

**SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
ADMINISTRATIVE PROCEDURES MANUAL**

Title: UNLAWFUL DISCRIMINATION	Number: AP 2.30
Legal Authority: Title 5, California Code of Regulations, Sections 59300, et seq.; California Education Code Section 66250, et seq.; California Government Code Section 12900, et seq.; California Labor Code Sections 96(k) – 6403.5; Title IX of the Education Amendments of 1972, 20 U.S.C. Section 1681, et seq., 34 C.F.R. Part 106, et seq.	

A. Authority:

The procedures and definitions herein are in conformance with nondiscrimination provisions of Title 5, California Code of Regulations (“Title 5”), section 59300 et seq., Title IX of the Education Amendments of 1972 (“Title IX”), 20 U.S.C. section 1681 et seq., and its implementing

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6. In cases involving sexual assault filed pursuant to Title IX (20 U.S.C. § 1681 et seq., 34 C.F.R. section 106.8), the OCR has advised that mediation is not an appropriate informal resolution12 792 reW*nBT/0 g0 5p 190.((-)3(20)3()R 5p 190.(TETsuchT@T#3403(.)-4(S)4(.)17

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- f) The ameliorative effects of the mitigating measures of ordinary eyeglasses or contact lenses shall be considered in determining whether an impairment substantially limits a major life activity.

“Discrimination on the basis of sex” means sexual harassment or discrimination on the basis of gender, e.g., sexual harassment, sexual assault, sexual violence and/or sexual misconduct.

“District” means the San Francisco Community College District or any District program or activity that is funded directly by the state or receives financial assistance from the state. This includes any organization associated with the District or its college(s) that receives state funding or financial assistance through the District.

“Domestic violence” includes felony or misdemeanor crimes of violence committed by:

1. a current or former spouse of the victim;
2. by a person with whom the victim shares a child in common;
3. by a person who is cohabitating with or has cohabitated with the victim as a spouse;
4. by a person similarly situated to a spouse of the victim under California law; or
5. by any other person against an adult or youth victim who is protected from that person’s acts under California law.

- “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. This includes transgender, non-binary and gender non-conforming individuals.

- “Gender-based harassment” means unwelcome conduct based on sex or gender.



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