

OFFICE OF HUMAN RESOURCES



STAFF DIVERSITY BRIEF

Faculty Evaluations

September 2007

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INTRODUCTION

The Long Beach Community College District is committed to ensuring that all employment decisions are based on the principles of equal employment opportunity. Using explicate job-related qualifications, those decisions must be determined without discrimination based on race, religion, color, age, sex, sexual orientation, national origin, ancestry, marital status, medical condition, disability or status as a Vietnam Era Veteran.

In addition, qualified individuals who participate in any hiring and/or promotion process must be assured of this District's commitment to creating an environment of fair and equitable opportunities.

LBCCD's goal is to protect the rights of individuals in all aspects of the employment spectrum: recruitment, selection, hiring, tenure, benefits, salary, retirement and all other conditions of employment. Here at LBCCD, each and every employee can expect fair and equitable treatment.

In order to implement effective Equal Employment Programs, a commitment to understanding, support and cooperation is needed from all the LBCCD staff. Our program's success is dependent on the staff's personnel decisions supporting, understanding and abiding by all fair employment regulations.

Whatever your role may be here at the Long Beach Community College District, be it: faculty member, Hiring Screening Committee member, Tenure Review Committee member, or evaluatee, you have an inherent responsibility to promote tolerance, acceptance and fair treatment not only to staff but also to our diverse student population.

GUIDELINES FOR SUPPORTING EQUAL EMPLOYMENT PROGRAMS

- ✓ LBCC has an obligation to promote cultural, racial, and human understanding within the communities it serves as well as within its spheres of influence.
- ✓ It is educationally sound for all students attending LBCC to have available positive images provided by individuals from diverse backgrounds, and to observe that such individuals can assume responsible and diverse roles in society.
- ✓ The richness which cultural and racial diversity brings to our national heritage and the exercise of democratic principles can best be taught in the presence of staffs of mixed races and ethnic groups as well as both sexes working toward mutually established goals.
- ✓ LBCC has a legal, moral and social obligation to support equal employment opportunity policies and programs, leading to successful recruitment, employment and promotion of people from all backgrounds.
- ✓ Policies which call for efforts to promote action in the recruitment, employment, and promotion of persons, regardless of race, color, religion, national origin, sex, age, handicap, or marital status, should be more than proclamations of nondiscrimination in employment practice but should be affirmative and result-oriented.
- ✓ The intent of these guidelines is to seek to improve and strengthen the total personnel program of LBCC by providing opportunities for equitable consideration of ALL candidates for employment and promotion.

WHAT YOU CAN DO

When you become involved in a situation related to personnel and/or student decisions, or perhaps in a situation assessing personnel and/or student requirements, ask yourself the following questions. These questions may assist you in resolving those issues in a positive and fair manner.

1. Is your decisions and/or requirements objective?
2. Are your decisions and/or requirements applied in a uniform manner to everyone?
3. Are your decisions and/or requirements consistent in producing positive outcomes?
4. Are your decisions and/or requirements based on job related (for employees) or school related (for students) criteria?

In order to provide a better understanding of the Long Beach Community College District and its policies, as well as the law regarding Affirmative Action, the following information is enclosed for your review:

- ✓ Policy/Regulations on Evaluation of Faculty (#3006)
- ✓ Board Policy/Regulations on Affirmative Action (#3001)
- ✓ California Community College Commitment to Diversity
- ✓ WASC/ACCJC Policy/Statement on Diversity

If, after reviewing this document, you have any questions or would like further information, please feel free to contact Human Resources at extension 4377.

“Each person’s map of the world is as unique as the person’s thumbprint. There are no two people alike. No two people who understand the same way...So in dealing with people, you try not to fit them to your concept of what they should be.”

Milton Erickson

POLICY ON EVALUATION OF FACULTY

Reference: California Education Code Section 87660 et seq.

It is the policy of the Long Beach Community College District to evaluate academic personnel for the benefit of the student, the instructor, and the District. The evaluation is designed to strengthen learning and promote teaching excellence. The evaluation regulations shall be negotiated with the appropriate employee organizations and shall provide standards and procedures developed in accordance with the legal requirements of Section 87660 et seq. of the Education Code and the principles of due process of law.

Adopted: October 18, 1976
Revised: December 14, 1993



Reference: Age Discrimination in Employment Act 1967
Title VI of the Civil Rights Act of 1964
Title VII of the Civil Rights Act of 1964
Title IX, Education Amendments Act of 1972
Section 503 and 504 of the Rehabilitation Act of 1973
Assembly Bill 803, Chapter 972, Statutes 1977, Government Code Sections 11135-11139.5
Americans with Disabilities Act of 1990
Title 5, Sections 53000-53052
Assembly Bill 2601, Employment Discrimination: Sexual Orientation
Veteran's Reemployment Rights Act, 38 U.S.C §4301 (1992)

The Long Beach Community College District is committed to conducting its personnel practices in a manner that ensures nondiscrimination in employment, promotion, transfer, and assignment for all persons, regardless of race, religious creed, color, national origin, ancestry, gender, sexual orientation, age (over 40), disability, marital status, medical condition or disability (including AIDS), or obligations to the National Guard or Reserve forces of the United States.

In carrying out this commitment, the District recognizes that efforts of affirmative action and equal employment opportunity, leading to successful recruitment, employment, and promotion of historically underrepresented groups, shall be increased to reflect proportionate representation of the qualified workforce. The intent, however, of this policy is to improve and strengthen the total District human resources program by providing opportunities for equitable consideration of all candidates for recruitment, employment and promotion.

The Superintendent-President of the college is responsible for the overall administration and control of the Affirmative Action Policy and shall report to the Board, on an annual basis, the results achieved.

Adopted: December 5, 1977
Revised: March 15, 1995

3001.

ADMINISTRATIVE REGULATIONS
FOR AFFIRMATIVE ACTION

3001.1 Responsibility

The Director of Staff Diversity/Staff Development shall be responsible for the implementation of the Affirmative Action Policy.

3001.2 Accountability

The Long Beach Community College District believes that in order to effectively address and comply with federal and state guidelines on affirmative action, the Board of Trustees, the classified Personnel Commission, the administration, the Community College Association, the California School Employees Association, the Academic Senate, and selection committee members must recognize that affirmative action is a shared responsibility and must be held accountable for application and enforcement of the policy within their area of authority.

3001.3 Definitions

- A. Affirmative Action Employment Programs. "Affirmative action employment programs" means all the various methods by which equal employment opportunity and proportionate representation is to be achieved for the qualified members of historically underrepresented groups.
- B. Faculty and Staff Diversity Plan. A "faculty and staff diversity plan" is a written document in which a district's work force is analyzed and specific result-oriented plans and procedures for achieving equal employment opportunity and proportionate representation of qualified members of historically underrepresented groups are set forth.
- C. Business Necessity. "Business necessity" means circumstances which justify an exception to the requirements of Section 53021 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 does mere business convenience. Business necessity does not exist where there is an alternative that will serve business needs equally well.
- D. Equal Employment Opportunity. "Equal employment opportunity" means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the district.

- E. Ethnic Minorities. "Ethnic minorities" means American Indians or Alaskan natives, Asians or Pacific Islanders, Blacks, and Hispanics. A person shall be included in the group with which he or she identifies as his or her group, but may be counted in only one ethnic group. These groups shall be more specifically defined by the Chancellor consistent with state and federal law.
- F. Goals and Timetables. "Goals and timetables" means projected new levels of employment of historically underrepresented groups to be worked toward on a specific schedule, given the expected turnover in the work force and the availability of persons who are qualified to perform a particular job through appropriate training or experience or who will become so qualified within a reasonable length of time. Goals are not "quotas" or rigid proportions.
- G. Persons with a Disability. "Person with a disability" means any person who (1) has a physical or mental impairment which substantially 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 "substantially limited" if he or she is likely to experience difficulty in securing, retaining or advancing in employment because of such an impairment. A person with a disability is qualified if he or she is able to perform the job with a reasonable accommodation.
- H. Historically Underrepresented Group. "Historically underrepresented group" means any group for which the percentage of persons from that group in the applicable work force is now, and has historically been, significantly lower than the percentage that members of that group represent in the pool of persons who are determined by the Chancellor to be available and qualified to perform the work in question. The Board of Governors has determined that, on a statewide basis, ethnic minorities, women, and persons with disabilities are historically underrepresented groups.
- I. Reasonable Accommodation. "Reasonable accommodation" means the efforts made on the part of the employer to remove artificial or real barriers which prevent or limit the employment and upward mobility of qualified persons with disabilities.
- J. Proportionate Representation. "Proportionate representation" means that the percentage of persons from a historically underrepresented group in the applicable work force is at least equal to the percentage that members of that group represent in the pool of persons who are determined by the Chancellor to be available and qualified to perform the work in question.
- K. In-house or Promotional Only Hiring. "In-house" or "promotional only" hiring means that only existing district employees are allowed to apply for a position.
- L. Screening or Selection Procedure. "Screening or selection procedure" means any measure, combination of measures, or procedure used as a basis for any

employment decision. Selection procedures include the full range of assessment techniques, including but not limited to, traditional paper and pencil tests, performance tests, and physical, educational, and work experience requirements, interviews, and review of application forms.

- M. Adverse or Disparate Impact. "Adverse impact" or "disparate impact" means that a statistical measure (such as those outlined in the Equal Employment Opportunity Commission's "Uniform Guidelines on Employee Selection Procedures") is applied to the effects of a selection procedure, and demonstrates a disproportionate negative impact on a historically underrepresented group as defined in subsection H.

NOTE: Authority cited: Sections 66700, 70901 and 87105, Education Code. Reference: Sections 87101, Education Code; Section 11092, Government Code; 29 C.F.R. 1602.48 (1981); 29 U.S.C. 793; 41 C.F.R. 60-741-2 (1980).

3001.4 Responsibilities and Duties of the Director of Staff Diversity/Staff Development

- A. Developing and recommending modifications to policies and procedures needed to ensure implementation of the Affirmative Action Policy.
- B. Developing for adoption a District faculty and staff diversity plan which meets the requirements of Title 5, Section 53003.
- C. Developing and implementing plans that will produce the earliest possible results toward attaining affirmative action progress to meet the District's Goals and Timetables.
- D. Assisting staff at all levels in arriving at solutions to affirmative action/equal opportunity problems.
- E. Assisting staff at all levels in identifying affirmative action problem areas and recommending means for resolving them.
- F. Designing and implementing an audit and reporting system that will enable the Director of Staff Diversity/Staff Development to monitor all records of all actions affecting employment and determine the degree to which the District's Affirmative Action Policies and Goals and Timetables are attained.
- G. Serving as liaison between the District and various regulatory agencies.
- H. Assuring that the District is in compliance with federal and state guidelines affecting affirmative action.
- I. Making periodic reports to the Chancellor's Office, state and federal compliance agencies as necessary.

- J. Providing annual written notice to appropriate community organizations concerning the District's Faculty and Staff Diversity Plan and the need for assistance from the community in identifying qualified members of historically underrepresented groups for job openings with the District.
- K. Serving as liaison to minority organizations, community action groups, disabled and women's organizations concerned with employment opportunities and affirmative action.
- L. Working with the Director of Human Resources, and classified Personnel Commission to develop, implement and audit methods of effective recruitment, screening and interviewing, review of job descriptions, selection, training, retraining, transfer and promotion practices, job related testing procedures to ensure that all qualified applicants are allowed to test to comply with affirmative action-equal employment laws, as stipulated in Title 5, Section 53021 and 53024.
- M. Monitoring recruitment and selection processes (job description, recruitment, examinations, interviews, transfers, promotion practices, etc.) eliminating any artificial barrier and non-job related selection procedures.
- N. Conducting regular, not less than annually, discussions with administrators, supervisors, and employees to ascertain that the District Affirmative Action Program is being followed.
- O. Serving on and facilitating the Faculty and Staff Diversity Advisory Committee in implementing the goals and objectives of the Affirmative Action Program.

3001.5 Faculty and Staff Diversity Advisory Committee

- A. The District Faculty and Staff Diversity Plan shall include a Faculty and Staff Diversity Advisory Committee which assists the District to achieve understanding and support of affirmative action/equal employment opportunity policies and programs.
- B. The Faculty and Staff Diversity Advisory Committee shall meet regularly to review affirmative action goals, policies and progress and to make suggestions to the administration through the Director of Staff Diversity/Staff Development to effectuate a more meaningful Staff Diversity Program.
- C. The Advisory Committee shall include two representatives from each of the following groups: CCA, CSEA, Academic Senate, Classified Managers, CHI, Associated Student Body, Administrators, Confidential Employees, representatives at large who represent the disabled, and representatives from individual community organizations whose memberships represent underrepresented groups. This Advisory Committee shall include members of

all historically underrepresented groups whenever possible (Title 5, Section 53005).

- D. The functions of the committee shall include the following: assist in monitoring the District's Faculty and Staff Diversity Program, assist in updating the Faculty and Staff Diversity Plan, consult on goals and timetables, assist in recruitment, serve on academic administrative screening committees as non-voting members if the Director of Staff Diversity/Staff Development is not able to serve, represent the Faculty and Staff Diversity Program to the college staff and community and monitor the success of the program. The committee will also be kept abreast of changes or developments regarding information or regulations affecting affirmative action.

3001.6 Dissemination of Affirmative Action Information

In order to ensure full internal and external communication of the District's policy and regulations, the Director of Staff Diversity/Staff Development shall take the following steps:

- A. The policy and regulations shall be distributed annually to current employees and shall be included in the orientation packets given new employees.
- B. The policy and regulations shall be circulated to all appropriate offices and campuses.
- C. The policy and regulations shall be emphasized in District bulletins and all of the types of media used for the dissemination of information.
- D. Appropriate meetings for administrative and supervisory personnel shall be conducted to explain the responsibilities for effective implementation and to make clear the commitments of the Superintendent-President and Board.
- E. The statement, "An Affirmative Action-Equal Opportunity Employer," shall be placed on all recruitment materials and all employment advertisements and bulletins.
- F. Teacher placement offices, recruitment agencies, minority organizations, community agencies, community leaders, and other interested persons shall be notified of the District's Affirmative Action Program on an annual basis.
- G. District publications shall reflect the affirmative action philosophy.
- H. At least once yearly, a written report shall be prepared and presented to the Board of Trustees at a regularly scheduled meeting.

3001.7 Personnel Analysis

The Director of Staff Diversity/Staff Development shall conduct a thorough analysis of presently employed and employable personnel in the college and the community. This shall include the following steps:

- A. Conduct a workforce analysis to determine statistically the racial, ethnic and sex composition of existing staff by the following seven job categories:
 - 1. Executive/Administrative/Managerial
 - 2. Faculty and Other Instructional Support Services
 - 3. Classified Professional
 - 4. Secretarial/Clerical
 - 5. Technical and Paraprofessional
 - 6. Skilled Crafts
 - 7. Services and Maintenance

- B. Conduct a Utilization Analysis that includes a determination of whether ethnic minorities and women are being underrepresented or underutilized in any job category.

Use the Utilization Analysis to identify imbalances in the various job categories of the District work force. District practices and policies shall be examined to determine the factors contributing to the imbalance. Employment practices within the personnel system which constitute barriers to equal opportunity shall be identified and corrective action taken by all responsible parties to eliminate the barriers.

- C. Survey the labor market to assess the availability for employment of minorities and women who are qualified and available for work in the District. Information shall be gathered (with the assistance of college and university placement services and other appropriate agencies) concerning women and minority applicants.

- D. Establish Goals and Timetables to correct any identifiable imbalances in minorities and women in all employment levels within the District. As changes are noted, revise Goals and Timetables.

3001.8 Employment Procedures

- A. The Long Beach Community College District shall undertake a verifiable Affirmative Action recruitment program for historically underrepresented groups in all job categories which reflect under representation (see Section 3001.3[J]), including categorically funded positions.

- B. Job announcements shall state clearly job specifications setting forth only those required skills necessary to job performances in the required training and experiences related to those skills. The Director of Staff Diversity/Staff

Development (or designee) shall be involved in the development and approval of the job announcement and ensure that testing and interview questions are job related.

- C. For purposes of monitoring employment practices from underrepresented groups, all applicants shall be given an opportunity to identify themselves as being a member of an underrepresented group.
- D. In screening applicants, the personnel procedures shall be reviewed by the Director of Staff Diversity/Staff Development to ensure that every artificial and invalid barrier to employment is eliminated. In addition, appropriate personnel shall be involved in minority recruitment efforts.
- E. Promotions or "upward mobility programs" shall be monitored to ensure that goals of the Faculty and Staff Diversity Program are a factor in both equal employment opportunities, and in increasing the number of historically underrepresented groups.
- F. Hiring and promotional opportunities for faculty and administrators shall be publicized in sufficient time to allow for recruitment inside and/or outside the District.
- G. The District shall disseminate notices of faculty, administrative and classified vacancies to educational institutions, placement offices, and other agencies serving historically underrepresented groups.
- H. The District shall publicize classified open hiring and promotional opportunities a minimum of 15 working days.
- I. The District shall publicize classified transfer notices a minimum of 10 working days.
- J. Staff Development shall be provided to ensure that opportunities for personal and professional growth are provided. In doing so, the District shall make training and educational opportunities available to all qualified employees.
- K. The Director of Human Resources shall conduct periodic reviews in updating of promotional eligibility lists, maintain these lists, and make them available for inspection to the Director of Staff Diversity/Staff Development.
- L. In assignments and transfers, consideration shall be given to the development of a staff that is well balanced in terms of race/ethnicity, sex, and disability background.

3001.9 Summary

Goals do not represent any quotas or fixed number or percentages of minority employees, but will provide the District with specific guidelines to follow until a fully integrated staff is a reality. Compliance with this Affirmative Action Program will be measured by positive action and by the rate of progress towards the District's objectives and goals. Lack of progress by any segment of the college will result in review by the Superintendent-President of the college.

THE CALIFORNIA COMMUNITY COLLEGE COMMITMENT TO DIVERSITY

As the largest public post secondary education system in the world, California Community Colleges serve as a model of equity and access for the nation and the world and exemplifies a commitment to diversity that is more essential than ever in this age of global inter-dependency. Since their inception, the colleges have been leaders in developing and promulgating policies, programs and services which acknowledge the differing needs of economically and culturally diverse students.

The California Community Colleges are committed to preserving and enhancing the diversity of students, faculty, and staff as a necessary component in maintaining the excellence of our campuses. In furtherance of this commitment, the community colleges pledge to achieve the following goals and objectives.

1. Create and maintain an environment that fosters success for every community college student
 - A. Keep community colleges affordable and accessible through maintaining low fees and by seeking state funding that reduces the gap between California's funding per community college student and the national average.
 - B. Place a high priority on diversity and equity as necessary components of quality community college programs and projects.
 - C. Increase access by expanding outreach to high schools, industry, and the community.
 - D. Expand programs proven to increase the success of students, such as Middle College, Extended Opportunity Programs and Services (EOPS), Disabled Student Programs and Services (DSPS), Cooperative Agencies Resource for Education (CARE), Puente Project, and the Mathematics, Engineering and Science Achievement Program (MESA).
 - E. Expand the inclusion of multiculturalism within the curriculum and remove barriers to student success.
 - F. Strengthen educational partnerships through service learning projects with K-12, enhanced learning and transfer centers, and increased articulation with all segments.
2. Create, expand, and maintain programs that increase opportunities to hire and promote more diverse staff and faculty
 - A. Develop a statewide internship initiative with inter segmental partners which utilizes our student population to generate future faculty and staff.
 - B. Obtain supplemental funding that results in the hiring of additional full-time diverse faculty.

3. Implement a public awareness campaign emphasizing the value of diversity and the ways in which community colleges serve California's growing demographic diversity
 - A. Ensure a high profile for diversity issues within the overall community college marketing campaign.
 - B. Publicly Recognize colleges that meet the needs of the diverse communities they serve.
4. Obtain additional resources for increasing faculty and staff diversity and student success through funding programs and initiatives that are part of this commitment and the implementation plan

The Board of Governors of the California Community Colleges calls on the local colleges and the communities they serve to help fulfill the California Community College Commitment and directs the Chancellor to develop an action plan to implement its provisions. Faculty, staff, students, alumni, elected officials and other interested parties must work together in order to fulfill this commitment. Only by a concerted effort to achieve the goals of this commitment will all citizens be able to avail themselves fully of the educational and training opportunities offered by the California Community Colleges and thereby are empowered to contribute to the continued economic and social viability of California.

ACCREDITING COMMISSION FOR COMMUNITY AND JUNIOR COLLEGES (ACCJC)

POLICY STATEMENT ON DIVERSITY

How an institution deals with diversity is an important indicator of its integrity and effectiveness. Institutions accredited by the Commission consider diversity issues in a thorough and professional manner. Every institution affiliated with the Commission is expected to provide and sustain an environment in which all persons in the college community can interact on a basis of accepting differences, respecting each individual and valuing diversity. Each institution is responsible for assessing the quality and diversity of its campus environment and for demonstrating how diversity is served by the goals and mission of the college and district. In addition, institutions must identify the processes that actively promote diversity in the everyday environment and the academic programs of the college. Accreditation teams will evaluate the condition of institutional diversity during the site visits and include findings and recommendations in written reports to the Accrediting Commission.

The Commission "Statement on Diversity" is designed to guide institutions and evaluation teams in the self study and site visit process and to indicate how institution-wide reviews of issues of diversity should be documented in the self study and visiting team reports. The Accrediting Commission, taking into account the mission of the institution and the entirety of the self study and peer review processes, will evaluate the institution's effectiveness in addressing issues of diversity.

(Adopted January, 1994)

**WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES
ACCREDITING COMMISSION FOR COMMUNITY AND JUNIOR
COLLEGES**

STATEMENT ON DIVERSITY

PREAMBLE

Diversity itself is an increasingly comprehensive term, encompassing the diversity of institutions with their unique mission statements; the diversity of ethnic and gender backgrounds of faculty, administration, staff and student bodies; and the diversity of cultures in the larger communities. This broad conception includes the social climate on campus as well as the intellectual climate. It extends to the curriculum, and includes awareness and understanding of diverse cultural values.

Within the individual institution, diversity can be incorporated into support structures and processes designed to ensure the inclusion of all members of the educational community. Attention to diversity is expressed by the institution's recognition that its programs and services must provide equal opportunity for all in order for the institution to effectively achieve its missions and goals. The diverse campus is one whose student body, faculty and staff are reflective of the broader community. It provides comprehensive curriculum that reflects the heterogeneous culture of that community. The institution also strives to remove all barriers to equal access to its programs and services by assessing the effectiveness of its programs and services in promoting the participation, retention, progress and success of all its students.

Additionally, the Commission is concerned that the concepts of diversity and affirmative action are often used interchangeably, leading to narrow, and often overly legalistic interpretations. Previous Commission statements speak of achieving and serving diversity. The Commission believes that diversity is an institutional condition, composed of many elements found throughout the institution in the programs and services, the curriculum, the physical setting, and the staff. Affirmative action, as used in the standards and policies of the Commission, refers to some of the plans, policies and implementation strategies utilized by institutions to achieve diversity. Thus, affirmative action is a program, one of many means to reach and support the desired goals.

The Commission serves a diverse group of institutions: private and public, large and small, comprehensive and specialized. Within the mission statements of all these colleges a common interest is explicit: preparing students for lives of effective participation in the civic culture of their communities as well as the rapidly changing world of work. The Commission believes that this commonality of mission is the foundation of its standards on diversity. Member institutions believe that institutions of higher education are places in which those who teach, work and learn are bound in a common enterprise which creates, protects, and promotes an active concern for the dignity and success of every individual. The Commission expects this active concern to be demonstrably evident in the life and climate of the institution.