**ARTICLE II**

**NON-DISCRIMINATION**

Section 1.

The District and~~/or~~ the Association shall ~~not illegally discriminate against any member of the bargaining unit on account of race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, sex, (including sexual harassment), sexual orientation, gender, gender identification, age, political affiliation, domicile, or membership and/or participation in an employee organization as defined by the EERA~~. prohibit discrimination, harassment, intimidation, bullying and sexual harassment based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, nationality, immigration status, marital status, parental status, family status, pregnancy status, race or ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics in all educational programs, school related or school sponsored activities, school attendance or employment policies which may have an impact or create a hostile environment at school as required by Title IX of the 1972 Education amendments, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, the California Fair Employment and Housing Act, and other applicable laws and regulations.

Section 2.

The District and/or the Association shall not illegally impose or threaten to impose reprisals on employees, to discriminate or threaten to discriminate against employees or otherwise to interfere with, restrain, or coerce employees because of their exercise of rights guaranteed by the Educational Employment Relations Act (EERA).

Section 3.

This Article is limited to matters within the scope of representation as defined by the ~~Educational Employment Relations Act~~ EERA.