

TEMPLE UNIVERSITY

BOARD OF TRUSTEES

POLICIES AND PROCEDURES MANUAL

Title: Ethnic Intimidation Policy
Policy Number: 04.81.03
Effective Date: June 22, 1989
Issuing Authority: Board of Trustees

Policy

WHEREAS, the Ethnic Intimidation Act of 1982 (P.L. 537-154), which became effective June 18, 1982, takes cognizance of the fact that certain criminal acts are a result of manifestation of malicious intent toward the particular race, color, religion or national origin of an individual or group; and

WHEREAS, ethnic intimidation is defined under the Pennsylvania Crimes Code (§2710, Article B, 18 PA C.S.A.) as an offense which is not independently punishable but must be committed along with certain other offenses; and

WHEREAS, when ethnic intimidation is committed concurrently with an act of another applicable criminal offense, ethnic intimidation is classified one degree higher than the classification of the other offense, unless the other applicable offense is a summary offense, in which case, ethnic intimidation is classified as a misdemeanor of the third degree (§2710 (b)); and

WHEREAS, The Board of Trustees of Temple University - Of The Commonwealth System of Higher Education has already (12/14/82) indicated that it is "committed to a policy of equal opportunity for all in every aspect of its operation" and "the University has pledged not to discriminate on the basis of race, color, sex, age, religion, national origin, sexual orientation, marital status or physical handicap" and "this policy extends to all educational programs and activities"; and

WHEREAS, ethnic intimidation is the very antithesis of Temple University's long tradition of fair play for all persons,

NOW, THEREFORE, BE IT RESOLVED, by the Executive Committee, acting on behalf of the Board of Trustees of Temple University - Of The Commonwealth System of Higher Education, that whenever an individual on the Temple University Campuses is charged with one of the applicable criminal offenses as set forth from time to time, and that infraction is committed with showing of "malicious intent" towards a particular race, color, religion or national origin of another individual or group, both offenses shall be

reported by the officers of the University to the appropriate law enforcement agencies, and that the officers fully cooperate with these agencies in investigating and prosecuting the offender; and that the officers shall develop procedures for handling and reporting incidents of ethnic intimidation.

Notes

1. Dates of official enactment and amendments:

Adopted by the Executive Committee, acting on behalf of the Board of Trustees, on June 22, 1989.

2. History:

none

3. Cross References

Board of Trustees Policy #04.81.01, Ratification of Nondiscrimination Policy
Board of Trustees Policy #04.81.02, Nondiscriminatory Policy as to Students
Board of Trustees Policy #04.83.01, Temple University AIDS Policy
Presidential Policy #04.82.01, Temple University Policy on Sexual Harassment
Presidential Policy #04.82.02, Temple University Policy on Sexual Assault
Presidential Policy #[I-6], Reaffirmation of Equal Employment Opportunities
Presidential Policy #[I-22], Nondiscrimination in Employment
Temple University Affirmative Action Plan