

Article 28  
**NONDISCRIMINATION**

- 28.1 The Board shall not discriminate against any faculty employee with regard to the application and administration of the terms of this *Agreement* on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, sexual orientation, gender identity, union activity or any other legally protected status.
- 28.2 The Board shall not discriminate against any faculty employee with regard to the application and administration of the terms of this *Agreement* on the basis of domicile, political affiliation, or the exercise of any constitutionally protected right.
- 28.3 The Board shall not act in an arbitrary or capricious manner with regard to application of the terms of this *Agreement*.