

Office of the General Counsel

# EEO and Diversity Best Practices Handbook



2016

CALIFORNIA COMMUNITY COLLEGES CHANCELLOR'S OFFICE  
Erik E. Skinner, Interim Chancellor

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1. FOREWORD (Erik E. Skinner, Interim Chancellor)

## 2 INTRODUCTION

The Board of Governors has established regulations within title 5 of the California Code of Regulations to address the process for both discrimination complaints and equal employment opportunity (inclusionary employment practices) in the community college system. Title 5, section 53024.1 acknowledges that “establishing and maintaining a richly diverse workforce is an on-going process that requires continued institutionalized effort.” The Equal Employment Opportunity (EEO) regulations are found in title 5, chapter 4, subchapter 1, and have several major requirements:

- EEO Plan reviewed at least every three years
- EEO and Diversity Advisory Committee to develop and implement EEO plan
- Training for selection committees and EEO advisory committees
- Collection of data, including a longitudinal analysis
- Framework for analysis of data
- Remedies

Under California Code of Regulations, title 5, section 53030, resources for promoting equal employment opportunities within the California community colleges system are placed in the EEO Fund. Historically, funds were allocated to the districts in an amount proportionate to the full-time equivalent students (FTES) of each district to the total FTES for all districts. The “Multiple Methods of measuring success” allocation option was implemented by the Chancellor’s Office for the first time in fiscal year 2016-2017. Th

This Handbook is a collection of helpful and informative “best practices.” The Chancellor’s Office is excited to share the innovation

### 3 HOW THE MULTIPLE METHODS WERE DEVELOPED

In early 2015, there were discussions regarding the potential addition of up to 1,100 new faculty positions in the coming year and the need to ensure that the new faculty hiring was conducted consistent with EEO requirements. The Chancellor's Office longstanding EEO and Diversity Advisory Committee and the Office of the General Counsel identified nine best-practice areas for success in promoting EEO. These nine areas serve as the "Multiple Methods" for allocating the EEO Fund and

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The discussion surrounding the Multiple Method funding allocation was brought forth three times to the Consultation Council. At the September 2015 meeting, the Office of the General Counsel introduced the development of the Multiple Methods to the Consulta



#### 4. **SELECTED MODELS FOR BEST PRACTICES**

The following are three examples in each Multiple Method that were selected by the Advisory Committee that best demonstrate the established criteria. Links to each district's full submission can be found on the Chancellor's Office EEO webpage at <http://extranet.cccco.edu/Divisions/Legal/EEO/MultipleMethods.aspx>.

I

## A. Pre-hiring

### i. Multiple Method 1

District submission of EEO Plan and establishment of an EEO Advisory Committee.

Title 5, section 53003(a) requires the governing board of each community college to develop a district-wide Equal Employment Opportunity Plan. Title 5, section 53005 also requires that each district establish an Equal Employment Opportunity Advisory Committee. Multiple Method 1 covers these two title 5 requirements.

In selecting the best practices for Multiple Method 1, the Advisory Committee focused on the districts that exhibited EEO Advisory Committees that had diverse membership, were established for a sustained period of time, and met regularly throughout the year.

#### a. Grossmont-Cuyamaca

The [GCCCD Equal Employment Opportunity Plan](#) was originally adopted by the governing board in September 2009 and was updated in August 2013 and June 2016.

GCCCD has established an Equal Employment Opportunity Advisory Committee to act as an advisory body to the EEO Officer and GCCCD as a whole to promote understanding and support of EEO policies and procedures. The Committee includes a diverse membership with representatives from each college within the district. TheersT

b. Los Angeles

All members of selection committee

Transfer and Outreach; one division dean/director; Director of Student Support Services; Director of Student Activities; three faculty members (two appointed by the California's Teacher's Association and one appointed by the Academic Senate); two classified members; and two students.

**ii. Multiple Method 2**

**Board Policies and Adopted Resolutions**

Multiple Method 2 requires that each district create and follow board policies and adopted resolutions. These policies may include:

- (1) The district board of trustees receives training in the elimination of bias in hiring and employment at least once every election cycle. Title 5, section 53024.1(g).
- (2) The district's mission statement conveys its commitment to diversity and inclusion, and recognition that a diverse and inclusive workforce promotes its educational goals and values. Title 5, section 53024.1(k).
- (3) The district maintains updated curricula, texts, and/or course descriptions to expand the global perspective of the particular course, readings, or discipline. Title 5, section 53024.1(n).
- (4) The district addresses issues of inclusion/exclusion in a transparent and collaborative fashion. Title 5, section 53024.1(o).

For best practices of Multiple Method 2, the Advisory Committee looked for the Board's active engagement with its policies, and policies that promote diversity and multi-cultural competency. In particular, training for board members is a specific best practice.

**a. Los Rios**

Los Rios Board Policies and Regulations on hiring committees require that a trained Equity Representative serve on each committee. Equity Representatives must receive



c. **San Joaquin-Delta**

The district's mission statement conveys its commitment to diversity and inclusion. The district recently updated its EEO/Diversity training and created an online training portal through Keenan Safe Colleges. All employees are required to take the training. In addition to the College Diversity Committee, there is a shared governance committee, and the Cultural Awareness Programs (CAPS) Committee, that also focuses on diversity and cultural awareness.

The

### iii. **Multiple Method 3**

#### **Incentives for Hard-to-Hire Areas/Disciplines**

Multiple Method 3 requires that districts provide incentives for hard-to-hire areas and disciplines. Under title 5, section 53024.1(q), the district should conduct a longitudinal analysis of various employment events by monitored group status, such as hiring, promotion, retention, voluntary resignation, termination, and discipline.

In selecting the best practices for Multiple Method 3, the Advisory Committee looked for districts that provided meaningful outcome data and unique ideas to address a challenging issue. Generally, the Advisory Committee looked to see if a district provided specific practices to address problems in hard-to-hire areas/disciplines, along with why certain areas or disciplines are considered hard-to-hire.

#### **a. Hartnell**

During the recruitment process, the district allows first-round interviews for faculty and administrator positions to be conducted via Skype, and offers a \$500 reimbursement for travel to final interviews. The district also offers a one-time relocation reimbursement of \$2,000 for successful candidates for full-time faculty positions coming from more than 50 miles away.

#### **b. Lake Tahoe**

The district is located within the Lake Tahoe basin which is considered a rural and hard to reach area. Because of this issue, the district gives every interviewing applicant the option of a face to face interview or interview via Skype. This option is also given

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d. **Others**

**Los Rios** - Los Rios has developed a detailed four-part framework by which to evaluate the qualifications of hard-to-hire and uniquely qualified faculty applicants using an [Equivalency Verification Form](#)

a.

The district advertises its vacancies through several diversity focused

v. **Multiple Method 5**

**Procedures for Addressing Diversity throughout Hiring Steps and Levels**

Multiple Method 5 requires that the district establish procedures for addressing diversity throughout h

**a. Hartnell**

Before screening committees review applications, Hartnell's recruitment specialist reviews the applications to determine whether there is a sufficiently qualified and diverse pool to proceed. At each step of the process, the recruitment specialist continues to monitor the results.

For faculty and administrative positions, each screening committee is asked to forward its unranked finalists to the superintendent/president for final review. The superintendent/president makes the final selection or may declare the search unsuccessful. Because the superintendent/president is the only college official who participates in all faculty and administrative hiring decisions, only he or she is in a position to be aware of and to affect the overall demographics of the newly hired workforce.

Hartnell recently implemented an online applicant tracking system, which will make it easier to examine whether there are any steps in the hiring process that appear to have a disparate impact on monitored groups.

**b. Long Beach**

Academic Hiring - In consultation with the Academic Senate, the Human Resources department developed a Student, Institutional, and Faculty Profile that speaks to diversity throughout the district.





and at set periods of time. Districts that offered refresher courses for participants in hiring committees were also considered as best practices for this method. Providing refresher courses allows members of hiring committees to gain more understanding on all forms of bias right before the start of a hiring process and makes participants more cognizant of any biases in reviewing applicants.

**a. Grossmont-Cuyamaca**

Grossmont-Cuyamaca has developed the [Hiring Innovative Recruits Effectively \(H.I.R.E.\)](#) training as a starter guide for diversified training and helps participants understand the principles and application of EEO.



Recently, the district has started to integrate interactive scenarios for participants to experience what bias looks like in the hiring process and problem solve through how to eliminate it in a controlled situation. The training also discusses the benefits of workforce diversity on students and student success. These trainings are offered once a month in person (as needed).

The district has recently developed an online platform to deliver this training virtually. This allows participants who have already been through the training to revisit the information as needed when sitting on a new committee as a refresher. It also gives other individuals the opportunity to process the information at a pace that works for them. The course is followed by an assessment in order to be certified for the training. A designated trainer follows-up with each participant of the online training to correct any questions answered incorrectly and clarify any parts of the training the participant needs. This online platform makes updating information easier



and allows employees to stay up to date on new laws/information, access the information when needed, and easily refresh every three years.

**b. Sierra**

The district provides a detailed four-hour EEO training that includes a specific section addressing bias (see [EEO training – slides 31-33](#)). The training covers basic assumptions or impressions, a description of unconscious bias, and a discussion period so the trainee can associate the concepts with personal experiences. In addition, at the first committee meeting, the EEO representative (who is required for each search) will provide an update of best practices to remind committee members to be aware of the hiring practices and to be conscious of personal bias.

**c. West Valley Mission**

The [Office of Research, Planning & Institutional Effectiveness](#) at Mission College conducted a survey during Fall 2015 of participants in search committees. Recommendations emphasized the importance of, and need for, more consistent search committee training. Among those who reported that they received training, 62 percent reported that training was very helpful and 88 percent reported that communication among search committee members was open and honest. The EEO/Diversity Advisory Council reviewed the survey and recommended expanded use of this survey district-wide in 2016-2017.

A new search committee training presentation was created in 2015-2016. The EEO/Diversity Advisory Council reviewed the new search committee training presentation, and the presentation has been piloted with three different search committees.

**d. Others**

**Ohlone** - Ohlone has adopted [recruitment guidelines](#) that outline and specify on-going training for hiring/screening committees.

## C. Post Hiring

### vii. Multiple Method 7

#### Professional Development Focused on Diversity

#### Multiple Method 7

Multiple Method 7 requires that the district provide professional development programs focused on diversity. This requirement includes:

- (1) The district maintains a variety of programs to support newly-hired employees such as mentoring, professional development, and leadership opportunities. Title 5, section 53024.1(e).
- (2) The district timely complies with the requirements of Government Code section 12950.1, and includes all forms of harassment and discrimination in the training. Section 53024.1(i).
- (3) District staff members serve as resources, consultants, mentors and/or leaders to colleagues at other districts in the areas of EEO and diversity enhancement. Section 53024.1(m).

The best practices for Multiple Method 7 include training and programs that specifically targeted professional development that addressed how staff, faculty, and administrators can learn about and develop skills to communicate with diverse student populations.

#### a. Long Beach

In partnership with [Student Equity](#) and [Faculty Professional Development](#), the spring flex day was entitled “Get on Board with Equity” and included the following breakout sessions: STEM Student Equity Projects; Veteran’s Equity, Equity Mindedness, Multicultural English Cohort, Umoja Scholars Program and Syllabi Observations: More Equity Inquiry with the Center for Urban Education at USC.

Long Beach also provides new employee orientation for classified employees that is

American River College (ARC) has developed "*Diversity in the Classroom: A Reaching and Learning Institute*" designed to offer faculty an opportunity to deepen teaching faculty's practices of diversity literacy and equity in the classroom and has established a [Community and Diversity Center](#) for the purpose of fostering cross-cultural understanding, awareness, and responsiveness

The Los Rios Management Association (LRMA) presents training at least each semester for managers and often invites classified supervisors and faculty/classified leadership. Each college has a standing committee focused on issues surrounding equity and diversity as well as its own student equity plan, which involves faculty engagement in a variety of different projects intended to raise awareness about diversity and inclusion, and designed to mitigate disproportionate impacts on diverse populations.

c. **Santa Clarita**

Santa Clarita organized 66 different professional development programs throughout the year that focused on diversity. Some of these programs included:

- *Benefits of Diversity in Higher Education Online Training*
- *Kognito "At Risk" Online Training – Stressed Students*
- *Kognito "At Risk" Online Training – Veterans on Campus*
- *Kognito Online Training – LGBTQ on Campus for faculty & staff*
- *Sociology Lecture Series: The Changing of American Culture*
- *Liebert Cassidy Whitmore (LCW): Creating a Culture of Respect*
- *Language Film Series: Portuguese Film: The Way He Looks*
- *Strengthening Social Awareness Through Civic Engagement*
- *ADA 101: What Every Deaf Student, Employer, and Interpreter Should Know*
- *LGBTQ Safe Zone Training*
- *Assisting Students with Disabilities in the Classroom...Do's and Don'ts*
- *Classified Development Day: Cultural Do's and Don'ts*
- *Deaf Professionals Panel*
- *Teaching in a Multigenerational Classroom*

Santa Clarita sent their Faculty Academic Senate President and all applicable HR staff to the regional EEO training workshops sponsored by the state Chancellor’s Office so they could be up to date on the latest developments in training as it relates to EEO.

**d. Others**

**Grossmont-Cuyamaca** – Grossmont-Cuyamaca’s [Diversity, Equity, and Inclusion Council](#) holds a biannual full-day summit that is open to all students, faculty, and staff district wide.

**State Center** – State Center’s Human Resources department developed “*Sensitivity and Inclusion*”, a training program for employees that promotes the value of diversity and awareness of culturally sensitive behaviors.

**San Bernardino** – San Bernardino has developed a [LEADers Training Matrix](#) to track professional development.

**viii. Multiple Method 8**

**Diversity Incorporated into Criteria for Employee Evaluation and Tenure Review**

Multiple Method 8 requires:

Diversity in employee evaluation and tenure review

Multiple Method 8 requires that diversity is incorporated into criteria for employee evaluation and tenure review.

- (1) The district conducts exit interviews with employees who voluntary leave the district, maintains a database of exit interviews, analyzes the data for patterns impacting particular monitored groups, and implements concrete measures that utilize this information. Title 5, section 53024.1(b)
- (2) The district conducts a longitudinal analysis of various employment events by monitored group status such as hiring, promotion, retention, voluntary resignation, termination, and discipline. Title 5, section 53024.1(q)

For Multiple Method 8, the Advisory Committee looked for districts that provide specific criteria to measure diversity and included clear benchmarks

demonstrating sensitivity to diversity in employee evaluation and tenure review.

**a. Los Rios**

Los Rios faculty performance evaluation documents includes specific criteria by which faculty measure diversity, including “Adjusts methodologies for students/clientele with special needs and/or different learning styles,” “Provides evidence that the dignity of the individual is respected,” and

Counseling and Library faculty are evaluated on the following criteria:

- Demonstrates sensitivity in working with students of diverse racial and ethnic backgrounds, sexual orientation, skill levels and physical and mental disabilities.

c. **Southwestern**

Demonstrating commitment to diversity does not end with the hiring process. Through its evaluation process, the district requires faculty to demonstrate a continued commitment to diversity.

Diversity criteria in the tenure review process include:

Respect for students' rights and needs and demonstration of sensitivity to, and understanding of, the diverse academic, social, economic, cultural, disability, and ethnic backgrounds of community college students:

- 1.

**d. Others**

**Hartnell** - Hartnell's evaluation procedures are contained in articles 13, 14, and 21 of the [Collective Bargaining Agreement and Working Conditions](#).

**MiraCosta** - See MiraCosta's [Tenure Candidate Handbook](#), pages 9-14.

**Palomar** - Visit the district's [Tenure and Evaluations](#) Review Board website.

**ix. Multiple Method 9**

**Grow-Your-Own Programs**

Multiple Method 9 looks for districts that establish and maintain Grow-Your-Own programs for employees. Under title 5,





- New Full-Time Faculty Mentor Program
- Mentor Program for Noncredit Faculty
- Adjunct Faculty Mentor Program
- New Administrator Mentor Program

[Management Academy](#) is designed to help participants develop critical skills, including working with others, helping a team be productive, resolving conflicts, giving feedback, correcting performance problems, and coaching.

#### [Skilled Teacher Certificate](#)

College of the Canyons' Skilled Teacher Certificate program is a professional development opportunity for faculty to become familiar with current research on teaching and learning, learn new approaches and techniques to enhance student success, and practice these approaches and techniques in a learning community of fellow teachers.

#### d. Others

**Coast** - The Leadership Pipeline is a program that is open annually to all employees interested in gaining leadership skills. [Work, Learn, Play](#) is an informative and interactive hiring workshop focusing on the full-time faculty recruitment process, academic environment, and dynamic community.

**Yosemite** - Yosemite developed [Interim Recruitment Guidelines](#) regarding interim assignments to classified staff and managers to serve in promotional and growth positions. The district also established an [Out-of-Class](#) process to allow classified employees the opportunity to work in different areas of the district.

## 5. CONCLUSION

Education Code section 87100 and title 5 require the community colleges to have a richly diverse workforce that addresses the needs of our diverse student population. Attaining a diverse workforce requires focusing on equal employment opportunities to eliminate barriers in employment, such as lack of focused outreach, a non-welcoming culture, and implicit and explicit bias. Eliminating these barriers requires a proactive, intentional effort by colleges. It also requires various institutional disciplines, such as review of job descriptions to avoid exclusionary effect, analysis of significant underrepresentation and adverse impact to ensure recruitment efforts and hiring processes are not unintentionally discriminatory, and effective training of committee members to self-regulate unconscious bias.

The Advisory Committee will evaluate these Multiple Methods and refine as necessary prior to the next due date of June 1, 2017.

The Chancellor's Office and the Advisory Committee hope that our colleges find this Handbook to be a useful tool as we develop more robust and effective EEO programs at the local level. Please reach out to the other districts and the Chancellor's Office with questions and ideas, and visit the [EEO web page](#) of the Office of the General Counsel for additional resources. Together, we will create a better learning environment for our students through diversity.

## APPENDIX

### History and Legal Authority for EEO



#### Legal Authority

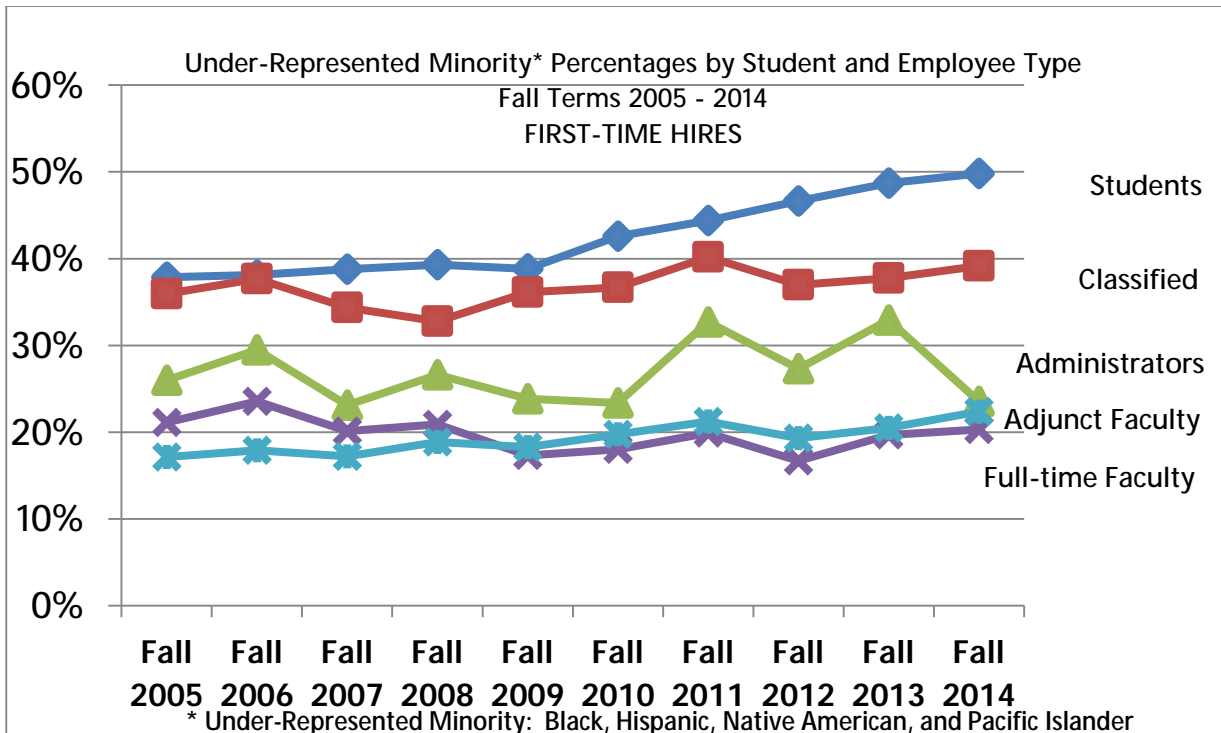
Statutory authority for Equal Employment Opportunity can be found in California Education Code sections 87100

ii. EE

53024.1: Developing and Maintaining Institutional Commitment to Diversity

53024.1(g): The district's board of trustees receives training on the elimination of bias





Studies show the gains in institutional effectiveness with a diverse workforce. A recent study of a California community college showed the achievement gap closing by 20-50 percent when taught by minority instructors. Moreover, the study concluded: "...We also find that these interactions affect longer term outcomes such as subsequent course selection, retention, and degree completion." (Farlie, R.W. Hoffman, F., Oreopoulos, P. (2014). [A Community College Instructor Like Me: Race and Ethnicity Interactions in the Classroom](#). American Economic Review, 104(8): 2567-2591.)

### 3. The Elimination of Bias in Hiring Decisions

Title 5, section 53003(c)(4) states that a district must identify in its EEO Plan "a process for ensuring that district employees who participate on screening or selection committees receive training, prior to their participation."

Research suggests that employers are vulnerable to unconscious stereotypes when making decisions regarding hiring and promotion. These stereotypes may then operate largely independent of the intent of an individual. Yet, whether an action is



intentional or unintentional, unconscious bias acts as a barrier for job applicants who are underrepresented minorities.

#### **4. Best Practices in Serving on a Selection or Screening Committee**

Each district should be mindful of the requirement that training committees be updated on best practices. It can be useful to learn from the experiences of other districts and open a dialogue with districts that have implemented innovative and successful EEO programs.

Each district should regularly update its best practices in serving on a hiring committee and identify practical tools that may be used by hiring panels. Moreover, title 5, section 53024.1(m) requires that “[d]istrict staff members serve as resources, consultants, mentors and/or leaders to colleagues at other districts in the area of EEO and diversity enhancement.”

**C. See Chancellor’s Office December 2015 Memo and EEO web page.**

#### **D. Statewide EEO and Diversity Advisory Committee**

Purpose Statement:

