

Bias-Related Harassment and Discrimination Policies and Procedures

Bias and Hate Crimes

A core University value is the innate goodness and dignity of each individual person. When students feel targeted or discriminated against because of a perceived identity, they do not feel like a valued member of the community. St. Bonaventure

Policy Jurisdiction

For purpose of this Policy, the below conduct is prohibited even if the conduct occurs off-campus, outside the United States, the Complainant is not participating or s H H N L Q J W R S D U W L F L S D W H L Q W K H 8 Q L Y H U V L W \ ¶ V H G in circumstances over which the University does not have influence or control, including but not limited to during University academic breaks. The University retains discretion to not respond to, investigate or adjudicate circumstances in which no University interest is implicated.

Policy Violations

This policy prohibits the following forms of misconduct, and considers them violations of the Student Code of Conduct:

Discrimination - Causing physical harm, verbally abusing, intimidating or engaging in other conduct that has the effect of limiting or denying educational services, benefits, opportunities, and/or employment based on actual or perceived Protected Characteristics. These acts include but are not limited to hazing, bullying, verbal abuse, assault, etc.

Bias-Related Harassment ±Any unwelcome verbal or physical conduct directed against a person that occurs as a result of that S H U V R Q \ ¶ V perceived Protected Characteristics, that is sufficiently severe, S H U V L V W H Q W R U S H U Y D V L Y H W K D W L W X Q U H D V R Q D E O \ L Q W H U I H L Q R U E H Q H I L W I U R P W K H 8 Q L Y H U V L W \ ¶ V H G X F A D W L E R Q D O E S U R J U D creation of a hostile educational or work environment.

Harassment may include but is not limited to: epithets, slurs, stereotyping, threatening, intimidating, K R V W L O H D F W V H Y H Q L I F O D L P H G W R E W R I T T E N G R A P H I C V E L E C T R O N I C S U D Q N V \ verbal, physical, etc.

Hate Crimes – A hate crime is a criminal offense that manifests evidence that the victim was L Q W H Q W L R Q D O O \ V H O H F W H G E H F D X V H R I W K H S H U S H W F U D W R U \ ¶ V 6 W % R Q D Y H Q W X U H 8 Q L Y H U V L W \ ¶ V F R P P X Q L W \ V W D Q G D U G V D Q G under the NYS Penal Law.

Retaliation – Retaliation refers to any adverse action taken against an individual who reports or participates in an investigation of prohibited conduct. This includes actions taken by students, faculty, staff, or third parties that are designed to intimidate, threaten, coerce, or discriminate against any individual for exercising their rights to report or oppose conduct believed to be in violation of the Bias-Related Harassment and

Judicial Sanctions for Policy Violations

When the judicial process is utilized to resolve violations of this policy, the full range of sanctions up to and including suspension/expulsion is possible for these violations. However, the University shall follow procedures outlined in the Student Code

policy in incidents where the alleged offender is a staff or faculty member. This policy and the judicial process as outlined in the Student Code of Conduct may be implemented when an incident involves a student as a reporting party or alleged offender. In incidents where the alleged offender is a staff or faculty member, the University reserves the right to apply another applicable University policy or process, which may result in discipline up to and including termination.

Whenever there is a violation of this policy and the alleged offender is known, the University may implement the judicial process as outlined in the Student Code of Conduct. Reporting parties can provide their recommendations to the Associate Dean for Student Life, but it is ultimately up to the Associate Dean for Student Life to determine whether to formally pursue allegations under this policy, and/or which process to utilize. Other methods of resolution between parties include but are not limited to:

- Restorative Practices
- Mediation
- Participation in educational programs or

year. The on-line training utilizes a scaffolded learner framework to deliver core concepts such as recognizing bias, building a culture of respect, understanding labeling and engaging in active allyship. This Policy is also embedded in the on-line training module. Each fall and spring semester, new students also participate in a general education session offered in-person by the Equity Institute.

In addition to the Student Code of Code, which is emailed to all registered students annually, and available on-line, the Division of Student Affairs uses a variety of methods to advise and update students about University policies security procedures, including, but not limited to: posters and flyers in residence halls and across campus; workshops and interactive educational sessions sponsored by the Equity Institute and Resident Life programming; Orientation and Resident Assistant information sessions offered at the start of the academic year or semester; social media; and student emails.

Intentionally Dishonest Complaints of Bias-

[125.26](#) (aggravated murder); [section 125.27](#) (murder in the first degree); [section 120.45](#) (stalking in the fourth degree); [section 120.50](#) (stalking in the third degree); [section 120.55](#) (stalking in the second degree); [section 120.60](#) (stalking in the first degree); [section 130.20](#) (sexual misconduct); [section 130.25](#) (rape in the third degree); [section 130.30](#) (rape in the second degree); [section 130.35](#) (rape in the first degree); former section 130.40; former section 130.45; former section 130.50; [section 130.52](#) (forcible touching); [section 130.53](#) (persistent sexual abuse); [section 130.55](#) (sexual abuse in the third degree); [section 130.60](#) (sexual abuse in the second degree); [section 130.65](#) (sexual abuse in the first degree); [section 130.65-a](#) (aggravated sexual abuse in the fourth degree); [section 130.66](#) (aggravated sexual abuse in the third degree); [section 130.67](#) (aggravated sexual abuse in the second degree); [section 130.70](#) (aggravated sexual abuse in the first degree); [section 135.05](#) (unlawful imprisonment in the second degree); [section 135.10](#) (unlawful imprisonment in the first degree); [section 135.20](#) (kidnapping in the second degree); [section 135.25](#) (kidnapping in the first degree); [section 135.60](#) (coercion in the third degree); [section 135.61](#) (coercion in the second degree); [section 135.65](#) (coercion in the first degree); [section 140.10](#) (criminal trespass in the third degree); [section 140.15](#) (criminal trespass in the second degree); [section 140.17](#) (criminal trespass in the first degree); [section 140.20](#) (burglary in the third degree); [section 140.25](#) (burglary in the second degree); [section 140.30](#) (burglary in the first degree); [section 145.00](#) (criminal mischief in the fourth degree); [section 145.05](#) (criminal mischief in the third degree); [section 145.10](#) (criminal mischief in the second degree); [section 145.12](#) (criminal mischief in the first degree); [section 150.05](#) (arson in the fourth degree); [section 150.10](#) (arson in the third degree); [section 150.15](#) (arson in the second degree); [section 150.20](#) (arson in the first degree); [section 155.25](#) (petit larceny); [section 155.30](#) (grand larceny in the fourth degree); [section 155.35](#) (grand larceny in the third degree); [section 155.40](#) (grand larceny in the second degree); [section 155.42](#) (grand larceny in the first degree); [section 160.05](#) (robbery in the third degree); [section 160.10](#) (robbery in the second degree); [section 160.15](#) (robbery in the first degree); [section 230.34](#) (sex trafficking); [section 230.34-a](#) (sex trafficking of a child); [section 240.25](#) (harassment in the first degree); [subdivision one, two or four of section 240.30](#) (aggravated harassment in the second degree); [section 240.50](#) (falsely reporting an incident in the third degree); [section 240.55](#) (falsely reporting an incident in the second degree); [section 240.60](#) (falsely reporting an incident in the first degree); [subdivision one of section 265.03](#) (criminal possession of a weapon in the second degree); [subdivision one of section 265.04](#) (criminal possession of a weapon in the first degree); [section 490.10](#) (soliciting or providing support for an act of terrorism in the second degree); [section 490.15](#) (soliciting or providing support for an act of terrorism in the first degree); [section 490.20](#) (88.63 Tm0 g0 G{(0-3(s)3(o)-5(licitin)9(g)6()-2(o)-

the specified offense is a class B felony:

(a) the maximum term of the