

ALL PERSONNEL

Nondiscrimination in Employment

The Superintendent prohibits unlawful discrimination and/or harassment of San Joaquin County Office of Education (SJCOE) employees and job applicants on the basis of actual or perceived race, color, national origin, ancestry, marital status, pregnancy, physical or mental disability, medical condition, veteran status, gender, sex or sexual orientation at any SJCOE site and/or activity. The Superintendent also prohibits retaliation against any employee or job applicant who complains, testifies, or in any way participates in SJCOE's complaint procedures instituted pursuant to this policy.

Any SJCOE employee who engages or participates in unlawful discrimination, or who aids, abets, incites, compels or coerces another to discriminate, is in violation of this policy and is subject to disciplinary action, up to and including dismissal.

Any SJCOE employee who observes or has knowledge of an incident of unlawful discrimination or harassment shall report the incident to the Program Administrator or Deputy Superintendent as soon as practical after the incident. Failure of an employee to report discrimination or harassment may result in disciplinary action.

The Superintendent designates the following position as Coordinator for Nondiscrimination in Employment:

Mamie Starr, Director of Operations and Support Services
San Joaquin County Office of Education
P.O. Box 213030
Stockton, CA 95213-9030
(209) 468-4853

Other Remedies

An employee may, in addition to filing a discrimination complaint with SJCOE, file a complaint with either the California Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. To file a valid complaint with DFEH, the employee must file his/her complaint within one year of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960
2. To file a valid complaint directly with EEOC, the employee must file his/her complaint within 180 days of the alleged discriminatory act(s). To file a valid complaint with EEOC after filing a complaint with DFEH, the employee must file the complaint within 300 days of

the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier.

Employees wishing to file complaints with the DFEH and EEOC should contact a local DFEH or EEOC office or the Nondiscrimination Coordinator for more information.

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING LOCATIONS

Bakersfield DFEH District Office
4800 Stockdale Hwy, Suite 215
Bakersfield, CA 93309
(661) 395-2729

Santa Ana DFEH District Office
2101 E. 4th Street, Suite 255-B
Santa Ana, CA 92705
(714) 558-4266

Fresno DFEH District Office
1320 E. Shaw Avenue, Suite 150
Fresno, CA 93710-7915
(559) 244-4760

Los Angeles DFEH District Office
611 W. Sixth Street, Suite 1500
Los Angeles, CA 90017
(213) 439-6799

Oakland DFEH District Office
1515 Clay Street, Suite 701
Oakland, CA 94612
(510) 622-2941

Sacramento DFEH District Office
2000 O Street, Suite 120
Sacramento, CA 95814
(916) 445-5523

San Diego DFEH District Office
1350 Front Street, Suite 3005
San Diego, CA 92101
(619) 645-2681

San Francisco DFEH District Office
1515 Clay Street, Suite 701
Oakland, CA 94612
(510) 622-2973

San Jose DFEH District Office
2570 N. First Street, Suite 480
San Jose, CA 95131
(408) 325-0344

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EQUAL EMPLOYMENT OPPORTUNITY COMMISSION LOCATIONS

Oakland EEOC Local Office
1301 Clay Street, Suite 1170-N
Oakland, CA 94612-5217
(800) 669-4000

San Jose EEOC Local Office
96 N. Third Street, Suite 200
San Jose, CA 95112
(800) 669-4000

Fresno EEOC Local Office
2300 Tulare Street, Suite 215
Fresno, CA 93721
(800) 669-4000

San Diego EEOC Local Office
401 B Street, Suite 510
San Diego, CA 92101
(800) 669-4000

U.S. Equal Employment Opportunity
Commission Headquarters
1801 L Street, N.W.
Washington, DC 20507
(202) 663-4900

(12/2007)

cf: 4031 Complaints Concerning Discrimination in Employment
4117.4 Dismissal/Unvoluntary Termination
4118 Suspension/Disciplinary Action
4119.11/4219.11/4319.11 Sexual Harassment
4119.41/4219.41/4319.41 Employees with Infectious Disease
4218 Dismissal/Suspension/Disciplinary Action

Legal Reference:

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.56 Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

7287.6 Terms, conditions and privileges of employment

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 20

1681-1688 Discrimination based on sex or blindness, Title IX

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d – 2000d-7 Title VI, Civil Rights Act of 1964

2000e – 2000e-17 Title VII, Civil Rights Act of 1964 as amended

2000h-2 – 2000h-6 Title IX, 1972 Education Act Amendments

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

104.8 Notice

106.8 Designation of responsible employee and adoption of grievance procedures