

Fostering a Culture of Belonging

Rancho Santiago Community College District | April 16, 2025

Presented By: Jenny Denny

LIEBERT CASSIDY WHITMORE

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Agenda

- The Legal & Policy Landscape
- Foundations of DEIA
- DEIA in Action: Title 5 Evaluation Requirements
- Evaluating Employees on DEIA
- Applying DEIA

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Audience Question

What does a culture of belonging look like to you?

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The Legal & Policy Landscape

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Federal/State Anti-Discrimination Laws

- Title VII of the Civil Rights Act of 1964
- Americans with Disabilities Act (ADA)
- Age Discrimination in Employment Act (ADEA)
- Fair Employment and Housing Act (FEHA)

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Protected Classifications

- **No Discrimination on Basis of:**
 - Genetic Information/Characteristics
 - Race
 - Color
 - National Origin
 - Hair texture/hairstyles associated w/particular race/national origin
 - Religious Creed
- Ancestry
- Physical/Mental Disability, Medical Condition
- Marital Status
- Age (40 years and older)
- Military and Veteran Status
- Opposition to Discrimination/Harassment
- Association/Perception
- Reproductive Health Decisionsmaking

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Understanding the Current Landscape

- National conversation around DEIA is evolving, with increased scrutiny and debate
- Federal priorities may shift, but California laws remain strong and enforceable
- DEIA supports a safe, respectful, and productive learning and working environment
- Commitment to DEIA is about mission alignment, legal compliance, and organizational effectiveness

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Why DEIA Still Matters—Legally and Locally

- California AG issues guidance affirming DEI policies
- Title 5 and Education Code require DEIA in hiring and evaluations

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EEO in California Community Colleges

“Each district employer shall commit to sustained action to devise recruiting, training and advancement opportunities that will result in equal employment opportunities for all qualified applicants and employees”

Education Code 87101(c)

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Sensitivity to Diversity

- Districts give must “meaningful consideration”
 - whether applicants for faculty and administrative positions
 - Show “sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability and ethnic backgrounds of community college students.”

Ed Code, § 87360

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It’s Not Just the Law...

Why does diversity matter to CCDs?

Core Mission:


- Serve California’s diverse community of learners
- Prepare all students for success in a global society

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Diversity – Describes Reality

- California generally
- Community colleges specifically



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Reframing DEIA as Non-Partisan

- DEIA is rooted in fairness, equity, and compliance— not partisanship
- California community colleges serve highly diverse populations by design
- Inclusive workplaces increase engagement, innovation, and retention
- DEIA aligns with educational goals and improves student success outcomes

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DEI Integration Plan

Systemic approach to addressing faculty and staff diversity at three levels

- Institutional (policy changes)
- Interactional (changes to existing procedures)
- Individual (activities that promote supportive and inclusive behavior)

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Foundations of DEIA

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Diversity Defined

- Layers of diversity
 - Personality
 - Internal Dimension
 - External Dimension
 - Organizational Dimension
- Legal requirements

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Equity Defined

- Equity: An approach to the distribution of resources that accounts for systematic inequalities, and provides more for those who need it most. Conversely equality indicates uniform distribution of resources among people, regardless of their need

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Inclusion Defined

- Inclusion = how we engage in a diverse environment
 - Inclusive environments engender openness and curiosity
 - Inclusive environments embrace rather than stigmatize difference

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Accessibility Defined

- Accessibility: The “ability to access” the functionality of a system or entity, and gain the related benefits. The degree to which a product, service, or environment is accessible by as many people as possible
- Accessible design ensures both direct (unassisted) access and indirect access through assistive technology (e.g., computer screen readers)
- Universal design ensures that an environment can be accessed, understood, and used to the greatest extent possible by all people

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Anti-Racism Defined

- Anti-Racism: The active promotion of policies that promote fair treatment of all people and promote racial equity
- Practicing antiracism requires identifying, challenging, and upending policies and practices that perpetuate racism on an individual, interpersonal, institutional, or structural basis

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Bias Defined

- A particular tendency, trend, inclination, feeling, or opinion, especially one that is preconceived or unreasoned

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Unconscious vs. Conscious

Two distinct psychological systems:

Unconscious:
"Operates automatically and quickly, with little or no effort and no sense of voluntary control."

Conscious:
"Allocates attention to the effortful mental activities that demand it, including complex computations."

– *Thinking, Fast and Slow* by Daniel Kahneman

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Our Biases Impact:

- **Our Perception** – how we see people and perceive reality
- **Our Attitude** – how we react towards certain people
- **Our Behaviors** – how receptive/friendly we are toward certain people
- **Our Attention** – which aspects of a person we pay most attention to
- **Our Listening Skills** – how much we listen to what certain people say
- **Our Micro-affirmations** – how much we comfort certain people in certain situations

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Examples of Common Biases

- **Bandwagon effect:** The tendency to do (or believe) things because many other people do (or believe) the same thing
- **Confirmation:** The tendency to confirm what we already believe is true
- **Negativity Effect:** The tendency to allow things that are negative to have a more significant effect than things that are positive or neutral
- **Affinity Bias:** The tendency to have an affinity for people or behaviors that are similar to you
- **Name bias:** Study done by Marijuana Pepsi Vandyck

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Hypothetical

You supervise Elena, a student services specialist. A student who recently immigrated from Vietnam asks her a question, and after a few back-and-forths, Elena says in frustration, "You really need to work on your English if you want to be in college here."

The student appears embarrassed and walks away. The next day, the student's instructor emails you, sharing the student felt unwelcome and discouraged from seeking services again.

What DEIA concerns does this raise?

How would you coach Elena?

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Microaggressions Defined

- Microaggression: a comment or action that is subtly and often unintentionally demeaning or alienating to a member of a marginalized group
 - Brief
 - Commonplace
 - Can be:
 - Verbal (word or tone)
 - Body language, looks, gestures

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Hypothetical

Fatima, a new employee who wears a hijab, is chatting with coworkers in the break room. A colleague, clearly curious, asks loudly: "Do you wear that scarf thing all the time? Even at home?" Several coworkers look uncomfortable, but no one speaks up. Fatima responds politely but seems caught off guard. Later, she expresses to you that she felt exposed and stereotyped.

Why might this comment be considered a microaggression?

How could this interaction have been more respectful or curious without being invasive?

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**DEIA in Action:
Title 5 Evaluation Requirements**

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DEIA Legal Overview

- Regulations for DEIA and evaluation and tenure review processes
- Change the minimum qualifications for employment in a CCD
 - Administrators, faculty members, classified staff

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New Requirements

- Districts must include DEI competencies and criteria
- As a minimum standard for evaluating employee performance
- Districts must give *significant emphasis* on DEIA competencies in evaluation and tenure process

Title 5, § 53602

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New Requirements

All district employees must also demonstrate the ability to work with and serve individuals within a diverse community college campus environment.

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Hypothetical

You assign your team to complete an online DEIA training module. During a staff meeting, one employee rolls their eyes and says, *“Why are we still doing this? I treat everyone the same—I don’t see color.”* A few colleagues appear uncomfortable but say nothing.

**What biases are reflected in that comment?
How would you respond?**

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**Administrators –
New Requirements**

Administrators

- Significant consideration of DEIA and anti-racist principles
- In existing policies and practices, funding allocations, decision-making, planning, and program review processes
- Account for the experience and performance of students and colleagues
- Work to close equity gaps in student outcomes and hiring

Title 5, § 53605, subd. (b)

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**Faculty Members –
New Requirements**

Faculty members

- Employ teaching and learning practices, curriculum
- Reflect DEIA and anti-racist principles
- Respect for, and acknowledgement, of the diverse backgrounds of students and colleagues
- To improve equitable student outcomes and course completion

Title 5, § 53605, subd. (d)

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**Classified Staff –
New Requirements**

Classified Staff

- Promote and incorporate culturally affirming DEIA and anti-racist principles
- To nurture and create a respectful, inclusive, and equitable learning and work environment
- Show respect and acknowledge the diversity of students and colleagues

Title 5, § 53605, subd. (c)

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True or False?

Diversity only means protected characteristics like race, ethnicity, age, sexual orientation, etc.

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**Classified Staff (CSEA 579) –
New Evaluation Language**

- Employees evaluated on:
 - “Supporting Diversity & Inclusion - Consider the employee’s ability to engage with others from diverse backgrounds, promoting equity and inclusion.”

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**Classified Staff (CSEA 888) –
New Evaluation Language**

- Employees evaluated on:
 - “Demonstrates respect for other staff”
 - “Implements curriculum which reflects the individual needs, abilities of the children”
- Completes self evaluation on:
 - “Relates positively to each child’s personality and developmental level. Is aware of differing moods of children and can adjust expectation accordingly”
 - “Willing to listen to suggestions and other’s ideas and is responsive to changes.”

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**Academic Staff (FARSCCD) –
New Evaluation Language**

- Faculty self-evaluation form asks faculty to reflect on their participation in the improvement of student learning related to student outcomes
- Evaluation criteria and observation reports emphasize:
 - Respect for students and colleagues
 - Responsiveness to diverse student needs
 - Use of multiple instructional strategies
 - Promotion of a safe, inclusive learning environment

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Applying DEIA

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Hypothetical
<p>You supervise Dr. Roe, a part-time Chemistry professor. One of Dr. Roe's students emails you, complaining that she did not receive extra time on yesterday's exam. You forward the student's email to Dr. Roe, who responds, "Isn't it DSPS's job to handle handicap students' accommodations?"</p> <p><i>How would you handle the situation?</i></p> <p><small>LIEBERT CASSIDY WHITMORE</small></p>

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Hypothetical
<p>You overhear one of the classified employees you supervise, Brian, telling some coworkers about his weekend and mentions that he played in a baseball tournament with the gay men's recreational team in the area. Danny, a coworker, says "Brian, I didn't know you were gay! I should set you up with my friend Mark." Brian, visibly uncomfortable, says, "Well, not all gay men are compatible with each other." The coworker replies, "Oh, come on Brian! Don't be so sensitive!"</p> <p><small>LIEBERT CASSIDY WHITMORE</small></p>

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Hypothetical (con't)

Brian complains about Danny to you, and asks you to facilitate a meeting between Brian and Danny. During the meeting, Danny says, "Brian, I don't care that you're gay! I have lots of gay friends." Brian leaves the meeting upset. The next day, Danny apologizes to Brian. Danny also asks you how he can participate in the District's DEI initiatives.

How would you handle the situation?

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Thank You!

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