



SAN MATEO COUNTY  
**COMMUNITY**  
COLLEGE DISTRICT

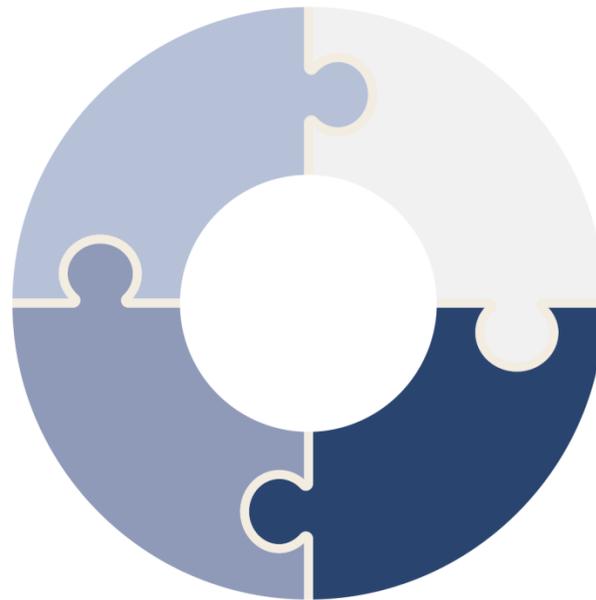
# 2023 - 2026 EEO Plan Update

Presentation to the Board of Trustees  
March 6, 2024

# Title 5 Requirements

## **EEO Advisory Committee**

Responsible for developing, revising, and implementing the EEO Plan.



## **Board of Trustees**

Must consider the feedback from the CO and adopt the Plan at a Board Meeting

## **California Community College State Chancellor's Office ("CO")**

District submits draft EEO Plan prior to adoption for feedback.

# The Why to EEO Plan Regulatory Changes

In 2019, a Board of Governors' taskforce was asked to identify strategies to increase the racial and ethnic diversity of the CCC workforce

September 2019, the Board of Governors adopted a DEI Integration Plan of 68 strategies to recruit, retain, and support faculty and staff of color

- Codified in Title 5, Section 51201 – Statement on Diversity, Equity, and Inclusion in the CCC

LAO Report – 2022-113

- Studies show students served by racially and ethnically diverse faculty are better prepared to be competitive in the professional workforce and enhance retention and persistence of students

# Key Components of EEO Plan Effectiveness Analysis

## Adverse Impact

A policy or practice of an employer that has a disproportionate negative impact to a group protected from discrimination arising from the effects of an employment practice as determined according to a valid statistical measure

- e.g. - Hardy v Stumpf (1971) - woman challenged height and weight requirements for Oakland police officers
- e.g. - Written testing requirement unrelated to essential job duties

## Underrepresented Group

Any monitored group for which the percentage of persons from that group employed by the district in a job category is below eighty percent (80%) of the projected representation for that group and job category

# Regulatory Changes – State Chancellor Oversight

July 2021 – Board of Governors adopted new EEO regulations focused on “robust and accountable” EEO Programs

Revised Title 5 regs direct the State Chancellor’s Office to “substantially change” District processes for drafting and adopting EEO Plans

Created new Section 53024.2 Regulation: Accountability and Corrective Action providing the State Chancellor’s Office enforcement authority including:

- Ability to direct a district to revise its EEO Plan within 120 days with the possibility of subsequent review requirements,
- Direct a district to implement specific strategies, and
- Authority to decline to distribute EEO funds,

SMCCCD’s Revised EEO Plan was submitted to the State Chancellor’s Office in October 2022; the State Chancellor’s feedback was received in November 2022.

# Regulatory Changes – New Board Responsibilities

Review and adopt the District's EEO Plan as an action item not part of a consent agenda

Board must consider the State Chancellor's Office feedback prior to adoption of EEO Plan

Annually, the Board must review the District's goals; if District's goals are not met, the District must adopt revisions specifying efforts to be made towards goals and submit revisions to the State Chancellor

Receive training regarding:

- Title 5, federal and state nondiscrimination laws,
- identification and elimination of bias in hiring,
- educational benefits of workforce diversity, and
- the role of the advisory committee in drafting and implementing the EEO Plan

# Regulatory Changes – New District Responsibilities

Actively monitor recruitment screening and selection procedures to address adverse impact to monitored groups – including reviewing and recording applicant demographic data to determine whether to delay a recruitment’s first review deadline

District must create, implement and assess the effectiveness of specific pre-hiring, hiring and post-hiring EEO strategies with scheduled timelines for implementation over the three-year life of the EEO Plan; the Comprehensive “Component 13” requirement – a plan matrix subject to the annual review process

Create and distribute an annual written notice to appropriate community-based and professional organizations concerning the District’s EEO Plan and the need for assistance from community and such organizations in identifying a qualified, diverse pool of applicants

# Regulatory Changes – New District Responsibilities

District must use data from reliable public and private sources to determine whether monitored groups are underrepresented for seven specified job categories:

- Full-Time Faculty, Part-Time Faculty, Administrators, Service/Maintenance, Tech/Professional, Clerical, Skilled Craft

Create, annually train and maintain an EEO Advisory Committee of diverse membership to assist with developing, implementing and making recommendations for EEO Plan

Complaints alleging violation of EEO laws and regulations to be investigated pursuant to District's process for unlawful discrimination complaints

Annual certification requirement:

- Record, review, analyze and report required data for qualified applicant pools and longitudinal data,
- Progress towards District EEO Plan goals (Component 13),
- Expenditure and accounting report of State EEO Funds

# **Next Step - Board Prep for Adoption of EEO Plan at Next Board Meeting, March 27, 2024**

- 1. Review Draft EEO Plan**
- 2. Review Component 13 (Appendix C): Goals and Strategies**
- 3. Review State Chancellor's Feedback Report**