

PALOMAR COMMUNITY COLLEGE DISTRICT EQUAL EMPLOYMENT OPPORTUNITY PLAN

2019-2022





EQUAL EMPLOYMENT OPPORTUNITY PLAN

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CHAPTER 1 | INTRODUCTION

The Palomar Community College District Equal Employment Opportunity Plan (“Plan”) reflects the District’s commitment to fair and equitable treatment in employment towards realizing the full benefits of a culturally diverse, inclusive and engaging teaching and learning environment. The District believes that fostering diversity affords the best opportunity to enhance and realize institutional excellence, while preparing those at the center of the institution’s mission, the students, to contribute as individuals and global citizens living responsibly, effectively, and creatively in an interdependent and ever-changing world.

The Plan provides an ongoing, systematic approach to evaluating the District’s equal employment opportunity (EEO) practices. The primary goals of the Plan are to assess which practices best ensure equal treatment of all applicants and employees; to ensure that decisions regarding those practices are based upon and supported by applicable data; and to create a culturally inclusive environment that supports a diverse academic setting and positively impacts the workforce within the region.

The Plan delineates the EEO practices that the District utilizes to further its commitment to diversity. In accordance with Title 5 of the California Code of Regulations, Section 53000 et seq. and other applicable laws, regulations, and District policies and procedures, the Plan details the connection between methods to achieve EEO through measurable outcomes and the District’s overarching strategic planning and program review mechanisms. Largely driven by Title 5, the Plan also aligns with Standard III.A. Human Resources of the Accrediting Commission for Community and Junior College’s Accreditation Standards.

The Human Resource Services (HRS) Department has primary responsibility for the development, review and systematic evaluation of the Plan. The Plan and any subsequent updates will undergo review through the District’s shared governance process during which the Equal Employment Opportunity Advisory Committee, the Human Resource Services Planning Council, and then the Strategic Planning Council provide feedback to HRS, which is then incorporated into the Plan. Final review and approval of the Plan resides with the District’s Governing Board. The Plan is reviewed and, as necessary, updated every three years as required by the California Community Colleges Chancellor’s Office.

Adopted by the Governing Board of the Palomar Community College District on July 9, 2019.

Joi Lin Blake, Ed.D.
Superintendent/President





CHAPTER 2 | DEFINITIONS

Included in this chapter are definitions for terms used in the Plan and related concepts.

Adverse Impact. 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 defined in terms of ethnic group identification, gender, or disability. A disparity identified in a given selection process will not be considered to constitute adverse impact if the numbers involved are too small to permit a meaningful comparison.

Appeal. Appeal means a request in writing made by a complainant to the Palomar Community College District’s Governing Board pursuant to Title 5, Section 59338, and/or to the California Community Colleges Chancellor’s Office (Chancellor’s Office) pursuant to Title 5, Section 59339, to review the administrative determination of the District regarding a complaint of discrimination.

Chancellor. The Chancellor of the California Community Colleges system.

Chancellor’s Office. The California Community Colleges Chancellor’s Office.

Complaint. Complaint means a written and signed statement meeting the requirements of Title 5, Section 59328 that alleges unlawful discrimination in violation of the nondiscrimination regulations adopted by the Board of Governors of the California Community Colleges as set forth in Title 5, Section 59300 et seq. DFEH. DFEH is an acronym for the California Department of Fair Employment and Housing.

District. District means the Palomar Community College District. This definition is inclusive of any District program or activity that is funded directly by the state or receives financial assistance from the state, or any other organization associated with the District or its educational centers that receives state funding or financial assistance through the District.

Diversity. Diversity means a condition of broad inclusion in an employment environment that offers equality and respect for all persons. It requires both the presence, and the respectful treatment, of individuals from a wide range of ethnic, racial, cultural, age, national origin, religious, sex, gender, sexual orientation, disability, socioeconomic, academic, and other backgrounds protected by federal and state laws and regulations. A diverse educational community demonstrates through its practices that it recognizes the educational benefits to all students from attending school in an environment that promotes and values employee diversity at all levels. Hiring strategies to maximize workforce diversity enhance and include steps for identifying and eliminating adverse impact and the barriers to employment of historically underrepresented groups.

Equal Employment Opportunity. Equal employment opportunity means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the District. Equal employment opportunity should exist at all levels and in all job categories listed in Section 53004(a). Ensuring equal employment opportunity also involves:

1. Identifying and eliminating barriers to employment that disproportionately exclude, or have an adverse impact upon, individuals based on any protected status identified in Government Code Section 12940; and
2. Creating an environment which fosters cooperation, acceptance, democracy, and free expression of ideas and is welcoming to individuals from all groups protected from discrimination pursuant to Government Code Section 12940.

Equal Employment Opportunity Plan. The Equal Employment Opportunity Plan is the written document in which the District’s workforce is analyzed and specific plans and procedures are set forth for ensuring equal employment opportunity.

Equal Employment Opportunity Programs. 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, and taking additional steps consistent with the requirements of Title 5, Section 53006.

Ethnic Minorities. Ethnic minorities, as defined by Title 5, Section 53001(f)(1), means American Indians or Alaskan natives, Asians or Pacific Islanders, Blacks/African-Americans, and Hispanics/Latinos.

Ethnic/Racial Group Identification. Ethnic/racial group identification means an individual's identification in one or more of the ethnic groups defined by the United States Equal Employment Opportunity Commission (EEOC). Group identity is obtained through voluntary self-identification by employees and applicants for employment. These groups are defined as follows:

- **Hispanic or Latino:** A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.
- **White (Not Hispanic or Latino):** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.
- **Black or African American (Not Hispanic or Latino):** A person having origins in any of the black racial groups of Africa.
- **Native Hawaiian or Pacific Islander (Not Hispanic or Latino):** A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- **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.
- **Native American 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.
- **Two or More Races (Not Hispanic or Latino):** All persons who identify with more than one of the above five races.

Job Category. used for the purpose of this Plan and reported to the Chancellor pursuant to Title 5, Section 53004(a) are (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.

Monitored Group. Monitored group means those groups identified in Title 5, Section 53004(b) for which monitoring and reporting is required pursuant to Title 5, Section 53004(a).

OCR. An acronym for the Office for Civil Rights of the United States Department of Education.

Person with a Disability. 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; (2) has a record of such an impairment; or (3) is regarded as having such an impairment. A person with a disability is "limited" if the condition makes the achievement of the major life activity difficult.

Projected Representation. Projected representation means the percentage of persons from a monitored group determined by the Chancellor to be available and qualified to perform the work in question.

Reasonable Accommodation. Reasonable accommodation means 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 Title 5, Section 53025.

Responsible District Officer. Responsible District Officer means the person identified by the District as the person responsible for receiving and coordinating investigations of complaints of unlawful discrimination filed with the Chancellor's Office pursuant to Title 5, Section 59328.

Screening or Selection Procedure. Screening or selection procedure means any measure, combination of measures, or procedure used as a basis for any employment decision. Selection procedures include the full range of assessment techniques, including but not limited to, traditional paper and pencil tests, performance tests, and physical, educational, and work experience requirements, interviews, and review of application forms.

Significantly Underrepresented Group. Significantly underrepresented group means any monitored group for which the percentage of persons from that group employed by the District in any job category listed in Title 5, Section 53004(a) is below eighty percent (80%) of the projected representation for that group in the job category in question.



CHAPTER 3 | EEO POLICY STATEMENT

Board Policy 3420 Equal Employment Opportunity

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

Adopted April 12, 2011

The Governing Board supports the intent set forth by the California Legislature to assure that effort is made to build a community in which opportunity is equalized and community colleges foster a climate of acceptance with the inclusion of faculty and staff from a wide variety of backgrounds. It agrees that diversity in the academic environment fosters cultural awareness, mutual understanding, respect, harmony, and suitable role models for all students. The Board therefore commits itself to promote the total realization of equal employment through a continuing equal employment opportunity program.

In all phases of recruitment and hiring, equal opportunity is afforded to all employees and qualified applicants for employment without discrimination on the basis of characteristics including, but not limited to: ethnic group identification, race, color, national origin, religion, socioeconomic status, age, sex, gender, gender identity, physical or mental disability, sexual orientation, political affiliation, transgender, marital status, veteran status, medical conditions, union membership or on the basis of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

The Superintendent/President shall develop, for review and adoption by the Board, a plan for equal employment opportunity that complies with the Education Code and Title 5 requirements as from time to time modified or clarified by judicial interpretation. The Vice President, Human Resource Services is the responsible District officer charged with receiving formal complaints of equal employment opportunity violations and coordinating the investigation.

Also see BP 3410 titled Nondiscrimination, AP 3420 titled Equal Employment Opportunity, AP 3435 titled Discrimination and Harassment Investigations and Training, BP 7100 titled Commitment to Diversity, BP/AP 7120 titled Recruitment and Hiring, and the District's Equal Employment Opportunity (EEO) Plan.





CHAPTER 4

DELEGATION OF RESPONSIBILITY, AUTHORITY, AND COMPLIANCE

Achieving the goal of a diverse educational culture requires the collective efforts of the college community as a whole. All employees and agents of the District are responsible for promoting and supporting equal employment opportunity in order to realize the full benefits of a diverse, collaborative, and inclusive District culture. The general responsibilities for the prompt and effective implementation of this Plan are set forth below.

Governing Board. The Governing Board is ultimately responsible for the proper implementation of the District's Plan at all levels of District operations, for ensuring equal employment opportunity as described in the Plan, and is accountable for the success of the Plan.

Superintendent/President. The Governing Board delegates to the Superintendent/President the responsibility for ongoing implementation of the Plan and for providing leadership in supporting and articulating the District's equal employment opportunity policies and procedures. The Superintendent/President shall advise the Governing Board concerning statewide policy emanating from the Board of Governors of the California Community Colleges.

Equal Employment Opportunity Officer. The Governing Board designates the Assistant Superintendent/Vice President, Human Resource Services as the 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 next 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, Sections 53000 et seq. The equal employment opportunity officer is also responsible for receiving complaints described in Chapter 6. Complaints and for ensuring that District workforce, applicant pools, and selection procedures are properly monitored. For purposes of receiving, investigating, and resolving complaints of unlawful discrimination and harassment, the Equal Employment Opportunity Officer is referred to as the Responsible District Officer pursuant to Title 5, Section 59324.

Equal Employment Opportunity Advisory Committee. To promote understanding and support of equal employment opportunity policies and procedures, the District has established an Equal Employment Opportunity Advisory Committee (EEOAC), as further detailed in Chapter 5. The EEOAC acts as an advisory body to the equal employment opportunity officer and the District as a whole and assists in the implementation of the Plan pursuant to Title 5, Section 53003.

District Employees. Consistent with applicable state and federal laws and applicable collective bargaining agreements and employee handbooks, employees shall actively promote equal employment opportunity and the diversity goals of the Plan in all facets of District operations and processes, including, but not limited to, recruitment, selection, evaluation, and tenure.

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 the 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 the Plan.





CHAPTER 5

EEO ADVISORY COMMITTEE

Role. The District has established an Equal Employment Opportunity Advisory Committee (EEOAC) to assist in the articulation and implementation of the Plan. The EEOAC assists the District in achieving understanding of and support for equal employment opportunity and non-discrimination policies and procedures consistent with the purposes of the Plan. As further delineated in Chapter 8. Training for Selection Committees, the Equal Employment Opportunity Officer or qualified designees shall train the EEOAC on equal employment compliance and the Plan itself. The specific responsibilities of the EEOAC include:

1. Assisting in developing the District's Plan in compliance with state and federal regulations, statutes, and guidelines.
2. Monitoring the implementation and progress of the Plan and recommending corrective action when necessary.
3. Advising the District's Equal Employment Opportunity Officer in the development and presentation of annual reports to the Governing Board and Superintendent/President and responding to equal employment inquiries and concerns of all employees.
4. Assisting the District's Equal Employment Opportunity Officer in developing and coordinating information programs for District employees.
5. Reviewing and suggesting revisions in services, employment policies, and other written and unwritten rules, policies, practices, and procedures that affect persons with disabilities.
6. Monitoring the implementation of and compliance with the Americans with Disabilities Act.

Meetings. The EEOAC meets once each month during the regular academic year. Meeting agendas and minutes are posted on the District's website at www.palomar.edu/committees/eecoc.

Composition. The EEOAC is comprised of District students, faculty, staff, administrators, and community members. A good faith effort shall be made to establish and maintain a committee comprised of a diverse membership and with respect to the principles of shared governance. The membership of the EEOAC is as follows:

- Chair: Assistant Superintendent/Vice President, Human Resource Services (Equal Employment Opportunity Officer)
- Four faculty (appointed by the Faculty Senate)
- One faculty (appointed by the Palomar Faculty Federation)
- One part-time faculty (appointed by the Faculty Senate)
- Four classified unit employees (appointed by CCE/AFT)
- One administrator (appointed by the Administrative Association)
- One Confidential and Supervisory Team (CAST) member (appointed by CAST)
- Manager, Equal Employment Opportunity and Compliance
- Supervisor, Human Resources (Recruiting)
- One Senior Administrator (appointed by the Assistant Superintendent/Vice President, Human Resource Services)
- One student (appointed by the Associated Student Government)
- One community representative (elected by the EEO Advisory Committee)





CHAPTER 6

UNLAWFUL DISCRIMINATION AND SEXUAL HARASSMENT COMPLAINTS

Overview: EEO and Unlawful Discrimination Complaints. Pursuant to Title 5, Section 53003(c)(2), this chapter addresses two sources of complaints: (a) those alleging violations of the equal employment opportunity regulations under Title 5, Section 53026; and (b) those alleging unlawful discrimination or sexual harassment under Title 5, Section 59300, with or without reference to equal employment opportunity violations. All such complaints shall be filed with the Responsible District Officer, except those against the Equal Employment Opportunity Officer, which shall be filed with the Superintendent/President.

Complaints Alleging Violation of the Equal Employment Opportunity Regulations (Title 5, Section 53026). The District is committed to the principles of equal employment opportunity and has established the following process permitting any person to file a complaint alleging that the requirements of the equal employment regulations, as outlined in Title 5, Sections 53000 et seq., have been violated. All complaints shall be in writing, signed and dated by the complainant, and shall contain the following: the name(s) of the individual(s) involved, the date(s) of the alleged violation(s), and a detailed description of the actions constituting the alleged violation(s).

All complaints must be filed as soon as possible after the occurrence of an alleged violation unless the violation is ongoing. Complaints involving current hiring processes must be filed no later than 60 calendar days after such occurrence unless the complainant can verify a compelling reason for the District to waive the 60-day limitation. Complaints alleging violations of the Plan that do not involve a current hiring process must be filed no later than 90 days after such occurrence unless the violation is ongoing.

A complainant may not appeal the District's determination pursuant to Title 5, 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 cases, a complaint can be filed with the Chancellor's Office, but the complainant will be required to demonstrate that previous reasonable, but unsuccessful, efforts were made to resolve the alleged violation at the District level using the process provided by Title 5, Section 53026. Guidelines for minimum conditions complaints are provided on the website of the Chancellor's Office at www.cccco.edu.

The District may return without action any complaints that are inadequate because they do not state a clear violation of the EEO regulations. All returned complaints must include a District statement of the reason for returning the complaint without action. To the extent practicable, a written determination on all accepted written complaints will be issued to the complainant within 90 days of the filing of the complaint. The Equal Employment Opportunity Officer will forward copies of all written complaints to the Chancellor's Office upon receipt.

In the event that a complaint filed under Title 5, Section 53026 alleges unlawful discrimination, it will be processed according to the requirements of Title 5, Section 59300 et. seq.

Complaints Alleging Unlawful Discrimination or Harassment (Title 5, Section 59300 et seq.). Complaints alleging unlawful discrimination or harassment follow the procedures set forth in Title 5, Section 59300 et. seq., regardless of whether such complaints also include allegations of equal employment opportunity violations. The District has adopted policies and procedures for complaints alleging unlawful discrimination or harassment, which are included in Appendix A.





CHAPTER 7 NOTIFICATION TO DISTRICT EMPLOYEES

The commitment of the Governing Board and the Superintendent/President to equal employment opportunity is emphasized through the broad dissemination of the District's equal employment opportunity policy statement and the Plan.

The Plan and subsequent revisions will be distributed to the Governing Board, the Superintendent/President, administrators, the Faculty Senate's leadership, union and employee group representatives and members of the District's Equal Employment Opportunity Advisory Committee. The Plan will also be available on the District's website and notifications of updates and revisions will be made via the website and e-mail notification.

Each year, the District will provide all employees with a copy of the District's equal employment opportunity policy statement, Board Policy 3420 (located in Chapter 3. EEO Policy Statement) and written notice summarizing the provisions of the Plan. The Human Resource Services Department will provide all new employees with a copy of the written notice described above when they commence their employment with the District. The annual notice will contain the following provisions:

1. The importance of the employee's participation and responsibility in ensuring the Plan's implementation.
2. A list of locations where complete copies of the Plan are available, to include, at minimum, the District's website, the President's Office, the Human Resource Services office, the District's libraries, and at each department office.





CHAPTER 8 TRAINING FOR SELECTION COMMITTEES

Any individual, whether or not an employee of the District, acting on behalf of the District with regard to recruitment and screening/selection of employees is subject to the equal employment opportunity requirements of Title 5, Section 53020(c) and the Plan. Any individual or organization, whether or not an employee of the District, who participates in the recruitment and screening/selection of personnel shall receive appropriate training on the following information:

- The requirements of the Title 5 regulations on equal employment opportunity (Sections 53000 et. seq.)
- The requirements of federal and state nondiscrimination laws
- The District's policies on nondiscrimination, recruitment, and hiring
- The requirements of the District's EEO Plan
- Principles of diversity and cultural proficiency and cultural competence
- The value of a diverse workforce
- Recognizing and preventing bias including implicit/unconscious bias

Appendix B contains the District's current training materials related to the selection process.



A photograph of two women, one with curly hair and glasses looking at a smartphone, and another woman partially visible in the background. The image is overlaid with a blue gradient banner containing the chapter title.

CHAPTER 9

ANNUAL WRITTEN NOTICE TO COMMUNITY ORGANIZATIONS REGARDING EEO PLAN

The Equal Employment Opportunity Officer will provide annual written notice to appropriate community-based and professional organizations concerning the Plan for the purpose of seeking assistance from the community in identifying qualified applicants. The notice will inform these organizations of how they may obtain a copy of the Plan and shall request their assistance in identifying diverse, qualified candidates. The notice will include a summary of the Plan and the website address where the District advertises its job openings, as well as contact information for District employees and departments from which employment information may be obtained.

The District will actively seek to reach those institutions, organizations, and agencies that may serve as recruitment resources. A list of the organizations that will receive this notice is contained in Appendix C of this Plan and will be revised periodically as necessary.





CHAPTER 10 | ANALYSIS OF DISTRICT WORKFORCE, APPLICANT POOLS, AND DEGREE OF UNDERREPRESENTATION

The Human Resource Services Department will annually survey the District's workforce composition and shall monitor applicants for employment on an ongoing basis to evaluate the District's progress in implementing the Plan, to provide data needed for the reports required by this Plan, and to determine whether any monitored group is underrepresented.

For purposes of the surveys and reports, and pursuant to Title 5, Section 53004(b), each applicant or employee will be afforded the opportunity to voluntarily identify her or his gender, ethnic group identification and, if applicable, her or his disability. Persons may designate as many ethnicities as they identify with, but shall be counted in only one ethnic group for reporting purposes. This information will be kept confidential and will be separated from the applications that are forwarded to the selection committees and hiring administrators.

The District will 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) Faculty
- 3) Professional Non-faculty
- 4) Secretarial/Clerical
- 5) Technical and Paraprofessional
- 6) Skilled Crafts
- 7) Service and Maintenance

Analysis of District Workforce. The District's demographic data for permanent employees as of Fall 2018 is presented on page 20. For purposes of analyzing this data longitudinally, demographic data from Fall 2015, as included in the 2016 EEO Plan, is also presented. The District began collecting data on two additional ethnic/racial categories, Multi-Ethnicity and Filipino, following the 2016 EEO Plan.

The District will survey all permanent employees during the three-year period of the 2019 Plan to validate ethnicity, gender, and disability data for the 2022 EEO Plan.

Palomar College Employee Demographic Data, Fall 2015

Job Category	Total	Male	Female	American Indian/ Alaskan Native	Black or African-American	Asian or Pacific Islander	Hispanic/Latino	White	Unknown Ethnicity
Executive/ Administrative	42	24	18	1	0	2	11	26	2
		57.1%	42.9%	2.4%	0.0%	4.8%	26.2%	61.9%	4.8%
Full-Time Faculty	251	117	134	3	6	19	34	187	2
		46.6%	53.4%	1.2%	2.4%	7.6%	13.5%	74.5%	0.8%
Professional Non-faculty	40	16	24	0	2	8	5	22	3
		40.0%	60.0%	0.0%	5.0%	20.0%	12.5%	55.0%	7.5%
Clerical/ Secretarial	163	21	142	2	6	5	55	93	2
		12.9%	87.1%	1.2%	3.7%	3.1%	33.7%	57.1%	1.2%
Technical and Paraprofessional	102	59	43	1	3	12	25	58	3
		57.8%	42.2%	1.0%	2.9%	11.8%	24.5%	56.9%	2.9%
Skilled Crafts	21	21	0	2	0	0	9	10	0
		100.0%	0.0%	9.5%	0.0%	0.0%	42.9%	47.6%	0.0%
Service and Maintenance	44	40	4	0	4	6	13	21	0
		90.9%	9.1%	0.0%	9.1%	13.6%	29.5%	47.7%	0.0%

Table 1. 2015 Employee demographic data

Palomar College Employee Demographic Data, Fall 2018

Job Category	Total	Male	Female	Asian or Pacific Islander	Black or African American	Filipino	Hispanic/Latino	American Indian/ Alaskan Native	White Non-Hispanic	Multi-Ethnicity	Unknown Ethnicity
Executive/ Administrative	58	26	32	6	2	1	13	0	31	2	3
		44.8%	55.2%	10.3%	3.4%	1.7%	22.4%	0.0%	53.4%	3.4%	5.2%
Full-Time Faculty	276	133	143	14	6	5	35	4	196	8	8
		48.2%	51.8%	5.1%	2.2%	1.8%	12.7%	1.4%	71.0%	2.9%	2.9%
Professional (Non-Faculty)	78	38	40	9	5	4	19	0	33	2	6
		48.7%	51.3%	11.5%	6.4%	5.1%	24.4%	0.0%	42.3%	2.6%	7.7%
Clerical/ Secretarial	110	11	99	5	3	2	32	1	57	4	6
		10.0%	90.0%	4.5%	2.7%	1.8%	29.1%	0.9%	51.8%	3.6%	5.5%
Technical and Paraprofessional	156	58	98	4	6	2	41	0	92	6	5
		37.2%	62.8%	2.6%	3.8%	1.3%	26.3%	0.0%	59.0%	3.8%	3.2%
Skilled Crafts	17	17	0	0	0	0	8	1	7	1	0
		100.0%	0.0%	0.0%	0.0%	0.0%	47.1%	5.9%	41.2%	5.9%	0.0%
Service/ Maintenance	59	53	6	2	4	4	19	2	22	3	3
		89.8%	10.2%	3.4%	6.8%	6.8%	32.2%	3.4%	37.3%	5.1%	5.1%

Table 2. 2018 employee demographic data

In review of gender balance within the seven job categories, all categories demonstrate similar comparative data from 2015 to 2018. However, three (3) categories continue to demonstrate significant disproportionality. These categories include skilled crafts, which shows a 100% male population; service maintenance, which demonstrates a 91% male population; and clerical/secretarial, which has a 90% female population. These unbalanced percentages tend to mirror societal trends as it relates to certain positions that have been endemically comprised of either male or female populations¹. For this reason, it will require concerted efforts by the District to seek and encourage more gender-diverse applicants in these fields.

Ethnic/racial diversity varies by job category, and is similar to the demographics reported in the 2016 EEO Plan. Some shifts in percentages may have occurred with the addition of the two (2) new ethnic/racial groups, which included Multi-Ethnicity and Filipino. It should be noted that an increase in certain categories may have also led to a shift in the composition within each group. The Asian and Pacific Islander category demonstrated the most significant loss in the area of Technical Paraprofessional, which decreased from 11.8% in 2015 to 2.6% in 2018. In contrast, the executive administrative staff increased by approximately 6%, but the full-time faculty lost a total of 4 faculty.

For Black or African American employees, an increase was shown in executive administration from 0% to 3.4% from 2015 to 2018. All other categories appeared to be relatively flat with minor increases or decreases in each category. In turn, the American Indian/Alaskan Native this population has remained relatively flat as well with minor increases or decreases that has not resulted in significant change.

In the Hispanic or Latino/a groups, executive administration and full-time faculty demonstrated minor increases from 2015-18 by only moving by one or two employees. However, within the professional non-faculty, the largest shift occurred. Within this category, there was an increase of 50%, which began at 12.5% in 2015 and increased to 24.4% in 2018. Although the Technical - Paraprofessional category, demonstrated a larger number of hires in this group, which increased from 25 to 41, it was balanced with an addition of positions in this category. Thus, this category remained relatively stable at approximately 25%. Similar results were seen within the Skilled Crafts and Service Maintenance categories.

For White employees, this group demonstrated a decrease in both the executive administrative as well as the full-time faculty groups. However, it should be noted that the decrease cannot be associated with an increase in hires within underrepresented groups, which demonstrated small increases that were not substantial enough to make a significant change. For example, comparative data from the 2015-2018 years in the category of full-time faculty, Asian or Pacific Islanders decreased by five (5); Black or African-American remained flat at six (6); American Indian or Alaskan Native increased by one (1), Hispanic or Latino/a increased by one (1), and; White increased by nine (9). When balancing the negative and positives in all five (5) groups, there was an overall loss of full-time faculty within the underrepresented groups. However, the groups that appeared to cause a shift in the racial/ethnic balance, which may have caused a decrease in the White population was the addition of Filipino, which demonstrated five (5) full-time faculty and the multi-ethnic group as well as unknown ethnicity that each had eight (8) respondents. The total of twenty-one (21) new full-time faculty in these three (3) categories appear more demonstrative of the decrease within the White category of full-time faculty. It is unknown how individuals would have self-reported their ethnicity/race had the options of multi-ethnicity or unknown been unavailable, nonetheless, the addition of two (2) of the three (3) categories appears relevant.

Finally, of important note, the District's Staffing Master Plan indicates that almost half of the District's permanent workforce will reach retirement age (55) within the next five (5) years. This data indicates that the District may have an opportunity to increase its ethnic/racial diversity across all job categories as attrition occurs and the District replaces those positions.

Analysis of Applicant Pools. The District collects employment applicant demographic data for completed recruitments each fiscal year commencing on July 1 and ending on June 30. This information consists of the racial/ethnic and gender composition of applicant pools, interviewees, and hires. The applicant demographic data for the past three fiscal years of 2015-16, 2016-17, and 2017-18 is presented below on pages 18-20. (Note: 2017-18 is the most recent fiscal year for which complete data is available.)

As evident in the District's previous EEO Plan 2016-19 and this new Plan, persistence of ethnically diverse candidates from application to interview is continuing in most nonfaculty job categories across the three (3) years reviewed. The District has also seen some improvement in hiring diverse candidates across several job categories. As previously stated, the differentiation between male and female candidates from application to hire continues to follow traditional gender-based career patterns. Positions in the Clerical/Secretarial category continue to attract more female candidates, and more females than males are subsequently hired; positions in the Skilled Crafts and Service/Maintenance categories continue to attract more males and more males than females are thereafter hired.

¹ Gender Differences in employment and why they matter. (n.d.). <http://siteresources.worldbank.org/INTWDR2012/Resources/7778105-1299699968583/7786210-1315936222006/chapter-5.pdf>

Notably, initial applicant pools are diverse within the full-time faculty category; however, the number of ethnically/racially diverse candidates diminishes at the interview stage of the hiring process wherein diverse applicants are not reflective of the applicant pool. The District recognizes the importance of adverse impact upon the hiring process as identified through the United States Employment Opportunity Commission (EEOC) guidelines. Therefore, if the District is to realize the efforts of the Plan, the additional efforts stated in Chapter 13 to improve persistence of ethnic diversity from application to hire will continue to be necessary. Additionally, given the expected attrition due to anticipated faculty retirements in the next five and more years, the District will have an additional opportunity to diversify this segment of its workforce.

From this overall analysis, the District recognizes the charge provided by the California Community College State Chancellor's Office in that districts need to:

"Reduce equity gaps across [various measures] through faster improvements among traditionally underrepresented groups, with the goal of cutting achievement gaps by 40 percent within 5 years and fully closing those achievement gaps within 10 years.²"

Following the 80% rule for applicants as well as those who are eventually hired, disproportionality or adverse impact is existent in current employee groups in terms of ethnic/racial and gender balance, as noted above. This rule requires, pursuant to Title 5, Section 53004(a) that any underrepresented group that falls below the District's projected representation, as determined by the local authority, demonstrate additional measures to address possible barriers that could be preventing the hiring of more diverse candidates.

As an example of the 80% rule, Palomar's data in terms of full-time faculty hires is represented below. Four (4) of the five (5) groups identified below are significantly underrepresented groups based on race/ethnicity. The data is based on a longitudinal analysis of hiring that has occurred over the past three (3) years in this employee category.

Applicants	Hired	Selection Rate Percent Hired
2315 White	40	40/2315 or 2%
354 Hispanic or Latino	12	12/354 or 3%
216 Black or African American	5	5/216 or 2%
401 Asian/Pacific Islander	4	4/401 or ≤1%
25 American Indian/Alaskan Native	0	0/25 or 0%

Table 3. Full-Time Faculty 80% Rule 2015-2018

Prior to reviewing the data, the district recognizes that adverse impact exists when a discrepancy occurs within the group that has the highest selection rate in comparison to applicants. Palomar's data identifies that hiring for American Indian/Alaskan Native full-time faculty is the group most adversely impacted as no applicants were successful in being hired. For the Asian/Pacific Islander population(s), applicants were hired at less than half the rate of other monitored ethnic/racial groups.

Identifying adverse impact does not indicate discrimination is occurring; however, it does provide insight for employers that something may be causing applicants within certain groups to not be successful in making it through the hiring process. At the same time, it does not indicate that the District has reached a level of parity in staff ratios in comparison to the diversity that exists within the community or student population it serves. Rather, it is the starting point in determining if applicants are being selected and subsequently hired in comparison to a group that may be hired more often than others, for whatever reason.

Aside from the two (2) adversely impacted groups above, the other groups including White, Hispanic or Latino and Black or African-American appear similar in terms of applicants being selected for hire over the past three (3) years. The data should not be misunderstood as making significant gains when analyzing current employee statistics as provided in the employee demographic data in Tables 1 and 2. A significant degree of disproportionality in employee demographics already exists among those who are currently employed in certain categories, which the 80% rule does not address. Thus, the adverse impact test assesses hiring practices as it relates to significantly underrepresented groups and not for groups that are currently significantly represented.

²Source: California Community Colleges Chancellor's Office Press Release, July 17, 2017: "Significant Transfer Rates and Job Readiness Skills Highlight New Strategic Vision of the California Community Colleges System."

Palomar College 2017-18 Applicant Pool Data: All Applicants

Job Category	Total	Male	Female	American Indian/ Alaskan Native	Black or African-American	Asian or Pacific Islander	Hispanic/Latino	White	Unknown Gender and/or Ethnicity
Executive/Administrative/Managerial	513	264	235	6	77	35	61	284	50
Full-Time Faculty	811	365	433	6	66	117	72	484	66
Professional Non-faculty	317	182	131	0	14	75	45	158	25
Secretarial/Clerical	2273	550	1699	13	231	200	619	1067	143
Technical and Paraprofessional	1246	500	729	12	130	133	299	587	85
Skilled Crafts	46	45	0	1	3	1	13	25	3
Service and Maintenance	241	198	43	1	30	17	87	96	10

Palomar College 2017-18 Applicant Pool Data: Interviewed Applicants

Job Category	Total	Male	Female	American Indian/ Alaskan Native	Black/ African-American	Asian/ Pacific Islander	Hispanic/ Latino	White	Unknown Gender and/or Ethnicity
Executive/Administrative/Managerial	84	46	38	0	7	7	9	59	2
Full-Time Faculty	105	50	53	1	5	16	13	61	9
Professional Non-faculty	57	34	23	0	4	14	8	26	5
Secretarial/Clerical	212	78	133	2	21	12	76	95	6
Technical and Paraprofessional	160	74	84	2	14	15	44	73	12
Skilled Crafts	15	15	0	0	0	0	4	11	0
Service and Maintenance	73	59	14	1	6	6	31	29	0

Palomar College 2017-18 Applicant Pool Data: Hires

Job Category	Total	Male	Female	American Indian/ Alaskan Native	Black/ African-American	Asian/ Pacific Islander	Hispanic/ Latino	White	Unknown Gender and/or Ethnicity
Executive/Administrative/Managerial	13	6	7	0	1	2	1	9	0
Full-Time Faculty	16	8	8	0	0	1	3	11	1
Professional Non-faculty	11	8	3	0	0	3	3	4	1
Secretarial/Clerical	26	12	14	0	2	0	13	11	0
Technical and Paraprofessional	26	10	16	0	2	1	8	15	0
Skilled Crafts	2	2	0	0	0	0	0	2	0
Service and Maintenance	14	10	4	0	2	3	3	6	0

Palomar College 2016-17 Applicant Pool Data: All Applicants

Job Category	Total	Male	Female	American Indian/ Alaskan Native	Black or African-American	Asian or Pacific Islander	Hispanic/ Latino	White	Unknown Gender and/or Ethnicity
Executive/Administrative/Managerial	347	188	154	8	52	35	49	178	25
Full-Time Faculty	1629	840	753	13	105	170	196	994	151
Professional Non-faculty	336	178	152	4	28	48	62	155	39
Secretarial/Clerical	736	176	555	6	66	58	227	318	61
Technical and Paraprofessional	442	158	276	5	26	47	86	241	37
Skilled Crafts	0	0	0	0	0	0	0	0	0
Service and Maintenance	23	23	0	0	4	1	6	10	2

Palomar College 2016-17 Applicant Pool Data: Interviewed Applicants

Job Category	Total	Male	Female	American Indian/ Alaskan Native	Black or African-American	Asian or Pacific Islander	Hispanic/Latino	White	Unknown Gender and/or Ethnicity
Executive/Administrative/Managerial	60	29	29	0	11	4	3	36	6
Full-Time Faculty	225	93	130	1	7	11	53	128	25
Professional Non-faculty	63	35	27	0	2	8	13	34	6
Secretarial/Clerical	69	18	51	2	9	3	29	20	6
Technical and Paraprofessional	78	29	47	1	3	7	12	47	8
Skilled Crafts	0	0	0	0	0	0	0	0	0
Service and Maintenance	6	6	0	0	0	0	2	3	1

Palomar College 2016-17 Applicant Pool Data: Hires

Job Category	Total	Male	Female	American Indian/ Alaskan Native	Black or African-American	Asian or Pacific Islander	Hispanic/Latino	White	Unknown Gender and/or Ethnicity
Executive/Administrative/Managerial	8	2	6	0	1	3	0	4	0
Full-Time Faculty	27	11	16	0	0	2	6	17	2
Professional Non-faculty	13	5	7	0	0	0	5	5	1
Secretarial/Clerical	11	2	9	0	1	0	7	2	1
Technical and Paraprofessional	14	5	9	0	0	0	2	12	0
Skilled Crafts	0	0	0	0	0	0	0	0	0
Service and Maintenance	1	1	0	0	0	0	1	0	0

Palomar College 2015-16 Applicant Pool Data: All Applicants

Job Category	Total	Male	Female	American Indian/ Alaskan Native	Black or African-American	Asian or Pacific Islander	Hispanic/Latino	White	Unknown Gender and/or Ethnicity
Executive/Administrative/Managerial	458	235	217	2	62	46	67	246	35
Full-Time Faculty	1213	654	517	6	45	114	86	837	125
Professional Non-faculty	145	63	81	0	16	16	48	56	9
Secretarial/Clerical	1531	297	1221	3	144	156	340	780	108
Technical and Paraprofessional	183	54	125	1	13	13	38	100	18
Skilled Crafts	37	37	0	0	3	2	10	21	1
Service and Maintenance	313	284	29	8	43	26	99	133	4

Palomar College 2015-16 Applicant Pool Data: Interviewed Applicants

Job Category	Total	Male	Female	American Indian/ Alaskan Native	Black or African-American	Asian or Pacific Islander	Hispanic/Latino	White	Unknown Gender and/or Ethnicity
Executive/Administrative/Managerial	102	46	55	0	7	10	21	60	4
Full-Time Faculty	131	53	76	0	5	13	17	86	10
Professional Non-faculty	26	12	14	0	2	2	11	11	0
Secretarial/Clerical	118	16	99	0	9	16	24	59	10
Technical and Paraprofessional	31	9	20	1	2	1	8	15	4
Skilled Crafts	12	12	0	0	0	0	4	8	0
Service and Maintenance	85	78	7	1	7	9	28	40	0

Palomar College 2015-16 Applicant Pool Data: Hires

Job Category	Total	Male	Female	American Indian/ Alaskan Native	Black or African-American	Asian or Pacific Islander	Hispanic/Latino	White	Unknown Gender and/or Ethnicity
Executive/Administrative/Managerial	11	5	6	0	0	2	2	7	0
Full-Time Faculty	16	6	10	0	0	1	3	12	0
Professional Non-faculty	4	1	3	0	1	1	1	1	0
Secretarial/Clerical	15	4	11	0	1	1	3	9	1
Technical and Paraprofessional	7	3	4	1	0	0	2	4	0
Skilled Crafts	2	2	0	0	0	0	0	2	0
Service and Maintenance	17	16	1	0	1	1	8	7	0





CHAPTER 11 METHODS FOR ADDRESSING UNDERREPRESENTATION

The District's hiring practices, presented in Appendix D, consist of methods of fair and equitable selection that meet the requirements of Title 5, Sections 53021, 53022, 53023, and 53024. These methods are intended to safeguard against underrepresentation of monitored groups in all job categories and promote inclusion and diversity. The District reviews and updates these practices periodically to ensure continued efficacy and legal compliance. The District takes additional interventions as necessary on the basis of individual recruitments, or when patterns of inequity are apparent across multiple recruitments, to further address underrepresentation.





CHAPTER 12

REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

Pursuant to Title 5, Section 53025, the District ensures that applicants and employees with disabilities 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. 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 aids such as readers, language interpreters, and note takers. Employee accommodations may be requested through Human Resource Services. Accommodations for students are available through the Disability Resource Center.



A photograph of a diverse group of students sitting at desks in a classroom, looking at their work. The image is partially obscured by a dark purple overlay at the bottom.

CHAPTER 13

OTHER MEASURES TO DEMONSTRATE COMMITMENT TO DIVERSITY AND EEO

Equal employment opportunity means that all qualified individuals have a fair and equitable opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the District. The District's goal is to ensure that equal employment opportunity exists at all levels of the institution and within all job categories. Ensuring equal employment opportunity also involves cultivating an environment that fosters cooperation, acceptance, democracy, and the free expression of ideas and is welcoming to individuals from all groups protected from discrimination under federal and state law.

To ensure alignment with the California Community College State Chancellor's Office, the following identified areas were assessed alongside District approaches:

- A review of district recruitment procedures;
- A review of each locally established "required," "desired," or "preferred" qualification being used to screen applicants for positions in the job category to determine if they are job-related, consistent with federal law, and consistent with the qualifications established by the Board of Governors;
- Discontinue the use of any locally established qualification that has not been found to satisfy all these requirements;
- Consider the implementation of additional measures designed to promote diversity that are reasonably calculated to address area(s) of specific need.

The District recognizes that multiple approaches beyond the specific requirements of Title 5, Sections 53000 et. seq. is necessary to create a broadly inclusive academic culture that ensures equal employment opportunity and the creation of a diverse workforce. Specific approaches that the District will implement to promote diversity and the goals of equal employment opportunity include, but are not limited to the following approaches:

District-Wide Approaches.

1. The District's vision, mission, and values, included in Appendix E, emphasize the District's commitment to diversity and shapes the concepts of equitable and fair treatment of individuals in all aspects of District operations.
2. The District includes goals and objectives related to equal employment opportunity and diversity in its three-year, overarching Strategic Plans. Strategic Plan 2016-19 includes the following goal and objectives related to the EEO Plan:

Goal 4: Strengthen, promote, and support the college's diverse workforce through strategies focused on recruitment, hiring, and retention.

Objective 4.1: Identify and address areas with critical staffing needs in relation to achieving enrollment growth strategies.

Objective 4.2: Evaluate and improve recruiting, hiring, and professional development processes to increase diversity in hiring and ensure faculty and staff are prepared to serve the college's diverse student body and community.

Objective 4.3: Develop and implement a comprehensive Professional Development Plan for all staff.
3. Information about the District's EEO and non-discrimination policies and procedures is posted on the District's website and cross-referenced on a number of District web pages so that the information is easily available to students, employees, job seekers, and the public. Appendix E provides links to these pages.
4. A variety of events are hosted by various District entities throughout the academic year that focus on diversity topics for employees, students, and the public.

Recruitment.

CURRENT APPROACHES TO RECRUITING

1. The District advertises positions in a broad range of venues to attract large, diverse, well-qualified applicant pools. The District's current advertising resource list is presented in Appendix E. This list is reviewed on an annual basis to determine the number of interested potential applicants who view the site. If the site receives less than ten (10) "hits" per year, then other websites or recruitment efforts are sought to ensure a return on investment in the effort to recruit for more diverse applicants.
2. Employment applicants are required to address their sensitivity to various facets of diversity found within a community college in their application materials which, in turn, requires selection committees to assess each qualified applicant's understanding of diversity based on the provided information.
3. Selection committees are required to develop interview questions that assess candidates' understanding of diversity in relation to the specific position for which they have applied. The selection process training materials in Appendix B outline this requirement.
4. In 2018, the District introduced a more robust selection committee training that focuses on how implicit bias of committee members can impact the outcome of recruitment, including the candidates selected for interviews and hire. This five-hour, comprehensive training is presented by an expert in the field and also includes an overview by the District's Human Resource Services Department of the laws and regulations that govern equal employment opportunity hiring. The most important aspect of this training presents employees with the opportunity to analyze hiring decisions made in actual recruitments that included diverse applicants. Employees discuss how the issues of implicit bias and cultural competence affected the results, and how their recognition of these issues could have resulted in greater hiring of diverse candidates.
5. As stated previously in Chapter 8, District Compliance Officers (DCOs) are permanent employees that serve on selection committees as non-voting observers to ensure that all District selection procedures and federal and state EEO regulations are followed. The DCO training materials are presented in Appendix B. As with selection committee training, the DCO training now consists largely of the impacts of implicit bias on the hiring process, in addition to DCO responsibilities and relevant laws and regulations as presented by District.
6. The District subscribes to the services offered by the Cooperative Organization for the Development of Selection Procedures (CODESP) in part to obtain assistance in developing content-valid interview materials and tests that comply with EEO regulations. CODESP's website address is www.codesp.com.

NEW OBJECTIVES FOR RECRUITING

As noted in the applicant analysis section in Chapter 10, while diverse applicants are applying and may be screened in for interviews, in some cases, a disproportionate number may not be hired in comparison to the applicant pool. This is important for the District to recognize as Title 5 stipulates:

"If the longitudinal analysis of job applicant data shows that a monitored group is disproportionately failing to move from the initial applicant pool to the qualified applicant pool due to non-job related factors in the employment process, the district is required to implement additional measures (Section 53006(a)(1).)³"

To meet these requirements, the District is working toward meeting the following goals:

1. Working with the Faculty Senate, Instructional Planning Council, and the Policies and Procedures Committee, develop improved policies and procedures for recruiting and selecting new and replacement faculty positions that may result in a larger, more diverse pool of candidates. Some possibilities include:
 - a. Establish recruitment procedures that lead to more diverse hiring committees ("Committees"). This can be accomplished in many ways, which may include:
 - Utilizing community members to serve on first level Committees who bring diverse representation;
 - Allow different classifications that may be more diverse to serve on Committees that are less diverse;
 - Identify Committees (prior to starting the hiring process) that lack diversity in terms of race/ethnic and gender balance and require the addition of members to the Committee before it is allowed to proceed.

³Office of the General Counsel: Equal Employment Opportunity Longitudinal Data Guideline (2018).

<https://extranet.cccco.edu/Portals/1/Legal/EEO/2018-Longitudinal-Data-Guide.WEB.pdf>

- b. Institute a process wherein every department that lacks diversity to identify strategies it will employ to enhance and recruit for diverse applicants and eventual hires. Such strategies can be provided in various ways. For example, one department may desire to list strategies using a bullet point format whereas others may want to provide a brief outline or report.
 - c. Recruit for positions in a timeframe consistent with the specific disciplines' typical statewide meetings or professional conferences and other relevant events, such as statewide meetings. It is more likely candidates will be recruited at these conferences and should be directed to a current posting where they may submit an application, rather than waiting until the position is posted with other faculty positions. A byproduct of this change would be that all faculty recruitments would not occur at the same time, lessening the load on faculty, administration, and Human Resource Services.
 - d. The District will determine methods to understand how position postings are perceived by potential job seekers and whether there are any unintended barriers to candidates securing interviews.
 - e. Provide travel reimbursement for first-level interviews to eligible candidates.
 - f. Provide an option to offer first-level interviews and teaching demonstrations via videoconference for out-of-state candidates.
 - g. Working with faculty and other experts, develop in-house and outside relationships with external institutions to inform potential applicants, such as graduate students, of the benefits of a teaching career in the California Community College system. Additionally, invite employees with expertise in the positions the District advertises to attend job fairs so potential applicants can speak with a potential colleague.
2. Working with the District's current applicant tracking system vendor (PeopleAdmin), Human Resource Services will explore reports and processes for informing the District's administration and Governing Board of the aggregate demographic makeup of qualified applicant pools within the scope of applicable laws and regulations (Education Code; Title 5 sections 53000 et seq. of the California Code of Regulations). Sharing this aggregate information must be accompanied with instructions for the permissible use of the data and a reminder of the confidential nature of this information.
 3. Provide District-wide training on recruitment-related issues that includes, but is not limited to, opportunities such as:
 - a. Basic diversity awareness training that provides an overview of the importance of diversity and cultural competence in hiring.
 - b. Campus forums on diversity to be presented to faculty, staff, administration, and Governing Board members.
 - c. Recruitment fairs that invite internal and external job seekers to learn specifically about Palomar College's application and interview process. A job fair with this focus was hosted in 2018 and the District plans to continue offering this type of job fair in the future for both internal and external applicants.
 - d. Enhance diversity awareness and sensitivity by providing educational materials such as articles, books, pamphlets, booklets, already developed or created by the District to better inform all employees and external applicants of the importance of diversity and its commitment to this effort.
 - e. Design and implement a diversity certification program that will lead to awards and recognition of employee efforts, dedication and commitment toward furthering the District's efforts.

Employee Training on Other Topics.

1. Sexual harassment prevention training is available to all District employees, including those employees mandated to receive such training under California A.B. 1825. Information about the District's current A.B. 1825 training is provided in Appendix E. This will subsequently include mandatory training for all employees, District-wide, effective January 1, 2020, under AB1343.
2. Trainings on other diversity, non-discrimination, and cultural proficiency topics are offered to all employees through the Human Resource Services Department and the District's Professional Development program. Information about trainings provided by Human Resource Services is provided in Appendix E. The Professional Development program's current list of course offerings may be viewed at www.palomar.edu/pd.



Other Practices.

The District shall seek to further enhance its commitment to diversity and equal employment opportunity through review of current practices and the development of additional ongoing measures. Such practices, when implemented, shall be included in future revisions of the Plan.



APPENDIX A UNLAWFUL DISCRIMINATION & SEXUAL HARASSMENT POLICIES & PROCEDURES

Contents

- A-1. Unlawful Discrimination Policy (B.P. 3410 Nondiscrimination)
- A-2. Unlawful Discrimination Complaint Procedure
- A-3. Sexual Harassment Policy (B.P. 3430 Prohibition of Harassment)
- A-4. Sexual Harassment Administrative Procedure (A.P. 3430 Prohibition of Harassment)
- A-5. Sexual Harassment Complaint Procedure
- A-6. Unlawful Discrimination Complaint form

GENERAL INSTITUTION**BP 3410 NONDISCRIMINATION****References:**

Education Code Sections 66250 et seq., 72010 et seq., and 87100 et seq.;
Penal Code Sections 422.55 et seq.;
Government Code Sections 11135-11139.5, 12926.1, and 12940 et seq.;
Title 5 Sections 53000 et seq. and 59300 et seq.;
Accreditation Standard II.B.2.c

The District is committed to equal opportunity in educational programs, employment, and all access to institutional programs and activities. In addition, all students have the right to participate fully in the educational process, free from discrimination and harassment.

The District, and each individual who represents the District, shall provide equal access to its services, classes, and programs without regard to national origin, religion, age, gender, gender identity, gender expression, race, ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or because he/she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

No District funds shall ever be used for membership, or for any participation involving financial payment or contribution on behalf of the District or any individual employed by or associated with it, to any private organization whose membership practices are discriminatory on the basis of national origin, religion, age, gender, gender identity, gender expression, race, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, or because he/she is perceived to have one or more of the foregoing characteristics, or because of his/her association with a person or group with one or more of these actual or perceived characteristics.

All courses, including noncredit classes, shall be conducted without regard to the gender of the student enrolled in the classes. As defined in the Penal Code, "gender" means sex, and includes a person's gender identity and gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth. The District shall not prohibit any student from enrolling in any class or course on the basis of gender. Academic staff, including but not limited to counselors, instructors, and administrators shall not offer program guidance to students which differs on the basis of gender. Insofar as practicable, the District shall offer opportunities for participation in athletics equally to male and female students.

The District shall from time to time as necessary provide professional and staff development activities and training to promote understanding of diversity. The

Date Approved: 4/12/11; Revised: 10/8/2013; Revised: 3/11/2014

Superintendent/President shall establish administrative procedures that ensure all members of the District community can present complaints regarding alleged violations of this policy and have their complaints heard in accordance with the Title 5 regulations and those of other agencies that administer state and federal laws regarding nondiscrimination.

Also see BP/AP 3420 titled Equal Employment Opportunity, BP/AP 3430 titled Prohibition of Harassment, AP 3435 titled Discrimination and Harassment Investigations and Training, and BP/AP 7120 titled Recruitment and Hiring.

Date Approved: 4/12/11; Revised: 10/8/2013; Revised: 3/11/2014



Unlawful Discrimination Complaint Procedure

Governing Board Approved: December 10, 2002

Introduction and Scope

These are the written procedures for filing and processing complaints of unlawful discrimination in the Palomar Community College District. These procedures incorporate the legal principles contained in nondiscrimination provisions of the California Code of Regulations, Title 5, sections 59300 et seq. as well as other state and federal substantive and procedural requirements.

A copy of the written policy and procedures on unlawful discrimination are available in the Office of Human Resource Services.

These policies and procedures were adopted by the Palomar College Community College District Governing Board on December 10, 2002, in accordance with the procedures of the Board.

Authority: 20 U.S.C. § 1681 et seq.; Ed. Code, §§ 66270, 66271.1, 66281.5; Gov. Code, § 11135-11139.5; Cal. Code Regs., tit. 5, § 59326. Reference: Cal. Code Regs., tit. 5, § 59300 et seq.; 34 C.F.R. § 106.8(b).

Definitions

Definitions applicable to nondiscrimination policies are as follows:

- “Appeal” means a request by a complainant made in writing to the Palomar Community College District governing board pursuant to Title 5, section 59338, and/or to the State Chancellor’s Office pursuant to Title 5, section 59339, to review the administrative determination of the District regarding a complaint of discrimination.
- “Complaint” means a written and signed statement meeting the requirements of Title 5, section 59328 that alleges unlawful discrimination in violation of the nondiscrimination regulations adopted by the Board of Governors of the California Community Colleges, as set forth at Title 5, section 59300 et seq.
- “Days” means calendar days.
- “Mental disability includes, but is not limited to, all of the following:
 - (1) Having any mental or psychological disorder or condition, such as mental retardation, organic brain syndrome, emotional or mental illness, or specific learning disabilities, that limits a major life activity. for purposes of this section:
 - (A) “Limits” shall be determined without regard to mitigating measures, such as medications, assistive devices, or reasonable accommodations, unless the mitigating measure itself limits a major life activity.
 - (B) A mental or psychological disorder or condition limits a major life activity if it makes the achievement of the major life activity difficult.
 - (C) “Major life activities” shall be broadly construed and shall include physical, mental, and social activities and working.
 - (2) Any other mental or psychological disorder or condition not described in paragraph (1) that requires specialized supportive services.
 - (3) Having a record or history of a mental or psychological disorder or condition described in paragraph (1) or (2) which is known to the District.

- (4) Being regarded or treated by the District as having, or having had, any mental condition that makes achievement of a major life activity difficult.
- (5) Being regarded or treated by the District as having, or having had, a mental or psychological disorder or condition that has no present disabling effect, but that may become a mental disability as described in paragraph (1) or (2).
- “Mental disability” does not include sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs.
- “Physical disability” includes, but is not limited to, all of the following:
 - (1) Having any physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss that does both of the following:
 - (A) Affects one or more of the following body systems: neurological, immunological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine.
 - (B) Limits a major life activity. For purposes of this section:
 - (i) “Limits” shall be determined without regard to mitigating measures such as medications, assistive devices, prosthetics, or reasonable accommodations, unless the mitigating measure itself limits a major life activity.
 - (ii) A physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss limits a major life activity if it makes the achievement of the major life activity difficult.
 - (iii) “Major life activities” shall be broadly construed and includes physical, mental, and social activities and working.
 - (2) Any other health impairment not described in paragraph (1) that requires specialized supportive services.
 - (3) Having a record or history of a disease, disorder, condition, cosmetic disfigurement, anatomical loss, or health impairment described in paragraph (1) or (2) which is known to the District.
 - (4) Being regarded or treated by the District as having, or having had, any physical condition that makes achievement of a major life activity difficult.
 - (5) Being regarded or treated by the District as having, or having had, a disease, disorder, condition, cosmetic disfigurement, anatomical loss, or health impairment that has no present disabling effect but may become a physical disability as described in paragraph (1) or (2).
 - (6) “Physical disability” does not include sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs.
- “District” means the Palomar Community College District or any District program or activity that is funded directly by the state or receives financial assistance from the state. This includes any other organization associated with the District or its educational centers that receives state funding or financial assistance through the District.
- “Responsible District Officer” means the officer identified by the District to the State Chancellor’s Office as the person responsible for receiving complaints filed pursuant to Title 5, section 59328, and coordinating their investigation.
- “Sexual harassment” is unlawful discrimination in the form of unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the workplace or in the educational setting, and includes but is not limited to:
 - (1) Making unsolicited written, verbal, physical, and/or visual contacts with sexual overtones. (Examples of possible sexual harassment that appear in a written form include, but are not limited to: suggestive or obscene letters, notes, invitations. Examples of possible verbal sexual harassment include, but are

not limited to: leering, gestures, display of sexually aggressive objects or pictures, cartoons, or posters.)

- (2) Continuing to express sexual interest after being informed that the interest is unwelcomed.
 - (3) Making reprisals, threats of reprisal, or implied threats of reprisal following a rebuff of harassing behavior. The following are examples of conduct in an academic environment that might be found to be sexual harassment: implying or actually withholding grades earned or deserved; suggesting a poor performance evaluation will be prepared; or suggesting a scholarship recommendation or college application will be denied.
 - (4) Engaging in explicit or implicit coercive sexual behavior within the work environment which is used to control, influence, or affect the employee's career, salary, and/or work environment.
 - (5) Engaging in explicit or implicit coercive sexual behavior within the educational environment that is used to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student.
 - (6) Offering favors or educational or employment benefits, such as grades or promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.
- "Unlawful discrimination" means any complaint of unlawful discrimination based on a category protected under Title 5, section 59300, including sexual harassment and retaliation.

Authority: Gov. Code, § 12926; Cal Code Regs., tit. 5, § 59311; Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, Title IX, Office for Civil Rights, January 19, 2001.

Students and Employees Notice

The Palomar Community College District's responsible officer shall make available to employees and students the District's unlawful discrimination policy and procedures. Faculty members, members of the administrative staff, and members of the classified service will be provided with a copy of the District's written policy on unlawful discrimination at the beginning of the first semester of the college year after the policy is adopted. All District employees will receive a copy of the unlawful discrimination policies and procedures during the first year of their employment. In years in which a substantive policy or procedural change has occurred all District employees will receive a copy of the revised policies and/or procedures. A copy of the District's written policy on unlawful discrimination will be available to students in the Student Affairs Office.

Authority: Ed. Code, § 66281.5; Cal. Code Regs., tit. 5, §§ 59324 and 59326. Reference: Cal. Code Regs., tit. 5, § 59300 et seq.; 34 C.F.R. § 106.8(b).

Retaliation

It is unlawful for anyone to retaliate against someone who files an unlawful discrimination complaint, who refers a matter for investigation or complaint, who participates in an investigation of a complaint, who represents or serves as an advocate for an alleged victim or alleged offender, or who otherwise furthers the principles of this unlawful discrimination policy.

Authority: 20 U.S.C. § 1681 et seq.; 34 C.F.R. § 106; Cal. Code Regs., tit. 5, § 59300 et seq.; Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, Title IX, Office for Civil Rights, January 19, 2001.

Responsible District Officer

The Palomar Community College District has identified the Assistant Superintendent/Vice President, Human Resource Services, to the State Chancellor's Office and to the public as the single District officer responsible for receiving all unlawful discrimination complaints filed pursuant to Title 5, section 59328, and for coordinating their

investigation. The actual investigation of complaints may be assigned to other staff or to outside persons or organizations under contract with the District. Such delegation procedures will be used whenever the officer designated to receive complaints is named in the complaint or is implicated by the allegations in the complaint.

Authority: Cal. Code Regs., tit. 5, § 59324; 34 C.F.R. § 106.8.

Procedure

Informal/Formal Complaint Procedure

When a person brings charges of unlawful discrimination to the attention of the District's responsible officer, that officer will:

- (1) Undertake efforts to informally resolve the charges;
- (2) Advise the complainant that he or she need not participate in informal resolution;
- (3) Notify the person bringing the charges of his or her right to file a formal complaint and explain the procedure for doing so;
- (4) Assure the complainant that he or she will not be required to confront or work out problems with the person accused of unlawful discrimination;
- (5) Advise the complainant that he or she may file a nonemployment-based complaint with the Office for Civil Rights of the U.S. Department of Education (OCR) where such a complaint is within that agency's jurisdiction.
- (6) If the complaint is employment-related, the complainant should also be advised that he or she may file a complaint with the U.S. Equal Employment Opportunity Commission (EEOC) and/or the California Department of Fair Employment and Housing (DFEH) where such a complaint is within that agency's jurisdiction.

Efforts at informal resolution need not include any investigation unless the responsible District officer determines that an investigation is warranted by the seriousness of the charges. Selecting an informal resolution does not extend the time limitations for filing a formal complaint. Efforts at informal resolution may continue after the filing of a formal written complaint, but after a complaint is filed an investigation is required to be conducted pursuant to Title 5, section 59334, and will be completed unless the matter is informally resolved and the complainant dismisses the complaint. Any efforts at informal resolution after the filing of a written complaint will not exceed the 90-day period for rendering the administrative determination pursuant to Title 5, section 59336.

In employment-related cases, if the complainant files with the Department of Fair Employment and Housing, a copy of that filing will be sent to the State Chancellor's Office requesting a determination of whether a further investigation under Title 5 is required. Unless the State Chancellor's Office determines that a separate investigation is required, the District will discontinue its investigation under Title 5 and the matter will be resolved through the Department of Fair Employment and Housing.

The District will make every effort to complete investigations and resolve complaints as quickly as possible. In discrimination complaints containing issues of academic freedom, the District must consult with a faculty member appointed by the Academic Senate with respect to contemporary practices and standards for course content and delivery. The District will provide for representation where required by law and may allow for representation for the accused and complainant in other circumstances on a case by case basis.

Authority: Cal. Code Regs., tit. 5, §§ 59327, 59328, 59334, 59336, and 59339; NLRB v. Weingarten, Inc. (1975) 420 U.S. 251.

Filing of Formal Written Complaint

If a complainant decides to file a formal written unlawful discrimination complaint against the District, he or she must file the complaint on a form prescribed by the State Chancellor. These approved forms are available from the District and also at the State Chancellor's website, as follows:

<http://extranet.cccco.edu/Divisions/Legal/Discrimination.aspx>

The completed form must be filed with the District representative or mailed directly to the State Chancellor's Office of the California Community Colleges.

Once a complaint is filed, the individual(s) accused of engaging in prohibited discriminatory conduct should be advised of that filing and the general nature of the complaint. This should occur as soon as possible and appropriate under the circumstances. The District will also advise the accused that an assessment of the accuracy of the allegations has not yet been made, that the complaint will be investigated, that the accused will be provided an opportunity to present his/her side of the matter, and that any conduct that could be viewed as retaliatory against the complainant or any witnesses must be avoided.

Authority: Cal. Code Regs., tit. 5, §§ 59311 and 59328.

Threshold Requirements Prior to Investigation of a Formal Written Complaint

When a formal written complaint is filed it will be reviewed to determine if the complaint meets the following requirements:

- The complaint must be filed on a form prescribed by the State Chancellor's Office.
- The complaint must allege unlawful discrimination prohibited under Title 5, section 59300.
- The complaint must be filed by one who alleges that he or she has personally suffered unlawful discrimination or by one who has learned of such unlawful discrimination in his or her official capacity as a faculty member, staff member, or administrator.
- In any complaint not involving employment, the complaint must 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 specific incident or incidents of alleged unlawful discrimination.
- In any complaint alleging discrimination in employment, the complaint shall be filed within 180 days of the date the alleged unlawful discrimination occurred, except that this period will be extended by no more than 90 days following the expiration of that 180 days if the complainant first obtained knowledge of the facts of the alleged violation after the expiration of 180 days.

If the complaint is defective it will be immediately returned to the complainant with a complete explanation of why an investigation could not be initiated under Title 5, California Code of Regulations, section 59300 et seq. Additional information about this initial review of complaints can be found in the Guidelines for Processing Formal Title 5 Unlawful Discrimination Complaints prepared by the State Chancellor's Office.

Authority: Cal. Code Regs., tit. 5, § 59328.

Notice to State Chancellor or District

A copy of all complaints filed in accordance with the Title 5 regulations will be forwarded to the State Chancellor's Office immediately upon receipt. Similarly, when the State Chancellor's Office receives a complaint a copy will be forwarded to the District.

Authority: Cal. Code Regs., tit. 5, § 59330.

Confidentiality of the Process

Investigative processes can best be conducted within a confidential climate, and the District does not reveal information about such matters except as necessary to fulfill its legal obligations. However, potential complainants are sometimes reluctant to pursue a complaint if their names will be revealed.

The inability to reveal the name of a complainant or facts that are likely to reveal the identity of the complainant can severely limit the ability of the District to respond. Complainants must also recognize that persons who are accused of wrongdoing have a right to present their side of the matter, and this right may be jeopardized if the

District is prohibited from revealing the name of the complainant or facts that are likely to disclose the identity of the complainant.

If a complainant insists that his or her name not be revealed, the responsible officer should take all reasonable steps to investigate and respond to the complaint consistent with the complainant's request as long as doing so does not jeopardize the rights of other students or employees.

It is also important that complainants and witnesses understand the possibility that they may be charged with allegations of defamation if they circulate the charges outside of the District's process. In general, persons who are participating in a District investigative or disciplinary process that is related to a charge of discrimination are protected from tort claims such as defamation. However, persons who make allegations outside of these processes or who discuss their claims with persons outside of the process may expose themselves to tort charges. Complainants, witnesses, and those accused of discrimination will all be asked to sign a confidentiality acknowledgement statement.

Where an investigation reveals the need for disciplinary action, the complainant may wish to have information about what disciplinary actions the District took. However, the privacy rights of the persons involved often prevent the District from providing such information. In student disciplinary actions for sexual assault/physical abuse charges, Education Code, section 76234 provides that the victim shall be informed of the disciplinary action, but that the victim must keep the information confidential. Disciplinary actions taken against employees are generally considered confidential.

Authority: Cal. Const. Art. I, § 1; Civil Code § 47; Ed. Code, §§ 76234 and 87740; Silberg v. Anderson (1990) 50 Cal.3d. 205; Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, Title IX, Office for Civil Rights, January 19, 2001.

Administrative Determination

Within 90 days of receiving an unlawful discrimination complaint filed under Title 5, sections 59300 et seq., the responsible District officer will complete the investigation and forward a copy of the investigative report to the State Chancellor, a copy or summary of the report to the complainant, and written notice setting forth all the following to both the complainant and the State Chancellor:

- (a) The determination of the chief executive officer or his/her designee as to whether there is probable cause to believe discrimination occurred with respect to each allegation in the complaint;
- (b) a description of actions taken, if any, to prevent similar problems from occurring in the future;
- (c) the proposed resolution of the complaint; and
- (d) the complainant's right to appeal to the District governing board and the State Chancellor.

The Palomar Community College District recognizes the importance of and is therefore committed to completing investigations and resolving complaints as quickly as possible, consistent with the requirements for a thorough investigation.

Authority: Cal. Code Regs., tit. 5, § 59336.

Complainant's Appeal Rights

Complainants have appeal rights that they may exercise if they are not satisfied with the results of the District's administrative determination. At the time the administrative determination and summary is mailed to the complainant, the responsible District officer or his/her designee shall notify the complainant of his or her appeal rights as follows:

- First level of appeal: The complainant has the right to file an appeal to the District's governing board within 15 days from the date of the administrative determination. The District's governing board will review the original complaint, the investigative report, the administrative determination, and the appeal.
- The District's governing board will issue a final District decision in the matter within 45 days after receiving the appeal. Alternatively, the District's governing board may elect to take no action within 45 days, in

which case the original decision in the administrative determination will be deemed to be affirmed and shall become the final District decision in the matter. A copy of the final decision rendered by the District's governing board will be forwarded to the complainant and to the State Chancellor's Office.

- Second level of appeal: The complainant has the right to file an appeal with the California Community College Chancellor's Office in any case not involving employment-related discrimination within 30 days from the date that the governing board issues the final District decision or permits the administrative determination to become final by taking no action within 45 days. The appeal must be accompanied by a copy of the decision of the governing board or evidence showing the date on which the complainant filed an appeal with the governing board, and a statement under penalty of perjury that no response was received from the governing board within 45 days from that date.

Complainants must submit all appeals in writing.

Authority: Cal. Code Regs., tit. 5, §§ 59338 and 59339.

Forward to State Chancellor

Within 150 days of receiving a complaint, the responsible District officer will forward the following to the State Chancellor:

- A copy of the final District decision rendered by the governing board or a statement indicating the date on which the administrative determination became final as a result of taking no action on the appeal within 45 days.
- A copy of the notice of appeal rights the District sent the complainant.
- Any other information the State Chancellor may require.

Authority: Cal. Code Regs., tit. 5, §§ 59338 and 59340.

Extensions

If for reasons beyond its control, the District is unable to comply with the 90-day or 150-day deadlines specified above for submission of materials to the complainant and the State Chancellor's Office, the responsible District officer will file a written request that the State Chancellor grant an extension of the deadline. The request will be submitted no later than 10 days prior to the expiration of the deadlines established by Title 5 in sections 59336 and/or 59340 and will set forth the reasons for the request and the date by which the District expects to be able to submit the required materials.

A copy of the request for an extension will be sent to the complainant, who may file written objections with the State Chancellor within 5 days of receipt.

The State Chancellor may grant the request unless delay would be prejudicial to the complainant. If an extension of the 90-day deadline is granted by the State Chancellor the 150-day deadline is automatically extended by an equal amount.

Authority: Cal. Code Regs., tit. 5, § 59342.

Record Retention

Unlawful discrimination records that are part of an employee's employment records may be classified as Class 1 – Permanent records and retained indefinitely or microfilmed in accordance with Title 5, California Code of Regulations, Section 59022. Unlawful discrimination records of a student that are deemed worthy of preservation but not classified as Class-1 Permanent may be classified as Class 2 – Optional records or as Class 3 – Disposable records, to be retained for a period of three years.

Authority: Cal. Code Regs., tit. 5, § 59020.

GENERAL INSTITUTION**BP 3430 PROHIBITION OF HARASSMENT****References:**

Education Code Sections 212.5, 44100, 66252, and 66281.5;
Government Code Section 12950.1;
Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000e

All forms of harassment are contrary to basic standards of conduct between individuals and are prohibited by state and federal law, as well as this policy, and will not be tolerated. The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of sexual harassment and all forms of sexual intimidation and exploitation including acts of sexual violence. It shall also be free of other unlawful harassment, including that which is based on any of the following statuses: race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, or sexual orientation of any person, or because he/she is perceived to have one or more of the foregoing characteristics.

The District seeks to foster an environment in which all employees and students feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of harassment or for participating in a harassment investigation. Such conduct is illegal and constitutes a violation of this policy. All allegations of retaliation will be swiftly and thoroughly investigated. If the District determines that retaliation has occurred, it will take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

Academic Freedom

This policy works with BP 4030 titled Academic Freedom and is not intended to inhibit or interfere with freedom of expression and freedom of inquiry within the framework of responsibility. It is understood that staff members exercising their rights under Academic Freedom will accept responsibility for both the substance and the manner of their messages.

Any student or employee who believes that he/she has been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3435 titled Discrimination and Harassment Investigations and Training. Supervisors are mandated to report all incidents of harassment and retaliation that come to their attention.

Date Adopted: 6/11/2013

(Replaces former Palomar College Policy 102)

This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities, and compensation.

To this end, the Superintendent/President shall ensure that the District undertakes education and training activities to counter discrimination and to prevent, minimize, and/or eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment.

The Superintendent/President shall establish procedures as defined by law that define harassment on campus. The Superintendent/President shall further establish procedures for employees, students, and other members of the campus community that provide for the investigation and resolution of complaints regarding harassment and discrimination and procedures for students to resolve complaints of harassment and discrimination. All participants are protected from retaliatory acts by the District, its employees, students, and agents. The Vice President, Human Resource Services is the responsible District officer charged with receiving complaints of harassment and coordinating the investigation.

This policy and related written procedures (including the procedure for making complaints) shall be widely published and publicized to administrators, faculty, staff, and students, particularly when they are new to the institution. They shall be available for students and employees in all administrative offices.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion.

Also see BP 3410 titled Nondiscrimination, BP/AP 3420 titled Equal Employment Opportunity, AP 3435 titled Discrimination and Harassment Investigations and Training, BP 4030 titled Academic Freedom, and appropriate provisions of applicable collective bargaining agreements/employee handbooks

Date Adopted: 6/11/2013

(Replaces former Palomar College Policy 102)

GENERAL INSTITUTION

AP 3430 PROHIBITION OF HARASSMENT**References:**

Education Code Sections 212.5, 44100, and 66281.5;
Title 5 Sections 59320 et seq.;
Title IX, Education Amendments of 1972;
Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000e

The District is committed to providing an academic and work environment free of unlawful harassment. This procedure defines sexual harassment and other forms of harassment on campus, and in conjunction with associated administrative procedure AP 3435 titled Discrimination and Harassment Investigations and Training, sets forth a procedure for the investigation and resolution of complaints of harassment by or against any staff or faculty member or student within the District.

This procedure and the related policy protects students and employees in connection with all academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, a District bus, or at a class or training program sponsored by the District at another location.

Academic Freedom

This policy works with BP 4030 titled Academic Freedom and is not intended to inhibit or interfere with freedom of expression and freedom of inquiry within the framework of responsibility. It is understood that all employees exercising their rights under Academic Freedom will accept responsibility for both the substance and the manner of their expression.

Definitions

- **General Harassment** -- Harassment based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, gender, gender identity, gender expression, sex, age, or sexual orientation of any person, or the perception that a person has one or more of these characteristics is illegal and violates District policy. Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment.
- **Sexual Harassment** -- In addition to the above, sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature when:
 - submission to the conduct is made a term or condition of an individual's employment, academic status, or progress

Date Approved: 9/4/2013

- submission to, or rejection of, the conduct by the individual is used as a basis of employment or academic decisions affecting the individual
- the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment
- submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the community college

This definition encompasses two kinds of sexual harassment:

- "Quid pro quo" sexual harassment occurs when a person in a position of authority makes educational or employment benefits conditional upon an individual's willingness to engage in or tolerate unwanted sexual conduct
- "Hostile environment" sexual harassment occurs when unwelcome conduct based on a person's gender is sufficiently severe or pervasive so as to alter the conditions of an individual's learning or work environment, unreasonably interfere with an individual's academic or work performance, or create an intimidating, hostile, or abusive learning or work environment. The victim must subjectively perceive the environment as hostile, and the harassment must be such that a reasonable person of the same gender would perceive the environment as hostile. A single or isolated incident of sexual harassment may be sufficient to create a hostile environment if it is severe, i.e. a sexual assault.
- Sexually harassing conduct can occur between people of the same or different genders. The standard for determining whether conduct constitutes sexual harassment is whether a reasonable person of the same gender as the victim would perceive the conduct as harassment based on sex.

Consensual Relationships

Romantic or sexual relationships between supervisors and employees, or between administrators, faculty or staff members and students are discouraged. There is an inherent imbalance of power and potential for exploitation in such relationships. A conflict of interest may arise if the administrator, faculty, or staff member must evaluate the student's or employee's work or make decisions affecting the employee or student. The relationship may create an appearance of impropriety and lead to charges of favoritism by other students or employees. A consensual sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing. In the event that such relationships do occur, the District has the authority to transfer any involved employee to eliminate or attenuate the supervisory authority of one over the other, or of an instructor over a student. Such action by the

Date Approved: 9/4/2013

District is a proactive and preventive measure to avoid possible charges of harassment and does not constitute discipline against any affected employee.

Also see BP 3410 titled Nondiscrimination, BP 3420 titled Equal Employment Opportunity, BP 3430 titled Prohibition of Harassment, AP 3435 titled Discrimination and Harassment Investigations and Training, BP 4030 Academic Freedom, and relevant provisions of applicable collective bargaining agreements/employee handbooks.

Office of Primary Responsibility: Human Resource Services

Date Approved: 9/4/2013



Sexual Harassment Complaint Procedure

Original: March 10, 2000

Revised: July 3, 2014

A. Introduction

1. Applicability

This procedure applies to students, employees and applicants for employment who, either allege that they have personally suffered sexual harassment discrimination or retaliation, or to an individual who learned of the alleged conduct in his or her official capacity. Any oral or written complaint of sexual harassment discrimination or retaliation must be made to one of the individuals identified in paragraph B below within one year of the date of the alleged harassment or retaliation, or within one year of the date on which the Complainant knew or should have known of the facts underlying the alleged unlawful discrimination.

2. Definitions

Complainant: A student, employee or applicant for employment who believes that they have been personally sexually harassed, or an individual who learned of it in his or her official capacity.

Respondent: The individual who allegedly sexually harassed or took reprisals upon the Complainant, or an individual who participated in the complaint procedure.

Complaint: A written statement which contains as much detail as possible as to the circumstances surrounding the alleged harassment including date(s), time(s), description of incident(s), witnesses and the desired remedy.

Informal Complaint: An unwritten complaint, which the Complainant has verbally provided to a District supervisor or management employee and which contains the information described in the Complaint definition above.

Days: Days, as used in this procedure, mean days in which the District is open for business.

B. Reporting Unwelcome Conduct

Sexual harassment is unlawful only when it is conduct which is not solicited, welcome or voluntarily engaged in or participated in. Therefore, where possible or practicable, an individual who believes that such unwelcome conduct constitutes sexual harassment should clearly inform the perpetrator that such conduct is not wanted, not appropriate and should cease. Where it is not possible or practicable to do so, or if the harassment continues after clear notice to the alleged harasser that the conduct is unwelcome, employees, applicants and students should take the action set forth below.

Employees should immediately inform their supervisor or the Responsible Officer. If it is not practicable to inform the immediate supervisor, or that individual is the alleged harasser, employees shall promptly report any charges of discrimination to the next higher level supervisor or the Responsible Officer. Immediate supervisors who learn of such a complaint shall immediately report it to the Responsible Officer or President as appropriate. All charges shall be reported to the District Responsible Officer.

Students should immediately report any allegations of sexual harassment to the Director of Student Affairs, the Assistant Superintendent/Vice President of Student Services, or, if not available, to the Responsible Officer. Any such report shall be promptly reported to the Responsible Officer. Any District employee to whom an oral or written harassment complaint is reported shall immediately notify the Responsible Officer.

C. Informal Complaint Procedure

Upon the receipt of notice of the filing of a timely, within one (1) year of the date of the alleged harassment or retaliation, written or oral harassment complaint, the District Responsible Officer shall:

1. Clarify the specific nature of the allegations whether written or oral, and attempt to informally resolve the complaint.
2. Advise the individual that he or she need not participate in any informal efforts to resolve the complaint, and that he or she may file a complaint with the Office of Civil Rights of the U.S. Department of Education (OCR), or the Chancellor for California Community Colleges.
3. Take appropriate action to assist in preventing conduct by the alleged harasser or others which may constitute or appear to constitute reprisal for filing the complaint.
4. Within ten (10) days of the receipt of the complaint, provide a copy of this Policy to both the Respondent and the Complainant; provide to the Respondent written notice of the substance of the allegations of the complaint where oral, a copy of the complaint where written, and request that the Respondent provide a written response to the written complaint or to the summary of the allegations provided within ten (10) days. Failure or refusal of the individual making the complaint to provide requested information regarding the allegations, other facts or circumstances surrounding the charges, or necessary for the continued processing of the complaint, or to cooperate in the complaint procedure shall result in dismissal of the complaint without investigation or any further action.
5. Within ten (10) days of receipt of the statement of the Respondent, or if no statement is submitted within ten (10) days of the notice to the Respondent in paragraph 4 above, the Responsible Officer shall provide the Respondent the opportunity to discuss the allegations of the complaint and any possible resolution of them. If within the above ten (10) day period no statement is submitted, the Responsible Officer shall review what information is available to determine whether the allegations are sufficiently serious to warrant the initiation of a formal complaint.
6. If the matter is resolved, the Responsible Officer will put the agreed upon resolution in writing and shall meet individually with both parties who will review and sign an agreement which shall include the specific nature of the allegations and all of the terms of the resolution.
7. If the parties agree that there has been no sexual harassment and are satisfied with the resolution, the written agreement shall state these facts, and that the parties agree. The documents and the original of the agreement shall be retained by the Responsible Officer for a period of three (3) years, after which time the documents and the agreement will be shredded. The documents and the agreement will not be filed in the personnel files of either party.
8. If the parties agree that sexual harassment has occurred, but are satisfied with the resolution, then the agreement, specifically describing the conduct alleged, the resolution and the complaint shall be placed in a sealed envelope in the personnel file of the Respondent marked to the effect that it may be opened only at the direction of the President, or if otherwise required by law.
9. If the Complainant is not satisfied with the resolution of the complaint, or if the Responsible Officer determines that an informal resolution either cannot be reached or cannot be reached within thirty (30) days of the submission of the complaint at the informal level, the Responsible Officer will provide written notice of that determination to the parties and of the Complainant's right to file a formal complaint with the Responsible Officer under this Policy and/or with any federal or state enforcement agency such as the Office of Civil Rights, the Equal Employment Opportunity Commission, or the Department of Fair Employment and Housing.
10. Even if the Complainant is satisfied with the resolution of the complaint, or agrees that no sexual harassment or retaliation occurred, the Responsible Officer shall determine, subject to the approval of the President, whether the alleged conduct is of such a serious nature under all of the facts and circumstances that, if true, corrective action in addition to that agreed upon by the parties, if any, and/or disciplinary action would be appropriate. In such cases, the Responsible Officer will direct the formal investigation of the Complaint as provided in paragraph D below, provide a copy of the report of the investigation to the Respondent for review, comment and submission of any statement or evidence not previously provided within the time required to submit a statement in response to documents to be placed in the personnel file. The Responsible Officer shall submit such report and statement to the President for appropriate disposition.

D. Formal Complaint Procedure

1. Except as provided in paragraph C.10. above, the Complainant shall initiate the formal complaint procedure by filing a complaint in writing after completing the informal resolution process. A formal

complaint form is attached to this Procedure.

2. Upon receipt of the formal complaint, the Responsible Officer, or trained designee, shall investigate the complaint. Any designated investigator is required to notify the Responsible Officer immediately when it comes to his/her attention that such member is a witness to allegations, or for any other reason may not be able to fairly or impartially investigate the allegations.
3. The Responsible Officer or designee will examine the complaint, and will interview the Respondent and the Complainant, with their consent, and any other witnesses deemed necessary to make a determination as to whether the conduct alleged occurred as stated in the complaint, or if not, what conduct did occur. If sexual harassment did occur, the Responsible Officer will determine the nature and seriousness of the conduct in light of all of the surrounding facts and circumstances. The above determinations and the bases for such determinations shall be included in a written report drafted or submitted to the Responsible Officer for review within eighty (80) days of the filing of the formal written complaint. The Responsible Officer shall review the report for sufficiency and, if found to be sufficient, will review the report with the appropriate site manager and President for recommended action.
4. Within ninety (90) days of receiving the formal written complaint, the Responsible Officer shall provide the Complainant with:
 - a) A copy of the report of the District's investigation or a summary of the investigation;
 - b) A written notice of the administrative decision setting forth the determination of the President, or his or her designee, as to whether sexual harassment 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; notice of the Complainant's right to submit a written appeal to the District Governing Board within fifteen (15) days of receipt of the report; and to submit an appeal to the Chancellor of the California Community Colleges. The results of the investigation and the determination as to whether harassment occurred shall also be reported to the Respondent and to the Respondent's supervisor. The Responsible Officer shall be responsible for preparing and submitting the above notice.

E. Appeal to the Governing Board

If the Complainant timely files a written appeal to the Governing Board, the Board shall review the original complaint, the investigation report, the administrative decision, and the appeal. The Governing Board shall issue a final decision within forty-five (45) days after receiving the appeal, or the administrative decision will become final automatically upon the expiration of the forty-five (45) day period. The Complainant and the Respondent shall be notified in writing of the Governing Board's decision, or that the administrative decision has become final by operation of law.

F. Further Appeal

Within thirty (30) days after the Governing Board issues its final decision or the administrative decision otherwise becomes final, the Complainant shall have the right to file a written appeal with the Chancellor of Community Colleges. If the complaint involves allegations of employment related discrimination, the Complainant may, at any time, also file a complaint with the Department of Fair Employment and Housing or the Equal Employment Opportunity Commission instead of, or in addition to, filing a petition for review with the Chancellor of Community Colleges within thirty (30) days after the Governing Board issues a final decision or permits the administrative decision to become final. Any complaint filed with the Chancellor of Community Colleges must be filed within one (1) year of the date of the alleged unlawful discrimination or within one (1) year of the date on which the Complainant knew or should have known of the facts underlying the allegation of unlawful discrimination.

G. Reports

The District Responsible Officer shall make any required reports to the Chancellor of California Community Colleges.



Unlawful Discrimination Complaint Form

1. Name: _____

2. Address: _____

3. Phone (Day): _____ Phone (Evening): _____

4. Email Address: _____

5. I am a: ☐ Student ☐ Employee ☐ Other: _____

6. I wish to complain against:

District: _____ College: _____

7. Date of most recent incident of alleged discrimination: _____

(Non-employment complaints must be filed within one (1) year of the alleged unlawful discrimination. Employment complaints must be filed within six (6) months of the date of the alleged unlawful discrimination.)

8. I allege discrimination based on the following category protected under Title 5 (you must select at least one):

- | | | | |
|-----------------------------------|--|--|---|
| <input type="checkbox"/> Age | <input type="checkbox"/> Ethnic Group Identification | <input type="checkbox"/> Physical Disability | <input type="checkbox"/> Retaliation** (see below) |
| <input type="checkbox"/> Ancestry | <input type="checkbox"/> Mental Disability | <input type="checkbox"/> Race | <input type="checkbox"/> Sex/Gender (includes Harassment) |
| <input type="checkbox"/> Color | <input type="checkbox"/> National Origin | <input type="checkbox"/> Religion | <input type="checkbox"/> Sexual Orientation |

9. **Clearly state your complaint (attach additional pages as necessary).** Describe each incident of alleged discrimination separately. for each action provide the following information: 1) Date(s) on which the discriminatory action occurred; 2) name(s) of individual(s) who discriminated; 3) what happened; 4) witnesses (if any); and 5) why you believe the discrimination was because of your protected group status you indicated in section 8 above (such as your race, sex, age, or religion).

** If applicable, explain why you believe you were retaliated against for filing a complaint or asserting your right to be free from discrimination on any of the above grounds.

10. What would you like the District to do as a result of your complaint – what remedy are you seeking?

11. I certify that this information is to the best of my knowledge.

Signature of Complainant

Date

*Please submit this form to Human Resource Services, Room A-1 or mail to:
Palomar College, Human Resource Services, 1140 W. Mission Rd., San Marcos, CA 92069*





APPENDIX B SELECTION PROCESS TRAININGS

Contents

- B-1. Selection Committee Training
- B-2. District Compliance Officer Training

B-1. Selection Committee Training



PALOMAR COMMUNITY COLLEGE EQUAL EMPLOYMENT OPPORTUNITY/HIRING COMMITTEE TRAINING





PURPOSE OF TRAINING

- Legal Requirements
- District Policy and Procedure
- Cultural Awareness
- Elimination of Bias in Hiring
- Completion once every 2 years



CALIFORNIA STATE LAWS

- **California Government Code Sections 11135-11139.5** -Prohibits discrimination or denial of benefits under any program that is funded by the State or receives State assistance, on the basis of ethnicity, religion, age, sex, color or physical or mental disability
- **Fair Employment and Housing Act (FEHA) –California Government Code Sections 1900 et seq.** - Prohibits discrimination in employment based on race, gender, religion, color, national origin, ancestry, physical or medical condition, marital status, sex, age and pregnancy.
- **California Labor Code Section 1102.1** - Prohibits discrimination or different treatment in any aspect of employment or opportunity for employment based on actual or perceived sexual orientation.
- **California Code of Regulations Sections 53000 et seq. (Title 5)** -Provides that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and enjoy the benefits of employment.
- **California Proposition 209** - Prohibits discrimination against, or granting preferential treatment, on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment.



FEDERAL LAWS

- **Title VII of the Civil Rights Act of 1964:** Prohibits discrimination on the basis of race, color, religion, sex or national origin.
- **The Americans with Disabilities Act of 1990:** Prohibits discrimination against the disabled in employment and public services.
- **Americans with Disabilities Act Amendments Act of 2008:** Broadened the definition of —disabilityll thereby extending the ADA’s protections to a greater number of people.
- **Age Discrimination in Employment Act of 1975:** Prohibits discrimination on the basis of age in programs or activities receiving Federal financial assistance (Age 40+).

PROTECTED CATEGORIES

- Ethnic Group Identification
- National Origin
- Religion
- Age
- Sex/Gender (Including Gender ID/Expression and Harassment)
- Marital Status
- Perceived to be in, or associated with someone in, a protected category
- Race
- Color
- Sexual Orientation
- Ancestry
- Physical or Mental Disability or Medical Condition
- Genetic Information No
- Discrimination Act
- Military and Veteran's Status
- Pregnancy
- Engaging in a legally protected activity (i.e. retaliation for filing a complaint)

CALIFORNIA CODE OF REGULATION § 53002

“A diversity question must be included in the list of interview questions for every candidate to evaluate their cultural competency and sensitivity to diversity.”

CALIFORNIA CODE OF REGULATIONS (CCR) CCR § 53001, TITLE 5

- a) **Adverse Impact.** "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.

CALIFORNIA CODE OF REGULATIONS (CCR) CCR § 53001, TITLE 5

- **Significantly Underrepresented Group.** "Significantly underrepresented group" means 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.

HIRING COMMITTEE TRAININGS

- ...prior to their participation. Training shall include, but need not be limited to:
 - (A) on 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

CALIFORNIA EDUCATION CODE § 87100

- Section (c) 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.

NINE MULTIPLE METHODS

- Method 1 – EEO Plan
- Method 2 (Board policies and adopted resolutions)
- Method 3 (Incentives for hardhire areas/disciplines)
- Method 4 (Focused outreach and publications)
- Method 5 (Procedures for addressing diversity throughout hiring steps and levels)
- Method 6 (Consistent and ongoing training for hiring committees)
- Method 7 (Professional development focused on diversity)
- Method 8 (Diversity incorporated into criteria for employee evaluation and tenure review)
- Method 9 (Grow Your Own programs)

PALOMAR BOARD POLICY AND PROCEDURE

- BP7100 – Commitment to Diversity
- BP3410 – Nondiscrimination
- BP3420 – Equal Employment Opportunity
- BP/AP3430 – Prohibition of Harassment

MOST ASKED QUESTION?

- *“Are we required to hire someone because they are from a protected category?”*



District Compliance Officer Training



District Compliance Officers: A Brief Overview

Definition

- From A.P. 7120: "It is the responsibility of the Compliance Officer to observe and monitor the hiring process to ensure complete fairness and consistency for each applicant and to serve as a non-voting resource person to the selection committee(s)."
- Serves as a **non-voting** (but bona fide) member of the selection committee

Main Responsibilities

- *Observes and monitors* each stage of the selection process to ensure compliance with employment laws and regulations
- *Serves as a resource* to the committee regarding questions and concerns; facilitator role
- *Attends* all committee meetings and interviews; *reviews* committee correspondence for appropriateness
- *Intervenes or halts* the process to correct and/or prevent violations from occurring
- *Tracks hours* spent serving as a District Compliance Officer

ROLE and RESPONSIBILITIES



Year	History
1961	Executive Order No. 10925 issued by President Kennedy, establishing the concept of affirmative action
1964	Civil Rights Act is passed; Title VII prohibits employment discrimination
1967	Age Discrimination in Employment Act passed
1974	California Fair Employment and Housing Act passed
1978	<i>Regents of the U.C. v. Bakke</i> - AA upheld; quotas outlawed
1990	Americans with Disabilities Act passed
1996	Prop. 209 is passed in CA, abolishing AA in public sector; Chancellor's Office requires districts to continue AA programs until final rulings on appeals
2001	Final appeal to Prop. 209 denied; Chancellor's Office requires all districts to dismantle AA programs. Districts still required to conduct EEO programs.
2001-2002	Palomar ends AA program by removing AA representatives from selection committees and no longer audits applicant pools for diversity.
2001-2002	Several serious violations in hiring occur at Palomar, causing recruitments to be cancelled; some positions never reopened.
2002	Faculty Hiring Policy developed by Faculty Senate and the District to address and prevent process violations; District Compliance Officers are required for all faculty and some administrative recruitments.
2003	Accreditation site visit. Visiting team issues a recommendation for the District to diversify its employees, and especially its faculty.
2006-Present	Increasing the diversity of employees becomes an ongoing goal of the District's Strategic Plans for 2009, 2013, and 2016. Several Board policies and procedures supporting diversity, nondiscrimination, and EEO are passed. The District adopted its latest state-mandated EEO Plan in 2016.

EEO, AA, AND DISTRICT COMPLIANCE OFFICERS:

History and Context



Federal EEO Laws

- **Civil Rights Act of 1964, Title VII:** Prohibits discrimination on the basis of race, color, religion, sex, and national origin in employment.
- **Age Discrimination in Employment Act of 1967 (ADEA):** Prohibits discrimination against persons age 40 and over in employment.
- **Americans with Disabilities Act of 1990 (ADA):** Prohibits discrimination against those with physical and mental disabilities in employment and public services.

LAWS AND
REGULATIONS



California EEO Laws

- **California Fair Employment and Housing Act (FEHA):** Prohibits discrimination in employment on the basis of age (40 and over), ancestry, color, religious creed, disability (mental and physical, including HIV and AIDS), marital status, medical condition (including cancer and genetic characteristics), genetic information, national origin, race, religion, sex (including pregnancy, childbirth, and medical conditions associated with pregnancy or childbirth), gender, gender identity, gender expression, and sexual orientation. **Note:** FEHA protects individuals of the listed classes, as well as individuals associated with members of or assumed to be members of the listed classes.
- **California Code of Regulations, Title 5, §§ 53020 – 53026:** Outlines recruitment and selection practices related to required equal employment opportunity (EEO) programs for community colleges in California. Hiring decisions must be based only on job-related information. AA is no longer permitted, but EEO is mandatory.
- **Proposition 209:** Amended the California state constitution to prohibit preferential treatment towards any individual or group on the basis of race, sex, color, ethnicity, or national origin in public employment, public education, and/or contracting.

LAWS AND
REGULATIONS



District Policies, Procedures, and Plans

- **B.P. 3410 – Nondiscrimination:** Affirms the District’s commitment to equal opportunity in all programs and services.
- **B.P. 3420 – Equal Employment Opportunity:** Describes the importance of the inclusion of faculty and staff from a wide variety of backgrounds to create a climate of acceptance, including in employment.
- **B.P. and A.P. 3430 – Prohibition of Harassment:** Prohibits harassment based on personal background is prohibited, including, but not limited to, sexual harassment.
- **B.P. 7100 – Commitment to Diversity:** Recognizes the importance of hiring and staff development processes that support the goals of equal opportunity and diversity and provide equal consideration for all qualified candidates.
- **B.P. and A.P. 7120 – Recruitment and Hiring:** The District’s philosophy and procedures for attracting and selecting qualified, diverse candidates.
- **Equal Employment Opportunity Plan:** Identifies the District’s practices for promoting diversity and equal treatment of employment applicants and employees.

DISTRICT REGULATIONS



District’s Vision, Mission, Values, and Goals

- **Vision:** Learning for Success
- **Mission:** Our mission is to provide an engaging teaching and learning environment for students of diverse origins, experiences, needs, abilities, and goals.
- **Relevant Values:** Palomar College’s core values include **access** in programs and services; **equity** and the fair treatment of all in our policies and procedures; **diversity** in learning environments, philosophies, cultures, beliefs, and people; and **inclusiveness** of individual and collective viewpoints in collegial decision-making processes.
- **Strategic Goal #4** (from Strategic Plan 2019): Strengthen, promote, and support the college’s diverse workforce through strategies focused on recruitment, hiring, and retention.
 - **Objective 4.2:** Evaluate and improve recruiting, hiring, and professional development processes to increase diversity in hiring and ensure faculty and staff are prepared to serve the college’s diverse student body and community.

MISSION, VISION, VALUES, AND GOALS



Sensitivity to and Understanding of Diversity

- Hiring persons of diverse backgrounds and individuals that embrace diversity provides a variety of important benefits to the District:
 - Provides *role models* for our students, whether from underrepresented or other backgrounds
 - *Cultural competence*: Teaches students how to successfully interrelate with others in a diverse society
 - Ensures *a variety of perspectives* are considered in the institution in decision-making, planning, and participation
- Chancellor's Office requires that all new hires demonstrate "the respectful treatment, of individuals from a wide range of ethnic, racial, age, national origin, religious, gender, sexual orientation, disability and socio-economic backgrounds."

IMPORTANCE OF DIVERSITY



Importance of Confidentiality

- Confidentiality is required of all committee members and the District Compliance Officer before, during and after the hiring process.
- All aspects of the hiring process are subject to the laws and regulations relating to equal and fair employment practices.
- Failure to maintain confidentiality could result in the violation of federal or state regulations and incur liability on behalf of the District. Report all breaches of confidentiality to Human Resource Services.

Conflicts of Interest

- Committee members and District Compliance Officers must remove themselves from the committee if they are:
 - Related by blood, adoption, marriage or domestic partnership to any applicant for the position
 - Have a personal or financial relationship with any applicant that would prevent them from being objective during the process
 - Have a relationship with any applicant could be perceived by an outside party as preventing objectivity
- Failure to reveal a conflict of interest could lead to a complaint of an unfair hiring practice!
- Report all real or apparent conflicts of interest to Human Resource Services.

CONFIDENTIALITY AND CONFLICTS OF INTEREST



Confidentiality – Specific Examples of What to Protect

Committee members, and the District Compliance Officer, are prohibited from releasing the following information during the selection process:

- **Written material** turned in by the applicants or evaluations made by the committee members about applicants.
- **Oral discussions** by or about applicants or committee members during or following the interview process.
- **Any other information** that relates to the selection process, including, but not limited to:
 - Names of applicants
 - Number of applications received
 - Application or applicant ratings or status
 - Any information pertaining to references, results or questions that are asked
 - All other information related to the hiring process!
- Information about the hiring process can only be shared with the committee members and select individuals in Human Resource Services.

CONFIDENTIALITY AND CONFLICTS OF INTEREST



General Selection Process Timeframe and Time Commitment

Meeting/Interview Type	Timeframe
Meeting(s) to develop screening and interview materials	<ul style="list-style-type: none">• 1-2 hours (usually completed in 1-2 meetings)• Takes place before position closes
Meeting to select first-level interviewees	<ul style="list-style-type: none">• 1-1 ½ hours• Takes place after application review
First-level interviews	<ul style="list-style-type: none">• Interviews: 45 minutes to 1 hour per candidate• Deliberations: 1 hour following interviews• Held 1-2 weeks following the meeting to select interviewees depending on position type
Second-level interviews	<ul style="list-style-type: none">• Interviews: 1 hour per candidate• Deliberations: 1 hour following interviews• Held 1-2 weeks after finalists selected

Note: These timeframes are general; actual timeframes may vary. Volunteer accordingly!

SELECTION PROCESS OVERVIEW



What District Compliance Officers Must Ensure

- **Ensure the integrity and consistency of the hiring process.**
 - Ensure all committee members participate equally in the process.
 - Ensure all committee members follow relevant laws and regulations.
 - Ensure all applicants are treated in a professional and courteous manner throughout the process.
 - Ensure all interviewees are treated consistently during interviews.
- **Ensure facilitation of the hiring process.**
 - Assist with tasks as requested by the committee chair or as required (i.e. timing, calculating applicant ratings, etc.)
 - Answer the committee's questions about the process.
 - Contact Human Resource Services with questions you cannot answer, situations you cannot correct, and any other concerns.
- **Ensure your complete objectivity throughout the process.**
 - Do not comment on, score, or rank the applicants.
 - Do not offer suggestions for developing materials related to the process (except where noted).
 - Do not provide information that could lead committee members to making a decision regarding any candidate.

OVERVIEW OF SPECIFIC RESPONSIBILITIES



What District Compliance Officers Must Prevent

- **Prevent committee members from discussing inappropriate information about applicants.**
 - Only job-related qualifications tied directly to the position from application materials and interviews may be discussed (required by Title 5).
 - Personal knowledge and hearsay about applicants, whether that information is positive or negative, cannot be considered.
 - Information about an applicant's personal background may not be discussed, even if brought up by the candidate.
- **Prevent committee members from discussing applicants at the inappropriate time or manner.**
 - Committee members are only permitted to discuss applicants: a) after application screening, and b) during deliberations.
 - Written and electronic communications about applicants are prohibited.
- **Prevent inappropriate situations from occurring at any stage of the process.**
 - Follow all guidelines for each stage of the process.
 - Speak up! If something goes wrong, your role is to correct any inconsistencies and violations.

OVERVIEW OF SPECIFIC RESPONSIBILITIES



The Hiring Process in a Nutshell

- **Main objective:** To select and hire the most qualified candidate who will support the learning and working environment of Palomar College and who will provide the greatest asset to our diverse student body, faculty and staff workforce, and community.
- **Major steps of the hiring process:**
 1. Develop job-related, legally-compliant application screening and interview materials
 2. Screen qualified applications for interview consideration
 3. Determine logistics for interviews
 4. Conduct interviews and post-interview deliberations
 5. Conduct reference checks on finalists and selected candidates
 6. Submit recruitment materials to Human Resource Services as required and for hire

SELECTION PROCESS OVERVIEW



Developing Screening Criteria

- Purpose: To review each applicant's materials using standardized criteria to ensure consistency in the application review phase of the hiring process.
- Must be developed from and directly related to the position announcement and job description.
- Must have a scoring scale.
- Must have one screening item related to sensitivity to diversity.
- Must have one screening item to evaluate letters of recommendation (if required for the position).
- Submit screening criteria to HRS for approval.
- Applications will not be released for screening until HRS approves the screening criteria.

District Compliance Officer's Role in Developing Screening Criteria

- Ensure that the materials are developed in line with applicable regulations.
- Ensure that all portions of screening materials are produced.
- Ensure that no inappropriate information is discussed during the development of the criteria.
- Remind the committee that applications will not be released until HRS approves the materials.

DEVELOPING SCREENING AND INTERVIEW MATERIALS



Developing Interview Questions

- Interview questions must relate directly to the position requirements and responsibilities listed in the announcement and job description.
- A variety of different types of questions will be created to obtain broad information from each candidate.
- Include at least one question regarding the importance of diversity.
- Develop suggested/desired answers to the interview questions.
- Determine a scoring method.
- Submit interview questions to HRS for approval.
- Applications will not be released for screening until HRS approves the questions.

Developing the Teaching Demonstration (Faculty Positions)

- The teaching demonstration is required for first-level interviews. (A teaching demonstration may optionally be required for second-level interviews.)
- Develop a specific topic for all candidates.
- Develop a rubric for evaluating and scoring the demonstration (total score should be no more than 3x one of the interview questions).
- Identify the following:
 - Time limit for demonstration
 - Audio-visual and other materials provided and/or required (e.g., handouts)
- Applications will not be released for screening until HRS approves the teaching demonstration.

DEVELOPING SCREENING AND INTERVIEW MATERIALS



Developing Interview Testing Materials (Optional)

- Tests are encouraged, but optional.
- Common types of tests: Writing assignments; hands-on skills demonstrations; computer application tests.
- Tests must be directly related to the responsibilities in the job description.
- Develop a rubric for evaluating and scoring each test (total score should be no more than 3x one of the interview questions).
- Identify the time limit for the test.
- Submit interview questions to HRS for approval.
- Applications will not be released for screening until HRS approves the testing materials.

District Compliance Officer's Role in Developing Interview Materials

- Ensure that the materials are developed in line with applicable regulations.
- Ensure that all required items are produced.
- Ensure that no inappropriate information is discussed during the development of the interview materials.
- Remind the committee that applications will not be released until HRS approves the materials.

DEVELOPING SCREENING AND INTERVIEW MATERIALS



Application Screening Process

- HRS will screen applications for completeness and minimum qualifications, and releases minimally-qualified applications to the committee to screen.
- Committee members will screen applications online through PeopleAdmin, the District's applicant tracking system.
 - All committee members and the Compliance Officer will receive a special login (username and password) to access applications in PeopleAdmin.
- Applications must be screened individually and confidentially by all committee members.
- HRS does not encourage printing applications, however if they are printed, all application copies must be turned into HRS to protect confidentiality.
- Committee members are prohibited from discussing applicants until the committee meets as a group to select interviewees.

District Compliance Officer's Role During Application Screening

- Ensures that committee members do not discuss applicants before the committee meets to select interviewees.
- Reminds committee members of the importance of confidentiality if required.
- No requirement to review applications – access provided for review purposes in case of potential violations.

APPLICATION SCREENING



Meeting to Select Interviewees

- Purpose: To select the best-qualified candidates to interview based on how applicants were scored during the screening process.
- Most committee members will agree on some applicants, not discuss those with low scores, and need to discuss some on which there is no consensus.
 - Scores are to be used as a *guide* to selection.
 - If the committee cannot arrive at consensus on an applicant after discussion, the candidate should be invited to interview.
 - All interviewees must be those the committee is seriously considering based on the outcome of the screening process.

District Compliance Officer's Role During Meeting to Select Interviewees

- Monitor the discussion to ensure that committee members consider job-related qualifications that match the screening criteria only.
- Ensure inappropriate information is not discussed or considered.
- Ensure that all committee members have equal participation.
- Advocate for interviewing candidates when consensus cannot be established.
- Assist the chair with recording votes for candidates. Sample scoring grid:

	Screener 1	Screener 2	Screener 3	Total Votes
Candidate 1	Yes	Yes	Yes	3
Candidate 2	No	Yes	Yes	2
Candidate 3	Yes	No	Yes	2

APPLICATION SCREENING



Preparing for Interviews

The committee must identify and submit to HRS all of the following information to schedule interviews:

- **Interview dates and times** (two weeks' notice for faculty and administrators; one week for all other position types)
- **How long each interview will be** (usually 45 or 60 minutes)
- **How long the teaching demonstration will be** (between 15 and 30 minutes depending on the topic)
- **How long the skills test(s) will be** (dependent on requirements)
- **How much time candidates will have to review questions** (optional; usually 10 or 15 minutes depending on length/complexity)
- **How long breaks between interviews will be** (optional; usually 5 or 10 minutes in between each interview)
- **How long and what time the lunch break will be**
- **Interview, question review, and test location(s)**
- **Name and contact information** for escort and test proctor
- **List of candidates** to be interviewed

Compliance Officer's Role During Interview Preparation

- Ensure that the committee identifies all components listed above
- Provide input on your schedule to the chair to ensure your attendance at all interviews and deliberations

INTERVIEW PREPARATION



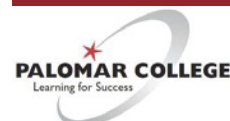
First- and Single-Level Interviews – General Information

- Purpose: To assess experience, knowledge, and skills related to the position.
- Candidates will arrive in HRS, room ST-1, for weekday interviews or at the clock tower for weekend interviews.
- All committee members must attend **each interview in its entirety and evaluate each candidate.**
- All committee members must also attend the deliberations afterwards and participate in the discussion.

Second-Level Interviews: General Information

- Purpose: To assess suitability as a potential employee of the department and District, and to recap and confirm information learned at the first level.
- During the interviews, the committee must adhere to the same guidelines described for first- and single-level interviews.
- See the Faculty Hiring Procedures for specific details pertinent to final interviews for faculty.

INTERVIEWS



Fairness, Equity, and Courtesy Towards Interview Candidates

- Candidates must be treated **consistently and courteously**.
- Committee members **must maintain appropriate body language and tone of voice** during each interview.
- The committee must **be respectful of each candidate's background**.
- Remember that only job-related qualifications may be considered.
- **Discussion of personal information**, hearsay, and membership in a protected class may violate employment laws and regulations.
- **Intervene if necessary and as soon as possible** to correct inconsistencies and prevent violations from occurring.

INTERVIEWS



Pre-Interview Introductions (All Interviews)

- A standard introduction will be given by the chair to each candidate consisting of:
 - Committee members introducing themselves
 - Interview timeframe
 - Notification that the District Compliance Officer will monitor time

District Compliance Officer's Role During Pre-Interview Introductions

- Ensure all committee members introduce themselves to the candidate
- Ensure the chair gives the correct information
- Correct the chair if information given is incorrect or if the chair forgets to provide it

The General Process for All Interviews and Position Types

- Each committee member will ask the same questions of each candidate in the same order.
- Scripted questions must be asked exactly as written.
- Follow-up questions may be asked for clarification within the following guidelines:
 - Must relate directly to one or more scripted interview questions
 - Cannot lead the candidate to the suggested answer
 - Cannot infringe on the candidate's ability to complete the interview within the allotted timeframe
- Adhere to pre-determined time allotted for the interviews and other components.
- Ensure answers to candidate's questions at the end of the interview are answered appropriately and consistently.
- Do not offer the position to a candidate or invite candidates to second-level interviews during the interview.
- Wait until all candidates have been interviewed and all committee members have finished their individual evaluations and scoring before discussing the candidates.

INTERVIEWS



Second-Level Faculty Interviews

- Consists of two interviews: one with the Joint Selection Committee, and the other with the Superintendent/President.
- The Joint Selection Committee is composed of the following members:
 - Dean of the appropriate division (committee chair)
 - Vice President of Instruction or Student Services, depending on discipline
 - Chair of the first-level selection committee
 - At least two other faculty members from the first-level selection committee
 - District Compliance Officer
- President's interviews:
 - The President is the sole committee member.
 - A District Compliance Officer will observe each interview.
 - A faculty observer appointed by the first-level committee is optional.
- Interview question development:
 - Joint Selection Committee questions and optional teaching demo are developed by the Dean with input from the faculty and the Vice President.
 - President's interview questions are developed by the President.
 - Questions are approved by HRS prior to use.
- The President and the Joint Selection Committee will meet after all finalists have been interviewed to discuss the hiring decision.

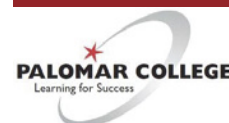
INTERVIEWS



The District Compliance Officer's Role During the Interview Process

- Ensures that interviews are conducted consistently for each candidate.
- Ensures that scripted interview questions are asked by the proper committee members, as written, and in the correct order.
- Ensures that follow-up questions are used for clarification purposes only and follow the guidelines.
- Times all components of candidates' interviews:
 - Provides verbal notifications on time remaining to candidates to assist them in staying on track.
 - A good rule: warn at 5 minutes remaining and 1 minute remaining.
 - Directs candidates to stop when time has run out for any component of the interview process.
- Notifies committee to incorporate any unplanned changes that occur during the first interview into subsequent interviews.
- Ensures that no irrelevant or inappropriate discussion occurs before, during, or after interviews between committee members and candidates.
- Prevents committee members from commenting on candidates until deliberations begin.
- Prevents committee members from offering a position to candidates and inviting candidates to subsequent stages of the hiring process.
- Takes notes during the process on any unusual circumstances.

INTERVIEWS



Post-Interview Deliberations

- Finalists/hires must be selected on job-related information only and based on the results of interview evaluation scores.
- Committee members may use information from the interviews and the application materials when deliberating.
- Hearsay, outside information, personal knowledge of the candidates, and personal characteristics are prohibited from the discussion.
- All finalists must be individuals who the committee would seriously consider hiring.
- Finalists for second-level interviews are forwarded unranked and given equal consideration.
- The chair will complete the Selection Committee Interview Report with the input of committee members.
- Reference checks may not begin until HRS permits the committee to do so.
- Reference checks must be conducted before second-level interviews, or before a hire recommendation is made for single-level interviews.
- Committee members must return all recruitment documents to HRS after a decision to hire has been made or finalists have been selected.

Compliance Officer's Role During Post-Interview Deliberations

- Ensures that finalists/hires are selected based on job-related criteria and interview scoring only.
- Ensures that the committee only forwards suitable candidates to second-level interviews and forwards them to the next stage unranked.
- Assists chair with recording votes for candidates.
- Prevents discussion/consideration of irrelevant/inappropriate information.
- Reminds the committee that reference checks may not begin until permitted by HRS.
- Ensures that the committee completes the interview report properly.
- Ensures that the committee submits all required paperwork to HRS.

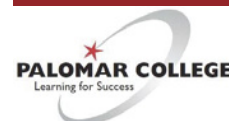
INTERVIEWS



Final Steps in the Hiring Process

- **Tentative job offers** are made by:
 - Faculty positions – division dean
 - Executive and senior administrator and director positions – next-level administrator
 - All other positions – Human Resource Services
- **Pre-employment requirements** must be fulfilled in order for the new hire to be placed on the Governing Board agenda.
 - TB test results
 - LiveScan (fingerprinting) criminal background check
 - Official transcripts (for degrees awarded and/or coursework taken as indicated on the application)
 - Other requirements specific to the position
- **Governing Board ratification** is required prior to starting employment.

HIRE



If Violations Occur...

- **Take notes** on what happened.
- **Contact Human Resource Services as soon as possible!**
 - For issues related to a specific recruitment:* Contact the recruiter for the position. Or, contact:
 - Monique Dumbrique, Supervisor, Human Resources, ext. 2852; mdumbrique@palomar.edu
 - For general District compliance issues/questions:*
 - Shawna Cohen, Manager, EEO and Compliance, ext. 2608; scohen@palomar.edu
- Action taken usually involves interviewing all involved parties, including the District Compliance Officer.
- Consequences are in relation to the severity of the violation.

**QUESTIONS
and
CONCERNS**



A photograph of three individuals in graduation attire, including caps and gowns, smiling and looking towards the right. The image is partially obscured by a dark red overlay on the right side.

APPENDIX C DIVERSITY ORGANIZATIONS IN SAN DIEGO COUNTY

Contents

- C-1. List of Diversity Organizations in San Diego County

Diversity Organizations in San Diego County

General Organizations:

- Neighborhood House Association: (858) 715-2642; www.neighborhoodhouse.org
- Urban League San Diego County: (619) 266-6247; sdul@sdul.org; www.sdul.org
- MAAC Project: (619) 426-3595; www.maacproject.org
- Anti-Defamation League, San Diego chapter: (858) 565-6896; regions.adl.org/san-diego
- American Civil Liberties Union of San Diego and Imperial Counties: (619) 232-2121; info@aclusandiego.org; www.aclusandiego.org
- Interfaith Community Services: (760) 489-6380; info@interfaithservices.org; www.interfaithservices.org
- Fair Housing Council of San Diego: (619) 699-5888; www.fhcsd.com

Asian and Pacific Islander Organizations:

- Asian Business Association of San Diego: (858) 277-2822; info@abasd.org; www.abasd.org
- San Diego Alliance for Asian Pacific Islander Americans: (858) 405-3326; www.sdalliance.org
- Chinese Service Center of San Diego: (858) 565-8008; www.cscsandiego.org
- Filipino-American Chamber of Commerce of San Diego: www.facebook.com/faccsd
- Japanese Americans Citizens League, San Diego chapter: (619) 512-2534; info@jaclsandiego.org; www.jaclsandiego.org
- Vietnamese Federation of San Diego: info@vietfederationsd.org; vietfederationsd.org

Black/African-American Organizations

- NAACP North San Diego County: (760) 754-9686; info@nsdcnaacp.org; www.nsdcaacp.org
- NAACP San Diego Chapter: (619) 263-7823; sandiegonaacp@earthlink.net; www.sandiegonaacp.org
- Central San Diego Black Chamber of Commerce: (858) 939-1849; info@csdbcc.com; www.csdbcc.com
- National Black MBAs, San Diego chapter: (760) 774-2214; www.nbmbaa.org/Chapters/ChapterOverview/sanDiego.aspx

Disability Organizations:

- Disability Rights California, San Diego chapter: (619) 239-7861; www.disabilityrightsca.org
- ARC of San Diego: (619) 685-1175; info@arc-sd.com; www.arc-sd.com
- Goodwill San Diego: (888) 446-6394; info@sdgoodwill.org; www.sdgoodwill.org
- TERi: (760) 721-1706; www.teriinc.org

Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Organizations:

- San Diego LGBT Community Center: (619) 692-2077; comments@thecentersd.org; www.thecentersd.org
- Greater San Diego Business Association/Gay & Lesbian Chamber of Commerce: (619) 296-4543; info@gsdba.org; www.gsdba.org
- San Diego Pride: (619) 297-7683; www.sandiegopride.org
- Gay and Lesbian Alliance Against Defamation: www.glaad.org
- North County LGBTQ Resource Center: (760) 672-1848; info@ncresourcecenter.org; www.ncresourcecenter.org
- Parents, Families, and Friends of Lesbians and Gays (PFLAG), San Diego County: www.pflag.com
- Gay, Lesbian and Straight Education Network, San Diego County: glisen@glsensandiego.org; chapters.glisen.org/cgi-bin/iowa/sandiegocounty/home.html

Latina/Latino, Hispanic, and Chicana/Chicano Organizations:

- San Diego County Hispanic Chamber of Commerce: (858) 268-0790; info@sdchcc.com; info.sdchcc@gmail.com; www.sdchcc.com
- Casa Familiar: (619) 428-1115; www.casafamiliar.org
- Chicano Federation of San Diego County: (619) 285-5600; info@chicanofederation.com; www.chicanofederation.org

- National Society of Hispanic MBAs San Diego Chapter: president@sandiego.nshmba.org; www.nshmba.org/sandiego
- League of United Latino American Citizens, San Diego council: (619) 894-1113; www.lulac.net

Native American/American Indian Organizations:

- Visit www.kumeyaay.info/southern_calif_tribes for a list of local tribes and current contact information.





APPENDIX D

DISTRICT HIRING PRACTICES

Contents

- D-1. Board Policy 7120 Recruitment and Hiring
- D-2. Administrative Procedure 7120 Recruitment and Hiring
- D-3. Faculty Hiring Procedures

HUMAN RESOURCES

BP 7120 RECRUITMENT AND HIRING

References:

Education Code Sections 70902(d) and 87100 et seq.;
Title 5 Sections 53000 et seq.;
Accreditation Standard III.1.A

The Superintendent/President shall establish procedures to recruit and select faculty, staff, and administrators who have a clear understanding of and commitment to the mission, vision, and values of the institution. In order to best promote student learning within a culture of inclusion, successful candidates must be sensitive to, understand, and work well with individuals with a broad range of backgrounds and needs, including but not limited to individuals with disabilities and those with diverse academic, socioeconomic, cultural, and ethnic backgrounds. Academic employees shall possess the minimum qualifications prescribed for their positions by the Board of Governors. Classified employees shall possess minimum qualifications described by their classification specification.

Faculty hiring procedures shall be established and implemented in accordance with Board Policies and Administrative Procedures regarding the Faculty Senate's role in local decision-making (see BP 2510 titled Participation in Local Decision-Making) as an academic and professional matter.

Staff hiring procedures shall be established after first affording the staff constituent groups an opportunity to participate in the formulation of staff hiring policies and procedures under the Governing Board's policies regarding local decision-making.

Hiring procedures for administrative, confidential, and supervisory employees shall encourage participation of executive and senior administrators, the Administrative Association, the Confidential and Supervisory Team, faculty, and classified staff in all appropriate phases of the process.

Also see BP 3410 titled Nondiscrimination and BP 3420 titled Equal Employment Opportunity.

Date Adopted: 11/08/2011

(Replaces current Palomar Policy 7120)

HUMAN RESOURCES

AP 7120 RECRUITMENT AND HIRING**References:**

Education Code Sections 70902 (d); 87100 et seq., 87400, 87408-87408.6, 88003, and 88021;
Title 5 Code Sections 53000 et seq.;
Accreditation Standard III.A

GENERAL PROVISIONS

Equal Employment Opportunity (EEO) – Commitment to Diversity: In all phases of recruitment and hiring, equal opportunity is afforded to all employees and qualified applicants for employment without discrimination on bases including but not limited to: ethnic group identification, race, color, national origin, religion, socio-economic status, age, gender, gender identity, gender expression, sex, physical or mental disability, sexual orientation, political affiliation, transgender, marital status, veteran status, medical conditions, union membership or on the basis of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics. Applicants not possessing specific qualifications as outlined in the job announcement who feel that their background and experience is equivalent to the minimum requirements are encouraged to apply.

Equal employment opportunity issues (e.g., diversity of applicant pool) are addressed in BP/AP 3420 titled Equal Employment Opportunity and the District's EEO Plan.

ANNOUNCEMENTS AND RECRUITMENT**A. Announcements**

Human Resource Services must approve all announcements prior to posting. Full-time faculty positions are requested by departments or disciplines and then are prioritized by a subcommittee of the Instructional Planning Council (IPC), utilizing a procedure developed by IPC. The position announcement is developed through a collaborative process involving the department/program, appropriate administrators, and Human Resource Services (HRS).

Date Approved: 10/21/14

(Replaces current Palomar Procedures 26, 174, 174.1, 174.2, and 190)

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1. Approval: Announcements must receive final authorization as indicated in Table 1.

Table 1. Announcement Authorizations by Position Type.

Position Type	Required Approval
Superintendent/President	Governing Board
Vice President	Superintendent/President or Designee
Directors and Deans	Appropriate Executive Administrator
Administrators Below Director	Supervisor of Position or Designee
Faculty	Hiring Committee Chair, Department Chair or Program Director, Dean of the appropriate division, and the appropriate Vice President
Classified	Supervisor of Position or Designee
CAST (Confidential and Supervisory Team)	Supervisor of Position or Designee
Child Development Center Teachers	Supervisor of Position or Designee

2. Components: The position announcement must include the following:
 - A description of the position duties, responsibilities, salary, assignment, benefits, and terms of employment (including working hours and conditions, employment group, and status);
 - For academic positions, minimum qualifications as determined by the Board of Governors, and for classified positions, as determined by the Governing Board (Board);
 - Preferred qualifications (when listed) that are job related and consistent with business necessity;
 - For faculty positions, a provision for determination of equivalency;
 - Depending on employment unit, a statement regarding required participation in shared governance;
 - Additional language required for compliance with federal, state, and District regulations (e.g., Equal Opportunity Employer notice);
 - Any application procedures specific to the posted position.

B. Advertising

1. HRS provides assistance including the identification of appropriate advertising media. Table 2 outlines minimum advertising durations.
2. Job announcements are advertised through various organizations (e.g., the California Community Colleges Registry) and through various electronic and print media;
3. Transfer Opportunities: For eligible positions, notice of transfer opportunities will be distributed internally to provide current employees notice of such positions, subject to provisions of applicable collective bargaining agreements or employee handbooks.

Date Approved: 10/21/14

(Replaces current Palomar Procedures 26, 174, 174.1, 174.2, and 190)

Table 2. Advertising Durations for Permanent Positions.*

Position	Minimum Advertisement Duration
Educational Administrators	8 weeks, open until filled
Classified Administrators	4 weeks, open until filled
CAST	4 weeks, open until filled
Classified	2 weeks, open until filled
Faculty	8 weeks,** open until filled
Child Development Teachers	4 weeks, open until filled

* A minimum two-week advertising period is required for all interim appointments.

** In extenuating circumstances, a six-week advertising period may be authorized by the appropriate Vice President.

C. Recruitment Methods

- HRS recruits all permanent positions.
- Presidential searches will be handled in accordance with BP 2431 titled Superintendent/President Selection.
- Part-Time Faculty: HRS will accept applications on an ongoing basis for part-time faculty positions (see the section titled Part-Time Faculty).
- All applications shall be submitted to HRS.

D. Applications

1. Applications are attached to each job announcement and are available online through the District website. Hard copy applications are available in the HRS Office. The application will contain the following basic components:
 - Application form inclusive of educational and professional histories, skills and qualifications and references;
 - Attachment to application (conviction history questionnaire); and
 - Confidential data sheet for federal and state collection and reporting purposes.
2. HRS will accept application materials until the position is filled.

SCREENING AND INTERVIEW

A. Pre-Screening

HRS will pre-screen all applications for completeness and evidence of minimum qualifications prior to forwarding applications to the selection committee.

B. Selection Committee Screening

Screening criteria and interview questions must be approved by HRS before Selection Committee members receive applications. Screening criteria are developed from the position description and the qualifications and requirements listed in the position announcement. Depending on the volume of applications received for a particular position, additional screening criteria may apply.

Date Approved: 10/21/14

(Replaces current Palomar Procedures 26, 174, 174.1, 174.2, and 190)

C. Selection Committee Composition

1. Selection Committee composition is outlined in Table 3 below and applies to both permanent and interim appointments.

Table 3. Composition of Selection Committee by Position Type and Interview Level.

Position	Committee Chair	1st-Level Committee	2nd-Level Committee
Assistant Superintendent/Vice President for Instruction*†‡ Ψ	<ul style="list-style-type: none"> • 1st-Level: Another Vice President • 2nd-Level: Superintendent/President 	<ul style="list-style-type: none"> • At least one faculty member from each instructional division; and one faculty member from Student Services • Two Instructional Deans appointed by the Superintendent/President • One member of the Administrative Association • One member of the Confidential & Supervisory Team • Two classified employees to include one from Instruction and one at-large • Two students 	<ul style="list-style-type: none"> • All other Vice Presidents
Assistant Superintendent/Vice President for Student Services*†‡ Ψ	<ul style="list-style-type: none"> • 1st-Level: Another Vice President • 2nd-Level: Superintendent/President 	<ul style="list-style-type: none"> • Four faculty members, to include two from Student Services and two at-large • Two Student Services administrators appointed by the Superintendent/President • One member of the Confidential & Supervisory Team • One member of the Administrative Association • Four classified employees to include three from Student Services and one at-large • Two students 	<ul style="list-style-type: none"> • All other Vice Presidents
Assistant Superintendent/Vice President for Finance & Administrative Services*†‡ Ψ	<ul style="list-style-type: none"> • 1st-Level: Another Vice President • 2nd-Level: Superintendent/President 	<ul style="list-style-type: none"> • Four faculty members to include three instructional faculty members and one from Student Services • One representative from Instruction appointed by the Assistant Superintendent/Vice President for Instruction • One representative from Student Services appointed by the Assistant Superintendent/Vice President for Student Services • Two Finance & Administrative Services Directors appointed by the Superintendent/President • One member of the Confidential & Supervisory Team • One member of the Administrative Association • Four classified employees to include three from Finance & Administrative Services and one at-large • Two students 	<ul style="list-style-type: none"> • All other Vice Presidents

Date Approved: 10/21/14

(Replaces current Palomar Procedures 26, 174, 174.1, 174.2, and 190)

Position	Committee Chair	1st-Level Committee	2nd-Level Committee
Assistant Superintendent/ Vice President for Human Resource Services* †‡ Ψ	<ul style="list-style-type: none"> 1st-Level: Another Vice President 2nd-Level: Superintendent/President 	<ul style="list-style-type: none"> One faculty member from each division; One Instructional Dean appointed by the Assistant Superintendent/Vice President for Instruction One Student Services Dean or Director appointed by the Assistant Superintendent/Vice President for Student Services One Finance & Administrative Services Director appointed by the Assistant Superintendent/Vice President for Finance & Administrative Services One member of the Administrative Association One member of the Confidential & Supervisory Team Four classified employees One representative of Human Resource Services appointed by the Superintendent/President Two students 	<ul style="list-style-type: none"> All other Vice Presidents
Dean* †‡	<ul style="list-style-type: none"> 1st-Level: Co-chairs consisting of an existing Dean from any division (with the approval of the appropriate Vice President) and a faculty member appointed by the Faculty Senate 2nd-Level: Superintendent/President 	<ul style="list-style-type: none"> One faculty member from each constituent discipline/department within the affected division One representative from each of the other constituent employee groups: Administrative Association, Confidential & Supervisory Team, and the bargaining unit represented by CCE/AFT Additional members may be appointed at the President's discretion 	<ul style="list-style-type: none"> The appropriate Vice President The Dean co-chair of the 1st-level committee An additional member from relevant/affected divisions may be appointed by the Supt./President where appropriate
Director* †‡	<ul style="list-style-type: none"> 1st-Level: Any executive, senior, or Administrative Association administrator (for directors who report to the Superintendent/President, the chair shall be appointed by the Superintendent/President or designee) 2nd-Level: Appropriate executive or senior administrator 	<ul style="list-style-type: none"> One representative from each of the constituent employee groups: Administrative Association, Faculty, Confidential & Supervisory Team, and the bargaining unit represented by CCE/AFT Additional members may be appointed at the discretion of the executive or senior administrator to whom the position reports 	<ul style="list-style-type: none"> Chair of the 1st-Level Committee An additional member from relevant/affected divisions may be appointed by the executive or senior administrator where appropriate
Faculty*	<ul style="list-style-type: none"> 1st-Level: Department Chair/Director or faculty designee (co-chairs may be appointed) 2nd-Level: Two interviews are conducted for each finalist and are as follows: President's interviews: Superintendent/President (serves as both chair and the sole committee member) Joint Selection Committee's interviews: Appropriate Dean 	<ul style="list-style-type: none"> Majority of committee must consist of faculty members from the discipline or a closely related discipline (Note: may substitute one community member or faculty member from another institution) One faculty member from outside of the department One student (optional – non-voting) 	<ul style="list-style-type: none"> Joint Selection Committee: Appropriate Vice-President Chair of the first-level committee At least two additional members from the 1st-level committee <p>Note: Not to exceed seven members, including the chair, except where extenuating circumstances exist</p>

Date Approved: 10/21/14

(Replaces current Palomar Procedures 26, 174, 174.1, 174.2, and 190)

Position	Committee Chair	1st-Level Committee	2nd-Level Committee
All other Administrative Association positions, Confidential & Supervisory Team positions, and Classified positions*	<ul style="list-style-type: none"> Supervisor of the position or designee 	<ul style="list-style-type: none"> Majority of committee must consist of employees from within the affected department/program One employee from outside of the department <p>Note: Committee must consist of three members at minimum; at least one committee member must be of the same constituent employee group as the vacant position</p>	<p>2nd-Level interviews are not required; if conducted, the committee consists of the following:</p> <ul style="list-style-type: none"> Supervisor of the position All or some members of the 1st-level committee The executive, senior, or other administrator to whom the position's supervisor reports (optional) Additional members may be appointed at the executive, senior, or other administrator's discretion (optional)
Child Development Center	<ul style="list-style-type: none"> Coordinator or Center Liaison or designee 	<ul style="list-style-type: none"> Majority of committee must consist of employees from within the affected department/program One employee from outside of the department <p>Note: Committee must consist of three members at minimum; at least one committee member must be of the same constituent employee group as the vacant position</p>	<p>2nd-Level interviews are not required; if conducted, the committee consists of the following:</p> <ul style="list-style-type: none"> Supervisor of the position All or some members of the 1st-level committee The executive, senior, or other administrator to whom the position's supervisor reports (optional for all positions except site supervisor or coordinator)

* A District Compliance Officer, appointed by HRS, is required to observe and monitor all stages of the 1st- and 2nd-level hiring processes.

† For these positions, the 1st-level committee shall appoint a faculty member of the committee to serve as a non-voting observer during the 2nd-level interviews (for faculty positions, the non-voting observer is appointed to the Superintendent/President's interviews).

‡ For these positions, except where otherwise indicated, constituent group representatives are appointed by the leadership of their representative constituent groups (e.g. classified employees are appointed by the CCE/AFT Executive Council; students are appointed by the Associated Student Group leadership; faculty are appointed by the Faculty Senate, and administrators by the Administrative Association).

Ψ For these positions, interim Vice Presidents who are not applying for the position in question may serve on 2nd-Level Committees.

Date Approved: 10/21/14

(Replaces current Palomar Procedures 26, 174, 174.1, 174.2, and 190)

2. **Verification of Committee Composition:** HRS verifies compliance of selection committee membership with applicable Board policies and procedures.
3. **Diversity:** The selection committee should be balanced in its diversity and, to this end, will seek representation from under-represented groups whenever possible.
4. **Confidentiality:** Each participant in the hiring process is responsible for maintaining the confidentiality of all aspects of the selection process, including written materials, oral discussions and any other information that relates to the selection process. Such information may be shared only with members of the Selection Committee, HRS, and the administrators involved. Confidentiality must be maintained permanently.
5. **Training:**
 - a. Prior to participating as a selection committee member, members must receive training on the selection process. Such training must occur within one year prior to serving on a selection committee. HRS shall provide selection committee training. See the Selection Committee Training Packet available through HRS.
 - b. Training shall include the philosophy and commitment to staff diversity as outlined in the District's Equal Employment Opportunity Plan and inclusive of cultural diversity, the roles and responsibilities of all members of the selection committee, the selection process, interview procedures and techniques (including guidelines on appropriate follow-up questions and reference checks), and the confidentiality of the selection process.
6. **Responsibilities:**
 - a. The Committee Chair/Co-Chairs shall be responsible for:
 - Ensuring compliance with District policies and procedures in conjunction with the hiring process;
 - Coordination of calendars to ensure participation of all committee members, including the Compliance Officer;
 - Coordination of candidate interviews with HRS;
 - Maintaining committee records;
 - Performing other duties determined by agreement with the committee.
 - b. Voting Committee Members shall be responsible for:
 - Identifying selection criteria based on the minimum and preferred qualifications of the position in light of the expected duties and responsibilities of the position. Screening criteria will include an evaluation of the extent to which applicants have and demonstrate a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of the community college;

Date Approved: 10/21/14

(Replaces current Palomar Procedures 26, 174, 174.1, 174.2, and 190)

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- Developing interview questions, directly related to the position announcement criteria, designed to distinguish candidates who will best meet the needs of the District in the position;
 - Screening all applications forwarded by HRS to select candidates for interview;
 - Interviewing candidates selected for interview using pre-approved questions.
 - The voting members of the Selection Committee recommend an unranked list of finalists for consideration. All of the finalists recommended must be fully acceptable to the Committee.
7. Attendance: All members of the Selection Committee must be present for all interviews. If a voting member of the committee misses any part of an interview, the committee member is ineligible for further participation in the hiring process.
8. The Compliance Officer's Role: It is the responsibility of the Compliance Officer to observe and monitor the hiring process to ensure complete fairness and consistency for each applicant and to serve as a non-voting resource person to the selection committee(s). For faculty positions, see the Faculty Senate's Faculty Hiring Procedure on the Faculty Senate website for details on the Compliance Officer's role. For all other positions, see the Selection Committee Training Packet available on the HRS website.
9. The Observer's Role:
- a. The observer may observe the interviews, but not actively participate. S/he may not ask questions of or comment on the candidates during or between the interviews;
 - b. The observer may attend the deliberations for Vice President, Dean, and Director positions at the discretion of the chair of the second-level hiring committee. For faculty positions, the observer is required to attend the deliberations;
 - c. If attending the deliberations after the interviews, the observer's role remains non-participatory. He/she will be invited to comment on factual observation and process only.
 - Since the observer's role is non-participatory, he/she is not permitted to conduct reference checks on finalists;
 - Other first-level committee members, including the chair of the first-level committee, may conduct the reference checks.

D. Background Checks

Policies and procedures governing applicant background checks are as outlined in AP 7126 titled Applicant Background Checks.

Date Approved: 10/21/14

(Replaces current Palomar Procedures 26, 174, 174.1, 174.2, and 190)

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E. Reference Checks

Reference checks are required for all positions. See the Selection Committee Training Packet, available via the HRS website, for specific procedures designed to assist committees in conducting reference checks.

Table 4. Reference Check Process by Employment Unit.* †

Employment Unit	Deciding Authority/Process
Classified, Confidential & Supervisory Team, and Administrative Association* (except directors)	Supervisor or designee checks prior to submitting finalists or making a hiring recommendation.
Faculty, Directors*, Deans*, and Vice Presidents*	1 st -level committee conducts reference checks and forwards to 2 nd -level committee

* The supervisor of the position may conduct additional reference checks in accordance with established procedures prior to the job offer.

† For all non-faculty positions, HRS may conduct reference checks in lieu of or in addition to those conducted as provided in Table 4.

F. Interviews

1. Practical Skills, Demonstrations and Testing: The initial interview process may involve skills testing and performance demonstrations appropriate to the position. All skills tests and performance evaluation processes must be approved in advance by HRS.
 - a. Faculty positions require in-person teaching demonstrations as indicated in the Faculty Hiring Procedure available on the Faculty Senate's website.
2. Interviews are conducted as outlined in Tables 3 and 5.
3. In the event a selected applicant declines the position or is otherwise unable to be employed in the position, the qualified applicant pool for any posted position may be utilized for up to 90 days after an offer of employment has been extended.

Table 5. Positions Requiring Second-Level Interviews and Specific Components.

	Vice Presidents	Directors	Deans	Faculty
Open Forum	X (required)			
Site Visits	X (optional)		X (optional)	
Reference Checks between 1st and 2nd level Interview	X (required)	X (required)	X (required)	X (required)
Teaching Demonstration				X (required)

Date Approved: 10/21/14

(Replaces current Palomar Procedures 26, 174, 174.1, 174.2, and 190)

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4. **Final Administrative Interviews:** The Superintendent/President interviews the finalists for all senior and executive administrative positions recommended by the Selection Committee. It is at the Superintendent/President's discretion to include other Palomar employees in the final interview or to arrange additional interviews or meetings with appropriate campus constituencies.
5. **Joint Selection Committee for Full-Time Faculty 2nd Level Interviews:** The Joint Selection Committee and the Superintendent/President meet after completing separate interviews of each of the final candidates. Each candidate is discussed and assessed relevant to the separate interviews, reference checks, teaching demonstration, and needs of the discipline/department. The Superintendent/President considers input from each Committee member and works towards consensus as much as possible in making the final selection. The Superintendent/President will make the final recommendation to the Governing Board.

G. Applicant Travel Expenses

Palomar College does not reimburse applicants for first-level interviews for expenses incurred during the application and/or first-level interview process. Second-level applicant expenses will be eligible for reimbursement as follows:

1. For full-time faculty and some administrator positions (president, vice-president, director, dean), applicants who must travel 150 miles or more one way from their residence to the District are eligible for reimbursement with proper verification. Reimbursement is available only for 2nd-level interviews.
2. All expense documentation must be submitted to HRS within 30 days of completing travel. Only original receipts shall be accepted as proper travel expense documentation for reimbursement purposes.
3. Reimbursement is limited to \$1,000.00 to cover the travel costs incurred by the applicant on behalf of him/herself only. Allowable travel costs and associated processes are outlined in the District's travel procedure contained in the Finance and Administrative Services Handbook.

H. Deliberation and Selection Process

1. **Deliberations:** For all positions, after interviews are completed, the voting members of the Selection Committee discuss and evaluate the qualifications of the interviewed candidates.
2. For positions requiring second-level interviews, a minimum of two unranked candidates must be forwarded. Exceptions require the approval of the Superintendent/President or designee. Where an exception to the minimum candidates is not warranted, the original applicant pool shall be revisited for potential candidates and the position recruitment shall be extended.

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3. Table 6 below outlines the alternatives where there are insufficient finalists for a position.

Table 6. Actions and Required Authorization for Insufficient Position Finalists for non-faculty positions.

Authorized Action	Deciding Authority
Cancel the recruitment	Responsible administrator
Authorize a single candidate	Superintendent/President or designee
Review the applicant pool again	Responsible administrator and the 1st Level Committee
Extend 1st Screening Duration	Responsible administrator and the 1st Level Committee, subject to HRS approval

4. Selection: Final selection is the sole responsibility of the Superintendent/ President, and is subject to Governing Board approval. See BP 2430 titled Delegation of Authority to the Superintendent/ President and BP/AP 7110 titled Delegation of Authority.
5. If none of the finalists are selected for hire, the Selection Committee and the appropriate administrator will:
 - a. Review information regarding the recommended finalists and/or the nature of the position; and/or
 - b. Review the interview pool to ensure that other potential finalists have not been overlooked; and/or
 - c. Recommend that the search be extended..

EMPLOYMENT OFFERS

- A. **Conditional Offers:** All employment offers are conditional pending satisfaction of employment requirements, including submission of required forms, background and/or reference checks, fingerprinting, proof of eligibility for employment, TB test results and certificate of freedom from communicable disease (see BP/AP 7330 titled Communicable Disease) and Governing Board approval. All conditions of employment must be met prior to employment.
- B. **Pre-Employment Requirements:**
 1. Physical Examination: Depending on the nature of the position, a pre-employment physical examination may be required to ensure sufficient fitness for the duties associated with the particular position. See BP 7335 titled Health Examinations.
 2. Criminal History-Live Scan Verification: All offers of employment are conditional pending receipt of satisfactory criminal history reviews via Live Scan. See: AP 7337 titled Fingerprinting.
- C. **Conditional employment offers are made as follows:**
 1. For classified, CAST, administrative and child development teacher positions, HRS will make the offer;

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2. For full-time faculty positions, the appropriate dean will make the offer;
3. For dean positions, the appropriate vice president will make the offer; and
4. For vice-president positions, the president will make the offer.
5. HRS coordinates all necessary intake and orientation procedures and extends the formal job offer after completion of all pre-employment requirements.

FULL-TIME FACULTY SELECTION

The selection process is described in the Faculty Hiring Procedure, which can be obtained through the Faculty Senate, and is intended to reflect the District's commitment to shared governance, as outlined in BP/AP 2510 titled Participation in Local Decision Making.

PART-TIME FACULTY RECRUITMENT AND SELECTION

The following provisions shall apply to all faculty for part-time positions.

A. Announcement and Recruitment:

1. Establishing the Position: Departments shall notify HRS when a position becomes available.
2. Advertising the Position: HRS shall advertise all part-time faculty positions.

B. Applications, Screening and Selection:

1. All application packets (including the appropriate application form and attachments, transcripts, and other documents/forms as required by the appropriate departments) shall be submitted directly to HRS;
2. HRS shall record all legally required applicant information and remove and/or redact any confidential data;
3. Prior to forwarding applications to the appropriate departments for selection, HRS shall conduct a preliminary screen to determine completeness of application and satisfaction of minimum qualifications and/or possible need for equivalency;
4. The Department shall select qualified candidates for interview, and conduct all interviews. The Department Chair/Director shall notify the appropriate Dean and HRS of his/her selection of part-time faculty.
5. HRS shall retain all applications for a minimum of three years.

Also see BP/AP 3410 titled Nondiscrimination; BP/AP 3420 titled Equal Employment Opportunity; BP/AP 7211 titled Faculty Service Areas and Competencies, BP/AP 4015 titled Minimum Qualifications and Equivalencies; AP 7126 titled Applicant Background Checks; and AP 7127 titled Restrictions Governing the Employment of Applicants with Criminal Records.

Office of Primary Responsibility: Human Resource Services

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(Replaces current Palomar Procedures 26, 174, 174.1, 174.2, and 190)

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1
2 Approved by the Faculty Senate, 9-28-15

3 Reviewed and amended by the Senate, 10-26-15, to be posted to the Faculty Senate website.

4 5 **Faculty Hiring Procedures**

6 The Faculty of Palomar College, in establishing the procedures for the hiring of full and part-
7 time faculty, is guided by the following principles:

8
9 **The Faculty's role in Shared Governance:** Pursuant to rules adopted by the Board of
10 Governors of the California Community Colleges, the Palomar College Governing Board
11 elects to rely primarily on the advice and judgment of Faculty Senate on academic and
12 professional matters. Among these matters are "faculty hiring policy, faculty hiring criteria, and
13 faculty hiring procedures," specifically noted as number 11 in the "10+1+1."

14
15 **Commitment to Diversity –** The faculty of Palomar College is committed to the goal of
16 diversity in hiring. To that end, while the faculty maintains discipline/subject expertise as a first
17 priority, the elements related to hiring should reflect the faculty's commitment to building
18 diversity as described in AP 7120:

19 In all phases of recruitment and hiring, equal opportunity is afforded to all employees
20 and qualified applicants for employment without discrimination on bases including but
21 not limited to: ethnic group identification, race, color, national origin, religion, socio-
22 economic status, age, gender, gender identity, gender expression, sex, physical or
23 mental disability, sexual orientation, political affiliation, transgender, marital status,
24 veteran status, medical conditions, union membership or on the basis of these
25 perceived characteristics, or based on association with a person or group with one or
26 more of these actual or perceived characteristics. Applicants not possessing specific
27 qualifications as outlined in the job announcement who feel that their background and
28 experience is equivalent to the minimum requirements are encouraged to apply.

29
30 In defining diversity with a broad list of groups and individual characteristics, the Faculty
31 recognizes the complex dynamics of the goal of diversity, acknowledging that while our
32 differences may be evident in ways that are sometimes overt and obvious, they often become
33 evident in language, tone, and attitude. We are committed to an understanding of diversity that
34 acknowledges both visible and invisible registers of difference, and we embrace the goal of a
35 more diverse faculty in all elements of recruitment and hiring.

36
37 **The goal of the 75/25 Ratio:** In 1988, the California Legislature in section 70 of AB1725 (the
38 fundamental California Community College reform bill) found and declared: "Because the
39 quality, quantity and composition of full-time faculty have the most immediate and direct impact
40 on the quality of instruction, overall reform cannot succeed without sufficient numbers of full-
41 time faculty."

Based on this declaration, the reform bill established the current system goal regarding full-time faculty standards: “the Legislature wishes to recognize and make efforts to address longstanding policy of the Board of Governors that at least 75 percent of the hours of credit instruction in the California Community Colleges, as a system, should be taught by full-time instructors.”

The Faculty of Palomar College has developed the following procedures for the hiring of full and part-time faculty. These procedures are generally in line with the College’s Administrative Procedure (AP) 7120. Where they diverge from that procedure, they are specifically recommended for faculty hiring. The Faculty’s intention is to maintain the standard of excellence which has been the hallmark of the Palomar College Faculty and to encourage the principles noted above.

FULL TIME FACULTY

These procedures are established for the regular, routine process for hiring full-time faculty. The Faculty recognizes the central role of the Human Resource Services (HRS) in the success of these procedures. In every stage of the process, the goal is collaboration in the service of high standards and the growth of a first-rate, diverse faculty.

A. IDENTIFICATION OF POSITIONS

1. Full-time faculty positions are requested by departments or disciplines and then are prioritized by a subcommittee of the Instructional Planning Council (IPC), utilizing the procedure developed by IPC.

2. Full-time positions for counseling and library faculty are identified through a specific formula developed by counselors, librarians, and the District.

3. As early as possible, IPC will publish the priority list of positions to be hired, ideally by May 1.

4. With the goal of establishing the strongest and most diverse pools of candidates, a preliminary number of positions to be hired will be determined by the Superintendent/President and submitted to the Governing Board as early as possible, ideally by August 15.

5. In the interest of a more efficient process, multiple positions for specific departments may be considered where appropriate. Departments which are designated for multiple positions may forfeit priority consideration in the one to three years following.

6. Departments may begin work on preliminary preparations relating to announcements, etc. in order to act as quickly as possible when positions are approved by the Governing Board. These steps will be contingent upon HRS requirements relating to training.

B. ANNOUNCEMENTS AND RECRUITMENT

A crucial element of these procedures is the goal of flexibility in the steps outlined below. After the positions to be hired are identified and approved, departments will work with HRS to establish appropriate timelines. Considerations relating to discipline expertise and diversity should guide the establishment of timelines between the notification of positions to be hired and the expected hire date.

1. Announcements

a. The position announcement is developed through a collaborative process involving the department/program, appropriate administrators, and Human Resource Services (HRS).

b. Human Resource Services must approve all announcements prior to posting.

c. Announcements must receive final authorization by the Hiring Committee Chair, Department Chair / Program Director (or designee), Dean of the appropriate division, and the appropriate Vice President.

2. Components: The position announcement must include the following:

a. A description of the position duties, responsibilities, salary, benefits, and terms of employment (including classification, working hours, conditions).

b. Minimum qualifications, as determined by the State Academic Senate and the Board of Governors in accordance with Education Code Section 87356 et seq.

c. Preferred qualifications (when listed) that are job-related and consistent with the demands of the discipline/subject area.

d. A provision for determination of equivalency, if applicable.

e. Depending on employment unit, a statement regarding required participation in shared governance

f. Additional language required for compliance with federal, state, and District regulations (e.g., Equal Opportunity Employer notice)

- 134 g. Any application procedures specific to the posted position.
135
136 h. A statement in accordance with Title 5 that requires that all applicants be “sensitive to
137 and have an understanding of the diverse academic, socioeconomic, cultural, disability,
138 gender identity, sexual orientation, and ethnic backgrounds of community college
139 students, faculty, and staff.” Departments/programs will require applicants to explain or
140 submit written materials that provide evidence of such understanding.
141
142 i. Legal qualifiers established by Human Resource Services to comply with federal,
143 state, and District regulations.
144

145 146 **3. Advertising and Recruitment** 147

- 148 a. HRS provides assistance including the identification of appropriate advertising
149 media. The Department Chair/Director or designee will confer with HRS to
150 establish venues outside the standard advertising methods and sites.
151
152 b. Venues additional to the standard will be at the expense of the
153 department/division
154 c. Job announcements are advertised through various organizations (e.g., the
155 California Community Colleges Registry) and through various online sources.
156
157 d. Transfer Opportunities: For eligible positions, notice of transfer opportunities will be
158 distributed internally to provide current employees notice of such positions, subject to
159 provisions of applicable collective bargaining agreements or employee handbooks.
160
161
162
163

164 **C. APPLICATIONS** 165

- 166 1. All applications shall be submitted to HRS.
167
168 2. Applications for open positions are available online through the District website.
169
170 3. Applicants must establish a digital profile (individual user account) in the online system in
171 order to be considered. Applicants may visit HRS for assistance with this first step.
172
173 4. For assistance with any element of the process, applicants should contact HRS directly.
174
175 5. The application will contain the following basic components:
176
177 a. Application form inclusive of educational and professional histories, skills and
178 qualifications and references
179

- 180 b. Conviction history.
- 181
- 182 c. Confidential data for federal and state collection and reporting purposes.
- 183
- 184
- 185 **6.** HRS will accept application materials until the position is closed.
- 186
- 187 **7.** Letters of recommendation will be accepted for one week after the position is closed.
- 188
- 189
- 190
- 191

192 **D. SCREENING**

193 **1. Pre-Screening**

- 194
- 195 a. HRS will pre-screen all applications for completeness and evidence of minimum
- 196 qualifications prior to forwarding applications to the Selection Committee.
- 197
- 198 b. Completed applications which do not meet minimum qualifications but which have a
- 199 completed equivalency form will be forwarded to the Selection Committee for review.
- 200
- 201 c. All applicants with completed applications who meet stated minimum qualifications
- 202 will be forwarded to the Selection Committee.
- 203
- 204 d. Hiring Committee Chairs will be given the option to have HRS contact applicants with
- 205 incomplete applications to obtain missing materials (i.e. missing transcripts). This
- 206 includes applicants who do not meet the minimum qualifications and did not complete
- 207 an equivalency form. Applicants will be given one week to complete their application
- 208 once notified by HRS.
- 209
- 210 e. Hiring Committee Chairs will have access to all applications for the purpose of
- 211 review.
- 212

213 **2. Selection Committee Screening**

- 214
- 215
- 216 Screening criteria and interview questions must be approved by HRS before Selection
- 217 Committee members receive applications. Screening criteria and interview questions are
- 218 developed from the qualifications and requirements listed in the position announcement.
- 219

220 **E. COMMITTEE FORMATION**

- 221
- 222 **1. Verification of Committee Composition:** HRS verifies compliance of Selection
- 223 Committee membership with applicable Board policies and procedures.
- 224
- 225 **2. Diversity:** Per Title 5, 53024.e, "Whenever possible, screening committees shall include a
- 226 diverse membership which will bring a variety of perspectives to the assessment of applicant

qualifications.” The Selection/Joint Selection Committee will maintain discipline expertise as the primary value in committee formation and will make every reasonable effort to include representation that will advance the Faculty’s commitment to diversity as described in the guiding principles at the start of this document. In defining diversity with a broad list of groups and individual characteristics, the Faculty recognizes the complex dynamics of the goal of diversity, acknowledging that while our differences may be evident in ways that are sometimes overt and obvious, they often become evident in language, tone, and attitude. We are committed to an understanding of diversity that acknowledges both visible and invisible registers of difference, and we embrace the goal of a more diverse faculty in all elements of recruitment and hiring.

3. Confidentiality: Each participant in the hiring process is responsible for maintaining the confidentiality of all aspects of the selection process, including written materials, oral discussions and any other information that relates to the selection process. Such information may be shared only with members of the Selection/Joint Selection Committee, HRS, and the administrators involved. Confidentiality must be maintained permanently.

4. Training:

a. Prior to participating as a selection committee member, members must receive training on the selection process. Such training must occur within one year prior to serving on a selection committee. HRS shall provide selection committee training. Selection Committee Training materials are available through HRS.

b. Training shall include the philosophy and commitment to staff diversity as outlined in the District’s Equal Employment Opportunity Plan and inclusive of cultural diversity, the roles and responsibilities of all members of the selection committee, the selection process, interview procedures and techniques (including guidelines on appropriate follow-up questions and reference checks), and the confidentiality of the selection process.

5. Attendance: All members of the Selection Committee must be present for meetings, interviews, and deliberations.

a. If a voting member of the committee misses any part of an interview or deliberation, the committee member is ineligible for further participation in the hiring process.

b. Each Selection Committee will establish its specific policy with regard to attendance at preparatory meetings (i.e. development of announcement and materials, etc).

6. The Compliance Officer’s Role: It is the responsibility of the Compliance Officer to observe and monitor the hiring process to ensure complete fairness and consistency for each applicant and to serve as a non-voting resource person to the selection committee(s). The Selection Committee Training materials are available through HRS.

F. COMMITTEE CHAIR/CO-CHAIR RESPONSIBILITIES (for Selection/Joint Selection)

1. Committee Chairs/Co-Chairs shall be responsible for:

- a.** Ensuring compliance with District policies and procedures in conjunction with the hiring process
- b.** Coordination of calendars to ensure participation of all committee members, including the Compliance Officer
- c.** Coordination of candidate interviews with HRS
- d.** Maintaining committee records
- e.** Performing other duties determined by agreement with the committee.

G. SELECTION COMMITTEE COMPOSITION

1. The First-level interview is conducted by the Selection Committee.

2. The Selection Committee should generally have no more than nine voting members.

3. The First-level Selection Committee is composed of the following members:

- Committee Chair or Co-chairs (Department Chair/Director or faculty designee)
- Faculty members from the discipline or a related discipline (Note: may substitute one community member or a faculty member from another institution with expertise in the appropriate discipline, at the discretion of the committee).
- One (1) faculty member from outside of the department.
- One (1) student (optional – non-voting)
- One (1) compliance officer

H. SELECTION COMMITTEE RESPONSIBILITIES

1. All members of the Selection Committee are voting members, with the exception of the Compliance Officer and the student (in cases where the committee exercises the option of including a student member).

- 319 **2.** The Compliance Officer must be present during all meetings of the selection committee. For
320 the Compliance Officer's duties, see the HRS Training materials.
321
- 322 **3.** Voting members of the Selection Committee identify selection criteria based on the
323 minimum and desirable qualifications of the position in light of the expected duties and
324 responsibilities of the position. Selection criteria will include an evaluation of the extent to
325 which applicants have and demonstrate sensitivity to and understanding of the diverse
326 academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college
327 students.
328
- 329 **4.** Voting members of the Selection Committee develop job related screening criteria and
330 interview questions designed to distinguish candidates who will best meet the needs of
331 students. A question related to diversity is required, and voting members should assess
332 candidates' attitudes about and level of awareness of diversity in light of the "commitment to
333 diversity" articulated at the start of this document.
334
- 335 **5.** No Selection Committee meetings or interviews may be conducted without a Compliance
336 Officer.
337
- 338 **6.** Voting members of the Selection Committee determine the subject matter and format of the
339 demonstration of teaching, counseling, or librarianship skills required of all faculty candidates.
340
- 341 **7.** All voting members of the Selection Committee screen all applications to select candidates
342 for interview.
343
- 344 **8.** All voting members of the Selection Committee complete screening forms for each
345 applicant, and, upon determination of applicants to be interviewed, all applications and
346 screening forms are returned to HRS.
347
- 348 **9.** All members of the Selection Committee establish interview times so that all members can
349 attend.
350
- 351 **10.** All members of the Selection Committee interview all selected candidates using pre-
352 approved questions. Follow-up questions may be asked as long as they do not lead the
353 candidate to a desired response and stay within the scope of the original question or answer.
354 In addition, information on the application, resume, or portfolio may be specifically addressed if
355 not included in the original answer (and remains in the scope of the original question).
356
- 357 **11.** The voting members of the Selection Committee recommend the finalists for consideration
358 by the Joint Selection Committee. All recommended finalists must be acceptable to the
359 Selection Committee since only a candidate recommended by the Selection Committee will be
360 hired.
361
- 362 **12.** Following notification confirming that HRS has contacted the candidates, at least two
363 voting members of the Selection Committee who are moving forward to the Joint Selection
364 Committee will conduct reference checks on the recommended finalists per the "Reference

Check Guidelines.” Information gathered through reference checks will be shared with the Joint Selection Committee and the Superintendent/President during deliberations.

I. JOINT SELECTION COMMITTEE COMPOSITION

a. The Joint Selection Committee is composed of the following members:

- Committee Chair (Appropriate Dean)
- Chair of the first-level committee
- Vice President for Instruction or Student Services, as appropriate
- At least two (2) additional members from the first-level committee
- Note: not to exceed seven members, including the chair, except where extenuating circumstances exist.

7. The Observer’s Role: The Selection Committee may appoint a faculty member of the committee to serve as a non-voting observer for the President’s Interview.

a. The observer may not initiate interaction with the candidates (asking questions or commenting) during or between the interviews. The President is free to involve the observer in any way he or she deems appropriate.

b. The observer is required to attend the deliberations, and will be invited to comment on factual observation and process only.

c. Because the observer’s role is non-voting, he/she is not permitted to conduct reference checks on finalists.

J. FIRST-LEVEL INTERVIEW

1. Practical Skills, Demonstrations and Testing:

a. The first-level interview process may involve skills testing and performance demonstrations appropriate to the position. All skills tests and performance evaluation processes must be approved in advance by HRS.

b. In-person teaching demonstrations are required at the first level.

2. Interviews are scheduled by Human Resource Services upon notification by the Selection Committee.

- 411 3. Human Resource Services provides copies of the application and interview screening
412 forms to the Selection Committee with an interview schedule.
413
- 414 4. All members of the Selection Committee must be present for all interviews. If a voting
415 committee member misses an interview, that committee member is removed from the
416 Selection Committee. No interviews may be conducted without a Compliance Officer.
417
- 418 5. At the request of the Selection Committee, a candidate who must travel more than 150
419 miles to interview with the Selection Committee may be interviewed by the Joint Selection
420 Committee and the Superintendent/President or designee within a day of the Selection
421 Committee interview. If the candidate becomes a finalist for the position, these interviews will
422 serve as finalist interviews.
423
- 424 6. After interviews are completed, members of the Selection Committee discuss and evaluate
425 the qualifications of the candidates. The Committee also considers whether the candidates
426 selected as finalists demonstrate appropriate sensitivity to and understanding of the diversity
427 of the Palomar College community.
428
- 429 7. If the Selection Committee is not satisfied with the interviewed candidates, the Committee
430 Chair may request to review the applicant pool to ensure that qualified applicants have not
431 been overlooked.
432
- 433 8. The Selection Committee Chair forwards the application materials of the finalists to HRS.
434
- 435 9. Selection Committee members return the screening and interview forms and all other non-
436 finalist application materials to the HRS.
437
- 438 10. HRS notifies the Dean and the Chair of the Selection Committee to confirm the list of
439 finalists.
440
- 441 11. HRS sends materials related to the second-level interview to the Dean, who then convenes
442 the Joint Selection Committee.
443
444
445

446 K. SECOND-LEVEL INTERVIEWS

447

- 448 1. Two separate second-level interviews are conducted, one by the Joint Selection Committee
449 and the other by the Superintendent/President.
450

451 Joint Selection Committee Interview:

452

- 453
- 454 2. The Joint Selection Committee interviews all finalists forwarded by the Selection
455 Committee.
456

3. Teaching demonstrations are optional at the second-level. The Department responsible for the position will make the determination relating to a second-level teaching demonstration.

4. The Joint Selection Committee will consider the Superintendent/ President's assessment and recommendations before coming to consensus.

The President's Interview:

1. The President interviews all finalists forwarded by the Selection Committee.

2. The President's Interview is conducted by the Superintendent/President, who serves as both Chair and sole committee member.

3. Also present at the President's Interview are:

a. Compliance Officer

b. Observer (The first-level committee may appoint a faculty member of the committee to serve as a non-voting observer during the Superintendent/President's interviews).

4. The Superintendent/President, or designee, interviews the finalists and presents his/her assessments and recommendations to the Joint Selection Committee.

L. DELIBERATION AND SELECTION PROCESS

1. **Background Checks:** Regulations regarding background checks are outlined in Board Policies and Procedures, AP 7126 & AP 7337.

2. **Reference Checks:**

a. Reference checks are required for all positions.

b. Following notification confirming that HRS has contacted the candidates, at least two voting members of the Selection Committee who are moving forward to the Joint Selection Committee will conduct reference checks on the recommended finalists per the "Reference Check Guidelines." Information gathered through reference checks will be shared with the Joint Selection Committee and the Superintendent/President during deliberations.

3. **Selection / Seeking Consensus:** The Joint Selection Committee and the Superintendent/President meet after completing separate interviews of each of the final candidates. Each candidate is discussed and assessed relevant to the separate interviews, reference checks, teaching demonstration, and needs of the discipline/ department. The

Superintendent/President considers input from each Committee member and works towards consensus as much as possible in making the final selection. The Superintendent/ President will make the final recommendation to the Governing Board.

5. Candidate's Notification: The appropriate Dean extends the tentative offer of employment to the selected finalist and coordinates all necessary intake and orientation procedures with the Human Resource Services Office.

6. If none of the finalists are selected for hire, or if a selected candidate declines the position or is otherwise unable to be employed in the position, the Joint Selection Committee, in consultation with the President, will:

a. Review information regarding the recommended finalists and/or the nature of the position; and/or

b. Review the interview pool to ensure that other potential finalists have not been overlooked; and/or

c. Recommend that a new search be initiated.

7. In any of the situations described above, the pool of finalists for any posted position may be utilized for up to 90 days after an offer of employment has been extended.

8. Governing Board Review/Approval: All offers of employment require approval by the Governing Board.

N. PART-TIME FACULTY RECRUITMENT AND SELECTION

This process is currently under review, pending revision.

1. The following provisions shall apply in hiring for all part-time faculty positions.

2. Announcement and Recruitment:

a. Departments shall notify HRS when a position becomes available.

b. Advertising the Position: HRS shall advertise all part-time faculty positions.

3. Applications, Screening and Selection:

- 545 **a.** All application packets (including the appropriate application form and attachments,
546 transcripts, and other documents/forms as required by the appropriate departments)
547 shall be submitted directly to HRS
- 548 **b.** HRS shall record all legally required applicant information and remove and/or redact
549 any confidential data
- 550 **c.** Prior to forwarding applications to the appropriate departments for selection, HRS
551 shall conduct a preliminary screen to determine completeness of application and
552 satisfaction of minimum qualifications and/or possible need for equivalency
- 553 **d.** The Department shall select qualified candidates for interview, and conduct all
554 interviews. The Department Chair/Director shall notify the appropriate Dean and HRS
555 of his/her selection of part-time faculty.
- 556 **e.** HRS shall retain all applications for a minimum of three years.

557 Also see BP/AP 3410 titled Nondiscrimination; BP/AP 3420 titled Equal Employment
558 Opportunity; BP/AP 7211 titled Faculty Service Areas and Competencies, BP/AP 4015 titled
559 Minimum Qualifications and Equivalencies; AP 7126 titled Applicant Background Checks; and
560 AP 7 27 titled Restrictions Governing the Employment of Applicants with
561 Criminal Records.
562

563
564 Equal employment opportunity issues (e.g., diversity of applicant pool) are addressed in BP/AP
565 3420 titled Equal Employment Opportunity and the District's EEO Plan.
566

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574





APPENDIX E

RESOURCES FOR OTHER MEASURES OF FURTHERING EQUAL EMPLOYMENT OPPORTUNITY

Contents

- E-1. District's Vision, Mission, and Values
- E-2. Links to EEO Policies and Procedures on District Web Pages
- E-3. Employment Advertising Resources
- E-4. Employee Trainings on EEO- and Diversity-Related Topics
- E-5. Governing Board Workshop: Faculty and Staff Demographics Report, February 26, 2019

PALOMAR COMMUNITY COLLEGE DISTRICT VISION, MISSION, AND VALUES

Vision

Learning for Success

Mission

Our mission is to provide an engaging teaching and learning environment for students of diverse origins, experiences, needs, abilities, and goals. As a comprehensive college, we support and encourage students who are pursuing transfer-readiness, general education, basic skills, career and technical training, aesthetic and cultural enrichment, and lifelong education. We are committed to promoting the learning outcomes necessary for our students to contribute as individuals and global citizens living responsibly, effectively, and creatively in an interdependent and changing world.

Values

Palomar College is dedicated to achieving student success and cultivating a love of learning. Through ongoing planning and self-evaluation, we strive to improve performances and outcomes. In creating the learning and cultural experiences that fulfill our mission and ensure the public's trust, we are guided by our core values of:

- Excellence in teaching, learning, and service
- Integrity as the foundation for all we do
- Access to our programs and services
- Equity and the fair treatment of all in our policies and procedures
- Diversity in learning environments, philosophies, cultures, beliefs, and people
- Inclusiveness of individual and collective viewpoints in collegial decision-making processes
- Mutual respect and trust through transparency, civility, and open communications
- Creativity and innovation in engaging students, faculty, staff, and administrators
- Physical presence and participation in the community

LINKS TO EEO POLICIES AND PROCEDURES ON DISTRICT WEB PAGES

- Human Resource Services Equity and Diversity website: www.palomar.edu/hr/equitydiversity
- Palomar College employment opportunities website: palomar.peopleadmin.com
- College catalog: www.palomar.edu/catalog
- Class schedule: www.palomar.edu/schedule
- Governing Board Policies and Procedures:
<https://www2.palomar.edu/pages/governingboard/board-policies-and-proceduresoverview/>

PALOMAR COLLEGE EMPLOYMENT ADVERTISING RESOURCES

The following standard advertising is provided for all permanent positions, unless otherwise noted:

- ACCCA.org (Association for California Community College Administrators; all administrator positions)
- CalJobs.ca.gov (California's Job Bank)
- CCCRegistry.org (California Community Colleges Registry)
- ChronicleVitae.com (Chronicle of Higher Education; all faculty positions)
- DiverseEducation.com/DiverseJobs.net (Diverse Issues in Higher Education)
- EdJoin.org
- www.GSDBA.org/pages/jobs (San Diego Lesbian, Gay, Bisexual, and Transgender job board)
- HBCUConnect.com (Historically Black Colleges and Universities Connect)
- HigherEdJobs.com
- Indeed.com
- San Diego.Craigslist.org
- SoCalHERC.org (Southern California Higher Education Recruitment Consortium)

Human Resource Services actively researches additional advertising venues to assist departments with position/discipline-specific advertising beyond the minimum resources provided above. Additional advertising may be arranged at the hiring department's expense.

In addition, Palomar College employees attend numerous job fairs throughout the United States each year, particularly those affiliated with organizations that have diverse membership. Job fairs attended since the implementation of the 2016 EEO Plan include those hosted by the following organizations:

- African American Male Educational Network and Development (A2MEND)
- American Association for Access, Equity, and Diversity (AAAED)
- Asian Pacific Americans in Higher Education (APAHE)
- California Community Colleges Registry
- California Indian Manpower Consortium, Inc.
- Diversity Employment Career Fair
- Hire San Diego
- League of United Latin American Citizens
- Native American Finance Officers Association (NAFOA)
- Street fairs and other events for various cities in San Diego County
- Veterans' Administration (VA)

E-4. Employee Trainings on EEO- and Diversity-Related Topics

In-Person Trainings

The District offers a number of trainings each year on a variety of diversity-related topics. Below is a sampling of the trainings offered, including a description of each. (Note: these trainings exclude the selection process trainings that are described in Appendix B.)

Black Minds Matter: Addresses the experiences and realities of Black boys and men in education. The course draws parallels between the Black Lives Matter movement and the ways that Black minds are engaged in the classroom. The course will balance a discussion of issues facing Black male students as well as offer research-based strategies for improving their success. There will be one workshop each week. You must attend all nine sessions in order to receive the Black Minds Matter certificate of completion.

Diversity Training (presented by Eugene Whitlock, J.D.): Diverse faculty and staff not only leads to better student outcomes, but it is also what our students want. This presentation will discuss (1) the benefits of diversity, (2) the neuroscience behind unconscious bias and how we can mitigate its effects on our decision-making, and (3) how to infuse equity into the hiring process in order increase the diversity of our faculty.

Safe Zone Training (presented by Abbie Cory, Ph.D., Pride Center Director, Palomar College): Faculty and staff who participate in the Palomar College Pride Center Safe Zone workshops will successfully demonstrate knowledge of LGBTQ issues, including impact of lack of acceptance of LGBTQ students, faculty, and staff on the learning environment. In addition, participants will demonstrate respect for those differences.

Title IX Training for Deputy Coordinators and Reporters (presented by Sharon Ormond, Partner, Atkinson, Andelson, Loya, Ruud, and Romo): As a Deputy Title IX Coordinator or Title IX Reporter, you play a critical role in Title IX compliance by being an initial contact point for receiving complaints and reports of related issues, and, for Deputy Coordinators, resolving some of the lower-level issues on your own. After the training, you will be equipped to provide a consistent and empathetic response to Title IX issues. In this training, you will learn:

- The requirements of Title IX and its interface with Title 5 EEO regulations
- Your responsibility in ensuring your department or area is aware of Title IX reporting requirements
- How to respond to complainants effectively by providing reporting options, resources, and referrals
- When to resolve a Title IX issue on your own, and when to notify the District's Title IX Coordinators

Online Trainings

The trainings listed below are offered to all District employees in an online, multimedia format through the District's PalomarPowered Professional Development Portal (3PD Portal).

Sexual Harassment: Policy and Prevention (AB 1825): The goals of the course are to train administrators and supervisors how to handle sexual harassment concerns.

Discrimination: Avoiding Discriminatory Practice: As a supervisor, it's essential that you help to establish and maintain a respectful and positive environment. This course provides supervisors with an overview of some best practices that will help them manage a diverse environment, avoid discriminatory behaviors and create a culture that embraces acceptance and respect for all.

Diversity Awareness: Staff to Staff: The goals of the course are to provide staff with an awareness of how a diverse workforce strengthens a college or university; equip staff to recognize and respond to incidents of harassment, bigotry, and prejudice; and to appreciate the rich benefits of a diverse, multicultural workforce in the campus environment.

Discrimination Awareness in the Workplace: This course is designed to instill staff with a basic awareness and understanding of discrimination which can help you avoid discriminatory behaviors as well as build a culture that reflects acceptance and respect for all.

Title IX and Sexual Misconduct: This course provides college and university staff members with information about the importance and implications of Title IX and sexual misconduct.

Campus SaVE Act for Employees – Sexual Violence Awareness: Sexual assault remains a significant problem on college campuses, despite the fact that federal law guarantees all students the right to an education free from sexual harassment and sexual violence. The effects of sexual violence can be long-lasting as well as emotionally and physically devastating, even disrupting a student's academic career. This course educates college and university staff on proper identification, response, and handling of incidents of sexual violence

Governing Board
Workshop
Faculty and Staff
Demographics
Report
February 26, 2019



Overview

Why assess/examine?

Demographics for Palomar College Employees

- Gender
- Age
- Race/Ethnicity

State, Regional, and College Comparison Race/Ethnicity
Full-time Faculty

2

Why Assess/Report?

Examining all aspects of diversity is important.

That examination should not overshadow diversity efforts that take historic disadvantage into account.

- Various research studies from 2010-2012
 - 4.0% physicians are black
 - 3.7% licensed lawyers are Hispanic
 - 22.0% of the work force in STEM are women

Professor Adia Harvey Wingfield

3

Why Assess/Report?

In 2014 the percentage of 25-29 year olds who had attained a bachelor's degree:

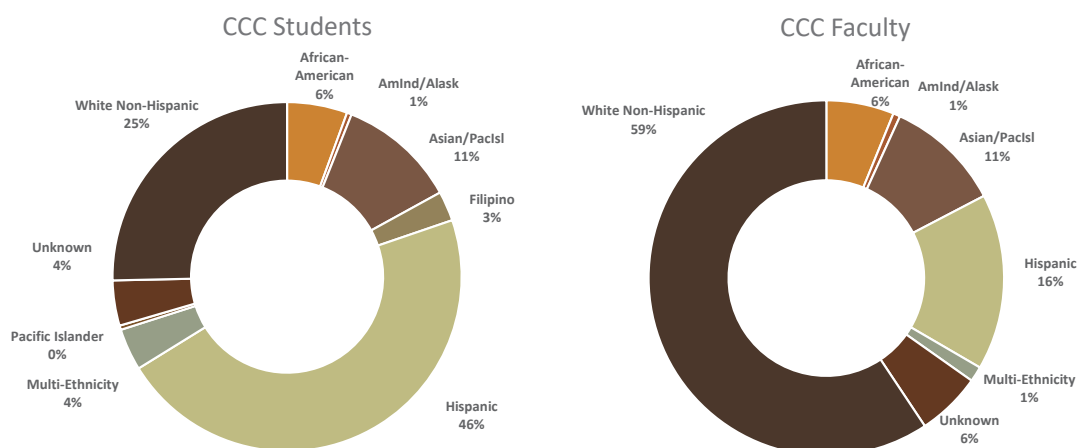
- Whites 41%
- Blacks 22%
- Hispanics 15%
- Asians/Pacific Islanders 61%

In 2014 the percentage of 25-29 year olds who had attained a master's degree:

- Whites 9%
- Blacks 4%
- Hispanics 3%
- Asians/Pacific Islanders 18%

4

Why Assess/Report?



CCC Students (N=1,542,414)
CCC Faculty (N= 17,407)

5

Why Assess/Report?

Progress in faculty diversity has not kept pace with student diversity.

In order for students to succeed, they need role models with whom they can identify.

Scholarship shows that racial and ethnic diversity has both direct and indirect positive effects on the educational outcomes and experiences of students.

6

Why Assess/Report?

The campus is a more welcoming place when the diversity of the student population is also represented among the faculty.

Students from majority groups equally benefit from learning and exchanging ideas in a multicultural environment.

Faculty diversity is a union issue. A diverse faculty and staff is an essential element of achieving a greater measure of economic and social justice for America.

Source: 2010 – American Federation of Teachers

7

Why Assess/Report?

The Four A's

- Awareness
- Analysis
- Action
- Assessment

8

Palomar College
FALL 2018
Staff Demographics



9



About the Data

Data provided via Employee Demographic File we prepare for MIS.

Data as of Fall 2018 Census (who was here and present)

Coding for MIS changed quite a few years ago:

- Race – Hispanic/NonHispanic
- Ethnicity – Select all that apply
- Programming was created to map race/ethnicity to the multi-question, multi-ethnicity coding based on CO mapping recommendations
- Recoded Ethnicity codes into multi-ethnicity if >1 coded

10

About the Data

Challenge: Many of our employees were Palomar employees prior to change in coding, so they only have what was coded as their “primary” code at the time of hire.

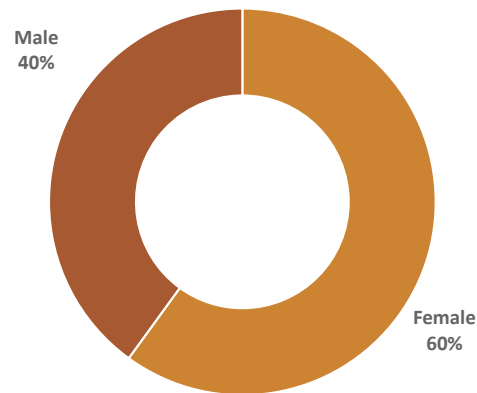
When we start disaggregating the data, these data challenges make it difficult to interpret, so we always ask to interpret with caution.

Age categories used – Traditional student categories. Not the best for faculty and staff. At times had to adjust.

11

Executive Administration: Gender

Executive Admin.

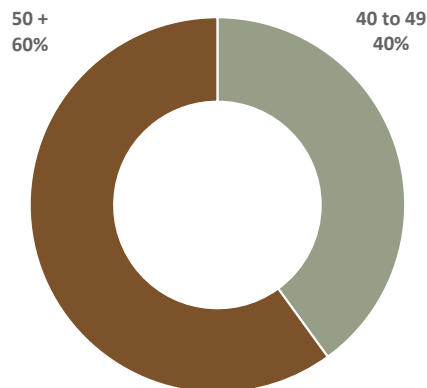


Executive Administration
(N=5)

12

Executive Administration: Age

Executive Admin.

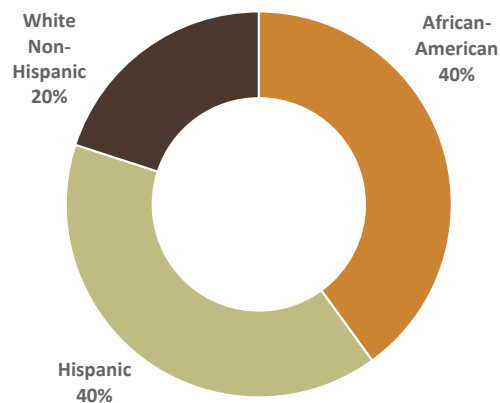


Executive Administration
(N=5)

13

Executive Administration: Race/Ethnicity

Executive Admin.



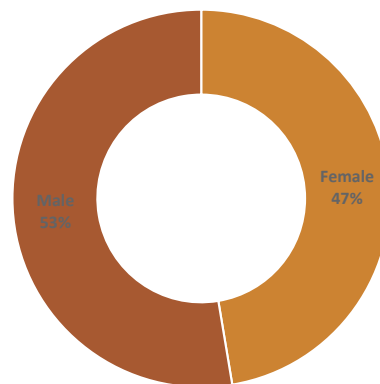
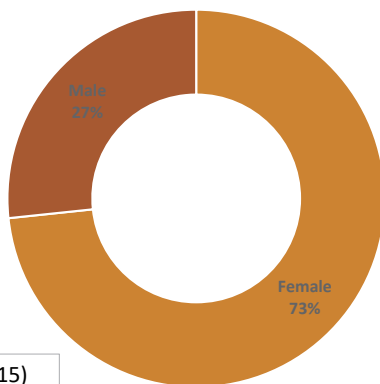
Executive Administration
(N=5)

14

Educational and Classified Administration: Gender

Educational Admin.

Classified Admin.

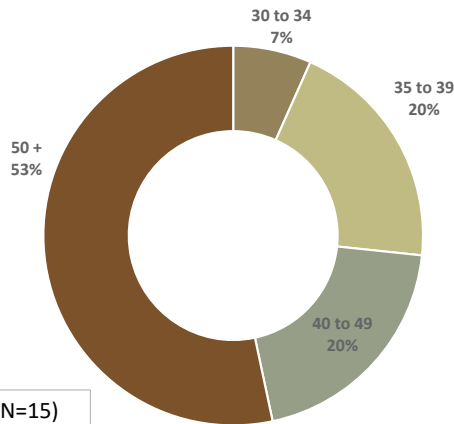


Educational Admin. (N=15)
Classified Admin. (N= 38)

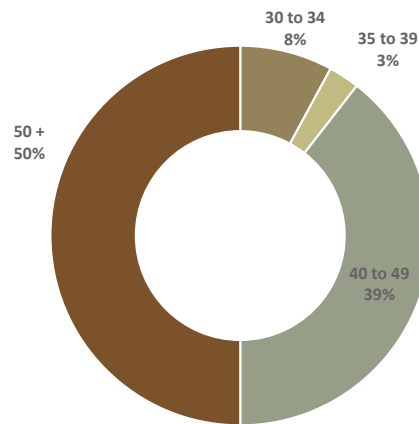
15

Educational and Classified Administration: Age

Educational Admin.



Classified Admin.

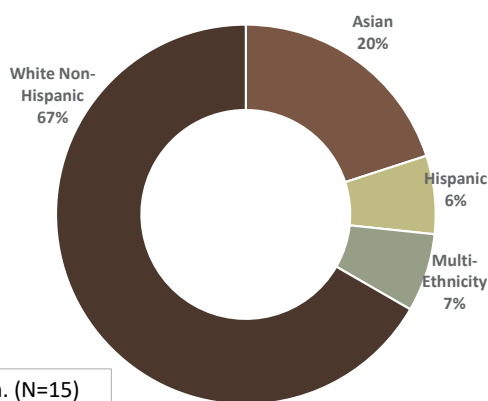


Educational Admin. (N=15)
Classified Admin. (N= 38)

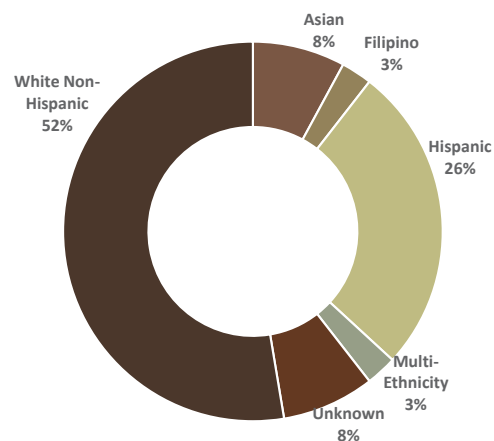
16

Educational and Classified Administration: Race/Ethnicity

Educational Admin.



Classified Admin.



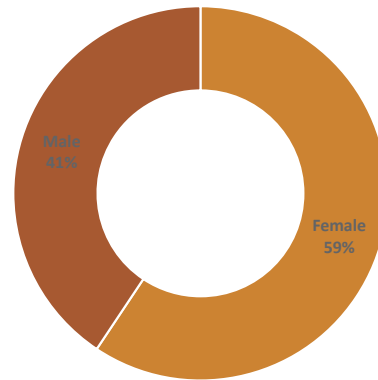
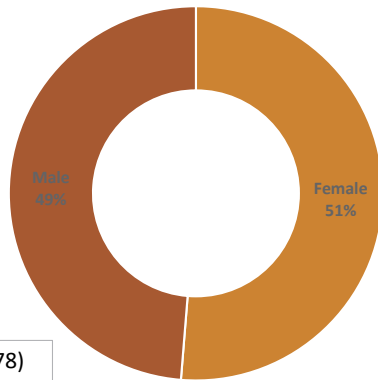
Educational Admin. (N=15)
Classified Admin. (N= 38)

17

Professional NonFaculty & CAST/Classified: Gender

Professional NonFaculty

CAST/Classified



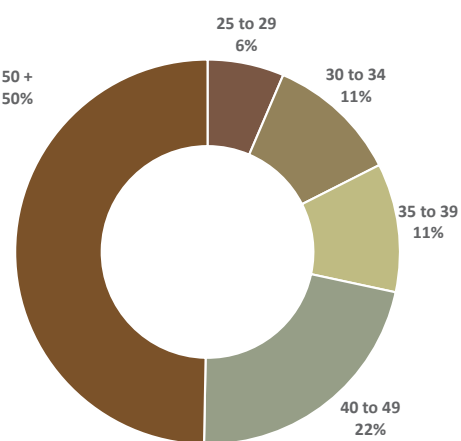
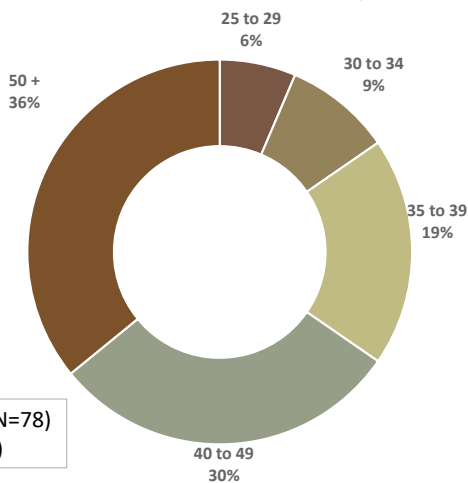
Professional, NonFac. (N=78)
CAST/Classified (N=342)

18

Professional NonFaculty & CAST/Classified: Age

Professional NonFaculty

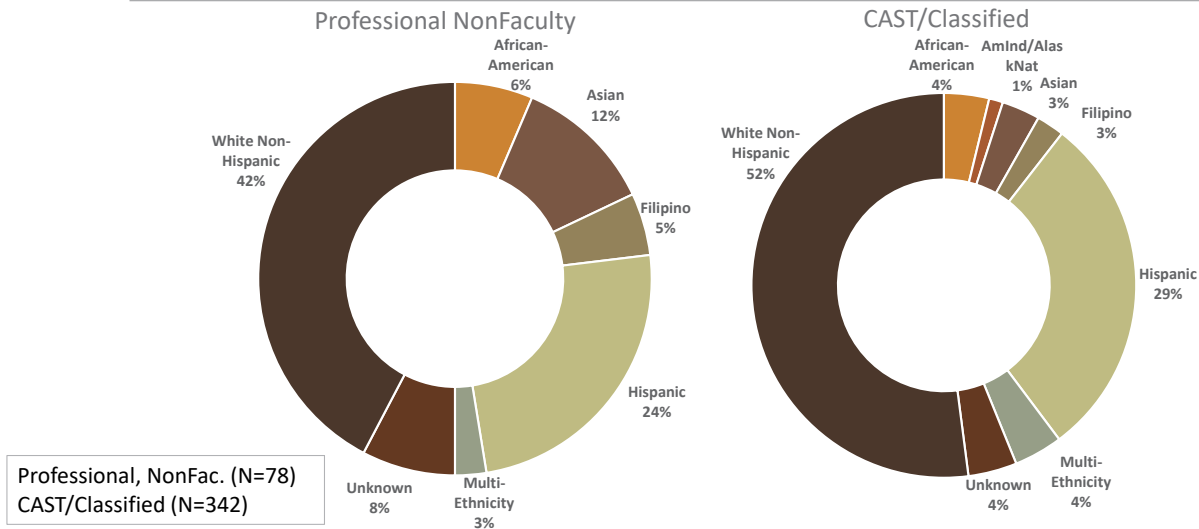
CAST/Classified



Professional, NonFac. (N=78)
CAST/Classified (N=342)

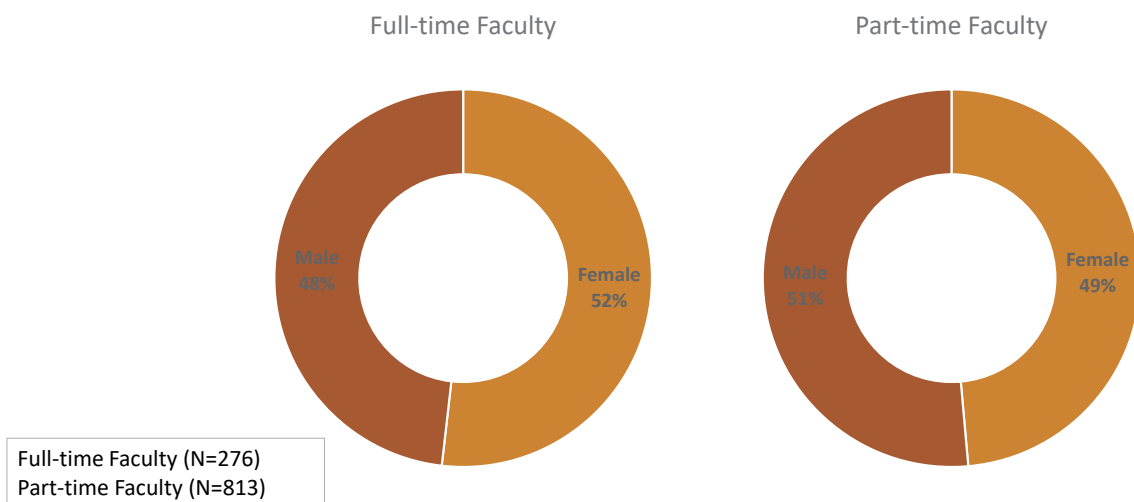
19

Professional NonFaculty & CAST/Classified: Race/Ethnicity



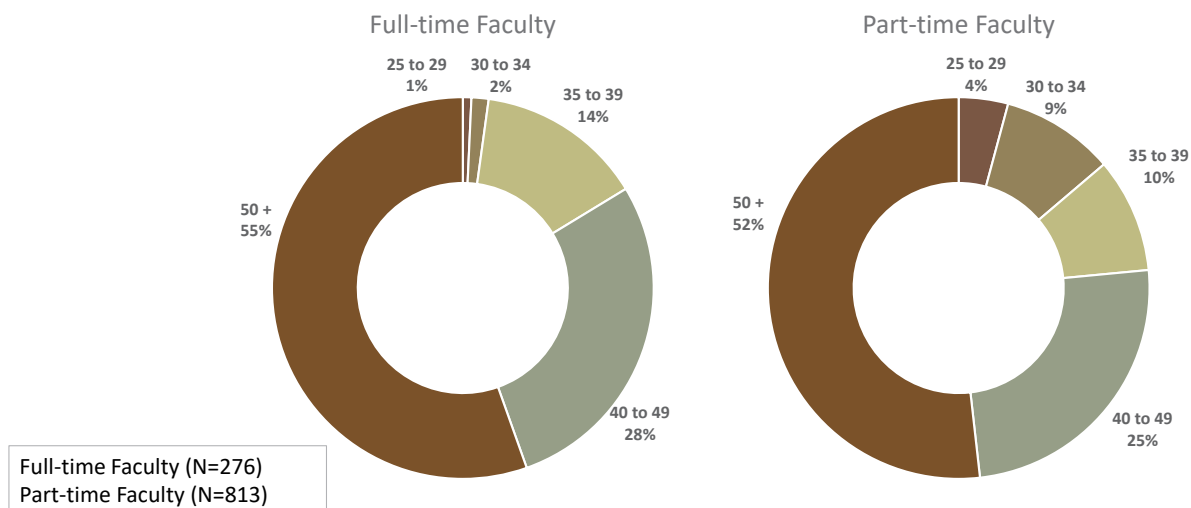
20

Full-time and Part-time Faculty: Gender



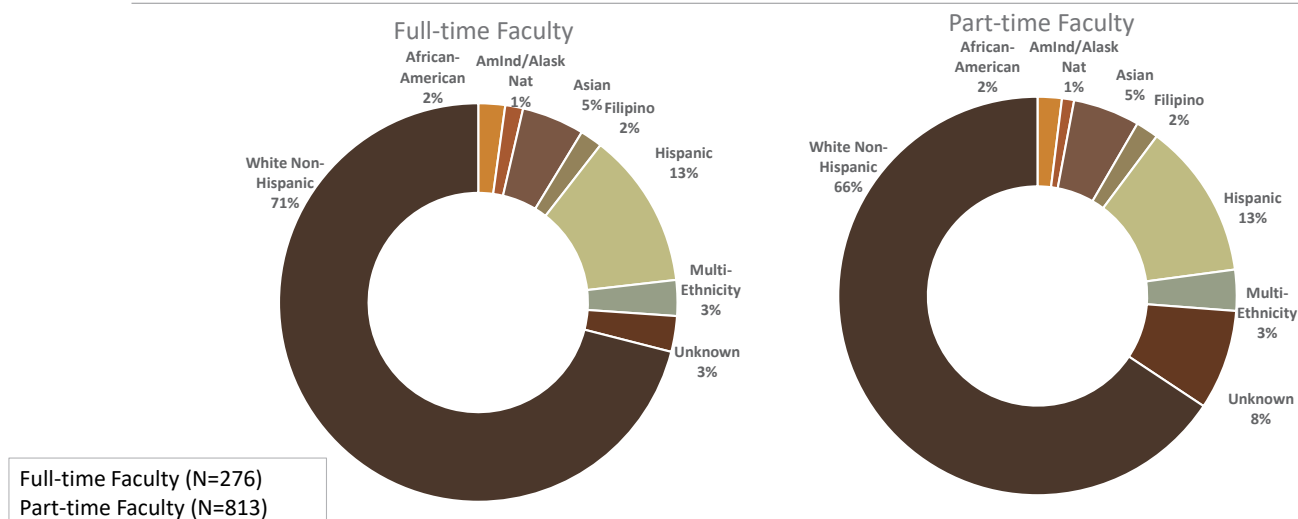
21

Full-time and Part-time Faculty: Age



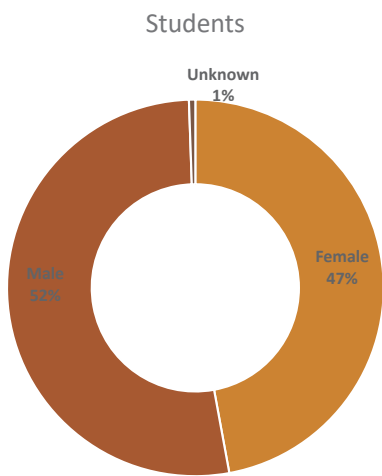
22

Full-time and Part-time Faculty: Race/Ethnicity



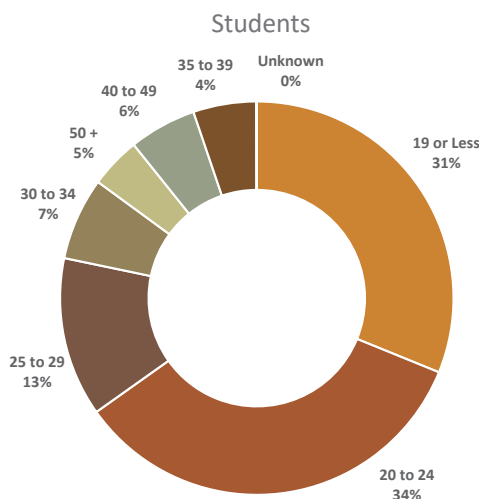
23

Students: Gender



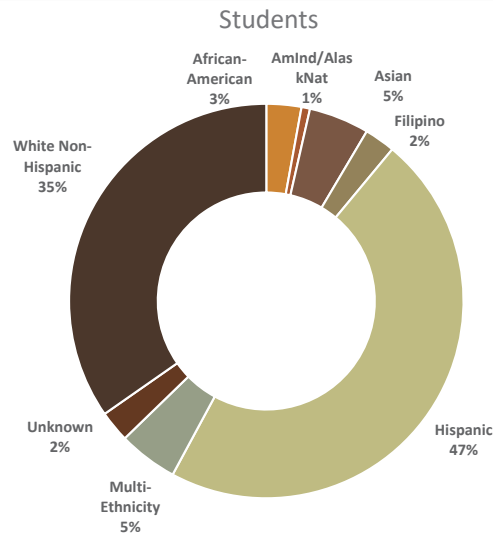
Students (N= 24,496)

Students: Age



Students (N= 24,496)

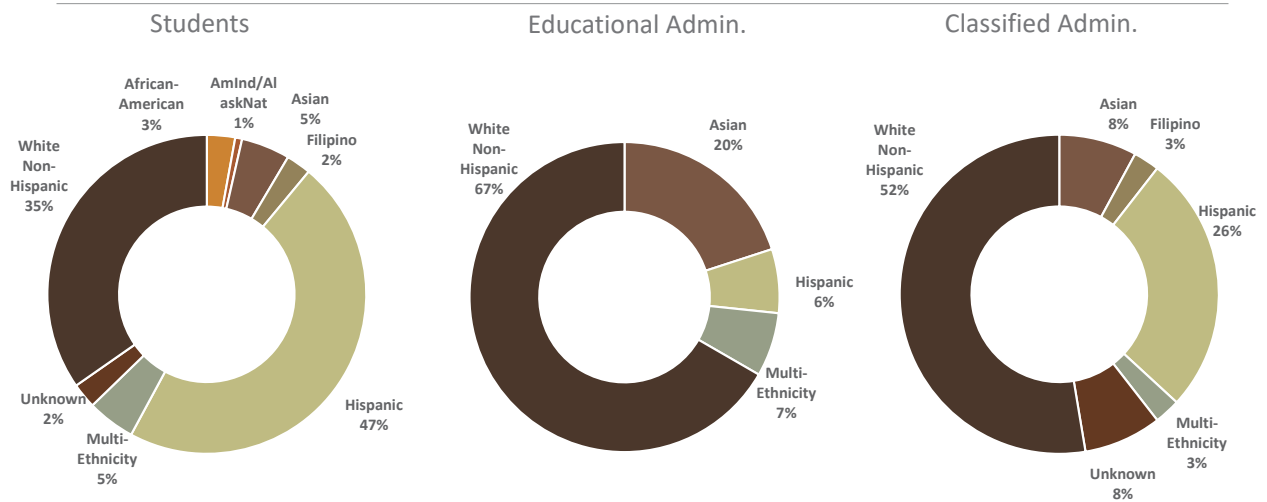
Students: Race/Ethnicity



Students (N= 24,496)

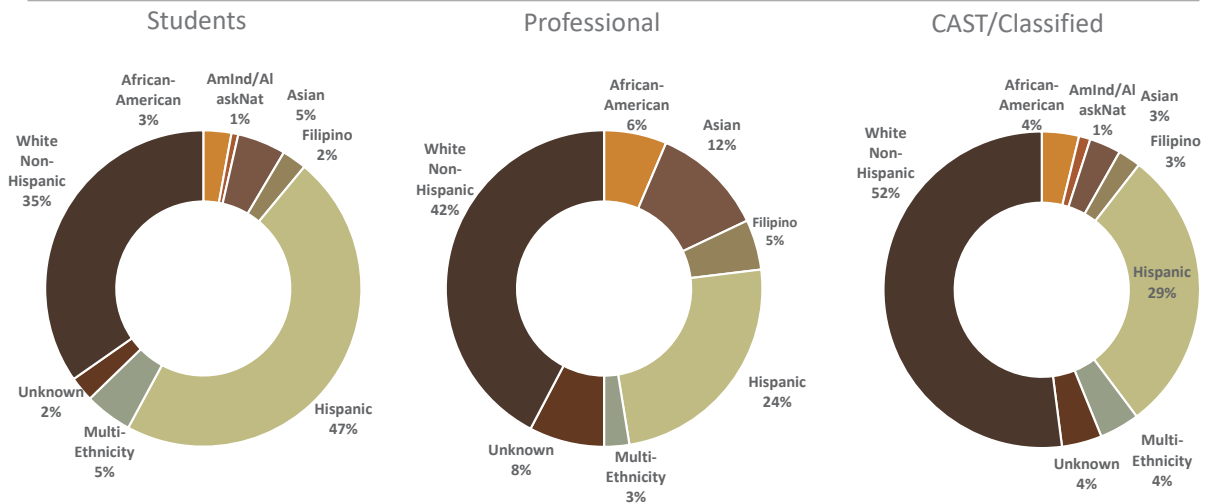
26

Race/Ethnicity Students and Administrators



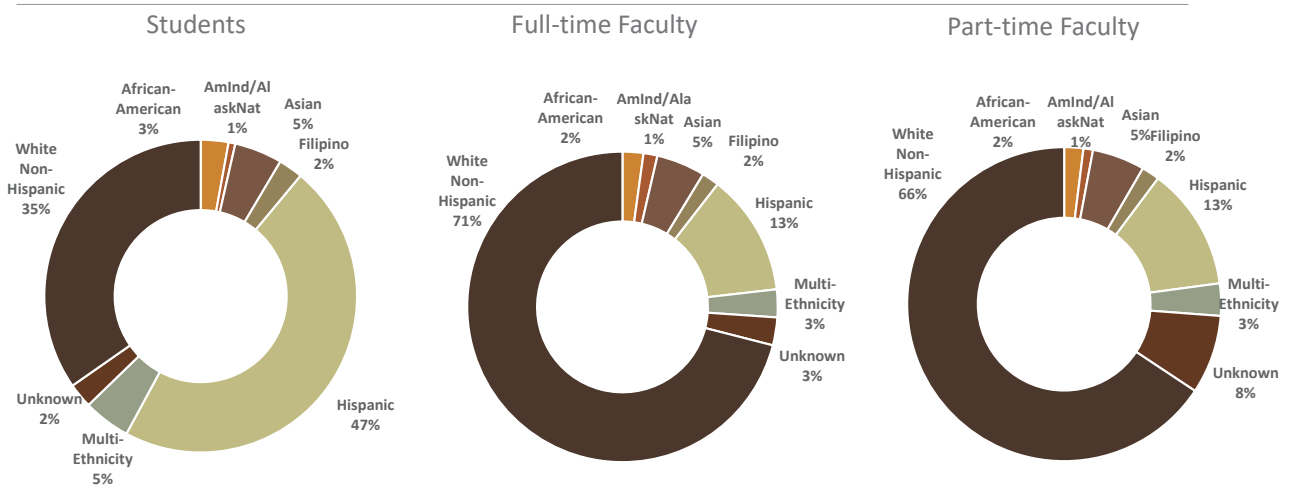
27

Race/Ethnicity Students, Professionals, and Classified



28

Race/Ethnicity Students, Full-time and Part-time Faculty



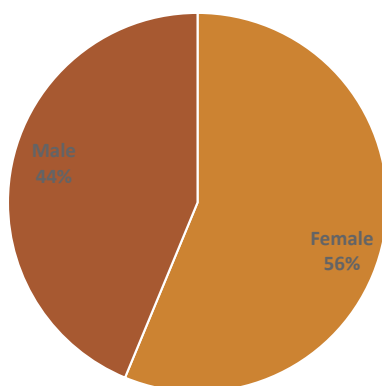
29

Full-time Faculty Demographics by Division

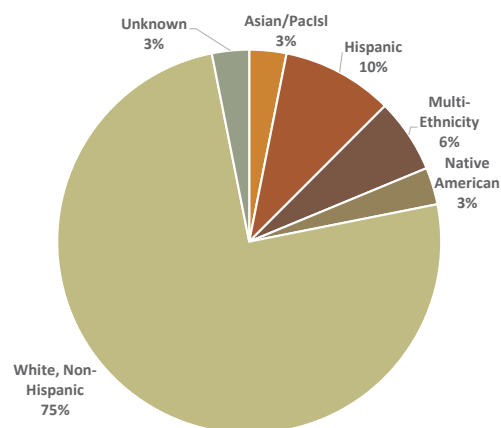
30

Arts, Media, and Business Administration (n=32)

Gender

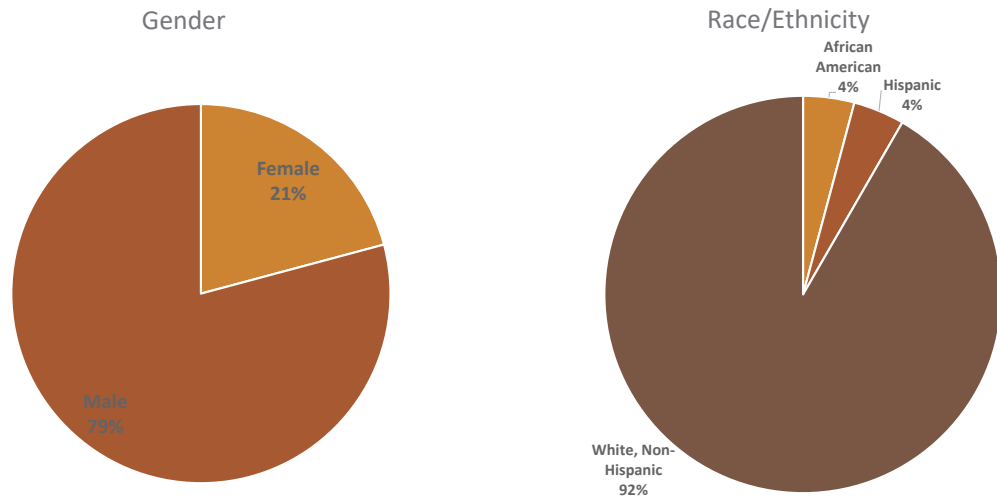


Race/Ethnicity



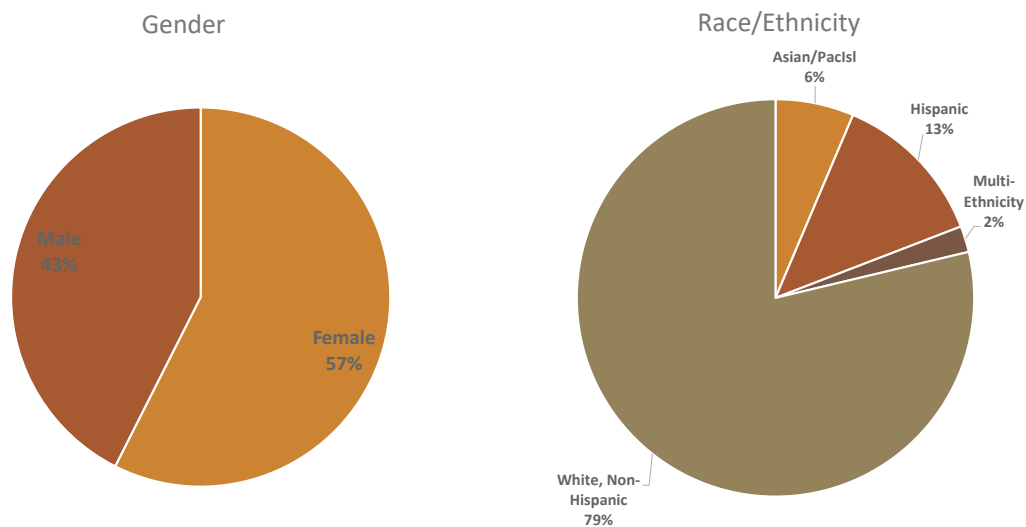
31

Career Technical & Extended Education (n=24)



32

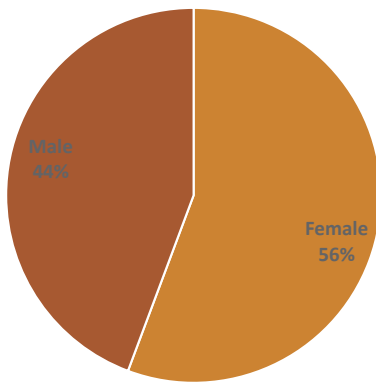
Languages and Literature (n=47)



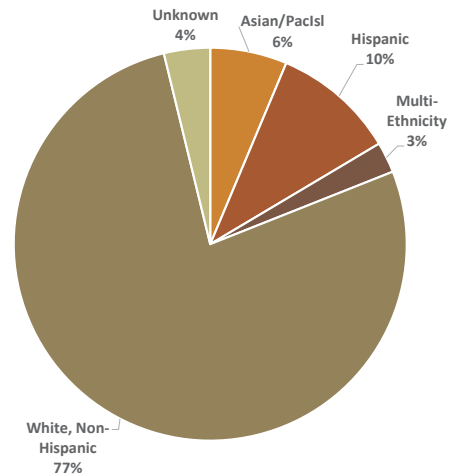
33

Mathematics, Science, and Engineering (n=79)

Gender



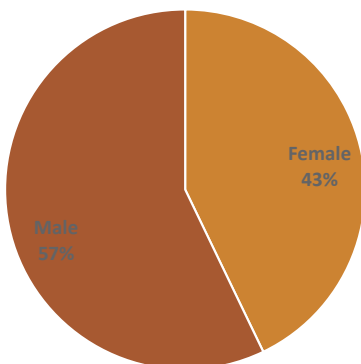
Race/Ethnicity



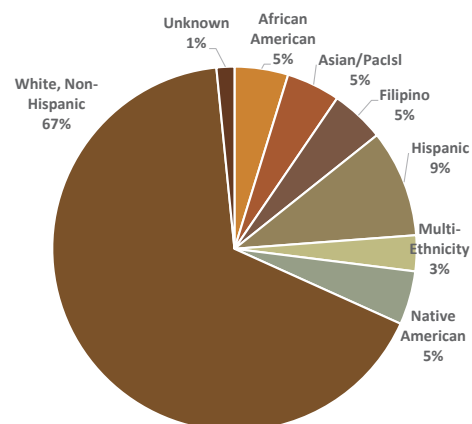
34

Social & Behavioral Sciences (n=63)

Gender

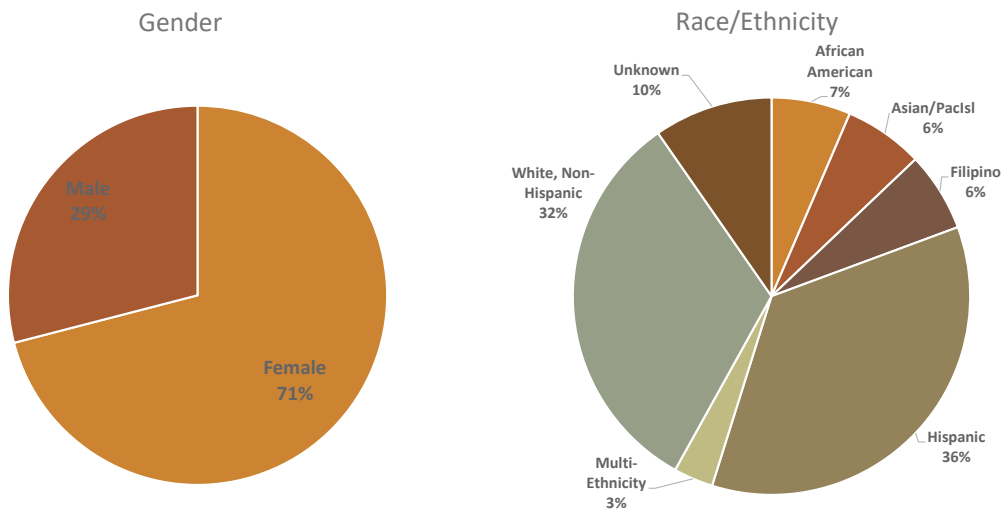


Race/Ethnicity



35

Student Services (n=31)



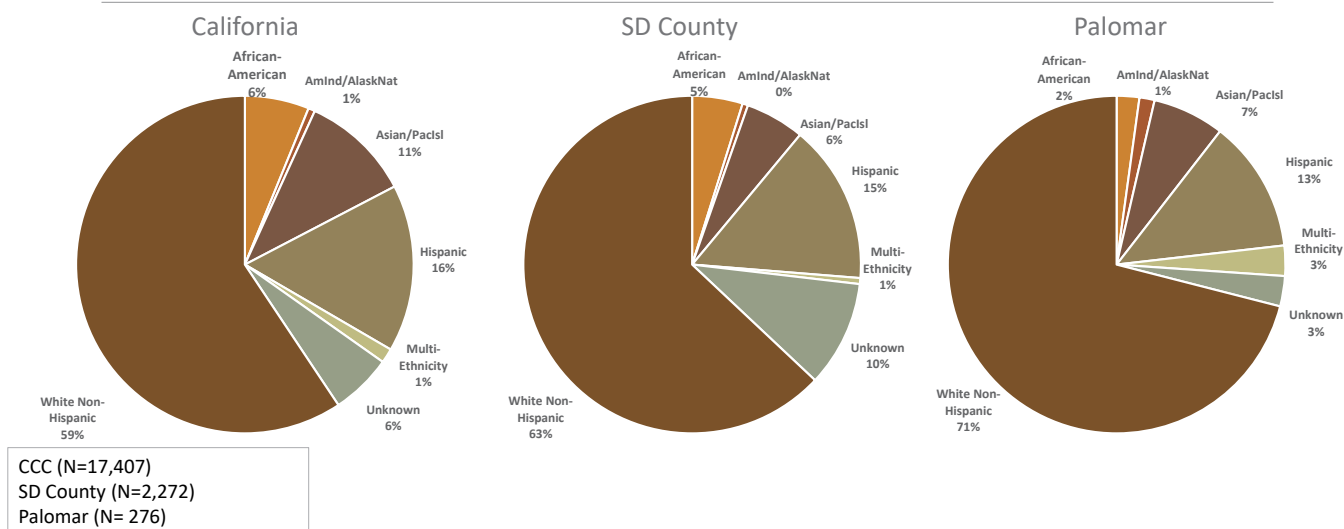
36

Full-time Faculty Demographics Disaggregated by Division/Department

REPORT HANDOUT

37

California, SD County, Palomar Faculty by Race/Ethnicity



38

It is not an easy “fix”

Barriers in Educational Pathways

Barriers in the Faculty Hiring Process (National and Campus)

Barriers to Retention

Source: American Federation of Teachers

39

Professor Adia Harvey Wingfield

Wingfield Quotes from article, *The Weakening Definition of Diversity*

"If we're not focusing on diversity to address all parts of our society by including those who have been historically disenfranchised, then a broad type of diversity does not serve us well."

"When we think of where we live, where we go to school, where we work, that type of diversity hasn't happened, yet."

