

## Protected Categories

- **Age**, with respect to employment discrimination, refers to the chronological age of any individual who has reached his or her 40th birthday. With respect to discrimination in non-employment programs and activities, Age means how old a person is, or the number of years from the date of a person's birth. Age based stereotype refers to generalized opinions about matters including the qualifications, job performance, health, work habits, and productivity of individuals over forty. Age is a Protected Status.
  
- **Disability**, as defined in California Education Code §66260.5, Government Code § 12926 and the federal Americans with Disabilities Act (ADA), 2008 Amendments, means:
  1. Having a physical or mental condition that limits a major life activity. "Limits" means making the achievement of a major life activity difficult. "Limits" is determined without regard to mitigating measures such as medications, assistive devices, prosthetics, or reasonable accommodations, unless the mitigating measure itself limits a major life activity. A "major life activity" is broadly construed and includes physical, mental, and social activities (such as walking, talking, seeing, hearing) and working; or
  2. Having a known history of a qualifying impairment; or
  3. Being regarded or treated as having or having had a qualifying impairment; or
  4. Being regarded or treated as having or having had such an impairment that has no presently disabling effects but may become a qualifying impairment in the future.Disability includes HIV and AIDS. Disability is a Protected Status.
  
- **Gender** means sex, and includes Gender Identity, Gender Expression, and transgender. It also includes sex stereotyping. Sex includes, but is not limited to pregnancy, childbirth, breastfeeding or any related medical conditions.

Gender Identity means a person's identification as male, female, a gender different from the person's sex at birth or transgender.

Gender Expression means a person's gender-related appearance or behavior whether or not stereotypically associated with the person's assigned sex at birth. Sex stereotype means an assumption about a person's appearance or behavior or about an individual's ability or inability to perform certain kinds of work based on a myth, social expectation, or generalization about the individual's sex.

Transgender is a general term that refers to a person whose gender identity differs from the person's sex at birth. A transgender person may or may not have a gender expression that is different from the social expectation of the sex assigned at birth. A transgender person may or may not identify as transsexual.

Gender is a Protected Status.

- **Genetic Information** means:
  - The Student's genetic tests.
  - The genetic tests of the Student's family members.
  - The manifestation of a disease or disorder in the Student's family members.
  - Any request for, or receipt of genetic services, or participation in clinical research that includes genetic services, by a Student or any Student's family member.
  - Genetic Information does not include information about any Student's sex or age.
  - Genetic Information is a Protected Status.
  
- **Marital Status** means an individual's state of marriage, non-marriage, divorce or dissolution, separation, widowhood, annulment, or other marital state.  
Marital Status is a Protected Status.
  
- **Medical Condition** means either of the following:
  1. Any health impairment related to or associated with a diagnosis of cancer or a record or history of cancer; or
  2. Genetic characteristics. For purposes of this section, "genetic characteristics" means either of the following:
    - a. Any scientifically or medically identifiable gene or chromosome, or combination or alteration thereof, that is known to be a cause of a disease or disorder in a person or offspring, or that is determined to be associated with a statistically increased risk of development of a disease or disorder, and that is presently not associated with any symptoms of any disease or disorder; or
    - b. Inherited characteristics that may derive from the individual or family member, that are known to be a cause of a disease or disorder in a person or offspring, or that are determined to be associated with a statistically increased risk of development of a disease or disorder, and that are presently not associated with any symptoms of any disease or disorder.

Medical Condition is a Protected Status.

- **Nationality** includes citizenship, country of origin, and national origin. It also includes language use restrictions and holding or presenting a driver's license issued under section 12801.9 of the Vehicle Code.  
Nationality is a Protected Status.
  
- **Race or Ethnicity** includes ancestry, color, caste, ethnic group identification, and ethnic background.  
Race or Ethnicity is a Protected Status.
  
- **Religion or Religious Creed** and includes all aspects of religious belief, observance, and practice, including religious dress and grooming practices, and includes agnosticism and

atheism. Religious dress and grooming practices, such as wearing religious clothing, head or face covering, jewelry, and artifacts, are part of a Complainant's religious observance or belief.

Religion or Religious Creed is a Protected Status.

- **Sexual Orientation** means one's preference in sexual partners and includes heterosexuality, homosexuality or bisexuality.

Sexual Orientation is a Protected Status.

- **Veteran or Military Status** means service in the uniformed services.

Veteran or Military Service may be a Protected Status.

- **Caste** means an endogamous and hereditary social group limited to persons of the same rank, occupation, economic position, etc., and having mores distinguishing it from other such groups