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|------------------|-------------------------------------|-------------------------------|-------------------------------------|
| Policy Change    | <input checked="" type="checkbox"/> | Subject Matter Area Review    | <input checked="" type="checkbox"/> |
| Procedure Change | <input type="checkbox"/>            | Constituency Group Review     | <input checked="" type="checkbox"/> |
| New Policy       | <input type="checkbox"/>            | District Council              | <input type="checkbox"/>            |
| New Procedure    | <input checked="" type="checkbox"/> | Board 1 <sup>st</sup> Reading | <input type="checkbox"/>            |
|                  |                                     | Board 2 <sup>nd</sup> Reading | <input type="checkbox"/>            |

**KEY:**  
**BOLD=** new language  
~~strikethrough=~~ delete language

Comments:

Referred to:

Edited:  
8/17/16



**Policy**

**3410 Nondiscrimination**

**Note: This policy is legally required.**

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

**The District, and each individual who represents 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 military and veteran status, or because he/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 the 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 national origin, religion, age, gender, gender identity, gender expression, race, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or military and veteran status, or because he/she is perceived to have one or more of the foregoing characteristics, or because of his/her association with a person or group with one or more of these actual or perceived characteristics.**

**It is the policy of Yosemite Community College District to provide an environment free of unlawful discrimination. Discrimination on the basis of ethnic group identification religion, age, sex or gender, sexual orientation, color, or physical or mental disability in the District's programs, activities and work environment is unlawful and will not be tolerated by the District.**

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2 The District strongly forbids any form of discrimination and has enacted complaint resolution procedures  
3 to recognize and eliminate unlawful discrimination.  
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5 **References:**

6 Education Code Sections [66250 et seq.](#), [72010 et seq.](#), and [87100 et seq.](#); Title 5 Sections [53000 et seq.](#)  
7 and [59300 et seq.](#); Penal Code Section [422.55](#); Government Code Sections [12926.1](#) and [12940 et seq.](#);  
8 [ACCJC Accreditation Eligibility Requirement 20](#) and [ACCJC Accreditation Standard Catalog Requirements](#)  
9 [\(formerly Accreditation Standard II.B.2.c\)](#)  
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11 **Adopted:** June 28, 2004

12 **Revision Adopted:** October 14, 2009

13 **Last Reviewed:**  
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## Administrative Procedure

### 3410 Nondiscrimination

**Note: This procedure is legally required. Local practice may be inserted, but should comply with these minimum requirements.**

#### 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 he/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. *[NOTE: Districts may add additional protected categories.]*

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.

#### Nondiscrimination References for Employment:

Education Code Sections [87100 et seq.](#);

Title 5 Sections [53000 et seq.](#);

Government Code Sections [11135 et seq.](#) and [12940 et seq.](#)

#### 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, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. *[NOTE: Districts may add additional protected categories.]*

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.

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

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4 **References:**

5 Education Code Sections [66250 et seq.](#), [200 et seq.](#), and [72010 et seq.](#); Penal Code Sections [422.55 et](#)  
6 [seq.](#); Title 5 Sections [59300 et seq.](#); [ACCJC Accreditation Eligibility Requirement 20](#) and [ACCJC](#)  
7 [Accreditation Standard Catalog Requirements \(formerly II.B.2.c\)](#)

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9 **Procedure Last Revised:**

10 **Last Reviewed:**