



# 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, national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or because is they are 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 expression. "Gender expression" means a person's 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 national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or military and veteran status.

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, employee or third party who believes that they have been discriminated against or who believes another 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.

The Equal Opportunity and Diversity Officer is the "responsible District officer" charged with receiving complaints of discrimination or harassment, and coordinating their investigation.

Equal Opportunity and Diversity Officer  
3375 Camino Del Rio South, Room 385  
San Diego, CA 92108  
Phone: (619) 388-6591  
Fax: (619) 388-6898  
Email: [sdccdlegalservices-eeo@sdccd.edu](mailto:sdccdlegalservices-eeo@sdccd.edu)

A copy of the complaint form can be located at the following URL:

<https://www.sdccd.edu/docs/District/procedures/District%20Governance/AP%203435-01.pdf>

#### 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.; Government Code Sections 11135 et seq.; 12926.1; 12940 et seq.; ACCJC Accreditation Eligibility Requirement 20 and ACCJC Accreditation Standard Catalog Requirements (formerly II.B.2.c); Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d); Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e); Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.); Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12100 et seq.); Americans with Disabilities Act Amendments Act of 2008 [42 U.S.C. § 12101]; the Age Discrimination Act (42 U.S.C. § 6101 et seq.; 34 C.F.R. 110.1 et seq.); and the Age Discrimination in Employment Act (29 U.S.C. § 621 et seq.).

Adopted: 01/28/2016

Supersedes: AP 3410 2/12/2009