



**Equal Employment
Opportunity Plan
2016 - 2019**



Long Beach Community College District

Equal Employment Opportunity Plan

2016 - 2019

Adopted by the Board of Trustees

on

May 24, 2016

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INTRODUCTION



The Long Beach Community College District Equal Employment Opportunity Plan was adopted by the Board of Trustees on May 24, 2016. The plan reflects the District's commitment to equal employment opportunity and creation of a working and academic environment that is welcoming to all. Through an educational experience in an inclusive environment, our students will be better prepared to work and live in our present global society.

The Equal Employment Opportunity Plan contains procedures for the hiring of academic and classified staff; the requirements for a complaint process for noncompliance with the Title 5 provisions relating to equal employment opportunity programs; complaint procedures relating to unlawful discrimination; establishment of an Equal Employment Opportunity Advisory Committee; methods to support equal employment opportunity and an environment that is welcoming to all; and procedures for dissemination of the Equal Employment Opportunity Plan.

To properly serve a growing diverse population, the District endeavors to hire, promote, and retain faculty and staff who are sensitive to, and knowledgeable of, the needs of a continually changing student body it services.

A handwritten signature in black ink that reads "Reagan Romali".

Reagan F. Romali, Ph.D
Superintendent- President
Long Beach Community College District

PLAN COMPONENT 1: LEGAL AUTHORITY

California Community Colleges are mandated by the California Code of Regulations Title 5, Section 53003(a); and the California Education Code, Section 87100 to develop and implement an Equal Employment Opportunity (EEO) Plan.

California Code of Regulations Title 5, Section 53003(A) – District Plan

- A. The governing board of each community college district shall develop and adopt a district-wide written equal employment opportunity plan to implement its equal employment opportunity program. Such plans shall be submitted to the Chancellor’s Office. The Chancellor’s Office retains the authority to review district plans on a case-by-case basis.
- B. Each district shall review its EEO Plan at least once every three years and revise as determined necessary. Any revised EEO Plan shall be submitted to the Chancellor’s Office, which retains the authority to review such revisions on a case-by-case basis.
- C. In particular, the plan shall include all of the following:
 1. The designation of the district employee or employees who have been delegated responsibility and authority for implementing the plan and assuring compliance with the requirements of this subchapter pursuant to Section 53020;
 2. The procedure for filing complaints pursuant to Section 53026 and the person with whom such complaints are to be filed;
 3. A process for notifying all district employees of the provisions of the plan and the policy statement required under Section 53002;
 4. A process for ensuring that district employees who participate on screening or selection committees receive training, prior to their participation. Training shall include, but need not be limited to:
 - a) The requirements of this subchapter and of state and federal nondiscrimination laws;
 - b) The educational benefits of workforce diversity;
 - c) The elimination of bias in hiring decisions; and
 - d) Best practices in serving on a selection or screening committee;
 5. A process for providing annual written notice to appropriate community-based and professional organizations concerning the district’s plan and the need for assistance from the community and such organizations in identifying qualified applicants. “Written” notice may include mailings and electronic communications;
 6. A process for gathering information and periodic, longitudinal analysis of the district’s employees and applicants, broken down by number of persons from monitored group status, in each of the job categories listed in Section 53004(a) to determine whether additional measures are required pursuant to Section 53006 and to implement and evaluate

the effectiveness of those measures. Each district, based on its size, demographics and other unique factors shall determine the appropriate time frame for periodic review, and reflect this in its EEO Plan;

7. To the extent data regarding potential job applicants is provided by the State Chancellor, an analysis of the degree to which monitored groups are underrepresented in comparison to their representation in the field or job category in numbers of persons from such groups whom the Chancellor determines to be available and qualified to perform the work required for each such job category; and
8. Methods for addressing any underrepresentation identified pursuant to paragraph (7) of this subdivision; and
9. A process for developing and implementing strategies, as described in Title 5 section 53024.1, necessary to demonstrate on-going, institutional commitment to diversity and equal employment opportunity, as defined in Title 5 Sections 53001(c) and (e).

The plans submitted to the Chancellor shall be public records.

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

California Education Code, Section 87100 Legislative Finds & Declarations

- A. The Legislature finds and declares all of the following:
 1. In fulfilling its mission within California's system of public higher education, the California community colleges are committed to academic excellence and to providing all students with the opportunity to succeed in their chosen educational pursuits.
 2. Academic excellence can best be sustained in a climate of acceptance and with the inclusion of persons from a wide variety of backgrounds and preparations to provide service to an increasingly diverse student population.
 3. A workforce that is continually responsive to the needs of a diverse student population may be achieved by ensuring that all persons receive an equal opportunity to compete for employment and promotion within the community college districts and by eliminating barriers to equal employment opportunity.
 4. It is the intent of the Legislature to establish and maintain within the California Community College districts a policy of equal opportunity in employment for all persons, and to prohibit discrimination or preferential treatment based on ethnic group identification, or on any basis listed in subdivision (a) of Section 12940 of the Government Code, as those bases are defined in Sections 12926 and 12926.1 of the Government Code, except as otherwise provided in Section 12940 of the Government Code. Every aspect of personnel policy and practice in the community college districts should advance the realization of inclusion through a continuing program of equal employment opportunity.
 5. The Legislature recognizes that it is not enough to proclaim that community college districts must not discriminate and must not grant preferential treatment on impermissible

bases. The Legislature declares that efforts must also be made to build a community in which nondiscrimination and equal opportunity are realized. It is the intent of the Legislature to require community college districts to adopt and implement programs and plans for ensuring equal employment opportunity in their employment practices.

PLAN COMPONENT 2: DEFINITIONS

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

Age Discrimination in Employment Act of 1967 (ADEA)

This law protects people who are age 40 or older from discrimination because of age. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

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

Equal Employment Opportunity means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the district. Equal employment opportunity should exist at all levels in the seven job categories which include executive/administrative/managerial, faculty and other instructional staff, professional non-faculty, secretarial/clerical, technical and paraprofessional, skilled crafts, and service and maintenance. Equal employment opportunity also involves:

1. Identifying and eliminating barriers to employment that are not job related; and
2. Creating an inclusive environment that fosters cooperation, acceptance, democracy, and free expression of ideas and is welcoming to men and women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination pursuant to Government Code Section 12940.

Equal Employment Opportunity Plan is a written document in which a district’s work force is analyzed and specific plans and procedures are set forth for ensuring equal employment opportunity.

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

Equal Pay Act of 1963 (EPA)

This law makes it illegal to pay different wages to men and women if they perform equal work in the same workplace. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

Ethnic Group Identification means an individual's identification in one or more of the ethnic groups reported to the Chancellor pursuant to Title 5, Section 53004. These groups shall be more specifically defined by the Chancellor consistent with state and federal law. See "Race/Ethnic Categories" below.

Fair Employment and Housing Act (FEHA)

This California law prohibits harassment and discrimination in employment because of race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, mental and physical disability, medical condition, age, pregnancy, denial of medical and family care leave, or pregnancy disability leave, and/or retaliation for protesting illegal discrimination related to one of these categories.

It is an unlawful employment practice to illegally discriminate against or sexually harass an unpaid intern, or a volunteer.

FEHA specifically provides protection from harassment or discrimination in employment because of:

1. Age (40 and over)
2. Ancestry
3. Color
4. Religious Creed (including religious dress and grooming practices)
5. Denial of Family and Medical Care Leave
6. Disability (mental and physical) including HIV and AIDS
7. Marital Status
8. Medical Condition (cancer or a recorded history of cancer and genetic characteristics)
9. Genetic Information
10. Military and Veteran Status
11. National Origin (including language use restrictions)
12. Race
13. Sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding)
14. Gender, Gender Identity, and Gender Expression
15. Sexual Orientation

Gender means sex, and includes a person’s gender identity and gender expression. “Gender expression” means a person’s gender-related appearance and behavior whether or not stereotypically associated with the person’s assigned sex at birth.

Hostile Work Environment is any work or learning environment where unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, abusive, or offensive.

In-House or Promotional Only Hiring means that only existing, non-temporary district employees are allowed to apply for a position.

LGBTQ relating to lesbian, gay, bisexual, transgender, and those questioning their gender identity or sexual orientation.

Merit System is a personnel system in which merit and fitness determines an individual’s selection and progress through the classified service.

Person with a Disability means any person who:

1. Has a physical or mental impairment as defined in Government Code Section 12926 which limits one or more of such person’s major life activities;
 - a) A person with a disability is “limited” if the condition makes the achievement of the major life activity difficult.
2. Has a record of such an impairment; or
3. Is regarded as having such an impairment.

Pregnancy Discrimination Act

This law amended Title VII to make it illegal to discriminate against a woman because of pregnancy, childbirth, or a medical condition related to pregnancy or childbirth. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

Quid Pro Quo literally means “this for that” and refers to the need to endure unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information as a condition of continued employment.

Reasonable Accommodation refers to the efforts made on the part of the district in compliance with Government Code Section 12926(p). “Reasonable accommodation” may include either of the following:

1. Making existing facilities used by employees readily accessible to, and usable by, individuals with disabilities.

2. Job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

Race/Ethnic Categories:

1. Hispanic or Latino - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.
2. White (Not Hispanic or Latino) - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.
3. Black or African American (Not Hispanic or Latino) - A person having origins in any of the black racial groups of Africa.
4. 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.
5. 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.
6. 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.

Religious Creed encompasses all aspects of religion and creed, to include all aspects of religious belief, observance, and practice, including religious dress and grooming practices.

Sex Harassment FEHA defines harassment because of sex as including sexual harassment, gender harassment, and harassment based on pregnancy, childbirth, or related medical conditions.

Sexual Harassment is unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of violations:

1. Unwanted sexual advances
2. Offering employment benefits in exchange for sexual favors
3. Making or threatening reprisals after a negative response to sexual advances
4. Visual conduct: leering, making sexual gestures, displaying of suggestive objects or pictures, cartoons, or posters
5. Verbal conduct: making or using derogatory comments, epithets, slurs, and jokes
6. Verbal sexual advances or propositions
7. Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations
8. Physical conduct: touching, assault, impeding, or blocking movements

Sexual Orientation means heterosexuality, homosexuality, and bisexuality.

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.

Title VII of the Civil Rights Act of 1964

This law makes it illegal to discriminate against someone on the basis of race, color, religion, national origin, or sex. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. The law also requires that employers reasonably accommodate applicants' and employees' sincerely held religious practices, unless doing so would impose an undue hardship on the operation of the employer's business.

References: FEHA Regulations 11009(e), 11019(b), 11008(k), 11008(g); LBCCD Rules and Regulations of the Classified Service

PLAN COMPONENT 3:
EQUAL EMPLOYMENT OPPORTUNITY (EEO)
AND NONDISCRIMINATION POLICY STATEMENT

The Long Beach Community College District is committed to the principles of equal employment opportunity. Through this Plan the District has created a comprehensive program which puts 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 unlawful discrimination on the basis of ethnic group identification, national origin, religion, age, sex, gender, gender identification, gender expression, race, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, or military and veteran status or on the basis of these perceived characteristics.

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

An Equal Employment Opportunity Plan will be maintained to ensure the implementation of equal employment opportunity principles that conform to federal and state laws.

References: Education Code 87100, et seq.; Title 5, Section 53002, LBCC Board Policy 3410

PLAN COMPONENT 4:

DELEGATION OF RESPONSIBILITY, AUTHORITY, AND COMPLIANCE

It is the goal of the Long Beach Community College District (LBCCD) that all employees promote and support equal employment opportunity. The general responsibilities for the prompt and effective implementation of this Plan are as follows:

Board of Trustees

The Board of Trustees (Board) is ultimately responsible for proper implementation of the Plan at all levels of District operation, and for ensuring equal employment opportunity as described in the Plan.

Superintendent-President

The Board assigns to the Superintendent-President the responsibility for ongoing implementation of the Plan and for providing leadership in supporting the District's EEO Plan and programs. The Superintendent-President shall advise the Board concerning statewide policy emanating from the Board of Governors of the California Community Colleges, and schedule an annual report to the Board on Plan implementation.

Associate Vice President, Human Resources

The District has designated the Associate Vice President of Human Resources (AVP-HR) as the EEO Officer and therefore is the person responsible for the day-to-day implementation of the Plan. The AVP-HR is responsible for administering, implementing and monitoring the Plan and for assuring prompt and effective compliance with the requirements of Title 5, Section 53000 et seq. The AVP-HR is also responsible for receiving employee to employee, or student to employee complaints as described in Plan Component 6, and for ensuring such complaints are promptly and impartially investigated.

Executive Dean, Enrollment Services

The District has designated the Executive Dean of Enrollment Services as the Deputy Title IX Coordinator who is responsible for student to student complaints. The Deputy Title IX Coordinator has primary responsibility for coordinating the College's efforts to comply with and carry out its responsibilities under Title IX, which prohibits sex discrimination in all operations of the College as well as retaliation for the purpose of interfering with any right or privilege secured by Title IX.

Faculty and Staff Diversity Committee (Equal Employment Opportunity Advisory Committee)

The Faculty and Staff Diversity Committee will serve as the EEO Advisory Committee and act as an advisory body to the AVP-HR and the District as a whole to promote understanding and support of equal employment opportunity policies and procedures. The Faculty and Staff Diversity Committee shall assist in the implementation of the Plan in conformance with state and federal regulations and guidelines, monitor EEO progress, and provide suggestions for Plan revisions as appropriate.

Agents of the District

Any organization or individual, whether or not an employee of the District, who acts on behalf of the governing board with regard to recruitment and screening of personnel is an agent of the District and is subject to all the requirements of this Plan.

Good Faith Effort

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

References: Education Code Section 70902(d); Title 5, Section 53020

PLAN COMPONENT 5: EEO ADVISORY COMMITTEE

As a standing participatory governance committee, the District's Faculty and Staff Diversity Committee shall function as the District's Equal Employment Opportunity Advisory Committee. As such, the Faculty and Staff Diversity Committee is charged with the planning, evaluation, and monitoring of the Equal Employment Opportunity Plan. The Committee serves in an advisory role with regard to the operation of the EEO Plan and related staff equity issues. The committee will assist in the implementation of the Plan in conformance with state and federal regulations and guidelines, and provide recommendations for EEO Plan improvements and revisions as appropriate.

The Committee sponsors events or activities that promote and support equal employment opportunity, non-discrimination, and staff diversity in collaboration with other appropriate groups.

The Committee is to be co-chaired by a faculty representative, a classified representative, and the Vice President of Human Resources or his or her designee. The Committee will be composed of five faculty members (one of which serves as the faculty chair), a part-time faculty member, three classified members (one of which serves as the classified chair), two administrators, one manager/supervisor, one confidential employee, and two students. The following positions maintain permanent membership on the Committee: The Associate Vice President of Human Resources, who serves as the Equal Employment Opportunity Officer; The Director of Classified Human Resources; the Human Resources Manager-Academic; and the Faculty Professional Development Coordinator.

The Committee shall include a diverse membership whenever possible. A substantial good faith effort to maintain a diverse membership is expected. The Faculty and Staff Diversity Committee shall receive training in all of the following:

- a) The requirements of Title 5, California Code of Regulations 53005 and state and federal nondiscrimination laws;
- b) Identification and elimination of bias in hiring;
- c) The educational benefits of workforce diversity; and
- d) The role of advisory committee in carrying out the District's Equal Employment Opportunity Plan.

Reference: Title 5, Section 53005

PLAN COMPONENT 6: COMPLAINTS

The District Equal Employment Opportunity (EEO) Officer responsible for receiving complaints is the Associate Vice President of Human Resources. Informal charges of unlawful discrimination should be brought to the attention of the Associate Vice President of Human Resources, who shall oversee the informal resolution process. The actual investigation of complaints may be assigned to other staff or to outside persons or organizations under contract.

1. When a person brings charges of unlawful discrimination the EEO officer must: undertake efforts to resolve the charge informally; advise the complainant that he/she need not participate in an informal resolution of the complaint; notify the complainant of the procedures for filing a formal complaint; and notify the complainant that he/she may file a complaint with the Office of Civil Rights of the U.S. Department of Education. If the complainant, a student or an employee, files a formal complaint, the responsible District officer must also forward a copy of the complaint to the State Chancellor's Office.
2. A formal complaint not involving employment must be processed if it is filed within one year of the date of the alleged unlawful discrimination or within one year of the date on which the complainant knew or should have known of the facts underlying the allegation.
3. A formal complaint alleging discrimination in employment must be filed within 180 days of the date of the alleged unlawful discrimination, unless the complainant first obtained knowledge of the facts of the alleged violation after the expiration of the initial 180 days.
4. The complaint must be filed by someone who alleges that he/she has personally suffered unlawful discrimination, or by someone who has learned about unlawful discrimination in his/her official capacity.
5. When a proper formal complaint is received, the District will begin an impartial fact-finding investigation, and notify the complainant and the State Chancellor's Office that it is doing so.
6. When the investigation is complete, the results must be set forth in a written report. The written report must include a description of the circumstances giving rise to the complaint, a summary of the testimony of each witness, an analysis of any relevant data or other evidence collected during the investigation, a specific finding as to whether discrimination did or did not occur with respect to each allegation in the complaint, and any other appropriate information.
7. In any case that does not involve employment discrimination, the District must provide the State Chancellor's Office with a copy of the investigative report within 90 days from the date the District received the complaint. The District must also provide the complainant with a copy or summary of the investigative report within 90 days from the date the District received the complaint. The State Chancellor's Office and the complainant must also be provided with a written notice setting forth the determination of the EEO Officer as to whether discrimination did or did not occur with respect to each allegation in the complaint; a description of action taken, if any, to prevent similar problems from occurring in the future; the proposed resolution of the complaint; and notice of the complainant's right to appeal to the District's Governing Board and the California State Chancellor's Office.
8. In any case that involves employment discrimination, the District must provide the complainant

with a copy or summary of the report, and with written notice setting forth the determination of the EEO Officer as to whether discrimination did or did not occur with respect to each allegation in the complaint; a description of action taken, if any, to prevent similar problems from occurring in the future; the proposed resolution of the complaint; and the complainant's right to appeal to the District's Governing Board and to file a complaint with the Department of Fair Employment and Housing (DFEH).

9. If the complainant is not satisfied with the results of the administrative determination, the complainant must be given the opportunity to submit a written appeal to the governing board within 15 days from the date of the notice of the administrative determination. The Board must review the original complaint, the investigative report, the administrative determination, and the appeal and must issue a final District decision within 45 days of receiving the appeal.
10. In any case not involving employment discrimination, a copy of the final District decision must be promptly forwarded to the complainant and the State Chancellor's Office. The complainant must be notified of his/her right to appeal. In any case involving employment discrimination, a copy of the final District decision must be promptly forwarded to the complainant. The complainant must be notified of his/her right to file a complaint with the DFEH.
11. Where the Board does not act within 45 days, the administrative determination must be deemed approved and must become the final District decision. The District shall promptly notify the complainant and in cases not involving employment discrimination, the State Chancellor's Office, that the Board took no action and the administrative determination becomes the final District decision. In cases not involving employment discrimination, the complainant must be informed of his/her right to appeal the District's decision to the State Chancellor's Office. In cases involving employment discrimination, the complainant shall be notified of his/her right to file a complaint with the DFEH.
12. In cases not involving employment discrimination, the complainant must be given the right to file a written appeal with the State Chancellor's Office within 30 days after the Board issues the final District decision, permits the administrative decision to become final, or from the date that notice of the District's final decision was provided to the complainant pursuant to Section 59338(b) or (d), whichever is later.
13. The District should retain and make available the original complaint, and copies of the final decision or a statement indicating the date on which the administrative determination became final, the notice given to the complainant, the complainant's appeal of the District's administrative determination, the investigative report and any other information the State Chancellor's Office may require.

Reference: Title 5, Section 53026

PLAN COMPONENT 7:

**NOTIFICATION OF EEO PLAN TO DISTRICT EMPLOYEES
AND COMMUNITY-BASED AND PROFESSIONAL ORGANIZATIONS**

The District's commitment to Equal Employment Opportunity is emphasized through the broad dissemination of its EEO Policy Statement and the Plan. The Plan shall be posted on the following websites: Faculty and Staff Diversity Committee, Personnel Commission, and Human Resources. The Policy Statement shall be in all employment announcements and recruitment materials. The Plan and subsequent revisions will be distributed to the District's Board of Trustees and all employee groups.

The District will provide annual written notice to appropriate community-based and professional organizations concerning the Plan. The notice will inform these organizations of how they can access or obtain a copy of the Plan and shall solicit their assistance in identifying qualified candidates. The notice will also include the web address where the District advertises its job openings and contact information to obtain employment information.

Reference: Title 5, Section 53003(c)(3)(5)

PLAN COMPONENT 8: RECRUITMENT

The District's Office of Human Resources actively recruits from both within and outside the district work force to attract qualified applicants for all vacancies. This includes outreach designed to ensure that all persons are provided the opportunity to seek employment with the District. The requirement of open recruitment shall apply to all full-time and part-time vacancies in all job categories and classifications, including, but not limited to, faculty, classified employees, categorically funded positions, and all executive/administrative/managerial positions. Recruitment for full-time faculty and educational administrator positions shall be at least statewide and, at a minimum, shall include seeking qualified applicants listed in the California Community Colleges Equal Employment Opportunity Registry and posting job announcements with the Registry. Recruitment for part-time faculty positions may be conducted separately for each vacancy or by establishing a pool of eligible candidates, but in either case full and open recruitment is required.

Recruitment for all classified positions are also governed by the rules and regulations adopted by the Long Beach Community College District Personnel Commission. The Personnel Commission's rules and regulations are posted on the Personnel Commission's website located at: www.lbcc.edu/PersonnelCommission/rulesregs.cfm. As a Merit System pursuant to California Education Code, Article 3, Sections 88060-88139, the District utilizes open, promotional, and open/promotional examinations per Education Code, Sections 88091, 88100, and 88103 for classified vacancies.

Recruitment for all academic positions are also governed by Board policies and administrative regulations 3003, 3012, and 3013, which are posted on the District website, located at www.lbcc.edu/policies/index.cfm

The District's Office of Human Resources creates job announcements that provide all job specifications setting forth the knowledge, skills, and abilities necessary to job performance. For faculty and administrative positions, job requirements include a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students. Job specifications, including any "required," "desired," or "preferred" qualifications beyond the state minimum qualifications which the district wishes to utilize, are reviewed before the position is announced, to ensure conformity with the requirements of Title 5, Section 53021 and state and federal nondiscrimination laws.

References: Title 5, Sections 53001-53024; Education Code Sections 88050-88139; LBCCD Rules and Regulations for the Classified Services, Ch. 4, 5, 6 and 7; LBCCD Policies and Regulations 3003, 3012, and 3013.

PLAN COMPONENT 9:

TRAINING FOR SCREENING/SELECTION COMMITTEES

Any organization or individual, whether or not an employee of the District, who is involved in the recruitment and screening/selection of personnel shall receive appropriate training on the requirements of Title 5, Section 53000 et. seq., prior to their participation. Training includes, but is not limited to:

1. The requirements of state and federal nondiscrimination laws;
2. The educational benefits of workforce diversity;
3. The elimination of bias in hiring decisions; and
4. Best practices in serving on a selection screening committee.

Each committee member serving in the above capacity will be required to have received training in selection/recruitment within two (2) years of serving on any screening/selection committee. This training is mandatory; individuals who have not received this training will not be allowed to serve on any screening/selection committee. Other periodic training may be offered for those who might serve on a selection committee.

The Associate Vice President of Human Resources is responsible for organization and verification of the required training for academic hiring committees. The Director of Classified Human Resources is responsible for organization and verification of required training for classified employee selection committees. Any individual, whether or not he or she is an employee of the District, acting on behalf of the District with regard to recruitment and screening of employees is subject to the EEO requirements of Title 5 and the Plan.

Reference: Title 5, Section 53003(c)(4)

PLAN COMPONENT 10:

FACULTY AND ADMINISTRATOR SELECTION PROCESSES

The Superintendent-President has established procedures for the recruitment and selection of employees which includes administrative regulations on the hiring of contract faculty, part-time faculty, and academic administrators. The District's screening and selection procedures shall be consistent with all the requirements set forth in Title 5, Section 53024. Specifically, all screening and selection techniques, including the procedure for developing interview questions, and the selection process as a whole shall be:

1. Provided to the CCC Chancellor upon request;
2. Designed to ensure that for all faculty and administrative positions, meaningful consideration is given to the extent to which applicants demonstrate a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students;
3. Based solely on job-related criteria; and
4. Designed to avoid an adverse impact, as defined in Title 5, Section 53001(a), and monitored by means consistent with this Section to detect and address any adverse impact which does occur for any monitored group.

Employment of Full-Time Faculty

Long Beach Community College District Policy 3012 details the District's recruitment and selection process. The College seeks candidates who exhibit an understanding and commitment to the community college mission, and who have a passion for and commitment to student success.

Applicants for faculty positions will be considered who meet the minimum qualifications prescribed for their positions by the California Community Colleges' Board of Governors.

The selection of contract faculty shall be determined through consultation among the various segments of the college: faculty, administrators, students, and others when appropriate. The criteria and procedures for hiring academic employees are established and implemented in accordance with board policies and procedures regarding the Academic Senate's role in local decision-making.

Employment of Part-Time Faculty

Long Beach Community College District Policy 3013 details the intent to hire highly qualified part-time faculty who advance student success through teaching and learning processes that enable students to succeed in achieving their educational goals. It is the intent of this plan to create a pool of qualified part-time faculty through a hiring process that provides for equal employment opportunity and is consistent with state and federal law.

Applicants for part-time faculty positions will be considered who meet the minimum qualifications prescribed for their positions by the California Community Colleges' Board of Governors. The selection of part-time faculty is determined by the Selection Committee which shall be comprised of the department

head and at least one other full-time faculty member from the department (or if not possible, from a closely related discipline). The department head shall chair the Selection Committee. The appropriate administrator together with the department head and the Vice President of Human Resources, or designee, shall review the pool of applicants, the criteria, and procedure used for selection in order to ensure equal employment opportunity.

Employment of Academic Administrators

The employment of academic administrators is predicated on the premise that the highest quality personnel are essential to achieving the mission, goals and objectives of the Long Beach Community College District. In addition, it is the policy of the District to employ administrators who will be sensitive to and understand the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of our student population. In achieving these results, a method for recommending persons to the Board of Trustees has been developed which ensures consultation with faculty, classified staff, managers, and other appropriate groups. Moreover, this method shall be implemented in such a manner that the concept of equal opportunity of employment shall be adhered to.

References: LBCCD Policies 3003, 3012 and 3013

PLAN COMPONENT 11: CLASSIFIED EMPLOYEE HIRING

Long Beach Community College District is a Merit System district, as defined in Education Code Section 88050 - 88139. The Rules and Regulations for hiring classified employees are therefore established by the Long Beach Community College District Personnel Commission.

The Personnel Commission shall make employment decisions that provide equal opportunities for all, therefore the Commission adheres to employment procedures that comply with Equal Employment Opportunity, Section 12940 of the California Government Code; all California State Statutes relating to Equal Employment Opportunity; Department of Fair Employment and Housing Regulations; The Americans with Disabilities Act of 1990; Title VII of the Civil Rights Act of 1964 and its subsequent amendments; and guidelines approved by the Equal Employment Opportunities Commission.

Classified employees are those who are employed in positions that are not academic positions, and not exempted under Education Code Section 88076 (b). The employees and positions shall be known as the Classified Service. The Personnel Commission shall establish procedures to assure that the requirements of state law and regulations regarding the Classified Service are met. Those rules and regulations are on-line at www.lbcc.edu/PersonnelCommission/rulesregs.cfm.

The Personnel Commission is committed to the support and implementation of the adopted EEO Plan. Attention will be specifically directed toward those activities that are within the scope of Commission responsibilities.

References: Education Code Sections 88050-88139

PLAN COMPONENT 12:

REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

Applicants and 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 following positions are responsible for handling requests for accommodations from current employees as well as for applicants seeking such accommodations during the application/ selection process:

1. Academic employees/applicants: Associate Vice President of Human Resources
2. Classified employees/applicants: Director of Classified Human Resources

Requests can be made on the “Request for Reasonable Accommodation” form, which is available at the district, website: www.lbcc.edu.

Reference: Title 5, Section 53025

PLAN COMPONENT 13: INSTITUTIONAL COMMITMENT TO DIVERSITY

The District acknowledges that various approaches are required to fulfill its mission of ensuring equal employment opportunity and the creation of a diverse workforce that is representative of the community it serves.

The District's EEO and diversity program may include, but is not limited to the following activities:

1. Research and evaluation regarding employee underrepresentation in recruitment, hiring, retention and promotion practices.
2. Publishing the District's EEO and diversity policies in job announcements, marketing and other relevant publications.
3. Conducting campus climate surveys of faculty, staff, administrators, and students.
4. Maintaining the Faculty and Staff Diversity website, sponsoring diversity events and informing faculty and staff about staff diversity and EEO programs, policies, and practices.
5. Providing continuous diversity/equity and EEO professional development opportunities for faculty, staff, and administrators, to include but not limited to: the educational benefits of workforce diversity, the elimination of bias in hiring decisions, and best practices for serving on a selection or screening committee.
6. Encourage, develop and support mentor programs for faculty and staff that serve to develop leadership potential in faculty and staff from underrepresented and diverse groups.
7. Conducting outreach to student, professional, community and other organizations that represent the diverse community the District serves.

References: Title 5, Sections 53003(c) and 53024.1

PLAN COMPONENT 14:

WORKFORCE ANALYSIS AND APPLICANT POOLS

The Associate Vice President of Human Resources (AVP-HR) will annually collect the District's employee demographic data and monitor applicant pools for employment on an ongoing basis to evaluate the District's progress in implementing the EEO Plan, and to provide data needed for the analysis required by this Plan.

For purposes of the analysis, applicants and employees are afforded the opportunity to voluntarily identify their gender, ethnic group identification and, if applicable, their disabilities. Persons may self-designate as many ethnicities as they identify with. This information is kept confidential and is separated from the applications that are forwarded to the screening/interview committee and hiring administrator(s).

The District shall annually report to the Chancellor 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:

1. Executive/Administrative/Managerial
2. Full-Time Faculty
3. Professional Non-Faculty
4. Secretarial/Clerical
5. Technical and Paraprofessional
6. Skilled Crafts
7. Service and Maintenance

The District shall also annually report to the Board a demographic analysis of the various employee groups to include: full-time faculty, part-time faculty, classified support staff, and management team members.

Reference: Title 5, Section 53004

The Following charts provide longitudinal data representing the District's workforce demographics for year-ending June 30, 2015 and year-ending June 30, 2016;

**Long Beach City College
Workforce Demographic - Ethnicity
2014-15 and 2015-16**

As of June 30, 2015

Ethnicity	Management	%	Classified	%	Full-Time Faculty	%	Part-Time Faculty	%	Total	%
African American	12	15.19%	62	14.09%	27	8.01%	55	7.22%	156	9.64%
Asian/Pacific Islander	18	22.78%	73	16.59%	45	13.35%	106	13.91%	242	14.96%
Caucasian	37	46.84%	179	40.68%	207	61.42%	481	63.12%	904	55.87%
Hispanic	12	15.19%	109	24.77%	56	16.62%	116	15.22%	293	18.11%
Native American	0	0.00%	17	3.86%	2	0.59%	4	0.52%	23	1.42%
Total Emp. By Labor Group	79		440		337		762		1618	100.00%

As of June 30, 2016

Ethnicity	Management	%	Classified	%	Full-Time Faculty	%	Part-Time Faculty	%	Total	%
African American	15	14.15%	59	13.59%	29	8.45%	79	7.82%	182	9.61%
Asian/Pacific Islander	23	21.70%	82	18.89%	46	13.41%	146	14.46%	297	15.69%
Caucasian	52	49.06%	172	39.63%	210	61.22%	619	61.29%	1053	55.63%
Hispanic	16	15.09%	112	25.81%	56	16.33%	158	15.64%	342	18.07%
Native American	0	0.00%	9	2.07%	2	0.58%	8	0.79%	19	1.00%
Total Emp. By Labor Group	106		434		343		1010		1893	100.00%

PLAN COMPONENT 15:
**ADDITIONAL MEASURES TO SUPPORT DIVERSITY
AND ENSURE EQUAL EMPLOYMENT OPPORTUNITY**

- A. The District shall review the information gathered pursuant to Section 53003, subdivision(c) (6) to determine if significant underrepresentation of a monitored group may be the result of non-job-related factors in the employment process. For the purposes of this subdivision, the phases of the employment process include but are not limited to recruitment, hiring, retention and promotion. The information to be reviewed shall include, but need not be limited to:
1. Longitudinal analysis of data regarding job applicants, gathered pursuant to Section 53003(c)(6), to identify whether over multiple job searches, a monitored group is disproportionately failing to move from the initial applicant pool to the qualified applicant pool;
 2. Analysis of data regarding potential job applicants, to the extent provided by the State Chancellor, which may indicate significant underrepresentation of a monitored group; and
 3. Analysis pursuant to Section 53003(c)(7) to determine whether the group is significantly underrepresented.
- B. Where the review described in subdivision (A) identifies that significant underrepresentation of a monitored group may be the result of non-job related factors in the employment process, districts shall implement additional measures designed to address the specific area of concern. These additional measures shall include the following:
1. Review its recruitment procedures and identify and implement any additional measures which might reasonably be expected to attract candidates from the significantly underrepresented group;
 2. Consider various other means of reducing the significant underrepresentation which do not involve taking monitored group status into account, and implement any such techniques which are determined to be feasible and potentially effective;
 3. Determine whether the group is still significantly underrepresented in the category or categories in question after the measures described in (1) and (2) have been in place a reasonable period of time;
 4. Review each locally established “required,” “desired” or “preferred” qualification being used to screen applicants for positions in the job category to determine if it is job-related and consistent with:
 - a) Any requirements of federal law; and
 - b) Qualifications which the Board of Governors has found to be job-related throughout the community college system, including the requirement that applicants for academic and administrative positions demonstrate sensitivity to the diversity of community college students;
 5. Discontinue the use of any locally established qualification that has not been found to satisfy the requirements set forth in paragraph (4) of this subdivision;
 6. Continue using qualification standards meeting the requirements of paragraph (4) of this subdivision only where no alternative qualification standard is reasonably

available which would select for the same characteristics, meet the requirements of paragraph (4) and be expected to have a less exclusionary effect; and

7. Consider the implementation of additional measures designed to promote diversity that are reasonably calculated to address the area of specific need.
- C. For purposes of this section, “a reasonable period of time” means three years, or such longer period as the State Chancellor may approve, upon the request of the Faculty and Staff Diversity/Equal Employment Opportunity Advisory Committee and the chief executive officer, where the district has not filled enough positions to appreciably affect its work force in the job category in question.
- D. Nothing in this plan component shall be construed to prohibit the district from taking any other steps it concludes are necessary to ensure equal employment opportunity, provided that such actions are consistent with the requirements of federal and state constitutional and statutory nondiscrimination law.

Reference: Title 5, Section 53006

PLAN COMPONENT 16:

DEVELOPING AND MAINTAINING INSTITUTIONAL COMMITMENT TO DIVERSITY AND EQUAL EMPLOYMENT OPPORTUNITY

The District strives to have a diverse work force which is representative of the community it serves. The desired level of diversity for each of the represented groups in our workforce is based on empirical research (Fairlie, 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.) cited in training from the California Community College Chancellor's Office (CCCCO). This research indicates students who are taught and supported by a diverse and culturally competent faculty, management and staff with whom they can identify achieve greater success in community colleges.

Establishing and maintaining a richly diverse workforce is an on-going process that requires continued institutionalized effort. The District, in conjunction with the Faculty and Staff Diversity Committee, shall annually review and assess faculty and staff recruitment and hiring statistics. In response, multiple measures have been and will continue to be taken to support equal employment opportunity and staff diversity. Other strategies which show promise in making progress will also be developed and implemented on a continuing basis. Such strategies may include but are not limited to the following examples:

1. Conduct surveys related to EEO of campus climate on a regular basis and implement concrete measures that utilize the information drawn from the surveys;
2. Conduct exit interviews with employees who voluntarily leave the District, maintain a database of exit interviews, analyze the data for patterns impacting particular monitored groups, and implement concrete measures that utilize this information;
3. Provide training on elimination of bias in hiring and employment;
4. Provide cultural awareness training to members of the campus community;
5. Maintain a variety of programs to support newly-hired employees such as mentoring, professional development, and leadership opportunities;
6. Audit and/or maintain updated job descriptions and/or job announcements;
7. Timely and thoroughly investigate all complaints filed under Title 5 of the California Code of Regulations, Section 53000 et seq., and all harassment and discrimination complaints filed under Title 5 of the California Code of Regulations, Section 59300 et seq., and take appropriate corrective action in all instances where a violation is found;
8. Timely comply with the requirements of California Government Code Section 12950.1 (e.g., AB 1825 training) and include all forms of harassment and discrimination in the training;
9. Through the District's publications and website, convey the District's diversity and commitment to equal employment opportunity;

10. Through the District's mission statement, convey the District's commitment to diversity and inclusion, and its commitment to a diverse and inclusive workforce that promotes the District's educational goals and values;
11. Through the District's hiring procedures, applicants for all positions are required to demonstrate sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students in a manner specific to the position;
12. Address issues of inclusion/exclusion in a transparent and collaborative fashion;
13. Attempt to gather information from applicants who decline job offers to find out why, record this information, and utilize it; and
14. Conduct longitudinal analyses of various employment events by monitored group status such as hiring, promotion, retention, voluntary resignation, termination, and discipline.

Reference: Title 5, Section 53024.1

PLAN COMPONENT 17:

ANNUAL CERTIFICATION TO CHANCELLOR'S OFFICE

The Associate Vice President, Human Resources, shall certify annually to the State Chancellor that the District has timely complied with each of the following requirements of Title 5:

1. Recorded, reviewed and reported the data required regarding qualified applicant pools and employee workforce.
2. Reviewed and updated, as needed, the strategies component of the District's EEO plan.
3. Investigated and appropriately responded to complaints alleging that the requirements of Title 5 Regulations pertaining to equal employment opportunities have been violated and complaints alleging harassment and discrimination filed pursuant to Title 5 (commencing with Section 59300).

References: Title 5, Sections 53004, 53006, 53024.2 and 53026

