**Protected Statuses Under CSU Nondiscrimination Policy**

**Protected Status** includes Age, Disability (physical or mental), Gender (or sex), Genetic Information, Gender Identity (including transgender), Gender Expression, Marital Status, Medical Condition, Nationality, Race or Ethnicity (including color, caste, or ancestry), Religion or Religious Creed, Sexual Orientation, and Veteran or Military Status.

**Age**, with respect to employment discrimination, refers to the chronological age of any individual who has reached their 40th birthday. Age based stereotype refers to generalized opinions about matters including the qualifications, job performance, health, work habits, and productivity of individuals over forty.

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** is a Protected Status.

**Disability**, as defined in California Education Code § 66260.5, Government Code 1296, 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.
5. Disability includes HIV and AIDS. Disability is a Protected Status.

**Disability** is a Protected Status.

**Gender** means sex, and includes Gender Identity, Gender Expression, and 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 female, male, nonbinary, or another gender different from the person's sex assigned at birth. Nonbinary is a general term for people whose gender identities fall outside of the binary conception of male or female. Nonbinary people may or may not identify as transgender.
Transgender is a general term that refers to a person whose gender identity differs from their sex assigned at birth. A transgender person may or may not medically transition and may identify as male, female, or nonbinary.

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.

**Gender** is a Protected Status.

**Genetic Information** means:
The person's genetic tests.
The genetic tests of the person's family members.
The manifestation of a disease or disorder in the person's family members.
Any request for, or receipt of genetic services, or participation in clinical research that includes genetic services, by a person or any person's family member.
Genetic Information does not include information about the sex or age of any person.
**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, including domestic partnership.
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:
3. 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
4. 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 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 a person's identity in relation to the gender or genders to which they are sexually or romantically attracted and includes but is not limited to heterosexuality, gay, lesbian, bisexuality, and queer.
Sexual Orientation is a Protected Status.

Veteran or Military Status means service in the uniformed services.
Veteran or Military Status may be a Protected Status.