AP 3410 – Nondiscrimination

Approved by Leadership: May 2013

Education Programs
References: Education Code Section 66250 et seq., 200 et seq., and 72010 et seq.;
Penal code Sections 422.55 et seq.;
Title 5 Sections 59300 et seq.;

The District shall provide access to its services, classes and programs without regard to national origin, religion, age, gender, gender identity, gender expression, race, color, medical condition, genetic information, 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 students enrolled in the classes. As defined in the Penal Code, “gender” means sex, and includes a person’s gender 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
References: Education Code Sections 87100 et seq.;
Title 5 Sections 53000 et seq.;
Government Code Sections 11135 et seq. and 12940 et seq.

The District shall provide equal employment opportunities to all applicants and employees regardless of race, religious creed, color, national origin, ancestry, physical disability, mental
disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, 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.

**Students and Employee Notice, Training and Education**

The District’s assigned District officer or a designee is responsible for providing training to employees and students on the District’s unlawful discrimination and sexual harassment policy and procedures.

Every District Employee will receive this training and a copy of the unlawful discrimination and sexual harassment policies and procedures during the first year of their employment. Because of their special responsibilities under the law, supervisors will undergo mandatory biennial training. Thereafter, in years in which a substantive policy or procedural change has occurred all District employees will attend a training update and receive a copy of the revisited policies and procedures.

A training program will be made available to all students at least once annually. The student training should include an explanation of the policy in existence, how it works, and how to file a complaint. In addition, a copy of the District’s written policy on unlawful discrimination and sexual harassment, as it pertains to students, will be provided as part of any orientation program conducted for new students at the beginning of each semester or summer session, as applicable.

**Filing a Complaint**

An individual who believes he or she has been unlawfully discriminated against, harassed, or has suffered retaliation in violation of this policy should immediately report such incidents by following the procedures described in AP 3435.