

HATE CRIME POLICY

The Governing Board of the Southwestern Community College District recognizes that it is the goal of the Southwestern Community College District to promote a learning environment that encourages the enhancement of knowledge among students, faculty and staff in a setting which recognizes the right of each individual to exercise his/her constitutional right to freedom of speech and association. The Governing Board further recognizes that in order to create such an environment, students, faculty and staff must not be subjected to harassment, violence, threats of physical violence or destruction of property because they choose to exercise a constitutionally protected right.

Therefore, the Governing Board hereby declares that the perpetration of "hate crimes" destroys the learning environment, poses a threat to public safety and order, and will not be tolerated. Any student, faculty or staff member who is determined to have committed a "hate crime" shall be subject to appropriate discipline pursuant to the applicable disciplinary procedure.

Hate Crime Defined

The term "hate crime" is defined as:

- a. any physical intimidation or physical harassment, physical force or violence, or the threat of physical force or violence, that is directed against any person or group of persons with the intent to interfere in the free exercise or enjoyment of any right or privilege of that person or group secured by the Constitution or the laws of California or the United States, because of:
 - (1) the ethnicity, race, color, national origin, ancestry, religion, gender, sexual orientation, disability, or political or religious beliefs of that person or group or
 - (2) because the person or group of persons is perceived to possess a characteristic described in (a)(1) above.
- b. the destruction, damage, or defacement of the real or personal property of any person or group of persons with the intent to interfere in the free exercise or enjoyment of any right or privilege of that person or group secured by the Constitution or the laws of California or the United States, because of:

(1) any characteristic described in (a)(1) above; or

(2) because the person or group of persons is perceived to possess a characteristic described in (a)(1) above.

- c. the threat by means of physical force, intimidation or violence or the destruction, damage, or defacement of the real or personal property of any person or group of persons with the intent to interfere in the free exercise or enjoyment of any right or privilege of that person or group secured by the Constitution or the laws of California or the United States, because of:

(1) any characteristic described in (a)(1) above; or

(2) because the person or group of persons is perceived to possess a characteristic described in (a)(1) above.