

## **Discrimination, Hate Crimes, and Biased Incident Reporting**

Hagerstown Community College is committed to providing all students and employees with a safe and supportive environment. Employees are expected to treat each other with mutual respect and to accept the rich diversity that makes up the community.

The College prohibits discrimination based on race, religion or creed, color, age, gender, ancestry or national origin, marital status, sexual orientation, physical or mental disability, genetic information, or covered veteran's status, and is committed to maintaining an environment that is free from such conduct.

Acts of destruction or violence which are motivated by animosity against a person or group because of real or perceived identity or membership in any of the above mentioned groups will not be tolerated at Hagerstown Community College. The College will act to promptly investigate all complaints and take appropriate action to protect individuals from further discriminatory acts. If it is determined that unlawful discrimination occurred, prompt and appropriate action will result.

Any persons witnessing or learning of a hate crime or bias incident that occurs on campus or that involves College students, faculty or staff, can file a report by contacting the Hagerstown Community College Campus Police, the Dean of Students or the Human Resources offices. Upon report, supportive resources will be provided to the reporter(s) and/or alleged victim(s). In cases of hate crimes, individuals can be punished with fines and/or imprisonment. Felony offenses demonstrated to be motivated by bias are subject to enhanced penalties. No-contact orders can be requested even if there is no finding of a violation of College policy. The Hagerstown Community College's Code of Student Conduct list possible sanctions related to prohibited student conduct. While it may be unclear if an incident is motivated by bias, a behavior may still violate College policies.

Any personal information obtained during the course of an investigation of a hate crime and/or bias incident will be handled with discretion and kept confidential to the greatest extent possible. At times, administrators or investigating police officers may need to share information with appropriate parties. The College may also respond to the incident with actions including, but not limited to, campus-wide programming, conversations with student leaders, and/or meetings with individuals and communities most impacted; such actions may take place separate from and while the investigation is on-going.

### Definitions:

A hate crime is a criminal offense committed against a person(s) or property which is motivated, in whole or in part, by the offender's bias towards the actual or perceived group membership(s). Hate itself is not a crime and Hagerstown Community College is mindful of protecting freedom of speech and other civil liberties.

Bias incidents involve verbal, written, or physical behaviors which are not criminal offenses, but target a person because of their actual or perceived identity or group membership(s) and may be in violation of a College policy. This includes inflicting mental or emotional distress upon a person through a course of

conduct involving abuse or disparagement of that person's actual or perceived identity or group membership(s). While all hate crimes are bias incidents, not all bias incidents are hate crimes.

Information about the frequency of reported hate crimes and bias incidents are available via the Hagerstown Community College Campus Police. Due to privacy laws, Hagerstown Community College is not able to provide the name and specific sanction(s) related to incidents where an individual is found responsible for violating College Policy.

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Note: The revision of this policy in 2018 also included the name to be changed from *Discrimination and Harassment* to the current title.