



Huntington Beach Union High School District Board Policies and Administrative Regulations

BP 4030
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All Personnel

Nondiscrimination in Employment

The Governing Board desires to provide a positive work environment where employees and job applicants are allowed equal access and opportunities and are free from harassment in accordance with law. The Board prohibits district employees from discriminating against or harassing any other district employee or job applicant on the basis of the person's actual or perceived race, religious creed, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran status, gender, gender identity, gender expression, sex, or sexual orientation.

Prohibited discrimination consists of the taking of adverse employment action against a person based on any of the prohibited categories of discrimination listed above.

Harassment consists of any unwelcome verbal, physical, or visual conduct that is based on any of the prohibited categories of discrimination listed above and that is so severe or pervasive that it adversely affects an individual's employment opportunities, has the purpose or effect of unreasonably interfering with the individual's work performance, or creates an intimidating, hostile, or offensive work environment.

The Board also prohibits retaliation against any district employee or job applicant who complains, testifies, assists, or participates in the district's complaint procedures instituted pursuant to this policy.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

Any employee or job applicant who believes that he/she has been or is being discriminated against or harassed in violation of district policy should, as appropriate, immediately report to his/her supervisor, designated compliance officer in accordance with AR 1312, or the Superintendent who shall advise the employee or applicant about the district's procedures for filing, investigating, and resolving any such complaint.

Complaints regarding employment discrimination or harassment shall immediately be investigated in accordance with AR 1312.3 – Uniform Complaint Procedures.

Nondiscrimination in Employment (continued)

The Superintendent or designee shall provide training opportunities to employees about how to recognize harassment and discrimination, how to respond appropriately, and components of the district's policies and regulations regarding discrimination.

The Superintendent or designee shall publicize, within the district and in the community, the district's nondiscrimination policy and the availability of complaint procedures. Such publication shall be included in each announcement, bulletin, or application form that is used in employee recruitment.

(cf. 0410 – Affirmative Action Plan)

(cf. 4111.1/4211.1/4311.1 – Affirmative Action: Recruitment and Selection)

(cf. 4119.1/4219.1/4319.1 – Civil and Legal Rights)

Legal Reference:

EDUCATION CODE

200-262.4

CIVIL CODE

51.7

GOVERNMENT CODE

11135, 12900-12996

ADMINISTRATIVE CODE, TITLE 2

7287.6

ADMINISTRATIVE CODE, TITLE 5

4900-4965

TITLE VII, CIVIL RIGHTS ACT as amended by Title IX, Equal Employment Opportunity Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190

CODE OF FEDERAL REGULATIONS, TITLE 34

Policy adopted: 5/12/15