interview pools. Black and Hispanic/Latinx applicants who made it through the interview process were more likely to decline a job offer. Implementing a questionnaire for applicants who decline an offer could provide important context for understanding whether perceived barriers to equity and inclusion are impacting the District’s diversity and inclusion objectives.

Administration

Gender Analysis

Phase Analysis	Impacted Group	Total Applicants	Total Impacted Applicants	Total Impacted Pass	Impacted Group App %	Impacted Group Pass Rate	Highest Group Hire %	Impacted Pass Expected based on App Rate	Binomial Exact	SD	SF	SD Disparity?	Binomial Exact Disparity?
1	Females	1072	478	377	44.59%	78.87%	83.33%	398	0.01	-2.62	21	YES	YES
2	Males	872	495	147	56.77%	29.70%	33.95%	168	0.02	-2.00	21	YES	YES
3	Males	275	147	25	53.45%	17.01%	18.75%	28	0.34	-0.54	3		
4	Males	49	25	24	51.02%	96.00%	100.00%	25	0.00		1		YES
5	Males	48	24	0	50.00%	0.00%	0.00%	0	1.00		0		

The phase analysis by gender showed females were more likely apply for positions when they did not meet the minimum qualifications. Males were less likely to be selected for an interview or offered a position following an interview and more likely to decline a job offer. The interview selection phase results suggest removing personally-identifiable information from applications and screening materials could positively impact male applicants.

Race/Ethnicity Analysis

Phase Analysis	Highest Selection Rate Group	Impacted Group	Total Applicants	Total Impacted Applicants	Total Impacted Pass	Impacted Group App %	Impacted Group Pass Rate	Highest Group Hire %	Impacted Group Pass Expected based on App Rate	Binomial Exact	SD	SF	SD Disparity?	Binomial Exact Disparity?
1	White	Black	1027	164	131	15.97%	79.88%	84.42%	138	0.07	-1.60	7		
	White	Hispanic	1027	388	297	37.78%	76.55%	84.42%	328	0.00	-4.28	31	YES	YES
	White	Asian	1027	122	100	11.88%	81.97%	84.42%	103	0.26	-0.75	3		
	White	AI/AN	1027	0	0	0.00%		84.42%	0	1.00		0		
2	White	Black	826	131	25	15.86%	19.08%	35.57%	47	0.00	-3.94	22	YES	YES
	White	Hispanic	826	297	102	35.96%	34.34%	35.57%	106	0.35	-0.44	4		
	White	Asian	826	100	28	12.11%	28.00%	35.57%	36	0.07	-1.58	8		
	White	AI/AN	826	0	0	0.00%		35.57%	0	1.00		0		
3	Black	White	261	106	18	40.61%	16.98%	24.00%	25	0.05	-1.69	7		
	Black	Hispanic	261	102	17	39.08%	16.67%	24.00%	24	0.05	-1.73	7		
	Black	Asian	261	28	6	10.73%	21.43%	24.00%	7	0.48	-0.32	1		
	Black	AI/AN	261	0	0	0.00%		24.00%	0	1.00		0		
4	White	Black	47	6	5	12.77%	83.33%	100.00%	6	0.00		1		YES
	White	Hispanic	47	17	17	36.17%	100.00%	100.00%	17	1.00		0		
	White	Asian	47	6	6	12.77%	100.00%	100.00%	6	1.00		0		
	White	AI/AN	47	0	0	0.00%		100.00%	0	1.00		0		
5	White	Black	46	5	0	10.87%	0.00%	0.00%	0	1.00		0		
	White	Hispanic	46	17	0	36.96%	0.00%	0.00%	0	1.00		0		
	White	Asian	46	6	0	13.04%	0.00%	0.00%	0	1.00		0		
	White	AI/AN	46	0	0	0.00%		0.00%	0	1.00		0		

The Administrative phase analysis shows patterns consistent with the longitudinal hiring analysis. White applicants were more likely to apply for positions when they did not meet minimum qualifications and were more likely to be selected for an interview. Black, Hispanic/Latinx, and Asian applicants were significantly less likely to be selected for an interview, strongly suggesting removing personally-identifiable information from applications and screening materials would have a notable impact on the composition of interview pools. It is notable Black applicants had the highest rate of being offered a position after the interview phases. This pattern often occurs when applicants from a specific group are held to a higher standard of qualification early in the screening process. While insufficient data exists to evaluate for this pattern, more detailed data collect would allow for such analyses in future years and could reveal specific processes where barriers to advancement for Black applicants have occurred.

Faculty

Gender Analysis

Phase Analysis	Impacted Group	Total Applicants	Total Impacted Applicants	Total Impacted Pass	Impacted Group App %	Impacted Group Pass Rate	Highest Group Hire %	Impacted Pass Expected based on App Rate	Binomial Exact	SD	SF	SD Disparity?	Binomial Exact Disparity?
1	Females	5528	2862	2443	51.77%	85.36%	87.28%	2498	0.00	-3.09	55	YES	YES
2	Females	4770	2443	343	51.22%	14.04%	14.65%	358	0.20	-0.86	15		
3	Females	684	343	101	50.15%	29.45%	32.26%	111	0.15	-1.11	10		
4	Males	211	110	107	52.13%	97.27%	99.01%	109	0.10	-1.84	2		
5	Males	207	107	0	51.69%	0.00%	0.00%	0	1.00		0		

The phase analysis by gender showed females were more likely apply for positions when they did not meet the minimum qualifications, less likely to be selected for an interview, and less likely to be offered a position following an interview. The results for interview selection and job offer were not statistically significant, but the clear pattern suggests removing personally-identifiable information from applications and screening materials could positively impact female applicants.

Race/Ethnicity Analysis

Phase Analysis	Highest Selection Rate Group	Impacted Group	Total Applicants	Total Impacted Applicants	Total Impacted Pass	Impacted Group App %	Impacted Group Pass Rate	Highest Group Hire %	Impacted Pass Expected based on App Rate	Binomial Exact	SD	SF	SD Disparity?	Binomial Exact Disparity?
1	White	Black	5401	357	302	6.61%	84.59%	86.98%	311	0.11	-1.34	9		
	White	Hispanic	5401	2342	2002	43.36%	85.48%	86.98%	2037	0.02	-2.15	35	YES	YES
	White	Asian	5401	890	774	16.48%	86.97%	86.98%	774	0.51	-0.01	0		
	White	AI/AN	5401	0	0	0.00%		86.98%	0	1.00		0		
2	White	Black	4654	302	31	6.49%	10.26%	15.55%	47	0.01	-2.53	16	YES	YES
	White	Hispanic	4654	2002	281	43.02%	14.04%	15.55%	311	0.03	-1.86	30		
	White	Asian	4654	774	103	16.63%	13.31%	15.55%	120	0.05	-1.72	17		
	White	AI/AN	4654	0	0	0.00%		15.55%	0	1.00		0		
3	Asian	White	660	245	79	37.12%	32.24%	35.92%	88	0.13	-1.20	9		
	Asian	Black	660	31	9	4.70%	29.03%	35.92%	11	0.27	-0.80	2		
	Asian	Hispanic	660	281	82	42.58%	29.18%	35.92%	101	0.01	-2.36	19	YES	YES
	Asian	AI/AN	660	0	0	0.00%		35.92%	0	1.00		0		
4	Black	White	207	79	77	38.16%	97.47%	100.00%	79	0.00	2	2		YES
	Black	Hispanic	207	82	81	39.61%	98.78%	100.00%	82	0.00	1	1		YES
	Black	Asian	207	37	36	17.87%	97.30%	100.00%	37	0.00	1	1		YES
	Black	AI/AN	207	0	0	0.00%		100.00%	0	1.00		0		
5	White	Black	203	9	0	4.43%	0.00%	0.00%	0	1.00	0	0		
	White	Hispanic	203	81	0	39.90%	0.00%	0.00%	0	1.00	0	0		
	White	Asian	203	36	0	17.73%	0.00%	0.00%	0	1.00	0	0		
	White	AI/AN	203	0	0	0.00%		0.00%	0	1.00		0		

The Faculty phase analysis shows patterns consistent with the longitudinal hiring analysis. White applicants were more likely to apply for positions when they did not meet minimum qualifications and were more likely to be selected for an interview. Black, Hispanic/Latinx, and Asian applicants were less likely to be selected for an interview, strongly suggesting removing personally-identifiable information from applications and screening materials would have a notable impact on the composition of interview pools. Black applicants who made it through the interview process were much more likely to decline a job offer. Implementing a questionnaire for applicants who decline an offer could provide important context for

understanding whether perceived barriers to equity and inclusion are impacting the District’s diversity and inclusion objectives.

Classified Professionals

Phase Analysis	Impacted Group	Total Applicants	Total Impacted Applicants	Total Impacted Pass	Impacted Group App %	Impacted Group Pass Rate	Highest Group Hire %	Impacted Pass Expected based on App Rate	Binomial Exact	SD	SF	SD Disparity?	Binomial Exact Disparity?
1	Males	8065	2890	2109	35.83%	72.98%	75.65%	2186	0.00	-3.35	77	YES	YES
2	Females	6024	3915	514	64.99%	13.13%	15.98%	626	0.00	-4.87	112	YES	YES
3	Females	851	514	100	60.40%	19.46%	22.85%	117	0.04	-1.83	17		
4	Males	177	77	72	43.50%	93.51%	97.00%	75	0.08	-1.80	3		
5	Males	169	72	0	42.60%	0.00%	0.00%	0	1.00		0		

The phase analysis by gender showed males were more likely apply for positions when they did not meet the minimum qualifications. Females were less likely to be selected for an interview and less likely to be offered a position following an interview. The results for interview selection were statistically significant, strongly suggesting the removal of personally-identifiable information from applications and screening materials could positively impact female applicants.

Phase Analysis	Highest Selection Rate Group	Impacted Group	Total Applicants	Total Impacted Applicants	Total Impacted Pass	Impacted Group App %	Impacted Group Pass Rate	Highest Group Hire %	Impacted Pass Expected based on App Rate	Binomial Exact	SD	SF	SD Disparity?	Binomial Exact Disparity?
1	White	Black	8093	431	309	5.33%	71.69%	75.15%	324	0.06	-1.66	15		
	White	Hispanic	8093	6069	4554	74.99%	75.04%	75.15%	4561	0.42	-0.20	7		
	White	Asian	8093	764	569	9.44%	74.48%	75.15%	574	0.35	-0.43	5		
	White	AI/AN	8093	0	0	0.00%		75.15%	0	1.00		0		
2	White	Black	6055	309	34	5.10%	11.00%	16.85%	52	0.00	-2.75	18	YES	YES
	White	Hispanic	6055	4554	616	75.21%	13.53%	16.85%	768	0.00	-6.00	152	YES	YES
	White	Asian	6055	569	88	9.40%	15.47%	16.85%	96	0.20	-0.88	8		
	White	AI/AN	6055	0	0	0.00%		16.85%	0	1.00		0		
3	Hispanic	White	843	105	16	12.46%	15.24%	22.89%	24	0.04	-1.87	8		
	Hispanic	Black	843	34	7	4.03%	20.59%	22.89%	8	0.47	-0.32	1		
	Hispanic	Asian	843	88	19	10.44%	21.59%	22.89%	20	0.44	-0.29	1		
	Hispanic	AI/AN	843	0	0	0.00%		22.89%	0	1.00		0		
4	White	Black	183	7	6	3.83%	85.71%	100.00%	7	0.00		1		YES
	White	Hispanic	183	141	135	77.05%	95.74%	100.00%	141	0.00		6		YES
	White	Asian	183	19	19	10.38%	100.00%	100.00%	19	1.00		0		
	White	AI/AN	183	0	0	0.00%		100.00%	0	1.00		0		
5	White	Black	176	6	0	3.41%	0.00%	0.00%	0	1.00		0		
	White	Hispanic	176	135	0	76.70%	0.00%	0.00%	0	1.00		0		
	White	Asian	176	19	0	10.80%	0.00%	0.00%	0	1.00		0		
	White	AI/AN	176	0	0	0.00%		0.00%	0	1.00		0		

The Classified Professionals phase analysis shows patterns consistent with the longitudinal hiring analysis. White applicants were more likely to apply for positions when they did not meet minimum qualifications and were more likely to be selected for an interview. Black, Hispanic/Latinx, and Asian applicants were much less likely to be selected for an interview, strongly suggesting removing personally-identifiable information from applications and screening materials would have a notable impact on the composition of interview pools. It is notable Hispanic/Latinx applicants had the highest rate of being offered a position after the interview phases. This pattern often occurs when applicants from a specific group are held to a higher standard of qualification early in the screening process. While insufficient data exists to evaluate for this pattern, more detailed data collect would allow for such analyses in future

years and could reveal specific processes where barriers to advancement for Hispanic/Latinx applicants have occurred.

Disaggregated Division Hiring Patterns

Due to the limited applicant pools and hiring activity in Division- and Discipline-specific positions, a meaningful longitudinal analysis could not be conducted. The following data are presented as anecdotal observations for context and to inform further inquiry through more nuanced data collection in future years. To protect the identity of individuals, only areas with five or more hires are included and data is presented in percentages instead of whole numbers. The presentation of data in percentages does not hinder the observation of trends.

2017-2021 Hiring by Gender

Department Name	Female	Male	Grand Total
Public Safety	4.65%	95.35%	100.00%
Counseling and Student Success	87.18%	12.82%	100.00%
Communications and Languages	59.46%	40.54%	100.00%
Facilities Services	15.15%	84.85%	100.00%
Child Development Center	96.15%	3.85%	100.00%
Student Services	57.14%	42.86%	100.00%
Health Sciences and Nursing	76.19%	23.81%	100.00%
Continuing Education/Contract Education	38.10%	61.90%	100.00%
Mathematics	76.47%	23.53%	100.00%
Behavioral and Social Sciences	50.00%	50.00%	100.00%
Arts and Cultural Programs	50.00%	50.00%	100.00%
Career and Technical Education/Instructional Operations	46.15%	53.85%	100.00%
Library	50.00%	50.00%	100.00%
Counseling	50.00%	50.00%	100.00%
Physical Science	30.00%	70.00%	100.00%
Financial Aid and Veterans Services	44.44%	55.56%	100.00%
Institutional Research and Planning	62.50%	37.50%	100.00%
Human Resources	87.50%	12.50%	100.00%
Automotive Technology	25.00%	75.00%	100.00%
Disabled Students Programs and Services	100.00%	0.00%	100.00%
Accounting	57.14%	42.86%	100.00%
Academic Affairs	100.00%	0.00%	100.00%
Biological Sciences	50.00%	50.00%	100.00%
Business and Economic Development	33.33%	66.67%	100.00%
CalWORKs	100.00%	0.00%	100.00%

Departments and Divisions were 75% or more of the hires were from one gender have been highlighted for emphasis. The hiring patterns are consistent with social trends across industries in the United States.

The observed trends cannot likely be addressed through recruitment and marketing efforts alone. Historic discrimination and barriers to employment have resulted in availability disparities in many jobs. A concerted effort to change the culture within a category of jobs will likely be needed to develop greater interest from historically underrepresented groups.

Race/Ethnicity Analysis

Department Name	2+ Races	Asian	Black	Hispanic	White	Grand Total
Public Safety	0.00%	15.91%	9.09%	40.91%	34.09%	100.00%
Counseling and Student Success	2.38%	4.76%	2.38%	88.10%	2.38%	100.00%
Communications and Languages	2.78%	5.56%	2.78%	38.89%	50.00%	100.00%
Facilities Services	2.94%	5.88%	0.00%	73.53%	17.65%	100.00%
Child Development Center	0.00%	4.00%	4.00%	88.00%	4.00%	100.00%
Health Sciences and Nursing	0.00%	18.18%	9.09%	40.91%	27.27%	100.00%
Continuing Education/Contract Education	0.00%	18.18%	0.00%	63.64%	18.18%	100.00%
Student Services	0.00%	19.05%	4.76%	76.19%	0.00%	100.00%
Arts and Cultural Programs	5.56%	11.11%	5.56%	16.67%	61.11%	100.00%
Mathematics	5.88%	35.29%	0.00%	35.29%	23.53%	100.00%
Behavioral and Social Sciences	0.00%	6.25%	12.50%	50.00%	31.25%	100.00%
Counseling	0.00%	14.29%	0.00%	85.71%	0.00%	100.00%
Career and Technical Education/Instructional Operations	0.00%	30.77%	7.69%	30.77%	30.77%	100.00%
Library	0.00%	25.00%	0.00%	33.33%	41.67%	100.00%
Disabled Students Programs and Services	11.11%	11.11%	0.00%	77.78%	0.00%	100.00%
Physical Science	22.22%	44.44%	11.11%	0.00%	22.22%	100.00%
Financial Aid and Veterans Services	0.00%	11.11%	11.11%	44.44%	33.33%	100.00%
Institutional Research and Planning	0.00%	37.50%	0.00%	50.00%	12.50%	100.00%
Automotive Technology	12.50%	0.00%	0.00%	25.00%	62.50%	100.00%
Biological Sciences	0.00%	14.29%	0.00%	28.57%	57.14%	100.00%
Academic Affairs	14.29%	0.00%	0.00%	42.86%	42.86%	100.00%
Human Resources	0.00%	28.57%	0.00%	57.14%	14.29%	100.00%

Accounting	0.00%	28.57%	0.00%	57.14%	14.29%	100.00%
Admissions and Records	0.00%	0.00%	0.00%	83.33%	16.67%	100.00%
Kinesiology, Dance and Athletics	0.00%	0.00%	16.67%	50.00%	33.33%	100.00%
Business and Economic Development	0.00%	0.00%	20.00%	0.00%	80.00%	100.00%
CalWORKs	0.00%	20.00%	0.00%	60.00%	20.00%	100.00%

The analysis by race and ethnicity suggests areas with greater student service contact hire a much higher percentage of Hispanic/Latinx candidates than other areas. This aligns with the majority of students identifying as Hispanic/Latinx, but may limit engagement with diversity in front-line service positions for students. Within academic disciplines, broader social patterns are evident as White applicants made up a majority of hires in Business, Automotive Technology, Biological Sciences, and Arts; Black applicants had more favorable outcomes in Physical Sciences, Athletics, and Business; and Asian applicants made up higher percentages of Mathematics, Accounting, and Science fields than other areas.

It is recommended the District add a diversity, equity, inclusion, and accessibility assessment as a routine part of the operations of each department and division, including identifying where clear disparities in historical participation by gender, race, and ethnicity occur and developing strategic actions likely to increase diversity within the area.

