



San Diego Community College District

City College · Mesa College · Miramar College · College of Continuing Education

Administrative Procedure

Chapter 3 - General Institution

AP 3410 NONDISCRIMINATION

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 related condition), or because he/she/they 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 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 race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, pregnancy (or related condition), genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, immigration status, or military and veteran status. The District shall not discriminate against a person in hiring, termination, or any term or condition of employment or otherwise penalize a person based upon the person’s use of cannabis off the job and away from the workplace unless permitted under Government Code Section 12954.

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.

It is unlawful to discriminate against a person who serves in an unpaid internship or any other limited-duration program to provide unpaid work experience in the selection, termination,

training, or other terms and treatment of that person on any the basis of their race, religious creed, color, national origin, ancestry, physical disability, mental disability, pregnancy (or related condition), medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, immigration status, or military and veteran status.

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

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

<https://www.sdccd.edu/docs/District/procedures/General%20Institution/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 2 Sections 10500 et seq.;
Title 5 Sections 53000 et seq.; 59300 et seq.;
Labor Code Section 1197.5;
Government Code Sections 11135 et seq.; 12940 et seq.;
ACCJC Accreditation Eligibility Requirement 20 and ACCJC Accreditation Standard Catalog Requirements

Approved: 02/12/2009

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Supersedes AP 3410