Discrimination and Harassment

Southwestern Community College District (SWCCD) prohibits harassment and or discrimination, as required by Title IX of the Education Amendments of 1972, of its students, employees and third parties based on all the following protected characteristics:

<table>
<thead>
<tr>
<th>race</th>
<th>color</th>
<th>ethnicity</th>
</tr>
</thead>
<tbody>
<tr>
<td>religion (including religious dress and grooming practices)</td>
<td>creed</td>
<td>sex</td>
</tr>
<tr>
<td>age (40 years and over in the employment context)</td>
<td>marital status</td>
<td>national origin</td>
</tr>
<tr>
<td>citizenship status</td>
<td>employment status</td>
<td>income status</td>
</tr>
<tr>
<td>shared ancestry and ethnic characteristics</td>
<td>partnership status</td>
<td>medical condition (including cancer and genetic characteristics)</td>
</tr>
<tr>
<td>pregnancy (including childbirth, breastfeeding, or related medical conditions)</td>
<td>disability</td>
<td>political belief or affiliation</td>
</tr>
<tr>
<td>domestic violence victim status</td>
<td>military or veteran status</td>
<td>sexual orientation</td>
</tr>
<tr>
<td>genetic information</td>
<td>gender identity</td>
<td>gender expression</td>
</tr>
</tbody>
</table>

and any other class of individuals protected from discrimination under federal, state, or local law, regulation, or ordinance in any of the college’s educational or otherwise federally funded programs and activities.
Retaliation

Southwestern Community College District prohibits retaliation against any individual for the purpose of interfering with any right or privilege secured by the college’s board policies, administrative procedures or law, or because the individual makes a good faith report or formal complaint, testifies, assists, participates, or refuses to participate in any manner in an investigation, proceeding, or hearing as required by Title IX of the Education Amendments of 1972.

SWCCD Policies and Procedures

The following SWCCD policies and procedures have been established to comply with the Title IX mandates:

- BP 3430 Prohibition of Harassment
- BP 3433 Prohibition of Sexual Harassment under Title IX
- BP 3540 Sexual and Other Assaults on Campus
- AP 3430 Prohibition of Harassment
- AP 3433 Prohibition of Sexual Harassment under Title IX
- AP 3434 Responding to Harassment Based on Sex under Title IX
- AP 3435 Discrimination and Harassment Complaints and Investigations
- AP 3540 Sexual and Other Assaults on Campus
- AP 5530 Student Rights and Grievances

Reporting Discrimination, Harassment and/or Retaliation

If you believe you have been experienced discrimination, harassment and/or retaliation, and want to report it to SWCCD, please use this reporting form.
Notice of Non-Discrimination

Reporting Sexual Misconduct, Sexual Exploitation, Domestic Violence, Dating or Intimate Partner Violence and/or Stalking

If you believe you have experienced Sexual Misconduct, Sexual Exploitation, Domestic Violence, Dating or Intimate Partner Violence and/or Stalking, it is important to know your rights and reporting options.

To report Sexual Misconduct, Sexual Exploitation, Domestic Violence, Dating or Intimate Partner Violence and/or Stalking to SWCCD, please use this reporting form.

SWCCD Personnel Responsible for Responding to Reports

Southwestern Community College has designated the acting Director of Employee Relations and Title IX to coordinate the college’s compliance with federal and state civil rights laws regarding protected characteristics, including Title IX and other laws and regulations referenced above:

Chela Cholula, SHRM-SCP (she, her, ella)
Director of Human Resources, Recruitment & Talent Management
Acting Director of Employee Relations/Title IX Office
Human Resources Division
Southwestern Community College District
900 Otay Lakes Road, Chula Vista, CA 91910
619.482.6330 | mcholula@swccd.edu

The Employee Relations and Title IX Coordinator for SWCCD is:

Mardi Walters, Ed.D.
(she/her) - Why pronouns matter
Employee Relations and Title IX Coordinator
Southwestern Community College District
900 Otay Lakes Road | Chula Vista, CA 91910
Email: mwalters2@swccd.edu

Discrimination in Employment

SWCCD complies with all federal and state laws that protect individuals with disabilities from discrimination based on their disability or perceived
disability status. As such, reasonable accommodations and auxiliary aids and services are available to individuals with disabilities when such modifications and services are necessary to access the institution’s employment application process, during employment, and participation in its programs and services.

SWCCD’s ADA/Coordinator is:

Ruby Ayala
Workers’ Compensation Analyst
619-216-6630 | Email: rayala@swccd.edu

For more information on reasonable accommodations please visit:

Accessibility and Section 508 Compliance (swccd.edu)

Inquiries and Reporting Outside of SWCCD

Complaints and inquiries regarding discrimination, harassment, and retaliation involving federal laws may be directed to the U.S. Department of Education, Office for Civil Rights, at the contact information listed below:

U.S. Department of Education
Office for Civil Rights
50 United Nations Plaza 2
Mail Box 1200, Room 1545
San Francisco, CA 94102
OCR.SanFrancisco@ed.gov
(415) 486-5555
TTY: (800) 877-8339

Or

U.S. Equal Employment Opportunity Commission
Roybal Federal Building
55 East Temple Street, 4th Floor
Los Angeles, CA 90012
(800) 669-4000
TTY: (800) 669-6820
Complaints and inquiries regarding discrimination, harassment, and retaliation involving federal laws related to healthcare may be directed to:

**U.S. Department of Health and Human Services**  
Office for Civil Rights  
200 Independence Avenue, S.W.  
Room 509F HHH Bldg.  
Washington, D.C. 20201  
**OCRComplaint@hhs.gov**  
1-800-368-1019  
TDD: 1-800-537-7697.  
[https://ocrportal.hhs.gov/ocr/smartscreen/main.jsf](https://ocrportal.hhs.gov/ocr/smartscreen/main.jsf)

Complaints and inquiries regarding discrimination, harassment, and retaliation involving state laws may be directed to:

**California Department of Fair Employment and Housing**  
320 West 4th Street, 10th Floor  
Los Angeles, CA 90013  
(800) 884-1684  
TTY: (800) 700-2320

**Federal Contractor Complaints**

Any person who believes that SWCCD, as a federal contractor, has violated nondiscrimination or affirmative action obligations may contact the Office of Federal Contract Compliance Programs (OFCCP) at:

**OFCCP**  
**U.S. Department of Labor**  
200 Constitution Ave NW  
Washington, DC 20210  
**www.dol.gov**  
(800) 397-6251  
TTY: (202) 693-1337