

The Sonoma County Junior College District is committed to an environment in which all employees and students are treated with respect and dignity. Each employee and student has the right to work/learn in a professional atmosphere that promotes equal opportunity and is free of unlawful discriminatory practices.

UNLAWFUL DISCRIMINATION POLICY

The policy of the Sonoma County Junior College District is to provide an educational and employment environment in which no person shall be unlawfully denied access to the benefits of, or be unlawfully subjected to discrimination. No one shall be discriminated against, in whole or in part, on the basis of disability, gender, nationality, race or ethnicity, religion, sexual orientation, or age, or on the basis of these perceived characteristics or based on association with a person or group with one or more of these actual or perceived characteristics. No discrimination shall occur 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. Sexual harassment is a form of gender discrimination prohibited by this policy.

For purposes of this policy, the following definitions apply:

“Disability” includes mental and physical disability as defined in the District’s Discrimination Complaint Procedures, 2.7P.

“Gender” means sex, and includes a person’s gender identity and gender related appearance and behavior whether or not stereotypically associated with the person’s assigned sex at birth.

“Nationality” includes citizenship, country of origin, and national origin.

“Race or ethnicity” includes ancestry, color, ethnic group identification, and ethnic background.

“Religion” includes all aspects of religious belief, observance, and practice and includes agnosticism and atheism.

“Sexual orientation” means heterosexuality, homosexuality, or bisexuality.

The policy of the 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 complaint regarding accessibility. Such complaints shall be treated as complaints of discrimination on the basis of disability.

In so providing, the District hereby implements the provisions of California Government Code sections 11135 through 11139.5, the Equity in Higher 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), Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. § 794d), the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12100 et seq.) and the Age Discrimination Act (42 U.S.C. § 6101.)

Information on specific rules and procedures for reporting unlawful discrimination, including sexual harassment, and information on potentially available remedies is available from the District Compliance Officer.

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.

SEXUAL HARASSMENT POLICY

The policy of the Sonoma County Junior College District is to provide an educational and employment environment free from sexual harassment, including unwelcome sexual advances, requests for sexual favors, sexual favoritism, and other verbal or physical conduct or communications constituting sexual harassment.

“Sexual harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

- (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual’s employment, academic status, or progress.
- (b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- (c) The conduct has the purpose or effect of having a negative impact upon the individual’s work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- (d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the District.”

Education Code, §§ 212.5, 66262.5, 66281.5; 20 U.S.C. §1681 et seq.

NON-RETALIATION POLICY

It is unlawful for anyone to retaliate against someone who files an unlawful discrimination complaint (including a complaint alleging sexual harassment); 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.

20 U.S.C. §1681 et seq.; 34 C.F.R. § Part 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.

ACADEMIC FREEDOM

The Board of Trustees affirms its commitment to academic freedom as delineated in Article 9 of the Contract between the All Faculty Association and the Sonoma County Junior College District.

It should be noted, however, that academic freedom does not allow a faculty member to engage in any form of unlawful discrimination, including sexual harassment.