



Santa Monica College Equal Employment Opportunity Plan

Reviewed and approved by the Board of Trustees:
August 4, 2020

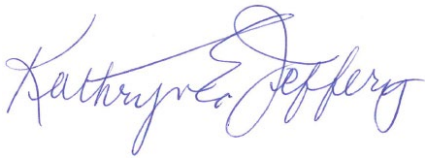
TABLE OF CONTENTS	
Plan Component 1: Introduction	Page 2
Plan Component 2: Definitions	Page 3
Plan Component 3: EEO & Nondiscrimination in Employment Policy Statement	Page 7
Plan Component 4: Delegation of Responsibility, Authority & Compliance	Page 8
Plan Component 5: EEO Advisory Committee	Page 9
Plan Component 6: Complaints	Page 10
Plan Component 7: Notification of EEO Plan & Policy	Page 12
Plan Component 8: Recruitment, Screening & Selection	Page 13
Plan Component 9: Reasonable Accommodation for Persons with Disabilities	Page 14
Plan Component 10: Annual Written Notice to Appropriate Community-Based & Professional Organizations	Page 15
Plan Component 11: Workforce Analysis & Applicant Pools	Page 15
Plan Component 12: District Measures to Address Identified Underrepresentation	Page 17
Plan Component 13: Developing & Maintaining Institutional Commitment to Diversity	Page 19
Plan Component 14: Accountability	Page 21

Plan Component 1: Introduction

The commitment of the Santa Monica Community College District to equal employment opportunity and diversity is articulated in [Board Policy 7100 – Commitment to Diversity](#):

“The Santa Monica Community College District is committed to building an inclusive and diverse environment and maintains a comprehensive program to ensure that practice reflects these principles. Diversity within the college environment provides opportunity to foster mutual awareness, knowledge, and sensitivity, to challenge ingrained stereotypes, and to promote mutual understanding and respect. The District is committed to a work and learning environment conducive to open discussion and the free exchange of ideas. Global awareness and exploring the diversity of the local communities served by the College are both important components of the commitment of the College’s commitment to diversity. Embodying, promoting and celebrating diversity inspires innovative ideas, practical solutions, and team-building in achieving professional and educational excellence.”

The commitment of the District to equal employment opportunity and diversity, and to the protections against unlawful discrimination and harassment as defined by federal and state law, is at the core of our mission; the processes and procedures to support this commitment are set out in this Equal Employment Opportunity (EEO) Plan (hereinafter referred to as the “Plan” or the “EEO Plan”).



Dr. Kathryn E. Jeffery
Superintendent/President

Date approved by the Board of Trustees: August 4, 2020

Plan Component 2: Definitions

To ensure understanding of the terms used throughout the Equal Employment Opportunity Plan ("EEO Plan"), the following definitions are provided:

ADVERSE IMPACT: A statistical measure (such as those outlined in the Equal Opportunity Commission's Uniform Guidelines on Employee Selection Procedures, Title 29 C.F.R., Part 1607¹) that is applied to the effects of a selection procedure that 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.

BIAS: Prejudice in favor of or against one thing, person, or group compared with another, usually in a way considered to be unfair. It is a particular tendency, trend, inclination, feeling, or opinion, especially one that is preconceived or unreasoned.

BUSINESS NECESSITY: Circumstances which justify an exception to the requirements of section 53021(b)(1) because compliance with that section would result in substantial additional financial cost to the District or pose a significant threat to human life or safety. Business necessity requires greater financial cost than mere business convenience. Business necessity does not exist where there is an alternative that will serve business needs equally well.

CHANCELLOR'S OFFICE: California Community Colleges Chancellor's Office ("CCCCO")

C.F.R.: Code of Federal Regulations

DIVERSITY: A condition of broad inclusion in an employment environment that offers equality and respect for all persons. A diverse educational community recognizes the educational benefits that flow from employee populations that are varied by age, ancestry, color, gender, gender identity, gender expression, genetic information, marital status, medical condition, national origin, parental status, physical or mental disability, race, religion, sexual orientation, or veteran status. It is a condition of broad inclusion in an employment environment that offers equality and respect for all persons.

EQUAL EMPLOYMENT OPPORTUNITY (EEO): 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: 1.) executive/administrative/managerial, 2.) faculty and other instructional staff, 3.) professional non-faculty, 4.) secretarial/clerical, 5.) technical and paraprofessional, 6.) skilled crafts, and 7.) service and maintenance². Ensuring EEO also involves identifying and eliminating barriers to employment that are not job related; and creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas and that is welcoming to people of all genders, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination pursuant to Government Code section 12940.

¹ <https://www.govinfo.gov/content/pkg/CFR-2018-title29-vol4/xml/CFR-2018-title29-vol4-part1607.xml>

² Title 5, section 53004(a)

EQUAL EMPLOYMENT OPPORTUNITY ADVISORY COMMITTEE (EEO ADVISORY COMMITTEE): Acts as an advisory body to the Vice-President, Human Resources and the District to promote understanding and support of EEO policies and procedures.

EQUAL EMPLOYMENT OPPORTUNITY PLAN: A written document in which the District's workforce is analyzed and specific plans and procedures are set forth for ensuring EEO.

EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS: All the various methods by which EEO is ensured. Such methods include, but are not limited to, using nondiscriminatory employment practices, actively recruiting, monitoring and taking additional steps consistent with the requirements of Title 5, Section 53006.

EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT (EEO Policy Statement): Statement by the Board confirming its commitment to EEO.

EQUITY: Recognizing institutional and structural barriers and minimizing them in an effort to recruit and retain a qualified and diverse workforce which will close the gaps for underrepresented groups and build diversity in the workplace.

EQUITY MINDEDNESS: The term, "Equity Mindedness" refers to the perspective or mode of thinking exhibited by practitioners who call attention to patterns of inequity in student outcomes.³

ETHNIC MINORITIES: American Indian or Alaskan native, Asian, Pacific Islander, Blacks/African-American, and Hispanic/Latino.

ETHNIC GROUP IDENTIFICATION: Group identity is obtained through voluntary self-identification by employees and applicants for employment as follows, based on the definitions from the State Code of Regulations, Section 5300(b)⁴:

- African-American: A person having origins in any of the original peoples of the Black racial groups of Africa.
- Alaskan Native/American Indian: A person having origins in any of the original peoples of North and South America (including Central America), and who maintains Tribal affiliation or community attachment.
- Asian: 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, Pakistan, Thailand, and Vietnam.
- Caucasian, or White: A person having origins in any of the original peoples of Europe, the Middle East, or North America
- Hispanic: A person having origins in any of the original peoples of Cuba, Mexico, Puerto Rico, South or Central America, or other Spanish cultures or origins, regardless of race.
- Multiracial or Two or More: A person who identifies with two or more racial groups
- Pacific Islander: A person having origins in any of the original peoples of Hawaii, Guam, Samoa, Philippines, Malaysia, or other Pacific Islands.

³ <https://cue.usc.edu/about/equity/equity-mindedness/>

⁴ California State Code of Regulations, Title 5, Section 5300 - https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=LAB&division=4.&title=&part=4.&chapter=1.&article=

IN-HOUSE OR PROMOTIONAL ONLY RECRUITMENT/HIRING: Only existing District employees are allowed to apply for a promotional position. Pursuant to Title 5, section 53021(b)(1), in-house or promotional only recruitment shall not be used to fill any vacancy for any position except when the position is being filled on an interim basis for the minimum time necessary to allow for full and open recruitment; provided however, that no interim appointment or services of interim appointments exceeds two years in duration. Pursuant to Title 5, section 53021(b)(2), where in-house or promotion only recruitment is utilized, all District employees shall be afforded the opportunity to apply.

JOB CATEGORY: The job categories used for the purpose of this Plan and reported to the Chancellor pursuant to Title 5, section 53004(a) are (1) Classified Clerical, (2) Classified Manager, (3) Classified Service and Maintenance, (4) Classified Skills Crafts, (5) Classified Technical, (6) Educational Administrator, (7) Fulltime Faculty, and (8) Adjunct Faculty.

MONITORED GROUPS: A group identified in Title 5, section 53004(b) for which monitoring and reporting is required pursuant to section 53004(a). For the purpose of this Plan, Monitored Groups are: Men, Women, Alaskan/American Indians, Asians, Pacific Islanders, African-Americans, Hispanics, Caucasian, persons with disabilities.

PERSON WITH A DISABILITY: Any person who (1) has a physical or mental impairment as defined in Government Code, Section 12926 which limits one or more of such person's major life activities, (2) has a record of such an impairment, or (3) is regarded as having such an impairment. A person with a "disability" is "limited" if the condition makes the achievement of a major life activity difficult.

PROJECTED REPRESENTATION: The percentage of persons from a monitored group determined by the Chancellor to be available and qualified to perform the work in question.

PROTECTED STATUS: Includes race, religion, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. Sexual harassment is considered a form of sex discrimination.

REASONABLE ACCOMMODATION: The efforts made on the part of the District to remove artificial or real barriers, which prevent or limit the employment and upward mobility of persons with disabilities. "Reasonable accommodations" may include the items designated in Section 53025; the efforts made on the part of the District in compliance with Government Code Section 12926.

SCREENING OR SELECTION PROCEDURES: Any measure, combination of measures, or procedures used as a basis for any employment decision. Selection procedures include the full range of assessment techniques, including but not limited to traditional paper and pencil tests, performance tests, and physicals, educational, and work experience requirements, interviews, and review of application forms.

SIGNIFICANTLY UNDERREPRESENTED GROUP: Any monitored group for which the percentage of persons from that group employed by the District in any job category listed in Section 53004(a) is below eighty percent (80%) of the projected representation for that group in the job category in question.

STUDENT EQUITY: Fair and just inclusion; an equitable society is one in which all can participate and prosper. The goal of equity must be to create conditions that allow all to reach their full potential. Equity is an ongoing process and an accountability lens - it is not an end product.⁵

TARGET DATE: A point in time by which the District plans to meet an established goal for persons with disabilities and thereby achieve projected representation in a particular job category.

TIMETABLE: A set of specific annual hiring objectives that will lead to meeting a goal for persons with a disability by a projected target date.

UNLAWFUL WORKPLACE DISCRIMINATION: Occurs when an employee is treated differently or experiences adverse action (termination, demotion) based on their protected characteristic or activity.

UNLAWFUL WORKPLACE HARASSMENT: Occurs when an employee is the target of intimidation, retaliation, or bullying within the workplace and which may be based on the employee's protected status.

VICE PRESIDENT HUMAN RESOURCES: The person who is responsible for the day-to-day implementation of the Plan.

Reference: Title 5, sections 53001, 53004, and 53021

⁵ Source: Student Equity Plan: http://www.smc.edu/ACG/InstitutionalResearch/SiteAssets/Pages/Student-Equity/SMC_SEP_Executive%20SummaryFinal2019.pdf

Plan Component 3: EEO & Nondiscrimination in Employment Policy Statement⁶

The Board of Trustees supports the intent set forth by the California Legislature to ensure a climate of acceptance, with the inclusion of faculty and staff from a wide variety of backgrounds. The Santa Monica Community College District (District) is committed to providing learning and working environments which ensure and promote diversity, equity, and inclusion. People of diverse backgrounds, perspectives, socioeconomic levels, cultures, and abilities are valued, welcomed, and included in all aspects of our organization. The District strives to provide a work and educational environment that fosters cultural awareness, mutual understanding, and respect that ultimately also benefits the global community.

Diversity in the academic environment fosters awareness, engagement, mutual understanding, respect, increased student success, and better enables students to flourish as citizens of the world. Therefore, the Board commits to promoting the total realization of equal employment through a continuing equal employment opportunity program.

In accordance with [BP 3410 - Nondiscrimination](#), and [BP 3420 - Equal Employment Opportunity](#), the District is committed to the concept and principles of providing equal opportunity in education and employment for all persons, and does not condone unlawful discrimination.

No person shall be subjected to unlawful discrimination in any program or activity of the District on the basis of age, ancestry, color, ethnic group identification, familial status, gender, gender expression, gender identity, genetic information, language or gender status, marital status, medical condition, mental disability, military and veteran status, national origin (including language and accent), physical disability, race, religion, sex, and sexual orientation.

No person shall be subjected to discrimination on the basis of these actual or perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics. In addition, the District also has an interest in nondiscrimination based on additional factors such as accent, citizenship status, transgender status, and economic status even though students or employees could not make a legal claim of discrimination based on these factors.

The Board commits the District to vigorous equal employment opportunity in all aspects of its academic and classified employment programs, including recruitment, selection, assignment, retention, promotion, and transfer.

- All recruitments for vacant positions will be conducted with the goal of finding the most qualified candidate who meets the minimum qualifications from a diverse pool of applicants.
- Every recruitment notice shall contain approved statements on EEO, equity and equivalency.

⁶ *References: Title 5, 53002, et seq.; Education Code 87100 et seq.; and [SMC Board Policies and Administrative Regulations](#)*

The District strives to employ qualified administrators, faculty, and staff members who are dedicated to student success through a workforce that reflects and welcomes diversity to ensure an inclusive educational and employment environment. Such an environment fosters cooperation, acceptance, democracy and free expression of ideas.

Each employee is accountable for strict application and enforcement of the EEO Plan area(s) of authority. It is only through combined efforts that the District will successfully develop and maintain a workforce that is welcoming to all.

The District's policies and procedures regarding nondiscrimination, EEO, prohibition of harassment, commitment to diversity, and recruitment and selection can be found at: <http://www.smc.edu/ACG/BoardofTrustees/Pages/Board-Policy-Manual.aspx>

Plan Component 4: Delegation of Responsibility, Authority & Compliance

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

1. ***Board of Trustees***

The Board of Trustees 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.

2. ***Superintendent/President***

The Board of Trustees delegates to the Superintendent/President the responsibility for ongoing implementation of the Plan and for providing leadership in supporting the District's equal employment opportunity policies and procedures. The Superintendent/President or designee shall advise the Board of Trustees concerning statewide policy emanating from the Board of Governors of the California Community Colleges and shall direct the publication of a report (as discussed in more detail under Plan Component 12) on Plan implementation at least once every three years. With regard to administrative staff members who have responsibilities in connection with implementation of the Plan, the Superintendent/President or designee shall evaluate the performance of all such administrative staff on their ability to follow and implement the requirements in the Plan.

3. ***Equal Employment Opportunity Officer***

The District has designated the Vice President of Human Resources, or designee, as its Equal Employment Opportunity Officer who is responsible for the day-to-day implementation of the Plan. If the designation of the Equal Employment Opportunity Officer changes before this *Plan* is revised, the District will notify employees and applicants for employment of the new designee. The Equal Employment Opportunity Officer is responsible for administering, implementing, and monitoring the Plan and for

assuring compliance with the requirements of Title 5 of the California Code of Regulations, Section 53000 *et seq.* The Equal Employment Opportunity Officer also is responsible for receiving complaints described in Plan Component 6, for ensuring that such complaints are promptly and impartially investigated, and for ensuring that applicant pools and selection procedures are properly monitored as required by Sections 53023 and 53024 of Title 5 of the California Code of Regulations. The Superintendent/President and Vice President of Human Resources are responsible for ensuring that the Equal Employment Opportunity Officer is adequately qualified or trained for the responsibilities of the position.

4. ***Equal Employment Opportunity Advisory Committee***

The District will maintain an Equal Employment Opportunity Advisory Committee (EEO Advisory Committee) as a subcommittee of the joint DPAC committee. The Committee's responsibility is to act as an advisory body to the Equal Employment Opportunity Officer and the District as a whole, and to promote understanding and support of equal employment opportunity policies and procedures.

The EEO Advisory Committee shall assist in the implementation of the Plan consistent with all applicable federal, state, and local laws and guidelines, monitor the progress of equal employment opportunity and diversity throughout the District, and provide suggestions for Plan revisions as appropriate. See Plan Component 5, below.

5. ***Agents of the District***

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

6. ***Good Faith Effort***

The District shall make a continuous good faith effort to comply with all the requirements of the Plan. If any part of the Plan conflicts with Title 5 of the California Code of Regulations, Section 53000 *et seq.*, the District will follow the language of Title 5.

Plan Component 5: EEO Advisory Committee

The District has established an Equal Employment Opportunity Advisory Committee ("EEO Advisory Committee") to assist the District in implementing the Plan. The Human Resources Subcommittee to the District Planning and Advisory Council (DPAC-HR) will form the core membership of the EEO Advisory Committee. The EEO Advisory Committee shall include a diverse membership whenever possible. EEO Advisory Committee members shall include one each of the following:

- Equal Employment Opportunity Officer or designee;
- Compliance Administrator/Title IX Coordinator;
- Director of Classified Personnel;
- Dean of Human Resources;
- Americans with Disabilities Act (ADA) Officer;

- Member of the faculty appointed by the Academic Senate President;
- Member of the classified staff appointed by the Classified School Employees Association (CSEA) President;
- Student representative recommended by the Associated Students;
- Committee member-at-large appointed by the EEO Officer, and
- Community representative appointed by the Superintendent/President.

If the District has been unable to fulfill the membership objective as defined herein, it will document efforts made to recruit advisory committee members who represent diversity.

Every year, the EEO Advisory Committee shall receive training in all of the following:

- the requirements of all applicable federal, state, and local laws, including Title 5 of the California Code of Regulations, Section 53000 *et seq.*;
- identification and elimination of bias in hiring;
- the educational benefits of workforce diversity and the practice of equity; and
- the role of the EEO Advisory Committee in carrying out the District’s EEO Plan.

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

The EEO Advisory Committee members shall be appointed for a minimum term of 3 years. The Vice President of Human Resources shall review the composition of the committee annually and recommend adjustment as necessary. Recommendations for committee adjustment shall be forwarded to DPAC-HR for review.

The EEO Advisory Committee will review the EEO Plan at least once every three years, and any revised Plan, approved by the Board of Trustees, will be submitted to the Chancellor’s Office.

Plan Component 6: Complaints⁷

Each community college district shall establish a process permitting any person to file a complaint alleging that the requirements of this subchapter have been violated. A copy of the complaint shall immediately be forwarded to the Chancellor who may require that the District provide a written investigative report within ninety (90) days. Complaints which also allege discrimination prohibited by Government Code sections 11135 *et seq.* shall be processed according to the procedures set forth in subchapter 5 (commencing with section 59300) of chapter 10 of this division.

Complaints Alleging Violation of the Equal Employment Opportunity Regulations. The District has established, under Administrative Regulation 3120 - Equal Employment Opportunity Program and Discrimination Complaint Procedure, a process to file a complaint alleging that the requirements of the equal employment opportunity regulations have been violated. Any person who believes that the equal employment opportunity regulations have been violated may file a

⁷ CCR Title 5 §53003(c)(2), 53026, 59300 *et seq.* 1)

written complaint describing in detail the alleged violation. All complaints shall be signed and dated by the complainant and shall contain, to the best of the complainant's ability, the names of the individuals involved, the date(s) of the event(s) at issue, and a detailed description of the actions constituting the alleged violation. Complaints involving current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than sixty (60) days after such occurrence unless the complainant can verify a compelling reason for the District to waive the sixty (60) day limitation.

Complaints alleging violations of the EEO Plan that do not involve current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than ninety (90) days after such occurrence unless the violation is ongoing. A complainant may not appeal the District's determination pursuant to section 53026 to the Chancellor's Office, but under some circumstances, violations of the equal opportunity regulations in Title 5 may constitute a violation of a minimum condition for receipt of state aid. In such a case, a complaint can be filed with the Chancellor's Office, but the complainant will be required to demonstrate that they made previous reasonable, but unsuccessful, efforts to resolve the alleged violation at the college and/or district level using the process provided by section 53026.

See California Community Colleges Chancellor's Office Legal Division for updated information:
<https://www.cccco.edu/About-Us/Chancellors-Office/Divisions/General-Counsel>.

The complaint shall be filed with the Vice President of Human Resources or their Equal Employment Opportunity Officer. If the complaint involves the Vice President of Human Resources or the Equal Employment Opportunity Officer, the complaint may be filed with the Superintendent /President. To the extent practical, a written determination on all accepted written complaints will be issued to the complainant within ninety (90) days of the filing of the complaint. The District shall forward a copy of the complaint to the Chancellor in accordance with section 59330 – Notice to the Chancellor.

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

Complaints Alleging Unlawful Discrimination or Harassment (Section 59300 et seq). The District has adopted procedures for complaints alleging unlawful discrimination or harassment. The Office of Human Resources, or the EEO designated officer, is responsible for receiving such complaints and for coordinating their investigation in accordance with established policies. The District's discrimination and sexual harassment complaint policies and procedures are stated in the following policies and regulations located at the District website:
<http://www.smc.edu/ACG/BoardofTrustees/Pages/Board-Policy-Manual.aspx>.

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

It shall be the District's objective to provide all job applicants, employees, and students with an expeditious and effective procedure for resolution of complaints alleging unlawful discrimination. Complaints involving the hiring process shall be addressed by the Dean-Human Resources, or the Director of Personnel Commission, whomever is appropriate.

Investigations shall be conducted in a manner which seeks to balance issues of confidentiality and privacy with the need to conduct thorough, objective investigations of all complaints. Rights of complainants to freedom from retribution shall be protected. All complaints shall be 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 of unlawful discrimination.

Additional information on unlawful discrimination and equal employment opportunity regulations may be found at the following links:

- The EEO regulations:
[*Title 5 of the California Code of Regulations, sections 53000, et seq.*](#)
- SMC's Board Policies:
<http://www.smc.edu/ACG/BoardofTrustees/Pages/Board-Policy-Manual.aspx>
- SMC's Administration Regulations:
http://www.smc.edu/ACG/Documents/Administrative_Regulations/AR_3000_Human%20Resources.pdf
- SMC's Diversity, Equity & Inclusivity website:
<http://www.smc.edu/HumanResources/HumanResourcesDepartment/Diversity-Equity-Inclusivity/Pages/default.aspx>
- Filing a complaint:
<http://www.smc.edu/HumanResources/HumanResourcesDepartment/Diversity-Equity-Inclusivity/Pages/default.aspx>

Plan Component 7: Notification of EEO Plan & Policy

The commitment of the Santa Monica Community College District to equal employment opportunity is emphasized through the broad dissemination of the District's Equal Employment Opportunity Policy Statement and the EEO Plan. The District's EEO Policy Statement is posted on the websites of the District's Office of Human Resources and the Personnel Commission.

The following statement shall be posted on all employment announcements and recruitment materials:

The Santa Monica Community College District is committed to the principles of equal employment opportunity. All qualified applicants for employment, as well as District employees, shall have full and equal access to employment opportunity. No person shall be subjected to unlawful discrimination in any program or activity of the District. The District's [*Board Policy 3410 \(Nondiscrimination\)*](#) and [*Board Policy 3420 \(Equal Employment Opportunity\) address unlawful discrimination.*](#)

The Plan and subsequent revisions of the Plan will be distributed via email to:

- the District's Board of Trustees and Superintendent/President;

- all administrators and managers of the District;
- SMC's Academic Senate President;
- the Presidents of CSEA Chapter 36, SMC Police Officers Association, and the SMC Faculty Association;
- all members of the District's Equal Employment Opportunity Advisory Committee; and
- all District faculty and staff.

The EEO Plan⁸ is available on the District's Human Resources website through a link on the Human Resources' gateway page as well as on the [Diversity, Equity & Inclusivity @ SMC](#) website. Also, the District's Office of Human Resources will provide a paper or electronic copy of the Plan to any person requesting it; whether the Plan is provided in paper or electronic form is dependent on the wishes of the requesting person.

Each year, at the beginning of the Fall semester, the Office of Human Resources will email all District employees (via District emails) a copy of the EEO Plan as well as an annual notice as described below. The Office of Human Resources will provide the Plan and notice described below via email to all new employees when they commence their employment with the District. For employees without District emails, the District's Office of Human Resources will mail them a copy of the annual notice to their home addresses.

The annual notice will contain the following provisions:

- the importance of the employee's participation and responsibility in ensuring the Plan's implementation;
- the availability of the Plan on the Office of Human Resources website and at the Office of Human Resources; and
- that any person may request a paper or electronic copy of the Plan from the District's Office of Human Resources, CSEA Chapter 36, SMC Police Officers Association, or the Faculty Association.

Plan Component 8: Recruitment, Screening & Selection

All recruitment for employment positions conducted by the District including, without limitation, recruitment positions conducted by the District's Office of Human Resources and Personnel Commission, shall be conducted consistent with all the requirements set forth in Section 53021 of Title 5 of the California Code of Regulations.

The District's Office of Human Resources, and Personnel Commission, shall create job announcements and set qualifications for employment positions consistent with all the requirements set forth in Section 53022 of Title 5 of the California Code of Regulations.

The District Office of Human Resources shall conduct academic applicant pool reviews, and take appropriate action as necessary, consistent with all of the requirements set forth in Section 53023 of Title 5 of the California Code of Regulations.

⁸ EEO Plan:
http://www.smc.edu/HumanResources/HumanResourcesDepartment/Documents/EEO_Documents/EEO-Plan.pdf

The District's screening and selection procedures shall be consistent with all the requirements set forth in Section 53024 of Title 5 of the California Code of Regulations. Specifically, all screening and selection techniques, including the procedure for developing interview questions, and the selection process as a whole, shall be:

- provided to the Chancellor upon request;
- designed to ensure that for all faculty and administrative positions and as appropriate for all other positions (including classified 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;
- based solely on job-related criteria; and
- designed to avoid an adverse impact, as defined in Section 53001(a) of Title 5 of the California Code of Regulations, and monitored by means consistent with this section to detect and address any adverse impact which does occur for any monitored group.

Whenever possible, screening/selection committees shall include a diverse membership which will bring a variety of perspectives to the assessment of applicants' qualifications.

Each individual serving on an academic hiring committee will be required to participate in a recruitment training session once each academic year. This training is mandatory; individuals who have not received this training will not be allowed to serve on screening/selection committees.

The District's Office of Human Resources is responsible for providing the required training for District employees serving on academic administrator and faculty screening/selection committees; the District's Personnel Commission Office is responsible for providing the required training for District employees and other persons serving on classified employee screening/selection committees throughout the hiring process.

Any individual, whether or not he or she is an employee of the District, acting on behalf of the District with regard to recruitment, screening, and/or selection of employees is subject to the equal employment opportunity requirements of Title 5 and the District's Equal Employment Opportunity Plan.

Recruitment, screening, and selection for all classified positions are also governed by the rules and regulations of the Personnel Commission at Santa Monica College, and the California State Education Code, Sections 88050 through 88139.

Plan Component 9: Reasonable Accommodation for Persons with Disabilities

The District shall ensure that applicants and employees with disabilities are provided with reasonable accommodations consistent with the requirements set forth in Government Code, Sections 11135 et seq. and 12940(m); Section 504 of the Rehabilitation Act of 1973; and the Americans with Disabilities Act. All requests for reasonable accommodation should be reported to the District's ADA Officer:

- the District's Office of Human Resources is responsible for handling requests for accommodations from current employees as well as from academic applicants seeking such accommodations during the application process; and
- the Personnel Commission is responsible for handling request for accommodations for classified, non-academic applicants seeking such accommodations during the application process.

Plan Component 10: Annual Written Notice to Appropriate Community-Based & Professional Organizations

The Equal Employment Opportunity Officer will provide annual written notice to appropriate community-based and professional organizations concerning the Plan. This written notice will be by email if possible. The notice will:

- inform these organizations how they can access or obtain a copy of the Plan;
- inform them of the District's need for assistance from the community and such organizations in identifying qualified candidates;
- include the EEO Policy Statement and an internet or PDF link to the Plan; and
- include the internet address where the District advertises its job openings and include contact information for persons who wish to obtain employment-related information.

The District will actively seek to reach those institutions, organizations, and agencies that may be recruitment sources that could help increase the diversity of the applicant pools for employment positions at the District. The District's Equal Employment Opportunity Officer will maintain a list of organizations which will receive this notice.

Plan Component 11: Workforce Analysis and Applicant Pools

The District, through its Office of Human Resources, shall annually collect employee demographic data and shall monitor applicants for employment on an ongoing basis in order to evaluate the implementation of its EEO plan, to provide data needed for the analyses required by this Plan, and to determine whether any monitored group is underrepresented. The District shall annually report to the Chancellor, in a manner prescribed by the Chancellor, this data for employees of the District. Each employee shall be reported so that he or she may be identified as belonging to one of the following seven job categories:

- (1) Executive/Administrative/Managerial;
- (2) Faculty and Other Instructional Staff;
- (3) Professional Non-Faculty;
- (4) Secretarial/Clerical;
- (5) Technical and Paraprofessional;
- (6) Skilled Crafts; and
- (7) Service and Maintenance

For purposes of the data collection and reporting required under this section, each applicant or employee shall be afforded the opportunity to identify their gender, ethnic group identification

and, if applicable, disability. A person may designate multiple ethnic groups with which to identify, but shall be counted in the 'Two or More' category for ethnic group reporting purposes. This information is kept confidential and is separated from the applications that are forwarded to the screening/interview committee and hiring administrator(s).

At least once every 3 years, but more often if determined as necessary by the Superintendent/President or designee, the Office of Human Resources shall review the data to determine if significant underrepresentation of a monitored group may be the result of non-job-related factors in the employment process. The analyses used in the review shall include, but need not be limited to:

- longitudinal analysis of data regarding job applicants 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;
- 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
- analysis pursuant to Section 53003(c)(7) of Title 5 of the California Code of Regulations to determine whether a group is significantly underrepresented.⁹

Review of Initial and Qualified Applicant Pools (Academic Positions Only)

The District's analysis of applicant pools will - include the following provisions:

Initial applicant pools will be reviewed for projected representation of monitored groups. Once the initial pool is approved, the pool will be screened for minimum qualifications, resulting in a qualified applicant pool. The qualified applicant pool will be reviewed so that no monitored group is adversely impacted. Once the qualified applicant pool is approved, the pool will be forwarded to the screening/interview committee. The District's recruitment and hiring procedures will include the following provisions:

- A. Review each locally established "required," "desired," or "preferred" qualification being used to screen applicants for positions in the job category to determine if it is job-related and consistent with:
 - a. any requirements of all applicable federal, state, and local laws; 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.
- B. Discontinue the use of any locally established qualification that has not been found to satisfy the requirements set forth in this section;
- C. Continue using qualification standards meeting the requirements of this section 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.

⁹ SMC Diversity Reports:

<http://www.smc.edu/HumanResources/HumanResourcesDepartment/Pages/Diversity-Reports.aspx>

Plan Component 12: District Measures to Address Identified Underrepresentation

The District will ensure equal employment opportunity, which involves creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas, and that is welcoming to people of all genders, persons with disabilities, and individuals from all ethnic and other groups that are protected from discrimination. In so doing, the District places great emphasis on the recruitment of potential applicants in order to create a diverse pool of qualified individuals from which to hire. With a diverse pool, the District takes steps within the screening/selection process to allow for the hiring of candidates with varied backgrounds who can contribute and effectively communicate in a diverse community. The EEO provisions below are applicable to all full-time and part-time hiring, including any hiring meant to address the ratio of full-time to part-time faculty that may be required by [Education Code Section 87482.6](#).*

To address any identified underrepresentation of monitored groups that may be the result of non job-related factors in the employment process, the District will revise its recruitment and hiring procedures and policies in accordance with the following provisions. These provisions will be in place henceforth, whether or not underrepresentation exists, because the provisions are also valuable in ensuring EEO. The District's recruitment and hiring procedures will include the following provisions:

* [Education Code Section 87102](#) requires each district's Plan to address how the district will make progress in achieving the ratio of full-time to part-time faculty hiring as required by [Education Code Section 87482.6](#), while still ensuring equal employment opportunity.

Recruitment

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

Efforts will be undertaken on a regular basis to develop and contact new recruitment sources that ensure diverse pools of candidates. Diverse pools should include, but not be limited to, persons without regard to gender or disabilities, and individuals from all ethnic and other groups protected by law and regulation from discrimination. The Equal Employment Opportunity Advisory Committee is encouraged to utilize and notify the District of additional recruitment options that may enable the District to obtain a diverse pool of applicants. The District's recruitment and hiring procedures will include the following provisions:

- A. Review the District's recruitment procedures and identify and implement any additional measures which might reasonably be expected to attract candidates from the significantly underrepresented group;
- B. For any job category where continuing underrepresentation exists, the District will apply the recruitment procedures set forth in Title 5, Section 53021 to conduct full and open recruitment for all new openings. The District will not invoke the provisions for in-house interim academic appointments (or the exception under 53021(c)(7) for engaging an administrator through a professional services contract) unless the Superintendent/President or designee first notifies the governing board and the Equal Employment Opportunity Advisory Committee in writing of the compelling reason to limit the persons

who may be considered for a vacancy in a job category where underrepresentation persists. An exception can be made when a classified promotional appointment or transfer does not result in a net increase in the number of employees, or a classified position is filled by a temporary, short-term, or substitute employee appointed pursuant to Education Code sections 87422, 87480, 87482.5(b), 88003, 88106 or 88109, provided that all appointments are made in compliance with Title 5 – Section 53021.

- C. Recruitment for all open academic positions shall include, but not be limited to, placement of job announcements in the following instruments:
 - a. General circulation newspapers and publications, including electronic media, in English and Spanish, and as well as those whose primary audience is comprised of groups found to be underrepresented in the District’s workforce; and
 - b. Recruitment booths at local, regional, and national job fairs or conferences oriented to both the general market and the economically disadvantaged as well as those events drawing significant participation by groups found to be underrepresented in the District’s workforce.
- D. At least every two years, or when employment data indicate a necessity, the District shall host an open house for persons interested in employment with the District. The open house will allow potential candidates to meet deans, department chairs, faculty, and classified employees of the District. Attendees will be provided with information regarding current job openings, the demographic makeup of the student body, hiring criteria and procedures, and information on the District’s commitment to equal employment opportunity. Efforts will be made to attract diverse groups of individuals to the open house.

Addressing Underrepresentation: Additional Measures to Support Diversity and Ensure EEO

The District seeks to employ qualified persons with a broad range of backgrounds and abilities who have the knowledge and experience to work effectively in a diverse environment. The selection process is based on merit, and will extend to all candidates a fair, impartial examination of qualifications based on job-related criteria. Upon analysis, where underrepresentation of a monitored group is supported by the data, the District shall implement additional measures designed to address the specific area(s) of concern.¹⁰ These additional measures shall include the following:

1. Review the District’s 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;

¹⁰ [CA Code of Regulations, Section 53006](#)

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 for a reasonable period of time:
 - for purposes of this section, “a reasonable period of time” means three years, or such longer period as the Chancellor may approve upon the request of the Equal Employment Opportunity Advisory Committee and the Superintendent/President.
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:
 - any requirements of all applicable federal, state, and local laws; and
 - 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 section;
6. Continue using qualification standards meeting the requirements of paragraph (4) of this section 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.

Nothing in this section 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 all applicable laws.

Plan Component 13: Developing & Maintaining Institutional Commitment to Diversity

Establishing and maintaining a richly diverse workforce is an on-going process that requires continued institutionalized effort. Equal employment opportunity means that all qualified individuals have an equitable and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the District. Equal employment opportunity should exist at all levels and in all job categories. Ensuring equal employment opportunity also involves creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas, and is welcoming to all persons. The following are tools that may be used by the District in developing and maintaining its ongoing commitment to diversity:

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 to the EEO process;

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 to develop strategies to retain employees from underrepresented groups;
3. Provide training on elimination of bias and unlawful discrimination in hiring and employment;
4. Provide diversity and inclusivity training to members of the campus community to support a culture of mutual respect;
5. Maintain a variety of programs to support newly-hired employees such as mentoring, professional development, and leadership opportunities which focus on the creation of an equitable campus climate;
6. Ensure that all job descriptions and announcements promote diversity, inclusivity, and equity;
7. Provide training to the District's Board of Trustees on the elimination of unlawful discrimination and bias in hiring and employment at least once every election cycle;
8. Maintain a "[*Diversity, Equity and Inclusivity @ SMC*](#)" online presence which lists unlawful discrimination, bias, and equal employment opportunity resources and contact persons.
9. Seek direct contact with student, professional, community and other organizations that represent the diverse community we serve. These organizations can serve as resources for referring potential candidates;
10. 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;
11. Comply timely 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;
12. Through the District's publications and website, convey the District's diversity and commitment to equal employment opportunity;
13. 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;
14. Through the District's hiring procedures, require that applicants for all positions 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;
15. Through District staff members, serve as resources, consultants, mentors and/or leaders to colleagues at other districts in the areas of EEO and diversity enhancement;

16. Maintain updated curricula, texts, and/or course descriptions to expand the global perspective of the particular courses, readings, or discipline;
17. Address issues of inclusion/exclusion in a transparent and collaborative fashion;
18. Attempt to gather information from applicants who decline job offers to find out why, record this information, and utilize it; and
19. Conduct EEO related longitudinal analysis of various employment events by monitored group status such as recruitment, hiring, promotion, retention, voluntary resignation, termination, and discipline.

Plan Component 14: Accountability

The District, through the Equal Employment Opportunity Officer, shall provide all reports and certifications required by the State Chancellor, including, without limitation, those required under Sections 53024.2 and 53034 of Title 5 of the California Code of Regulations.

⌘⌘⌘⌘⌘