

# EEO

## Equal Employment Opportunity Plan



GROSSMONT-CUYAMACA  
COMMUNITY COLLEGE DISTRICT

Updated October 5, 2023

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## **I. INTRODUCTION**

The Grossmont-Cuyamaca Community College District (GCCCD) embraces the diversity of our students and communities as a vital asset. We are committed to cultivating equity, inclusion and belonging throughout our organization and removing systemic barriers that impede success. This Equal Employment Opportunity Plan, adopted September 8, 2009, articulates our commitment to recruiting and retaining diverse faculty and staff who uplift our core values.

GCCCD serves a richly diverse region. Our students come from a wide range of backgrounds, perspectives, cultures, socioeconomic levels, and abilities. We believe this diversity strengthens our capacity to meet students where they are and provide transformative educational experiences. As an open access institution, we have a responsibility to equity and inclusion for all we serve.

A diverse workforce enriches our ability to meet our mission and foster student success. Employees who reflect and honor the diversity of our students are essential. An equitable and inclusive recruitment and hiring process expands our talent pool. Professional development focused on cultural competence and responding to varying needs creates a climate where all can thrive.

This Plan contains: an analysis of our workforce demographics; assessment of underrepresentation of monitored groups; complaint procedures for discrimination; an EEO Advisory Committee; methods to strengthen EEO and inclusion; and communication procedures. By taking proactive and ongoing measures to promote equal employment opportunity and cultivate a welcoming environment, we can become a more diverse and inclusive institution.

Our goal is to serve our dynamically changing communities by hiring and supporting talented and dedicated faculty and staff who embrace our diverse region as an asset. When we remove barriers and promote equity, we can become a place where people of all identities, abilities, and experiences feel welcomed and valued for who they are and what they contribute.

Lynn Neault  
Chancellor

## II. DEFINITIONS

Reference: Title 5, 53001 (a)-(p)

**Administrative Unit:** a group of workers that is defined by their reporting responsibility to the same manager/supervisor.

**Adverse Impact:** a statistical measure (such as those outlined in the EEO Commission's Uniform Guidelines on Employee Selection Procedure, Federal Register, Vol. 43 No. 166-August 25, 1978) that is applied to the effects of a selection procedure and demonstrates a disproportionate negative impact on any group protected from discrimination pursuant to Government Code section 12940. A disparity identified in a given selection process will not be considered to constitute adverse impact if the numbers involved are too small to permit a meaningful comparison.

**Complaint:** a written and signed statement meeting the requirements of Title 5, section 59328 that alleges unlawful discrimination in violation of the nondiscrimination regulations adopted by the Board of Governors of the California Community Colleges, as set forth at Title 5, section 59300 et seq.

**Defective Complaint:** (Title 5, Sec. 59332): A complaint is considered to be defective when the complaint is inconsistent with the form, manner, and/or time constraints of Government Code Section 11135 A.B. 803 guidelines or GCCCD Policy.

### **Department of Fair Employment and Housing (DFEH)**

**Discrimination:** - Treating an individual differently or less favorably because of their protected status, such as denying a promotion due to race.

**Disparate treatment:** Generally, refers to intentional discrimination against an individual or group based on their protected characteristics such as race, gender, age, disability etc.

**Disparate Impact:** Typically refers to employment practices that appear neutral but have a discriminatory effect or impact on a protected group.

**DEIA:** Diversity, Equity, Inclusion, and Accessibility.

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

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

- (1) identifying and eliminating barriers to employment that are not job related; and
- (2) creating an environment that fosters cooperation, acceptance, democracy, and free

expression of ideas and that is welcoming to men and women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination pursuant to Government Code section 12940.

**Equal Employment Opportunity Plan:** a written document in which a district's workforce is analyzed and specific plans and procedures are set forth for ensuring equal employment opportunity.

**Equal Employment Opportunity Programs:** all the various methods by which equal employment opportunity is ensured. Such methods include, but are not limited to using nondiscriminatory employment practices, actively recruiting, monitoring, and taking additional steps consistent with the requirements of Title 5, section 53006 (see Plan components XIII and XIV).

**Ethnic Group Identification:** an individual's identification in one or more of the ethnic groups reported to the Chancellor pursuant to Title 5, section 53004. These groups shall be more specifically defined by the State Chancellor consistent with state and federal law.

**General Harassment:** Harassment based on ethnic group identification, race, color, national origin, religion, sex or gender, ancestry, physical disability, mental disability, marital status, veteran status, or sexual orientation of any person, or the perception that a person has one or more of these characteristics is illegal and violates District policy. Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment. 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.

**In-house or Promotional Only Hiring:** "In-house or promotional only" hiring means that only existing district employees are allowed to apply for a position.

**Monitored Group:** according to Title 5, section 53001(i), those groups identified in Title 5, section 53004(b) for which monitoring and reporting is required pursuant to section 53004(a). Section 53004(b) indicates that data about employees and applicants should be collected and reported with respect to gender, ethnic group identification, and disability. Thus, monitored groups are men, women, American Indians or Alaskan natives, Asians or Pacific Islanders, Blacks/African-Americans, Hispanics/Latinos, Caucasians, and persons with disabilities.

#### **Office for Civil Rights, United States Department of Education (OCR)**

**Person with a Disability:** any person who (1) has a physical or mental impairment as defined in Government Code, section 12926 which limits one or more of such person's major life activities, (2) has a record of such an impairment, or (3) is regarded as having such an impairment. A person with a disability is "limited" if the condition makes the achievement of the major life activity difficult. Accommodations will be made in compliance with California disability requirements as they are more inclusive than Federal requirements.

**Preponderance of evidence:** The greater weight of the evidence required in investigations to determine if discrimination more likely than not occurred.

**Protected Class:** The groups protected from the employment discrimination by law. These groups include men and women on the basis of sex; any group which shares a common race, religion, color, or national origin; people over 40; and people with physical or mental

handicaps. Every U.S. citizen is a member of some protected class, and is entitled to the benefits of EEO law.

**Reasonable Accommodation:** the efforts made on the part of the District in compliance with Government Code section 12926. Typically, reasonable accommodation refers to a change or adjustment to a job, work environment, policy, or process that enables a qualified employee with a disability to perform the essential functions of their job and enjoy equal employment opportunities.

**Respondent:** The employer or party who the complaint is filed against alleging discrimination.

**Retaliation:** Punishing or taking adverse action against someone for engaging in protected activities like filing a discrimination complaint.

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

**Significantly Underrepresented Group:** “Significantly underrepresented group” means any monitored group for which the percentage of persons from that group employed by the district in any job category listed in section 53004(a) is below eighty percent (80%) of the projected representation for that group in the job category in question.

**Similarly situated:** Comparing treatment of a person inside protected class to those outside with substantially similar job position, requirements, performance.

**Work Force (Labor Force):** people who are both employed and employable, qualified to perform a specific task or carry out the responsibilities of a given position.

### III. POLICY STATEMENT

Reference: Title 5, 53002, et seq.; Education Code 87100 et seq.;  
BP 3410, 3415, 3420, 3430, 7100, 7120; AP 3410; 3415, 3420, 3430, 7100, 7120

The Grossmont-Cuyamaca Community College District wholeheartedly champions diversity, equity, inclusion and social justice throughout our academic community. We actively cultivate an environment where students, faculty, staff and administrators of all identities, backgrounds and life journeys feel welcomed, supported, valued and empowered.

Our commitment to equity and inclusion is outlined in Board Policy 3420 Equal Employment Opportunity and Administrative Procedure 3420 Recruitment and Hiring, grounded in Title 5 principles of diversity, equity and inclusion. We believe our diversity strengthens our capacity to achieve inclusive excellence in serving all students.

GCCCCD is dedicated to identifying and removing systemic barriers that impede student success. We strive to be a model of social justice where diversity is esteemed as an asset. Our variety of perspectives, cultures and abilities enriches our community and educational experiences.

Our goal is to exemplify inclusive excellence, where diversity and student success are integral to our mission. We will achieve this by implementing ongoing multidimensional strategies, including:

- Proactively recruiting diverse qualified candidates dedicated to our mission
- Utilizing inclusive search committees reflecting our communities
- Training search committees on achieving educational benefits of workforce diversity, eliminating unconscious bias, and equitable practices
- Continuously evaluating and improving recruitment strategies using voluntary demographic data to promote equal opportunity
- Auditing policies, procedures and practices to remove systemic barriers and ensure equity
- Providing professional development on cultural competence, unconscious bias and diversity issues
- Collaborating with diverse community groups to build inclusive partnerships

By taking meaningful actions to eliminate barriers, promote equity, and foster belonging, GCCCCD will become a more diverse institution capable of meeting the evolving needs of our dynamic region.

At GCCCCD, we embrace our shared future, united by our common purpose to empower every student to achieve their full potential. Our diversity makes us stronger.

## IV. DELEGATION OF RESPONSIBILITY, AUTHORITY AND COMPLIANCE

Reference: Title 5, 53003 (c) (1) and 53020

The Grossmont-Cuyamaca Community College District upholds the highest values of diversity, equity, inclusion and social justice throughout our academic community. We actively cultivate an environment where students, faculty, staff and administrators of all backgrounds are welcomed, supported, valued and empowered to thrive.

Our variety of perspectives and experiences enriches our capacity for transformative teaching and learning. We strive to promote inclusive excellence where diversity and student success are integral to our mission. Cultivating mutual understanding, compassion and respect strengthens our community.

Actualizing equal employment opportunity and an inclusive climate requires commitment from every member of the District. We each have a role to play in identifying and removing systemic barriers that impede achievement. Through professional development and community building, we gain the cultural competence to meet evolving needs. By assessing policies, procedures and practices, we promote full inclusion and belonging.

Realizing the benefits of our diversity calls each of us to bring our authentic selves to enrich the academic environment. Our shared responsibility is to take action so all students can achieve their full potential. The general responsibilities for the prompt and effective implementation of this Plan are set forth below.

1. **Governing Board**

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

2. **GCCCD Chancellor**

The Governing Board delegates to the GCCCD Chancellor the responsibility for ongoing implementation of the Plan and for providing leadership in supporting the District's equal employment opportunity policies and procedures. The Chancellor shall advise the Governing Board concerning statewide policy emanating from the Board of Governors of the California Community Colleges and direct the publication of an annual report on Plan implementation. The Chancellor shall evaluate the performance of all GCCCD executive leadership and other staff who report directly to him/her on their ability to promote and advance the components of the Plan

3. **District EEO Officer or Designee**

The GCCCD Chancellor shall appoint an EEO Officer responsible for the day-to-day implementation of the Plan. GCCCD will notify employees and applicants for employment of this appointment. The EEO Officer is responsible for administering, implementing and monitoring the Plan and for assuring compliance with the requirements of Title 5, sections 53000 et seq. The EEO Officer is also responsible for receiving complaints described in Plan Component VI and for ensuring that applicant pools and selection procedures are properly monitored. The EEO Officer is responsible for facilitating EEO training, assuring Human Resources representatives serve on committees, and assisting each screening committee in identifying job-related criteria

that are likely to remove barriers to full and open equal employment opportunities thereby enhancing the diversity of the applicant pool. The EEO Officer may designate some duties to Human Resources staff, but is ultimately responsible for EEO compliance.

**4. Agents of the District**

Any organization or individual, whether or not an employee of the District, who acts on behalf of the Governing Board with regard to the recruitment and screening of personnel, is an agent of the District and is subject to all the requirements of this Plan and all Title 5 EEO requirements. All GCCCD agents shall make a continuous good faith effort to comply with all the requirements of this Plan.

**5. Equal Employment Opportunity Advisory Committee**

GCCCD has established an Equal Employment Opportunity Advisory Committee to act as an advisory body to the EEO Officer and GCCCD as a whole to promote understanding and support of EEO policies and procedures. GCCCD has established an Equal Employment Opportunity Advisory Committee (EEOAC) within the Human Resource Advisory Council (HRAC) charge to assist in the development, implementation, and monitoring of its Plan. The EEOAC shall assist in the implementation of the Plan in conformance with state and federal regulations and guidelines, monitor EEO progress, and provide suggestions for Plan revisions as appropriate.

**6. Human Resource Advisory Council**

GCCCD has established a Human Resource Advisory Council (HRAC) to serve in an advisory capacity to the Human Resources Department to support its ongoing commitment to providing quality services for employees based on the District vision and goals.

## V. ADVISORY COMMITTEE

Reference: Title 5, 53003, District Governance Structure

GCCCD has established an Equal Employment Opportunity Advisory Committee (EEOAC) within HRAC to assist in the development, implementation, and monitoring of its Plan. The committee will also assist in promoting an understanding and support of equal opportunity and nondiscrimination policies and procedures. The EEO Officer shall train the EEOAC on equal employment compliance and the Plan itself. The advisory committee shall receive training in all of the following:

- (a) The requirements of subchapter 53003 and of state and federal nondiscrimination laws;
- (b) Identification and elimination of bias in hiring;
- (c) The educational benefits of workforce diversity; and
- (d) The role of the advisory committee in carrying out the District's EEO Plan.

The committee shall include a diverse membership whenever possible. A substantial good faith effort to maintain a diverse membership is expected. If the District has been unable to meet this requirement, it will document that efforts were made to recruit advisory committee members who are members of monitored groups.

The EEOAC is subsumed in HRAC, which is scheduled to meet monthly to review Human Resource procedures and practices and reviews diversity, equity, inclusion and the EEO efforts. When appropriate, the advisory committee shall make recommendations to the EEO Officer, the chief executive officer, and the Governing Board.

## VI. COMPLAINTS

Reference: Title 5, 53003 (c)-(2), 53026 and 59300, 59324 et seq.  
BP 3415, 3420, 3430, 3435, 7120; & AP 3415, 3420, 3430, 3435, 7120  
Personnel Procedures PE 2, PE 9 and PE 12

An EEO complaint, which includes but is not limited to allegations such as hostile work environment, disparate treatment, reprisal and failure to accommodate, is a process in which someone who feels they have been discriminated against or unfairly treated on the basis of their membership in a protected class can seek resolution. EEO complaints must be based on receiving differential or adverse treatment in employment matters that the complainant believes is based on their protected class.

### A. Responsible District Officer

The GCCCD EEO Officer is designated as the person responsible for receiving complaints filed pursuant to Title 5, Section 53026, 59307, 59327, 59328 of the California Code of Regulations and coordinating their investigation. The actual investigation of complaints may be assigned to other GCCCD staff or to outside persons/organizations under contract with the GCCCD ~~in the event the EEO Officer is named in the complaint or is implicated by the allegations in the complaint~~ in situations which may include a complaint made against the EEO Officer or any member of Senior Leadership. GCCCD complaints on EEO matters will be handled in accordance with Title 5 regulations.

### B. Notice to Students and Employees (Title 5, Sec. 59326)

The EEO Officer shall notify students and employees of the provisions of this complaint procedure.

### C. Informal Resolution (Title 5, Sec. 59327)

Complainants are encouraged to resolve their complaints at the lowest level possible. While complainants are not required to confront or work out problems with the person accused of unlawful harassment or discrimination, GCCCD recommends an informal resolution be attempted prior to filing a formal complaint.

If the complainant is unable to resolve the complaint with the person(s) accused of unlawful harassment or discrimination the complainant shall submit his/her complaint to the appropriate administrator. The role of the administrator is to work with the EEO Officer or that designee to facilitate an informal resolution of the issue. The appropriate administrator will have 30 days in which to respond and attempt to resolve the complaint.

If the complainant is not comfortable utilizing informal resolution methods, or attempts at resolution have been unsuccessful, the complainant may file a formal complaint.

### D. Formal Complaint (Title 5, Sec. 59328 and 59330)

1. **Timeline:** Formal complaints must be followed within the following time limitations:
  - a. In any complaint alleging discrimination in an employment/hiring process, the complaint must be filed within 180 days of the date the alleged unlawful discrimination

occurred. In the event that the complainant first obtained knowledge of the alleged violation after the expiration of the 180 days, an exception may be granted which extends this period by no more than 90 days following the expiration of the 180 days.

- b. In any complaint not involving an employment/hiring process, the complaint shall be filed within one year of the date of the alleged unlawful discrimination or within one year of the date on which the complainant knew or should have known of the facts underlying the allegation of unlawful discrimination.

2. **Format:** Complaints shall be submitted to the GCCCD EEO Officer in the following format:

- a. The complainant shall utilize the GCCCD Discrimination Complaint Form (see Appendix C); and
- b. The complaint shall be filed by one who alleges that he or she has personally suffered unlawful discrimination, or by one who has learned of such unlawful discrimination in his or her official capacity.

Immediately after receiving a complaint filed in accordance with Section 59328, GCCCD shall notify the State Chancellor of the complaint in form and manner determined by the State Chancellor. An investigation of alleged unlawful discrimination ~~shall~~ **may** be initiated by filing a complaint which meets the above requirements.

In any complaint alleging discrimination in employment, the GCCCD EEO Officer shall:

- a. advise the complainant that he or she may file the complaint with the U.S. Equal Employment Opportunity Commission (EEOC) and/or the Department of Fair Employment and Housing (DFEH) where the complaint is within the jurisdiction of those agencies; and
- b. forward a copy of any filing by the complainant with the DFEH or the EEOC to the Chancellor's Office for a determination of whether the issues presented require an independent investigation of the matter under the provisions of Section 59328.

#### **E. GCCCD Investigation (Title 5, Sec. 59334)**

Upon receiving a complaint which is properly filed in accordance with Plan Component VI, Section D, the EEO Officer ~~shall~~ **may** commence an impartial fact-finding investigation of that complaint and notify the complainant and GCCCD Chancellor that it is doing so. The results of the investigation shall be set forth in a written report which shall include at least all of the following:

- A description of the circumstances giving rise to the complaint;
- A summary of the testimony provided by each witness, including the complainant and any witnesses identified by the complainant in the complaint;
- An analysis of any relevant data or other evidence collected;
- A specific finding as to whether discrimination did or did not occur with respect to

each allegation in the complaint; and

- Any other information deemed appropriate by Human Resources.

**F. Administrative Determination** (Title V, Sec. 59336)

Within ninety (90) days of receiving a complaint and after an initial assessment and narrowing of the issues has occurred, the GCCCD Human Resources department shall complete its investigation and forward all of the following to the complainant excluding good cause reasons for extending the investigation period:

1. A copy or summary of the investigative report required pursuant to Section E above;
2. A written notice setting forth the following:
  - a. The determination of the GCCCD EEO Officer as to whether discrimination did or did not occur with respect to each allegation in the complaint;
  - b. A description of actions taken, if any, to prevent similar problems from occurring in the future;
  - c. The proposed resolution of the complaint;
  - d. The complainant's right to appeal to the GCCCD Governing Board and Chancellor pursuant to Title 5, Sections 59338 and 59339; and
  - e. In the case of a complaint regarding employment, the complainant's right to file a complaint with Department of Fair Employment and Housing (DFEH).

**G. Appeals** (Title V, Sec. 59338)

1. If the complainant is not satisfied with the results of the administrative determination, the complainant may submit a written appeal to the GCCCD Governing Board within fifteen (15) days from the date the administrative determination notice was provided to the complainant. The basis for an appeal is limited to the following:
  - A. There was procedural irregularity that affected the outcome of the matter;
  - B. There is new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter;
  - C. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter;
  - D. The sanctions fall outside the range typically imposed for the offense, or for the cumulative conduct record of the Respondent.
  - E. The decision was not supported by the preponderance of the evidence;
  - F. The policy was incorrectly applied.

The Governing Board shall review the original complaint, the investigative report, the administrative determination, and the appeal and issue a final decision in the matter within forty-five (45) days after receiving the appeal. A copy of the final decision rendered by the Governing Board shall be forwarded to the complainant and to the State Chancellor. The complainant shall also be notified of his or her right to appeal this decision pursuant to this section. If the Governing Board does not act within forty-five (45) days, the administrative determination shall be deemed approved and shall become the final decision in the matter.

2. In any case not involving employment discrimination, the complainant shall have the right to file a written appeal with the State Chancellor within thirty (30) days after the Governing Board issues their final decision or permits the administrative determination to become final. Such appeals shall be processed pursuant to Title 5, Section 59339.
3. In any case involving employment discrimination, the complainant may, at any time before or after the final decision is rendered, file a complaint with the DFEH. In addition, in such cases, the complainant may file a petition for review with the State Chancellor within thirty (30) days after the Governing Board issues the final decision or permits the administrative determination to become final. The State Chancellor shall process the complaint in accordance with Title 5, Section 59338.

#### **H. Defective Complaint** (Title 5, Sec. 59332)

A complaint is considered to be defective when the complaint is inconsistent with the form, manner, and/or time constraints of Government Code Section 11135 A.B. 803 guidelines or GCCCD Policy. When the EEO Officer receives a complaint which he/she finds does not meet the requirements of Section D, the EEO Officer shall immediately notify the complainant that the complaint does not meet the requirements of Section D and shall specify in what requirement the complaint is defective. Complainants will be given an opportunity to remedy the defects of the complaint and move forward in the formal complaint process.

Generally, a complaint may be considered defective if any of the following exist:

- The complaint is not filed within the proper time limits.
- The complaint does not establish proper jurisdiction. The office where the complaint is filed does not have authority over the parties and/or subject matter.
- The complainant lacks standing. The complainant has not suffered a direct, concrete injury that can be redressed.
- The complaint fails to state a legal claim upon which relief can be granted.
- The complaint does not include plausible facts to support each element of the

legal claims. For example, the complaint does not state facts giving rise to an inference of discrimination, rather it just concludes discrimination has occurred which may cause the complaint to be deemed defective.

- The complaint is moot. Typically, a complaint is moot when:
  - The issues in the complaint have been resolved or no longer exist.
  - The circumstances have changed so a decision will no longer have any practical impact on the situation.
  - The relief requested is no longer possible or needed.
- The complaint has procedural defects such as missing signatures, lack of verification if required, etc.
- The complaint asserts frivolous or bad faith claims and arguments.

#### **I. Provision of Information of State Chancellor (Title V, Sec. 59340)**

Within 150 days of receiving a formal complaint as outlined in section D, the GCCCD shall forward the following to the State Chancellor:

- The original complaint;
- The report required pursuant to Section E describing the nature and extent of the investigation conducted by the GCCCD;
- A copy of the notice sent to the complainant pursuant to Section F;
- A copy of the final GCCCD decision rendered by the Governing Board or a statement indicating the date on which the administrative determination became final;
- A copy of the notice to the complainant required pursuant to Section 59338;
- A copy of the complainant's appeal of the administrative determination or notice that the complainant did not appeal; and
- Such other information as the State Chancellor may require.

For a period of at least three years after closing a case, including a case involving employment discrimination, the district shall retain and make available to the State Chancellor upon request the original complaint, the documents referenced in Section D, E, and F, and the documents identified in Section 59340.

#### **J. Employment Protection**

Employees may take action or file complaints outside of the GCCCD. The nature of the complaint will determine if the issue(s) presented require an independent investigation. The

resolution of the grievance shall follow investigative agency's rules and procedures, yet include the following provisions:

1. No party shall arbitrarily delay action of the grievance procedure.
2. There shall be no retaliatory or harassing actions against the grievant or employees involved at any time because of the filing of the grievance.
3. The complainant will not be required to confront or work out problems with the person accused of unlawful discrimination.

INSERT FLOWCHART OF COMPAINT PROCESS HERE

## VII. NOTIFICATION TO DISTRICT EMPLOYEES

Reference: Title 5, Sec. 530003 (c) (3) BP 7100 BP 3410, BP 3420

The commitment of the GCCCD Governing Board and Chancellor to EEO is emphasized through the broad dissemination of its EEO Policy Statement (BP 7100 and BP 3410) and the EEO Plan.

- 1) A statement of commitment to diversity and non-discrimination policy commitment statement is printed in the college catalogs and class schedules.
- 2) A Non-Discrimination statement is provided to all student clubs, vendors, and facility users.
- 3) A report of updated applicant and employee demographics shall be provided to the Governing Board annually.
- 4) The Plan will be available on the District's website, and when appropriate, may be distributed by e-mail.
- 5) Each year, the GCCCD will inform all employees by email of the Plan's availability including a written notice summarizing the provisions of the Plan.
- 6) The Human Resources Division will provide all new employees with a copy of the written notice described above when they commence their employment with the District. The importance of the employee's participation and responsibility in ensuring the Plan's implementation will be included in the employee orientation.
- 7) Where complete copies of the Plan are available in the following locations:
  - The Learning Resource Center on both campuses
  - The campus and District websites
  - The office of the Chancellor
  - The Human Resources Division
  - The office of the President at both campuses
  - The office of Student Affairs at both campuses

## **VIII. ANNUAL NOTICE TO COMMUNITY BASED & PROFESSIONAL ORGANIZATIONS**

Reference: Title 5, Sec. 530003 (c) (5)

The EEO Officer will provide annual written notice to appropriate community-based and professional organizations concerning the Plan. "Written" notice may include mailings and electronic communications. The notice will:

- Inform these organizations how they may obtain a copy of the Plan;
- Solicit assistance in identifying diverse qualified candidates;
- Provide the internet address where the District advertises its job openings; and
- Provide the department and phone number to call in order to obtain employment information.

GCCCD will actively seek to reach those institutions, organizations, and agencies that may be recruitment sources especially for monitored groups.

A list of organizations is included in this Plan in appendix E.

## **IX. TRAINING FOR SCREENING COMMITTEES**

Reference: Title 5, Sec. 53003 (c) (4)

All organizations or individuals, whether or not an employee of the District, acting on behalf of the District with regard to recruitment and screening of applicants for employment are subject to and shall receive appropriate training on the requirements of the Title 5 regulations on EEO (section 53000 et. seq.); the requirements of federal and state nondiscrimination laws; the requirements of the GCCCD EEO Plan; the District's policies and procedures on nondiscrimination, recruitment, and hiring; principles of diversity and cultural proficiency; and the value of a diverse workforce; and recognizing bias.

GCCCD shall provide training on the above mentioned topics to hiring managers and screening committee chairs. All persons serving on a screening committee must receive EEO training prior to their participation on the committee. Training shall include, but need not be limited to:

- (A) the requirements of Title 5, Section 53003 (c) and of state and federal nondiscrimination laws;
- (B) the educational benefits of workplace diversity;
- (C) the elimination of bias in hiring decisions; and
- (D) best practices in serving on a selection or screening committee.

(See appendix A for relevant policies.)

EEO training needs to be recompleted every three (3) years (36 months) by those individuals sitting on a screening committee. Training can be completed through an online format with successful completion of an assessment.

The Professional Development Specialist is responsible for facilitating the required training.

## **X. ANALYSIS OF DISTRICT WORKFORCE AND APPLICANT POOL**

Reference: Title 5, Sec. 53003 (c) (6)

To assess our progress in cultivating a diverse, equitable and inclusive academic community, the Office of Human Resources will annually review the composition of the District's workforce. Data collection and analysis will allow ongoing monitoring of applicant demographics to evaluate representation among monitored groups.

Monitored groups include men, women, American Indians or Alaskan Natives, Asians or Pacific Islanders, Blacks/African Americans, Hispanics/Latinos, Caucasians, and persons with disabilities. This data provides insights needed to ensure the District's recruitment and hiring practices comply with equal employment opportunity guidelines and support the success of all faculty, staff, and administrators.

Regular workforce reviews assist our efforts to identify and eliminate barriers to access, equity, and opportunity. By continually refining our policies, procedures, climate, and cultural competence, Grossmont-Cuyamaca Community College District can realize our highest aspirations for diversity and inclusion across the institution. Our goal is an academic community where students and employees of all identities, cultures, and backgrounds are equally empowered to thrive.

For the purpose of the annual data collection analysis each applicant or employee will have the opportunity to voluntarily identify his or her gender, ethnic group identification and, if applicable, his/her disability. This information will be kept confidential and will be separated from the applications that are forwarded to the screening committee and hiring administrator(s). This analysis will be done for each college in the District. The District will report the results of its annual analysis of employee and applicant demographics. At least every three years the Plan will be reviewed and, if necessary, revised based on an analysis of the ethnic group identification, gender, and disability composition of existing staff and of those who have applied for employment in each of the following identified job categories:

- a. Executive/Administrative/Managerial
- b. Faculty and Other Instructional Staff
- c. Professional Non-Faculty
- d. Secretarial/Clerical
- e. Technical and Paraprofessional
- f. Skilled Crafts
- g. Service and Maintenance

For a complete list of GCCCD job category definitions, please see Appendix D.

For a complete list of GCCCD job titles, please see the Human Resources website

<http://www/human-resources/default.html>).

For a complete analysis of District workforce and application pool, please see the Human Resources website(<http://www/human-resources/default.html>). Here you will find the most up to date EEO Data, accessible through the following link:

<https://www.gcccd.edu/human-resources/diversity-and-equal-employment-opportunity.html>

## XI. Analysis of Degree of Underrepresentation and Significant Underrepresentation & Methods to Address any Underrepresentation

Reference: Title 5, section 53003(c)(7)

### APPLICANT AND HIRING ANALYSES

The source of the data gathered below is from the Equal Employment Opportunity Data 2017-2022, Grossmont Cuyamaca Community College District, Office of Research-Planning and Institutional Effectiveness, February 22, 2023

The tables below present the GCCCD workforce by race and ethnicity. GCCCD workforce data are derived from WorkDay (2017-2022). The GCCCD Boundary data was collected from SANDAG (2021 estimates, 18+), whereas the SD County Occupation data is from the U.S. Census Bureau, 2014-2018 American Community Survey (EEO Tabulation Table EEO 6w. EEO-1 State and Local Government Job Groups by Sex, and Race/Ethnicity for Worksite Geography, Total Population Civilians employed at work 16+; faculty job category data also utilized data from EEO Tabulation Table EEO 1w. Detailed Census Occupation by Sex and Race/Ethnicity for Worksite Geography Universe, Civilians employed at work 16+).

Table 1 below is a five-year comparison of applicant demographics to those of the District Boundary and San Diego County. Only data for applicants who submitted **complete** job applications is included.

District Workforce Highlights for Table 1

- From 2017-18 to 2021-22, there is a higher percentage of female applicants than expected based on the population percentage in the District and the County.
- The percentage of Asian applicants is higher compared to the District Boundary, but lower than the San Diego County Asian population.
- The percentage of Black/African American applicants is above the percentage of both District and County availability.
- Latino applicants are underrepresented in terms of both District and County availability. Similarly, the percentage of White applicants is below the availability for both the District, and the County.
- Starting in 2018-19 applicants had the option to select Middle Eastern and multiple ethnicities.

**Table 1: GCCCD Five-Year “Applicant” Analysis**

GCCCD Applicant Pools, 2017-2022 Totals for All Job Classifications								
	2017-2018 (n = 9,778)	2018-2019 (n = 5,701)	2019-2020 (n = 7,037)	2020-2021 (n = 4,882)	2021-2022 (n = 1,313)	Five-Year Average	SD County	GCCCD Boundary
Female	58.7%	51.7%	55.8%	54.1%	56.3%	55.6%	49.9%	51.2%
Male	36.7%	42.7%	39.1%	40.6%	39.5%	39.4%	50.1%	48.8%

Unknown	4.7%	5.6%	5.1%	5.3%	4.2%	5.0%	0.0%	0.0%
Asian	8.3%	9.4%	9.2%	9.7%	10.7%	9.1%	11.1%	5.6%
Black/African-American	9.7%	9.2%	8.8%	8.9%	8.4%	9.2%	4.8%	5.8%
Hispanic/Latino	21.1%	23.3%	18.2%	16.2%	24.8%	20.3%	31.5%	26.5%
Middle Eastern	NA	1.1%	7.7%	6.5%	7.7%	3.5%	Unknown	Unknown
Native American	1.3%	1.3%	0.9%	0.9%	0.8%	1.1%	0.5%	0.5%
Pacific Islander	0.8%	0.7%	0.7%	0.6%	0.7%	0.7%	0.5%	0.5%
White	46.3%	44.4%	40.7%	43.7%	34.1%	43.6%	48.7%	57.7%
Two or More Races	NA	0.3%	3.0%	2.9%	4.6%	1.5%	2.8%	3.2%
Unknown	12.3%	10.4%	10.8%	10.6%	8.2%	11.0%	0.2%	0.2%

Data sources: GCCCD applicant data is from completed job applications in PeopleAdmin and Workday (Fiscal year 2017-2018 through 2021-2022); GCCCD Boundary and San Diego County ethnicity and gender data is from SANDAG (2021 estimates based on the 2010 Census); Please note unknown genders and unknown ethnicities have been included in the percentage.

Table 2 is a five-year comparison of demographics of applicants who were hired at GCCCD compared to the demographics of the District Boundary and San Diego County.

#### District Workforce Highlights for Table 2

- Males are historically underrepresented among applicants hired from 2017-2022.
- The five-year average of Black hires is higher than that for the District and County population, whereas Latino applicants are underrepresented among those hired when compared to District and County demographics.
- The percentage of Asian hires is higher than that for the District population, but lower than that for the San Diego County population.
- Over the five-year period, the percentage of White hires is lower than expected based on District and County demographics.
- Starting in 2018-19 applicants had the option to select Middle Eastern and multiple ethnicities.

**Table 2: GCCCD Five-Year “Hiring” Analysis**

GCCCD Hiring Pools, 2017-2022 Totals for All Job Classifications								
	2017-2018 (n = 375)	2018-2019 (n = 233)	2019-2020 (n = 158)	2020-2021 (n = 117)	2021-2022 (n = 233)	Five-Year Average	SD County	GCCCD Boundary
Female	60.0%	50.3%	48.1%	54.7%	53.2%	54.1%	49.9%	51.2%

<b>Male</b>	37.3%	45.7%	45.6%	40.2%	41.6%	41.7%	<b>50.1%</b>	<b>48.8%</b>
<b>Unknown</b>	2.7%	4.0%	6.3%	5.1%	5.2%	4.2%	<b>0.0%</b>	<b>0.0%</b>
<b>Asian</b>	10.1%	10.3%	6.3%	7.7%	9.9%	9.4%	<b>11.1%</b>	<b>5.6%</b>
<b>Black/African-American</b>	4.5%	6.0%	7.6%	8.5%	7.3%	6.2%	<b>4.8%</b>	<b>5.8%</b>
<b>Hispanic/Latino</b>	24.3%	18.2%	20.9%	20.5%	22.3%	21.5%	<b>31.5%</b>	<b>26.5%</b>
<b>Middle Eastern</b>	NA	1.0%	4.4%	9.4%	5.2%	2.8%	<b>Unknown</b>	<b>Unknown</b>
<b>Native American</b>	1.3%	1.7%	0.6%	0.0%	1.7%	1.3%	<b>0.5%</b>	<b>0.5%</b>
<b>Pacific Islander</b>	0.8%	0.7%	1.9%	2.6%	1.7%	1.3%	<b>0.5%</b>	<b>0.5%</b>
<b>White</b>	49.1%	51.0%	42.4%	41.9%	39.1%	46.0%	<b>48.7%</b>	<b>57.7%</b>
<b>Two or More Races</b>	NA	0.0%	5.1%	0.0%	3.9%	1.4%	<b>2.8%</b>	<b>3.2%</b>
<b>Unknown</b>	9.9%	11.3%	10.8%	9.4%	9.0%	10.1%	<b>0.2%</b>	<b>0.2%</b>

Data sources: GCCCD hire data is from PeopleAdmin and Workday (Fiscal year 2017-2018 through 2021-2022); GCCCD Boundary and San Diego County ethnicity and gender data is from SANDAG (2021 estimates based on the 2010 Census); Please note unknown genders and unknown ethnicities have been included in the percentages.

Table 3 is the 2021-2022 GCCCD Workforce by Ethnicity compared to the demographics of the District Boundary and San Diego County.

#### District Workforce Highlights for Table 3

- Asian staff comprise 8.8% of total, lower than the 12.5% county occupation percentage but exceeding the 5.6% boundary population representation. Underrepresented compared to occupations but overrepresented relative to population.
- Black/African American staff make up 5.3%, slightly higher than the county occupation percentage (4.2%) though lower than the boundary population (5.8%). Slight overrepresentation compared to occupations but underrepresentation relative to population.
- Hispanic/Latino staff account for 18.5%, below the county occupations (32%) but above the boundary population (26.5%). Underrepresented compared to occupations but overrepresented compared to population.
- Middle Eastern staff are 1.9% of total, but benchmark data is unavailable. Unclear representation.
- Native American staff comprise 1.3%, exceeding both the county occupation (0.3%) and boundary population (0.5%) benchmarks. Slight overrepresentation indicated.
- Pacific Islander staff match the county occupation and boundary population benchmarks of 0.5% representation.
- White staff make up 58.9%, higher than the county occupation percentage (47.7%) though similar to the boundary population (57.7%). Overrepresented compared to occupations but aligned with

the population.

In summary, Table 3 data shows mixed representation across groups compared to varying benchmarks.

**Table 3: GCCCD Workforce by Ethnicity 2021-2022, All Occupations**

GCCCD Ethnicity Data Comparison Totals for All Job Classifications						
Race/Ethnicity	Cuyamaca College	Grossmont College	District Services	GCCCD Total	SD County Occupations	GCCCD Boundary
Asian	6.7%	9.9%	8.3%	8.8%	12.5%	5.6%
Black/African-American	5.7%	5.3%	3.7%	5.3%	4.2%	5.8%
Hispanic/Latino	19.8%	17.6%	22.0%	18.5%	32.0%	26.5%
Middle Eastern	2.8%	1.4%	0.9%	1.9%	Unknown	Unknown
Native American	1.8%	0.9%	2.8%	1.3%	0.3%	0.5%
Pacific Islander	0.7%	0.9%	0.9%	0.9%	0.5%	0.5%
White	57.1%	60.1%	56.0%	58.9%	47.7%	57.7%
Two or More Races	1.8%	0.9%	1.8%	1.2%	2.9%	3.2%
Unknown/Other	3.4%	3.1%	3.7%	3.2%	Unknown	0.2%
N	667	1,270	109	2,046	1,525,795	364,360

Table 4 is the 2021-2022 GCCCD Workforce by Ethnicity for the Executive/Administrative/Managerial Occupation Group compared to the demographics of the District Boundary and San Diego County.

District Workforce Highlights for Table 4

- Asian managers comprise 2.8% of total, much lower than the 10.5% county occupation percentage and about half the 5.6% regional population. Underrepresented compared to both benchmarks.
- Black/African American managers make up 15.3%, exceeding the county occupation (4.1%) and

- regional population (5.8%) representations. Overrepresented compared to both.
- Hispanic/Latino managers account for 25%, higher than the county occupations (19.1%) though slightly below the regional population (26.5%). Overrepresented compared to occupations but underrepresented relative to population.
  - No Middle Eastern representation among managers. Unclear due to lack of data.
  - Native American managers are 1.4% of total, exceeding both benchmarks of 0.3% (occupations) and 0.5% (population). Slight overrepresentation indicated.
  - No Pacific Islander managers. Unclear representation without benchmark data.
  - White managers comprise 52.8%, lower than the county occupations (62.6%) though close to the regional population (57.7%). Underrepresented compared to occupations but aligned with population.

In summary, the data shows mixed representation among managerial staff.

**Table 4: GCCCD Workforce by Ethnicity 2021-2022, Executive/Administrative/Managerial Occupations**

GCCCD Ethnicity Data Comparison Executive/Administrative/Managerial						
Race/Ethnicity	Cuyamaca College	Grossmont College	District Services	GCCCD Total	SD County Occupations	GCCCD Boundary (18+)
Asian	5.0%	0.0%	3.7%	2.8%	10.5%	5.6%
Black/African-American	10.0%	32.0%	3.7%	15.3%	4.1%	5.8%
Hispanic/Latino	50.0%	24.0%	7.4%	25.0%	19.1%	26.5%
Middle Eastern	0.0%	0.0%	0.0%	0.0%	Unknown	Unknown
Native American	5.0%	0.0%	0.0%	1.4%	0.3%	0.5%
Pacific Islander	0.0%	0.0%	0.0%	0.0%	0.3%	0.5%
White	30.0%	44.0%	77.8%	52.8%	62.6%	57.7%
Two or More Races	0.0%	0.0%	0.0%	0.0%	3.1%	3.2%
Unknown/Other	0.0%	0.0%	7.4%	2.8%	Unknown	0.2%
N	20	25	27	72	235,655	364,360

Table 5 is the 2021-2022 GCCCD Workforce by Ethnicity for the Professional Non-Faculty Occupations Group compared to the demographics of the District Boundary and San Diego County.

District Workforce Highlights for Table 5

- Asian non-faculty staff comprise 6.5% of total, much lower than the 18.7% county occupation percentage and similar to the 5.6% boundary population. Underrepresented compared to both benchmarks.
- Black/African American non-faculty staff make up 8.7%, exceeding both the county occupation (3.4%) and boundary population (5.8%) representations. Overrepresented compared to both.
- Hispanic/Latino non-faculty staff account for 26.1%, well above the county occupations (15.5%) and boundary population (26.5%). Overrepresented compared to occupations but aligned with population.
- Middle Eastern non-faculty staff are 4.3% of total, with no benchmark data available. Unclear representation.
- Native American non-faculty staff comprise 4.3%, significantly higher than both the county occupation (0.2%) and boundary population (0.5%) percentages. Substantial overrepresentation indicated.
- Pacific Islander staff make up 2.2% of professional non-faculty roles within GCCCD. This is higher than the 0.4% representation for this group among county occupations. It also exceeds the 0.5% Pacific Islander share of the boundary adult population.
- White staff comprise 41.3% of professional non-faculty roles in GCCCD. This is lower than the 58.7% representation for Whites among county occupations. It is also slightly lower than the 57.7% White share of the boundary adult population. In summary, White staff seem to be underrepresented in GCCCD professional non-faculty positions compared to the county occupation data, but their representation is fairly aligned with the boundary population percentage. The 41.3% White share trails the occupational benchmark but shows rough parity with the adult population data. Overall, this indicates reasonable representation for Whites in these roles.

In summary, Table 5 non-faculty data shows mixed representation across groups compared to varying benchmarks.

**Table 5: GCCCD Workforce by Ethnicity 2021-2022, Professional Non-Faculty Occupations**

GCCCD Ethnicity Data Comparison Professional Non-Faculty						
Race/Ethnicity	Cuyamaca College	Grossmont College	District Services	GCCCD Total	SD County Occupations	GCCCD Boundary (18+)
Asian	8.3%	6.3%	5.6%	6.5%	18.7%	5.6%
Black/African-American	16.7%	6.3%	5.6%	8.7%	3.4%	5.8%
Hispanic/Latino	41.7%	18.8%	22.2%	26.1%	15.5%	26.5%

Middle Eastern	8.3%	0.0%	5.6%	4.3%	Unknown	Unknown
Native American	0.0%	0.0%	11.1%	4.3%	0.2%	0.5%
Pacific Islander	0.0%	6.3%	0.0%	2.2%	0.4%	0.5%
White	25.0%	50.0%	44.4%	41.3%	58.7%	57.7%
Two or More Races	0.0%	6.3%	5.6%	4.3%	3.2%	3.2%
Unknown/Other	0.0%	6.3%	0.0%	2.2%	Unknown	0.2%
N	12	16	18	46	356,920	364,360

Table 6 is the 2021-2022 GCCCD Workforce by Ethnicity for the Secretarial/Clerical Occupations Group compared to the demographics of the District Boundary and San Diego County.

#### District Workforce Highlights for Table 6

- Asian clerical staff comprise 5.8% of total, lower than the county occupation percentage (9.9%) but slightly above the boundary population (5.6%). Slight underrepresentation compared to occupations.
- Black/African American clerical staff make up 5.8%, nearly matching their county occupation (4.9%) and boundary population (5.8%) representations. Alignment suggests fair representation.
- Hispanic/Latino clerical staff account for 21.2%, below the county occupations (32.9%) but exceeding the boundary population (26.5%). Underrepresented compared to occupations but overrepresented relative to boundary population.
- Middle Eastern representation among clerical staff is 3.6%, but benchmark data is unavailable. Unclear representation.
- Native American clerical staff are 1.5%, higher than county occupations (0.3%) and boundary population (0.5%). Slight overrepresentation indicated.
- Pacific Islander clerical staff comprise 0.7%, similar to benchmarks of 0.6% (occupations) and 0.5% (population). Aligned representation.
- White clerical staff make up 57.7% of the total, exceeding both benchmarks of 48.3% (occupations) and 57.7% (population). Overrepresented compared to occupations but aligned with boundary population.

In summary, the Table 6 clerical staff data shows mixed representation across groups compared to varying benchmarks.

**Table 6: GCCCD Workforce by Ethnicity 2021-2022, Secretarial/Clerical Occupations**

Race/Ethnicity	Cuyamaca College	Grossmont College	District Services	GCCCD Total	SD County Occupations	GCCCD Boundary (18+)
Asian	2.4%	4.0%	19.0%	5.8%	9.9%	5.6%
Black/African-American	7.3%	6.7%	0.0%	5.8%	4.9%	5.8%
Hispanic/Latino	24.4%	20.0%	19.0%	21.2%	32.9%	26.5%
Middle Eastern	4.9%	4.0%	0.0%	3.6%	Unknown	Unknown
Native American	4.9%	0.0%	0.0%	1.5%	0.3%	0.5%
Pacific Islander	0.0%	1.3%	0.0%	0.7%	0.6%	0.5%
White	48.8%	62.7%	57.1%	57.7%	48.3%	57.7%
Two or More Races	0.0%	0.0%	0.0%	0.0%	3.0%	3.2%
Unknown/Other	7.3%	1.3%	4.8%	3.6%	Unknown	0.2%
N	41	75	21	137	348,045	364,360

Table 7 is the 2021-2022 GCCCD Workforce by Ethnicity for the Technical & Paraprofessional Occupations Group compared to the demographics of the District Boundary and San Diego County.

#### District Workforce Highlights for Table 7

- Asian staff comprise 10.7% of the total, below the 18.7% county occupation percentage but nearly double the 5.6% boundary population representation. Slight underrepresentation compared to occupations but overrepresentation relative to population.
- Black/African American staff make up 3.1%, lower than both the county occupation (4.5%) and boundary population (5.8%) benchmarks. This suggests underrepresentation.
- Hispanic/Latino staff account for 20.1%, trailing the county occupation percentage (36.2%) but exceeding the boundary population (26.5%). Underrepresented compared to occupations but overrepresented relative to population.
- Middle Eastern staff are 0.6% of total, with no benchmark data available. Unclear representation.
- Native American staff comprise 1.3%, higher than both county occupation (0.3%) and boundary population (0.5%) percentages. Slight overrepresentation indicated.
- Pacific Islander staff make up 1.9% of total, exceeding both benchmarks of 0.6% (occupations) and 0.5% (population). Slight overrepresentation.
- White staff account for 56.6%, much higher than the county occupation percentage (36.8%) though similar to the boundary population (57.7%). Overrepresented compared to occupations but aligned with population.

In summary, the Table 7 data shows mixed representation among technical/paraprofessional staff across racial/ethnic groups.

**Table 7: GCCCD Workforce by Ethnicity 2021-2022, Technical & Paraprofessional Occupations**

GCCCD Ethnicity Data Comparison Technical & Paraprofessional						
Race/Ethnicity	Cuyamaca College	Grossmont College	District Services	GCCCD Total	SD County Occupations	GCCCD Boundary (18+)
Asian	0.0%	16.5%	12.0%	10.7%	18.7%	5.6%
Black/African-American	2.0%	2.4%	8.0%	3.1%	4.5%	5.8%
Hispanic/Latino	22.4%	17.6%	24.0%	20.1%	36.2%	26.5%
Middle Eastern	2.0%	0.0%	0.0%	0.6%	Unknown	Unknown
Native American	2.0%	0.0%	4.0%	1.3%	0.3%	0.5%
Pacific Islander	2.0%	2.4%	0.0%	1.9%	0.6%	0.5%
White	63.3%	55.3%	48.0%	56.6%	36.8%	57.7%
Two or More Races	4.1%	1.2%	4.0%	2.5%	2.9%	3.2%
Unknown/Other	2.0%	4.7%	0.0%	3.1%	Unknown	0.2%
N	49	85	25	159	102,885	364,360

Table 8 is the 2021-2022 GCCCD Workforce by Ethnicity for the Skilled Craft Occupations Group compared to the demographics of the District Boundary and San Diego County.

#### District Workforce Highlights for Table 8

- Asian skilled craft staff comprise 14.3%, exceeding their county occupation percentage (7.9%) and more than double their boundary population representation (5.6%). This indicates overrepresentation.
- No Black/African American skilled craft staff. This points to underrepresentation compared to county occupations (2.9%) and boundary population (5.8%).
- Hispanic/Latino skilled craft staff are 21.4%, lower than the county occupation percentage (45.5%) but higher than the boundary population (26.5%). Underrepresented compared to occupations but overrepresented relative to population.
- No Middle Eastern, Native American, Pacific Islander or "Two or More Races" skilled craft staff. Unclear representation due to lack of data.
- White skilled craft staff account for 64.3%, exceeding their county occupation share (41.6%) and boundary population percentage (57.7%). This indicates overrepresentation.

In summary, the Table 8 data shows Asian and White skilled craft staff are overrepresented

compared to benchmarks, while Black/African American staff seem underrepresented.

**Table 8: GCCCD Workforce by Ethnicity 2021-2022, Skilled Craft Occupations**

GCCCD Ethnicity Data Comparison Skilled Craft						
Race/Ethnicity	Cuyamaca College	Grossmont College	District Services	GCCCD Total	SD County Occupations	GCCCD Boundary (18+)
Asian	20.0%	16.7%	0.0%	14.3%	7.9%	5.6%
Black/African-American	0.0%	0.0%	0.0%	0.0%	2.9%	5.8%
Hispanic/Latino	40.0%	0.0%	33.3%	21.4%	45.5%	26.5%
Middle Eastern	0.0%	0.0%	0.0%	0.0%	Unknown	Unknown
Native American	0.0%	0.0%	0.0%	0.0%	0.5%	0.5%
Pacific Islander	0.0%	0.0%	0.0%	0.0%	0.3%	0.5%
White	40.0%	83.3%	66.7%	64.3%	41.6%	57.7%
Two or More Races	0.0%	0.0%	0.0%	0.0%	1.5%	3.2%
Unknown/Other	0.0%	0.0%	0.0%	0.0%	Unknown	0.2%
N	5	6	3	14	104,805	364,360

Table 9 is the 2021-2022 GCCCD Workforce by Ethnicity for the Service and Maintenance Occupations Group compared to the demographics of the District Boundary and San Diego County.

District Workforce Highlights for Table 9

- Asian staff make up 10.2% of the total, exceeding their county occupation share (9.8%) but below the boundary population (5.6%). Overrepresented compared to population.
- Black/African American staff comprise 8.5%, higher than the county occupation percentage (4.7%) though below the boundary population (5.8%). Slight overrepresentation vs occupations.
- Hispanic/Latino staff account for 40.7%, lower than the 50.1% county occupation share but exceeding the 26.5% boundary population. Underrepresented compared to occupations but overrepresented relative to population.
- No Middle Eastern representation among staff. Unclear due to lack of data.
- Native American staff are 1.7%, above the 0.3% county occupations and 0.5% boundary population. Overrepresented.
- Pacific Islander staff comprise 1.7%, higher than the county (0.5%) and boundary (0.5%) benchmarks. Slight overrepresentation.

- White staff make up 33.9%, similar to county occupations (32%) but much lower than the 57.7% boundary population. Underrepresented compared to population.
- No "Two or More Races" were represented among staff. Unclear representation.

In summary, the Table 9 service/maintenance data shows mixed representation across groups compared to varying benchmarks.

**Table 9: GCCCD Workforce by Ethnicity 2021-2022, Service and Maintenance Occupations**

GCCCD Ethnicity Data Comparison Service and Maintenance						
Race/Ethnicity	Cuyamaca College	Grossmont College	District Services	GCCCD Total	SD County Occupations	GCCCD Boundary (18+)
Asian	13.3%	13.8%	0.0%	10.2%	9.8%	5.6%
Black/African-American	13.3%	10.3%	0.0%	8.5%	4.7%	5.8%
Hispanic/Latino	33.3%	41.4%	46.7%	40.7%	50.1%	26.5%
Middle Eastern	0.0%	0.0%	0.0%	0.0%	Unknown	Unknown
Native American	0.0%	3.4%	0.0%	1.7%	0.3%	0.5%
Pacific Islander	0.0%	0.0%	6.7%	1.7%	0.5%	0.5%
White	33.3%	31.0%	40.0%	33.9%	32.0%	57.7%
Two or More Races	0.0%	0.0%	0.0%	0.0%	2.7%	3.2%
Unknown/Other	6.7%	0.0%	6.7%	3.4%	Unknown	0.2%
N	15	29	15	59	377,485	364,360

Table 10 is the 2021-2022 GCCCD Workforce by Ethnicity for the Professional Occupations (Full-Time Faculty) Occupations Group compared to the demographics of the District Boundary and San Diego County.

#### District Workforce Highlights for Table 10

- Asian full-time faculty comprise 10% of the total, lower than their 18.7% county occupation and 15.5% faculty representation. This suggests potential underrepresentation.
- Black/African American full-time faculty make up 3.4%, exceeding their 2.3% county faculty share but below their 5.8% boundary population percentage. Mixed representation.
- Hispanic/Latino full-time faculty are 17.5% of the total, which is above county faculty but below

the 26.5% boundary population statistic. Underrepresentation indicated.

- Middle Eastern representation is just 0.3%, with no benchmark data available. Unclear representation.
- Native American full-time faculty comprise 1%, higher than county occupations (0.2%) but lower than boundary population (0.5%). Potential underrepresentation.
- Pacific Islander full-time faculty match county occupations at 0.3% but trail boundary population data (0.5%). Slight underrepresentation.
- White full-time faculty are overrepresented at 63.6% compared to 57.7% of boundary population.
- "Two or More Races" full-time faculty trail the 3.2% benchmark. Underrepresentation likely.

In summary, Table 10 data indicates certain racial/ethnic groups are underrepresented among full-time faculty roles.

**Table 10: GCCCD Workforce by Ethnicity 2021-2022, Professional Occupations (Full-Time Faculty)**

GCCCD Ethnicity Data Comparison Full-Time Faculty						
Race/Ethnicity	Cuyamaca College	Grossmont College	GCCCD Total	SD County Occupations	SD County Faculty Only	GCCCD Boundary (18+)
Asian	4.9%	12.0%	10.0%	18.7%	15.5%	5.6%
Black/African-American	1.2%	4.3%	3.4%	3.4%	2.3%	5.8%
Hispanic/Latino	18.3%	17.2%	17.5%	15.5%	15.4%	26.5%
Middle Eastern	1.2%	0.0%	0.3%	Unknown	Unknown	Unknown
Native American	2.4%	0.5%	1.0%	0.2%	0.3%	0.5%
Pacific Islander	0.0%	0.5%	0.3%	0.4%	0.0%	0.5%
White	65.9%	62.7%	63.6%	58.7%	63.3%	57.7%
Two or More Races	2.4%	0.5%	1.0%	3.2%	3.2%	3.2%
Unknown/Other	3.7%	2.4%	2.7%	Unknown	Unknown	0.2%
N	82	209	291	356,920	14,185	364,360

NOTE: San Diego County Faculty data derived from EEO Tabulation Table EEO 1w. Detailed Census Occupation by Sex and Race/Ethnicity for Worksite Geography Universe, Civilians employed at work 16+ for "Postsecondary Teachers" SOC 25-1000.

Table 11 is the 2021-2022 GCCCD Workforce by Ethnicity for the Professional Occupations (Part-Time Faculty) Occupations Group compared to the demographics of the District Boundary and San Diego County.

District Workforce Highlights for Table 11

- Asian part-time faculty make up 18.7% of the total, exceeding their representation in both the county occupation data (15.5%) and boundary population (5.6%). This suggests Asian part-time faculty are well-represented.
- Black/African American part-time faculty comprise only 3.4% of the total, which is lower than their representation in county occupations (2.3%) and boundary population (5.8%). This points to potential underrepresentation.
- Hispanic/Latino part-time faculty represent 15.5% of the total, which trails their 26.5% share of the boundary adult population. This indicates underrepresentation among part-time faculty.
- Middle Eastern representation data is unavailable. This is a data gap.
- Native American part-time faculty are just 0.2% of the total, compared to 0.5% boundary population share. This signals underrepresentation.
- Pacific Islander part-time faculty make up 0.4%, while county faculty and boundary population are both 0.5%. Slight underrepresentation.
- White part-time faculty comprise 58.7%, exceeding their 57.7% boundary population share. Slight overrepresentation.
- "Two or More Races" part-time faculty match the 3.2% boundary population statistic.

In summary, the Table 11 data shows certain racial/ethnic groups are underrepresented while others are overrepresented or aligned among part-time faculty roles.

**Table 11: GCCCD Workforce by Ethnicity 2021-2022, Professional Occupations (Part-Time Faculty)**

GCCCD Ethnicity Data Comparison Part-Time Faculty						
Race/Ethnicity	Cuyamaca College	Grossmont College	GCCCD Total	SD County Occupations	SD County Faculty Only	GCCCD Boundary (18+)
Asian	7.9%	9.5%	8.9%	18.7%	15.5%	5.6%
Black/African-American	6.1%	4.7%	5.2%	3.4%	2.3%	5.8%
Hispanic/Latino	16.7%	16.5%	16.6%	15.5%	15.4%	26.5%
Middle Eastern	3.2%	1.8%	2.3%	Unknown	Unknown	Unknown
Native American	1.4%	1.1%	1.2%	0.2%	0.3%	0.5%
Pacific Islander	0.9%	0.8%	0.9%	0.4%	0.0%	0.5%
White	58.7%	61.2%	60.3%	58.7%	63.3%	57.7%

<b>Two or More Races</b>	1.8%	1.0%	1.3%	<b>3.2%</b>	<b>3.2%</b>	<b>3.2%</b>
<b>Unknown/Other</b>	3.4%	3.4%	3.4%	<b>Unknown</b>	<b>Unknown</b>	<b>0.2%</b>
<b>N</b>	<b>443</b>	<b>825</b>	<b>1,268</b>	<b>356,920</b>	<b>14,185</b>	<b>364,360</b>

*NOTE: San Diego County Faculty data derived from EEO Tabulation Table EEO 1w. Detailed Census Occupation by Sex and Race/Ethnicity for Worksite Geography Universe, Civilians employed at work 16+ for "Postsecondary Teachers" SOC 25-1000.*

## **Methods to Address Underrepresentation**

The key to the methods described herein to address underrepresentation is using the data to identify underrepresented groups and then pursuing strategic, multifaceted efforts over time until equitable representation is achieved. The Chancellors Office will strategically lead the Human Resources Department in collaboration with the newly formed Personnel Commission as well as various faculty, staff, student, and outside District stakeholders in these efforts. The depth of the initiatives set forth herein is dependent upon the final scope of authority of the Personnel Commission.

- Examining hiring and recruitment practices - Review job postings, minimum qualifications, interview processes, etc. to identify and remove potential biases. Actively recruit from underrepresented groups.
- Providing implicit bias training - Offer training to hiring committees and managers to raise awareness of unconscious biases and how to mitigate them.
- Developing leadership pipelines - Identify and encourage promising individuals from underrepresented groups to pursue leadership roles. Provide mentoring and training.
- Supporting affinity groups - Sponsor employee resource groups and networks that provide support, mentoring, and community for underrepresented groups.
- Promoting work-life balance - Offer flexible schedules, telework options, paid leave, childcare assistance, and other benefits that support work-life balance for all groups.
- Reviewing compensation equity - Conduct periodic audits to ensure compensation is fair and equitable across demographic groups, especially for similar roles.
- Setting diversity goals - Establish clear representation goals at the institutional and programmatic levels. Measure progress over time.
- Fostering an inclusive climate - Promote diversity, equity and inclusion efforts in the workplace culture. Encourage open dialogues on representation.
- Partnerships and outreach - Collaborate with diverse professional associations, community groups, and educational pipelines to enhance recruitment reach.
- Accountability systems - Build accountability for representation goals into policies, job

descriptions, and performance systems at multiple levels.

## **XII. OTHER MEASURES TO FURTHER EQUAL EMPLOYMENT OPPORTUNITY**

In addition to the steps/measures used to address underrepresentation and/or significant underrepresentation, found in Sections XII and XIII of this Plan, GCCCD will implement a focused approach to diversity, equity, and inclusion. ~~GCCCD recognizes that multiple approaches are appropriate to fulfill its mission of ensuring EEO and creating a diverse workforce. Establishing a culture that welcomes and celebrates diversity and multiculturalism, and is supported by the leadership of GCCCD may consist of measures such as:~~

- ~~1. Establishing appropriate Districtwide committees within the GCCCD governance structure that adequately address the GCCCD's commitment to diversity and includes a focus on EEO and student equity.~~
- ~~2. The appropriate committees will work to develop and implement goals related to diversity, equity, and inclusion. Such goals will be identified in appropriate District wide plans.~~
- ~~3. Identify possible barriers and other issues via research including data analysis and campus climate surveys.~~
- ~~4. Provide opportunities for guest speakers from monitored groups who are in leadership positions and who may inspire students and employees alike.~~
- ~~5. Highlight the GCCCD's commitment to EEO and diversity in job announcements, marketing, and other publications.~~
- ~~6. Conduct diversity dialogues, forums, and cross-cultural workshops.~~
- ~~7. Review and revise college publications and other marketing tools to reflect diversity in pictures, graphics, and text to reflect an inclusive environment.~~
- ~~8. Establish and implement a process to recognize the value of staff and faculty who have promoted diversity and equal employment opportunity principles.~~
- ~~9. Promote professional development opportunities that will assist the GCCCD in achieving its equal employment opportunity and diversity objectives, including offering EEO/diversity workshops during faculty flex week and classified "Staff Development Day" programs.~~
- ~~10. Establish an Equal Employment Opportunity and diversity online presence by highlighting the District's diversity and equal employment opportunity.~~

Grossmont-Cuyamaca Community College District understands that creating a diverse and inclusive environment requires going beyond the formal steps to address underrepresentation outlined in this Plan. Fostering a culture of equity and belonging is a continuous, institution-wide effort. To that end, GCCCD will champion diversity, equity and inclusion through multiple approaches:

- Integrating EEO and diversity goals into our governance and planning structures.
- Researching and removing systemic barriers.
- Offering programming that highlights diverse voices and experiences.
- Broadly communicating our commitment to EEO in our marketing.
- Providing ongoing training and development opportunities focused on cultural awareness.
- Recognizing efforts to promote equal opportunity principles.
- Ensuring our facilities, publications and communications reflect the diversity of our community.
- Establishing committees, goals, and plans across the district governance structure focused specifically on diversity, equity, inclusion and EEO.
- Conducting research like climate surveys and data analysis to identify barriers or issues related to EEO.
- Bringing in diverse guest speakers and leaders who can inspire and serve as role models.
- Promoting GCCCD's commitment to EEO and diversity broadly through marketing, publications, job postings.
- Offering diversity dialogues, forums, workshops on campus for students and employees.
- Recognizing and valuing faculty and staff who exemplify EEO and diversity principles.
- Providing professional development opportunities related to EEO, diversity and inclusion.
- Maintaining an online EEO and diversity presence to highlight GCCCD's efforts and commitment in this area.

GCCCD believes a multifaceted strategy supported by leadership across all levels of the institution is required to create a welcoming climate where all students and employees can thrive.

### ~~XIII. PERSONS WITH DISABILITIES AND ACCOMMODATIONS~~

~~Reference: Title 5, 53003 (d), 53025~~

#### ~~Requests for Accommodations~~

~~Applicants and employees with disabilities shall receive reasonable accommodations consistent with the requirements of Government Code, sections 11135 et seq. and 12940(m); section 504 of the Rehabilitation Act of 1973; and the Americans with Disabilities Act. Such reasonable accommodations may include, but are not limited to, job site modifications, flexible scheduling, adaptive equipment, and interpreters.~~

~~**Applicants for Employment:** The Human Resources Division is the primary contact for all recruiting efforts. Prior to interviewing, candidates will be asked if they require any accommodations to be made based on the format of the interview. Every effort will be made to provide accommodations for applicants. If the applicant does not initially request an accommodation and needs to facilitate one later, they may contact Human Resources. If an applicant feels their accommodation requests are not being met, they may speak directly to the Chief Human Resource Officer.~~

~~**Current Employees:** The Human Resources Division is responsible for handling requests for accommodations from current employees. Requests can be made on the Disability Accommodation Request Form, which can be found with accompanying documents on the District EEO website, by calling Human Resources, or in Appendix F of this Plan.~~

### ~~XIII. SELECTION OF SPECIFIC PRE-HIRING, HIRING AND POST HIRING EEO STRATEGIES AND SCHEDULE IDENTIFYING TABLES FOR THEIR IMPLEMENTATION (MULTIPLE METHODS INTEGRATION)~~

~~See Appendix G.~~

# APPENDIX A

## DISTRICT POLICIES AND PROCEDURES

### **CONTENTS:**

Board Policy 3410: Nondiscrimination  
Administrative Procedure 3410: Nondiscrimination

Board Policy 3416: Equal Access  
Administrative Procedure 3416: Equal Access

Board Policy 3420: Equal Employment Opportunity  
Administrative Procedure 3420: Equal Employment Opportunity

Board Policy 3430: Prohibition of Harassment  
Administrative Procedure 3430: Prohibition of Harassment

Board Policy 3435 Discrimination and Harassment Complaints and Investigations  
Administrative Procedure 3435 Discrimination and Harassment Complaints and Investigations

Board Policy 7100: Commitment to Diversity  
Administrative Procedure 7100: Commitment to Diversity

Board Policy 7120: Recruitment & Selection  
Administrative Procedure 7120: Recruitment & Selection

Source: <https://www.gcccd.edu/governing-board/policies-procedures.php>



## **BP 3410      Nondiscrimination**

Reference:      ***Education Code Sections 66250, et seq.; 72010, et seq.; 87100 et seq.; Title 5, Sections 53000, et seq.; 59300 et seq.; Penal Code Section 422.55; and Government Code Sections 12926.1, 129240, et seq.; Title 2 Sections 10500 et seq.; Labor Code Section 1197.5***

Adoption Date:      August 21, 2001

Updated: April 20, 2021

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The Grossmont-Cuyamaca Community College District (District) is committed to providing learning and working environments that ensure and promote diversity, equity, and inclusion. People of diverse backgrounds, perspectives, socioeconomic levels, cultures, and abilities are valued, welcomed, and included in all aspects of our organization. The District strives to provide an educational environment that fosters cultural awareness, mutual understanding, and respect that ultimately also benefits the global community.

No person shall be unlawfully subjected to discrimination or denied full and equal access to District programs or activities on the basis of ethnic group identification, race or ethnicity, color, national origin, immigration status, religion, age, gender, gender identity, gender expression, physical or mental disability, medical condition, pregnancy, genetic information, ancestry, sexual orientation, marital status, 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. District programs and activities include, but are not limited to any that are administered or funded directly by or that receive any financial assistance from the California Community Colleges Chancellor's Office.

The Chancellor shall establish administrative procedures that ensure all members of the college community can present complaints regarding alleged violations of this policy and have 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 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 the District, to any private organization whose membership practices are discriminatory on the basis of the groups mentioned above.

See also: BP/AP 3435 Discrimination and Harassment Complaints and Investigations

## **AP 3410      Nondiscrimination**

Education Programs Reference:      *Education Code Sections 66250 et seq.; 200 et seq.; 72010 et seq.; Penal Code Sections 422.55 et seq.; Title 5 Sections 59300 et seq.; Accreditation Standard 1.6*

Employment Reference:      *Education Code Sections 87100 et seq.; Title 5 Sections 53000 et seq.; Government Code Sections 11135 et seq.; 12940 et seq.; Title 2 Sections 10500 et seq.; Labor Code Section 1197.5*

Date Issued:      February 12, 2007

Updated: April 20, 2021

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### **Educational and Institutional Programs and Activities**

The Grossmont-Cuyamaca Community College District (District) shall provide access to its services, classes, and programs without regard to, ethnic group identification, race or ethnicity, color, national origin, religion, age, gender, gender identity, gender expression, physical or mental disability, medical condition, pregnancy, genetic information, ancestry, sexual orientation, marital status, immigration status, 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. 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” mean’s 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.

Employees serving in an advisory capacity to students, including but not limited to counselors, instructors, staff, 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.

Students may find information regarding student complaint procedures on nondiscrimination issues in the college catalogs.

### **Employment**

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

Employment procedures ensuring equal opportunity are detailed in Personnel Hiring Procedures and the District Equal Employment Opportunity (EEO) Plan. Information regarding complaint procedures on Nondiscrimination in employment can be found in the District EEO Plan, and the District's EEO website.

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 the District's needs.

The District shall regularly provide professional and staff development activities and training to promote understanding of diversity and nondiscrimination.

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 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.

See also: BP/AP 3435 Discrimination and Harassment Complaints and Investigations

## **BP 3416      Equal Access**

Reference:            ***Education Code Sections 87100 et seq.***  
                              ***Title 5 Sections 53000 et seq.***

Adoption Date:    August 21, 2001

Updated: October 15, 2019

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

In accordance with applicable laws, the District, and each individual who represents the District, shall provide reasonable accommodation for access to its services, classes, and programs without regard to ethnic group identification, race, color, national origin, religion, age, sex or gender, physical disability, mental disability, ancestry, sexual orientation, marital status, veteran status, or on the basis of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

The Chancellor shall establish administrative procedures to assure equal access and to ensure all members of the college community can present complaints regarding alleged violations of this policy. All complaints will be heard in accordance with the Title 5 regulations and those of other agencies that administer state and federal laws regarding equal access opportunities.

## **AP 3416      Equal Access**

Reference:            *Education Code Sections 87100 et seq. Title 5  
Sections 53000 et seq.*

Date Issued:        September 2, 2009

Updated: October 15, 2019

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The District, and each individual who represents the District, shall provide reasonable accommodation for access to its services, classes, and programs without regard to ethnic group identification, race, color, national origin, religion, age, sex or gender, physical disability, mental disability, ancestry, sexual orientation, marital status, veteran status, or on the basis of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

### **Educational and Institutional Programs and Activities**

If a student or visitor requires an accommodation for access to services, classes, or programs, they are requested to contact the Disabled Student Programs and Services office at their college.

If a student or visitor feels they have been denied equal access to any service, class, or program based on any protected class, contact information for campus complaint officers may be found under the nondiscrimination policy of the college catalogs.

### **Employment**

The District shall provide equal access for employees and applicants for employment. Applicants requiring an accommodation for access to application materials and interviews may contact Human Resources to arrange for such accommodations.

Current employees of the District requiring an accommodation to carry out the tasks of their employment shall contact the Department of Human Resources.

If an employee or applicant for employment feels they have been denied equal access based on any protected class, complaint procedures can be found in the District's Equal Employment Opportunity Plan, or by contacting the Department of Human Resources.



## AP 3420      Equal Employment Opportunity

Reference:      *Education Code Sections 87100 et seq.;*  
                    *Title 5 Sections 53000 et seq. and Sections 59300 et seq.*

Date Issued:      October 8, 2012

Updated: March 17, 2015

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The Grossmont-Cuyamaca Community College District (District) Equal Employment Opportunity (EEO) Plan is a district-wide, written Plan that implements the District's EEO Program and addresses, but may not be limited, to the following:

- Definitions related to EEO as contained in Title 5, Section 53001
- The delegation of authority to a single responsible District officer designated as the EEO Officer charged with overseeing the day to day implementation of the Plan
- 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 establishment and responsibilities of the EEO Advisory Committee, which shall include a diverse membership whenever possible
- The procedure for filing complaints and the designation of the responsible District Officer 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 shall receive appropriate 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 the 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
- An analysis of the number of persons from "monitored groups," as defined by Title 5 Section 53001(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
- The steps the District will take to promote diversity in its work force
- Methods for addressing any discrimination that is detected in the District's hiring practices
- GCCCD EEO compliance in job announcements, employment and hiring procedures

- Dissemination of the Plan to appropriate District personnel including the Academic Senates and exclusive representatives of any units of employees
- Submission of the Plans and subsequent revisions to the California Community Colleges Chancellor's Office for review as required

The District's Plan is a public record. The Plan shall be posted on the District's website and a hardcopy may be requested from the division of Human Resources.

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

**Annual Evaluation of EEO Plan:**

- An annual review of the GCCCD employees and applicants for employment shall be conducted in order to evaluate progress in implementing the EEO Plan and to provide data needed for required analyses.
- Submission of an annual report to the Chancellor's Office of the California Community Colleges on the results of its annual survey of employees. 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
  - ◆ Service and maintenance
- The opportunity for each employee to identify his/her gender, ethnicity and, if applicable, disability. This opportunity does allow for a person to designate multiple ethnic groups with which he/she identifies. However, the person may only be counted in one group for reporting purposes.

The responsibilities of each of the Hiring Committees shall include but not be limited to the following:

- review and advise on recruitment efforts; job announcements, interview protocols, retention efforts and other aspects of the hiring, retention, and promotion processes that impact the District's ability to attract and retain a diverse faculty and staff;
- advise on implementing the District's obligation to hire faculty and administrators with a demonstrated sensitivity to, and understanding of, the diverse academic, socioeconomic, cultural, disability and ethnic backgrounds of community college students;
- promote communication with community groups and organizations for people with disabilities;
- promote hiring of faculty who have, themselves, graduated from a community college;
- develop communications among departments to foster understandings of the Plan;

- to advise the Chancellor regarding special training or staff development needs;
- review the Plan and monitor its progress;
- recommend changes needed in the Plan; and
- review and approve the annual written report to the Chancellor, the Board of Trustees, and the California Community Colleges Chancellor's Office.

## **Employment Procedures**

**Job Analysis and Validation:** The Vice Chancellor 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 involving interim hires.

Recruitment must utilize outreach strategies designed to ensure that all qualified individuals 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.

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 voluntarily as to gender, ethnicity and, if applicable, his/her 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 recorded and reviewed by the Vice Chancellor of Human Resources or designee. 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 applicant pool is formed, the pool must again be analyzed. If the Vice Chancellor of Human Resources 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 or shall]* 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 administrators, faculty, and classified staff members; include a diverse membership when possible; do not include applicants or persons who have written letters of recommendation.
- Every screening and selection committee includes an individual trained to monitor conformance with EEO requirements. The Vice Chancellor of Human Resources or designee 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 record 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 or permitted by law;
- consider various other means of reducing the underrepresentation which do not involve taking monitored group status into account and implement any such techniques that are feasible;
- If significant underrepresentation persists:
  - review each locally-established job qualification to determine if it is job related and consistent with business necessity;
  - discontinue the use of any non-job-related local qualification; and
  - continue using job-related local qualifications only if no alternative standard is reasonably available; and
- consider the implementation of additional measures designed to promote diversity.

### **Delegation of Authority**

- The designation of a single person as the “EEO Officer” charged with overseeing the day-to-day implementation of the EEO Plan and programs.
- Processes and responsibilities when the EEO Officer is named in a complaint or implicated by the allegations in a complaint.

### **Complaint Procedure**

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 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 180 days of the date of the alleged unlawful discrimination, unless the complainant first obtained knowledge of the facts of the alleged violation after the expiration of the initial 180 days.

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 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 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 Vice Chancellor of Human Resources or designee as to whether discrimination did or did not occur with respect to each allegation in the complaint; a description of action taken, if any, to prevent similar problems from occurring in the future; the proposed resolution of the complaint; and notice of the complainant's right to appeal to the District's Governing Board and the California 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 Vice Chancellor of Human Resources or designee as to whether discrimination did or did not occur with respect to each allegation in the complaint; a description of action taken, if any, to prevent similar problems from occurring in the future; the proposed resolution of the complaint; and the complainant's right to appeal to the District's Governing Board and to file a complaint with the Department of Fair Employment and Housing.

If the complainant is not satisfied with the results of the administrative determination, the complainant must be given the opportunity to submit a written appeal to the governing board within fifteen days from the date of the notice of the administrative determination. The Board must review the original complaint, the investigative report, the administrative determination, and the appeal and must issue a final District decision within forty-five 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 right to file a complaint with the Department of Fair Employment and Housing.

Where the Board does not act within forty-five 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 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 Department of Fair Employment and Housing.

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 30 days after the Board issues the final District decision, permits the administrative decision to become final or from the date that notice of the District's final decision was provided to the complainant pursuant to Section 59338(b) or (d), whichever is later.

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 ethnic and racial minorities, women, persons with disabilities, and Vietnam-era veterans. No person shall be denied employment because of ethnicity or race, color, sex or gender, gender identity, age, religion, marital status, disability, sexual orientation, national origin, medical conditions, status as a Vietnam-era veteran, ancestry, or political or organizational affiliation.

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

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.

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

Such plans shall be reviewed at least every three years and, if necessary, revised and submitted to the California Community Colleges Chancellor's Office within 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 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 State 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.

## **BP 3430      Prohibition of Harassment**

Reference:      *Education Code Sections 212.5, 44100, 66252, and 66281.5; Government Code Sections 12940 and 12950.1; Title 2 Sections 10500 et seq; Title VII of the Civil Rights Act of 1964, and 42 U.S. Code Annotated Section 2000e*

Adoption Date:      August 21, 2001

Updated: June 20, 2017

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The Grossmont-Cuyamaca Community College District (District) is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of sexual harassment and all forms of sexual intimidation and exploitation including acts of sexual violence. It shall also be free of other unlawful harassment, including that which is based on any of the following statuses: ethnic group identification, race, color, national origin, religion, age, gender, gender identity, gender expression, physical disability, mental disability, medical condition, genetic information, ancestry, sexual orientation, marital status, military and veteran status, or because he or she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

Harassment based on any of the protected statuses is prohibited and will not be tolerated.

It is illegal to retaliate against any individual for filing a complaint of sexual harassment or for participating in a sexual harassment investigation, and retaliation constitutes a violation of this policy.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature when:

- Submission to the conduct is made a term or condition of an individual's employment, academic status, or progress;
- 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 education environment; or
- Submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual.

The Chancellor shall establish procedures for the purpose of this policy that further define sexual harassment and other forms of harassment occurring on District property. The Chancellor shall further establish procedures for employees, students, unpaid interns, volunteers, and other members of the college community that provide for the investigation and resolution of complaints regarding sexual harassment and

discrimination, and procedures for students to resolve complaints of sexual and other harassment and discrimination. All participants are protected from retaliatory acts by the District, its employees, students, and agents.

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 Chancellor shall ensure that the institution undertakes education activities to counter discrimination and minimize and eliminate a hostile environment that impairs access to equal education opportunity.

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. They shall be available for students, employees, unpaid interns and volunteers in all administrative offices, and 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. A violation of this policy does not constitute a violation of state or federal law, although discriminatory harassment is prohibited by both. 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.

See also: BP/AP 3435 Discrimination and Harassment Complaints and Investigations, and BP 4030 Academic Freedom

## AP 3430 Prohibition of Harassment

Reference: *Education Code Sections 212.5; 44100; 66281.5; Government Code Section 12940; 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, and 42 U.S. Code Annotated Section 2000e.*

Date Issued: September 2, 2009

Updated: June 20, 2017

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The Grossmont-Cuyamaca Community College District (District) is committed to providing an academic and work environment free from harassment. This procedure defines sexual harassment and other forms of harassment on District property, 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 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, a District bus or van, or at a class or training program sponsored by the District at another location. The procedure below is based, but may not be limited on the following definitions:

### Definitions

**General Harassment:** Harassment based on ethnic group identification, race, color, national origin, religion, sex or gender, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, gender, gender identity, gender expression, military or veteran status, age, or sexual orientation of any person, or the perception that a person has one or more of these characteristics is illegal and violates District policy. Harassment shall be found where, in aggregate, the incidents are sufficiently pervasive, persistent, or severe that 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 ability to participate in or to realize the intended benefits of an institutional activity, employment, or resource. 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 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, or progress;
- 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 kinds of sexual harassment:

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

Sexually harassing conduct can occur between people of the same or different genders. The standard for determining whether conduct constitutes sexual harassment is whether a reasonable person of the same gender as the victim would perceive the conduct as harassment based on sex.

### **Consensual Relationships**

District employees are strongly discouraged from entering into or maintaining any romantic or sexual relationship with any student or employee over whom they exercise any academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence.

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

The Governing Board reaffirms its commitment to academic freedom, but recognizes that academic freedom does not allow any form of unlawful discrimination or harassment. It is recognized that an essential function of education is a probing of opinions and an exploration of ideas that may cause some students discomfort. It is further recognized that academic freedom insures the faculty's right to teach and the student's right to learn.

See also: BP/AP 3435 Discrimination and Harassment Complaints and Investigations, and BP 4030 Academic Freedom

## **BP 3435      Discrimination and Harassment Complaints and Investigations**

Reference:      *Education Code Section 66281.5; Government Code Section 12950.1; Title 5 Sections 59320, 59324, 59326, 59328, and 59300 et seq.; and 34 Code of Federal Regulations Section 106.8(b)*

Adoption Date:      April 16, 2013

Reviewed: August 18, 2015

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The Grossmont-Cuyamaca Community College District (District) Chancellor shall ensure that procedures are written to address discrimination and harassment complaints and investigations within the District. The Chancellor shall ensure that the procedures are set forth in detail and maintained in the District's Human Resources Department.

See also: BP/AP 3410 Nondiscrimination and BP/AP 3430 Prohibition of Harassment

# **AP 3435      Discrimination and Harassment Complaints and Investigations**

Reference:      *Education Code Section 66281.5; Government Code Section 12950.1; Title 5 Sections 59320, 59324, 59326, 59328, and 59300 et seq.; and 34 Code of Federal Regulations Section 106.8(b)*

Date Issued:      April 11, 2013

Revised: August 18, 2015

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The administrative procedures for the Grossmont-Cuyamaca Community College District's discrimination and harassment investigations include, but may not be limited to, the following processes:

## **Filing a Timely Complaint**

Since failure to report harassment and discrimination impedes the District's ability to stop the behavior, the District strongly encourages anyone who believes they are being harassed or discriminated against, to file a complaint. The District also strongly encourages the filing of such complaints within thirty (30) days of the alleged incident.

While all complaints are taken seriously and will be investigated promptly, delay in filing impedes the District's ability to investigate and remediate.

All supervisors and managers have a mandatory duty to report incidents of harassment and discrimination; the existence of a hostile, offensive or intimidating work environment, and acts of retaliation.

The District will investigate complaints involving acts that occur off campus if they are related to an academic or work activity.

## **Communicating that the Conduct is Unwelcome**

The District further encourages students and staff to let the offending person know immediately and firmly that the conduct or behavior is unwelcome, offensive, in poor taste and/or inappropriate.

## **Oversight of Complaint Procedure**

The Vice Chancellor of Human Resources is the "responsible District officer" charged with receiving complaints of discrimination or harassment, and coordinating their investigation.

The actual investigation of complaints may be assigned by the Vice Chancellor of Human Resources to other staff or to outside persons or organizations under contract with the District. This shall occur whenever the Vice Chancellor of Human Resources is named in the complaint or implicated by the allegations in the complaint.

## **Who May File a Complaint**

Any student, employee, or third party who believes he/she has been discriminated against or harassed by a student, employee or third party in violation of these policy and procedures.

### **Time Limit to File a Complaint**

In any complaint not involving employment, the complaint shall be filed within one year of the date of the alleged unlawful discrimination or harassment, or within one year of the date on which the complainant knew or should have known of the facts underlying the allegation of unlawful discrimination or harassment.

In any complaint alleging discrimination or harassment in employment, the complaint shall be filed within 180 days of the date the alleged unlawful discrimination or harassment occurred, except that this period should be extended by no more than 90 days following the expiration of the 180 days if the complainant first obtained knowledge of the facts of the alleged violation after the expiration of the 180 days.

### **Where to File a Complaint**

A student, employee, or third party who believes he/she has been discriminated against or harassed in violation of these policy and procedures may make a complaint orally or in writing to the Vice Chancellor of Human Resources or his/her designee.

If a complainant decides to file a formal written unlawful discrimination or harassment complaint against the District, he/she must file the complaint on a form prescribed by the California Community Colleges Chancellor's Office. These approved forms are available from the Vice Chancellor of Human Resources and on the State Chancellor's Office website.

The completed form must be filed with any of the following:

- Complaints from employees or the public should be filed with the Vice Chancellor of Human Resources or his/her designee; and/or the California Community Colleges Chancellor's Office
- Complaints from students should be filed with the Vice President Student Services or his/her designee

Employee complainants shall be notified that they may file employment discrimination complaints with the U.S. Equal Employment Opportunity Commission (EEOC) or the Department of Fair Employment and Housing (DFEH).

Non-employment Complaints filed with the EEOC and/or the DFEH should be forwarded to the California Community Colleges Chancellor's Office.

Any District employee who receives a harassment or discrimination complaint shall notify the Vice Chancellor of Human Resources immediately.

In addition, a complaint of discrimination will not be rejected solely because it is not submitted on the Chancellor's Office form. The complainant may initiate the formal complaint process by submitting the complaint in another written format and specifying that it is a formal complaint of discrimination. If a complaint of unlawful discrimination is presented in another written format, such as a letter, the District may request that the complainant complete the form.

### **Intake and Processing of the Complaint**

Upon receiving notification of a harassment or discrimination complaint, the Vice Chancellor of Human Resources shall:

- Undertake efforts to informally resolve the charges, including but not limited to mediation, rearrangement of work/academic schedules; obtaining apologies; providing informal counseling and/or training, etc.
- Advise the complainant that he/she need not participate in an informal resolution of the complaint, as described above, and has the right to end the informal resolution process at any time. Mediation is not appropriate for resolving incidents involving sexual violence.
- Advise complainant that he/she may file a complaint with the Office of Civil Rights of the U.S. Department of Education and employee complainants may file a complaint with the Department of Fair Employment and Housing. All complainants should be advised that they have a right to file a complaint with local law enforcement. The District must investigate even if the complainant files a complaint with local law enforcement. In addition, the District should ensure that complainants are aware of any available resources, such as counseling, health, and mental health services. The Vice Chancellor of Human Resources shall also notify the California Community Colleges Chancellor's Office of the complaint.
- Take interim steps to protect a complainant from coming into contact with an accused individual, especially if the complainant is a victim of sexual violence. The Vice Chancellor of Human Resources, Vice President Student Services, or their designees, should notify the complainant of his or her options to avoid contact with the accused individual and allow students to change academic situations as appropriate. For instance, the District may prohibit the accused individual from having any contact with the complainant pending the results of the investigation. When taking steps to separate the complainant and accused individual, the District shall minimize the burden on the complainant. For example, it is not appropriate to remove complainants from classes while allowing accused individuals to remain.
- Authorized investigation will first determine if the complaint is valid or defective.
- Authorize the investigation of the complaint, and supervise and/or conduct a thorough, prompt and impartial investigation of the complaint, as set forth below. Where complainants opt for informal resolution, the designated officer will determine whether further investigation is necessary to ensure resolution of the matter and utilize the investigation process outlined below as appropriate. In the case of a formal complaint, the investigation will include interviews with the complainant, the accused, and any other persons who may have relevant knowledge concerning the complaint. This may include victims of similar conduct.
- Review the factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment, or other unlawful discriminatory conduct, giving consideration to all factual information and the totality of the circumstances, including the nature of the verbal, physical, visual or sexual conduct, and the context in which the alleged incidents occurred.
- Set forth the results of the investigation in a written report. The written report shall 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 there is probable cause to believe that discrimination did or did not occur with respect to each allegation in the complaint, a description of actions the District

will take to prevent similar conduct, the proposed resolution of the complaint, the complainant's right to appeal to the District's Governing Board, and if the complaint does not involve employment discrimination, right to appeal to the State Chancellor. If the complaint involves employment discrimination, the report shall include the right to file an administrative complaint with the Department of Fair Employment and Housing. The report may contain any other appropriate information.

- Provide the complainant and accused with a copy or summary of the investigative report within ninety (90) days from the date the District received the complaint. The complainant and accused shall also be provided with a written notice setting forth the determination of the Vice Chancellor of Human Resources or his/her designee as to whether harassment or other discriminatory conduct 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 parties' rights to appeal to the District's Governing Board and the California Community Colleges Chancellor's Office. If the complaint involves allegations of employment discrimination, the complainant will be notified of his or her right to file a complaint with the California Department of Fair Employment and Housing or the U.S. Equal Employment Opportunity Commission. The results of the investigation and the determination as to whether harassment or other discriminatory conduct occurred shall also be reported to the accused, and the appropriate academic or administrative official(s). Reports to the complainant shall be prepared so as not to violate any applicable privacy rights of the accused.

### **Investigation of the Complaint**

The District shall promptly investigate all complaints of harassment or discrimination. This includes complaints involving activities that occur off campus and 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, on a District bus, or at a class or training program sponsored by the District at another location.

As set forth above, where the complainant opts for an informal resolution, the Vice Chancellor of Human Resources or his/her designee may limit the scope of the investigation, as appropriate. The District will keep the investigation confidential to the extent possible, but cannot guarantee absolute confidentiality because release of some information on a "need-to-know-basis" is essential to a thorough investigation. When determining whether to maintain confidentiality, the District may weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment; the complainant's age; whether there have been other harassment complaints about the same individual; and the accused individual's rights to receive information about the allegations if the information is maintained by the District as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 C.F.R. Part 99.15. The District will inform the complainant if it cannot maintain confidentiality

### **Investigation Steps**

The District will fairly and objectively investigate harassment and discrimination complaints. Employees designated to serve as investigators under this policy shall have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how the District's grievance procedures operate. The investigator

may not have any real or perceived conflicts of interest and must be able to investigate the allegations impartially.

Investigators will use the following steps: interviewing the complainant(s); interviewing the accused individual(s); identifying and interviewing witnesses and evidence identified by each party; identifying and interviewing any other witnesses, if needed; reminding all individuals interviewed of the District's no-retaliation policy; considering whether any involved person should be removed from the campus pending completion of the investigation; reviewing personnel/academic files of all involved parties; reach a conclusion as to the allegations and any appropriate disciplinary and remedial action; and see that all recommended action is carried out in a timely fashion. When the District evaluates the complaint, it shall do so using a preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the District will decide whether it is more likely than not that discrimination or harassment has occurred.

### **Timeline for Completion**

The District will undertake its investigation promptly and swiftly as possible. To that end, the investigator shall complete the above steps, and prepare a written report within ninety (90) days of the District receiving the complaint.

### **Cooperation Encouraged**

All employees are expected to cooperate with a District investigation into allegations of harassment or discrimination. Lack of cooperation impedes the ability of the District to investigate thoroughly and respond effectively. However, lack of cooperation by a complainant or witnesses does not relieve the District of its obligation to investigate. The District will conduct an investigation if it is discovered that harassment is, or may be occurring, with or without the cooperation of the alleged victim(s) and regardless of whether a complaint is filed.

### **Discipline and Corrective Action**

If harassment, discrimination and/or retaliation occurred in violation of the policy or procedure, the District shall take disciplinary action against the accused and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense. Remedies for the complainant might include, but are not limited to:

- Providing an escort to ensure that the complainant can move safely between classes and activities
- Ensuring that the complainant and alleged perpetrator do not attend the same classes or work in the same work area
- Preventing offending third parties from entering campus
- Providing counseling services
- Providing medical services
- Providing academic support services, such as tutoring
- Arranging for a student complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant's academic record

- Reviewing any disciplinary actions taken against the complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the complainant being disciplined

If discipline is imposed, the nature of the discipline will not be communicated to the complainant. However, the District may disclose information about the sanction imposed on an individual who was found to have engaged in harassment when the sanction directly relates to the complainant; for example, the District may inform the complainant that the harasser must stay away from the complainant.

Disciplinary actions against faculty, staff and students will conform to all relevant statutes, regulations, personnel policies and procedures, including the provisions of any applicable collective bargaining agreement.

The District shall also take reasonable steps to protect the complainant from further harassment, and/or discrimination, and to protect the complainant and witnesses from retaliation as a result of communicating the complaint and/or assisting in the investigation. The District will ensure that complainants and witnesses know how to report any subsequent problems, and should follow-up with complainants to determine whether any retaliation or new incidents of harassment have occurred. The District shall take reasonable steps to ensure the confidentiality of the investigation and to protect the privacy of all parties to the extent possible without impeding the District's ability to investigate and respond effectively to the complaint.

If the District cannot take disciplinary action against the accused individual because the complainant refuses to participate in the investigation, insists on confidentiality, it should pursue other steps to limit the effects of the alleged harassment and prevent its recurrence.

## **Appeals**

If the District imposes discipline against a student or employee as a result of the findings in its investigation, the student or employee may appeal the decision using the procedure for appealing a disciplinary decision.

If the complainant is not satisfied with the results of the administrative determination, he/she may, within fifteen (15) days, submit a written appeal to the District's Governing Board. The Governing Board shall review the original complaint, the investigative report, the administrative decision, and the appeal. The Governing Board shall issue a final District decision in the matter within forty-five (45) days after receiving the appeal. A copy of the decision rendered by the Governing Board shall be forwarded to the complainant and to the California Community Colleges Chancellor's Office. The complainant shall also be notified of his/her right to appeal this decision.

If the Board does not act within forty-five (45) days the administrative determination shall be deemed approved and shall become the final decision of the District in the matter.

The complainant shall have the right to file a written appeal with the California Community Colleges Chancellor's Office (in cases not involving employment discrimination) within thirty (30) days after the Governing Board issued the final District decision or permitted the administrative decision to become final. Such appeals shall be processed pursuant to the provision of Title 5 Section 59350.

In any case involving employment discrimination, including workplace harassment, the complainant may, at any time before or after the issuance of the final decision of the District, file a complaint with the Department of Fair Employment and Housing.

Within 150 days of receiving a formal complaint, the District shall forward to the California Community Colleges Chancellor's Office the original complaint, the investigative report (for non-employment discrimination complaints), a copy of the final administrative decision for non-employment discrimination complaints rendered by the Governing Board or indicating the date upon which the decision became final. A copy of the final District decision and the notification to the complainant of his/her appeal rights (for non-employment discrimination complaints). If, due to circumstances beyond its control, the District is unable to comply with the 150-day deadline for submission of materials, it may file a written request for an extension of time no later than ten (10) days prior to the expiration of the deadline.

### **Dissemination of Policy and Procedures**

District Policy and Procedures related to harassment will include information that specifically addresses sexual violence. District Policy and Procedures will be provided to all students, faculty members, members of the administrative staff and members of the support staff, and will be posted on campus and on the District website.

When hired, employees are required to sign that they have received the policy and procedures, and the signed acknowledgment of receipt is placed in each employee's personnel file. In addition, these policies and procedures are incorporated into the District's course catalogs and orientation materials for new students.

### **Training**

All new supervisory employees must be provided with the training and education within six (6) months of their assumption of a supervisory position. In addition, the District shall provide sexual harassment training and education to each supervisory employee once every two (2) years.

The training and education required by this procedure shall include information and practical guidance regarding the federal and state statutory provisions concerning the prohibition against and the prevention and correction of sexual harassment and the remedies available to victims of sexual harassment in employment. The training and education shall also include practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation, and shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation.

### **Education and Prevention for Students**

In order to take proactive measures to prevent sexual harassment and violence toward students, the District will provide preventive education programs and make victim resources, including comprehensive victim services, available. The District will include such programs in their orientation programs for new students, and in training for student athletes and coaches. These programs will include discussion of what constitutes sexual harassment and sexual violence, the District's policies and disciplinary procedures, and the consequences of violating these policies. A training program or informational services will be made available to all students at least once annually.

The education programs will include information aimed at encouraging students to report incidents of sexual violence to the appropriate District and law enforcement authorities. Since victims or third parties may be deterred from reporting incidents if alcohol, drugs, or other violations of District or campus rules were involved, the District will inform students that the primary concern is for student safety and that use of alcohol or drugs never makes the victim at fault for sexual violence. The education programs will include information about the District's no-retaliation policy. If other rules are violated, the District will address such violations separately from an allegation of sexual violence.

See also: BP/AP 3410 Nondiscrimination and BP/AP 3430 Prohibition of Harassment

## **BP 7100      Commitment to Diversity**

Reference:            *Education Code Sections 87100 et seq.; Title 5  
Sections 53000 et seq.*

Adoption Date:    August 21, 2001                      Updated: October 15, 2019

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The Grossmont-Cuyamaca Community College District (GCCCD) is committed to providing learning and working environments that ensure and promote diversity, equity, and inclusion. People of diverse backgrounds, perspectives, socioeconomic levels, cultures, and abilities are valued, welcomed, and included in all aspects of our organization. GCCCD strives to provide an educational environment that fosters cultural awareness, mutual understanding, and respect that ultimately also benefits the global community.

## **AP 7100            Commitment to Diversity**

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

Date Issued:        January 8, 2007                      Updated: October 15, 2019

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The District is committed to employing qualified administrators, faculty, and staff members who are dedicated to student success. For this reason each position will be filled by a candidate recommended by a Screening/Interviewing Committee. This committee shall consist of representatives from various age, gender, and ethnic backgrounds. If required, the committee will also consist of representatives from various groups on the colleges as defined in the operating procedure for the given position classification search process. Members of all Screening/Interviewing Committees will receive Equal Employment Opportunity (EEO) training.

Every job opening shall be advertised in a variety of publications, in print or on the internet, to reach persons of varying gender, ethnicities, age, and socio-economic backgrounds. A record shall be kept of recruiting sources utilized for each position.

To measure the effectiveness of diversified recruiting, the District's application materials contain a separate voluntary Personal Data Questionnaire. Applicants are requested to voluntarily disclose their ethnicity, age, gender, disability status, and veteran status. These data are kept separate from the application materials and is not reviewed by committees. Information provided on this questionnaire is used by Human Resources to conduct an Adverse Impact Analysis. Recruiting source information is also requested from applicants and is used by Human Resources to track the effectiveness of position advertising.

The Adverse Impact Analysis will track ethnic, age, gender, and disability status at various stages of the recruitment process. The results help identify any stage of the process that might have an adverse impact on applicants of a particular group. Any part of the recruitment process identified as screening out a disproportionate number of a particular group will be reviewed and subject to revision.

Upon selection of a finalist for the position, the entire recruiting process will be reviewed by Human Resources for approval.

The specific recruitment procedure for various employee groups may be found in the Personnel Operating Procedures.

The District's ongoing Equal Employment Opportunity (EEO) efforts can be found in the District EEO Plan. Complaint procedures regarding nondiscrimination in employment can also be found in the District EEO Plan.

## **BP 7120          Recruitment and Selection**

Reference:          *Education Code 70901.2, 70902(b)(7) & (d), 87100 et seq.; Title 5, Section 53000, et seq., 51023.5; Accreditation Standard III.A.1*

Adoption Date:    August 21, 2001

Reviewed: February 17, 2015

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The Chancellor shall establish procedures for the recruitment and selection of employees including, but not limited to, the criteria below. Step-by-step procedures for the recruitment and selection of employees are detailed in Personnel Operating Procedures. These procedures are compliant with the District Equal Employment Opportunity (EEO) Plan, Title 5, and Board policies regarding nondiscrimination and local decision making. A copy of Personnel Operating Procedures may be found on the District's shared network or by contacting Human Resources.

Academic employees shall possess the minimum qualifications prescribed for their positions by the California Community Colleges' 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 in accordance with Board policies and procedures affording staff an opportunity to participate in the formulation and development of District policies and procedures that have a significant effect on staff.

## **AP 7120      Recruitment and Selection**

Reference:      *Education Code Sections 87100 et seq.; 87400; and 88003  
Education Code 87359, 87360; Board Policies 2410, 2510,  
2515; Title 5, Section 53000, et seq., and 51023.5; Accreditation  
Standard III.A.1*

Date Issued:      September 2, 2009

Reviewed: February 17, 2015

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### **Vacancy Announcements**

The Grossmont-Cuyamaca Community College District job vacancy announcements are available for public viewing on the District's employment website. Applicants are to apply online using the District's official application found on the same website.

The District employs recruitment methods to include print media, web-based advertising such as job boards, television, list-serves, and general and industry-specific publications. All positions shall be advertised to a diverse pool of applicants.

Continuous recruitment will occur for a part-time faculty pool, along with occasional recruitments for position regularly requiring substitutes, such as clerical/secretarial and service positions.

Recruitments shall be advertised for a minimum of 15 working days for staff and administrators and 14 calendar days for faculty positions.

### **Selection Process**

Screening/interviewing committees serve to recommend successful candidates for employment. Such committees shall be selected with consideration for ethnic, age, sex or gender, and department representation. Human Resources will conduct training and maintain compliance with employment laws and procedures. Human Resources will be responsible for establishing job-related criteria used for the vacancy announcement, interviews, and any testing or exercises given to candidates.

Offers of employment shall only be made through the Human Resources Division. All offers are contingent upon the candidate's successful competition of a Live Scan criminal background check and a pre-placement physical. All offers are subject to ratification by the Governing Board.

Step-by-step procedures for the recruitment and selection of employees are detailed in Personnel Operating Procedures. These procedures are compliant with the District EEO Plan, Title 5, and board policies regarding nondiscrimination and collegial consultation's role in local decision making. A copy of Personnel Operating Procedures may be found on the District shared network or by contacting Human Resources.

**APPENDIX B  
VOLUNTARY DEMOGRAPHIC  
INFORMATION QUESTIONNAIRE**

**INSERT WORKDAY SCREENSHOT HERE**

Information provided by the applicant, other than that requested for statistical purposes by Human Resources, which indicates candidate's gender, age, ethnicity, religious preference, etc. will be removed from the application. All submitted materials become District property and cannot be returned.

Applicants who are protected under the Americans with Disabilities Act due to a disability and who require accommodations for completing the application process or interviewing, please notify the District Human Resources Department at (619) 644-7572.

Please select your gender:

- Female
- Male
- Not Declared

Are you Hispanic or Latino?

- Yes
- No

Please select your Race/Ethnicity:	<ul style="list-style-type: none"> <li>• American Indian or Alaska Native</li> <li>• Asian - Cambodian</li> <li>• Asian - Chinese</li> <li>• Asian - Filipino</li> <li>• Asian - Indian</li> <li>• Asian - Japanese</li> <li>• Asian - Korean</li> <li>• Asian - Laotian</li> <li>• Asian - Vietnamese</li> <li>• Asian - Other</li> <li>• Black or African American</li> <li>• Hispanic/Latino - Mexican, Mexican-American, Chicano</li> <li>• Hispanic/Latino - Central American</li> <li>• Hispanic/Latino - South American</li> <li>• Hispanic/Latino - Other</li> <li>• Middle Eastern/North African - Assyrian, Syriac or Chaldean</li> <li>• Middle Eastern/North African - Iranian or Persian</li> <li>• Middle Eastern/North African - Iraqi</li> <li>• Middle Eastern/North African - Israeli</li> <li>• Middle Eastern/North African - Jordanian</li> <li>• Middle Eastern/North African - Lebanese</li> <li>• Middle Eastern/North African - Palestinian</li> <li>• Middle Eastern/North African - Syrian</li> <li>• Middle Eastern/North African - Turkish</li> <li>• Middle Eastern/North African - Egyptian</li> <li>• Middle Eastern/North African - Moroccan</li> <li>• Middle Eastern/North African - Other</li> <li>• Pacific Islander - Guamanian</li> <li>• Pacific Islander - Hawaiian</li> <li>• Pacific Islander - Samoan</li> <li>• Pacific Islander - Other</li> <li>• Two or More Races (Not Hispanic or Latino)</li> </ul>
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	<p>(United States of America)</p> <ul style="list-style-type: none"> <li>• White</li> <li>• Unknown/Non-Respondent</li> </ul>
Please select the veteran status which most accurately describes your status:	<ul style="list-style-type: none"> <li>• Disabled Veteran</li> <li>• Recently Separated Veteran</li> <li>• Active Duty Wartime or Campaign Badge Veteran</li> <li>• Armed Forces Services Medal Veteran</li> <li>• I am not a Veteran</li> <li>• I do not wish to self-identify</li> </ul>

# Appendix C



## GROSSMONT-CUYAMACA COMMUNITY COLLEGE DISTRICT

### Unlawful Discrimination Complaint Form

Name: \_\_\_\_\_  
Last First

Address: \_\_\_\_\_  
Street or P.O. Box City State Zip

Phone: Day (\_\_\_\_) \_\_\_\_\_ Evening (\_\_\_\_) \_\_\_\_\_

I Am A:  Student  Employee  Other: \_\_\_\_\_

I Wish To Complain Against:

District: \_\_\_\_\_ College: \_\_\_\_\_

Date of Most Recent Incident of Alleged Discrimination: \_\_\_\_\_

**Employment** complaints must be filed within 180 days of the date of the alleged unlawful discrimination occurred, except that this period should be extended by no more than 90 days following the expiration of the 180 days if the complainant first obtained knowledge of the facts of the alleged violation after the expiration of the 180 days.)

**Nonemployment** complaints must be filed within one (1) year of the date of the alleged unlawful discrimination or within one (1) year of the date on which the complainant knew or should have known of the facts underlying the allegation of unlawful discrimination.)

I Allege Discrimination/and or Harassment Based on: (check only those which apply).

*Complaints of discrimination on the bases listed in this box are protected under Title 5 and may also be filed with the State Chancellor's Office.*

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

**The bases of discrimination in this box are not subject to the jurisdiction of the State Chancellor's Office.**

- |   |   |
|---|---|
| <input type="checkbox"/> Marital Status;          | <input type="checkbox"/> Gender Identity (includes Transgender, Questioning); |
| <input type="checkbox"/> Domestic Partner Status; | <input type="checkbox"/> Medical Conditions;                                  |
| <input type="checkbox"/> FMLA leave;              | <input type="checkbox"/> AIDS/HIV Status                                      |

You can mark any one or more of the 18 categories if you believe the treatment you received was the result of someone perceiving you to fit into one of the protected groups/categories.

Has informal resolution been attempted?  Yes  No    Date Commenced: \_\_\_\_\_

Name of district officer involved in informal resolution: \_\_\_\_\_

05-0282-002

**Clearly state your complaint. Describe each incident of alleged discrimination separately. For each action provide the following information: 1) date(s) the discriminatory action occurred; 2) name of individual(s) who discriminated; 3) what happened; 4) witnesses (if any); and 5) why you believe the discrimination was because of protected group status [religion, age, race, sex or whatever basis you indicated above] and/or, if applicable, why you believe you were retaliated against for filing of complaint or asserting your rights. (Attach additional pages as necessary.)**

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**List the names, address and phone numbers of any person(s) who witnessed the incident or who are able to provide information about the complaint. (Attach additional pages as necessary.)**

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**What would you like the District to do as a result of your complaint—what remedy are you seeking?**

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

\_\_\_\_\_

*Signature of Complainant*

*Date*

Send **Original** to:

Vice Chancellor of Human Resources  
Grossmont-Cuyamaca Community College District  
8800 Grossmont College Drive  
El Cajon, CA 92020

05-0282-002W rev. 06/2022

## APPENDIX D

### JOB TITLES BY EQUAL EMPLOYMENT OPPORTUNITY CODE

#### CONTENTS:

Definitions and job titles for the following job categories:

#### **A. Executive/Administrative/Managerial**

Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies, or direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, District or area basis. Includes: department heads, bureau chiefs, division chiefs, directors, deputy directors, controllers, wardens, superintendents, sheriffs, police and fire chiefs and inspectors, examiners (bank, hearing, motor vehicle, warehouse), inspectors (construction, building, safety, rent-and-housing, fire, A.B.C. Board, license, dairy, livestock, transportation), assessors, tax appraisers and investigators, coroners, farm managers, and kindred workers.

#### **B. Faculty and Other Instructional Staff**

Occupations in which workers' specific assignments customarily are made for the purpose of conducting instruction, research, or public service as a principle activity (or activities). Includes: professor, associate professor, assistant professor, instructor, lecturer, or the equivalent of any one of these academic ranks. (Student teaching or research assistants are not to be included in this category).

#### **C. Professional Non-Faculty**

Occupations which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge. Includes: personnel and labor relations workers, social workers, doctors, psychologists, registered nurses, economists, dietitians, lawyers, systems analysts, accountants, engineers, employment and vocational rehabilitation counselors, teachers or instructors, police and fire captains and lieutenants, management analysts, airplane pilots and navigators, surveyors and mapping scientists, and kindred workers.

#### **D. Secretarial/Clerical**

Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. Includes: bookkeepers, messengers, clerk-typist, stenographers, court transcribers, hearing reporters, statistical clerks, dispatchers, license distributors, payroll clerks, office machine and computer operators, telephone operators, legal assistants, sales workers, cashiers, toll collectors, and kindred workers.

#### **E. Technical**

Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training. Includes: computer programmers, drafters, survey and mapping technicians, licensed practical nurses, photographers, radio operators, technical illustrators, highway technicians, technicians (medical, dental, electronic, physical sciences), police and fire

sergeants, inspectors (production or processing inspectors, testers and weighers), and kindred workers.

**F. Paraprofessional**

Occupations in which workers perform some of the duties of a professional or technician in a supportive role, which usually require less formal training and/or experience normally required for professional or technical status. Such positions may fall within an identified pattern of staff development and promotion under a "New Careers" concept. Included: research assistants, medical aides, child support workers, policy auxiliary welfare service aides, recreation assistants, homemakers aides, home health aides, library assistants and clerks, ambulance drivers and attendants, and kindred workers.

**G. Skilled Craft**

Occupations in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the process involved in the work which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Includes: mechanics and repairers, electricians, heavy equipment operators, stationary engineers, skilled machining occupations, carpenters, compositors and typesetters, power plant operators, water and sewage treatment plant operators, and kindred workers.

**H. Service & Maintenance**

Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property. Workers in this group may operate machinery. Includes: chauffeurs, laundry and dry cleaning operatives, truck drivers, bus drivers, garage laborers, custodial employees, gardeners and groundskeepers, refuse collectors, construction laborers, park rangers (maintenance), farm workers (except managers), craft apprentices/trainees/helpers, and kindred workers.

## APPENDIX E

### COMMUNITY-BASED AND PROFESSIONAL ORGANIZATIONS LIST

#### CONTENTS:

Community Organizations  
Recruitment Sites  
Sample Notice to Employees  
Sample Notice to Organizations

#### COMMUNITY ORGANIZATIONS

<p><b>American Association of Hispanics in Higher Education, Inc.</b> 1120 S. Cady Mall, 2<sup>nd</sup> Floor Suite A 207 E Tempe, AZ 85297-5303 president@aahhe.org</p>	<p><b>American Civil Liberties Union</b> ACLU of San Diego &amp; Imperial Counties P.O. Box 87131 San Diego, CA 92138-7131 (619) 232-2121 info@aclusandiego.org</p>	<p><b>American Legion</b> Chula Vista Post434 47 Fifth Avenue Chula Vista, CA 91910 (619) 422 – 9309</p>
<p><b>American Legion</b> Imperial Beach Post 820 1268 Palm Ave Imperial Beach, CA 91932 (619) 423 – 7662+</p>	<p><b>American Legion</b> National City Post 255 35 E. 18th Street National City, CA 91950 (619) 477 - 3055</p>	<p><b>ARC of San Diego</b> East County Training Center 1374 Lexington Ave El Cajon, CA 92019 (619) 444-9417 info@arc-sd.com</p>
<p><b>Asian Journal</b> 550 E 8th Street, Suite 6 National City, CA 91950 (619) 423-0588 asianjournal@aol.com</p>	<p><b>Aztec Career Connection</b> SDSU Career Services 29 Centennial Plaza San Diego, CA 92182-8255 (619) 594-6851 careerservices@mail.sdsu.edu</p>	<p><b>A Black Education Network</b> P.O. Box 3134 San Jose, CA 95156 (408) 977-4188 info@caaae.org</p>
<p><b>Chicano Federation of San Diego County</b> 3180 University Ave, Suite 317 San Diego, CA 92104 (619) 285-5600 info@chicanofederation.org</p>	<p><b>Chula Vista Chamber of Commerce</b> 233 Fourth Avenue Chula Vista, CA 91910 (619) 420-6603 info@chulavistachamber.or</p>	<p><b>Coronado Chamber of Commerce</b> 1125 Tenth Street Coronado, CA 92118 (619) 435-9260 info@coronadochamber.com</p>
<p><b>Deaf Community Services of San Diego, Inc.</b> 1545 Hotel Circle South, Suite 300 San Diego, CA 92108 (619) 398-2441 info@dcsosfd.org</p>	<p><b>Diverse: Issues in Higher Education</b> 10520 Warwick Avenue, Suite B-8 Fairfax, VA 22030-3136 (800) 783-3199 diversecustomerservice@pubservice.com</p>	<p><b>The Filipino Press</b> 600 E. 8<sup>th</sup> Street, Suite 3 National City, CA 91950 (619) 434-1720 info@thefilipinopress.com</p>
<p><b>Gay and Lesbian Alliance (GALA)</b> 1060 Palm Street San Luis Obispo, CA 93401 (619) 692-2077 email@galacc.org</p>	<p><b>Imperial Beach Chamber of Commerce</b> 1221 Palm Avenue Imperial Beach, CA 91932 (619) 424-3151</p>	<p><b>Japanese Cultural Center</b> 150 Cedar Road Vista, CA 92083 (760) 726-7628 vbt@ybtemple.org</p>

<p><b>Job Giant San Diego Reader</b> 2323 Broadway Ste #200, San Diego, CA 92102 619-235-3000 hrdept@sandiegoreader.com</p>	<p><b>Junior Achievement of San Diego &amp; Imperial County Inc.</b> 4756 Mission Gorge Place San Diego, CA 92120 (619) 682-5155 info@jasandiego.org</p>	<p><b>Kiwanis Club</b> 3276 Rosecrans, Suite 202 San Diego, CA 92110 (619) 222-1924 kiwanissd@gmail.com</p>
<p><b>La Prensa, San Diego</b> 1712 Logan Avenue, San Diego, CA 91910 (619) 425-7400 laprensasd@gmail.com</p>	<p><b>League of Women Voters 7710</b> Balboa Ave, Suite 224A San Diego, CA 92111 (858) 483-8696 lwvsandiego@gmail.com</p>	<p><b>Lucas Group San Diego Military Transition Recruiters</b> 4370 La Jolla Village Dr. #450 San Diego, CA 92122 (800) 515-0819</p>
<p><b>MAAC Project</b> 1355 3rd Avenue Chula Vista, CA 91911 619) 426-3595</p>	<p><b>March of Dimes</b> 9325 Sky Park Ct., Suite 250 San Diego, CA 92123 (858) 576-1211</p>	<p><b>Masonic Lodge #626</b> 732 3rd Ave Chula Vista, CA 91910 (619) 498-1574 secretary@cv626.sdcxmail.com</p>
<p><b>Masonic Lodge #283</b> 1140 B Ave. National City, CA 91950 (619) 477-4488 Swl283@sbcglobal.net</p>	<p><b>Mexican American Legal Defense &amp; Education Fund</b> 634 S. Spring Street #1100 Los Angeles, CA 90014 (213) 629-2512 info@MALDEF.org</p>	<p><b>NAACP – San Diego Branch</b> P.O. Box 152086 San Diego, CA 92195 (619) 263-7823</p>
<p><b>National Black Graduate Student Association</b> 228 Park Avenue, #76326 New York, NY 10003 (800) 471-4102 general@mynbgssa.org</p>	<p><b>National City Chamber of Commerce</b> 901 National City Blvd National City, CA 91950 (619) 477-9339 thechamber@nationalcitychamber.org</p>	<p><b>UnidosUS</b> 523 W 6<sup>th</sup> St, Suite 840 Los Angeles, CA 90014 (213) 489-3428 <a href="mailto:info@unidosus.org">info@unidosus.org</a></p>
<p><b>National Federation of Filipino American Associations</b> 1322 18<sup>th</sup> Street NW Washington, D.C. 20036-1803 (202) 803-1353 info@naffaa.org</p>	<p><b>Neighborhood House Association</b> 5660 Copley Drive San Diego, CA 92111 (858) 715-2642 ifo@neighborhoodhouse.org</p>	<p><b>North County African American Women's Association</b> 4140 Oceanside Blvd. #159 Oceanside, CA 92056 (760) 978-6534 info@ncaawa.org</p>
<p><b>Otay Mesa Chamber of Commerce</b> 8100 Gigantic Street Bldg. 4100 Office 4106 (619) 661-6111 info@otaymesa.org</p>	<p><b>Parents, Families, and Friends of Lesbians and Gays (PFLAG)</b> P.O. Box 82762 San Diego, CA 92138 (619) 579-7640 chapterservices@pflag.org</p>	<p><b>Partnerships With Industry</b> 1121 Bay Blvd. #H Chula Vista, CA 91911 (619) 424-2250</p>
<p><b>Salvation Army</b> 648 Third Avenue Chula Vista, CA 91910 (619) 422-7027 Rosa.rodriguez@usw.salvationarmy.org</p>	<p><b>San Diego Business Journal</b> 4909 Murphy Canyon Rd., #200 San Diego, CA 92123 (858) 277-6359 circhelp@sdbj.com</p>	<p><b>San Diego Center for the Blind and Vision Impaired</b> 5922 El Cajon Boulevard San Diego, California 92115 (619) 583-1542 info@sdcv.org</p>
<p><b>San Diego County Office of Education</b> 6401 Linda Vista Rd San Diego, CA 92111 (858) 292-3500 communications@sdcoe.net</p>	<p><b>San Diego Jewish Times</b> 4731 Palm Ave La Mesa, CA 91941 (619) 463-5515 sdjt@sdjewishtimes.com</p>	<p><b>San Diego Union Tribune</b> P.O. Box 120191 San Diego, CA 92112 (800) 533-8830 customersupport@sduniontribune.com</p>

<b>San Diego Voice and Viewpoint</b> P.O. Box 120095 San Diego, CA 92112 (619) 266-2233 Contact through a facebook message	<b>San Diego Workforce Partnership</b> 9246 Lightwave Avenue #210 <b>CA, 92123</b> (619) 228-2900	<b>Sweetwater Women's Club</b> 3855 Sweetwater Rd Bonita, CA 91902 (619) 479-7888
<b>Third Avenue Village Association</b> 353 3 <sup>rd</sup> Avenue Chula Vista, CA 91910 (619) 422-1982	<b>UCSD Cross – Cultural Center</b> 9500 Gilman Drive La Jolla, CA 92093-0053 (858) 534-9689 cccenter@ucsd.edu	<b>United Way of San Diego County</b> 4699 Murphy Canyon Rd San Diego, CA 92123 (858) 492-2000 Ryan.morris@uwsd.org
<b>Urban League of San Diego County</b> 4305 University Avenue Ste 360 San Diego, CA 92105 (619) 263-3115 kea@sdul.org	<b>Veterans of Foreign Wars Post 2111</b> 299 I Street Chula Vista, CA 91910 (619) 422-1262 info@vfw.org	<b>Veterans of Foreign Wars Post 5477</b> 123 Palm Ave Imperial Beach, CA 91932 (619) 424-6666 info@vfw.org
<b>YMCA of San Diego County Corporate Office:</b> 3708 Ruffin Road San Diego, CA 92123 (858) 292-9622		

### RECRUITMENT SITES

<b><u>Classified &amp; Academic Positions:</u></b> CCCRegistry.org SOCAHERC.org EDJOIN.org HigherEdJobs.com SanDiego.Craigslist.org UCSD Student Career Job Listing SDSU Aztec Career Connection LatinosinHigherEd.com San Diego Union Tribune CareerBuilder's CalJobs/EDD Workforce Partnership	<b><u>Additional Sources for Administrator &amp; Full-time Faculty</u></b> ACCCA.org CASBO.org Hispanic Outlook on Higher Ed Diverse Issues in Higher Ed Asian Pacific Careers Women in Higher Ed Chronicle of Higher Ed Community College Times HBCU Career Center ListSrvs County School TV
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## APPENDIX F

### ACCOMMODATION REQUEST FORMS

#### CONTENTS:

Employee Disability Accommodation Request Form  
Physician's Certificate Form  
Employee Disability Accommodation Response Form  
ADA Accommodation Results Form

ADA Form A <b>File #</b> _____	GROSSMONT-CUYAMACA COMMUNITY COLLEGE DISTRICT <b>Employee Disability Accommodation Request</b>	
<b>EMPLOYEE:</b>	<input type="checkbox"/> Cuyamaca <input type="checkbox"/> District <input type="checkbox"/> Grossmont	
Employee name (last, first, middle) _____	Social Security Number _____	Bargaining Unit _____
Department: _____	Assignment/Title: _____	
*****		
1. Please describe the limitation you are addressing: _____ _____		
2. How does your disability affect the essential function of your job? _____ _____		
3. Do you have a suggestion on an accommodation? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please describe: _____ _____		
4. Please describe how you will benefit from it: _____ _____		
Employee Comments: _____ _____		
*****		
I have attached a completed Physician's Certificate form. The Physician's Certification is being sent under separate cover. I have not seen my physician. My appointment is _____. If you have any questions regarding my request, please contact me at _____.		
Employee Signature _____	Date _____	
ADA Form A 5/96   White: Risk Mgmt   Yellow: Supervisor   Pink: Employee   Goldenrod: Physician		

ADA Form B

(Attach Job Description)

File # \_\_\_\_\_

Physician's Certificate

Patient Name: \_\_\_\_\_ Examination Date: \_\_\_\_\_

I certify that the above named patient is permanently/temporarily disabled and  
(circle one)  
may/may not require accommodation.  
(circle one)

I examined the above named patient on \_\_\_\_\_ and certify that the patient has the  
following permanent/temporary functional limitation(s):  
(circle one)

\_\_\_\_\_  
\_\_\_\_\_

I examined the above named patient on \_\_\_\_\_ and I am unable to make a determination  
without further examination. The patient is scheduled for a follow-up examination on \_\_\_\_\_  
with \_\_\_\_\_.

I examined the above named patient on \_\_\_\_\_ and I have not found any limitations at  
this time. This patient may return to regular duty without restrictions on\_\_.

Physician Comment: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
California License Number

\_\_\_\_\_  
Physician's Printed Name

\_\_\_\_\_  
(complete address)

\_\_\_\_\_  
(a/c) phone number

\_\_\_\_\_  
Specialty

\_\_\_\_\_  
Physician's Signature

\_\_\_\_\_  
Date

Please return form to: Grossmont-Cuyamaca Community College District, Risk Management Department 8800  
Grossmont College Dr., El Cajon, CA 92020

ADA FORM B 5\96 White: Risk Mgmt Yellow: Supervisor Pink: Patient/Employee Goldenrod: Physician

ADA FORM C

File # \_\_\_\_\_

GROSSMONT-CUYAMACA COMMUNITY COLLEGE DISTRICT  
**Employee Disability Accommodation Response**

Employee Name \_\_\_\_\_ Site \_\_\_\_\_

**SUPERVISOR:** (Please complete and return to Risk Management)

1. Please comment on employees request for accommodation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Is the above mentioned employee performing the essential functions of the job in a satisfactory manner?     Yes     No

3. Would this accommodation be burdensome on the department or area under your supervision?  
Yes     No. If yes, please describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dean/Director comment: \_\_\_\_\_ Initial: \_\_\_\_\_

V. President/President comment:  
\_\_\_\_\_ Initial: \_\_\_\_\_

4. In your opinion, is this a reasonable request for accommodation?     Yes     No

5. Describe the action taken to meet this accommodation:  
Department Level  
\_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

Dean and Director Level  
\_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

Vice-President and President Level  
\_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_/\_\_\_\_\_  
Supervisor Print Name    ext.                      Signature                      Date

ADA FORM D

**ADA Accommodation Results**

**File #** \_\_\_\_\_

Employee Name \_\_\_\_\_ Site \_\_\_\_\_

ADA Accommodation Committee Recommendation:

Final Outcome:

\_\_\_\_\_  
ADA Accommodation Committee Chair

\_\_\_\_\_  
Date

ADA Form C 5/96    White: Risk Mgmt    Yellow: Supervisor    Pink: Employee