

#### GROSSMONT-CUYAMACA

COMMUNITY COLLEGE DISTRICT

Equal Employment
Opportunity (EEO)
Representative Training

# GROUP NORMS AND AGREEMENTS

- Engage honestly
- Speak from our own personal experience
- Critique ideas and not the person saying them
- Understand that <u>intent</u> is different from the <u>impact</u>
- Do our best to be aware of and mitigate power structures among the group
- We expect some subjects will be uncomfortable
  - Seek to understand why
- Be present, engage fully, and mitigate distractions

### EEO REPRESENTATIVE TRAINING GOALS

- Deepen our understanding of the importance of diverse and equitable hiring practices
- Understanding bias and its impact on equitable screening and interviewing practices
- Understanding federal non-discrimination laws
- Identifying best practices for service on a search committee

### EEO REPRESENTATIVE TRAINIG REQUIRMENTS

- Hiring Innovative Recruits Effectively (H.I.R.E) Training is required to serve on a Hiring Workgroup or Committee
- Training must be complete before screening applicants
- Training is required by the District's EEO plan and the law (California Code of Regulations, Division 67, and Title 5)
- Training is required to be retaken every 3 years for updates on policies and procedures

#### SECTION ONE:

IMPORTANCE OF EQUAL EMPLOYMENT OPPORTUNITY (EEO)

## HISTORY OF EQUAL EMPLOYMENT OPPORTUNITY

• Statutory authority for Equal Employment Opportunity can be found in California Education Code sections 87100-87108. The intent of the legislature is to diversify our community college faculty to better represent and assist our students (CCCCO, 2016)

# IMPACT OF EQUAL EMPLOYMENT OPPORTUNITY

• Engage honestly

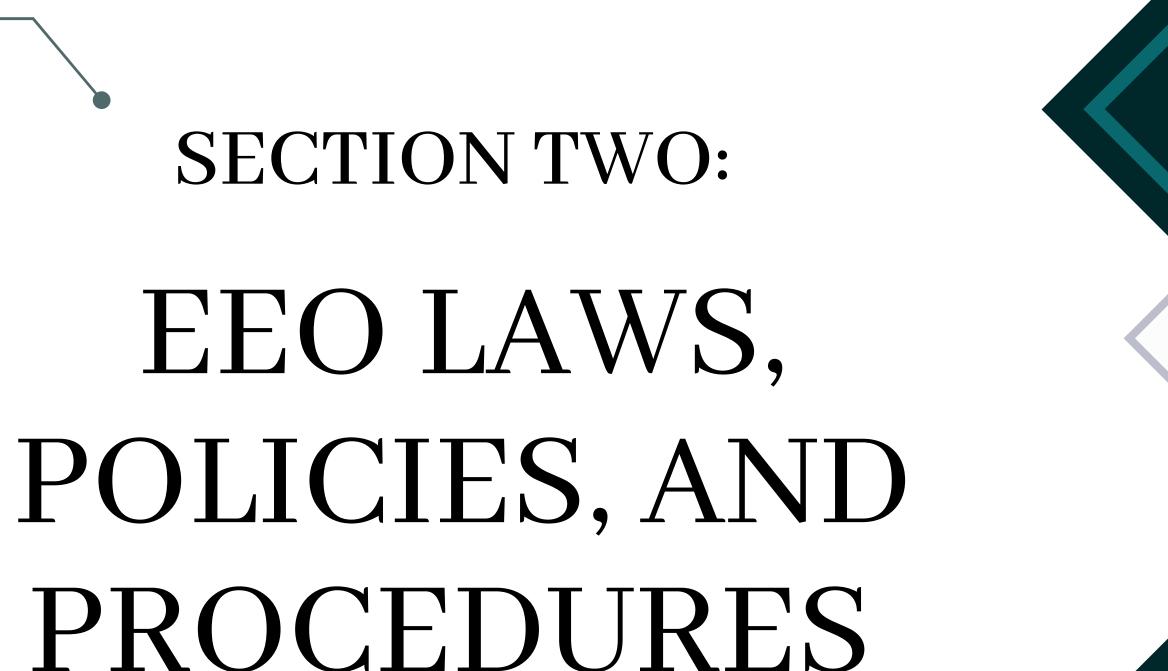
### IMPORTANCE OF EQUITY AND DIVERSITY IN HIRING

- Students of color will experience better academic outcomes when taught by Faculty of Color (Fairlie, Hoffman, & Oreopoulous, 2014)
- Students are more likely to identify with and approach faculty of the same racial and ethnic background
- Facilitating more culturally responsive classrooms & campuses
- Faculty of Color may enhance a student's "sense of belonging" that on campus

#### SCENARIO TO CONSIDER

• Add scenario, strategies, or role play here

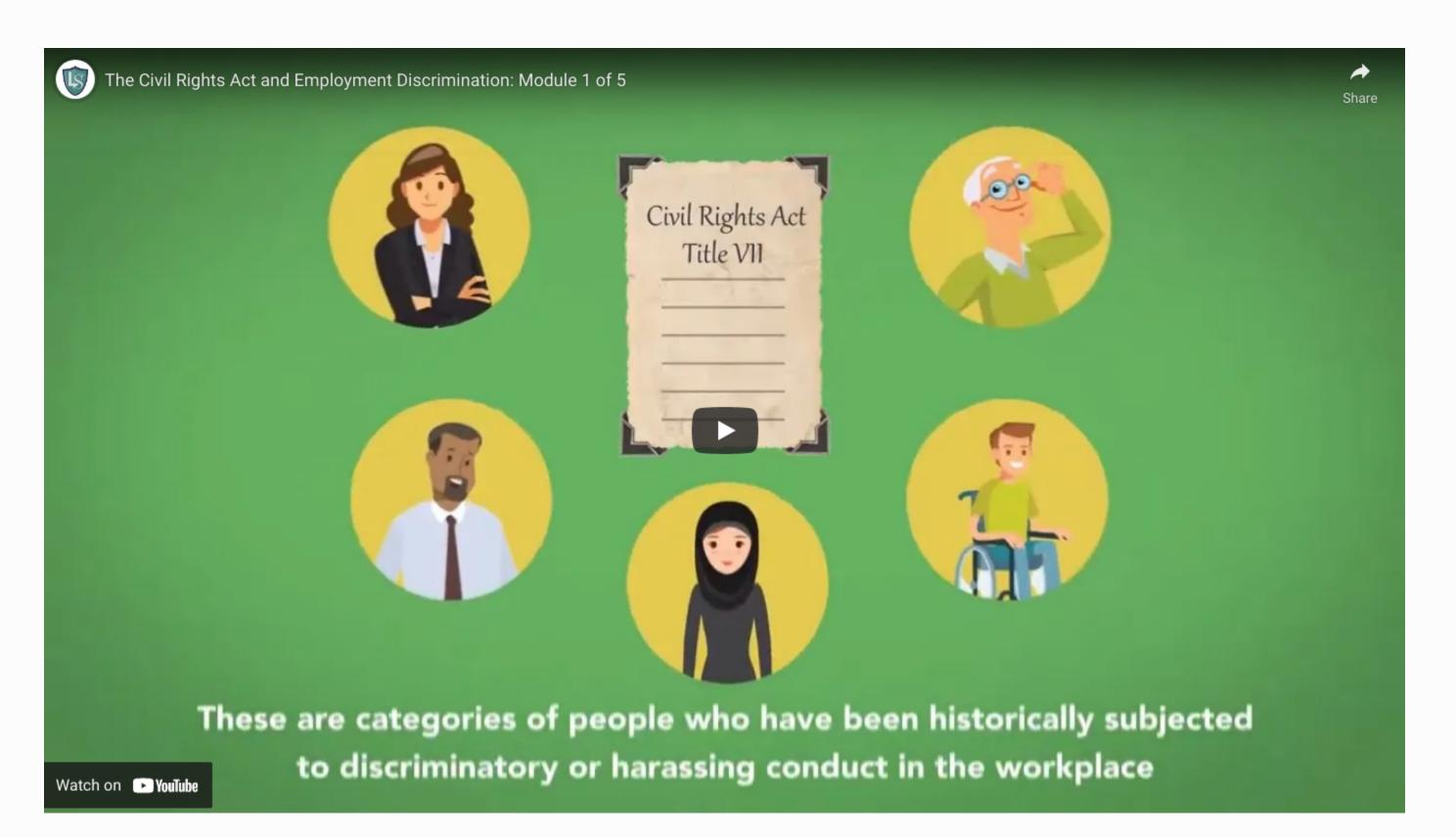




#### EEO & LAWFUL HIRING

- What data do we want to use, pull from HIRE and use as a reminder??
- Is there EEO data that we can reference from the district EEO Plan/report? Is there additional data we can get from Katie?

### CIVIL RIGHTS ACT & EMPLOYMENT DISCRIMINATION



### FEDERAL LAWS: PART ONE

- Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving Federal financial assistance.
- Title VII of the Civil Rights Act of 1964 prohibits discrimination in employment on the basis of race, sex, national origin, and religion. It is also unlawful under the Act for an employer to take retaliatory action against an individual for opposing employment practices made unlawful by the Act or for filing a discrimination charge or for testifying or assisting or participating in an investigation, proceeding or hearing under the Act.

### FEDERAL LAWS: PART TWO

- Section 504 of the Rehabilitation Act of 1973 protects people from discrimination in admission, employment, treatment, or access based on disability in any program or activity receiving Federal financial assistance.
- Title I of the Americans With Disabilities Act of 1990 as Amended prohibits employment discrimination against qualified individuals with disabilities by employers with 15 or more employees.
- Age Discrimination in Employment Act of 1967 protects individuals who are 40 years of age and older from discrimination in hiring, promotion, discharge, compensation, or terms, conditions, or privileges of employment.

### FEDERAL LAWS: PART THREE

- Section 504 of the Rehabilitation Act of 1973 protects people from discrimination in admission, employment, treatment, or access based on disability in any program or activity receiving Federal financial assistance.
- Title I of the Americans With Disabilities Act of 1990 as Amended prohibits employment discrimination against qualified individuals with disabilities by employers with 15 or more employees.
- Age Discrimination in Employment Act of 1967 protects individuals who are 40 years of age and older from discrimination in hiring, promotion, discharge, compensation, or terms, conditions, or privileges of employment.

### FEDERAL LAWS: PART FOUR

- Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in education programs or activities and extends to employment and admission in any program or activity receiving Federal financial assistance.
- Equal Pay Act of 1963 prohibits discrimination on the basis of sex. It requires that employers pay similarly situated employees the same wage, regardless of sex.
- Genetic Information Nondiscrimination Act of 2008 prohibits the use of genetic information when making hiring, firing, job placement or promotion decisions.

### STATE LAWS: PART ONE

• California Government Code Sec. 11135 through 11139.5 prohibit discrimination against any person or denial of benefits on the basis of race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, genetic information or any mental or physical disability under any program that is funded directly by the State or receives any financial assistance.

### STATE LAWS: PART TWO

• Article 1, Section 31 (a) of the California Constitution (Prop 209) - The State shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.

### STATE STATUTES & REGULATIONS: PART ONE

- California Education Code § 66010.2- Institutions of public education shall provide educational opportunity and success to the broadest range of California citizens, and shall provide the following:
  - Access to education
  - Quality teaching and programs of excellence
  - Educational equity

### STATE STATUTES & REGULATIONS: PART ONE

- California Education Code § 66010.2- Institutions of public education shall provide educational opportunity and success to the broadest range of California citizens, and shall provide the following:
  - Access to education
  - Quality teaching and programs of excellence
  - Educational equity

### STATE STATUTES & REGULATIONS: PART TWO

• California Education Code § 66030- It is the intent of the Legislature that public higher education in California strive to provide educationally equitable environments that give each Californian, regardless of age, economic circumstance, or the characteristics listed in Section 66270, a reasonable opportunity to develop fully his or her potential

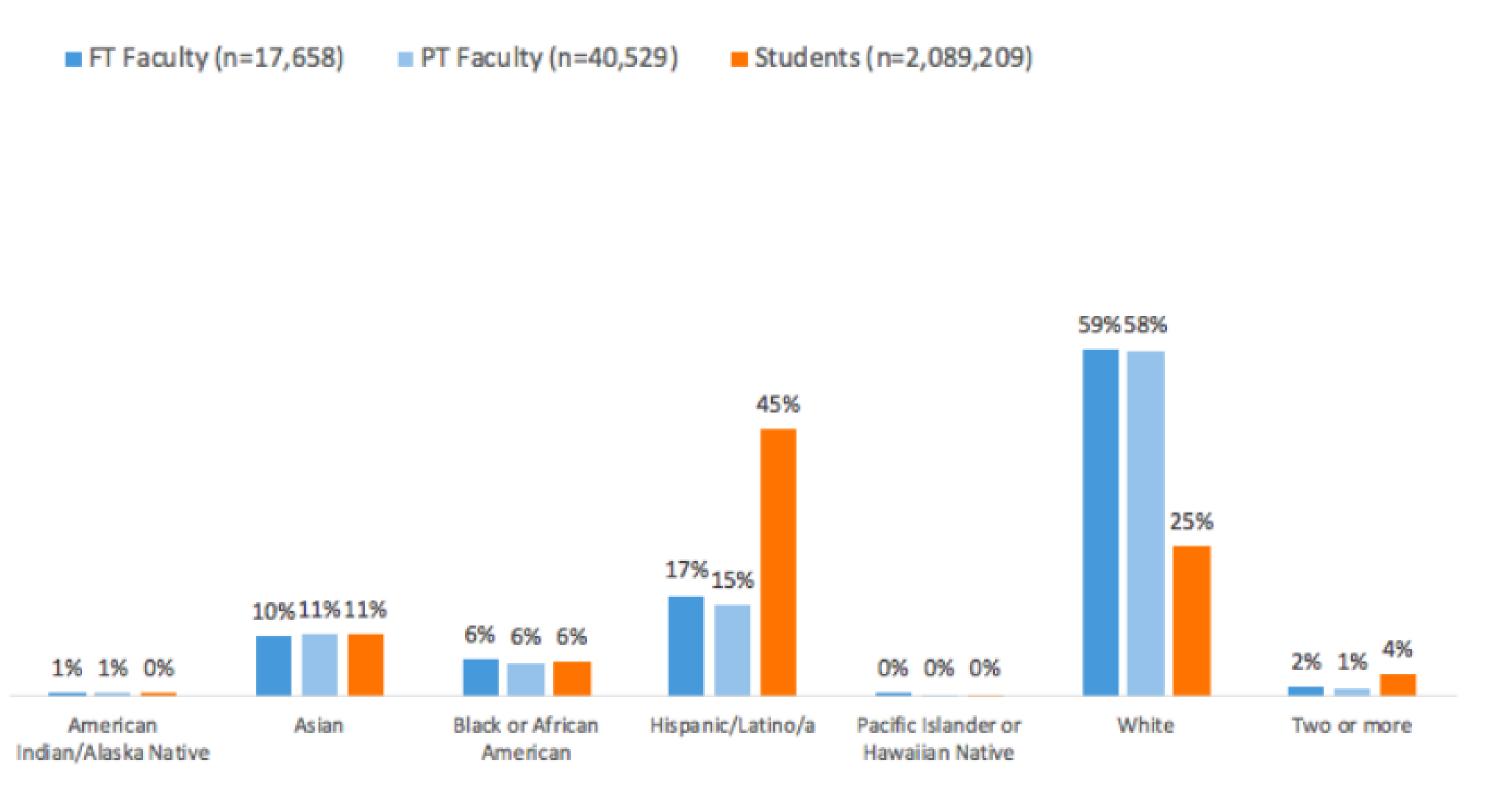
### Scenarios, Strategies, & Role Playing

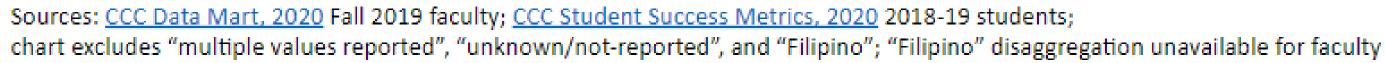
• Add scenario, strategies, or role play here





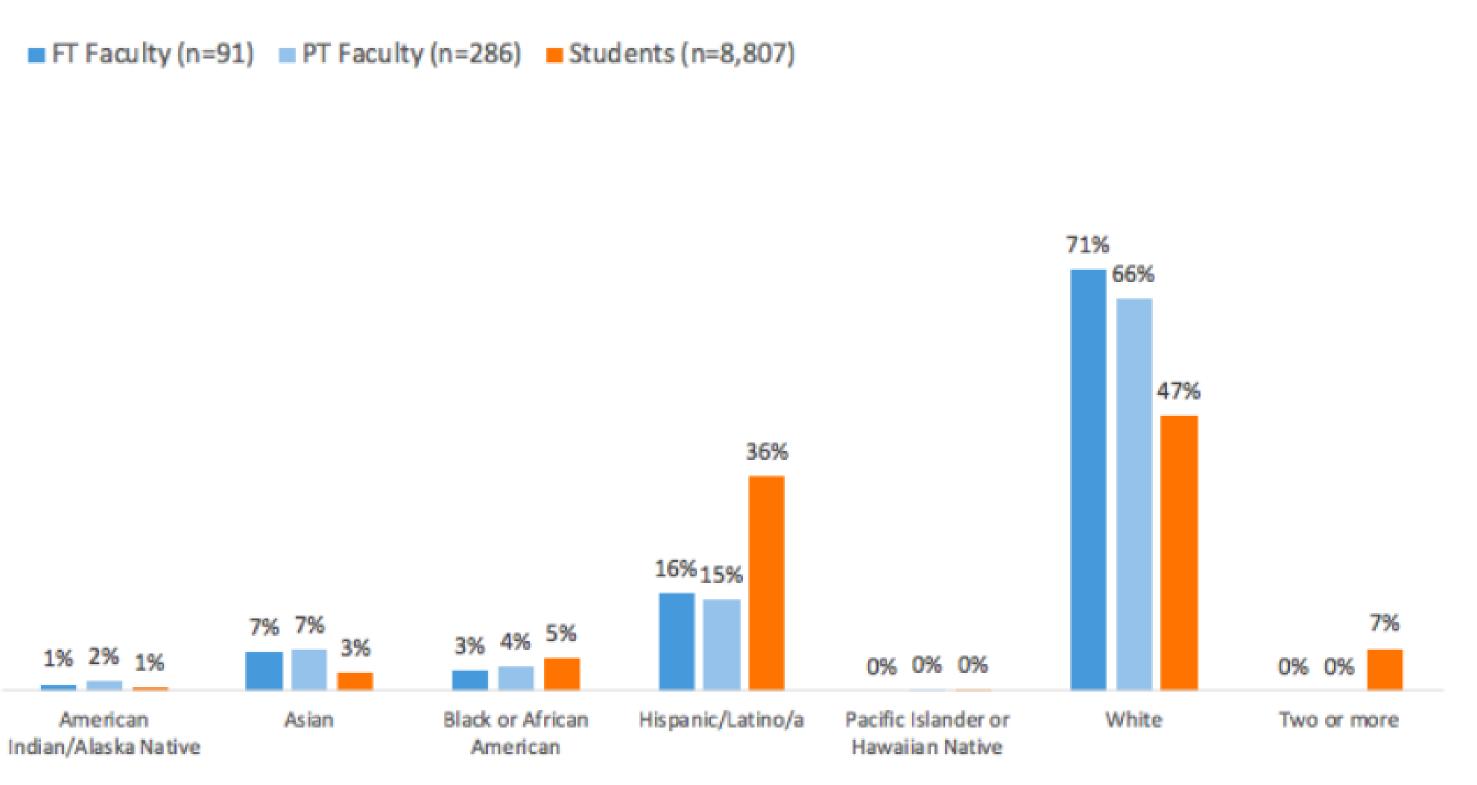
#### SYSTEM-WIDE LEVEL OVERVIEW







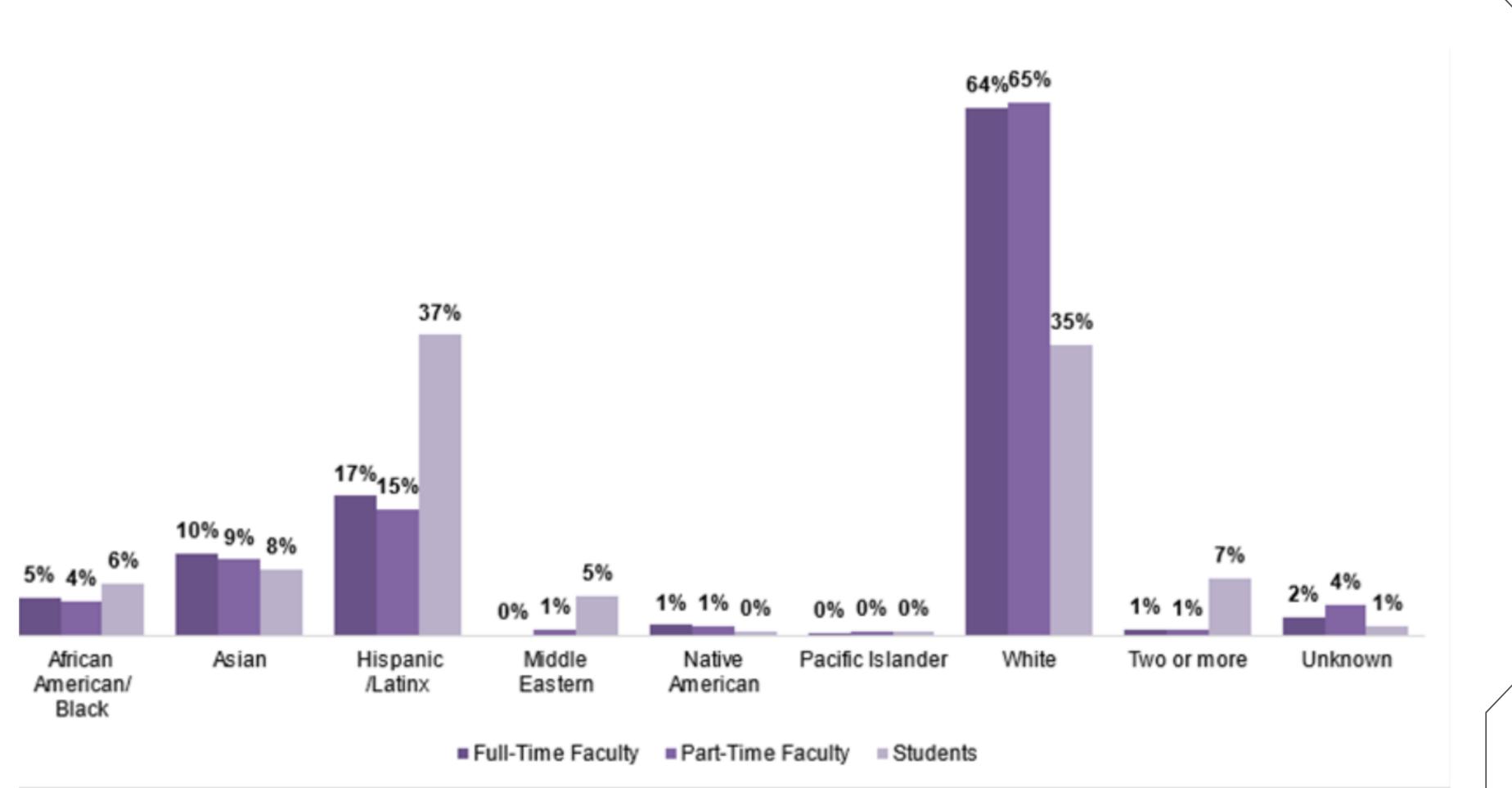
#### LOCAL LEVEL OVERVIEW - CUYAMACA





Sources: CCC Data Mart, 2020 Fall 2019 faculty; CCC Student Success Metrics, 2020 2018-19 students; chart excludes "unknown/not-reported" and "Filipino"; "Filipino" disaggregation unavailable for faculty

#### LOCAL LEVEL OVERVIEW - GROSSMONT



### VISION FOR SUCCESS DEI TASK FORCE

### Figure 3—Racial and Ethnic Underrepresentation of Employees Providing Direct Instruction

Employee Type	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Tenure-Track	20%	20%	20%	21%	20%	20%	20%	21%	20%	23%	24%	26%
Adjunct	15%	16%	16%	16%	16%	17%	17%	18%	18%	19%	19%	20%
Educational Administrators	26%	27%	26%	26%	26%	26%	26%	27%	27%	28%	30%	30%

### Scenarios, Strategies, & Role Playing

• Add scenario, strategies, or role play here



# SECTION FOUR: EEO REPRESENTATIVE ROLE AND RESPONSIBILITIES

#### ROLE & RESPONSIBILITIES

The EEO Representative is a crucial resource in the hiring committee or workgroups for safeguarding the integrity of the hiring process and applying an equity lens through every step of the process. Their main responsibilities in the process include:

- a. Being a Voting Member
- b. Maintaining Confidentiality
- c. Identify & Address Conflicts of Interest
- d. Managing Bias
- e. Being Equity-Minded
- f. Reporting Unethical or Legally Challenging Behaviors
- g. Reviewing Applicant Materials

### VOTING MEMBERS

- EEO Representatives are voting members of hiring committees and workgroups.
- As voting members of the hiring committee or hiring workgroups, EEO Representatives play an important role in influencing and making decisions as part of a hiring committee or workgroup.

### CONFIDENTIALITY

- As members of a screening/interview process, you act as agents of the GCCD District and understand that are participating in a confidential process.
- All actions related to this process are subject to the laws and regulations relating to equal and fair employment practices.
- Maintaining confidentiality is crucial to safeguarding the integrity of the hiring process fair.

### MANAGING CONFLICTS OF INTEREST

- EEO Representatives are responsible for identifying and addressing potential conflicts of interest.
- Prior to the selection of candidates, it is important to perform checks for conflicts of interest.
- If any conflicts of interest are identified, then the EEO Representatives help work toward an appropriate solution.
- The EEO Representative is an important voice in guiding the discussions that are integral in maintaining a fair and equal process

### MANAGING BIAS

- The EEO Representative is a crucial resource in the hiring committee for managing bias.
- The EEO Representative will assist the committee with recognizing and traversing biases during the hiring process by facilitating conversations around the potential issues.
- Steps the EEO Representative should take to help eliminate biases include:
  - Working to calibrate the committee through norming conversations.
  - Developing consistent criteria and interview environments that are consistent for all candidates.
  - Using standard evaluation and rating rubrics.

### BEING EQUITY-MINDED

- The EEO Representative is a crucial resource in the hiring committee for maintaining an equity lens throughout the process.
- The EEO Representative should consider the equity implications of every step of the hiring process and facilitate conversations about how to ensure more equitable experiences and opportunities for diverse candidates.

### REPORTING UNETHICAL OR LEGALLY CHALLENGING BEHAVIORS

- A crucial element for maintaining equitable hiring practices is accountability and a commitment to continuous improvement.
- EEO Representatives are responsible for reporting any unethical or legally challenging behaviors that jeopardize the integrity of the hiring process.
- These are the options steps for reporting unethical or legally challenging behaviors:
  - Contacting the EEO Office
  - Contacting the EEO Site Lead
  - Submitting the Anonymous Reporting Form
- These options are here to help make the reporting process more accessible and less intimidating

### Scenarios, Strategies, & Role Playing

• Add scenario, strategies, or role play here



# BEFORE THE FIRST COMMITTEE MEETING

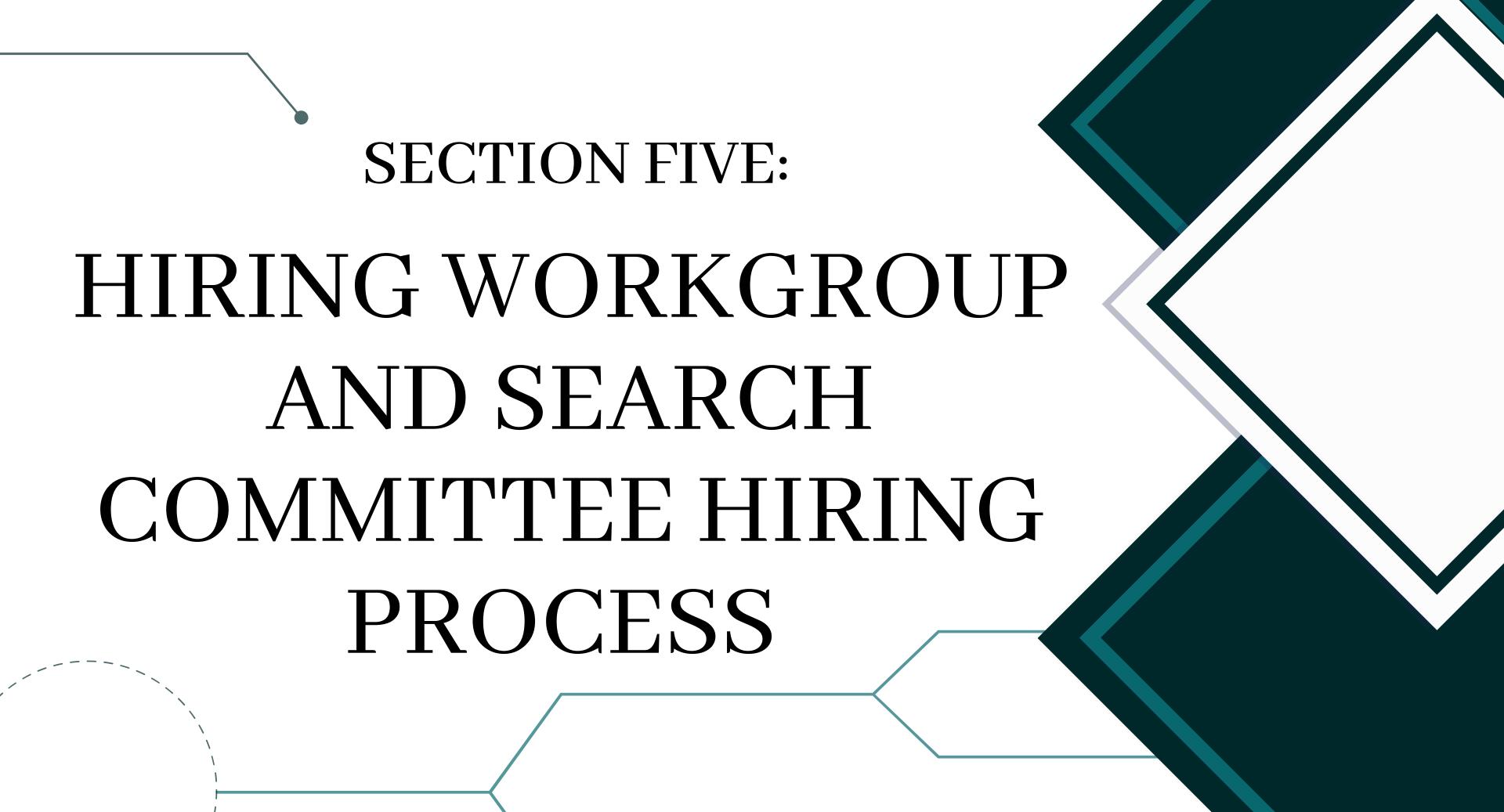
- Check-in with the Committee Chair and introduce yourself as EEO Representative.
- Make sure you are included in the consideration and scheduling of all dates
- Attach duties overview/handout; sample diversity questions

# THE 1ST COMMITTEE MEETING

- As the EEO Rep explain your role in safeguarding the integrity of the hiring process.
- Address any questions or concerns regarding your role in the process.
- Facilitate any necessary follow-up conversations with the committee regarding the <u>Job</u>
   <u>Announcement & Interview Questions</u>.

# REVIEW OF APPLICANT MATERIALS

- As a committee member, it is important that the EEO Representative closely review the application materials.
- When reviewing, EEO Representatives should analyze the materials for potential bias and challenges to creating an equitable process.
- If necessary, they should then help facilitate any necessary follow up conversations with the committee.



# SCREENING APPLICANTS: PART ONE

- MQs-Minimum Qualifications Always Come First
- ALWAYS REFER TO THE JOB ANNOUNCEMENT
- Do they meet the minimum qualifications according to the criteria detailed in the job announcement?
  - Education
  - Equivalency
  - Requisite years of experience Type of requisite experience

### SCREENING APPLICANTS: PART TWO

- Desired Qualifications are secondary
- They must be clearly job-related.
- Examples include:
  - Excellent and extensive knowledge of a discipline;
     ability to provide advanced teaching and other services.
  - Previous experience working in post-secondary educational settings.
- They must not be construed in a discriminatory manner.

#### Scenarios, Strategies, & Role Playing

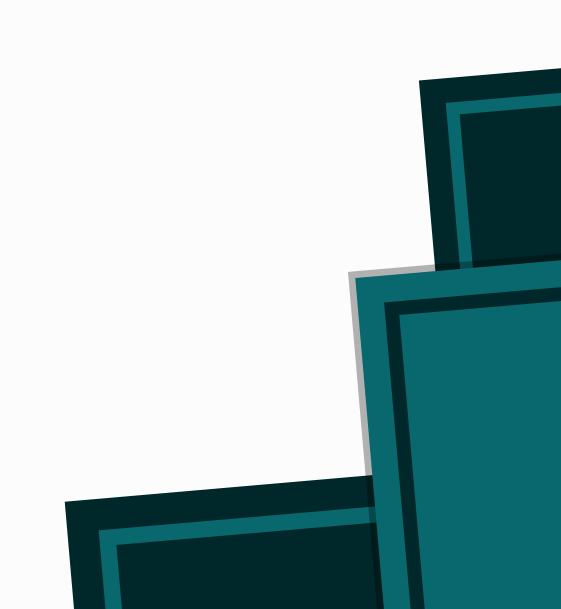
How does the EEO Rep make sure that none of the questions pre-suppose something that exceeds a minimum qualification?

#### EEO'S ROLE SCREENING THE PROCESS

- The EEO Rep reviews the applicant screening process to make sure the evaluation of candidates is based on MIN & DESIRED qualifications.
- Discuss with the committee
  - If there is a large disparity between committee members' rankings...
  - If you do not understand why one criterion was weighted more heavily than others.
  - If you feel there is inconsistency in the value placed on certain criteria across candidates...
  - If you are not sure if the criteria being used are related to the job announcement and job requirements.

### REPORTING

Add notes



#### RANKING DISCUSSION

- As the EEO Rep, make sure the candidates are being assessed fairly, consistently, and impartially.
- Make sure the committee members are only considering the information shared by the applicants during their interviews and/or as part of their application materials.
- Make sure that bias and other non-merit factors are not considered.
- Examples of bias include previous work experience and friendships with applicants.

### INTERVIEW EXPERIENCE

Add notes

#### Scenarios, Strategies, & Role Playing

How does the EEO Rep make sure that none of the questions pre-suppose something that exceeds a minimum qualification?

