



# SAN DIEGO COMMUNITY COLLEGE DISTRICT

## Board of Trustees Policy

### Chapter 3 - GENERAL INSTITUTION

#### BP 3410 NONDISCRIMINATION

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The District is committed to equal opportunity in educational programs, employment and all access to institutional programs and activities.

No person shall be unlawfully subjected to discrimination or denied full and equal access to, or the benefits of, district programs or activities on the basis of ethnicity, national origin, religion, age, sex, gender identity, gender, race, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, or because he or she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

The Chancellor shall establish administrative procedures that ensure all members of the college community can present complaints regarding alleged violations of this policy and have their complaints heard in accordance with Title 5 regulations and those of other agencies that administer state and federal laws regarding nondiscrimination.

No District funds shall ever be used for membership, or for any participation involving financial payment or contribution on behalf of the District or any individual employed by or associated with it, to any private organization whose membership practices are discriminatory on the basis of ethnicity, national origin, religion, age, sex, gender identity, gender, race, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, or because he or she is perceived to have one or more of the foregoing characteristics, or because of his or her association with a person or group with one or more of these actual or perceived characteristics.

#### References:

Education Code Sections 66250, et seq., 72010, et seq., 87100 et seq.; Title 5, Sections 53000, et seq., 59300 et seq; Penal Code Section 422.55; Government Code 12926.1, 12940, et seq.

See Administrative Procedures AP 3410 and AP 3435

Supersedes Policy BP 3410 dated 2/12/2009

Adopted: 6/10/2010



# SAN DIEGO COMMUNITY COLLEGE DISTRICT

## Administrative Procedure

### Chapter 3 - GENERAL INSTITUTION

#### AP 3410 NONDISCRIMINATION

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##### **Education Programs**

The District shall provide access to its services, classes and programs without regard to ethnicity, national origin, religion, age, sex, gender, race, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, or because he or she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

All courses, including noncredit classes, shall be conducted without regard to the gender of the student enrolled in the classes. As defined in the Penal Code, "gender" means sex, and includes a person's gender identity and gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth.

The District shall not prohibit any student from enrolling in any class or course on the basis of gender. Academic staff including, but not limited to, counselors, instructors and administrators shall not offer program guidance to students which differs on the basis of gender.

Insofar as practicable, the District shall offer opportunities for participation in athletics equally to male and female students.

##### **Employment**

The District shall provide equal employment opportunities to all applicants and employees regardless of ethnicity, national origin, religion, age, sex, gender, race, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, or status as a Vietnam-era veteran.

All employment decisions including, but not limited, to hiring, retention, assignment, transfer, evaluation, dismissal, compensation, and advancement for all position classifications shall be based on job-related criteria, as well as be responsive to the

District's needs. All District employees are encouraged to be involved in the active promotion of diversity in employment, including recruitment.

The District shall from time to time as necessary provide professional and staff development activities and training to promote understanding of diversity.

### **Complaints of Discrimination**

Any student or employee who believes that he or she has been discriminated against in violation of Board Policy 3410 Nondiscrimination, should immediately report the incidents by following the procedures in AP 3435 Discrimination and Harassment Investigations.

References:

*Education Code Sections 200 et seq.; 66250 et seq.; 72010 et seq.; 87100 et seq.; Penal Code Section 422.55 et seq.; Title 5 Sections 53000 et seq.; 59300 et seq.; Accreditation Standard 1.6; Government Code Sections 11135 et seq.; 12940 et seq.*

Adopted 2/12/2009