AFFIRMATIVE ACTION PROGRAM

FOR

SANTA BARBARA COMMUNITY COLLEGE DISTRICT

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DECEMBER 1989
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CHAPTER I - DISTRICT AFFIRMATIVE ACTION POLICY

I. POLICY STATEMENT

The Santa Barbara Community College District shall not discriminate against any person in employment or in any program affiliated with the District because of race, color, religion, sex, family relationship, marital status, age, disability, status as Vietnam-era veteran, creed or national origin. The Santa Barbara Community College District will implement affirmatively equal employment opportunity in all employment programs and all position classifications for all employees and qualified applicants for employment. Positive action will be taken by the administration, faculty, staff, and students to ensure the implementation of this policy and to overcome any forms of exclusion or discrimination, whether purposeful or inadvertent. This policy is consistent with the requirements and objectives set forth by the President’s Executive Order Number 11246 as amended by 11375, by revised order number 4, and by Title 6 and Title 7 of the Civil Rights Act of 1964 as amended.

Specifically, the Santa Barbara Community College District shall:

A. Without establishing quotas, have as its goal an institutional work force in which the employment of minority group members and women is adjusted at all levels until the distribution of minority group members and women on the staff is reflective of the available and qualified work force. Procedures shall be established for implementing affirmative action which will ensure that an equitable distribution is achieved. Effectiveness of the procedures shall be determined by analyzing utilization of minority group members and women separately;

B. Support the rights of minority group members and women to equal employment commensurate with their qualifications and to equal compensation for equal work;

C. Take positive action to recruit, hire, and retain qualified minority group members and women at all levels of employment and assure that its system of tenure and promotion does not discriminate against minority group members and women;

D. Make a special effort to encourage minority group and women employees to prepare for higher level positions or to acquire qualifications needed for advancement and promotion;

E. Ensure that no reprisals or coercion are brought to bear against any person or persons who avail themselves of the services of the affirmative action office; and

F. Require compliance with Executive Order Number 11246 as amended of all companies and agencies entering into contractual agreements with the Santa Barbara Community College District.
II. DISSEMINATION OF POLICY

The District's Affirmative Action Officer will publicize and disseminate the District Affirmative Action Policy to members of the College District and community groups concerned with the promotion of equal opportunity and affirmative action. This shall be accomplished by:

A. Publishing the Affirmative Action Policy in the Faculty Manual provided to all regular teachers.

B. Preparation of a brochure containing the policy along with a summary of the District's overall Affirmative Action Program. The brochure shall be distributed to all regular employees of the District and provided to new employees during their orientation. In addition, the brochure shall be distributed annually to various community organizations and recruitment sources.

C. Reviewing and distributing the Affirmative Action Policy to administrators and all members of the selection committees for District positions, both classified and certificated. In addition, the selecting supervisor will receive a copy of the policy.

D. A selection committee orientation booklet will be developed which will be provided to all members involved in the selection process. The orientation booklet will contain the Affirmative Action Policy and other EEO legal considerations.

E. The Affirmative Action Policy will be posted in various areas on campus, including the Personnel Office and Administration Building.

F. The Equal Employment Opportunity clause and the requirements of Executive Order 11246, as amended, will be included in all purchase orders and contracts as required by applicable federal rules and regulations.

G. Meetings will be held with administrators to explain the Affirmative Action Policy and recommend methods to facilitate its implementation.

H. A Notice of Nondiscrimination Policy and Grievance Procedure will be disseminated to all members of the College Community (Appendix A).
CHAPTER II - APPOINTMENT OF AN AFFIRMATIVE ACTION COMMITTEE AND AFFIRMATIVE ACTION OFFICER

The Superintendent-President is responsible for the development and implementation of a meaningful Affirmative Action Program for the Santa Barbara Community College District. An Affirmative Action Committee will be appointed by the Superintendent-President to assist him in implementing a program that will assure that affirmative action goals are obtained. When vacancies occur, replacements will be recommended by the Affirmative Action Committee to the Superintendent-President. The appointment of new members to the Committee by the Superintendent-President will be made with the concurrence of the Representative Council for faculty members; the CSEA, Chapter 289 for classified members; and the Associated Student Senate for student members. The Committee will consist of fourteen (14) members and, whenever possible, represent all ethnic groups and females (1 Affirmative Action Officer, 1 Vice President Academic Affairs, 1 Dean, 4 faculty, 4 classified, and 3 students).

A. RESPONSIBILITIES OF THE AFFIRMATIVE ACTION COMMITTEE ARE:

1. Assists in establishing procedures and methods to identify and overcome the underutilization of employees, particularly minority and female employees in Classified, Administrative, and Certificated positions.

2. Assists in developing policies and procedures assuring opportunities for advancement of employees within each category, Classified, Administrative, and Certificated, as well as for transfers from one category to another.

3. Assists in developing training programs and promotional opportunities for all employees without regard to their minority status and/or sex.
   a. Assists in development of supervisory training programs for all involved in selecting, training, and supervising others.
   b. Reviews staffing patterns, job descriptions, and job requirements. The committee may periodically meet with department heads to discuss female/majority department composition.
   c. Assists in development of techniques that will identify candidates qualified for promotion as well as those employees needing to upgrade their skills through either refresher courses or on-the-job training programs.

4. Assists in identifying sources of recruitment for both qualified minority and female candidates needed for positions in Classified, Administrative, and Certificated categories of employment; expands lists of addresses to whom announcements for positions should be distributed in order to reach candidates needed to meet Affirmative Action Goals.

5. Reviews employment practices regulating hiring, transfer, and promotions from within to ensure that neither qualified nor qualifiable employees and applicants are excluded from consideration.

6. Examines and analyzes progress reports prepared periodically by the Affirmative Action Officer/Director of Personnel Services regarding the implementation of Santa Barbara Community College's Affirmative Action Program. Such reports shall include results achieved or not achieved in respect to meeting established hiring goals.
B. RESPONSIBILITIES OF THE AFFIRMATIVE ACTION OFFICER/DIRECTOR OF PERSONNEL SERVICES ARE:

1. Implements Santa Barbara Community College's Affirmative Action Program with assistance of Affirmative Action Committee and the support of Superintendent-President and Board of Trustees.

2. Publicizes grievance procedures and investigates all complaints of discrimination. After investigation of any complaints, recommends to Superintendent-President and Board of Trustees any action to be taken.

3. Works closely with administrators, supervisors, and department heads to ensure achievement of goals for both Classified and Certificated staff.

4. Provides guidance and clerical assistance to the Affirmative Action Committee as required in development and implementation of District's Affirmative Action Program.

5. Develops and implements an in-service orientation program embracing all facets of Civil Rights for entire college community using resources of Public Information Office and other available resources.

6. Develops and updates goals and timetables so as to effect positive action toward correction of identifiable underutilization.

7. Assumes responsibility for the revision of the Affirmative Action Program as the need for such change is identified.

8. Advises the District regarding status of recruitment for all personnel, including ethnic minorities and women, for those classified and certificated positions in areas that may be falling short of goals.

9. Assumes, in cooperation with appropriate personnel, the role of contract compliance officer on behalf of the District to the extent required by applicable Federal and State laws.

10. Reviews, in cooperation with appropriate personnel, job announcements, job specifications and other job statements to ensure compliance with all Affirmative Action requirements.

11. Advises and assists all administrators of the nature, purpose and intent of laws, executive orders, policies, regulations, prepare memoranda, instructions and reports necessary for the implementation of the District's Affirmative Action Program.

12. Maintains liaison with County, State, and Federal agencies, as well as organizations concerned with the promotion of fair employment practice.

13. Represents the District at meetings, conferences, and other gatherings pertaining to affirmative action programs as approved by the Superintendent-President.

14. Works with appropriate individuals and agencies in ascertaining current population characteristics data for the District.

15. Compiles an annual report to the Superintendent-President and Board of Trustees on the progress of the District's Affirmative Action Program.

16. Reviews application forms and other hiring procedures to assure that information required is pertinent and necessary for duties to be performed (degrees, physical requirements, years of experience, skills, etc.).

17. Assumes other responsibilities and performs other duties as assigned by the Superintendent-President.
CHAPTER III - AFFIRMATIVE ACTION PROCEDURES FOR CLASSIFIED PERSONNEL

A. RECRUITMENT

OBJECTIVE: In carrying out the recruitment process, no qualified person shall be
denied consideration of employment because of race, color, religion, sex, family
relationship, age, disability, marital status, creed, ancestry or national origin.

IMPLEMENTATION:

1. The Affirmative Action Officer will examine and monitor the District's recruit-
ment processes to determine whether any discriminatory practices exist, and move
to correct all such practices in accordance with Federal and State laws. To
ensure equal employment opportunity, promotional opportunities will be open to
all qualified employees and to all qualified applicants.

2. All permanent vacant positions will be advertised by the Personnel Department and
various channels of recruitment will be contacted in developing a nondiscrimina-
tory applicant pool. Vacancies will be posted for a minimum of one week. The
mailing list shall include members of protected groups and related professional
organizations.

3. All recruiting announcements must carry the statement, "An Affirmative Action-
Equal Opportunity Employer." Under no circumstances shall a recruiting announce-
ment or advertisement state that only members of a particular minority group or
sex will be considered.

4. Application forms and position descriptions shall be carefully examined to
eliminate any requirements or criteria which have the effect of excluding
minorities and women. This would also include the elimination of any criteria
that unnecessarily exclude the handicapped, senior citizens, etc.

5. When deemed appropriate, employment advertisements shall be used in newspapers
and/or publications with wide minority and female circulation.

6. If qualified minorities and women are not actively recruited for application,
filling of permanent positions may be deferred, and temporary employees utilized
until persons are recruited for application in accordance with the District's
Affirmative Action Program.

7. Job announcements shall state clearly job specifications, setting forth those
skills necessary to job performance and the required training and experience
related to those skills. Only bonafide occupational qualifications may be
included in job announcements.

B. SELECTION/HIRING

OBJECTIVE: It shall be the objective of the District to hire classified personnel in
conformance with its Affirmative Action goal of providing equal employment opportu-
nity. Appointments will be made in accordance with the current rules and regulations
of the Santa Barbara Community College District providing they are consistent with the
goals of Affirmative Action.
IMPLEMENTATION:

1. The nondiscrimination requirements of the Affirmative Action Program apply to all persons; no person may be denied employment or related benefits on the grounds of race, color, religion, sex, family relationship, age, disability, marital status, creed, ancestry or national origin.

2. Hiring decisions and/or offers of employment may not be governed by unverified assumptions about an individual's willingness or ability to relocate because of his or her minority status or sex.

3. Screening committees will be used in the selection process. Minority and women representation will be a requirement on each screening committee. In the event that no minorities and women are present in the department, the Affirmative Action Chairperson shall be contacted for assistance.

4. The Affirmative Action Officer will assure that an Affirmative Action search has been conducted and appropriate procedures followed. If not, selection to fill such positions will be deferred until recruitment for applications is conducted in accordance with the District's Affirmative Action Program.

5. The selection process shall be documented and records maintained. A case file shall be maintained in the Personnel Office for each permanent vacancy providing: a summary of applicants and ethnic/sexual/disabled composition, job announcement, selection committee membership, questions and rating forms used, and related materials.

6. A nondiscriminatory selection process does not mean that an institution should indulge in "reverse discrimination" or "preferential treatment" which leads to the selection of the less qualified persons over the more qualified ones. The District is interested in staffing all of its positions with qualified persons without regard to race, color, religion, sex, family relationship, age, disability, marital status, creed, ancestry or national origin.

7. All applicants shall be given an opportunity to identify themselves as being a member of a protected group when their application is submitted for purposes of monitoring employment practices. This confidential information will be maintained in the Affirmative Action Office for use in research and in evaluating the effectiveness of the District's Affirmative Action Program.

8. Selection devices such as interviews shall be solely based on job-related requirements. The Affirmative Action Officer shall ensure that the entire selection process shall be solely based on job-related criteria, a fair and impartial examination of the candidates based on job-related criteria, with job-related questions prepared in advance.

9. The Classified Personnel Director will, as appropriate, monitor the hiring process for adverse impact effect and, if found, implement solutions or confer with the Affirmative Action Officer to determine remedy.
C. TRAINING, UPGRAADING, AND PROMOTION

OBJECTIVE: It shall be the objective of the District to provide programs to upgrade the skills of all employees, including women and minority persons, in an effort to eliminate discrimination and ensure equal opportunity in promotion. In addition, in-service orientation for all employees, particularly supervisors, on the goals of Affirmative Action shall be instituted.

IMPLEMENTATION:

1. The District shall ensure that all employees are advised of promotional opportunities when they occur by announcing all vacancies.

2. When apparently qualified minority or female employees are passed over for promotion, department heads and/or supervisors may be required to submit written justification to the Personnel Department and to explain the decision to affected employees.

3. Each selection committee shall receive legal/AA orientation prior to the commencement of the interview process as deemed appropriate by the Affirmative Action Officer.

4. The District shall make special efforts to provide promotional opportunities for its employees, consistent with its Affirmative Action Policy:
   a. Promotional Recruitments: In those cases where it has been determined by the Personnel Department that a sufficient number of qualified applicants exists among current District employees, the Personnel Department may restrict competition to regular employees of the District who meet the prescribed qualifications for the class. This shall be done after review by the Director of Personnel Services to insure compliance with the District's Affirmative Action Policy.
   
   b. Upward Mobility Training: A vacant classified position may be underfilled by competitive appointment of a candidate to a lower, related class, provided approval is granted by the Director of Personnel Services and the selection process complies with the Affirmative Action Policy. The employee shall be trained for the higher level class, to which the employee may be promoted, upon successful completion of a prescribed training program. The promotion may be without further competition, provided that competition has been assured for appointment to the training class.
   
   c. Permanent Employee Preference: All persons involved in the screening, interviewing and selection process are encouraged to give preference to permanent classified service employees of the District, provided that education, experience, knowledge, and abilities of such employees are equal to those of non-district applicants.

5. Classified employee in-service training shall be provided in coordination with the Professional Growth Program to improve professionally the classified employees of the district. College course work, specialized training and other recognized educational activity shall be encouraged by providing cash bonuses for completion of approved activities.

6. The Affirmative Action Officer shall provide for a New Employee Orientation Program which shall include a review of the Affirmative Action Program.
D. ANTI-NEPOTISM POLICIES

OBJECTIVE: It shall be the objective of the District to eliminate any practice which prohibits or limits the simultaneous employment of two or more qualified members of the same family and which has an adverse impact upon one sex or another in employment.

IMPLEMENTATION:
1. The District shall review and monitor its practices to ascertain that an individual may not be denied an opportunity for employment, advancement, or benefits on the basis of any anti-nepotism rule or practice.

E. PLACEMENT, JOB CLASSIFICATION, AND ASSIGNMENT

OBJECTIVE: It shall be the objective of the District to develop placement, job classification, and assignment procedures which provide equal opportunity for all, including minority persons and women.

IMPLEMENTATION:
1. The District shall conduct an inventory of all classified job clusters to identify areas of "underutilization" of women and ethnic minority persons. Once completed, the personnel data should be controlled in strict confidence so that access is limited to only those who need to know and are involved in administering and reviewing the Affirmative Action Program and its goals. Summary data shall be made public.

2. Race, color, religion, sex, blood relationship, age, birth, disability, ancestry or national origin shall not be the basis for differentiating among job classifications. Special attention will be given to education, experience, and skill requirements to ensure that the requirements in themselves do not constitute inadvertent discrimination.

3. Classification language which discriminates against either sex will be eliminated. Any inequities in salaries paid men and women for comparable work will be eliminated.

F. LAYOFF

OBJECTIVE: Seniority rule will be applied in cases of layoff unless the District is legally enjoined to follow other prescribed procedures.

IMPLEMENTATION:
1. Seniority is an acceptable standard for termination with one exception: where an incumbent has been found in a court of law to have been the victim of discrimination and as a result has less actual seniority than he or she would have had but for such discrimination, either seniority cannot be used as the primary basis for termination, or the incumbent must be presumed to have the seniority which he or she would have had in the absence of discrimination.

2. Whenever such discrimination is charged as having denied an employee of rightful seniority, it shall be identified with respect to the specific circumstances alleged to have been the cause of discrimination. An unproved claim of discrimination shall not be sufficient to set aside applicable seniority rule.
G. CONDITIONS OF WORK, RIGHTS AND BENEFITS, SALARY, LEAVE POLICIES

**OBJECTIVE:** It shall be the objective of the District to adhere carefully to the concept of equal pay for equal work, and to ensure that conditions of work, rights and benefits, salary, and leave policies are nondiscriminatory.

**IMPLEMENTATION:**

1. The District will review existing policies regarding conditions of work, rights and benefits, salary and leave policies to ensure nondiscriminatory practices.

H. CLASSIFIED EMPLOYEE DISCRIMINATION COMPLAINT PROCEDURES

**OBJECTIVE:** It shall be the objective of the District that Classified employees have an established procedure available for review of job-related complaints of discrimination.

**IMPLEMENTATION**

1. Whenever a job related complaint of discrimination occurs, the affected employee may contact the Affirmative Action Officer/Director of Personnel Services for advice. In addition, a discussion between the affected employee and the appropriate supervisor and department head should be held. During the discussion an attempt will be made to resolve the issue on an informal basis. The District Affirmative Action Officer/Director of Personnel Services will, if requested, act in an advisory capacity.

2. If the issue is not resolved at this level, the employee may use the established grievance procedures outlined in the District Classified Personnel Rules and Regulations. The grievance will be investigated and resolved in accordance with the provisions of Title 5, AB 803 as provided in Appendix A.

3. Nothing in institutional grievance procedures prevents an employee from taking legal recourse where he/she feels a State or Federal law has been violated. The District's Affirmative Action Officer/Director of Personnel Services shall not participate in Federal or State agency proceedings or lawsuits except as authorized by the District.
CHAPTER IV - AFFIRMATIVE ACTION PROCEDURES FOR CERTIFICATED PERSONNEL

A. RECRUITMENT

OBJECTIVE: In carrying out the recruitment process, no qualified person shall be denied consideration for employment because of race, color, religion, sex, family relationship, age, marital status, creed, disability, ancestry or national origin.

IMPLEMENTATION

1. The Affirmative Action Officer will examine and monitor the District's recruitment and hiring processes to determine where discriminatory practices exist and move to correct all such practices in accordance with Federal and State laws. Where such an examination reveals that minority persons and women have been underutilized because of discriminatory practices, every good faith effort will be undertaken to ensure equal employment opportunity.

2. All permanent vacancies will be advertised by the Personnel Department and various channels of recruitment will be contacted in developing a nondiscriminatory applicant pool. Vacancies will be posted for a minimum of one week. The mailing list shall include members of protected groups and related professional organizations and shall be updated as necessary. Part-time opportunities will be periodically advertised using the area affirmative action mailing list.

3. All recruiting announcements must carry the statement, "An Affirmative Action-Equal Opportunity Employer." Under no circumstances shall a recruiting announcement or advertisement state that only members of a particular minority group or sex will be considered.

4. Application forms and position descriptions shall be carefully examined to eliminate any requirements or criteria which have the effect of excluding minorities and women. This would also include the elimination of any criteria that unnecessarily exclude the disabled, senior citizens, etc.

5. When deemed appropriate, employment advertisements shall be used in newspapers and/or publications with wide minority and female circulation.

6. If qualified minorities and women are not actively recruited for application, filling of permanent positions may be deferred until recruitment for applications is conducted in accordance with the District's Affirmative Action Program.

7. Job announcements shall state clearly job specifications, setting forth those skills necessary to job performance and the required training and experience related to those skills. Only bonafide occupational qualifications may be included in job announcements.

B. SELECTION/HIRING

OBJECTIVE: It shall be the objective of the District to hire certificated personnel in conformance with its Affirmative Action goal of providing equal employment opportunity.

IMPLEMENTATION:

1. Affirmative Action goals are to be sought through recruitment and hiring for vacancies created by normal growth and attrition in existing positions.
2. Hiring decisions may not be governed by unverified assumptions about an individual's willingness or ability to relocate because of his or her minority status or sex.

3. Screening and interviewing committees will be used in the selection process. Minority and women representation will be a requirement on each committee. In the event that no minorities and women are present in the department, the Affirmative Action Committee Chairperson shall be contacted for assistance.

4. The selection process shall be documented and records maintained. A case file shall be maintained in the Personnel Office for each permanent vacancy providing a summary of applicants and ethnic/sexual/disabled composition, job announcement, selection committee membership, questions and rating forms used, and related materials.

5. A nondiscriminatory selection process does not mean that an institution should indulge in "reverse discrimination" or "preferential treatment" which leads to the selection of the less qualified persons over the more qualified ones. The District is interested in staffing all of its positions with qualified persons without regard to race, color, religion, sex, family relationship, age, disability, marital status, creed, ancestry or national origin.

6. The Affirmative Action Officer will assure that an Affirmative Action search has been conducted and appropriate procedures followed. If not, selection to fill such positions will be deferred until recruitment for applications is conducted in accordance with the District's Affirmative Action Program.

7. All applicants shall be given an opportunity to identify themselves as being a member of a protected group when their application is submitted for purposes of monitoring employment practices. This confidential information will be maintained in the Affirmative Action Office for use in research and in evaluating the effectiveness of the District's Affirmative Action Program.

8. Hiring criteria for all faculty and administrators shall include sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students.

9. The Affirmative Action Officer will, as appropriate, monitor the hiring process for adverse impact effect and, if found, implement solutions or confer with the Superintendent-President to determine remedy.

C. TRAINING, UPGRADING, AND PROMOTION

OBJECTIVE: The District will make special effort to ensure that all employees in its certificated staff are given equal employment opportunity for in-service training, promotion and/or advancement. In-service orientation/training for all employees, particularly supervisors, on the goals of Affirmative Action shall be instituted.

IMPLEMENTATION:

1. The District shall ensure that all employees are advised of promotional opportunities when they occur by announcing all vacancies.

2. When apparently qualified minority or female employees are passed over for promotion, the selecting official or person directly responsible may be required to submit written justification.

3. The District shall sponsor various activities designed to professionally develop members of the faculty, e.g., seminars, workshops, Sabbatical Leave program, education abroad program, "Improvement of Instruction" grants, travel/conference funds, and Faculty Enrichment Committee.
4. Each selection committee shall receive legal/AA orientation prior to commencement of the interview process as deemed appropriate by the Affirmative Action Officer.

5. The Affirmative Action Officer shall provide for a New Employee Orientation Program which shall include a review of the Affirmative Action Program.

6. The District will establish a Faculty and Staff Development Program and Committee and the Affirmative Action Officer shall be a member of the committee.

D. ANTI-NEPOTISM POLICIES

OBJECTIVE: It shall be the objective of the District to eliminate any practices which prohibit or limit the simultaneous employment of two or more qualified members of the same family and which has an adverse impact upon one sex or another in employment.

IMPLEMENTATION:

1. The District shall review its current practices to ascertain that an individual may not be denied an opportunity for employment, advancement, or benefits on the basis of any anti-nepotism rule or practice.

E. PLACEMENT, JOB CLASSIFICATION, AND ASSIGNMENT

OBJECTIVE: It shall be the objective of the District to develop placement, job classification, and assignment procedures which provide equal opportunity for all.

IMPLEMENTATION:

1. The District shall conduct an inventory to identify areas of "underutilization" of women and minority persons in its certificated staff. Once completed, summary data will be made public.

2. No particular job classification shall be assigned to any particular group identified by race, color, religion, sex, family relationship, age, birth, marital status, disabled, creed, ancestry or national origin.

F. LAYOFF

OBJECTIVE: Seniority rule will be applied in cases of layoff unless the District is legally enjoined to follow other prescribed procedures.

IMPLEMENTATION:

1. Seniority is an acceptable standard for termination with one exception: where an incumbent has been found in a court of law to have been the victim of discrimination and as a result has less actual seniority than he or she would have had but for such discrimination, either seniority cannot be used as the primary basis for termination, or the incumbent must be presumed to have the seniority which he or she would have had in the absence of discrimination.

2. Whenever such discrimination is charged as having denied an employee of rightful seniority, it shall be identified with respect to the specific circumstances alleged to have been the cause of discrimination. An unproved claim of discrimination shall not be sufficient to set aside applicable seniority rule.
G. CONDITIONS OF WORK, RIGHTS AND BENEFITS, SALARY, LEAVE POLICIES

OBJECTIVE: It shall be the objective of the District to adhere carefully to the concept of equal pay for equal work, and to ensure that conditions of work, rights and benefits, salary, and leave policies are nondiscriminatory.

IMPLEMENTATION:

1. The District will review and monitor existing policies regarding conditions of work, rights and benefits, salary and leave policies to ensure nondiscriminatory practices.

H. CERTIFICATED EMPLOYEE DISCRIMINATION COMPLAINT PROCEDURES

OBJECTIVE: It shall be the objective of the District that Certificated employees have an established procedure available for review of job-related complaints of discrimination.

IMPLEMENTATION

1. Whenever a job related complaint of discrimination occurs, the affected employee may contact the Affirmative Action Officer/Director of Personnel Services for advice. In addition, a discussion between the affected employee and the appropriate supervisor will be held. During the discussion an attempt will be made to resolve the issue on an informal basis. The District Affirmative Action Officer/Director of Personnel Services will, if requested, act in an advisory capacity.

2. If the issue is not resolved at this level, the employee may use the established grievance procedures outlined in the District's grievance procedures. The grievance will be investigated and resolved in accordance with the provisions of Title 5, AB 803 as provided in Appendix A.

3. Nothing in institutional grievance procedures prevents an employee from taking legal recourse where he/she feels a State or Federal law has been violated. The District's Affirmative Action Officer/Director of Personnel Services shall not participate in Federal or State agency proceedings or lawsuits except as authorized by the District.
CHAPTER V - ESTABLISHMENT OF GOALS AND TIMETABLES

In accordance with adopted District Affirmative Action Policy, the District shall:

"Without establishing quotas, have as its goal an institutional work force in which the employment of minority group members and women is adjusted at all levels until the distribution of minority group members and women on the staff is reflective of the available and qualified work force. Procedures shall be established for implementing affirmative action which will ensure that an equitable distribution is achieved. Effectiveness of the procedures shall be determined by analyzing utilization of minority group members and women separately."

IMPLEMENTATION:

1. A utilization analysis will be conducted of all Certificated and Classified job occupational categories and organizational units of women and ethnic minority persons. Summary report data shall be distributed. Underutilization may exist when the number of minorities and women employed is significantly fewer than would reasonably be expected based on the availability of qualified persons for employment.

2. When underutilization is identified for appropriate organizational units and occupational categories, District and departmental goals and timetables shall be established as a means of increasing the employment of minorities and women at the earliest possible time.

3. Goals are targets for increasing the employment of minorities and women to overcome that underutilization. Timetables are estimates of the time required to meet specific goals. In formulating timetables, consideration will be given to the availability of qualified minorities and women and expected turnover in the work force.

4. Goals and timetables will be established in accordance with the requirements of Title 5, 53051 and will be adjusted as the availability of minorities and women and as their employment in the District change.

   a. Goals and timetables shall be determined and displayed separately for ethnic minorities and women and established for each of the seven job categories of employment listed in the work force analysis discussed below.

   b. When deficiencies exist, the District shall establish and set forth specific three-year goals and timetables district-wide and submit them to the Chancellor’s Office. Such goals and timetables shall be documented as part of the District’s written Affirmative Action Program and shall be maintained in the District’s Personnel Office.

   c. The goals and timetables shall be established in terms of the District work force analysis of deficiencies and a projection of anticipated vacancies, expansion, and attrition.

5. The Affirmative Action Officer shall conduct a work force analysis, in accordance with the provisions of Title 5, 53046, in which the District shall determine statistically the racial, ethnic, and sex composition of existing staff by the following seven categories:

   Executive/Administrative/Managerial, Faculty and Other Instructional Staff, Professional Nonfaculty, Secretarial/Clerical, Technical and Paraprofessional, Skilled Crafts, Service and Maintenance.

   The District shall supply the information required by the Chancellor’s Office Information System, Staff Data File.
CHAPTER VI - AFFIRMATIVE ACTION FOR THE STUDENT BODY

A. AFFIRMATIVE ACTION FOR HIGH SCHOOL STUDENT RECRUITMENT

OBJECTIVE: In accordance with State Law (ACR 151), it shall be the objective of the District to prepare an annual evaluation and plan that will address the minority, economic and sexual underrepresentation in the makeup of the District's student body as compared to the composition of area high school graduates. The District shall annually report, before June 1 of each year, on the progress of the plan.

IMPLEMENTATION:

The Vice President, Student Affairs, will be responsible for preparation of an annual report. The report shall consider the following methods for fulfilling this objective:

1. Affirmative efforts to search out and contact qualified students.
2. Additional services provided for students with unique needs.
3. Augmented students financial assistance programs.
4. Improved matriculation for disadvantaged and underrepresented students.

The plan and subsequent progress reports will include appropriate statistical data regarding high school and District student body composition. A copy of the plan will be submitted to the Affirmative Action Committee.

B. AFFIRMATIVE ACTION FOR COLLEGE STUDENT BODY

OBJECTIVE: It shall be the objective of the District that an annual report and plan be made by each program area in Student Affairs to determine whether any of the following conditions exist: discrimination; ethnic/sexual/disabled underrepresentation or program inequities based upon sex; job recruitment and job placement which discriminates on the basis of sex or minority status. Whenever such conditions are found to exist, affirmative corrective steps will be taken.

IMPLEMENTATION:

It shall be the responsibility of the Vice President, Student Affairs to provide for an annual report by all Student Support Services program heads, to be submitted to the Affirmative Action Committee for their review. The report will include the following informational data:

1. Overview and objectives of the program.
2. Number and percentage of minority and underrepresented program participants (if available).
3. Affirmative steps taken or planned to increase the number of minorities and women in each program. Steps taken which will encourage the coordination of and referral to other Student Services and Instructional programs (i.e., EOPS, DSPS, C.A.R.E., Gender Equity, Child Care Center, Tutorial, etc.).

C. ADMISSIONS POLICY FOR SPECIAL INSTRUCTIONAL PROGRAMS

OBJECTIVE: It shall be the objective of the District that any de facto discrimination towards male/female and minority applicants will be eliminated from all instructional programs that have a separate screening process for admission.
IMPLEMENTATION:

1. When requested by the Affirmative Action Committee, a written report will be presented to the Affirmative Action Committee by each program head for any instructional program that has a separate student screening process for admission. This report will outline all policies, procedures and practices pertaining to student screening for admission.

2. Each program head will also report special steps taken to increase minority and women participation in these programs. Efforts will be made to recruit women of all minority groups into traditionally male-dominated fields. These steps will have as an ultimate goal a student participation reflecting the area's high school student population, grades 10-12. Instructional program areas in this review should include but not be limited to:

<table>
<thead>
<tr>
<th>Program Area</th>
<th>Responsible Official</th>
</tr>
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<tbody>
<tr>
<td>Health Occupations</td>
<td>Dean, Health Occupations</td>
</tr>
<tr>
<td>Marine Technology</td>
<td>Dean, Vocational-Technical</td>
</tr>
<tr>
<td>Early Childhood Education</td>
<td>Dean, Vocational-Technical</td>
</tr>
</tbody>
</table>

D. CURRICULA

OBJECTIVE: In all areas of instruction, there shall be no discriminatory treatment of women and minorities, either by omission or commission.

IMPLEMENTATION:

1. In the classrooms all instructors should make sincere efforts to cease using the generic masculine forms "man," "he," "him," and "his" and to avoid using terms in reference to minorities which these groups find derogatory, distasteful, or pejorative. Future textbook selections should reflect these values.

2. In instructional materials, lectures, and classroom discussion, the contributions and participation of minorities and women shall be introduced.

3. Department chairpersons shall make reports to the Affirmative Action Committee when so requested.

E. TITLE IX

The Women's Athletic Coordinator is designated as the Title IX Coordinator and shall be responsible for coordinating Title IX efforts and to process complaints. The Coordinator shall notify all employees and students of the name, office address, and telephone of the Title IX Coordinator.
CHAPTER VII - AFFIRMATIVE ACTION REQUIREMENTS FOR OFF-CAMPUS FIRMS AND CONTRACTORS

OBJECTIVE: It shall be the objective of the District to discharge its legal responsibilities as required by Executive Order 11246, as amended, providing for off-campus subcontractor implementation of the Equal Opportunity Clause and certification of nonsegregated facilities.

IMPLEMENTATION

1. Any contract with a total price of $10,000* or more entered into with an outside firm or contractor must comply with the Equal Opportunity Clause and the provision for certification of nonsegregated facilities as set forth in Title 41, Chapter 60-1. It is the District's responsibility to notify the firm or contractor of their responsibility and their intent to comply.

2. Should questions arise regarding such intent, the District may require that the outside firms or contractors submit copies of their Affirmative Action Program, if appropriate, and attend pre-award conferences.

3. The Business Manager will be responsible for insuring that the above legal requirements and procedures are complied with and appropriate documentation is maintained.

* Less than $10,000 if District has reason to believe that the amount to be ordered in any year will exceed $10,000.
CHAPTER VIII - AFFIRMATIVE ACTION FOR PEOPLE WITH DISABILITIES

POLICY STATEMENT

The Santa Barbara Community College District shall not discriminate against any employee or applicant for employment because of disabilities in regard to any position for which the employee or applicant for employment is qualified. The District will take affirmative action to employ, advance in employment and otherwise treat qualified disabled individuals, without discrimination based upon their physical or mental handicap, in all employment practices such as the following: employment, promotion, demotion, recruitment, layoff or termination, compensation and selection for training.

IMPLEMENTATION:

1. The District will review its personnel practices and policies to determine whether any discriminatory practices exist and move to correct all such practices.

2. Hiring decisions and/or offers of employment shall not be governed by unverified assumptions about an individual's willingness or ability to perform the job. All interviewing committees will be informed that it is the District's medical doctor, not the committee, who determines whether an applicant is physically or mentally able to do the job or whether he or she has a disability which would disqualify him/her from doing the job.

3. All District Classified and Certificated job vacancy announcements will be distributed to appropriate service organizations and vocational rehabilitation agencies. Contact will be maintained with these agencies for purposes of advice and technical assistance regarding problems and concerns of the handicapped.

4. The District will attempt to make a reasonable accommodation to the disabilities of employees and applicants. For example, improving access to the facilities and changing equipment.

5. All District minimum pre-employment physical requirements will be reviewed for their job relatedness.

6. Whenever a job related complaint of discrimination occurs, a discussion between the affected employee and the appropriate supervisor and department head will be held. During the discussion an attempt will be made to resolve the issue on an informal basis. The District Affirmative Action Officer/Director of Personnel Services will, if requested, act in an advisory capacity and may utilize the resources of the Disabled Student Program and Services as appropriate. If the issue is not resolved at this level, the employee may use the established grievance procedures.

7. The Coordinator of the Disabled Student Program and Services (DSPS) is designated as the District's 504 Coordinator and shall be responsible for coordinating compliance with Section 504 and shall take continuing steps to notify employees, students, and the public that the District does not discriminate on the basis of disability in violation of Section 504.
CHAPTER IX - SEXUAL HARASSMENT

I. POLICY STATEMENT

It is the policy of Santa Barbara City College to provide an educational and employment environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment, as defined and otherwise prohibited by State and Federal statutes.

It shall be a violation of this policy for anyone to engage in sexual harassment and any person who engages in such sexual harassment, as defined below, will be subject to disciplinary action pursuant to established District policies and applicable laws.

II. DEFINITION

The following definition* will aid in identifying the kinds of behavior which constitute sexual harassment:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: 1) submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of instruction, employment, or participation in other College activity; 2) submission to or rejection of such conduct by an individual is used as a basis for making academic or personnel decisions affecting an individual; or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive College environment.

In determining whether the alleged conduct constitutes sexual harassment, consideration should be given to the record as a whole and to the totality of the circumstances, including the nature of the sexual advances and the context in which the alleged incidents occurred.

III. PROCESS

Any person who feels s/he is subject to sexual harassment should follow the grievance procedures in accordance with the District's established Due Process and Grievance Procedures.

* Equal Employment Opportunity Commission (EEOC) Guidelines

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