

BIAS RELATED INCIDENT AND HATE CRIMES POLICY

Purpose

As a Catholic college, Emmanuel College upholds the human dignity of all members of our community. As such, Emmanuel seeks to create and maintain an academic, work and social environment free of harassment due to, race, gender, sexual orientation, ability, religion, veteran's status, nationality, ethnicity or any other protected status. To achieve our goal of providing a working and learning environment free from harassment or discrimination, the behavior described in this policy will not be tolerated and we have provided a procedure by which inappropriate conduct will be addressed, if encountered by members of the Emmanuel community.

Please note that while this policy sets forth our goals of promoting a working and learning environment that is free of harassment or discrimination, the policy is not designed or intended to limit our authority to discipline or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of a bias related incident or hate crime.

Scope

This policy applies to all Emmanuel College students. It is written in line with the laws of the Commonwealth of Massachusetts and the Clery Act for reporting crimes on college campuses.

Definitions

This policy is comprised of two overlapping components of behavior that threaten an environment rooted in upholding the dignity of every human being; bias related incidents and hate crimes.

Bias related incident

For the purposes of this policy, a bias related incident refers to behavior that is a violation of the policies listed in the student code of conduct. This behavior can be threatened, attempted or completed and is motivated in whole or part, by the offender's bias toward the victims' race, gender, sexual orientation, ability, religion, veteran's status nationality or ethnicity.

Hate Crimes

According to the Massachusetts Hate Crimes Reporting Act, a hate crime is “. . . any criminal act coupled with overt actions motivated by bigotry and bias including, but not limited to a threatened, attempted, or completed overt act motivated at least in part by racial, religious, ethnic, handicap, gender or sexual orientation prejudice, or which otherwise deprives another person of his constitutional rights by threats, intimidation or coercion, or which seek to interfere with or disrupt a person’s exercise of constitutional rights through harassment or intimidation. Hate crimes shall also include, but not limited to, acts that constitute violations of sections thirty-seven and thirty-nine of chapter two hundred and seventy five, section one hundred and twenty-seven A of chapter two hundred sixty-six and chapter two hundred and seventy-two.” (Definition of “Hate crime” as amended by 2011, 199, Sec. 2 effective July 1, 2012, Massachusetts General Laws, Chapter 22c, section 32)

Take special note that retaliation against an individual who has reported a bias related incident/hate crime and against witnesses of a bias related incident/hate crime will not be tolerated by the College.

Procedure

A student who has been a victim of or witness to a bias related incident or hate crime may report it in writing to any of the following campus professionals:

- Director Campus Safety
- Dean of Students
- Vice President of Student Affairs
- Resident Assistant or Assistant Director/Resident Director (If the incident occurred in the residence halls)
- Director, Multicultural Programs
- Campus Minister, Campus Ministry
- Counselor, Counseling Center

If the incident occurs between a member of the faculty, staff or administration and a student, the student or the witness may file a complaint with any of the following campus professionals:

- Director Campus Safety
- Director of Human Resources
- Associate Director of Human Resources
- Vice President of Student Affairs
- Vice President of Academic Affairs

Investigation

When a report is received, the matter will be promptly investigated in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances.

Disciplinary Action

Emmanuel College students are expected to behave in a manner consistent with community standards. As stated in the *Emmanuel College Statement of Supporting a Diverse and Inclusive Community*, "Members of our community are expected to demonstrate respect and show sensitivity to differences in others. All members of the community are entitled to and responsible for maintaining an environment of civility that is free from disparagement, intimidation, discrimination, harassment, and violence of any kinds. We expect each member of the community to take responsibility for building and improving the quality of our community. We expect that as an educated community we will have a tolerance for others' opinions and openness to their perspective. We expect that every member of the Emmanuel community will accept diversity, value inclusivity, and be civil in dealing with each other. The College does not tolerate racism, sexism, classism or discrimination based on sexual orientation. We hope that all members of our community will model and teach respect for the differences between us and celebrate the similarities that unite us as a people worthy of dignity." December 2, 2010)

A bias related incident or hate crime is contradictory to the community standards mentioned above. It may also, contribute to creating an unsafe, negative, or unwelcome environment for the victim, and/or other members of the college community. Students who engage in behavior that can be classified as a bias related incident or hate crime are subject to disciplinary action through the judicial system.