

Coast Community College District
BOARD POLICY
Chapter 3
General Institution

BP 3410 Nondiscrimination

References:

Education Code Sections 200, 210.2, 220, 66260.6, 66260.7, 66270, 66250 et seq., 72010 et seq., and 87100 et seq.;

Government Code Sections 11135 et seq.; 12920, 12926, 12926.1, 12940 et seq.;

Penal Code Sections 422.55 and 422.57;

Military & Veterans Code Sections 389, and 395;

Title 5 Sections 53000 et seq. and 59300 et seq.;

Title IX of the Education Amendments of 1972 (20 U.S. Code- Sections 1681 et seq.; 29 Code- of Federal- Regulations- Part 1691);

Title VI of the Civil Rights Act of 1964 (42 U.S. Code- Sections 2000d-1 et seq.; 34 Code- of Federal- Regulations- Part 100; 29 Code- of Federal- Regulations- Part 1691);

Title VII of the Civil Rights Act of 1974 (42 U.S. Code- Sections 2000e et seq.);

Genetic Information Nondiscrimination Act of 2008 (42 U.S. Code- Sections 2000ff et seq.; 29 Code- of Federal- Regulations- Part 1635);

Section 504 of the Rehabilitation Act of 1973 (29 U.S. Code- Sections 794; §§ 34 Code- of Federal- Regulations- Part 104);

Americans with Disabilities Act (42 U.S. Code- Sections 12101 et seq. and 12132 et seq.; 29 Code- of Federal- Regulations- Part 1630);

Age Discrimination in Employment Act (42 U.S. Code- Sections 6101 et. seq.; 29 Code- of Federal- Regulations- Part 1625);

Uniformed Services Employment and Reemployment Act (38 U.S. Code- §§ Sections 4303, 4311; 20 Code- of Federal- Regulations- Part 1002, Subpart B);

California Code of Regulations: Title 2 Sections 7286 et seq.; and

Accreditation Standard II.B.2.c

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

The District does not discriminate unlawfully in providing educational or employment opportunities to any person on the basis of race or ethnicity, gender, gender identity, gender expression, religion, age, national origin, sexual orientation, marital status, medical condition, pregnancy, physical or mental disability, military or veteran status, or genetic information 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 foregoing statement is to be incorporated into applicable District and College publications.

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 unlawfully discriminatory on the basis of the protected status categories as cited above.

When an employee has disclosed a disability as defined by the Americans with Disabilities Act (ADA) and the Fair Employment and Housing Act (FEHA), the District shall explore possibilities of reasonable accommodation prior to making any employment related decision, in accordance with applicable State and Federal laws.

An accommodation is reasonable if it does not impose an undue hardship on the District. Undue hardship is defined as actions that are excessively costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of the business.

At the District's request, the employee will be responsible for providing medical documentation which describes the employee's physical limitations in order to assist managers in understanding the nature of the employee's functional limitations which require accommodation. The medical information that is provided by the employee will be used by the District for the sole purpose of evaluating the employee's reasonable accommodations. The District will protect the medical information that is provided by the employee in accordance with applicable State and Federal laws.

The employee and manager/supervisor with the assistance of the college personnel office or the District's Human Resources Office will participate in a timely, good faith interactive discussion concerning the functional limitations, the ability to perform the essential functions of the job with or without accommodation, and to determine the possibility of an effective accommodation. Employees will be afforded the opportunity to have a representative present during the interactive discussion.

Reasonable accommodation can include, but is not limited to, modifying job duties, changing the work shift, providing paid or unpaid leaves for medical care, accommodating schedules, modifying the work area, and providing mechanical or electronic aids, possibly subject to negotiation with the union if applicable.

The Chancellor or designee is authorized to establish guidelines to ensure consistent application of the Board's Policy.

Renumbered from CCCD Policies 1201, 7813 (050-1-14, Spring 2011), and 7817 (050-1-14, Spring 2011)

Adopted: December 2, 2013