

WEST KERN COMMUNITY COLLEGE DISTRICT
AGENDA FOR SPECIAL MEETING

August 20, 2024

Cougar Room
(Access Through the Library Entrance)
29 Cougar Court
Taft, California 93268

4:00 p.m.

A. Accessibility. In compliance with the Americans with Disabilities Act, if you need special assistance to access the meeting room or to otherwise participate in this meeting, including auxiliary aids or services, please contact Sarah Criss at (661) 763-7711. Notification at least 48 hours prior to the meeting will enable the Governing Board to make reasonable arrangements to ensure accessibility to the meeting.

B. Obtaining Public Records. A copy of the Board packet, including documents relating to any open session item are available to members of the public on the District website and also at the District Office. Any writings or documents that are public records and are provided to a majority of the Governing Board regarding an open session item on this agenda will be made available for public inspection in the District Office located at 29 Cougar Ct., Taft, California, during normal business hours. These documents will be made available to the public at the same time that they are made available to a majority of the Board.

C. Language Assistance. The District welcomes Spanish and other language speakers to Board meetings. Anyone planning to attend and needing an interpreter should call Sarah Criss at (661) 763-7711 forty-eight (48) hours in advance of the meeting so that arrangements can be made for an interpreter. El Distrito da la bienvenida a las personas de habla hispana a las juntas de la Mesa Directiva. Si planea asistir y necesita interpretacion llame al (661) 763-7711 (48) horas antes de la junta, para poder hacer arreglos de interpretacion.

D. Addressing the District Board. The Board encourages public participation and involvement. Community members will therefore have several opportunities to address the Board. However, please respect the Board's time and the need for efficient board meetings. The Board also requests that comments be respectful and professional.

1. **Agenda Items.** If you wish to address the Board on an agenda item, please do so when that item is called. Oral presentations will be limited to a maximum of five (5) minutes. Time limitations are at the discretion of the Board President.
2. **Non-Agenda Items.** Individuals have an opportunity to address the Board during the period set aside for Public Comment on Items of General Interest on topics within the subject matter jurisdiction of the Board **not** listed on the agenda. Oral presentations will be limited to a maximum of five (5) minutes, with a total of thirty (30) minutes designated for this portion of the agenda.

E. Questions for the Board. Individuals with questions on District issues may submit them in writing. The Board will refer such requests to the Superintendent, who will endeavor to respond to your questions after the meeting.

F. Placing issues on the Board Agenda. Items from the public pertaining directly to College business may be placed on the Board agenda by submitting the request in writing to the Office of the Superintendent. The proposed agenda item will be reviewed and placed, if appropriate, on the Board's agenda within a reasonable period of time. Please contact the Office of the Superintendent at (661) 763-7711 for further information.

1. CALL TO ORDER
2. PUBLIC COMMENT ON OPEN SESSION ITEMS
3. NEW BUSINESS
 - A. Request for Approval – WKCCD Equal Employment Opportunity Plan 2024-2027
4. NEXT MEETING DATE
The next regular meeting is scheduled for Wednesday, September 11, 2024, at 5:00 p.m.
5. ADJOURNMENT



**EMPLOYMENT OPPORTUNITY PLAN West Kern
Community College District Equal Employment
Opportunity Plan**

August 30, 2021 2024-2027

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PLAN COMPONENT 1: Introduction

The West Kern Community College District strives to provide a welcoming environment and takes an active approach to ensure equal employment opportunities for all. An employee's background propels them forward in their education and career success, with a unique perspective to offer. Our mission is to allow the employee to thrive and grow into their full potential as people. To accomplish this, we provide learning opportunities and support alongside resources and shared vision. This helps all of us to connect with one another to advance our mission for the betterment of our communities. Through inclusivity and diversity, we provide a stable foundation and groundwork for student success. We nurture the uniqueness of each employee's background to help people grow, to foster growth and further potential for themselves, for the students, and for the betterment of our communities.

The District's core values, rooted in equity and inclusion, guide our efforts to provide an educational experience for faculty, staff, and students that prepares everyone to thrive and contribute to a global society. The West Kern Community District serves residents with increasingly diverse backgrounds. The District has a rich blend of people, having a variety of ethnic, cultural, religious, and social cultures as well as perspectives.

The District includes one college. Taft College offers general education, transfer degrees, certificates, student support services, and occupational/technical education. The District, governed by our locally elected Board of Trustees ("Board"), responds to the needs of our increasingly diverse student population and pays special attention to the student's changing needs. Using innovative techniques to better prepare our students for excellence and success is our goal and mission for every one of our students.

This Equal Employment Opportunity ("EEO") Plan focuses on providing equal employment opportunity in the District's recruitment and hiring policies and practices pursuant to the applicable regulations promulgated by the Board of Governors of the California Community Colleges at Title 5 of the *California Code of Regulations* ("CCR"), Sections 53000 *et seq.*, and the steps that the District takes in the event that the District identifies adverse impact or underrepresentation of Monitored Groups. The EEO Plan also includes a complaint procedure for allegations of noncompliance with the Plan and the establishment of the EEOAC; highlights methods to support EEO and an environment which is welcoming to all individuals; and identifies procedures for dissemination of the Plan.

The District believes that a diverse workforce achieved through EEO results in many benefits for our students, employees, and the community at large. The District is committed to employing qualified administrators, faculty, and staff members who are dedicated to student success and to recruiting and hiring persons from diverse backgrounds. Diversity in the academic environment fosters cultural awareness, promotes mutual understanding and respect, and provides suitable role models for all students including but not limited to first generation students, underrepresented students, and students of color.

In order to properly serve a growing diverse population, our District will continue to endeavor to hire and retain administrators, faculty, and staff who are sensitive to and knowledgeable of the needs of our continually changing student population. This Plan is meant to be a living document, subject to clarification and revision as our diversity goals are met.

~~Equal Employment Opportunity Policy was adopted by the Governing Board on June 11, 2003. The Equal Employment Opportunity Plan (Plan) was adopted by the Governing Board on August 11, 2021. 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.~~

~~This Plan is supportive of the West Kern Community College District's institution level Student Learning Outcome relating to "Community/Global Consciousness and Responsibility". At Taft College, graduates should be able to demonstrate social and cultural awareness, ethical behavior, effective and sensitive communication, and a commitment to learning. This Plan is reflective of the belief at Taft College that 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 and an analysis of whether underrepresentation of monitored groups exists. 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 EEO Advisory Committee; methods to support equal employment opportunity and an environment which is welcoming to all; 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 and knowledgeable of the needs of the continually changing student body it serves.~~

~~Dr. Debra Daniels~~Dr. Rafe Edward Trickey,
Jr. Superintendent/President
West Kern Community College District

PLAN COMPONENT 2: Definitions

References: CCR, Title 5, § 53001; Cal. Gov. Code § 12926; Cal. Gov. Code 12940; Equity In Faculty Hiring Institute – Center for Urban Education (September 28-29, 2017)

To ensure understanding of the terms used throughout the EEO Plan, the following definitions are provided.

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").

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a statistical measure (such as those outlined in the EEO Commission's Uniform Guidelines on Employee Selection Procedures) that is applied to the effects of a selection procedure and demonstrates a disproportionate negative impact on any group defined in terms of ethnic group identification, gender, or disability. A disparity identified in a given selection process will not be considered to constitute adverse impact if the numbers involved are too small to permit a meaningful comparison.

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- Business Necessity: circumstances which justify an exception to the requirements of section 5302 1(b) (1) because compliance with that section would result in substantial additional financial cost to the district or pose a significant threat to human life or safety. Business necessity requires greater financial cost than mere business convenience. Business necessity does not exist where there is an alternative that will serve business needs equally well.

- Diversity: a condition of broad inclusion in an employment environment that offers equality and respect EEO for all persons. The achievement of diversity within a workforce requires the presence, and the respectful treatment, of individuals from a wide range of ethnic, racial, age, national origin, religious, gender, exual orientation, disability, and socio-economic backgrounds, in all aspects of the workplace. A diverse educational community recognizes the educational benefits that flow from employee populations that are varied by race, gender, disability status, belief, age, national origin, cultural background, life experience and other enriching characteristics.

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- Equity: the "state, quality or ideal of being just, impartial and fair." The concept of equity is synonymous with fairness and justice. Equity centers on providing individuals the tools they need to be successful. Because individuals face disparate barriers based on their identities and experiences, these tolls are personalized and can differ from one member of the community to the next.

- Inclusion: the deliberate act of welcoming diversity, valuing all individuals, and exerting a conscious effort to create a warm and accepting environment that involves all in the fabric and mission of the District and our Colleges.

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- Equal Employment Opportunity: 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~~EEO should exist at all levels and in all job categories. ~~EEO also involves:~~

- ~~• 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;~~
- ~~• updating job descriptions and/or job announcements to reflect accurately the knowledge, skills and abilities of the position, including a commitment to equity; and~~
- ~~• creating an environment which fosters cooperation, acceptance, democracy, and free expression of ideas, and is welcoming to all people, free from unlawful discrimination related to the categories protected by Government Code section 12940.~~

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

- ~~• Equal Employment Opportunity Plan; a written document in which ~~at~~ that describes the District's EEO program. workforce is analyzed and specific plans and procedures are set forth for ensuring equal employment opportunity.~~

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Equal Employment Opportunity Programs:

~~the combination of District strategies implemented to promote EEO. The District intends such programs to be informed by the District's longitudinal workforce and applicant analyses.~~

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- ~~• all the various methods by which equal employment opportunity is ensured. Such methods include, but are not limited to, using nondiscriminatory employment practices, actively recruiting, monitoring and taking additional steps consistent with the requirements of section 53006.~~

~~Job Categories: for purposes of this Plan, consists of these seven categories: executive/administrative/managerial, faculty and other instructional staff, professional non-faculty, secretarial/clerical, technical and paraprofessional, skilled crafts, and service and maintenance.~~

~~Monitored Group: the groups for which the District must provide demographic data pursuant to CCR, Title 5, Section 53004.~~

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

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

Goals for Persons with a Disabilities:

~~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.~~

- ~~• a statement that the District will strive to attract and hire additional qualified persons with a disability in order to achieve the level of projected~~

- ~~representation for that group by a target date established by taking into account the expected turnover in the workforce and the availability of persons with disabilities who are qualified to perform a particular job. Goals are not "quotas" or rigid proportions.~~
- ~~**In house or Promotional Only Hiring:** means that only existing District employees are allowed to apply for a position.~~
- ~~**Monitored Group(s):** those group(s) identified in section 53004(b) for which monitoring and reporting is required pursuant to section 53004(a).~~
- ~~**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.~~
- ~~**Projected Representation:** the percentage of persons from a monitored group determined by the District to be available and qualified to perform the work in question.~~
- ~~**Reasonable Accommodation:** the efforts made on the part of the District to be in compliance with Government Code Section 12926. ~~remove artificial or real barriers, which prevent or limit the employment and upward mobility of persons with disabilities. "Reasonable accommodations" may include the items designated in section 53025.~~~~
- ~~**Screening or Selection Procedures:** any measure, combination of measures, or procedures used as a basis for any employment decision. Selection procedures include the full range of assessment techniques, including performance tests, physical, educational and work experience requirements, interviews, application reviews, reference checks and similar techniques. Screening and selection procedures also will include consideration of equivalencies pursuant to CCR, Title 5, Section 53430.~~
- ~~Selection procedures include the full range of assessment techniques, including but not limited to traditional paper and pencil tests, performance tests, and physical, educational, and work experience requirements, interviews, and review of application forms.~~
- ~~**Significantly Underrepresented Group:** any monitored group for which the percentage of persons from that group employed by the District in any job category ~~listed in section 53004(a)~~ is below eighty percent (80%) of the projected representation for that group in the job category in question.~~
- ~~**Target Date:** a point in time by which the district plans to meet an established goal for persons with disabilities and thereby achieve projected representation in a particular job category.~~

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PLAN-COMPONENT 3: Policy Statement

References: CCR, Title 5, § 53002

The District’s EEO Policy Statement is reflected in the District’s Board Policy (“BP”) 3420 and 7100, identified below.

Equal Employment Opportunity Policy - BP 3420

References: Education Code Sections 87100, et seq.; Title 5, Section 53000, et seq.; ACCJC Accreditation Standard III.A.12

The Board supports the intent set forth by the California Legislature to assure that effort is made to build a community in which opportunity is equalized, and community colleges foster a climate of acceptance, with the inclusion of faculty and staff from a wide variety of backgrounds. It agrees that diversity in the academic environment fosters cultural awareness, mutual understanding and respect, harmony and respect, and suitable role models for all students. An equitable and inclusive hiring process is essential to improve diversity, reduce barriers to employment, and allow potential applicants the opportunity to demonstrate that they meet or exceed the minimum qualifications for employment. The Board therefore commits itself to promote the total realization of equal employment through a continuing equal employment opportunity program. The Superintendent/President or designee shall develop, for review and adoption by the Board, a plan for equal employment opportunity that complies with the Education Code and Title 5 requirements as from time-to-time modified or clarified by judicial interpretation. The Superintendent/President or designee shall develop hiring procedures driven by diversity, equity, and inclusion and consistent with the Board’s intent described above.

Commitment to Diversity - BP 7100

References: Education Code Section 87100 et seq.; Title 5, Section 53000, et seq.

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, and provides suitable role models for all students. The Board is strongly committed to hiring and staff development processes that support the goals of equal opportunity and diversity, and provide equal consideration for all qualified candidates, and create an anti-racist academic and employment environment.

~~The West Kern 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 policy to ensure that all qualified applicants for employment and employees have full and equal access to employment opportunities and are not subjected to discrimination in any program or activity of the District 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, or because he/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. 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 EEO Plan will be maintained to ensure the implementation of equal employment opportunity principles that conform to federal and state laws.~~

PLAN COMPONENT 4: Delegation of Responsibility, Authority and Compliance

References: CCR, Title 5, §§ 53003(c) (3) and 53020

The District is committed to the concept and principles of EEO. To this end, the District will incorporate the principles and practices of equity, inclusion, and EEO into every aspect of education and District employment, including but not limited to: personnel policies, recruitment and selection, professional development, advancement and treatment of employees, students, and the general public.

The District will strive to achieve a workforce that is welcoming to all, regardless of gender identity and expression, persons with disabilities, and individuals from all ethnic and other groups. Such a workforce will ensure the District provides an inclusive educational and employment environment which fosters cooperation, acceptance, democracy, and free expression of ideas.

The EEO Plan will be maintained to ensure the implementation of EEO principles that conform to federal and state laws.

The general responsibilities for the prompt and effective implementation of this EEO Plan are set forth below.

~~It is the goal of the West Kern 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.~~

Governing BoardBoard of Trustees:

The District's Board of Trustees is ultimately responsible for proper implementation of the EEO Plan at all levels of the District operations, and for making measurable progress toward EEO by the strategies described in the EEO Plan.

- ~~1. The Governing Board is ultimately responsible for proper implementation of the District's Plan at all levels of district and college operation and for ensuring equal employment opportunity as described in the Plan.~~

Superintendent/President:

The Superintendent/President is the Chief Executive Officer of the District. The Board delegates to the Superintendent/President the responsibility for ongoing implementation of the EEO Plan and for providing leadership in supporting the District's EEO policy and procedures and delegating such authority as appropriate. The Superintendent/President advises the Board concerning statewide policy emanating from the Board of Governors of the California Community Colleges and directs the annual report on Plan implementation and effectiveness. The Superintendent/President evaluates the performance of all administrative direct reports on their ability to effectively follow and implement the EEO Plan.

~~The Governing Board 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 Governing Board concerning statewide policy emanating from the Board of Governors of the California Community Colleges and direct the publication of an annual report on plan implementation. The 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.~~

~~2.1.~~

~~3.2.~~ **Equal Employment Opportunity Officer:** The Vice President of Human Resources serves as the District's EEO Officer responsible for the day-to-day implementation of the EEO Plan. If the designation of the EEO Officer changes before this EEO Plan is next revised, the District will notify employees and applicants for employment of the new designee. ~~District has designated the Vice President of Human Resources as its EEO Officer who is responsible for the day-to-day implementation of the Plan. If the designation of the EEO Officer changes before this Plan is next revised, the District will notify employees and applicants for employment of the new designee.~~ The EEO Officer is responsible for administering, implementing, and monitoring the Plan and for assuring compliance with the requirements of Title 5, sections 53000 et seq. The EEO Officer is also responsible for receiving complaints described in Plan Component 6 and for ensuring that applicant pools and selection procedures are properly monitored.

Equal Employment Opportunity Advisory Committee:

The Equal Employment Opportunity Advisory Committee ("EEOAC") acts as an advisory body to the EEO Officer and the District to promote understanding and support of equity, inclusion, and EEO policies and procedures. The EEOAC assists in the development and implementation of the EEO Plan in conformance with state and federal regulations and guidelines, monitors EEO progress, and provides suggestions for EEO Plan revisions as appropriate. The EEOAC operates in accordance with Plan Component 5.

~~The District has established an EEO Advisory Committee to act as an advisory body to the EEO Officer and to promote understanding and support of equal employment opportunity policies and procedures. The EEO 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.~~

~~4.3.~~

Agents of the District Screening Committee:

All Screening Committee members, and any organization or individual, whether an employee of the District, who acts on behalf of the Board with regard to the recruitment and screening of personnel is subject to the requirements of the EEO Plan.

~~5. 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.~~

PLAN COMPONENT 5: Advisory Committee

References: CCR, Title 5, § 53005

The District established EEOAC to assist in the development, revision, and implementation of the EEO Plan, and to encourage understanding and support of equity, EEO, and non-discrimination programs, policies, and procedures. The EEOAC may sponsor events, training, or other activities to promote equity, inclusion, equal employment opportunity, non-discrimination, retention, and diversity. When appropriate, the EEOAC will make recommendations to the Board, through the Superintendent/President and the EEO Officer, to update the EEO Plan in accordance with applicable policies, procedures, and legislation.

The EEO Officer or designee will facilitate or conduct training for the EEOAC, as well as for members of the Board, on equity and inclusion; the requirements of Title 5, and the EEO Plan; state and federal non-discrimination laws; identification and elimination of bias in hiring; the educational benefits of workforce diversity; and the role of the EEOAC in carrying out the EEO Plan.

The EEOAC will be composed of a diverse membership and include members from District stakeholder groups, including students, faculty, and classified staff.

Committee participation will be open to full-time faculty, part-time faculty, classified staff, administrators, community members, and students with committee membership appointments from these areas:

The District has established an EEO Advisory Committee to assist the District in implementing its Plan. The Committee may promote an understanding of the following:

- Equal opportunity,
- Nondiscrimination policies and procedures,
- Retention,
- Diversity.

The Committee may offer events and training on the following topics:

- Requirements of state and federal nondiscrimination,
- Identification and elimination of bias in hiring,
- Educational benefits of workforce diversity, and
- The role of the advisory committee in carrying out the District's EEO Plan.

The designated EEO Officer shall train the Advisory Committee on equal employment compliance and the Plan itself. The Committee shall include a diverse membership. A substantial good faith effort to maintain a diverse membership is expected. If the District has been unable to meet this requirement, it will document that efforts were made to recruit Advisory Committee members who are members of monitored groups.

~~The Committee may be composed of employee populations—three faculty members, three administrators/managers, two students, and two community members—varied by race, gender, sexual orientation, disability, and socio-economic backgrounds. Ex-officio members shall include the designated EEO Officer /Title IX (Employees) Officer and/or appointed designee. The EEO Advisory Committee shall hold a minimum of four (4) meetings per fiscal year with additional meetings if needed to review equal employment opportunity and diversity efforts, programs, policies, and progress. When appropriate, the Advisory Committee shall make recommendations to the Governing Board, the Superintendent/President and the EEO Officer.~~

~~Classified Representative (3)
Administrative Representative (3)
Faculty Representative (3)
Student ASO Representative (1)
Ex-officio (Human Resources) (1)
EEO Officer & Chair (1)~~

~~Committee membership will be reviewed for active participation every fiscal year to ensure fluid diversity of membership, and to allow for fresh perspectives.~~

~~The Ex-officio member will assist the EEOAC Chair in coordinating a minimum of two meetings per fiscal year, with additional meetings and/or sub-committee meetings, as needed.~~

PLAN COMPONENT 6: Complaints

References: CCR, Title 5, §§ 53003(c) (4), 53026, and 59300 et seq.; BP/AP 3410 Nondiscrimination; AP 3435 Discrimination Harassment Bullying Retaliation Complaints Investigation Procedure

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 regulations 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 college and/or district level using the process provided by section 53026. (See California Community Colleges Chancellor's Office Guidelines for Minimum Conditions Complaints at:~~

~~<http://www.cccco.edu/divisions/legal/guidelines/GuidelinesforMinimumConditionsComplaints.html>.~~

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

How to File a Complaint:

~~The complaint shall be filed with the EEO Officer in the Human Resources Department. If the complaint involves the EEO Officer, the complaint may be filed with the Superintendent/President. 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 EEO Officer will forward copies of all written complaints to the Chancellor's Office upon receipt.~~

~~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 procedures for complaints alleging unlawful discrimination or harassment. The Vice

~~President, Human Resources is responsible for receiving such complaints and for coordinating the investigation. Campus complaint officers may be assigned investigation responsibilities. The complaint shall be filed with the EEO Officer in the Human Resources~~

Any person may file a complaint alleging the District violated the Title 5’s EEO regulations (California Code of Regulations, Title 5, Section 53000 et seq.). Any person who wishes to file such a complaint should use the District’s procedures for employment-related complaints, found in Board Policy (“BP”) 3410 and Administrative Procedures (“AP”) 3410 and 3435.

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

A complainant must report an oral complaint to the designated Human Resources Representative. A complainant should contact the Vice President of Human Resources at 661-763-7809. The Vice President of Human Resources will record the oral complaint in writing. The Vice President of Human Resources will take steps to ensure the writing accurately reflects the facts alleged by the complainant. Complaints must be filed with the Vice President of Human Resources, unless the person submitting the complaint alleges a violation against the Vice President of Human Resources, in which case the complaint should be submitted directly to the District’s Superintendent/President.

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

[West Kern Community College District – Policies and Procedures Unlawful Discrimination/Harassment Complaint Form](#)

Commented [Hd1]: These will be live links as the document is stored electronically through our career portal and website.

~~Department. If the complaint involves the EEO Officer, the complaint may be filed with the Superintendent/President. The District's discrimination and sexual harassment complaint procedures are currently under review and will be added to the District's administrative procedures on the District website as soon as they are finalized.~~

PLAN COMPONENT 7:

The Process for Notifying All District Employees of the Provisions of the EEO Plan and District Policy Statement

References: CCR, Title 5, § 53003(c) (5)

Notification to District Employees

The commitment of the ~~Governing Board and the Superintendent/President~~ District to equity, inclusion and ~~to~~ equal employment opportunity is emphasized through the broad dissemination of its EEO Policy Statement and Plan. The EEO Policy Statement will be printed in the college catalogs and class schedules.

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~~—A. The Plan and subsequent revisions will be distributed to the District’s Governing Board, The Superintendent/President, administrators, The Academic Senate President, and Supervisors, the academic senate leadership, faculty and classified union presidents, Associated Students Presidents, members of the EEOAC, representatives, and members of the District’s EEO Advisory Committee. The Plan will be available at the library, on the District’s website, in the office of the Superintendent/President and the Human Resources Department, and when appropriate, distributed by e-mail.~~

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A. The Plan will be available of the Distric’s website, and when appropriate, may be distributed by e-mail.

B. The Human Resources office will also provide new employees with information on the District’s Prohibition of Unlawful Dsicrimination, Harassment, and Retaliation policy, the EEO Plan, and its policy statement setting forth the District’s commitment to an EEO Pan at the commencement of employment during the onboarding process.

C. Each year, the Human Resources Department will provide all employees with a copy of the Governing Board’s EEO Policy Statement (located in Component 3 of this Plan) and written notice summarizing the provisions of the District’s EEO Plan. The Human Resources Department will provide all new employees with a copy of the written notice described above when they commence their employment with the District. The annual notice will contain the following provisions:

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- ~~1. The importance of the employee’s participation and responsibility in ensuring the Plan’s implementation.~~
- ~~2. Where complete copies of the Plan are available, including the library, the District website, the Office of the Superintendent/President and Human Resources Department.~~

PLAN COMPONENT 8:

The Process for Ensuring that District Employees Who Participate on Screening or Selection Committees Receive Training

Reference: CCR, Title 5, §§ 53003(c) (6) and 53020(c)

Training for Committees

Any organization or individual, who participates in District recruitment and search, screening, or selection process of candidates for employment, will receive appropriate training on the requirements of Title 5 regulations on EEO (Section 5300 et. Seq.); the requirements of federal and state non-discrimination laws; the requirements of the EEO Plan; the District's policies on non-discrimination, recruitment, and hiring; diversity awareness and cultural proficiency; the educational benefits of workforce diversity; the elimination of bias in hiring decisions; and best practices in serving on a Screening or Selection Committee. This requirement applies to employees and to any third-party consultants or organizations.

The Department of Human Resources is responsible for ensuring that all individuals serving on a screening or selection committee, or who participates in recruitment activities, receive the required training. The training is mandatory to serve on any Screening or Selection Committee and must be completed prior to beginning service on any such Committee and must be renewed biennially.

Screening and Selection Committees will include a diverse membership whenever possible to ensure a variety of perspectives are included in the assessment of applicants. The required diversity and inclusion committee training raises awareness about unconscious bias, emphasizes the importance of diversity, and equips committee members with the tools to mitigate bias. Policies and procedures support representative groups to actively seek out individuals from underrepresented groups to bring diverse perspectives within an inclusive decision-making process. The District is committed to continuous assessment of the strategies for promoting diversity within the Screening and Selection Committees and making adjustments as needed to align with changing organizational goals and priorities.

The District seeks to employ qualified persons with a broad range of backgrounds and abilities who have the knowledge, skills, and abilities to work effectively in a diverse environment. The selection process is based on a combination of education and experience and will extend to all candidates a fair impartial examination of qualifications based on job-related criteria.

All screening and selection techniques, including the procedure for developing interview questions, and the selection process, will be:

(1) Designed to ensure that, for all positions, meaningful consideration is given to the extent to which applicants demonstrate a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students;

(2) Based solely on job-related criteria within inclusive job descriptions; and

(3) Designed to avoid an adverse impact on underrepresented groups.

When possible, every effort will be made, within the limits allowed by federal and state law, to ensure that Screening/Selection Committees include diverse membership, which will bring a variety of perspectives to the assessment of applicant qualifications.

The EEO Officer or designee will approve the makeup of Screening/Selection committees, in accordance with applicable policies and procedures.

If the EEO Officer or designee does not approve a Screening/Selection committee for lack of diversity, the EEO Officer or designee will take necessary steps to remedy the lack of diversity, such as working with the committee appointments to acknowledge and understand the lack of diversity and its potential impact on the hiring process, reiterate the District's commitment to diversity and inclusion in hiring through policy and procedure, training and education, identification of potential committee members from underrepresented groups, and other strategies that support the District's commitment to diverse and inclusive committee membership.

Before a person can serve on a Screening/Selection committee, they must receive EEO and diversity training that is conducted by Human Resources. Human Resources provides a comprehensive training program on EEO, unconscious bias, diversity, and inclusion, and provides the participant with a certificate of completion. The training must be completed every two years.

Interviews will include questions that solicit the candidate's sensitivity to understanding of, and commitment to EEO.

All screening materials are reviewed for EEO, diversity, and inclusion to ensure that qualifications and skills are evaluated fairly and free from bias.

whether or not an employee of the District, who is involved in the recruitment, screening and/or selection of personnel, shall receive appropriate training on the requirements of the following:

Title 5 regulations on equal employment opportunity (section 53000 et. seq.)

The requirements of federal and state nondiscrimination laws

The educational benefits of workforce diversity

The elimination of bias in hiring decisions, and

Best practices in serving on a selection or screening committee

Persons serving in the above capacities will be required to receive training within the 12 months prior to service and every 2 years thereafter. This training is mandatory; individuals who have not received this training will not be allowed to serve on screening/selection committees. Any exceptions to the training requirements are at the discretion of the EEO Officer. The Human Resources Department is responsible for providing the required training. Any individual, whether or not an employee of the District, acting on behalf of the District with regard to recruitment and screening of employees is subject to the equal employment opportunity requirements of Title 5 and the District's EEO Plan.

~~PLAN COMPONENT~~COMPONENT 9:

The Process for Providing Annual Written Notice to Community-based and Professional Organizations

Reference: CCR, Title 5, § 53003(c) (7)

~~Annual Written Notice to Community Organizations~~

The EEO Officer will provide an annual written notice to appropriate, diverse, community-based and professional organizations concerning the EEO Plan. The notice will inform these organizations that they may obtain a copy of the Plan, and shall include a request for their assistance in identifying diverse qualified candidates. The notice will include a summary of the Plan, the internet address where the District advertises its job openings, and the names, departments, and phone numbers of individuals to call in order to obtain employment information. The District will actively seek to reach those institutions, organizations, and agencies that may be recruitment sources. ~~A list of organizations, which will receive this notice, is available upon request. This list may be revised from time to time as necessary.~~

PLAN COMPONENT 10:

Process for Gathering Information and Periodic Longitudinal Analysis of District's Employees and Applicants

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

Analysis of District Workforce and Applicant Pool

The District will gather the information specified below for the purpose of conducting periodic, longitudinal analysis of the District's employees and applicants, broken down by number of persons from Monitored Groups in each job category to determine whether additional diversification measures are required and to implement and evaluate the effectiveness of those measures. The District will conduct this data review as part of its EEO Plan renewal and may conduct additional periodic data reviews more frequently based on demographics, and other unique factors.

EEO DATA COLLECTION

The District allows applicants and employees to identify their gender (including non-binary options), ethnic group identification, and, if applicable, their disability status in a manner prescribed by the Superintendent/President and consistent with state and federal law ("EEO Data"). The District will keep EEO Data confidential and will use it only in research, monitoring, evaluating the effectiveness of the District's EEO program or another similar purpose authorized by law.

Individuals serving on a Screening or Selection Committee will not have access to applicants' EEO Data during their participation on the committee. Following such participation on a Screening or Selection Committee, only District employees whose job duties require them to have access to such data will have such access.

The District allows applicants and employees to, as an option, provide the following Monitored Group information:

1. Gender Identification: The District requested employees and applicants to self-identify as female, male, or non-binary.
2. Race and Ethnicity Identification: The District requested that employees and applicants self-identify into the following ethnicity categories:
 - a. Hispanic or Latino: A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.
 - b. White (Not Hispanic or Latino): A person having origins in any of the original people of Europe, the Middle East, or North Africa.
 - c. Black or African American (Not Hispanic or Latino): A person having origins in any of the black racial groups of Africa.
 - d. Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino): A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

e. Asian (Not Hispanic or Latino): A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

f. American Indian or Alaska Native (Not Hispanic or Latino): A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

g. Two or More Races: All persons who identify with more than one of the above five races (White, Black or African American, Native Hawaiian or Other Pacific Islander, Asian, American Indian or Alaska Native). For the purposes of this group, identifying as Hispanic or Latino and only one of the listed 5 race groups does NOT qualify under this category.

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

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

b. "Major life activities": Functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, talking, breathing, learning, and working.

EEO DATA COLLECTION MONITORED GROUP IDENTIFICATION ISSUE

There may be significant numbers of employees or applications who decline to identify their gender, ethnicity, or disability status with the District. The District will make efforts to accurately capture this information and encourages all persons to provide the above data. The District understands that employees and applicants voluntarily submit EEO Data and will not require employees or applicants to respond.

LONGITUDINAL ANALYSIS TO IDENTIFY ADVERSE IMPACT

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

The District will then conduct a periodic, longitudinal analysis of employees and applicants, broken down by number of persons from Monitored Group status in each job category to determine whether additional diversification measures are required. Specifically, the District will compare the composition of initial applicant pools, qualified pools, and applicants recommended for interview to identify any adverse impact of the District's pre-hiring and hiring strategies, which exists where the selection rate for a Monitored Group is less than four-fifths (or 80%) of the selection rate for the group with the highest rate.

The District utilizes EEO Data to identify underrepresentation or disparities and ensure a fair and inclusive hiring process. By assigning employees and applicants to specific job categories and tracking their composition and diversity over time, the District gains valuable insights. Through a periodic longitudinal analysis, the District examines the number of individuals from Monitored Groups within each job category, comparing it to the composition of initial applicant pools, qualified pools, and applicants recommended for interview. This analysis allows the District to assess whether any adverse impact exists in its pre-hiring and hiring strategies. By monitoring these indicators, the District can proactively identify areas where additional diversification measures may be required and develop targeted strategies to address any disparities, promoting fairness, inclusivity, and equal employment opportunities for all individuals within the District.

DISTRICT STRATEGIES TO MITIGATE IDENTIFIED ADVERSE IMPACT

If the EEO Officer or designee reveals that any selection technique or procedure has adversely impacted any Monitored Group, the EEO Officer or designee will advise the Vice President of Human Resources or designee, and the following may take place:

1. Suspend the selection process and take timely and effective steps to remedy the problem before the selection process resumes.
2. When appropriate, assist the Screening/Selection Committee by discussing the screening criteria or procedures, which have produced an adverse impact, provided that confidential information about individual candidates is not disclosed.
3. Where necessary, the position may be reopened at any time and a new selection process initiated in a way designed to avoid adverse impact.

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

1. Review the longitudinal hiring process analyses results for potential adverse impact affecting the identified Monitored Group at any phase of the hiring process or employment.
2. Conduct additional quantitative analyses of phases where the District identifies adverse impact to determine, where possible, the specific elements of the hiring process or employment stage creating an adverse impact.
3. Review the identified hiring process elements or employment stage contributing to the adverse impact to determine whether they can be modified, eliminated, or replaced with a procedure that can decrease the adverse impact.
4. Consider the implementation of additional measures designed to promote diversity in the hiring process and employment.
5. Analyze retention of Monitored Group employees in the impacted area and other employment processes that impact the District's ability to attract and retain a diverse workforce.

6. Present the findings to the EEO Committee, and other relevant groups to identify other potential good faith efforts to make positive progress towards eliminating the adverse impact.

~~The Human Resources Department will annually survey the District's workforce composition. It shall also monitor applicants for employment on an ongoing basis to evaluate the District's progress in implementing the Plan, to provide data needed for the reports required by this Plan, determine whether any monitored group is underrepresented. Monitored groups are:~~

- ~~• Men and women~~
- ~~• American Indians/Alaskan Natives~~
- ~~• Asians or Pacific Islanders~~
- ~~• Blacks/African Americans~~
- ~~• Hispanics/Latinos~~
- ~~• Caucasians~~
- ~~• Persons with disabilities.~~

~~For purposes of the survey and report, each applicant or employee will be afforded the opportunity to voluntarily identify his or her gender, ethnic group identification and, if applicable, his or her disability. 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/selection committee. The District will annually report to the Superintendent/President the results of its annual survey of employees. At least every three years the Plan will be reviewed and, if necessary, revised based on an analysis of the ethnic group identification, gender, and disability composition of existing staff and of those who have applied for employment in each of the following identified job categories:~~

- ~~• Executive/Administrative/Managerial~~
- ~~• Faculty and other Instructional Staff:
 - ~~○ Adult Education~~
 - ~~○ Career Education~~
 - ~~○ English~~
 - ~~○ Health and Physical Education~~
 - ~~○ Humanities~~~~
- ~~• Professional Non-faculty~~
- ~~• Secretarial/Clerical~~
- ~~• Technical and Paraprofessional~~
- ~~• Skilled Crafts~~
- ~~• Service and Maintenance~~

The District's workforce and applicant pools for the academic year of 2015-16, 2016-17 and 2017-18 are as follows:

Table 1: Applicant Diversity

AC-Year	Category	Total Open Positions	Applicants	Respondents	Respondents				
					Male	Female	Disability	Veteran	
2018-19	Executive/Administrative/Management	10	157	35	25	0			
2018-19	Secretary/Clerical	3	106	14	1	13	3		
2018-19	Service & Maintenance	6	63	24	8	11			
2018-19	Faculty & Other Instructional Staff	12	167	57	13	41			
2018-19	Technical/Paraprofessional	40	754	111	49	49			
Totals		71	1228	244	96	122	3	0	
2019-20	Executive/Administrative/Management	2	55	1	0	1	0	0	
2019-20	Secretary/Clerical	0	0	0					
2019-20	Service & Maintenance	7	122	44	28	16		1	
2019-20	Faculty & Other Instructional Staff	34	330	126	78	45		5	
2019-20	Technical/Paraprofessional	16	336	93	32	61		3	
Totals		60	843	264	138	133	0	9	
2020-21	Executive/Administrative/Management	2	37	20		11	18	4	6
2020-21	Secretary/Clerical	1	34	0					
2020-21	Service & Maintenance	5	29	28		9	10	3	
2020-21	Faculty & Other Instructional Staff	12	125	46		21	25	3	3
2020-21	Technical/Paraprofessional	15	138	60		30	30	2	2
Totals		26	263	173		80	92	11	11

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Table 2: Applicant Ethnicity

AC-Year	Category	Total Open Positions	Applicants	Respondents	Respondents					
					American Indian/Alaskan Native	Asian/Pacific Islander	Black/African American	Hispanic/Latino	White	2-or-More
2018-19	Executive/Administrative/Management	10	157	25	0	2	3	4	18	
2018-19	Secretary/Clerical	3	106	14	1	0	0	2	6	
2018-19	Service & Maintenance	6	63	24	0	0	0	5	19	
2018-19	Faculty & Other Instructional Staff	12	167	57	0	1	0	10	42	
2018-19	Technical/Paraprofessional	40	754	111	1	1	0	10	36	
Totals		71	1228	244	2	3	0	26	115	0
2019-20	Executive/Administrative/Management	2	55	1	0	0	0	0	1	
2019-20	Secretary/Clerical	0	0	0						
2019-20	Service & Maintenance	7	122	44	1	1	2	10	27	0
2019-20	Faculty & Other Instructional Staff	34	330	126	1	20	16	17	58	0
2019-20	Technical/Paraprofessional	16	336	93	1	5	7	31	39	0
Totals		60	843	264	3	26	25	58	125	0
2020-21	Executive/Administrative/Management	2	37	20	1	4	0	0	15	0
2020-21	Secretary/Clerical	1	34	0				0	0	
2020-21	Service & Maintenance	5	29	28	0	0	0	10	14	1
2020-21	Faculty & Other Instructional Staff	12	125	46	0	1	7	0	21	3
2020-21	Technical/Paraprofessional	15	138	60	1	4	0	23	31	0
Totals		26	263	173	2	9	0	43	78	4

COMPONENT 11:

Process for Utilizing Data to Determine Whether Monitored Groups are Underrepresented Within District Job Categories

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

Methods to Address Underrepresentation

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

DATA COLLECTION

The District will utilize data available from reliable public and private sources, including but not limited to U.S. Census Bureau and U.S. Department of Education through its National Center for Education Statistics' Integrated Postsecondary Education Data System ("IPEDS") for this analysis.

ANALYSIS TO IDENTIFY UNDERREPRESENTATION

Once the District gathers the EEO Data described in Component 10 and the data from public and private sources described in this Plan component above and assigns every employee and applicant to one of the seven job categories identified in Plan Component 2, the District will then review the EEO Data of its employees, broken down by number of persons from Monitored Group status in each job category.

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

The District will take necessary steps to address underrepresentation in a Monitored Group to promote its commitment to diversity, equity, and inclusion. Steps may include, but not be limited to the following: identification of cause; reprioritizing inclusion goals and objectives; implementation of initiatives in recruitment, retention, professional development, mentoring, and leadership development; allocation of resources to support implementation needs; engagement of stakeholders; and additional monitoring and impact analysis.

~~The West Kern Community College District is committed to assuring equal employment opportunity and therefore makes all efforts to build a community in which opportunity is equalized. The District is committed to fostering a climate of acceptance, with the inclusion of faculty and staff from a wide variety of backgrounds.~~

~~As noted earlier, Taft College supports the belief that diversity in the academic environment fosters cultural awareness, mutual understanding and respect, and provides students with an appreciation for diversity beyond the college campus.~~

~~To create this environment, the District places great emphasis on the recruitment of potential applicants in order to create a diverse pool of qualified individuals from which to hire. With a diverse pool, the District takes steps within the screening/selection process to allow for the hiring of~~

~~candidates with varied backgrounds who can contribute and effectively communicate in a diverse community. The equal employment opportunity provisions below are applicable to all hiring activities regardless of whether filling full or part-time positions.~~

~~A 2018 Human Resources Study examined the applicant pools in 2015-18 and concluded that no adverse impact was apparent. However, the diversity of the District's employee population does not reflect the diversity of its student population or the District's service area population.~~

~~To address any identified underrepresentation of monitored groups pursuant to Plan Component 10, the district will regularly review and where needed, revise its recruitment and hiring procedures and policies in accordance with the following provisions, which represent best practices in selection and hiring procedures. The District's Recruitment and Hiring Procedures will reflect the following provisions:~~

~~**Recruitment:**~~

~~It is the policy of the District to aggressively pursue a program of verifiable recruitment that is inclusive and open to all individuals.~~

~~On a regular basis, the District will review its recruitment sources to determine their effectiveness in generating diverse candidate pools. It will take steps to develop and contact new recruitment sources that ensure diverse pools of candidates. Diverse pools should include, but not be limited to, men, women, persons with disabilities, and individuals from all ethnicities and other groups protected from discrimination. The Equal Employment Opportunity Advisory Committee is encouraged to utilize and notify the District of additional recruitment options that may enable the District to obtain a diverse pool of applicants. The District will include in the recruitment section of its Recruitment and Hiring Procedures the practices below.~~

~~For any job category where continuing underrepresentation exists, the District will apply the recruitment procedures set forth in Title 5, section 53021 to conduct full and open recruitment for all new openings and will not invoke the provisions for in-house interim appointments or the exception under 53021(c)(7) for engaging an administrator through a professional services contract~~

~~unless the Superintendent/President or his/her designee first notifies the governing board and the Equal Employment Opportunity Advisory Committee in writing of the compelling reason to limit the persons who may be considered for a vacancy in a job category where underrepresentation persists.~~

~~Recruitment for all open positions shall include, but not be limited to, placement of job announcements in the following instruments:~~

- ~~• General circulation newspapers, general circulation publications, and general market radio and television stations, including electronic media.~~
- ~~• Local and regional community newspapers.~~
- ~~• Newspapers, publications, and radio and television stations that provide information in languages other than English and to low income communities.~~
- ~~• Publications, including electronic media that are distributed to the general market and to newspapers, publications, and radio and television stations, whose primary audience is comprised of groups found to be underrepresented in the District's workforce.~~
- ~~• Recruitment booths at job fairs or conferences oriented to both the general market and the economically disadvantaged as well as those events drawing significant participation by groups found to be underrepresented in the District's workforce.~~

Job Postings:

~~The District's recruitment and hiring procedures section on "Job Postings" will be reviewed to ensure the following:~~

- ~~• Job postings will state clearly job specifications setting forth the knowledge, skills, and abilities necessary to job performance.~~
- ~~• For all positions, job requirements will include demonstrated sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students.~~
- ~~• Job specifications, including any "required," "desired," or "preferred" qualifications beyond the state minimum qualifications which the District wishes to utilize, will be reviewed by the Equal Employment Opportunity Officer before the position is announced, to ensure conformity with equal employment regulations and state and federal nondiscrimination laws. All job announcements shall state that the district is an "Equal Opportunity Employer."~~

Committee Procedures:

~~The West Kern Community College District seeks to employ qualified persons with a broad range of backgrounds and abilities who have the knowledge and experience to work effectively in a diverse environment. The selection process is based on merit, and will extend to all candidates a fair,~~

impartial examination of qualifications based on job-related criteria. The District's recruitment and hiring procedures will be regularly reviewed and will include in its section on applicant screening by screening/interview committees the following provisions:

1. All screening or selection techniques, including the procedure for developing interview questions, and the selection process as a whole, will be:
 - a. Designed to ensure that, for all positions, meaningful consideration is given to the extent to which applicants demonstrate a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students;
 - b. Based solely on job-related criteria; and
 - c. Designed to avoid an adverse impact, and monitored by means consistent with this section to detect and address adverse impact which does occur for any monitored group.
2. When possible, every effort will be made, within the limits allowed by federal and state law, to ensure departments and others responsible for establishing selection/screening committees include a diverse membership, which will bring a variety of perspectives to the assessment of applicant qualifications. Selection/screening committees will be encouraged to include members from monitored groups.
3. The Equal Employment Opportunity Officer shall review the makeup of selection/screening committees and make every effort to encourage diversity on selection/screening committees.
4. Before a person can serve on a selection/screening committee, he or she must receive Selection Committee training as noted in Plan Component 8.
5. Interviews must include at least one question which assess the candidate's understanding of and commitment to equal employment opportunity and his or her level of cultural proficiency.
6. All screening materials must be approved by the Equal Employment Opportunity Officer for compliance with equal employment opportunity principles.

The District will not designate or set aside particular positions to be filled by members of any group defined in terms 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, or because he/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, or engage in any other practice, which would result in discriminatory or preferential treatment prohibited by state or federal law. The District will not apply the Plan in a rigid manner that has the purpose or effect of so discriminating.

The Governing Board or its designee shall make all final hiring decisions based upon careful review of the candidate or candidates recommended through the screening/interview committee. This

~~includes the right to reject all candidates and to order further review or to reopen the position where necessary to achieve the objectives of the Plan or to ensure equal employment opportunity.~~

~~The District will review the pattern of its hiring decisions over time, and if it determines that those patterns do not meet the objectives of the Plan, the district will request the Equal Employment Opportunity Advisory Committee to recommend new methods to meet the Plan objectives, or if necessary, to modify the Plan itself to ensure equal employment opportunity.~~

COMPONENT 12:

Methods to Address Underrepresentation

References: CCR, Title 5, §53003(c) (10)

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

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

(1) Relevant data gathered pursuant to Plan Component 10, in order to identify whether the percentage of persons from a Monitored Group employed by the District in a job category is below 80% of the projected representation for that group and job category; and

(2) Analysis of data regarding applicants, which may inform the District's analysis of underrepresentation of a Monitored Group.

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

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

In order to address these instances of underrepresentation, as defined above, the District will take the following steps:

(1) The District will request that the EEOAC, in conjunction with appropriate Human Resources staff, review the District's recruitment procedures and make recommendations on modifications that would address the underrepresentation.

(2) The District will review its advertising and recruitment budget for a three-year period and make recommendations if needed to ensure that recruitment is broad and inclusive.

(3) The District will require that the dean or responsible administrator for the division or department where the underrepresentation occurs develop, in conjunction with the EEO Officer, a recruitment and hiring program to assist in addressing the underrepresentation. The program should include additional locations or resources to advertise positions that would likely attract applicants from the underrepresented groups; whatever changes in staffing, curricular offerings, or department structure would assist in attracting applicants from underrepresented groups; additional training for current faculty and staff on the value of a diverse workforce; and recommended changes to the job announcement and screening criteria, including interview questions, which may reasonably be expected to attract applicants from the underrepresented group. The responsible administrator will be evaluated on the ability to develop and implement effective recruitment and hiring programs that promote equity, inclusion, and EEO.

(4) The District will actively monitor the representation rate of each group, which was identified as being significantly underrepresented in one or more categories. If underrepresentation persists for a particular group in the job category in question, after the measures described above have been in place for a period of at least three years, the District will:

a) 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 business necessity through a process meeting the requirements of law.

b) Infuse a commitment to diversity and equity into the hiring process.

c) Discontinue the use of any locally established qualification that is not found to satisfy the requirements set forth herein.

Other Measures Necessary to Further Equal Employment Opportunity

~~In order to fulfill its mission of ensuring equal employment opportunity and the creation of a diverse workforce, many approaches are necessary. Equal employment opportunity means all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the District. Equal employment opportunity should exist at all levels and in all job categories. Ensuring equal employment opportunity also involves creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas that welcomes men and women, persons with disabilities, and individuals from all ethnicities and other groups protected from discrimination.~~

~~To promote a more diverse campus environment, the District will sponsor cultural events with speakers on issues dealing with diversity, continue to explore how to infuse diversity into the classroom and curriculum, and promote the concept of cultural proficiency. The District will also promote learning opportunities and personal growth in the area of diversity and evaluate how the physical environment can be responsive to its diverse employee and student populations.~~

~~In implementing these strategies, the District may choose to:~~

- ~~1. Include guest speakers from underrepresented groups who are in leadership positions and who may inspire students and employees.~~
- ~~2. Highlight the District's equal employment opportunity policies in job announcements and in its recruitment, marketing, and other publications. Include in job announcements language indicating candidates demonstrate they can incorporate diversity into their major job duties.~~
- ~~3. Promote discussions involving multicultural awareness.~~
- ~~4. Work with the appropriate District departments to implement diversity and multiculturalism into their course outlines and services to students.~~
- ~~5. Review and revise the District's publications and other marketing tools to reflect diversity in pictures, graphics, and text to project an inclusive image.~~
- ~~6. Recognize and value faculty and staff who have promoted diversity and equal employment opportunity principles.~~
- ~~7. Provide EEO/diversity workshops during in-service days.~~
- ~~8. Establish an online presence by highlighting the District's diversity and equal employment opportunity, Americans with Disabilities Act (ADA), sexual harassment and nondiscrimination policies, procedures, and programs on the District's website. The website will also list contact~~

| persons for further information on these topics.

~~9. Acknowledge the value of multicultural celebrations on campus.~~

~~10. Have a formal EEO program on campus that is visible, valued, and supported.~~

~~11. Seek direct contact with student, professional, community, and other organizations that represent the diverse community we serve. These organizations can serve as resources for referring potential candidates for District employment.~~

PLAN COMPONENT 13:

Process for Developing and Implementing Strategies that Promote Diversity

References: CCR, Title 5, §§53003(c) (1-2) and 53024.1

The District is responsible for developing and implementing strategies designed to promote the diversity of its workforce at all levels and demonstrate the District’s institutional commitment to diversity.

The District recognizes that multiple approaches are appropriate to fulfill its mission of ensuring EEO and the creation of a diverse workforce. EEO should exist at all levels and in all job categories. Ensuring EEO also includes creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas and is welcoming to all. To that end, in addition to the steps to address underrepresentation or significant underrepresentation, the District will implement appropriate diversity and equity programs. Having a college community that accepts the principles of diversity and multiculturalism can make implementation and maintenance of an effective EEO program much easier. For that reason, institutionalizing diversity and equity programs that are well planned out, well-funded, and supported by the leadership of the District can be of great value.

Persons with Disabilities

~~Reasonable Accommodations: Applicants and current employees with disabilities shall receive reasonable accommodations consistent with the requirements of Government Code, sections 11135 et seq. and 12940(m); section 504 of the Rehabilitation Act of 1973; and the Americans with Disabilities Act (ADA). 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 aides such as readers, interpreters, and note takers. The Human Resources Department is responsible for handling requests from applicants and current employees seeking such accommodations. The Human Resources Department is responsible for handling requests for accommodations from current employees as well as from applicants seeking such accommodations during the application process. Requests can be made on the "Request for Reasonable Accommodation" form.~~

~~Procedures When Underrepresentation is Found: When persons with disabilities are found to be significantly underrepresented, measures required in this Plan will be implemented.~~

~~Analysis of workforce and applicant data: Since employees' disability status may change during their service, every three years the college will survey employees to collect updated information on disability status.~~

PLAN COMPONENT 14: Graduate Assumption Program of Loans for Education

The District will encourage community college students to seek employment as community college employees and inform students about programs that may assist them to complete their graduate studies. The District will post informational flyers on the campus concerning such programs and make information available in student newspapers, the course catalog, and in locations accessible to students, including but not limited to, Counseling, Financial Aid, Admissions and Records, the Bookstore, and the Student Center.