The Los Angeles Community College District's Equal Employment Opportunity Plan reflects the District's commitment to equal, fair, and accessible employment opportunity.

Board Approved: 09/30/2015
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LEGAL AUTHORITY

California community colleges are mandated by the California Code of Regulations Title 5, section 53003(a); and the California Education Code, section 87100 to develop and implement an Equal Employment Opportunity Plan.

CALIFORNIA CODE OF REGULATIONS TITLE 5, SECTION 53003(A) – DISTRICT PLAN

The governing board of each community college district shall develop and adopt a district-wide written equal employment opportunity plan to implement its equal employment opportunity program. Such plans shall be submitted to the State Chancellor’s Office. The Chancellor’s Office retains the authority to review district plans on a case-by-case basis.

CALIFORNIA EDUCATION CODE, SECTION 87100 LEGISLATIVE FINDS & DECLARATIONS

(a) The Legislature finds and declares all of the following:

(1) In fulfilling its mission within California’s system of public higher education, the California community colleges are committed to academic excellence and to providing all students with the opportunity to succeed in their chosen educational pursuits.

(2) Academic excellence can best be sustained in a climate of acceptance and with the inclusion of persons from a wide variety of backgrounds and preparations to provide service to an increasingly diverse student population.

(3) A workforce that is continually responsive to the needs of a diverse student population may be achieved by ensuring that all persons receive an equal opportunity to compete for employment and promotion within the community college districts and by eliminating barriers to equal employment opportunity.

(b) It is the intent of the Legislature to establish and maintain within the California community college districts a policy of equal opportunity in employment for all persons, and to prohibit discrimination or preferential treatment based on ethnic group identification, or on any basis listed in subdivision (a) of section 12940 of the Government Code, as those bases are defined in sections 12926 and 12936.1 of the Government Code, except as otherwise provided in section 12940 of the Government Code. Every aspect of personnel policy and practice of the community college districts should advance the realization of inclusion through a continuing program of equal employment opportunity.

(c) The Legislature recognizes that it is not enough to proclaim that community college districts must not discriminate and must not grant preferential treatment on impermissible bases. The Legislature declares that efforts must also be made to build a community in which nondiscrimination and equal opportunity are realized. It is the intent of the Legislature to require community college districts to adopt and implement programs and plans for ensuring equal employment opportunity in their employment practices.

TITLE 5, SECTION 53026 COMPLAINTS – VIOLATION OF EQUAL EMPLOYMENT OPPORTUNITY REGULATIONS

Each community college district shall establish a process permitting any person to file a complaint alleging that the requirements of this subchapter have been violated. A copy of the complaint shall immediately be forwarded to the Chancellor, who may require the district provide a written investigative report within ninety (90) days. Complaints that also allege discrimination prohibited by Government Code sections 11135 et seq. shall be processed according to the procedures set forth in subchapter 5 (commencing with section 59300) of Chapter 10 of this division.
PLAN COMPONENT 1: INTRODUCTION

The Los Angeles Community College District Equal Employment Opportunity Plan was adopted by the Board of Trustees on (DATE). The Equal Employment Opportunity Plan reflects the District’s commitment to equal employment opportunity and creation of a working and academic environment which is welcoming to all. Through an educational experience in an inclusive environment, our students will be better prepared to work and live in our present global society.

The Equal Employment Opportunity Plan contains procedures for the hiring of academic and classified staff; the requirements for a complaint process for noncompliance with the Title 5 provisions relating to equal employment opportunity programs; complaint procedures relating to unlawful discrimination; establishment of an Equal Employment Opportunity Advisory Committee; methods to support equal employment opportunity and an environment that is welcoming to all; and procedures for dissemination of the Equal Employment Opportunity Plan.

To properly serve a growing diverse population, the District endeavors to hire, promote, and retain faculty and staff who are sensitive to, and knowledgeable of, the needs of a continually changing student body it services.

Dr. Francisco C. Rodriguez
Chancellor
Los Angeles Community College District
PLAN COMPONENT 2: DEFINITIONS

A. ADVERSE IMPACT: A statistical measure (such as those outlined in the Equal Opportunity Commission’s Uniform Guidelines on Employee Selection Procedures) applied to the effects of a selection procedure that demonstrates a disproportionate negative impact on any group protected from discrimination pursuant to Government Code section 12940.

B. DIRECTOR, OFFICE FOR DIVERSITY, EQUITY AND INCLUSION (DIRECTOR): The person who is responsible for the day-to-day implementation of the Plan.

C. DIVERSITY: A condition of broad inclusion in an employment environment that offers equality and respect for all persons.

D. EQUAL EMPLOYMENT OPPORTUNITY (EEO): All qualified individuals have a full and fair opportunity to complete for hiring and promotion and to enjoy the benefits of employment with the District.

E. EQUAL EMPLOYMENT OPPORTUNITY ADVISORY COMMITTEE (EEO ADVISORY COMMITTEE): Acts as an advisory body to the Director and the District to promote understanding and support of EEO policies and procedures.

F. EQUAL EMPLOYMENT OPPORTUNITY PLAN (Plan): A written document in which the District’s workforce is analyzed, and which specifies plans and procedures for ensuring equal employment opportunity.

G. EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT (EEO Policy Statement): Statement by the Board confirming its commitment to EEO.

H. EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS: All the various methods by which EEO 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.

I. ETHNIC GROUP IDENTIFICATION: Group identity is obtained through voluntary self-identification by employees and applicants for employment as follows, based on the definitions from the Equal Employment Opportunity Commission.

African-American: A person having origins in any of the original peoples of the Black racial groups of Africa.

Alaskan/American Indian: A person having origins in any of the original peoples of North and South America (including Central America), and who maintains Tribal affiliation or community attachment.

Asian: A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

Hispanic: A person having origins in any of the original peoples of Cuba, Mexico, Puerto Rico, South or Central America, or other Spanish cultures or origins, regardless of race.
DEFINITIONS (CONTINUED)

Pacific Islander: A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

White: A person having origins in any of the original peoples of Europe, The Middle East, or North America.

Biracial or Multiracial: A person who identifies with two or more racial groups.

J. IN-HOUSE OR PROMOTIONAL ONLY RECRUITMENT/HIRING: Only existing District employees are allowed to apply for a position. Pursuant to Title 5, section 53021(b)(1), in-house or promotional only recruitment shall not be used to fill any vacancy for any position except when the position is being filled on an interim basis for the minimum time necessary to allow for full and open recruitment; provided however, that no interim appointment or services of interim appointments exceeds two years in duration. Pursuant to Title 5, section 53021(b)(2), where in-house or promotion only recruitment is utilized, all District employees shall be afforded the opportunity to apply.

K. JOB CATEGORY: The job categories used for the purpose of this Plan and reported to the Chancellor pursuant to Title 5, section 53004(a) are (1) Classified Clerical, (2) Classified Manager, (3) Classified Service and Maintenance, (4) Classified Skills Crafts, (5) Classified Technical, (6) Educational Administrator, (7) Fulltime Faculty, and (8) Adjunct Faculty.

L. MONITORED GROUPS: A group identified in Title 5, section 53004(b) for which monitoring and reporting is required pursuant to section 53004(a). For the purpose of this Plan, Monitored Groups are: Men, Women, Alaskan/American Indians, Asians, Pacific Islanders, African-Americans, Hispanics, Caucasian, persons with disabilities 1.

M. 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.

N. REASONABLE ACCOMMODATION: The efforts made on the part of the District in compliance with Government Code Section 12926.

O. 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 physicals, educational, and work experience requirements, interviews, and review of application forms.

Reference: Title 5, sections 53001 and 53021

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1 At the time this report was prepared, data regarding applicants and employees self-designated as disabled was not available; therefore, that category is not recorded herein.
PLAN COMPONENT 3: POLICY STATEMENT

It is the Los Angeles Community College District’s policy to ensure that all qualified applicants for employment and employees have full and equal access to employment opportunity and are not subjected to discrimination in any program or activity of the District on the basis of actual or perceived ethnic group identification, race, color, naturalization, ancestry, religion, creed, sex (including gender-based sexual harassment), pregnancy, marital status, cancer-related medical condition of an employee, sexual orientation, age, physical or mental disability, or veteran status.

The Board commits the District to vigorous EEO in all aspects of its academic and classified employment programs, including recruitment, selection, assignment, retention, promotion, and transfer. The District will strive to achieve a workforce that reflects the diversity of the state’s adult population and is welcoming to all persons from all other groups protected from discrimination to ensure the District provides an inclusive educational environment. Such an environment fosters cooperation, acceptance, democracy and free expression of ideas.

The Board delegates to the LACCD Chancellor the responsibility for implementing this Plan consistent with all applicable provisions of the Education Code and Title 5. The Equal Employment Opportunity Plan will be maintained to ensure principles that conform to federal and state laws.

Reference: Education Code 87100, et seq.; Title 5, section 53002; LACCD Board Rule 15003
It is the goal of the Los Angeles Community College District that all employees promote and support EEO. The general responsibilities for the prompt and effective implementation of this Plan are set forth as follows:

**BOARD OF TRUSTEES:** The Board of Trustees (Board) is ultimately responsible for proper implementation of the Plan at all levels of District and college operation, and for ensuring EEO as described in the Plan.

**CHANCELLOR:** The Board assigns to the LACCD Chancellor the responsibility for ongoing implementation of the Plan and for providing leadership in supporting the District’s EEO Plan and Programs. The LACCD Chancellor shall advise the 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 LACCD Chancellor or designee shall evaluate the performance of all managerial staff members who report directly to him/her on their ability to follow and implement the Plan.

**DIRECTOR, OFFICE FOR DIVERSITY, EQUITY & INCLUSION:** The District has designated the Director as the person who is responsible for the day-to-day implementation of the Plan. The LACCD Chancellor will give notice if the designation of the Director changes. The Director is responsible for administering, implementing and monitoring the Plan and for assuring compliance with the requirements of Title 5, sections 53000 et seq. The Director is also responsible for receiving complaints described in Plan Component 6, and for ensuring that applicant pools and selection procedures are properly monitored.

**EQUAL EMPLOYMENT OPPORTUNITY ADVISORY COMMITTEE:** The District will maintain an EEO Advisory Committee to act as an advisory body to the Director and the District as a whole to promote understanding and support of EEO policies and procedures. The EEO Advisory Committee 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.

**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, including but not limited to the building program, is an agent of the District and is subject to all the requirements of this Plan.

**GOOD FAITH EFFORT:** The District shall make a continuous good faith effort to comply with all the requirements of its Plan.

*Reference: Title 5, section 53020*
PLAN COMPONENT 5: ADVISORY COMMITTEE

The Director will maintain an EEO Advisory Committee to assist in the implementation of the Plan. The EEO Advisory Committee shall include a diverse membership. The committee will be composed of one faculty member appointed by the District Academic Senate; one faculty member appointed by the faculty AFT union; one classified member appointed by each of the classified unions; one administrator appointed by the Teamsters; one Compliance Officer appointed by the Director; one student appointed by the District Student Affairs Committee; and one other unrepresented employee appointed by the LACCD Chancellor. When necessary or for appropriate committee business, the EEO Advisory Committee may obtain information from resources such as the Vice Chancellor of Human Resources, the Director of the Personnel Commission, and the ADA Compliance Administrator.

The EEO Advisory Committee shall hold a minimum of two (2) meetings per fiscal year, with additional meetings if needed to review EEO and diversity efforts, programs, policies, and progress. The term of office for the members shall be for two years. When appropriate the EEO Advisory Committee shall make recommendations to the LACCD Chancellor.

In order to support and promote equal opportunity, nondiscrimination, retention and diversity, the EEO Advisory Committee may sponsor events, training, or other activities. The Director, or his/her designee, shall train the EEO Advisory Committee on equal employment compliance, including Title 5 regulations regarding equal employment opportunity and state and federal non-discrimination laws; the educational benefits of a diverse workplace; and, the role of the EEO Advisory Committee in carrying out the Plan.

Reference: Title 5, section 53005
PLAN COMPONENT 6: COMPLAINTS

6.1 COMPLAINTS ALLEGING VIOLATIONS OF THE EQUAL EMPLOYMENT OPPORTUNITY REGULATIONS (SECTION 53026).

The District has established the following process permitting any person to file a complaint alleging that the requirements of the equal employment opportunity regulations have been violated:

1. All complaints shall be signed and dated by the complainant and shall contain, the names of the individual(s) involved, the dates(s) of the event(s) at issue, and a detailed description of the actions constituting the alleged violation;

2. Complaints involving the current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than sixty (60) days after such occurrence unless the complainant can verify a compelling reason for the District to waive the sixty (60) day limitation;

3. Complaints alleging violations of the equal employment opportunity regulation that do not involve current hiring processes must be filed as soon as possible after the occurrence of the alleged violation and no later than ninety (90) days after such occurrence unless the violation is ongoing;

4. The District may return without any action any inadequate complaints that do not state a clear violation of the EEO regulations. All returned complaints must include a statement of the reason(s) for returning the complaint without action;

5. All complaints shall be filed with the Director. If the complaint involves the Director, the complaint may be filed directly with the LACCD Chancellor. The Director will review the complaint, perform an investigation, and prepare an investigative report, and make a final determination.

6. To the extent practicable, a written determination on all accepted written complaints will be issued to the complainant within 90 days of the filing of the complaint.

7. A complainant may not appeal the District’s determination pursuant to section 53026 to the State Chancellor, however, under some circumstances, violations of equal employment regulations in Title 5 may constitute a violation of a minimum condition for receipt of state aid. In such a case, a complaint can be filed with the State Chancellor’s Office, but the complainant will be required to demonstrate that he or she made previous reasonable, but unsuccessful, efforts to resolve the alleged violation at the District level using the process provided by section 53026.

6.2 COMPLAINTS ALLEGING UNLAWFUL DISCRIMINATION (TITLE 5, SECTION 59300)

Complaints filed under section 53026 alleging unlawful discrimination may be filed pursuant to the District’s Prohibited Discrimination and Harassment Policy and shall be processed according to the requirements of Title 5, section 59300 et. seq. at: http://www.laccd.edu/FacultyStaff/diversity/Pages/Discrimination.aspx

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2 See California Community Colleges Chancellor’s Office Guidelines for Minimum Conditions Complaints.
PLAN COMPONENT 7: NOTIFICATION TO DISTRICT EMPLOYEES

The commitment of the LACCD to EEO is emphasized through the broad dissemination of its EEO Policy Statement and the Plan. The policy statement shall be posted on the Office for Diversity, Equity & Inclusion, the Personnel Commission, and Human Resources’ websites and shall be in all employment announcements and recruitment materials. The Plan and subsequent revisions will be distributed to the District’s Board of Trustees, LACCD Chancellor, College Presidents, administrators, the academic senate presidents, union representatives and members of the EEO Advisory Committee. When appropriate, the Plan may be distributed by campus bulletins or e-mail.

The notice will contain the following provisions:

1. The importance of the employee’s participation and responsibility in ensuring the Plan’s implementation.

2. The availability of the Plan on the District website, at the Office of the Chancellor and College Presidents, and the Office for Diversity, Equity & Inclusion and Human Resources Department.

Reference: Title 5, section 53003
PLAN COMPONENT 8: TRAINING FOR SCREENING/SELECTION COMMITTEES

Any organization or individual, whether or not an employee of the District, who is involved in the recruitment and screening/selection of personnel shall receive appropriate training on the requirements of the Title 5 regulations on EEO (section 53000 et. seq.); the requirements of state and federal nondiscrimination laws; the educational benefits of workforce diversity; the elimination of bias in hiring decisions; and best practices in serving on a selection screening committee.

Each committee member serving in the above capacities will be required to participate in a recruitment training session or sessions each time he or she is appointed to a screening/selection committee. This training is mandatory; individuals who have not received this training will not be allowed to serve on any screening/selection committee. Other periodic training may be offered for those who might serve on a selection committee.

The Director is responsible for organization and verification of the required training. Any individual, whether or not he or she is an employee of the District, acting on behalf of the District with regard to recruitment and screening of employees is subject to the EEO requirements of Title 5 and the Plan.

Reference: Title 5, section 53003(c)(4)
PLAN COMPONENT 9: ANNUAL WRITTEN NOTICE TO COMMUNITY ORGANIZATIONS

The Director will provide annual written notice to appropriate community-based and professional organizations concerning the Plan. The notice will inform these organizations how they can access or obtain a copy of the Plan and shall solicit their assistance in identifying qualified candidates. The notice will include the EEO Policy Statement and an Internet link to the Plan. The notice will also include the Internet address where the District advertises its job openings and contact information to obtain employment information. The District will actively seek to reach those institutions, organizations, and agencies that may be recruitment sources. The Director will maintain a list of organizations which will receive this notice. Written notice may include mailings and electronic communications.

Reference: Title 5, section 53003(c)(5)
PLAN COMPONENT 10:  
INSTITUTIONAL COMMITMENT TO DIVERSITY

The District acknowledges that various approaches are required to fulfill its mission of ensuring EEO and the creation of a diverse workforce. EEO means all qualified individuals have a fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the District. EEO should exist at all levels and in all job categories. This also requires creating an environment that fosters cooperation, democracy, and free expression of ideas welcoming to all people.

The District will promote learning opportunities and personal growth in the area of diversity and establish and maintain the desired academic and working environment. The District’s diversity programs may include, but are not limited to, the following activities:

1. Conducting campus climate surveys of faculty, staff, administrators, and students.

2. Presenting guest speakers on diversity topics and issues relevant to District employees.

3. Highlighting the District’s EEO and diversity policies in job announcements and in recruitment, marketing and other publications.

4. Maintaining the Office for Diversity, Equity & Inclusion website, promoting diversity events and informing faculty and staff about diversity and EEO programs, policies, and practices.

5. Providing continuous diversity/equity and EEO training opportunities for faculty, staff, and administrators.

6. Encourage, develop and support mentor programs for faculty and staff that serve to develop leadership potential in faculty, staff and students from underrepresented and diverse groups.

7. Conducting outreach to student, professional, community and other organizations that represent the diverse community the District serves.

Reference: Title 5, sections 53003(c)(9) and 53024.1
PLAN COMPONENT 11: WORKFORCE ANALYSIS AND APPLICANT POOLS

The Office for Diversity, Equity & Inclusion will annually collect the District’s employee demographic data and monitor applicant pools for employment on an ongoing basis to evaluate the District’s progress in implementing Plan, and to provide data needed for the analysis required by this Plan.

For purposes of the analysis, applicants and employees are afforded the opportunity to voluntarily identify their gender, ethnic group identification and, if applicable, their disabilities. The composition of the initial applicant pool is recorded and reviewed by the Director or designee. Persons may self-designate as many ethnicities as they deem appropriate. This information is kept confidential and is separated from the applications that are forwarded to the screening/interview committee and hiring administrator(s). 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:

1. Executive/Administrative/Managerial
2. Full-Time Faculty
3. Professional Non-faculty
4. Secretarial/Clerical
5. Technical and Paraprofessional
6. Skilled Crafts
7. Service and Maintenance

LONGITUDINAL ANALYSIS (to be completed after we receive comparative data).

The District’s workforce composition and applicant pools for fiscal year 2014-2015 are as follows:


Reference: Title 5, sections 53003(c)(9) and 53024.1
PLAN COMPONENT 12:
FACULTY & ADMINISTRATOR SELECTION POLICIES

BOARD RULES, CHAPTER X, ARTICLE III:

10301. SELECTION AND ASSIGNMENT OF FACULTY.

It is the policy of the District to employ faculty members who are expert in their subject areas, who are skilled in teaching and serving a diverse student population, and who can foster overall educational effectiveness. Those individuals must be sympathetic and sensitive to the racial and cultural diversity of the populations the colleges serve, and they should generally reflect that diversity themselves. In addition, they must be well prepared to respond to the educational needs of all the special populations served by the District’s colleges.

Selection and assignment of faculty shall be based on job-related factors which include qualifications and capabilities. The use of any degree of personal, political, or social influence to secure selection or assignment to a faculty position, or the urging of any consideration other than fitness for the work as a ground for selection or assignment is unprofessional conduct and is strictly forbidden.

10302. EVALUATION OF ELIGIBILITY FOR EMPLOYMENT OF FACULTY.

Faculty shall be employed on the basis of competitive evaluation conducted under the general oversight of the Division of Human Resources and the president where the position to be filled exists. The process of evaluating individuals for eligibility for employment as faculty members shall be in accordance with hiring procedures that meet the standards and requirements set forth in Board Rule 10304, applicable provisions of the Education Code, Title 5 of the California Administrative Code, and relevant Personnel Guides adopted under these Board Rules.

10303. MAINTENANCE OF CONTINUOUS FACULTY RECRUITMENT; CREATION OF A DISTRICT RECRUITMENT POOL OF POTENTIAL APPLICANTS.

The Division of Human Resources shall develop and maintain a District recruitment pool consisting of a diverse group of potential applicants for faculty positions as a resource for faculty searches. The Division shall also assist the colleges in making effective use of the pool whenever the colleges seek to fill a faculty position.

10304. FACULTY HIRING.

The Board and the faculty, represented by the Academic Senate, share the responsibility for developing and implementing policies and procedures governing the hiring process. This policy, developed and agreed to jointly by representatives of the Board of Trustees and the District Academic Senate, shall govern the selection of faculty at the colleges within the District. For the purposes of this policy, the term “President” means the President of a college or his or her designees, and the term “Academic Senate” means the college Academic Senate.

The Board has the primary legal and public responsibility for ensuring an effective hiring process. As reflected in State law, faculty has an inherent professional responsibility in the development and maintenance of the quality of the District’s and colleges’ educational programs and services. For that reason, significant and meaningful faculty participation in the hiring process is essential, and it is
the Board’s expectation that faculty recommendations regarding the qualifications, experience, and desirability of candidates for faculty positions will normally be accepted. Nevertheless, the President shall exercise formal decision-making authority in the hiring process, and all recommendations regarding faculty hiring shall be advisory to the President. No one may be hired as a probationary, long-term substitute, limited status, or hourly rate faculty member unless he or she possesses:

A. the minimum qualifications for that assignment specified by the Board of Governors of the California Community Colleges (the State Qualifications), or

B. qualifications that are at least equivalent to the relevant State Qualifications.

C. qualifications set by statute or regulation; and

D. in addition to other minimum qualifications specified in sections A, B and C, the minimum qualifications for a faculty member teaching any credit or noncredit course shall include a current valid certificate to work or a license to practice in California. Such requirements shall be adopted whenever the instructor’s possession of such a certificate or license is required for program or course approval by the Chancellor’s Office of the California Community Colleges or an external approving/accrediting agency or when current occupational certification is essential for effective instruction, as determined by mutual agreement between the Board of Trustees and District Academic Senate.

The colleges shall conduct faculty hiring in a way that takes into account the District’s equal employment opportunity obligations, its goal to employ a diverse faculty, and its commitment to affirmatively recruit individuals from groups that are historically under-represented among the faculty at a college or within a discipline. Search/selection committee participants shall complete appropriate training in equal employment opportunity and affirmative action principles.

10304.1 FACULTY HIRING.

1.0 Position Identification and Prioritization

The need to consider filling a faculty position can arise under many circumstances as determined by the college. To provide a means by which those needs will be addressed at a college, the President working in collaboration with the Academic Senate shall develop college procedures specifying how proposals to fill contract faculty positions at the college will be prepared, the criteria that will be used to evaluate the proposals, and the process by which proposals will be reviewed and approved. The procedures adopted by each college should be designed and implemented in a way that will permit a thorough and deliberate search to be completed, and a hiring decision to be made, well before the beginning of the academic term during which the new contract faculty member will begin work.

2.0 College Procedures for Hiring Probationary (Contract) Faculty

The President and Academic senate at each college shall develop mutually acceptable written procedures governing the search and selection process for contract faculty that comply with the following minimum requirements and any relevant Personnel Guides adopted under this Board Rule:

2.1 The procedures shall incorporate provisions that ensure that the responsibility for recruiting and selecting well-qualified faculty is a joint responsibility of the faculty
and the administration. The procedures shall also require all those involved in the hiring process to adhere to the following fundamental criteria when reviewing application materials, conducting interviews, or otherwise evaluating candidates:

A. the extent to which the candidate has command of, or brings expertise in, the discipline or subject area in which he or she will be employed;

B. the candidate’s demonstrated ability as, or potential to become, a skilled teacher, counselor, librarian or other support professional; and

C. the degree to which the candidate will contribute, directly and indirectly, to the diversity of the college, division, and discipline in which he or she will be employed.

2.2 Under the college procedures, the first step in initiating a search shall be the formation of a search/selection committee composed of at least three members, a majority of whom shall be faculty members in the discipline (or, if the Academic Senate deems it appropriate, closely related disciplines) of the position to be filled, and a non-voting affirmative action representative. Working with the members of the discipline, the search/selection committee shall prepare a job announcement to be used in announcing the job opening for approval by the President. The job announcement shall describe at a minimum:

A. the duties and responsibilities the contract faculty member will be expected to assume;

B. the minimum qualifications for the position established by the Board of Governors of the California Community Colleges (the “State Qualifications”);

C. the knowledge, skill and ability a successful candidate should possess; and

D. other characteristics the college determines to be desirable including, but not limited to, a sensitivity to and understanding of the special populations the college serves.

2.3 While the job announcement shall fully describe the desirable academic preparation, experience and other characteristics sought in a candidate, the minimum qualifications specified in the announcement shall be the same as the State Qualifications. The committee may, however, add to the State Qualifications any appropriate language requiring evidence of a) the ability to communicate and work effectively with people of diverse cultures and language groups and b) sensitivity to individuals who come from diverse academic, socioeconomic, cultural and ethnic backgrounds, including those who have disabilities.

2.4 The recruitment period for each search should be several months long (preferably beginning in the early spring for positions that are anticipated to be filled for the subsequent fall term, or at least a full semester in advance of the start of the assignment for other positions) but the procedures shall specify a recruitment period of no fewer than six weeks.

2.5 The procedures shall identify decision points at which the overall size and diversity of the pool will be reviewed to determine if they are satisfactory based on availability data,
diversity goals, and other relevant factors. Following such a review, if the President
determines that the size or diversity of the pool of candidates who responded to the
college’s job announcement is not satisfactory, the procedures shall require and
extension of the recruitment period. In that event, the procedures shall also require
the search/selection committee to initiate additional recruitment efforts.

2.6 To be considered as a candidate for a faculty position, all applicants must submit to the
District or the college a cover letter summarizing the candidate’s qualifications for the
position along with a completed application for employment on a form specified by the
District; transcript(s) from an accredited institution; the names, addresses, and
telephone numbers (or other appropriate contact information) of at least three
references; and any other relevant information specified in the job announcement.

2.7 The procedures shall identify the manner in which the search/selection committee will
review application materials and invite candidates to meet with the committee for an
interview or participate in any other skills demonstration or evaluation process
required by the committee.

The invited candidates will be those who, as determined by the search/selection
committee best meet the qualifications for the position; possess the highest degree
of knowledge, skill and ability relevant to the position; and most closely match the
desirable characteristics specified in the announcement for the position. Meeting
the State qualifications will not guarantee an interview.

2.8 Under the procedures, the search/selection committee shall be charged with
recommending finalists to the President. The number of candidates the search/
selection committee is expected to recommend as finalists, and the manner in
which those finalists will be reviewed and considered shall also be set forth in the
procedures. The college procedures shall include background and reference checks
before a finalist is selected for hire.

2.9 The procedures shall address the manner in which candidates will be kept informed of
the progress of the search and the status of their candidacy throughout the selection
process. The goal shall be to ensure that communication with candidates occurs in a
timely and professional manner. This responsibility rests primarily with the President.

2.10 An offer of employment cannot be extended to a candidate until the request to
appoint the recommended candidate is approved by the Chancellor or, if appropriate,
by the Board.

10304.2 Temporary Faculty Hiring: Long Term Substitutes and Limited Status Faculty.
The President and Academic Senate at each college shall develop written procedures governing
the search and selection process for long term substitutes and limited status faculty that comply
with the minimum standards set forth in Section 2.0 of Board Rule 10304 regarding Faculty
Hiring (and any relevant Personnel Guides adopted under those sections), with the exception
that the recruitment period for long term substitute and limited status faculty positions may
be fewer than six weeks, but no fewer than three weeks.
10304.3 **Temporary Faculty Hiring: Hourly Rate Faculty.**

The President and Academic Senate at each college shall develop written procedures governing the search and selection process for hourly rate faculty. The procedures should be designed and implemented in a way that will permit a thorough and deliberate search to be completed, and a hiring decision to be made, well in advance of the starting date of the hourly rate assignment for which the faculty member is being employed. However, the procedures also need to provide for the fact that early recruitment and selection of hourly rate faculty is occasionally impractical. For that reason, the procedures need to provide appropriate flexibility to those involved in the hiring process so that they are able to identify and hire hourly rate faculty in a timely manner when that is necessary.

10304.4 **Acknowledgements.**

Nothing in this rule shall be construed as impinging upon the due process rights of faculty, or as detracting from any negotiated agreement between the faculty’s collective bargaining representative and the Board of Trustees.

10304.5 **Amendments and Revisions.**

1.0 The Board shall consult with the District Academic Senate before adopting any amendment to or revision of this Board Rule, and in acting on any proposed amendment or revision, the Board shall rely primarily on the advice of the Academic Senate.

2.0 The Chancellor or his or her designee shall consult with representatives of the Academic Senate in developing any Personnel Guides or similar administrative regulations implementing this Board Rule. The Chancellor or his or her designee shall also consult with representatives of the District Academic Senate before amending or revising any such Personnel Guide or administrative regulation.

10305. **THE EQUIVALENCE POLICY FOR FACULTY QUALIFICATIONS.**

No one may be hired as a probationary, long-term substitute, limited status, or hourly rate faculty member unless he or she possesses:

A. the minimum qualifications for that assignment specified by the Board of Governors of the California Community Colleges (the State Qualifications), or

B. qualifications that are at least equivalent to the relevant State Qualifications.

C. It is the expectation of the Board that nearly all faculty members will be able to establish their qualifications to perform a faculty service by demonstrating possession of the exact degree or experience specified in the State Qualifications, and that only rarely will candidates need to establish their qualifications through the equivalence process. The equivalence process is not intended to raise or lower State Qualifications, nor is it a means to waive State Qualifications.

The Chancellor, in consultation with the District Academic Senate, will establish procedures under which current and prospective faculty members may seek a determination that they possess qualifications that are at least equivalent to the relevant State Qualifications. A determination reached through the procedures shall be deemed to be a determination of the
Board unless, on appeal, the Board itself chooses to review the decision and, after receiving written recommendations from the District Academic Senate and the Chancellor, render a decision on the matter itself. If, for compelling reasons, the Board’s decision is contrary to the DAS recommendation, the Board will provide a written explanation to the DAS.

10306. FILLING VACANCIES WITH EXISTING EMPLOYEES.
The District may fill any vacant position by the transfer of existing faculty, consistent with the Education Code and any negotiated agreement between the collective bargaining representative and the Board of Trustees, at any point in the hiring process prior to the issuance of a job offer to the candidate.

10306.5 Selection of Entrance-Level Substitutes.
Selection of certificated entrance-level substitutes shall be from the appropriate eligible list according to their availability to accept substitute employment. Candidates who are available for day-to-day substitute assignments and are approved by the Division of Human Resources shall be placed on the horizontal eligible list for day-to-day substitutes. Acceptance of a substitute, temporary, or limited assignment shall not affect the eligibility of any applicant for assignment to a probationary position. Applicants may be approved for the day-to-day substitutes list without being on the eligible list for a regular position.

10307. SELECTION OF ACADEMIC ADMINISTRATORS.
Each College and the Educational Services Center shall develop written procedures governing the selection of academic administrators. Selection of employees to fill academic administrative positions at a college or the Educational Services Center shall be made in accordance with those procedures once they have been reviewed by the Division of Human Resources and certified as meeting minimum requirements established by the Chancellor.

10308. SELECTION OF COLLEGE PRESIDENT.
Each College President shall be selected by procedures as indicated in this Rule. The Board of Trustees may modify these procedures for a particular presidential selection by Action of the Board.

A. Initiating Action

1. In order to initiate a presidential selection, the Board of Trustees shall pass an action directing the Chancellor to begin the selection process pursuant to this Rule and pursuant to any modifications as approved by the Board, and indicating when the committee shall be formed and when the process is expected to be completed.

2. When so directed by Board Action, the Chancellor will promptly initiate, and supervise through its conclusion, a nationwide search for a President.

3. If an interim President was appointed, the person who served as the Interim President shall be eligible to apply for the regular appointment unless there was an announcement or other written means of notifying applicants for an interim opening that the interim appointee would be ineligible to apply for the regular position.
B. Recruitment

1. In consultation with the Board, and after having sought input from the Presidential Search Committee of the applicable college (“the College”), community representatives, and other parties he/she deems appropriate, the Chancellor will develop an announcement that, at a minimum, describes the position and the criteria to be used in selecting a successful candidate (including minimum qualifications as well as desirable skills, attributes and other personal and professional characteristics).

2. With the goal of creating a strong and diverse pool of candidates, the Chancellor will develop a recruitment and advertising plan, which may include the retention of a search consultant to assist with recruitment efforts and other appropriate aspects of the selection process. If the Chancellor proposes to retain a search consultant, he/she will recommend a consultant to the Board for its final approval.

C. Committee

1. No later than the deadline indicated in the Board Action, the Chancellor will convene a Presidential Search Committee composed of the following voting members:
   a. A college president recommended by the Chancellor and selected by the Board;
   b. Four faculty members from the applicable College, two of whom are selected by the College Academic Senate and two of whom are selected by the AFT College Guild;
   c. Two classified employees from the College, one of whom is selected by the AFT College Staff Guild and one of whom is selected by an election process by the non-AFT classified employees at the College;
   d. One student from the College selected by the Associated Student Body Organization President;
   e. Other representative(s) as may be required by collective bargaining agreement(s);
   f. One academic administrator from the College selected by the exclusive representative of the Academic Administrators’ Unit, and one unrepresented administrator selected by the Chancellor; and
   g. Two community representatives recommended by the Chancellor and selected by the Board.

2. Unless the Board specifies otherwise, the College President appointed to the committee shall serve as its chairperson.

3. The Chancellor will provide appropriate staffing for the process, which shall include but not be limited to an affirmative action representative as a non-voting member of the committee.

4. It is an essential responsibility of every member of the Presidential Search Committee to maintain strict confidentiality throughout the presidential selection process.

5. Configuration of the Presidential Search Committee may be reexamined in the event changes occur pursuant to subsection C(1)(e), above.
D. Committee Process

1. At the first meeting of the Presidential Search Committee (or as soon thereafter as feasible) the Board President and the Chancellor, or their designees, will meet with the Committee to give the Committee its charge and review their expectations about the search process and its goals.

2. The Presidential Search Committee will, as requested by the Chancellor, assist in efforts to recruit a strong and diverse pool of candidates, and will review the application materials of all eligible candidates who apply or are nominated for the position. The Chancellor may recommend the extension of the search process to the Board. From the candidate pool, the Committee will interview not less than six candidates who most closely meet the qualifications, desirable skills, attributes and other personal and professional characteristics described in the position announcement.

3. At the conclusion of all interviews, the Presidential Search Committee will recommend at least three unranked candidates as semifinalists to the Chancellor.

E. Semifinal Process

1. The Chancellor shall review the applications of the semifinalists to determine which semifinalists to interview.

2. The Chancellor may consider additional information from background and reference checks.

3. After conducting interviews and other reviews as the Chancellor deems necessary, the Chancellor shall forward the name(s) of a finalist or finalists to the Board of Trustees for consideration.

F. Final Process

1. The Chancellor shall provide information from background and reference checks to the Board of Trustees.

2. If it is feasible, and if he/she determines that it would be worthwhile, the Chancellor may designate a small group composed of persons he/she deems to be appropriate, to visit the institutions at which the finalists currently work for the purpose of inquiring further into their background and experience.

3. The Chancellor shall advise the Board of the names of the candidates recommended by the Presidential Search Committee as semifinalists, as well as the semifinalists interviewed by the Chancellor, and shall make his or her recommendation regarding which candidate is best suited for the position.

4. In conjunction with the Chancellor, the Board will interview the finalist(s) forwarded by the Chancellor.

5. The Board may conduct further background checks or interviews as it deems appropriate. The Board may terminate the process at any time. The Board may elect not to hire any candidate.

For additional information see District Human Resources Guides:


HR R-120 and HR R-120: http://www.laccd.edu/Departments/HumanResources/Documents/HRGuides/HRGuide-R120-FacultySelectionTenTrack.pdf
# PLAN COMPONENT 13: CLASSIFIED EMPLOYEE HIRING

<table>
<thead>
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<th>WHO</th>
<th>LINKS</th>
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<tr>
<td>1</td>
<td>Assess the Position</td>
<td>Prepare a statement of the specific duties to be assigned to the position.</td>
<td>Hiring Authority</td>
<td>Position Description</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Review the existing official class description for the position.</td>
<td>Hiring Authority</td>
<td>PC Website: Job Descriptions</td>
</tr>
<tr>
<td></td>
<td></td>
<td>If the class description does not in general terms describe the position, consider changing the job classification of the position.</td>
<td>Hiring Authority/Personnel Commission</td>
<td>PC Contacts Assessing and/or Creating a Classified Position</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Check SAP to insure that the characteristics of the position are correct and that the position is vacant.</td>
<td>Hiring Authority</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>If not, have corrections made now.</td>
<td>SPOC</td>
<td>SPOCS &amp; SAP Help Desk</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Submit hiring freeze form to the Deputy Chancellor Office for approval.</td>
<td>Hiring Authority</td>
<td>Hiring Freeze Form</td>
</tr>
<tr>
<td>2</td>
<td>Request Certification of Eligibility List &amp; Announce Transfer Opportunity</td>
<td>Ask Personnel Assistant to request certification of eligibility list.</td>
<td>Hiring Authority</td>
<td>Location Personnel Assistants</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Request list of eligibles from the Personnel Commission.</td>
<td>Personnel Assistant</td>
<td>Request for Certification Contacts Sample—Request for Certification</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Provide location with the names of eligibles.</td>
<td>Personnel Commission</td>
<td>Sample Certification of Eligibility List</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Post vacancy information to the Transfer Opportunities Website.</td>
<td>Personnel Commission</td>
<td>PC Transfer Website</td>
</tr>
<tr>
<td>3</td>
<td>Pre Interview Preparation</td>
<td>Identify and contact potential interviewers and determine interview date(s).</td>
<td>Hiring Authority and/or Personnel Assistant</td>
<td>Selection Committee Composition</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Make logistical arrangements for rooms, waiting area, computer use, etc.</td>
<td>Hiring Authority and/or Personnel Assistant</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Contact eligibles by phone. If not reachable by phone, send 3-Day or 7-Day letters, whichever is applicable.</td>
<td>Personnel Assistant</td>
<td>Offering Interviews Phone &amp; 3-Day or 7-Day Letter Contact</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Send interview confirmation letter to candidates.</td>
<td>Personnel Assistant</td>
<td>Sample Confirmation Letter</td>
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<tr>
<td></td>
<td></td>
<td>Contact the Classified Examination Unit to obtain copies of job applications.</td>
<td>Personnel Assistant</td>
<td>Contact &amp; Request Information</td>
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<tr>
<td></td>
<td></td>
<td>Prepare potential questions to be asked of candidates.</td>
<td>Hiring Authority</td>
<td>Preparing Interview Questions &amp; Samples Prohibited Employment Inquires &amp; Samples</td>
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<tr>
<td>4</td>
<td>Conduct Interviews</td>
<td>Host interviews.</td>
<td>Selection Committee</td>
<td>Conducting the Interview</td>
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<td></td>
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<td>Complete required documents, if any.</td>
<td>Selection Committee/Personnel Assistant</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Reference Checks &amp; Tentative Offer of Employment</td>
<td>Prepare questions and contact references.</td>
<td>Hiring Authority</td>
<td>Reference Checking Guide</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Identify selected eligible.</td>
<td>Hiring Authority</td>
<td>Requesting Disqualification of an Eligible</td>
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<tr>
<td></td>
<td></td>
<td>Extend tentative offer of employment.</td>
<td>Hiring Authority</td>
<td>Extending an Offer of Employment</td>
</tr>
<tr>
<td>6</td>
<td>Assignment Audit</td>
<td>Complete and submit report of vacancy to the Personnel Commission.</td>
<td>Hiring Authority/Personnel Assistant</td>
<td>Sample Report of Vacancy</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Certify the process as meeting all legal and policy requirements.</td>
<td>Personnel Commission</td>
<td>Assignment Audit Process</td>
</tr>
<tr>
<td>STEP</td>
<td>ACTION</td>
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<tr>
<td>7</td>
<td>Extend Final Offer of Employment</td>
<td>Contact eligible to extend final verbal offer of employment.</td>
<td>Hiring Authority</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Follow up with written offer of employment in which details are confirmed.</td>
<td>Hiring Authority</td>
<td>Sample Letter</td>
</tr>
<tr>
<td>8</td>
<td>Prepare and/or Submit Assignment</td>
<td>Prepare location documentation to request assignment.</td>
<td>Personnel Assistant</td>
<td></td>
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<td></td>
<td></td>
<td>Submit assignment into PCR.</td>
<td>Personnel Assistant</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Wrap Up</td>
<td>Prepare and send a letter to those candidates who interviewed and not selected.</td>
<td>Hiring Authority</td>
<td>Sample Letter</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Return job applications and other documentation to the Personnel Commission.</td>
<td>Personnel Assistant</td>
<td></td>
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</tbody>
</table>

For additional information see District Human Resources Guides:

PLAN COMPONENT 14: REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

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 (ADA). Such accommodations may include, but are not limited to, job site modifications, job restructuring, part-time work schedules, flexible scheduling, reassignment to a reasonably equivalent vacant position, adaptive equipment, and auxiliary aides such as readers, interpreters, and note takers.

The ADA Compliance Administrator is responsible for handling requests for accommodations from current employees as well as for applicants seeking such accommodations during the application/selection process. Requests can be made on the “Request for Reasonable Accommodation” form. See Administrative Regulations B-31 and B-32 at:

http://www.laccd.edu/about/documents/administrativeregulations/B-31.pdf
http://www.laccd.edu/about/documents/administrativeregulations/B-32.pdf

Reference: Title 5, sections 53025

3 See the definition of “person with a disability” in the definitions section of the Plan. A more detailed definition of physical and mental disability is found in Government Code, Section 12826. California has a broader definition of disability than the ADA. California also requires accommodations to be made under circumstances where accommodations might not be necessary under federal law.
PLAN COMPONENT 15: ANNUAL CERTIFICATION TO CHANCELLOR’S OFFICE

The Director shall certify annually to the State Chancellor that it has timely complied with each of the following requirements of Title 5:

1. Recorded, reviewed and reported the data required regarding qualified applicants pools and employee workforce.

2. Reviewed and updated, as needed, the strategies component of the District’s EEO plan.

3. Investigated and appropriately responded to complaints alleging that the requirements of Title 5 Regulations pertaining to equal employment opportunities have been violated. And complaints alleging harassment and discrimination filed pursuant to Title 5 (commencing with section 59300).

Reference: Title 5, sections 53004, 53006, 53024.2 and 53026