



College Coordinating Council Meeting

May 24, 2023
 9:30 a.m. – 10:30 a.m.
 L201

Type of Meeting: Regular
Note Taker: Patty McClure
Please Review/Bring: Agenda, Minutes

Committee Members:
 Tamira Palmetto-Despain, Academic Senate
 Steve Benitez , ASO
 Pamela Ford, Classified Union
 Greg Bormann Confidential/Management/Supervisory/Administrators
 LaDonna Trimble, Deans
 Dr. Jason Bowen, Faculty Union

Dr. Jennifer Zellet, **CHAIR**
 Shami Brar, Vice President of Administrative Services
 Bridget Cook, General Counsel
 Dr. Howard Davis, Interim Vice President of Academic Affairs
 Harmony Miller, Interim Vice President of Human Resources
 Idania Padron, Vice President of Student Services

MEETING

Items	Person(s) Responsible	Time	Action
STANDING ITEMS:			
I. Approval of Previous Minutes of February 22 and March 22, 2023	All	5 minutes	
II. Constituent Reports	All	5 minutes	
DISCUSSION/ACTION ITEMS:			
I. Representation on the IT Committee	Shami	2 minutes	Continued discussion from the March 22, 2023, meeting.
II. BP/AP 3410 – Nondiscrimination	Jennifer	2 minutes	Returned from Constituent Review of January 25, 2023.
III. BP/AP 3420 – Equal Employment Opportunity	Harmony	2 minutes	Returned from Constituent Review of February 8, 2023.
IV. BP/AP 3430 – Prohibition of Harassment	Harmony	2 minutes	Returned from Constituent Review of February 8, 2023.
V. BP/AP 3433 – Prohibition of Sexual Harassment	Harmony	2 minutes	Returned from Constituent Review of February 22, 2023.
VI. AP 3434 – Responding to Harassment	Harmony	2 minutes	Returned from Constituent Review of March 22, 2023
VII. BP/AP 5700 – Intercollegiate Athletics	Idania	2 minutes	Returned from Constituent Review of March 22, 2023

VIII.	BP/AP 7120 – Recruitment and Hiring	Jennifer	10 minutes	
IX.	Review of BP/AP Review Cycle	All	10 minutes	
POLICIES OUT FOR CONSTITUENT REVIEW				
POLICIES IN PROCESS				
BP/AP 2510 – Participation in Local Decision Making	Howard			Working with the task force.
Decision Making Principle Document	Jennifer			Meeting with various groups on campus for input.
BP/AP 4010 – Academic Calendar	Howard			Waiting for Negotiations.
BP/AP 4100 – Graduation Requirements	Idania			Working on revisions with counseling.
BP/AP 4400 – Community Services	Howard			Working on revisions.
BP/AP 7130 - Compensation	Shami & Legal			
BP/AP 7800 – Emeritus Status (NEW)	Jennifer			Working on revisions.
NEXT MEETING DATE: August 23, 2023 (See attached 2023-2024 Meeting Schedule)				



College Coordinating Council Minutes

February 22, 2023
9:30 a.m. – 10:30 a.m.
L201

Type of Meeting: Regular
Note Taker: Patty McClure, Megan Aceves
Please Review/Bring: Agenda, Minutes

Committee Members:
Tamira Palmetto-Despain, Academic Senate
Diana Ferrassoli, ASO
Pamela Ford, Classified Union
Greg Bormann Confidential/Management/Supervisory/Administrators - **ABSENT**
LaDonna Trimble, Deans - **ABSENT**
Dr. Jason Bowen, Faculty Union
~~~~~  
Dr. Jennifer Zellet, **CHAIR - ABSENT**  
Shami Brar, Vice President of Administrative Services  
Bridget Cook, General Counsel  
Dr. Howard Davis, Interim Vice President of Academic Affairs - **ABSENT**  
Victoria Simmons, Interim Vice President of Human Resources  
Dr. Jose Rivera, Interim Vice President of Student Services

## MINUTES

| Items                                               | Person(s)<br>Responsible | Time       | Action                                                                                                                                                                                                                                                                                                            |
|-----------------------------------------------------|--------------------------|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>STANDING ITEMS:</b>                              |                          |            |                                                                                                                                                                                                                                                                                                                   |
| I. Approval of Previous Minutes of February 8, 2023 | All                      | 1 minute   | The minutes were approved as presented.                                                                                                                                                                                                                                                                           |
| II. Constituent Reports                             | All                      | 4 minutes  | Pamela asked about representation on the committee and asked if the CMSA and Dean representation are different since both are a part of CMSA. Shami stated that representation is in AP 2510 and that the CMSA and Dean representative are separate. Pamela suggested that this be addressed at a future meeting. |
| <b>DISCUSSION/ACTION ITEMS:</b>                     |                          |            |                                                                                                                                                                                                                                                                                                                   |
| I. BP/AP 3433 – Prohibition of Sexual Harassment    | Victoria                 | 10 minutes | It was agreed to go out for constituent review.                                                                                                                                                                                                                                                                   |
| II. AP 3434 – Responding to Harassment              | Victoria                 | 10 minutes | Ran out of time, will continue to review at the next meeting.                                                                                                                                                                                                                                                     |
| III. AP 3435 – Discrimination & Harassment          | Vitoria                  | 2 minutes  | It was agreed to go out for constituent review.                                                                                                                                                                                                                                                                   |
| IV. BP/AP 5700 – Intercollegiate Athletics          | Jose                     | 2 minutes  | Ran out of time, will review at the next meeting.                                                                                                                                                                                                                                                                 |

|     |                                         |       |           |                                                   |
|-----|-----------------------------------------|-------|-----------|---------------------------------------------------|
| V.  | AP 5530 – Student Rights and Grievances | Jose  | 2 minutes | Ran out of time, will review at the next meeting. |
| VI. | Representation on the IT Committee      | Shami | 2 minutes |                                                   |

**POLICIES OUT FOR CONSTITUENT REVIEW**

BP/AP 2105 – Election of Student Member – Out for Review on January 25, 2023  
 BP 2200 – Board Duties & Responsibilities - Out for Review on January 25, 2023  
 BP/AP 2345 – Public Participation at Board Meetings - Out for Review on January 25, 2023  
 BP/AP 3410 – Nondiscrimination - Out for Review on January 25, 2023  
 BP/AP 3420 – Equal Employment Opportunity – Out for Review on February 8, 2023  
 BP/AP 3430 – Prohibition of Harassment – Out for Review on February 8, 2023  
 BP/AP 3433 – Prohibition of Sexual Harassment – Out for Review on February 22, 2023  
 AP 3435 – Discrimination & Harassment – Out for Review on February 22, 2023

**POLICIES IN PROCESS**

|                                                     |                        |                                                  |
|-----------------------------------------------------|------------------------|--------------------------------------------------|
| BP/AP 2510 – Participation in Local Decision Making | Howard                 | Working with the task force.                     |
| Decision Making Principle Document                  | Jennifer               | Meeting with various groups on campus for input. |
| BP/AP 3720 – Computer Network IT Committee          | Shami and IT Committee |                                                  |
| BP/AP 4010 – Academic Calendar                      | Howard                 | Waiting for Negotiations.                        |
| BP/AP 4100 – Graduation Requirements                | Jose                   | Working on revisions with counseling.            |
| BP/AP 4400 – Community Services                     | Howard                 | Working on revisions.                            |
| BP/AP 6340 – Bids and Contracts                     | Shami                  |                                                  |
| AP 6370 – Contracts for Personal Services           | Shami                  |                                                  |
| BP/AP 7130 - Compensation                           | Shami & Legal          |                                                  |
| BP/AP 7800 – Emeritus Status (NEW)                  | Jennifer               | Working on revisions.                            |

**NEXT MEETING DATE: March 22, 2023**



# College Coordinating Council Minutes

**March 22, 2023**  
9:30 a.m. – 10:30 a.m.  
L201

**Type of Meeting: Regular**  
**Note Taker: Patty McClure, Megan Aceves**  
**Please Review/Bring: Agenda, Minutes**

**Committee Members:**  
Tamira Palmetto-Despain, Academic Senate  
Diana Ferrassoli, ASO  
Pamela Ford, Classified Union  
Greg Bormann Confidential/Management/Supervisory/Administrators  
LaDonna Trimble, Deans  
Dr. Jason Bowen, Faculty Union

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Dr. Jennifer Zellet, **CHAIR**  
Shami Brar, Vice President of Administrative Services - **ABSENT**  
Bridget Cook, General Counsel  
Dr. Howard Davis, Interim Vice President of Academic Affairs  
Victoria Simmons, Interim Vice President of Human Resources  
Idania Reyes, Vice President of Student Services

## MINUTES

| Items                                                | Person(s)<br>Responsible | Time       | Action                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------------------------------------------------|--------------------------|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>STANDING ITEMS:</b>                               |                          |            |                                                                                                                                                                                                                                                                                                                                                                                                                    |
| I. Approval of Previous Minutes of February 22, 2023 | All                      | 1 minute   | Skipped over this item.                                                                                                                                                                                                                                                                                                                                                                                            |
| II. Constituent Reports                              | All                      | 4 minutes  | Skipped over this item.                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>DISCUSSION/ACTION ITEMS:</b>                      |                          |            |                                                                                                                                                                                                                                                                                                                                                                                                                    |
| I. AP 3434 – Responding to Harassment                | Victoria                 | 10 minutes | It was agreed to go out for constituent review.                                                                                                                                                                                                                                                                                                                                                                    |
| II. BP/AP 5700 – Intercollegiate Athletics           | Jennifer/Idania          | 2 minutes  | It was agreed to go out for constituent review.                                                                                                                                                                                                                                                                                                                                                                    |
| III. Representation on the IT Committee              | Shami                    | 2 minutes  | Howard stated that the IT committee would like to replace an obsolete position (IMC/Library rep) with a more accurate reflection of our present organizational structure, called Classified Rep - Academic Affairs. This would align well with the "Classified Rep-Student Services." Pamela stated that she would like to meet with the union to discuss. The item was tabled and will return to another meeting. |

|       |                                                     |          |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-------|-----------------------------------------------------|----------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| IV.   | BP/AP 2105 – Election of Student Member             | Jennifer | 2 minutes | A minor revision was suggested, and was agreed to move forward to the April 10, 2023, Board Meeting.                                                                                                                                                                                                                                                                                                                                                                                                                          |
| V.    | BP 2200 – Board Duties & Responsibilities           | Jennifer | 2 minutes | A minor revision was suggested, and was agreed to move forward to the April 10, 2023, Board Meeting.                                                                                                                                                                                                                                                                                                                                                                                                                          |
| VI.   | BP/AP 2345 – Public Participation at Board Meetings | Jennifer | 2 minutes | There was much discussion around the speaker time limit. Jennifer stated that the amendment should not be based on the past, that the Board is interested in the campus input and ultimately it is their action to take. Bridget provided background as the Board’s intention of the revision from 5-3 minutes was to allow more people to speak on a topic. Tamira, Pamela and Jason agreed that to return to the 5-minute speaker limit would be a good gesture. It was agreed to table and will return to another meeting. |
| VII.  | BP/AP 3410 – Nondiscrimination                      | Jennifer | 2 minutes | Ran out of time.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| VIII. | BP/AP 3420 – Equal Employment Opportunity           | Victoria | 2 minutes | Ran out of time.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| IX.   | BP/AP 3430 – Prohibition of Harassment              | Victoria | 2 minutes | Ran out of time.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

**POLICIES OUT FOR CONSTITUENT REVIEW**

BP/AP 3433 – Prohibition of Sexual Harassment – Out for Review on February 22, 2023  
 AP 3435 – Discrimination & Harassment – Out for Review on February 22, 2023

**POLICIES IN PROCESS**

|                                                     |                        |                                                  |
|-----------------------------------------------------|------------------------|--------------------------------------------------|
| BP/AP 2510 – Participation in Local Decision Making | Howard                 | Working with the task force.                     |
| Decision Making Principle Document                  | Jennifer               | Meeting with various groups on campus for input. |
| BP/AP 3720 – Computer Network IT Committee          | Shami and IT Committee |                                                  |
| BP/AP 4010 – Academic Calendar                      | Howard                 | Waiting for Negotiations.                        |
| BP/AP 4100 – Graduation Requirements                | Jose                   | Working on revisions with counseling.            |
| BP/AP 4400 – Community Services                     | Howard                 | Working on revisions.                            |
| BP/AP 6340 – Bids and Contracts                     | Shami                  |                                                  |
| AP 6370 – Contracts for Personal Services           | Shami                  |                                                  |
| BP/AP 7130 - Compensation                           | Shami & Legal          |                                                  |
| BP/AP 7800 – Emeritus Status (NEW)                  | Jennifer               | Working on revisions.                            |

**NEXT MEETING DATE: April 12, 2023**



## BP 3410 Nondiscrimination

### References:

Education Code Sections 66250 et seq., 72010 et seq. and 87100 et seq.;

Title 5 Sections 53000 et seq.; and 59300 et seq.;

Penal Code Section 422.55;

Government Code 12926.1 and 12940 et seq

Title 2 Sections 10500 et seq.;

Labor Code Section 1197.5;

**ACCJC** Accreditation Eligibility Requirement 20 and Accreditation Standard Catalog Requirements

The District is committed to equal opportunity in educational programs, employment, and all access to institutional programs and activities.

The District, and each individual who represents the District, shall provide access to its services, classes, and programs without regard to national origin, **immigration status**, religion, age, gender, gender identity, gender expression, race, **or ethnicity**, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or military and veteran status, or because he/she/**they** 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.

The Superintendent/President shall establish administrative procedures that ensure all members of the college 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.

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, **immigration status**, 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 military and veteran status, or because he/she/**they** is perceived to have one or more of the foregoing characteristics, or because of his/her/**their** association with a person or group with one or more of these actual or perceived characteristics.

~~Notice of this policy will be circulated to all units of the District on an annual basis and incorporated into teacher and student handbooks. It will also be distributed to all organizations in the community having cooperative agreements with the college district.~~



~~Failure to comply with this policy may result in termination of the cooperative agreement.~~





Also see AP 3410 Nondiscrimination, BP/AP 3420 Equal Employment Opportunity, BP/AP 3430 Prohibition of Harassment, AP 3435 Discrimination and Harassment Complaints and Investigations, and BP/AP 5140 Disabled Student Programs and Services.

Adopted: 11/7/05  
Revised: 5/8/06  
Revised: 1/8/07  
Revised: 2/9/09  
Revised: 8/13/12  
Revised: 10/10/16  
Revised: 8/13/18  
Revised: 5/11/20

\* CCLC Recommended Language

\*\* AVC Recommended Language



## AP 3410 Nondiscrimination

### **Nondiscrimination References for Education Programs:**

Education Code Sections 200 et seq 66250 et seq. and 72010 et seq.;

Penal Code Section 422.55 et seq.;

Title 5 Section 59300 et seq.,

**ACCJC** Accreditation Eligibility Requirement 20 and **ACCJC** Accreditation Standard Catalog Requirements

~~It shall be a violation of this procedure for any District employee or student through conduct or communications to commit an act of discrimination as defined in BP 3410 Nondiscrimination.~~

### **Education Programs**

The District shall provide access to its services, classes and programs without regard to national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, ~~M~~military and ~~V~~veteran status, or because he/she/**they** 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.

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 expression. "Gender expression" means a person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth.

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.

### **Nondiscrimination References for Employment:**

Education Code Sections 87100 et seq.,

Title 5 Sections 53000 et seq.;

Government Code Sections 11135 et seq. and 12940 et seq.

Title 2 Sections 10500 et seq.;

Labor Code Section 1197.5



## **Employment**

The District shall provide equal employment opportunities to all applicants and employees regardless of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, **immigration status**, or military and veteran status.

All employment decisions, including but not limited to hiring, retention, assignment, transfer, evaluation, dismissal, compensation, and advancement for all position classifications shall be based on job-related criteria as well as be responsive to the District's needs.

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

It is unlawful to discriminate against a person who serves in an unpaid internship or any other limited-duration program to provide unpaid work experience in the selection, termination, training, or other terms and treatment of that person on any **the** basis of their race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, **immigration status**, or military and veteran status.

~~Any person who alleges discrimination by any employee or student in the college district may file a grievance under the discrimination complaint procedures contained in the Antelope Valley College Complaint Procedure for Allegations of Discrimination or Sexual Harassment document that can be obtained in the Human Resources Office.~~

Also see BP 3410 Nondiscrimination, BP/AP 3420 Equal Employment Opportunity, BP/AP 3430 Prohibition of Harassment, AP 3435 Discrimination and Harassment Complaints and Investigations, BP 4030 Academic Freedom, and BP/AP 5140 Disabled Student Programs and Services.

Approved: 11/7/05  
Revised: 5/8/06  
Revised: 1/8/07  
Revised: 1/12/09  
Revised: 7/9/12  
Revised: 3/10/14  
Reviewed: 9/12/16  
Revised: 8/13/18  
Revised 4/13/20



\* CCLC Recommended Language  
\*\* AVC Recommended Language



## BP 3420 Equal Employment Opportunity

### References:

Education Code Sections 87100 et seq.  
Title 5 Sections 53000 et seq.  
**ACCJC** Accreditation Standard III.A. 12

The Board of Trustees 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 and respect, harmony, and suitable role models for all students. The Board of Trustees therefore commits itself to promote the total realization of equal employment through a continuing equal employment opportunity program.

The Superintendent/President shall develop, for review and adoption by the Board of Trustees, 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.

Also see [AP 3420 Equal Employment Opportunity](#), [BP/AP 3410 Nondiscrimination, BP/AP Prohibition of Harassment](#), [AP 3435 Discrimination and Harassment Complaints and Investigations](#), and [BP/AP 7100 Commitment to Diversity](#).

Adopted: 11/7/05  
Revised: 6/13/16  
Revised: 5/11/20

\* **CCLC Recommended Language**

\*\* **AVC Recommended Language**

## AP 3420 Equal Employment Opportunity

### References:

Education Code Sections 87100 et seq.;  
Title 5 Sections 53000 et seq. and 59300 et seq.  
**ACCJC Accreditation Standard III.A.12**  
**Government Code Sections 7400 et seq. and 12940 et seq.**  
**~~20 U.S. Code Sections 1681 et seq.;~~**

The Equal Employment Opportunity (EEO) Plan ~~shall~~ **should** be a District-wide, written plan that implements the District's EEO program, includes the definitions contained in Title 5 Section 53001 and addresses the following:

- Submission of plans and revisions to the California Community Colleges Chancellor's Office for review **and approval** as required
- The designation of the District employee or employees who have been delegated responsibility and authority for implementing the Plan and assuring compliance with the requirements of this procedure;
- The procedure for filing complaints and the person with whom such complaints are to be filed;
- A process for notifying all District employees of the provisions of the Plan and the policy statement required;
- A process for ensuring that District employees who are to participate on screening or selection committees receive, prior to their participation, training on the requirements of the applicable Title 5 regulations and of state and federal nondiscrimination laws, the educational benefits of workforce diversity, the elimination of bias in hiring decisions, and best practices in serving on a screening or selection committee;
- A process for providing annual written notice to appropriate community-based and professional organizations concerning the District's Plan and the need for assistance from such organizations in identifying qualified applicants for openings within the District;
- **A process for gathering information and periodic, longitudinal analysis of the district's employees and applicants, broken down by number of persons from "monitored groups", as defined by Title 5 Section 53001 subdivision (i), who are employed in the District's work force and those who have applied for employment in each of the job categories listed below;**
- **To the extent data regarding potential job applicants is provided by the Chancellor of the California Community Colleges, an analysis of the degree to which monitored groups are underrepresented in comparison to their representation in the field or job category in numbers of persons from such groups whom the California Community Colleges Chancellor's Office determines to be available and qualified to perform the**

work required for each such job category and whether or not the underrepresentation is significant;

- ~~• An analysis of the number of persons from "monitored groups", as defined by Title 5 Section 53001 subdivision (i), who are employed in the District's work force and those who have applied for employment in each of the job categories listed below~~
- ~~• An analysis of the degree to which monitored groups are underrepresented in comparison to the numbers of persons from such groups whom the California Community Colleges Chancellor's Office determines to be available and qualified to perform the work required for each such job category and whether or not the under representation is significant;~~
- The steps the District will take to promote diversity in its workforce;
- Methods for addressing any discrimination that is detected in the District's hiring practices, and;
- ~~• Additional steps to address any significant under representation of monitored groups identified in the Plan.~~
- The Plan shall be a public record.

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

#### **Annual Evaluation**

- The District shall annually collect the demographic data of its employees and applicants for employment in order to evaluate progress in implementing the EEO Plan and to provide data needed for required analyses. ~~The Office of Human Resources 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 EEO Plan, to provide data needed for the reports required by the Plan and to determine whether any monitored group is underrepresented.~~
- ~~The District will annually report to the California Community Colleges Chancellor the results of its annual survey of employees. At least every three (3) 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~~ The District will submit an annual report to the California Community Colleges Chancellor's Office of this demographic data. The report shall identify each employee as belonging to one of the following seven job categories:
  - executive/administrative/managerial
  - faculty and other instructional staff
  - professional non-faculty
  - secretarial/clerical
  - technical and paraprofessional
  - skilled crafts; and
  - service and maintenance.

~~For purposes of the survey and report, each applicant or employee will be afforded the opportunity to voluntarily identify her/ his gender, ethnic group identification and, if applicable, her/ 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 screening/selection committee and hiring administrator(s).~~

~~The District shall review the annually collected demographic data to determine if significant underrepresentation of a monitored group may be the result of non-job-related factors in the employment process. For the purposes of this subdivision, the phases of the employment process include but are not limited to recruitment, hiring, retention, and promotion. The information to be reviewed shall include, but need not be limited to:~~

- ~~• longitudinal analysis of data regarding job applicants to identify whether over multiple job searches, a monitored group is disproportionately failing to move from the initial applicant pool, to the qualified applicant pool; and analysis of data regarding potential job applicants, to the extent provided by the Chancellor of the California Community Colleges, which may indicate significant underrepresentation of a monitored group.~~
- The opportunity for each employee to identify his/her/their gender, ethnicity and, if applicable, disability. This opportunity must allow for a person to designate multiple ethnic groups with which he/she/they identifies. However, the person may only be counted in one group for reporting purposes.
- Districts shall review the annually collected demographic data to determine if significant underrepresentation of a monitored group may be the result of non-job-related factors in the employment process. For the purposes of this subdivision, the phases of the employment process include but are not limited to recruitment, hiring, retention, and promotion. The information to be reviewed shall include, but need not be limited to:
  - longitudinal analysis of data regarding job applicants to identify whether over multiple job searches, a monitored group is disproportionately failing to move from the initial applicant pool to the qualified applicant pool; and analysis of data regarding potential job applicants, to the extent provided by the Chancellor of the California Community Colleges, which may indicate significant underrepresentation of a monitored group.

### **EEO Advisory Committee**

The District has established an Equal Employment Opportunity Advisory Committee to assist the District in implementing its EEO Plan. The committee may also assist in promoting an understanding and support of equal opportunity and nondiscrimination policies and procedures. The committee may sponsor events, training, or other activities that promote equal employment opportunity, nondiscrimination, retention and diversity. The committee shall include a diverse membership whenever possible. The committee will be composed of the EEO Officer, Human Resources Director, two (2) members from the



Academic Senate, one administrative council member, two (2) ASO representatives, two (2) classified union representatives, one member of the confidential/management/supervisory unit, one (1) member from the Office of Students with Disabilities, and one (1) member from the faculty union. Ex-officio members shall include the Human Resources Vice President and the EEO Officer, if different from the Human Resources Vice President. The Equal Employment Opportunity Advisory Committee shall hold a minimum of four (4) meetings per fiscal year, with additional meetings if needed to review EEO and diversity efforts, programs, policies, and progress. When appropriate, the advisory committee shall make recommendations to the Board of Trustees, the Superintendent/President, and EEO Officer. The advisory committee shall receive training in all the following: applicable Title 5 regulations and of state and federal nondiscrimination laws; the educational benefits of workforce diversity, the identification and elimination of bias in hiring decisions; and the role of the advisory committee in carrying out of the District's EEO Plan.

### **Employment Procedures**

**Job Analysis and Validation:** The [Assistant Superintendent/Vice President](#), ~~of~~ Human Resources or designee shall assure that a proper job analysis is performed for every job filled by the District to determine and validate the knowledge, skills, abilities and characteristics an employee must possess to perform the job satisfactorily.

A statement of bona fide essential functions and minimum qualifications shall be developed for all positions.

**Job Description:** Every job description shall provide a general statement of job duties and responsibilities.

Job specifications shall include functions and tasks; knowledge; skills; ability; and job-related personal characteristics, including but not limited to sensitivity to and understanding of the diverse academic, socioeconomic, cultural, linguistic, disability, and ethnic backgrounds of community college students.

### **Recruitment**

- Recruitment must be conducted actively within and outside of the District work force.
- Open recruitment is mandated for all new full-time and part-time positions, except under limited circumstances.
- Recruitment must utilize outreach strategies designed to ensure that all qualified individuals, ~~from all monitored groups,~~ are provided the opportunity to seek employment with the District.
- Recruitment for administrative and faculty positions (full and part-time) may include advertisement in appropriate professional journals, job registries and newspapers of general circulation; distribution of job announcements to the EEO Registry, K-12 districts, two and four year colleges, and graduate schools where appropriate

candidates might be enrolled; recruitment at conferences, fairs, and professional meetings; notices to institutions and professional organizations ~~that primarily serve members of monitored groups that are underrepresented in the District.~~

- Recruitment for classified positions shall include notice to all District personnel; notice to Employment Development Department; and advertising in area newspapers of general circulation.

### Applicant Pools

- The application for employment shall afford each applicant an opportunity to identify himself/ herself/~~themself~~ voluntarily as to gender, ethnicity and, if applicable, his/ her/~~their~~ disability. This information shall be maintained in confidence and shall be used only for research, validation, monitoring, evaluation of the effectiveness of the Plan, or as authorized by law.
- After the application deadline has passed, the initial applicant pool shall be ~~analyzed to determine whether the projected representation has been achieved for monitored groups~~ shall be recorded and reviewed by the Chief Human Resources Officer or designee. ~~If these projections have not been met, the District shall immediately determine whether the failure to meet the projected representation of monitored groups in the initial pool was due to discriminatory practices. If not, the hiring process may continue to the next level. If, however, the District determines that discriminatory practices caused the under representation, the District may immediately, and before the selection process continues, consult with legal counsel to determine what, if any, corrective action is required by law.~~ All initial applications shall be screened to determine which candidates satisfy job specifications set forth in the job announcement. The group of candidates who meet the job specifications shall constitute the “qualified applicant pool.”
- Once the qualified pool is formed, the pool must again be analyzed. ~~If this analysis reveals adverse impact against any monitored group~~ If the Chief Human Resources Officer or designee finds that the composition of the qualified applicant pool may have been influenced by factors which are not job related, the District may immediately, and before the selection process continues, consult with legal counsel to determine what, if any, corrective action is required by law.

### Screening and Selection

Screening, selecting and interviewing candidates for all positions shall include thorough and fair procedures that are sensitive to issues of diversity. Procedures to be used must address or include that:

- Hiring procedures will be provided to the California Community Colleges Chancellor’s Office on request.
- All tests conform to generally applicable legal standards for uniformity.
- A reasonable number of candidates are identified for interview.
- Screening and selection committees are developed that are representative of the

District community and campus; include a diverse membership when possible; and exclude applicants, ~~or persons listed as references who have written letters of recommendation, or who are family members, cohabitants, or~~ and relatives.

- Every screening and selection committee includes an EEO representative trained to monitor conformance with EEO requirements. The Assistant Superintendent/Vice President, of Human Resources assures that the screening and selection process conforms to accepted principles and practices, including preparation of job-related questions in advance; maintains records of screening checklists and rating scales, which shall be signed and kept on file; maintains notes for all interviews and records relevant factual reasons stating why a candidate was not hired or was not invited to interview; and monitors the hiring process for adverse impact.
- Selection shall be based solely on the stated job criteria.
- For faculty and administrative positions, candidates shall be required to demonstrate sensitivity to diversity in ways relevant to the specific position.

If the District determines that a particular monitored group is significantly underrepresented with respect to one or more job categories, the District shall take the following additional steps:

- review its recruitment procedures;
- consult with counsel to determine whether there are other, additional measures that may be undertaken that are required and/or permitted by law;
- consider various other means of reducing the under-representation which do not involve taking monitored group status into account and implement any such techniques that are feasible;
- If significant under-representation persists:

~~o~~ — monitor on an on-going basis;

- o review each locally-established job qualification to determine if it is job related and consistent with business necessity;
- o discontinue the use of any non-job-related local qualification;
- o and continue using job-related local qualifications only if no alternative standard is reasonably available.
- o Consider the implementation of additional measures designed to promote diversity.

#### **Delegation of Authority**

The Board of Trustees delegates to the Assistant Superintendent/Vice President, of Human Resources the responsibility for ongoing implementation of the Plan and for providing leadership in supporting the District's equal employment opportunity policies and procedures. The Assistant Superintendent/Vice President, of Human Resources shall also serve as the Equal Employment Opportunity Officer who is responsible for the day-to-day implementation of the Plan. If a complaint involves the Equal Employment Opportunity Officer, the complaint may be filed with the Superintendent/President.

## Complaint Procedure

Any person may file a complaint alleging the District violated this policy and procedures. An individuals should file a written complaint with the [Assistant Superintendent/Vice President of Human Resources](#). The District shall also process complaints that allege unlawful discrimination according to the procedures set forth in AP 3430 Prohibition of Harassment and AP 3435 Discrimination and Harassment Complaints and Investigations.

~~The process for filing a complaint alleging that the equal employment opportunity regulations have been violated is outlined in the EEO Plan. In addition, the District has adopted procedures for complaints alleging unlawful discrimination or harassment. The District's discrimination and sexual harassment complaint procedures are attached to the EEO Plan.~~

Commented [1]: This is covered under other BPs/APs

~~The District must identify to the public and to the California Community Colleges Chancellor's Office an individual described in Title 5 as the "responsible District officer," responsible for receiving complaints. Informal charges of unlawful discrimination should be brought to the attention of the responsible District officer. The responsible District officer shall oversee the informal resolution process. The actual investigation of complaints may be assigned to other staff or to outside persons or organizations under contract. An outside investigator must be used when the responsible District officer is named in the complaint or implicated by the allegations in the complaint.~~

~~When a person brings charges of unlawful discrimination the officer must:~~

- ~~• Undertake efforts to resolve the charge informally;~~
- ~~• Advise the complainant that he/she need not participate in an informal resolution of the complaint;~~
- ~~• Notify the complainant of the procedures for filing a formal complaint;~~
- ~~• Notify the complainant that he/she may file a complaint with the Office of Civil Rights of the U.S. Department of Education.~~
- ~~• If the complainant, a student or an employee, files a formal complaint, the responsible District officer must also forward a copy of the complaint to the California Community Colleges Chancellor's Office.~~

~~A formal complaint not involving employment, must be processed if it is filed within one (1) year of the date of the alleged unlawful discrimination or within one year of the date on which the complainant knew or should have known of the facts underlying the allegation.~~

~~A formal complaint alleging discrimination in employment must be filed within one hundred eighty (180) days of the date of the alleged unlawful discrimination, unless the complainant first obtained knowledge of the facts of the alleged violation after the expiration of the initial one hundred eighty (180) days.~~

~~The complaint must be filed by someone who alleges that he/she has personally suffered unlawful discrimination, or by someone who has learned about unlawful discrimination in his/her official capacity.~~

~~When a proper complaint is received, the District will begin an impartial fact finding investigation, and notify the complainant and the California Community Colleges Chancellor's Office that it is doing so.~~

~~When the investigation is done, the results must be set forth in a written report. The written report must include a description of the circumstances giving rise to the complaint, a summary of the testimony of each witness, an analysis of any relevant data or other evidence collected during the investigation, a specific finding as to whether discrimination did or did not occur with respect to each allegation in the complaint, and any other appropriate information.~~

~~In any case that does not involve employment discrimination, the District must provide the California Community Colleges Chancellor's Office with a copy of the investigative report within ninety (90) days from the date the District received the complaint. The District must also provide the complainant with a copy or summary of the investigative report within ninety (90) days from the date the District received the complaint. The California Community Colleges Chancellor's Office and the complainant must also be provided with a written notice setting forth the determination of the Assistant Superintendent/Vice President of Human Resources as to whether discrimination did or did not occur with respect to each allegation in the complaint; a description of action taken, if any, to prevent similar problems from occurring in the future; the proposed resolution of the complaint; and notice of the complainant's right to appeal to the District's Board of Trustees and the California Community Colleges Chancellor's Office.~~

~~In any case that involves employment discrimination, the District must provide the complainant with a copy or summary of the report, and with written notice setting forth the determination of the Assistant Superintendent/Vice President of Human Resources as to whether discrimination did or did not occur with respect to each allegation in the complaint; a description of action taken, if any, to prevent similar problems from occurring in the future; the proposed resolution of the complaint; and the complainant's right to appeal to the District's Board of Trustees and to file a complaint with the Department of Fair Employment and Housing (DFEH).~~

~~If the complainant is not satisfied with the results of the administrative determination, the complainant must be given the opportunity to submit a written appeal to the Board of Trustees within fifteen (15) days from the date of the notice of the administrative determination. The Board of Trustees must review the original complaint, the investigative report, the administrative determination, and the appeal and must issue a final District decision within forty five (45) days of receiving the appeal.~~

~~In any case not involving employment discrimination, a copy of the final District decision must be promptly forwarded to the complainant and the California Community Colleges Chancellor's Office. The complainant must be notified of his/her right to appeal. In any case involving employment discrimination, a copy of the final District decision must be promptly forwarded to the complainant. The complainant must be notified of his/her to right~~

~~to file a complaint with the DFEH.~~

~~Where the Board does not act within forty five (45) days the administrative determination must be deemed approved and must become the final District decision. The District shall promptly notify the complainant and in cases not involving employment discrimination, the California Community Colleges Chancellor's Office, that the Board of Trustees took no action and the administrative determination becomes the final District decision. In cases not involving employment discrimination, the complainant must be informed of his/her right to appeal the District's decision to the California Community Colleges Chancellor's Office. In cases involving employment discrimination, the complainant shall be notified of his/her right to file a complaint with the DFEH.~~

~~In cases not involving employment discrimination, the complainant must be given the right to file a written appeal with the California Community Colleges Chancellor's Office within thirty (30) days after the Board of Trustees issues the final District decision, permits the administrative decision to become final or from the date that notice of the District's final decision was provided to the complainant pursuant to Title 5 Section 59338 subdivisions (b) or (d), whichever is later.~~

~~The District should retain and make available the original complaint, and copies of the final decision or a statement indicating the date on which the administrative determination became final, the notice given to complainant, the complainant's appeal of the District's administrative determination, the investigative report and any other information the California Community Colleges Chancellor's Office may require.~~

### **Job Announcements**

All job announcements shall contain a statement in substantially the following form: The District is an equal opportunity employer. The policy of the District is to encourage applications from persons who are economically disadvantaged and individuals belonging to significantly underrepresented groups within the District's workforce, including ethnic and racial minorities, women, persons with disabilities, ~~and Vietnam era active military and veterans~~. No person shall be denied employment because of ethnicity or race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, marital status, sexual orientation, veteran or military status, ~~sex or gender, gender identity, age, religion, marital status, disability, sexual orientation, national origin, medical conditions, status as a Vietnam era active military and veterans, ancestry~~ or political or organizational affiliation.

### **Dissemination and Revision of the Plan**

~~The EEO Plan and subsequent revisions will be distributed to the Board of Trustees, the President, administrators, the Academic Senate President, faculty and classified union presidents, and members of the District Equal Employment Opportunity Advisory Committee. All managers and supervisors shall be given copies of the plan as revised from time to time~~

and any guidelines for implementing the plan. Copies of the plan shall be provided to the Academic Senate and the exclusive representatives of any units of employees. ~~The Plan will be available on the District's website, and when appropriate, may be distributed by e-mail.~~

All managers and supervisors shall be given copies of the plan ~~upon revision~~ ~~as revised from time to time~~ and any guidelines for implementing the plan. Copies of the plan shall be provided to the Academic Senate and the exclusive representatives of any units of employees.

Statements of nondiscrimination shall be posted at locations where applications for employment are distributed.

Such plans shall be reviewed at least every three ~~(3)~~ years and, if necessary, revised and submitted to the California Community Colleges Chancellor's Office within ~~ninety (90)~~ days of the effective date of the revision or amendment(s). If the California Community Colleges Chancellor's Office determines that the District's policies ~~are do~~ not in compliance with Title 5 Sections 59300 et seq., the California Community Colleges Chancellor's Office may require the District to modify its policies.

#### **Accountability and Corrective Action**

The District shall certify annually to the California Community Colleges Chancellor that they have timely:

- Recorded, reviewed and reported the data required regarding qualified applicant pools;
- Reviewed and updated, as needed, the Strategies Component of the District's EEO Plan; and
- Investigated and appropriately responded to formal harassment or discrimination complaints filed pursuant to subchapter 5 (commencing with section 59300) of chapter 10 of this division.

Also see BP 3420 Equal Employment Opportunity, BP/AP 3410 Nondiscrimination, AP 3435 [Discrimination and Harassment Complaints and Investigations](#), and BP/AP 7100 Commitment to Diversity.

Approved: 4/14/08

Revised: 5/9/16

Revised: 4/13/20

\* CCLC Recommended Language

\*\* AVC Recommended Language



## BP 3430 Prohibition of Harassment

### References:

Education Code Sections 212.5 44100, 66252 and 66281.5;  
Government Code Sections 12923, 12940 and 12950.1;  
Civil Code Section 51.9;  
Title 2 Sections 10500 et seq.;  
Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated 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. State and federal law and this policy prohibit harassment, and the District will not tolerate harassment.~~ 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;~~ The District shall be free of unlawful harassment including that which is based on any of the following statuses: race, religious creed, color, national origin, **ethnicity**, ancestry, **immigration status**, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, ~~or sexual orientation of any person~~, or military and veteran status, or because he/she/**they** is perceived to have one or more of the foregoing characteristics.

The District seeks to foster an environment in which all employees, students, unpaid interns, and volunteers 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. ~~The District will investigate all allegations of retaliation All allegations of retaliation will be swiftly and thoroughly investigated.~~ swiftly and thoroughly. If the District determines that ~~someone has retaliated, 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.

Any student, employee, unpaid intern, or volunteer who believes that he/she/**they** has been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3435 Discrimination and Harassment Complaints and Investigations. ~~The District requires supervisors to report Supervisors are mandated to report~~ all incidents of harassment and retaliation that come to their attention.

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 institution undertakes education and training activities to counter **harassment 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 that define harassment on campus. The Superintendent/President shall further establish procedures for employees, students, unpaid interns, volunteers 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. **State and federal law and this policy prohibit All participants are protected from** retaliatory acts by the District, its employees, students, and agents.

**The District will publish and publicize this policy and related written procedures (including the procedure for making complaints)** ~~This policy and related written procedures including the procedure for making complaints, shall be widely published and publicized~~ to administrators, faculty, staff, students, unpaid interns, and volunteers particularly when they are new to the institution. **The District will make this policy and related written procedures (including the procedure for making complaints)** ~~They shall be~~ available ~~for students, employees, unpaid interns and volunteers~~ in all administrative offices, and **will post them shall be posted** on the District's website.

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. Unpaid interns who violate this policy and related procedures may be subject to disciplinary measures up to and including termination from the internship or other unpaid work experience program.

Also see BP 3430 Prohibition of Harassment, BP/AP 3410 Nondiscrimination, BP/AP 3420 Equal Employment Opportunity, [BP/AP 3433 Prohibition of Sexual Harassment Under Title IX](#), [AP 3434 Responding to Harassment Based on Sex Under Title IX](#), and AP 3435 Discrimination and Harassment Complaints and Investigations.

Adopted: 11/7/05  
Revised: 8/13/12  
Revised: 10/9/17  
Revised: 5/13/19  
Revised: 1/13/20

\* **CCLC Recommended Language**  
\*\* **AVC Recommended Language**



## AP 3430 Prohibition of Harassment

### References:

Education Code Sections 212.5, 44100 and 66281.5, and 66281.8;  
Government Code Sections 12940 and 12923  
Civil Code Section 51.9;  
Title 2 Sections 10500 et seq.;  
~~Title IX, Education Amendments of 1972;~~  
Title 5 Sections 59320 et seq.;  
Title VII of the Civil Rights Act of 1964  
42 U.S. Code Annotated 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 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, employees, unpaid interns and volunteers in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, District bus, or at a class or training program sponsored by the District at another location.

### Definitions

**General Harassment.** Harassment based on 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, military and veteran status, or the perception that a person has one or more of these characteristics is illegal and violates District policy. Harassment shall be found where a reasonable person with the same characteristics as the victim of the harassing conduct would be adversely affected to a degree that interferes with his/ ~~or~~ her/~~their~~ ability to participate in or to realize the intended benefits of an institutional activity, employment, or resource.

~~For sexual harassment under Title IX, Complainants must proceed under BP 3433 Prohibition of Sexual Harassment under Title IX, AP 3433 Prohibition of Sexual Harassment under Title IX, and AP 3434 Responding to Harassment Based on Sex under Title IX. For other forms of sexual harassment or gender-based harassment, Complainants should use this procedure.~~

Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment if it meets the definition above. For example, repeated derisive comments about a person's



competency to do the job, when based on that person's gender, could constitute gender-based harassment. Harassment comes in many forms, including but not limited to the following conduct that could, depending on the circumstances, meet the definition above, or could contribute to a set of circumstances that meets the definition:

- **Verbal:** Inappropriate or offensive remarks, slurs, jokes or innuendoes based on a person's race, gender, sexual orientation, or other protected status. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status or sexual orientation; unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats or intimidation; or sexist, patronizing or ridiculing statements that convey derogatory attitudes based on gender, race, nationality, sexual orientation or other protected status.
- **Physical:** Inappropriate or offensive touching, assault, or physical interference with free movement. This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, pinching, leering, staring, unnecessarily brushing against or blocking another person, whistling or sexual gestures. It also includes any physical assault or intimidation directed at an individual due to that person's gender, race, national origin, sexual orientation or other protected status. Physical sexual harassment includes acts of sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability.
- **Visual or Written:** The display or circulation of visual or written material that degrades an individual or group based on gender, race, nationality, sexual orientation or other protected status. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics or electronic media transmissions.
- **Environmental:** A hostile academic or work environment may exist where it is permeated by sexual innuendo; insults or abusive comments directed at an individual or group based on gender, race, nationality, sexual orientation or other protected status; or gratuitous comments regarding gender, race, sexual orientation, or other protected status that are not relevant to the subject matter of the class or activities on the job. A hostile environment can arise from an unwarranted focus on sexual topics or sexually suggestive statements in the classroom or work environment. It can also be created by an unwarranted focus on, or stereotyping of, particular racial or ethnic groups, sexual orientations, genders or other protected statuses. An environment may also be hostile toward anyone who merely witnesses unlawful harassment in his-~~or~~-her/~~their~~ immediate surroundings, although the conduct is directed at others. The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct,



whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's learning or work.

**Sexual Harassment.** In addition to the above, sexual harassment consists 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 work or educational setting when:

- submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, progress, internship, or volunteer activity;
- 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 (as more fully described below); or
- 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 (2) 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 alters the conditions of an individual's learning or work environment, unreasonably interfere with an individual's academic or work performance, or creates 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 unreasonably interfered with the person's academic or work performance or created an intimidating, hostile, or offensive learning or working environment.

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 members 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 members, 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 a teacher over a student. Such action by the District is a proactive and preventive measure to avoid possible charges of harassment and does not constitute discipline against any affected employee.

### **Academic Freedom**

No provision of this administrative procedure shall be interpreted to prohibit conduct that is legitimately related to the course content, teaching methods, scholarship, or public commentary of an individual faculty member or the educational, political, artistic, or literary expression of students in classrooms and public forums. Freedom of speech and academic freedom are, however, not limitless and this procedure will not protect speech or expressive conduct that violates federal or California antidiscrimination laws.

Also see BP 3430 Prohibition of Harassment, BP/AP 3410 Nondiscrimination, BP/AP 3420 Equal Employment Opportunity, [BP/AP 3433 Prohibition of Sexual Harassment Under Title IX](#), [AP 3434 Responding to Harassment Based on Sex Under Title IX](#), and AP 3435 Discrimination and Harassment Complaints and Investigations.

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Revised: 8/13/12  
Revised: 5/9/16  
Revised: 5/13/19  
Revised: 11/12/19

\* CCLC Recommended Language

\*\* AVC Recommended Language

## **BP 3433 Prohibition of Sexual Harassment under Title IX**

### **References:**

Title IX of the Education Amendments Act of 1972;  
34 Code of Federal Regulations Part 106

All forms of sexual harassment are contrary to basic standards of conduct between individuals. State and federal law and this policy prohibit sexual harassment and the District will not tolerate sexual harassment. 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.

The District seeks to foster an environment in which all employees, students, applicants for employment, and applicants for admission feel free to report incidents of sexual harassment in violation of this policy and Title IX, without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of sexual harassment in violation of this policy and Title IX or for participating, or refusing to participate, in a sexual harassment investigation. The District will investigate all allegations of Title IX retaliation swiftly and thoroughly. If the District determines that someone has retaliated, it will take reasonable steps within its power to stop such conduct. Individuals who engage in Title IX retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

Any employee, student, applicant for employment, or applicant for admission who believes he/she/they has been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3434 Responding to Harassment Based on Sex under Title IX. The District requires supervisors to report all incidents of harassment and retaliation that come to their attention.

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 institution undertakes education and training activities to counter sexual harassment and to prevent, minimize, 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 that define sexual 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 sexual harassment in violation of this policy, and procedures to resolve complaints of sexual harassment in violation of this policy. State and federal law and this policy prohibit retaliatory acts against all participants by the District, its employees, students, and agents.

The District will publish and publicize this policy and related written procedures (including the procedure for making complaints) to administrators, faculty, staff, students, applicants for employment, and applicants for admission, particularly when they are new to the institution. The District will make this policy and related written procedures (including the procedures for making complaints) available in all administrative offices and will post them on the District's website.

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. Volunteers or unpaid interns who violate this policy and related procedures may be subject to disciplinary measure up to and including termination from the volunteer assignment, internship, or other unpaid work experience program.

For non-Title IX matters, also see [BP 3410 Nondiscrimination](#), [BP/AP 3420 Equal Employment Opportunity](#), [BP/AP 3430 Prohibition of Harassment](#), [AP 3435 Discrimination and Harassment Complaints and Investigations](#).

\* CCLC Recommended Language

\*\* AVC Recommended Language

## AP 3433 Prohibition of Sexual Harassment under Title IX

### References:

Title 5 Sections 59320 et seq.;

Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e;

Title IX Education Amendments of 1972

The District is committed to providing an academic and work environment free of unlawful sex harassment under Title IX. This procedure defines sexual harassment on campus.

This procedure and the related policy protects students, employees, in connection with all the 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.

### Definitions

**Sexual Harassment under Title IX:** Conduct that satisfies one or more of the following:

- A District employee conditions the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (*quid pro quo* harassment);
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity;
- Sexual assault, including the following:
  - **Sex Offenses.** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
  - **Rape** (except Statutory Rape). The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity. There is carnal knowledge if there is the slightest penetration of the genital or anal opening of the body of another person.
  - **Sodomy.** Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.
  - **Sexual Assault with an Object.** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their



temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything the offender uses other than the offender's genitalia, e.g., a finger, bottle, handgun, stick.

- **Fondling.** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.
- **Sex Offenses, Non-Forcible Unlawful, Non-Forcible Sexual Intercourse.**
  - **Incest.** Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - **Statutory Rape – Non-Forcible.** Sexual intercourse with a person who is under the statutory age of consent. There is no force or coercion used in Statutory Rape; the act is not an attack.
- **Dating violence.** Violence against a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a relationship will be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- **Domestic Violence.** Violence committed:
  - By a current or former spouse or intimate partner of the victim;
  - By a person with whom the victim shares a child in common;
  - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of California; or
  - By any other person against an adult or youth victim protected from that person's acts under the domestic or family violence laws of California.
- **Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her/their safety or the safety of others or suffer substantial emotional distress.

For non-Title IX matters, also see BP 3410 Nondiscrimination, BP/AP 3420 Equal Employment Opportunity, BP/AP 3430 Prohibition of Harassment, AP 3435 Discrimination and Harassment Complaints and Investigations.

\* CCLC Recommended Language

\*\* AVC Recommended Language

## BP 7120 Recruitment and Hiring

Reference:

***Education Code Section 70901.2, 70902(b) (7) & 87100 et seq., and 87458;  
Title 5, Section 53000, et seq.; Accreditation Standard III.1.A***

The Superintendent/President shall establish procedures for the recruitment and selection of employees including, but not limited to, the following criteria.

An Equal Employment Opportunity plan shall be implemented according to Title 5 and Board Policy 3420 titled Equal Employment Opportunity.

Academic employees shall possess the minimum qualifications prescribed for their positions by the Board of Governors.

The criteria and procedures for hiring academic employees shall be established and implemented in accordance with board policies and procedures regarding the Academic Senate's role in local decision-making.

The criteria and procedures for hiring classified employees shall be established after first affording the Antelope Valley College Federation of Classified Employees an opportunity to participate in the decisions under the Board's policies regarding local decision making.

**See Administrative Procedure #7120**

**Adopted: 5/8/06**

Revised: 12/12/16

# AP 7120 Recruitment and Hiring

Reference:

***Education Code Sections 87100 et seq.; 87400; 88003; ACCJC; Accreditation Standard III.A.1***

## EDUCATIONAL ADMINISTRATOR HIRING PROCEDURES

- I. Establishment of an Educational Administrator Vacancy
  - A. The Board of Trustees shall authorize the District Superintendent/President to fill the educational administrator vacancy. Typically, educational administrators are those who exercise direct responsibility for supervising the operation of or formulating policy regarding the instructional or student services programs of the District.
  - B. The District Superintendent/President shall direct the Vice President of Human Resources/EEO Officer to proceed with the filling of a vacant educational administrator position.
- II. Development and Responsibilities of the Search Committee
  - A. Upon the authorization to proceed with recruitment for an open position, a Search Committee will be established. This Committee shall be comprised of at least two administrators appointed by the District Superintendent/President, or designee, and at least one representative of each of the following: faculty, confidential/management/supervisory (CMS), classified employees, and students, who shall be appointed by their respective organizations. The District Superintendent/President may appoint additional members as appropriate. The Vice President of Human Resources/EEO Officer shall assign an Equal Employment Opportunity (EEO) representative from outside of the hiring area/division, who will serve as a voting member unless the committee determines the representative shall be an advisory member.
  - B. A Vice President or designee shall serve as Chair. The chairperson is responsible for establishing operating procedures, including agreed-upon ground rules, and moving the selection process forward in a timely manner.
  - C. The EEO representative will review the job announcement and consult with the President or Vice President for any adverse impact.
  - D. The Search Committee Chair and the EEO Officer will meet with the Search Committee members for the purpose of defining the role of the committee as that of a recommending body reviewing applications/materials and conducting interviews. In addition:
    1. The EEO Officer or EEO representative will provide an overview of the EEO guidelines and each committee member will receive a copy of the EEO guidelines. (See AP 3420 titled Equal Employment Opportunity)
    2. Each member will also be required to sign a Confidentiality Agreement. All proceedings of the Search Committee shall be kept confidential. Any breach of confidentiality will result in the removal of the committee member. There are limited circumstances under which disclosure of confidential information is authorized (to a District-hired investigator, under subpoena, etc.). No discussions regarding the selection process shall take place outside the Search Committee meetings. Any unauthorized disclosure of confidential information by a Search Committee member may result in suspension from serving on selection committees in the future.

- E. The Search Committee will adopt a timeline for future meetings to include the review of applications and interviews.
- F. The membership of the Selection Committee will not change during the process, except in the event of an emergency, or as necessary as determined by the Vice President of Human Resources/EEO Officer and the Chair of the Search Committee, if applicable. Committee members must attend all scheduled meetings. Missing a scheduled meeting will result in removal from the Search Committee. Replacement of committee members is allowable at the initial formation stage only.

### III. Job Specifications and Qualifications

- A. The Human Resources Office in conjunction with the Vice President/Chair and EEO Representative will prepare a preliminary position announcement for review by the Search Committee.
- B. The Chair, in consultation with the search committee, prepares a list of any supplementary materials that candidates may be asked to submit with the application for the position.
- C. The position announcement shall clearly state job specifications setting forth the knowledge, skills, and abilities necessary for job performance; desirable leadership characteristics and qualifications; and shall include sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students. Job qualifications beyond the State minimum qualifications which the District wishes to utilize shall be reviewed by the Vice President of Human Resources/EEO Officer before the position announcement is advertised to ensure conformity with the requirements of Title 5 and other state and federal nondiscrimination laws.
- D. The position announcement shall specify a deadline for review of applications for first consideration. The position shall remain open until filled.
- E. A tentative timeline for the search will be prepared at this time.

### IV. Advertising the Position

- A. The advertising/recruitment phase of the administrative position shall be long enough to allow for a comprehensive nationwide search, typically 45 days. The District shall actively recruit from both within and outside the District work force to attract qualified applicants and shall include outreach designed to ensure that all persons, including persons from protected groups, are provided the opportunity to seek employment with the District.
- B. The Search Committee Chair recommends to Human Resources the agencies, professional organizations, Internet list servers, individuals, etc., to receive the position announcement, in addition to those normally contacted by Human Resources.
- C. The advertising/recruitment phase will be in conformance with the District's EEO Plan and other state and federal regulations.

### V. Role of Human Resources Office

The Vice President of Human Resources/EEO Officer is responsible for monitoring the entire selection process. At any time the EEO Officer may interrupt the process to ensure equitable treatment of all candidates. The Human Resources Office will support the Committee Chair and all members of the search committee in the following:

- A. Prepare a preliminary position announcement in conjunction with the Vice President/Chair and EEO Representative for review by the Search Committee.

- B. Advertise the position by printing job announcements, posting the announcement on the AVC Web site, and placing ads in publications typically used by the Human Resources Office, as well as those agencies, professional organizations, Internet list servers, individuals, etc. recommended by the Search Committee.
- C. Serve as the contact point for applicants interested in the position, and will receive all applications and required materials for development of the applicant pool.
- D. Prepare the applications for review by the Search Committee, including verifying the completeness of all required materials prior to candidates being invited to campus for an interview.
- E. Review adequacy of the applicant pool and pre-screen for minimum qualifications. The Vice President of Human Resources/EEO Officer, or designee, has the responsibility to take appropriate action to ensure that the applicant pool for all positions is broadly inclusive and affords all groups equal opportunity to obtain information about District openings. Appropriate action may include extending the application period, expansion of the interview pool, halting the process and re-advertising the position, or providing written rationale as to why the hiring process should continue. All applicants for positions of Educational Administrator must meet the requirements of the California Code of Regulations, sections 53406, 53420 and other applicable sections. All degrees submitted by applicants to satisfy the minimum qualifications for Educational Administrator positions must be conferred at the time of application; degrees which are in progress or ABD (all but dissertation/thesis) will not be accepted.
- F. Maintain EEO information on each recruitment.
- G. Provide all complete application packages meeting minimum qualifications to the Search Committee for consideration.
- H. Prior to the screening of applicant materials by the Search Committee, the Human Resources Office will prepare screening forms using the criteria and rating/scoring matrix developed by the Search Committee.
- I. Coordinate the oral interview process. Once the committee has met to determine which candidates are to be invited for oral interviews, the Human Resources Office will contact and schedule interview candidates according to the dates and times determined by the Search Committee. Once the candidates have confirmed their appointments, a list of times will be provided to the Committee Chair.
- J. Arrange interviews with the Superintendent/President to follow the Search Committee interview of each candidate.
- K. Prior to the scheduled interviews, the Human Resources Office will provide a packet of materials for each hiring committee member, including the interview schedule, position announcement, hiring procedure, and a set of interview questions and rating sheet for each interview candidate.  
  
In addition, the Committee Chair will receive a set of application materials submitted by each interview candidate and a final rating matrix for determining finalists.
- L. All written materials regarding the selection and interview process, including forms provided by the Human Resources Office and separate notes taken by individual selection committee members, must be turned in to the Human Resources Office at the completion of the selection process to become part of the recruitment file.

## VI. Developing Evaluation Criteria and Questions

- A. The Search Committee will develop the job-related criteria and the method of evaluating the applications to ensure a thorough assessment of each candidate.
- B. The Search Committee will develop interview questions including any scenarios or presentation required for the personal interviews based on the criteria listed in the position announcement. The questions shall include a diversity question to assess the candidate's sensitivity to, and understanding of, the diverse academic, socioeconomic, cultural, disability and ethnic backgrounds of the district's students.

#### VII. Preliminary Screening of Applicants

- A. The Vice President of Human Resources/EEO Officer will review the applications to ensure there is an adequate pool of candidates.
- B. If the pool of candidates is adequate, committee members will screen applications using the screening criteria previously established. After the screening has occurred, the Search Committee will meet to reach consensus on the best-qualified candidates to be invited for an interview.
- C. The Vice President of Human Resources or designee will conduct reference checks on each candidate selected for an initial interview.
  - a. The President's Executive Council will evaluate the information obtained from each reference prior to inviting the best qualified candidates to the initial interview.
- D. If the applicant pool is deemed not to be adequate, the Committee Chair will meet with the Vice President of Human Resources/EEO Officer to determine how to proceed.

#### VIII. Interviewing the Applicants Selected in the Preliminary Screening

- A. The Search Committee will conduct interviews using the questions they previously developed.
- B. Each Search Committee member will evaluate candidate responses and rate candidates regarding strengths and weaknesses.
- C. For each interview candidate, each Search Committee member shall complete the forms provided by the Human Resources Office. All written materials regarding the selection and interview process, including forms provided by the Human Resources Office and separate notes taken by individual selection committee members, must be turned in to the Human Resources Office at the completion of the selection process to become part of the recruitment file.
- D. Following the Search Committee interview, each candidate will also be interviewed by the Superintendent/President.
- E. The Superintendent/President will meet with the Search Committee to offer his/her perspective and to discuss final candidate(s).
- F. The Search Committee will submit the names of the final candidate(s) unranked to the District Superintendent/President.
- G. The Superintendent/President will determine the final candidate(s).
- H. If no final candidate(s) can be determined, the hiring process will return to the most appropriate stage. This may include review of the job specifications and qualifications to determine if changes should be made to the position announcement.

- I. Once the finalist(s) has (have) been identified, reference checks will be conducted by the Chair of the committee and submitted to the Human Resources Office in a written, legible manner.
- J. In the case of Vice President and Superintendent/President positions, identified finalists will proceed to the second level interview stage.

IX. Second Level Interviews for Vice President and Superintendent/President Positions

In the case of Vice President and Superintendent/President positions, identified finalists proceed to the second level interview stage. The purpose of the second-level interview is two-fold: to give the campus community a chance to meet and evaluate the candidate, and to give the candidate a chance to decide whether this would be a good place for him or her to work.

- A. All finalists should follow the same schedule, so that all will be reviewed under the same conditions. This means that any internal candidates should follow the same schedule as the external candidates.
- B. Identified finalists will be invited to campus to meet with various individuals and groups including:
  - 1. Superintendent/President (typically from 8:00 a.m. to 9:00 a.m.)
  - 2. Academic Senate and Union representatives (typically from 10:00 a.m. to 11:00 a.m. as one group)
  - 3. Deans (vice president finalists typically meet with Administrative Council members from 11:00 to 12 noon)
  - 4. Board of Trustees (vice president and superintendent/president finalists meet Board members at lunch in the President's Conference room)
- C. In addition to meetings with various individuals and groups, the candidates should present an "open forum" at which each finalist will be given an opportunity to discuss their preparation for the position, their education and leadership philosophy, their views on significant issues related to the position, and respond to questions from the forum attendees. The forums will be open to the public.

X. Final Selection

- A. Additional reference checking will be completed at this time.
- B. The District Superintendent/President will make a final recommendation to the Board of Trustees.
- C. The Board will approve the recommended candidate in open session.
- D. If no acceptable candidate is identified, the hiring process will return to the most appropriate stage.

**PROCEDURES AND PRACTICES FOR HIRING OF FULL-TIME CONFIDENTIAL/MANAGEMENT/SUPERVISOR STAFF**

DEFINITION OF TERMS

For the purposes of this document, the following terms will have the designated meanings:

Confidential refers to any employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions. (Govt. Code 3540.1)

Management/Supervisory refers to those positions or classes of positions specified as supervisory, administrative, or executive and excluded from the overtime provisions. (Education Code 88029 and Government Code 3540.1)

Immediate Supervisor refers to the supervisor/manager or administrative officer with direct responsibility for the position under consideration.

Required Qualifications, Desirable Qualifications, and Equivalencies, as used in later sections of the document, refer to the definitions established in Part 1 of the document.

## ORGANIZATION

This policy is presented in two sections.

Part I addresses the establishment of Required Qualifications, Desirable Qualifications, and the Evaluation of Equivalencies for Minimum Qualifications.

Part II addresses the hiring procedure. It contains a flow-chart which establishes the order of activities and a narrative which details the procedures.

Unless expressly articulated in narrative form, all hiring activities will be conducted using all of the appropriate procedures in both parts.

### PART I Required Qualifications, Desirable Qualifications, Evaluation of Equivalencies

#### 1. Required Qualifications

- a. The Minimum Qualifications recommended by the manager/supervisor and approved and adopted by the Board of Trustees of the District will be used as the basis for minimum qualifications for all non-instructional positions.
- b. All applicants will be provided the opportunity to have equivalent qualifications, as stated on the job description and job announcement, reviewed and considered for the meeting of minimum qualifications.
- c. Required Qualifications for all positions will include “sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic background of community college students.” [re: AB 1725, Sect. 87360, p. 50]
- d. The staff of the Human Resources Office will determine the candidates who meet minimum qualifications as set forth in the job announcement based on information provided on the official position announcement. Educational qualifications beyond high school will be verified by copies of official transcripts or degrees provided by the applicant. All degrees and units used to satisfy minimum qualifications shall be from accredited institutions. “Accredited institution” shall mean a postsecondary institution accredited by an accreditation agency recognized by either the U.S. Department of Education or the Council for Higher Education Accreditation.
- e. The files of all candidates who meet minimum qualifications will be reviewed by the screening committee. The screening committee will not review the file of any candidate who does not meet minimum qualifications.

#### 2. Desirable Qualifications

- a. Job announcements may include a set of “desirable qualifications,” separate from the minimum qualifications. These desirable qualifications should describe meaningful characteristics that support the functional responsibilities of the position.
- b. The combination of the minimum qualifications and the job-related desirable qualifications will be used as the basis for decision making throughout the screening, interviewing, and



recommendation of applicants. Among the desirable characteristics to be considered in the decision making process will be the District's commitment to "hire and retain employees whose backgrounds and abilities add to the cultural diversity of the institution."

### 3. Establishing Required and Desirable Qualifications

- a. The required and desirable qualifications will be identified by the manager/supervisor in consultation with the divisional administrator and the divisional Vice President. The initial drafting of the required and desirable qualifications will be done by the manager/supervisor and/or administrator.
- b. The Equal Employment Opportunity Officer will monitor the minimum and desirable qualifications for adverse impact. If the EEO Officer believes the qualifications appear to be too restrictive, he/she will meet with the divisional administrator and the immediate supervisor to review the qualifications. If discriminatory intent or effect is identified, the EEO Officer shall implement solutions and/or confer with the divisional Vice President to determine necessary remedies.

### 4. Criteria for Determining Educational Equivalency

- a. In general, formal academic training equivalent to the training stipulated in the minimum qualification will be considered acceptable. Completion of all academic requirements by the effective date of employment shall be required. Examples of such equivalencies might include (but not be restricted to):

- (1) Minimum degree requirement from an accredited institution with a different name but supported by course work equivalent to the field required.
- (2) Completion of course work and academic requirements required for the minimum degree from an accredited institution without the award of the degree (e.g., a candidate who has completed degree requirements but has not received the degree due to the academic calendar).

Evidence in support of equivalent academic training shall include transcripts from appropriately accredited institutions.

- b. When minimum qualifications require a bachelor's degree in a designated major, a bachelor's major shall be accepted if it meets one of the following sets of criteria.

- (1) A major designated on the transcript which is determined to be equivalent to the designated major (e.g., Management for Business Administration). If the major is clearly designated on the transcript, no equivalency review is necessary.)
- (2) Twenty-four semester units of credit (or equivalent quarter units) in the designated major field with 18 of those units at the upper division level. For disciplines in which equivalent courses are offered in different departments, the equivalent courses in different disciplines may be counted toward the 24 units.

Evidence in support of equivalent academic training shall include transcripts from appropriately accredited institutions.

- c. For disciplines in which the degree is not generally expected or available (e.g. vocational areas), the equivalent of an associate's degree shall be considered the successful completion of two years of course work at a two- or four-year institution (the equivalent of 60 semester hours) including the completion of courses usual to a general education component.

Evidence in support of equivalent academic training shall include transcripts from appropriately accredited institutions.

- d. In determining the equivalence for a year of specified professional service, Human Resources will consider whether the equivalent experience required the performance of duties typical of the specified professional service.
- e. After a position has gone through a complete announcement, recruitment, and application cycle using the established minimum qualifications criteria, and it is determined that the pool of applicants is inadequate, the following procedure may be used. The administrator and immediate supervisor in the division may determine that a combination of non-academic and academic training and experience will be accepted as equivalent to the minimum qualifications for a position. In such cases, the administrator and the immediate supervisor in the division will specify the following equivalent criteria before the position is announced, and a complete description of the criteria will be included with the position announcement. The determination of equivalent qualifications shall be subject to the review and approval of the EEO Officer.
  - (1) Possession of an associate's degree. An appropriate major discipline(s) will be specified, if the faculty and the immediate supervisor determine the specification of a discipline to be a necessary equivalency.
  - (2) The specific experience required or management function as a full-time employee, etc.
  - (3) The level of the experience (e.g., a management level equivalent to supervisor of record, etc.)
  - (4) The length and/or amount of experience (e.g., four years of full-time experience, four seasons as director/supervisor, etc.)

All specified experience must be verifiable, through references. The reference checks will be reviewed by Human Resources. The procedures outlined in "Establishing Required and Desirable Qualifications" will be used in the establishment of equivalency criteria. This provision may be used again if the new search does not produce an adequate pool.
- f. Clear and verifiable eminence in a field will be considered equivalent to minimum qualifications. Documentation must be provided that establishes that the candidate is recognized as eminent outside or his/her geographical region and that the candidate's eminence is based on experiences and activities in his/her field clearly beyond those that are usual.

## PART II Hiring Procedure

The following narrative supplements the flow charts in the Appendix.

### 1. Announcement of Positions

- a. The Announcement of a Position will be drafted by the administrator of the division and the immediate supervisor who established the minimum and desirable qualifications for that position (see "Establishing Required and Desirable Qualifications") in consultation with the Vice President of Human Resources, or his/her designee, and the Vice-President with domain over the position.
- b. Position announcements will include the following sections:

**Basic Function** A brief description of the position and the relationship of the position to the divisional and college functions and activities.

**Education and Experience** A statement including the established minimum qualifications, the appropriate valid credential(s), the provision for equivalencies, and reference to "sensitivity to and understanding of the diverse academic, socioeconomic, cultural,

disability, and ethnic background of community college students.” (see “Required Qualifications”)

**Desirable Qualifications** A list of the qualifications that have been established as desirable. (See “Desirable Qualifications”)

Since the minimum and desirable qualifications will be used to establish the criteria for screening applications, interviewing candidates, and recommending candidates, the descriptions of these qualifications should provide applicants with a basis for submitting supporting materials that address these criteria.

**Representative Duties** A list of typical duties including the following:

- (1) A brief description of the primary responsibilities.
- (2) A description of any ancillary responsibilities.
- (3) Reference to scheduling considerations (e.g., assignment to evening duties, etc.).
- (4) Leadership responsibilities (e.g., responsibility for leading a specific aspect of a departmental program).
- (5) Service responsibilities related to the assignment (e.g., advisory committees, standing committees, etc.).
- (7) A description of any other duties unique to the position.
- (8) Closing date and address for submission of application materials.

**Knowledge** A list of the knowledge required to perform the position.

**Ability** A list of the abilities required to perform the position.

**Work Direction, Lead and Supervisory Responsibilities** to provide work direction, lead, and/or supervisory responsibilities to other employees, if applicable, and the levels of employee over whom such authority is exercised.

**Contacts** District personnel and outside contacts required by the position.

**Physical Effort** Physical effort required by the position.

**Working Conditions**

**Salary and Benefits** A statement of the entry salary range and a brief narrative description of fringe benefits in effect at the time of the announcement.

**Application Procedure** Applicants will be given instructions regarding the completion of the application process and will be informed that incomplete applications will not be considered. The application procedure will include the following:

- (1) An official district application form. No separate form will be provided for equivalency considerations, however, applicants will be encouraged to provide a narrative description of their equivalent experience along with transcripts and other documentation to support their request for equivalency.
- (2) Official transcripts for all college course work (if required in the announcement). Unofficial transcripts may be used to establish an application file.
- (3) A resume.
- (4) When appropriate, verification of appropriate credentials (i.e. certificates of completion for vocational programs, etc.).

- (5) When appropriate, verification of “professional experience” as articulated in the minimum and desirable qualifications.

The following materials may be required at the discretion of the administrator of the division and the immediate supervisor involved in the drafting of the announcement:

- (6) Recent letters of recommendation or a placement file containing such letters.
- (7) A letter of intent or application.

When appropriate, additional support materials may be requested as optional. Such materials may include work samples (e.g., video tapes, portfolios, written materials, etc.) and other materials directly related to the criteria established in the minimum and desirable qualifications.

Selection Procedure A brief description of the selection process including:

- (1) The review process to select candidates for interviews.
- (2) The candidate will be interviewed by a committee. Final approval is granted by the Board of Trustees, upon the recommendation of the hiring supervisor and the President.
- (3) A description of any other selection activities that are anticipated at the time of the announcement (e.g. a questionnaire, etc.)

Statement of Equal Employment Opportunity policies including reference to “encouraging applications from minorities and women.”

- c. The Equal Employment Opportunity Officer will review the draft of the job announcement for the potential for adverse impact pursuant to provisions in “b” of “Establishing Required and Desirable Qualifications.”
- d. The final draft of the position announcement will be reviewed by the administrator of the division, the immediate supervisor, and Human Resources.
- e. Upon the approval of the final draft of the announcement, the immediate supervisor for the position will set a tentative time table for the hiring process (e.g., Screening Committee orientation/training, application review, etc.) in consultation with the divisional administrator, the Equal Employment Opportunity Officer, and the Vice-President with domain over the position.

## 2. Screening Committee

Formation of the Committee

- a. The immediate supervisor for the position will consult with the administrator of the division to formulate a preliminary list of Screening Committee members. If no full-time confidential/management/supervisory staff currently work in the department or perform similar duties, the immediate supervisor will consult with at least two full-time confidential/management/supervisory staff in reasonably related fields. Classified staff may also be included on the Committee.

Once a preliminary list has been formulated, the immediate supervisor will ascertain the willingness of the people on that list to serve. If changes must be made to the preliminary list, the immediate supervisor will consult with the divisional administrator who participated in forming the preliminary list.

- b. The preliminary membership list will be forwarded to the Equal Employment Opportunity Officer and the Vice-President with domain over the position for review. If either of these

officers have concerns about the membership list related to the responsibilities of their respective offices, that officer will recommend changes to the immediate supervisor of the division. It will be the responsibility of the immediate supervisor and/or the Vice-President with domain over the position to communicate the resolution of any concerns to the individual(s) in question.

#### Membership

- a. Every Screening Committee will include members selected by the immediate supervisor of the division and the Vice-President with domain over the position.
- b. Every Screening Committee will include one member designated as the Equal Employment Opportunity Representative. It shall be the responsibility of this member to monitor the committee proceedings for possible adverse impact and to act as an advocate for the institution's EEO/Staff Diversity goals. It shall be the responsibility of the EEO Officer to appoint the EEO Representative. Persons appointed as EEO Representatives will be employees who have received special training in Equal Employment Opportunity and personnel practices. The responsibilities of the EEO Representative are intended to supplement, not replace or abridge, the responsibilities of the Equal Employment Opportunity Officer.
- c. Whenever possible, the screening committee shall include members of protected groups (ref.: Title V, 53024)
- d. The chair of the Committee will be the immediate supervisor for the position being hired (or his/her designee).
- e. If unusual circumstances prevent the formation of a Screening Committee as described herein, the immediate supervisor for the position and/or the Vice President with domain over the position will consult with the Equal Employment Opportunity Officer to determine a reasonable representation.

#### Responsibilities of the Screening Committee

The following activities are sequential:

- a. The Committee will receive training on Equal Employment Opportunity, as well as training in relevant personnel practices before participating in the establishment of criteria or the reviewing of any applications.
- b. The Committee will identify the hiring criteria based on the minimum and desirable qualifications included on the position announcement. The Committee will draft questions to be used in the interviews of all candidates. If desirable, the Committee will articulate any supplementary interview activities to be presented by all candidates (e.g., questionnaires, etc.). The questions and supplementary interview activities will be reviewed by the Equal Employment Opportunity Officer.
- c. The entire Committee will meet to review and the divisional representatives (staff and immediate supervisor) will determine the acceptability of qualifications based on the minimum qualifications established in the announcement of the position and the guidelines described in "Criteria for Determining Equivalency." No assessment of the applicant's qualifications beyond the equivalency to minimum qualifications will be made at this stage of the process.
- d. The Committee members may review the application materials of all candidates who meet minimum qualifications. Committee members will assess each applicant using the criteria established at step "b".

- e. The Committee will meet to determine which applicants shall be invited for an interview based on the established criteria. The number of candidates to be interviewed will be determined by the Committee based on the pool of applicants, the apparent strengths and weaknesses among the candidates, and the need to insure that a diverse and representative group of applicants are interviewed.
- f. If the Screening Committee, in consultation with the Vice President of Human Resources, determines that there is not an adequate pool of candidates who meet the minimum and desirable qualifications as specified in the job announcement, the Committee may request that the position be re-advertised, using the same hiring criteria, application review, and interview procedures. Persons in the original pool of applicants will be notified of the re-advertisement and informed of their status for subsequent considerations. If the Committee determines that there is a need to revise the job announcement, the Screening process will end and the procedures for drafting a position announcement will be initiated.
- g. The list of candidates to be interviewed will be reviewed by the Equal Employment Opportunity Officer. The EEO Officer will determine whether the pool of candidates selected for interviews includes a reasonable representation of applicants who, if hired, would help the District meet its diversity goals. If the Equal Employment Opportunity Officer determines that (1) there are applicants who would help the District meet its diversity Employment Opportunity goals and (2) those applicants do meet minimum qualifications as specified in the job announcement, and (3) those applicants were not selected for an interview, the Equal Employment Opportunity Officer will meet with the screening committee to determine which of those applicants will be invited for an interview.
- h. The Committee will interview all candidates using the list of questions and supplementary activities established at step “f”. Appropriate job related “follow-up” questions may be included in the interview so long as (1) they are based directly on the candidate’s response to a question, (2) do not seek information outside of the scope of the established hiring criteria, and (3) are not in violation of Equal Employment Opportunity guidelines.
- j. Following the interviews, the Committee will attempt to arrive at a consensus of the recommendation(s) to make to the hiring supervisor or administrator. If consensus is not possible, the Chair may request a vote or a prioritization by each Committee member. Each Committee member will have equal voting privileges.  
  
If, after the interviews, in consultation with the Equal Employment Opportunity Officer, the Committee determines it cannot recommend any candidate, the Committee may initiate a re-advertisement of the position or the revision of the position announcement as described in item “f” above.
- k. After interviewing the recommended candidates, the hiring supervisor or administrator will select a candidate and forward his/her recommendation to the President and Board of Trustees for final approval.

**CLASSIFIED HIRING PROCEDURES**

When a classified position is vacant, the manager completes the “Personnel Requisition Form” and submits it to the Human Resources Office for processing. Human Resources will notify the President of the Classified Union. When the “Personnel Requisition Form” is processed, the Human Resources Office will officially announce the position vacancy.

The process will be monitored at 4 stages for Equal Employment Opportunity compliance, which are as follows:

1. Evaluation of Pool

2. Minimum Qualifications
3. Screening and Interview
4. Hiring

#### ANNOUNCEMENT OF POSITIONS

All announcements will include the following information:

- (1) Title
- (2) Part-time/Full-time
- (3) Permanent/Temporary (District/Categorical)
- (4) Benefits, negotiated by collective bargaining
- (5) Description
- (6) Representative duties
- (7) Minimum Qualifications (Education and Experience)
- (8) Desirables
- (9) Testing, if applicable
- (10) Salary range
- (11) Working hours, if outside normal hours of 8 – 4:30 p.m.
- (12) Working Conditions
- (13) Deadline Date
- (14) Position Start Date
- (15) Equal Employment Opportunity Statement
- (16) ADA Statement

**Testing.** The managing supervisor will advise the Human Resources Office what, if any, skills testing are desirable for the position. All tests will be non-discriminatory and in compliance with the spirit of Equal Employment Opportunity (EEO) policies. Tests also need to relate to the responsibilities of the position being hired.

The hiring process will be subject to a check-off list attached to this document (Appendix I). The EEO Officer will review applicant rating criteria, interview questions, supplemental questions, skills and performance tests and any other application materials.

#### **Posting Guidelines (for both full time and part time positions):**

- (1) Prior to public announcement, the position will be posted in-house for five working days for any transfer requests.
- (2) All positions not filled by transfer will be open for a minimum of ten working days.

**Advertising.** Announcements are posted in house for five working days. If not filled by in-house transfer, the announcement will be sent to local school district offices; advertised in one or more area newspapers; and sent to businesses, organizations and other colleges, as appropriate.

No applications will be accepted after 4:30 p.m. on the filing date.

The Human Resources Office will maintain EEO information, score tests (if applicable), prepare file documents, and screen applications to determine candidates that meet minimum qualifications as

specified in the job description. If there are any questions regarding the minimum qualifications, the Vice President of Human Resources/designee will review the applications.

**Hiring Committee (Recommended 5, minimum of 4 persons):**

- (1) The hiring committee chair (Managing Supervisor) and one or two classified representative(s) in the area of hiring to be on the committee.
- (2) The classified union president will select a representative of the classified union.
- (3) The EEO Officer/designee will appoint a classified employee as the EEO representative, who will serve as an additional voting member of the hiring committee.
- (4) The Human Resources Office reviews composition of the hiring committee for equal employment compliance.
- (5) The hiring supervisor/manager and the EEO Officer/designee will meet with the entire Hiring Committee for the purpose of:
  - a. Defining the role of the hiring committee as that of a recommending body reviewing applications/materials and conducting interviews. Also providing the committee with hiring and selection instructions.
  - b. Providing an overview of EEO guidelines.
  - c. Establishes that all proceedings of the hiring committee shall be kept confidential. The entire hiring process requires confidentiality on the part of all hiring committee members. The rights and reputations of the candidates need to be protected. Ratings and comments made by the committee members must not be shared with non-committee members. All committee members will receive a copy of the EEO guidelines and be required to sign a confidentiality agreement.
  - d. All committee members must attend all meetings, if a committee member does not attend all meetings, they will no longer be on the committee and there will be no replacements allowed. When interviews are being conducted, the committee members will be required to be present for all interviews.
  - e. The hiring supervisor/manager and hiring committee are responsible for organizing and setting schedules and making arrangements for committee meetings for screening and selection. They are also responsible for reviewing the EEO guidelines to ensure compliance.

**The Hiring Committee will:**

- (a) Determine job-related screening criteria to be used by the committee in selecting candidates to be interviewed and develop the instrument used for ranking applicants;
- (b) Prepare interview questions, each set of questions shall include a diversity question and be read to each candidate;
- (c) Screen and rate all qualified applicants independently and select the best qualified applicants to interview;
- (d) Determine interview date, time and location.

**The Human Resources Office will:**

- (a) Review the candidates selected for interviews, matching qualifications with screening criteria;
- (b) Review those not selected for interviews against the screening criteria;



- (c) Review Equal Employment Opportunity goals and diversity;
- (d) Schedule interviews

**Preparation of Interview Packet:**

The Office of Human Resources, prior to the interview, will provide a packet of materials for each hiring committee member, which will include:

- (1) Interview schedule
- (2) Applications and any attachments
- (3) Job announcement
- (4) Hiring Procedures
- (5) Copy of Interview Questions and Rating Sheet
- (6) A final rating sheet will be given to the EEO representative or hiring committee chair

**Interview Process:**

- (1) The hiring committee will meet prior to the interviews to review procedures.
  - The same questions should be asked to each candidate, by the same committee member, and in the same sequence. Questions will be provided so candidates can read along with committee member. The chair or EEO representative will make sure the candidate(s) leave the questions in the interview room
- (2) The chair or designee will welcome the candidate and introduce the hiring committee members.
- (3) Committee members make appropriate notes and ratings for each candidate.
- (4) The hiring committee shall forward to human resources the acceptable candidates (preferably two), ranked in order of preference.

**Appointment**

Appointments to classified service shall be accomplished by the Board upon the recommendation of the President.

The President may authorize employment of short-term, classified, and confidential/management/supervisory personnel on a regular basis. Such appointments are subject to ratification for employment at the next Board meeting.

**PROCEDURES AND PRACTICES FOR HIRING OF FULL-TIME AND ADJUNCT (PART-TIME) FACULTY**

**ORGANIZATION**

- I. Procedure for hiring full-time faculty
- II. Procedure for hiring adjunct (part-time) and temporary (full-time) faculty
- III. Procedure for employing faculty interns
- IV. Role of Human Resources and the Application Process
- V. Glossary of Terms
- I. **The procedure for hiring full-time faculty is presented in four sequential sections:**
  - A. **Development of Job Announcement**

**B. Development and Role of Hiring Committee**

**C. Screening Process**

**D. Interview Process**

**A. DEVELOPMENT OF JOB ANNOUNCEMENT**

1. The faculty of the division/discipline, the educational administrator of the area/division, and the faculty EEO representative will draft the job announcement in consultation with the Faculty Union. (The faculty EEO representative may be from within or outside of the division. If a faculty member is not readily available, the educational administrator may assume the role of the EEO representative.) The District's Equal Employment Opportunity Officer will review the job announcement and consult with the area/division for any adverse impact.
2. The job announcement must contain the following sections:

**Introduction:** A brief description of the position, relationship to division, the discipline offerings, and any special responsibilities.

**Required Minimum Qualifications:** 1) the most current minimum qualifications as listed in the publication "Minimum Qualifications for Faculty and Administrators in California Community Colleges"; 2) the Academic Senate's approved Equivalency (See Appendix A); 3) any appropriate valid credential(s); 3) and a specific reference to "sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic background of community college students" (Assembly Bill 1725; Education Code 87360). If a candidate is claiming equivalency, an AVC Supplemental Equivalency Request Form must be provided and used.

**Desirable Qualifications:** A list of additional qualifications suggested by the division/discipline faculty, in consultation with the Faculty Union. The Equal Employment Opportunity Officer will monitor the job-related, desirable qualifications for adverse impact. If they appear to be too restrictive, he/she will meet with the division faculty and educational administrator to review qualifications.

**Duties of Position:** A list of typical duties, including the following:

- (1) A brief description of the primary responsibilities
- (2) A description of any co-curricular responsibilities (e.g. coaching, directing, etc.)
- (3) Reference to scheduling consideration (e.g. assignment to evening duties or off-campus)
- (4) Leadership responsibilities (e.g. responsibility for leading a specific aspect of an academic program)
- (5) Service responsibilities related to the academic and/or co-curricular assignment (e.g. advisory committees, standing committees, curriculum development, etc.)
- (6) A description of any other duties unique to the position
- (7) Closing date, list of required application materials, and address for submission

**Salary and Benefits:** A statement of the entry salary range and a brief description of fringe benefits in effect at the time of the job announcement.

**Required application materials:** An official, district application (signed and completed), a letter of intent, official transcripts (unofficial transcripts may be used to establish an

application file), a curriculum vita or resume, and, when appropriate, verification of credentials and/or licensor, or professional experience. It is the determination of the faculty whether to request current letters (dated within the last year) of professional reference for all positions in that division.

#### B. DEVELOPMENT AND ROLE OF HIRING COMMITTEE

1. The majority of the hiring committee members must be faculty members and must include a diverse membership that will bring a variety of perspectives to the assessment of applicant qualifications (Title 5: 53024 (f)).
2. The membership of the committee must include discipline faculty members. (If discipline faculty are not available, faculty from a related discipline or, if related discipline faculty are not available, adjunct discipline faculty may be selected.)
3. The membership of the committee will also consist of the educational administrator of the division/area (who will serve as the committee chair and EEO representative if a faculty member is not readily available to do so) and an appointed Academic Senate representative. The Vice President with domain over the position will begin his/her participation at the point of interviews.
4. In the formation of the committee, the educational administrator for the position will consult with the discipline faculty of the division to formulate a preliminary list of committee members. The educational administrator for the position, will request from the President of the Academic Senate the name of the individual (from outside the division) appointed to serve as the faculty representative of the Senate. (This faculty member cannot serve as the faculty EEO representative.)
5. Once the preliminary committee is formed, the educational administrator will circulate the list to the division faculty for comment. If changes must be made to the preliminary committee, the educational administrator will consult with the faculty who participated in forming the preliminary committee.
6. The preliminary committee list is forwarded to the District's Equal Employment Opportunity Officer. If there are identified concerns about the membership list, he/she will recommend changes to the educational administrator of the division. The discipline faculty must agree to any changes made to the committee membership. The educational administrator will communicate the resolution of any concerns to the individual(s) in question.

#### C. SCREENING PROCESS

The following activities are sequential:

1. At the first meeting, the EEO representative of the committee will train the hiring committee on Equal Employment Opportunity, as well as on relevant personnel practices. The training should include the District's EEO Plan as it relates to the current position. The committee will identify the hiring criteria based on the job-related, desirable qualifications included on the job announcement, as well as on consideration of the District's EEO Plan.
2. The committee will draft questions to be used in the interviews for all candidates. If desired, the job-related, supplemental interview activities or written material (e.g. teaching demonstration, sample lessons, syllabus, student handouts, etc.) for all candidates will be developed. The District's Equal Employment Opportunity Officer will review questions and supplemental interview activities or written material.

3. The discipline faculty on the hiring committee and the educational administrator will review the application packets to determine if minimum qualifications have been met. For those candidate(s) claiming equivalency to the minimum qualifications, the faculty and educational administrator must agree that a candidate meets the equivalency criteria. If they determine that the candidate(s) does meet the equivalency criteria, the candidate's packet is forwarded to the Equivalency Committee (see Appendix A). NO CANDIDATE IN THE HIRING POOL CAN BE INVITED FOR AN INTERVIEW UNTIL THE EQUIVALENCY COMMITTEE HAS REVIEWED THE EQUIVALENCY EVIDENCE PROVIDED BY A CANDIDATE.
4. The hiring committee will review only those application packets of candidates who meet minimum qualifications, as well as those that have been determined to meet the minimum qualifications through equivalency.
5. The committee will determine which candidates shall be invited for interview based on the established hiring criteria.
6. The list of candidates will be reviewed by the District's Equal Employment Opportunity Officer, who will then determine whether the pool includes reasonable representation in order to help meet the District's EEO Plan. If the EEO Officer determines that representative, qualified individuals have been excluded from the interview process and their inclusion would help the district meet the District's EEO Plan, he/she will meet with the hiring committee to determine if any of those candidates will be invited for interview.

#### D. INTERVIEW PROCESS

1. The hiring committee will interview all candidates using the agreed upon and approved list of questions and supplemental activities/written materials. Appropriate, job-related "follow up" questions may be included in the interview as long as (1) they are based directly on the candidate's response to a question, (2) do not seek information outside of the scope of the established hiring criteria, and (3) are not in violation of EEO guidelines.
2. The president may separately interview all candidates.
3. Following the interviews, the committee will attempt to arrive at consensus regarding the recommendation of one or more candidates to make to the President. If consensus cannot be reached, the Chair can request a vote or obtain a priority list of recommended candidates. All members have an equal vote.
4. If, after interviews, in consultation with the district's EEO Officer, the hiring committee determines it cannot recommend a candidate(s) to the President, the committee may revise the job announcement, in consultation with the Faculty Union, and begin a re-advertisement of the position.
5. Once the committee has reached a recommendation of one or more candidates, it will, along with the President, attempt to arrive at consensus to make a recommendation to the Board of Trustees.
6. The President will forward the Committee's recommendation (or recommendations if the committee is filling more than one position) to the Board of Trustees for final approval. The President may report a dissenting point of view to the Board of Trustees if he/she does not agree with the Committee's recommendation(s). The President will present to the Academic Senate President and committee, in writing, the reason for his/her dissenting point of view before taking recommendation to the Board of Trustees.

However, the President may not make an alternative recommendation to the Board. The expectation is that faculty recommendations regarding the hiring of faculty will normally be accepted is reinforced; only in exceptional circumstances and for compelling reasons communicated in writing to the hiring committee and to the President of the Academic Senate of the college will the Board not accept the committee's recommendation. The committee will then be reconvened and apprised of the Board's decision.

## II. Procedure for hiring adjunct (part-time) and temporary (full-time) faculty

- a. **Announcement of Positions** The Announcement of a Position will be drafted by at least one full time division/discipline faculty member, the faculty EEO representative, the educational administrator (in consultation with the Faculty Union), the Vice President of Human Resources and Employee Relations (or his/her designee), and the Vice-President with domain over the position. If a faculty member is not readily available, the educational administrator may assume the role of the EEO representative. If necessary, revisions will be made to the Desirable Qualifications (see "Development of Job Announcement")
- b. See Section I.A.2: Full-Time Faculty Development of Job Announcement
- c. **Hiring Committee Membership** Each hiring committee will include the educational administrator and at least one full time discipline faculty member who currently teaches the subject matter covered by the job announcement. (If a discipline faculty member is not available, a faculty member from a related discipline may be included.) The discipline faculty member on the hiring committee will also serve as the Academic Senate representative.
- d. **Formation of the Hiring Committee** The educational administrator for the position will consult with the discipline faculty who currently teach the subject matter covered by the job announcement (or performs other duties related to the position) to determine which faculty member will serve on the Committee. If no full-time discipline faculty currently teach in the subject matter or perform similar duties, the educational administrator will consult with at least two full-time faculty of the division in reasonably related disciplines.
- e. See Section I C.3: Full-Time Faculty Screening Process
- f. Each committee member will have an opportunity to review the application packets prior to interviews being scheduled.
- g. If desired, supplemental interview activities or written material (e.g. teaching demonstration, sample lessons, syllabus, student handouts, etc) may also be included for adjunct hires.
- h. Following the interviews, the hiring committee will determine which candidates will be placed in the pool of potential adjunct faculty. Once a candidate has been placed in a pool, the educational administrator may assign the adjunct faculty member(s) to teach/serve in the specified academic discipline as the divisional need requires and the law permits. The adjunct faculty member will remain in the pool unless the District Part-Time Faculty Evaluation Procedure results in a recommendation to the Vice President of Human Resources and Employee Relations, or his/her designee, that the adjunct faculty member be dropped from the pool of faculty eligible for assignment, or has remained in hiring pool without an assignment for three years.

The appropriate Vice President will notify the Office of Human Resources and Employee Relations if an adjunct faculty

member has received an unsatisfactory evaluation or has remained in the hiring pool without an assignment for three years.

Upon that notification, the Office of Human Resources and Employee Relations will remove that adjunct faculty member from the appropriate hiring pool(s).

#### Emergency Hiring

- a. Vacancies occurring less than seven weeks before the start of a term shall be considered emergency hires when there are no instructors available in the established pool. Any vacancy occurring seven weeks or more before the start of the term will be subject to the regular provisions of this hiring procedure.
- b. As soon as a need is established, the educational administrator will notify the Vice President of Human Resources and Employee Relations of the need to make an emergency hire. The Vice President of Human Resources and Employee Relations, or his/her designee, will provide the educational administrator with the most recent job announcement for the position. The educational administrator, in consultation with the Faculty Union, will make any necessary revisions to the announcement. The Vice President of Human Resources and Employee Relations, or his/her designee, and the educational administrator will determine appropriate methods of recruitment for the position and establish a timetable for the hiring procedure.
- c. The educational administrator will review the applications of candidates for emergency hire and interview the candidates who meet minimum qualifications. When possible, a full-time faculty member will be involved in the selection procedure as stipulated in the hiring procedure for adjunct faculty. If a candidate is claiming equivalency to the required minimum qualifications, the administrator must forward the application packet to the Equivalency Committee (per Equivalency Procedure: Appendix A). If the Equivalency Committee concurs with the educational administrator that the objective evidence supports the equivalency, then the educational administrator may select a candidate to interview. Once all interviews are completed, the educational administrator may select an individual to fill the emergency need. (If a full-time faculty member was involved in the selection procedure, he/she will assist in the selection of the individual to be hired.)

Adjunct faculty hired under this emergency procedure will not automatically become a part of the regular pool of adjunct instructors. During the term for which the emergency hiring occurred, the adjunct position will be advertised and candidates will be added to the pool according to the normal procedure outlined above. Candidates hired under the emergency procedure may be added to the regular pool after a satisfactory evaluation procedure that included participation by at least one full-time faculty member who currently teaches the subject matter. If no full-time faculty member currently teaches the subject matter, a full-time faculty member in a reasonably related discipline will participate in the evaluation.

### **III. Procedure for employing faculty interns (see Appendix B)**

The Faculty Internship Program at Antelope Valley College offers us the opportunity to increase the recruitment of new instructors and also enhance efforts to build a diverse and representative faculty. The program introduces a faculty intern to the community college campus environment through a partnership with a tenured faculty member who acts as a mentor, providing a positive learning experience for the development of a faculty intern. During an academic year, the program offers faculty interns the full range of faculty activities and experiences necessary to acquire the tools to become a successful community college instructor, counselor, librarian, or other faculty assignment.

California Code of Regulations (Subchapter 5) states that the governing board of any community college district may establish a faculty internship program pursuant to the provisions of the Subchapter and Section 87487 of the Education Code. In accordance, governing boards may employ, as faculty interns within the program, graduate students enrolled in the California State University, the University of California, or any other accredited institution of higher education or in vocational and technical fields where a master's degree is not generally expected or available, persons who are within one year of meeting the regular faculty minimum qualifications. Persons who meet the regular faculty minimum qualifications but who lack teaching, counseling, library, or other community college faculty experience may also be included in the internship program. The purpose is to enhance community college efforts toward building a diverse and representative faculty. In order to accomplish this, the internship program shall place special emphasis on locating and attracting qualified graduate students who are members of underrepresented groups.

#### **IV. Role of Human Resources and the Application Process**

Human Resources will manage the flow of paperwork to ensure that the hiring procedure is followed. In terms of the role of the Human Resources Office as it relates to determining equivalency, it will be to collect, date stamp, and forward applications and other pertinent information to the hiring committee. The Human Resource Office will assist the hiring committee chair in providing the Equivalency Committee with the application and evidence provided by candidates identified by discipline faculty and dean for meeting claims of equivalency.

#### **V. Glossary of Terms**

For the purposes of this document, the following terms will have the designated meaning:

1. Adverse or Disparate Impact—refers to a statistical measure that is applied to the effect of a selection procedure, and demonstrates a disproportionate negative impact on a historically underrepresented group per Title 5, Section 53024 (b).
2. Educational Administrator— refers to an administrator who is employed in an academic position designed by the governing board of the district as having direct responsibility for supervising the operation of or formulating policy regarding the instructional or student services program of the college or district. Educational administrators include, but not limited to, chancellors, presidents, and other supervisory or management employee designated by the governing board as educational administrators per Education Code: 87002 (b).
3. Equal Employment Opportunity—refers to practices that assure 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 per Title 5, 53024.
4. Protected Group—refers to any group defined in terms of ethnic group identification, race, color, national origin, religion, age, gender, disability, ancestry, or sexual orientation per Title 5, section 53024 (c).
5. Faculty—refers to all non-administrative academic staff, both classroom and non-classroom.
6. Faculty Academic Senate Representative—refers to a faculty member from outside the area/division (except on an adjunct hiring committee) appointed to the committee by the Academic Senate President and trained in the hiring process. This faculty member brings breadth to the committee and helps ensure that the procedures/practices are being followed. (This faculty member cannot serve as the faculty EEO representative.)

7. EEO Representative— refers to a faculty member from within or outside the division/discipline. If a faculty member is not readily available, the educational administrator of the area/division may assume the role of EEO representative.
8. Required Minimum Qualifications— refers to those qualifications listed in Title 5, Sections 53400-53430 and outlined in the “Minimum Qualifications for Faculty and Administrators in California Community Colleges” publication. Assembly Bill (AB) 1725 and Education Code 87360 require that the following statement accompany each announced position: sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic background of community college students.
9. Desirable Qualifications— refers to meaningful characteristics that support the functional responsibilities of the position but are separate from the required minimum qualifications. Desirable qualifications must be job related; they must NOT CREATE A BARRIER FOR EMPLOYMENT.
10. Equivalency—refers to the Academic Senate’s approved equivalency for the required minimum qualifications developed by discipline faculty. The approved discipline equivalency shall be reviewed and affirmed by the Academic Senate every three years. If not reviewed and affirmed, the equivalency is no longer valid; at which time, the established minimum qualifications must be used. The approved equivalency cannot be less than the minimum qualifications, but can be more rigorous. By law, a “single course equivalency” cannot be approved.
11. Discrimination—refers to the unlawful treatment of people differently or disparately, when it is in the form that is constitutionally or statutorily forbidden.
12. Qualified—refers to persons who can carry out the duties of a particular position from the date of employment.
13. Consensus—refers to when the committee has reached general agreement.

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## **Classified Hiring Procedures Checklist**

- Hiring Supervisor submits a Personnel Requisition Form to Human Resources
- Human Resources notifies Classified Union President
- Announcement is sent out to in-house for transfers, for a minimum of 5 working days, if in-house transfer, see in-house transfer checklist
- If there are no in-house transfers, announcement out to public, which includes the 16 items of information listed in procedures.
- If applicable, perform skills testing
- If no testing is required, human resources will prepare all documentation for hiring committee review
- Select hiring committee members per hiring guidelines and forward names to Human Resources
- Human Resources reviews composition of hiring committee for EEO compliance
- EEO representative is appointed by EEO officer/designee for committee
- EEO Officer/designee meets with hiring committee to review EEO guidelines, hiring guidelines and confidentiality
- Hiring supervisor and hiring committee organize and schedule required meetings and establish hiring criteria and notify human resources
- The hiring committee will review applications and select candidates for interview and notify human resources
- Human resources will review the candidates and verify that the candidates meet EEO compliance and screening criteria; then will schedule the interviews
- Human resources prepares interview packet for committee members
- Committee interviews candidates and selects a minimum of two candidates and fills out the top portion of “Recommendation for Employment” form and forwards to human resources
- Rating sheet and all other materials are turned into Human Resources by the EEO representative

- Committee chair performs reference checks on both candidates. Selected candidate is placed on bottom half of “Recommendation for employment” form
- Human resources notifies the candidate, College President and places candidates name on the Board personnel schedule for final approval
- Human resources notifies candidates not selected for the position
- EEO officer/designee prepares a report on selection process