

## **Board Policy 3410**

## **NON-DISCRIMINATION**

The policy of the El Camino Community College District is to provide an educational and employment environment in which no person shall be unlawfully denied full and equal access to, the benefits of, or be unlawfully subjected to, discrimination on the basis of ethnic group identification, national origin, religion, age, sex, race, color, ancestry, sexual orientation, physical or mental disability, or retaliation in any program or activity that is administered by, funded directly by, or that receives any financial assistance from, the State Chancellor or Board of Governors of the California Community Colleges.

The policy of the El Camino Community College District also provides for an educational and employment environment free from unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment.

The policy of the El Camino Community College District is to comply with the accessibility requirements of Section 508 of the Rehabilitation Act of 1973 in the development, procurement, maintenance, or use of electronic or information technology and respond to and resolve unlawful discrimination complaints regarding accessibility. Such complaints will be treated as complaints of discrimination on the basis of disability.

Employees, students, or other persons acting on behalf of the District who engage in unlawful discrimination as defined in this policy or by state or federal law may be subject to discipline, up to and including discharge, expulsion, or termination of contract.

The Superintendent/President shall establish administrative procedures that ensure that 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.

Reference: California Government Code Sections 11135 through 11139.5; the Sex Equity in Education Act (Ed. Code Sections 11135 through 11139.5); the Sex Equity in Education Act (Ed. Code § 66250 et seq.); Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d); Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681);

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.); and the Age

Discrimination Act (42 U.S.C. § 6101).<sup>1</sup>

Authority: Cal. Code Regs., Title 5, § 59300; Gov. Code, § 59300; Gov. Code 11135-11139.5; Ed. Code, § 66250 et seq.; 42 U.S.C. § 2000d; 20 U.S.C. § 1681; 29 U.S.C. § 794; 42 U.S.C. § 12100 et seq.; 42 U.S.C. § 6101.

#### RETALIATION

It is unlawful for anyone to retaliate against someone who files an unlawful discrimination complaint, who refers a matter for investigation or complaint, who participates in an investigation of a complaint, who represents or serves as an advocate for an alleged victim or alleged offender, or who otherwise furthers the principles of this unlawful discrimination policy.

Authority: 20 U.S.C. § 1681 et seq.; 34 C.F.R. § 106; Cal Code Regs., Title 5, § 59300 et seq., Revised Sexual Harassment Guidance: Harassment of Students by School Employees, other Students, or Third Parties, Title IX, Office for Civil Rights, January 19, 2001.

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<sup>1</sup>

If the federal statutes cited above would result in broader protection of the civil rights of individuals, then that broader protection or coverage shall be deemed incorporated by reference and shall prevail over conflicting provisions of Title 5, Section 59300, as cited.